



MSA Constitution

1. Name

1. The name of the society shall be the “Strathclyde Mature Students Association” (hereafter referred to as “the MSA”). It shall belong to the University of Strathclyde Students Association (hereafter called “USSA”), and shall be bound by the constitution and rules of USSA.

2. Aims Beliefs and Objectives

1. The MSA shall be open to all mature students of any background. Accordingly, the MSA is opposed to, *inter alia*, racism; sexism; sectarianism; and homophobia.
2. The Aims, Beliefs and Objectives of the Society are:
 1. To organise social events for mature students;
 2. To represent all mature students and to promote the issues that affect their studies;
 3. To help incoming mature students meet current mature students and to create an effective peer-group support network;
 4. To be a non-profit making organisation with any financial surpluses being re-invested in the MSA.

3. Membership

1. Membership of the MSA shall be open to all mature students at the University of Strathclyde who abide by the rules contained within this Constitution and Schedules.
2. Ordinary Membership of the Society can only be granted to Ordinary Members of the Students’ Association, as defined within the Union’s Constitution and Schedules.
3. Affiliate membership of the society shall be granted to the following:
 1. A University of Strathclyde student suspended from their course or listed as ‘registered with attendance’;
 2. Any lifelong learning student of the University of Strathclyde who meets the definition of a mature student;
 3. Affiliate members may be co-opted to the Committee of the Society, but are restricted from voting and authorising expenses. Affiliate members shall not constitute more than one-quarter (25%) of the total membership of the Society at any one time.
4. Temporary Membership shall consist of:
 1. Persons attending courses, conferences, events, sports or recreational activities with the University or USSA provided that they meet the definition of a mature student;

1. Temporary Members do not have the right to sign in any guests to the premises;
 2. Temporary Membership shall cease with the finish of the particular duty, course, conference, event, sport or recreational activity.
5. A 'red card', granting access to MSA facilities out with ordinary hours, is a privilege and not an automatic right for each student.
1. 'Red cards' are issued at the discretion of Committee Members;
 2. The continued enjoyment of a red card is subject to abiding by the Code of Conduct (see schedule 1);
 3. A 'red card' can, therefore, be withdrawn following either a breach of the Code of Conduct or via the Disciplinary Procedures.

4.1 Governance

1. The Executive Committee
 1. The posts within the Executive Committee are:
 - A. Convenor
 - B. Treasurer
 - C. Secretary
 - D. Social Convenor
 - E. Networking Officer
 - F. IT Officer
2. The Executive Committee for the following academic year shall be elected from the members of the MSA at the Annual General Meeting (AGM).
3. The minimum requirements are one Convenor and one Treasurer.
4. An individual may hold more than one position.
5. It is possible for any position to be shared by more than one member. If this is the case, they will be known as 'Co-...' and shall have equal authority to carry out their remit.
 1. Accordingly, unless the context clearly indicates otherwise, references below in the 'Executive Duties' section to the singular include the plural, the plural includes the singular and the neuter gender includes both masculine and feminine.
6. The management of the MSA shall be vested in the Executive Committee and all administrative and day to day affairs relevant to running the MSA shall be conducted or delegated to members of the Executive Committee.
7. In the event of a vacancy occurring on the Committee prior to the AGM, the vacancy shall be filled by means of election from members of the MSA at an Extraordinary AGM.
 1. The only exception to this is whereby one of the afore mentioned 'Co-...' members is no longer in office and the other remains in office. In this instance, the remaining committee member will continue in the role alone.
 2. Candidates must be present at the Extraordinary AGM and be nominated and seconded by members who are also present.
 3. Only members who are present may vote and each will have one vote of equal weight.
8. The Executive Committee shall have the power to exercise discipline over members of the MSA in accordance with the Disciplinary Procedures outlined *infra* in section 9.

4.2 Executive Duties

1. Convenor

1. First point of contact for members, prospective members and USSA.
2. Calls and chairs executive meetings and the AGM.
3. Liaises with Committee members as necessary to ensure the smooth running of the MSA.

2. Treasurer

1. Responsible for handling all monies and any Pay-Ins, Cash Claims or Payment Requests.
2. Liaises with the Social Convenor on finances for social events and outings as required to ensure that the budget is adhered to.

3. Social Convenor

1. Encourages students to socialise and ensures that members have the opportunity to attend social events that the MSA will organise throughout the year.
2. Maintains the MSA's presence on social networking sites.

4. Secretary

1. Responsible for taking minutes of GMs and AGMs and distributing electronic copies within two weeks of the date of the meeting.
2. Responsible for the publication of society information on campus. Including, but not limited to, the publication of events posters and information leaflets.

5. Networking Officer

1. Liaises with the Vice President Support and relevant University of Strathclyde organisations to organise workshops and to provide information on amongst others financial, emotional, disability support available for MSA members.

6. IT Officer

1. Ensures the smooth running of the IT equipment in the PC-Lab.
2. Responsible for liaising with Campus IT Services to ensure the software is up to date and to report hardware problems.

5. Committee Meetings

1. All Executive and General Meetings will be held as and when the (Co-)Convenor deems appropriate.

1. This is subject to there being a minimum of 2 meetings each semester.

2. Special General Meetings can be called whenever a majority of the Executive Committee deems them necessary or as a result of a petition by 20 members of the Society.

3. In the event of a permanent vacancy arising on the Executive Committee, an Extraordinary AGM shall be held within 2 weeks (if during term time or within 2 weeks of term re-commencing) in order to ensure that the position is filled.

4. All GMs must be publicised by the Executive Committee.

5. Minutes of all meetings should be made available for general consumption by all MSA members.

6. At least 5 members (Executive Committee members included) must be present at any General Meeting to form a quorum.

5.1 Annual General Meeting (AGM)

1. The AGM will be held once every academic year, before the end of Semester 2.
2. The AGM shall be open to all members of the MSA.
3. Only ordinary members of the MSA are entitled to vote.
4. Notice of the AGM shall be given to all MSA members and advertised to all students at least fourteen days before the meeting.
5. The business of the AGM shall include the election of the MSA office bearers and the presentation of the annual financial accounts of the MSA.
6. Each AGM will be minuted and a copy of these minutes shall be submitted to USSA.

6. Finance

1. The MSA will be provided with a bank account within the Association for which to manage their accounts. The MSA will not have a bank account out with the Students' Association.
2. Funding belonging to the MSA will be used to achieve the aims, beliefs and objectives outlined in section 2.1
3. The Treasurer shall be responsible for the proper account of the funds in accordance with Students' Association regulations.
4. The Convenor or Treasurer's signatories shall be required to authorise financial transactions.
5. In the event of the MSA ceasing to exist, all remaining funds shall revert to USSA.
6. In the event of suspected financial malpractice, USSA has the right to investigate and act accordingly through discipline procedures.
7. Any member representing the MSA outside of Glasgow will be entitled to claim £10 expenses per day on completion of the relevant paperwork.

7. Constitutional Amendment

1. In the event that an amendment must be made to the Constitution, the Executive Committee shall have the power to carry out this amendment until the next AGM, upon which the MSA members must ratify it in order to become permanent.
 1. An amendment must be proposed by one member of the Executive Committee and then seconded by another member.
 2. It will then be passed by means of a majority vote of Executive Committee members.
 3. All Committee members will have one vote of equal weight.
2. Ratification by MSA members will be achieved by means of a vote. All MSA members will have one non-transferrable vote and in order to pass the amendment must be ratified by a majority of those members present at the AGM.
 1. If passed, these changes must be ratified by the Clubs & Societies Executive Committee.
3. A copy of this Constitution shall be made available to any member who wishes to consult it.

8. General

1. We are a recognised USSA Society, and the Society shall at all times abide by the Constitution and Bye-Laws of USSA.
2. The MSA shall also abide by all regulations issued by the Clubs & Societies Executive.
3. At least one member of the MSA Executive Committee shall attend the Clubs and Societies Annual General meeting.

9. Disciplinary Procedures

1. General Jurisdiction

1. All students using the MSA and its facilities shall be subject to these disciplinary procedures.
2. An individual subject to the disciplinary procedures of the MSA shall be in breach of them in the following circumstances:
 1. Conduct amounting to unseemly behaviour within the MSA or any other premises used by the MSA;
 2. Conduct amounting to a breach of the Code of Conduct governing the use of the MSA premises;
 3. Conduct on the part of an elected member of the Committee who unreasonably fails to perform or discharge his/her duties as Committee member in accordance with the requirements of this Constitution;
 4. Conduct amounting to behaviour which would bring the MSA into disrepute.
3. The Committee shall have jurisdiction over all offences involving an alleged breach of discipline where a charge has been made against an individual who is subject to the MSA's disciplinary procedures.
4. It shall be competent for an individual convicted by a Discipline Hearing to have the right to appeal the decision or the penalties disposed thereof.

2. Charging Procedures

1. Where an alleged breach of discipline occurs the following procedure should be followed:
 1. The incident should be reported to any member of the Committee as soon as possible following the event in question, whereupon the Convenor shall ascertain whether the incident merits the party(-ies) being charged;
 2. Should the Convenor deem a charge be brought, a Discipline Hearing shall be called and a Chair nominated from within the Executive Committee (hereinafter referred to as 'the Chair'). The date for this Discipline Hearing will be set within a period of fourteen calendar days from the charge being made;
 3. Once a date for a Discipline Hearing has been set, it shall be the responsibility of the Chair to arrange for 2 Ordinary MSA Members to act as a Discipline Panel to assist the Chair in their deliberations.
 4. In the event of a member of the Executive Committee being subject to a charge, all responsibilities of the Chair relevant to these disciplinary procedures shall be transferred to the VP Clubs & Societies or their nominee.
 5. At any point prior to or during a Disciplinary Hearing a party may enter a guilty plea, moving proceedings directly to Disposals.

3. Interim Provisions

1. The Executive Committee shall at their joint discretion have the power to suspend the membership rights of any individual charged with an alleged breach of discipline from

the date of the alleged offence until a Discipline Hearing (except where the individual is a member of the Executive Committee, in which case an interim suspension can only be imposed with the agreement of the VP Clubs & Societies) in the following circumstances:

1. A physical or sexual assault on an University employee or any student of the University;
2. The uttering of any statement of a racial, prejudiced or prejudicial nature to any employee of the University, any student of the University, or guest of the MSA;
3. Any further act of a nature such as would bring the Association or its members into immediate and serious disrepute.

4. Discipline Proceedings

1. The Prosecutor presenting the case for the Association before any Discipline Hearing shall be the Convenor or his/her nominee.
2. The charged party may represent him/herself at the hearing, or be represented by a person of his/her choice.
3. The charged party shall be notified in advance of the names of all the witnesses who shall be cited by the Prosecutor.
4. The charged party shall be notified in advance of his/her right to bring witnesses to the hearing of the Discipline Hearing to give evidence on the party's behalf.
5. The Chair of the Discipline Hearing may request the attendance and hear the evidence of additional witnesses not brought by either the Prosecutor or the party charged where he/she concludes that such evidence might be of assistance to proceedings.
6. On commencement of the Hearing, the Chair shall outline the charge against the accused and determine the plea entered.
7. The Prosecutor shall outline the case against the accused, which shall include the witnesses for the Association. The accused party shall be entitled to cross-examine each witness, following which the Chair and/or the Panel shall have the right to re-examination of the witness on any new matter, which has arisen during cross-examination.
8. The witnesses for the accused shall then be called and the Prosecutor shall have the right of cross-examination in each case.
9. The accused party may give evidence as a witness on his/her own behalf subject to the Prosecutor's right of cross-examination. Alternatively he/she may make a statement which shall not be subject to cross-examination, but the Panel shall be entitled to take account of the fact that such statement has not been subject to cross-examination when assessing its credibility.
10. The Discipline Hearing shall not be bound by any enactment or rule of law relating to admissibility of evidence in proceedings before the courts of law and the weight to be attached to, and the sufficiency of any item of evidence treated as admissible by the Discipline Hearing shall be at the Chair's sole discretion.
11. The applicable standard of proof in proceedings before the Discipline Hearing shall be the balance of probabilities. The onus of proof shall be on the Prosecutor or his/her nominee. The party charged shall be entitled to call evidence and make submissions to the Discipline Hearing relative to any procedural defects in respect of his or her being charged of the offence before the Hearing. If the Discipline Panel are satisfied that the individual charged has shown that such a breach has been materially prejudicial to the person charged, they shall make a finding of not guilty on that basis alone. If the Panel

decides that such a case has not been made out the proceedings shall continue as if the preliminary submission of the defect and procedure had never been made.

12. At the conclusion of the evidence, the Prosecutor and the party charged (or his/her representatives) in that order shall each be entitled to make a closing speech of closing submissions to the Discipline Panel and thereafter the Prosecutor and the accused and his/her representatives shall leave the room while the Committee comes to its decision.
13. In the event of a party being found guilty of a breach of discipline, the Chair alone shall determine what penalty, if any, to impose in accordance with this Schedule, although he/she may invite and consider advice from the other members of the Discipline Panel as to the appropriate penalty, if any, to impose. When that decision has been reached, the Prosecutor and the party shall be recalled and informed of the findings of the Discipline Panel by the Chair.
14. Prior to any sentence being imposed by the Chair in the event of a finding of guilt, it shall be competent for the party charged with breach of discipline to make a plea in mitigation of the sentence. In deciding the sentence, it shall be competent for the Chair to consider the previous disciplinary record of the party charged.

5. Discipline Proceedings in the Absence of the Party Charged

1. Where the Prosecutor produces evidence that the preliminary procedures to the hearing have been carried out in accordance with this Schedule and where neither he/she nor the Chair of the Discipline Hearing has been informed of the reason of the non-attendance of the accused, or in the event that the accused proffers a reason for his/her non-attendance and where the Discipline Panel reasonably consider that reason to be inadequate or unsatisfactory in all the circumstances of the case, it shall be open to the Discipline Panel to hear the case in the absence of the accused.
2. In the event that the case is heard in the absence of the party charged, once evidence has been led for the prosecution by the Prosecutor he/she shall leave the room whilst the Panel decides upon its finding of guilt or innocence. The Prosecutor shall then be recalled to the room to hear the Committee's decision pronounced by the Chair.
3. If the accused is found guilty the Chair shall pronounce sentence. Thereafter it shall be the responsibility of the Chair of the Panel to send notice of the decision and of any sentence imposed.

6. Penalties and Disposals

1. In the event of a finding of guilt and after the party charged has addressed the Discipline Committee in mitigation of sentence the Chair shall impose one or more of the following disposals:
 1. The party charged shall be admonished;
 2. The party charged will received a severe reprimand and warned as to their future conduct;
 3. Permanent or temporary incapacity to hold any elected position within the MSA shall be imposed;
 4. Suspension of membership for a period prescribed by the Chair;
 5. Withdrawal of 'red card' privileges shall be imposed;
 6. The case may be remitted to the University Authorities, Senate or Disciplinary Committee.
2. Any penalty or penalties imposed shall take immediate effect from the date of imposition. In the event that an appeal is made to the Discipline Appeals Panel by the party within the period prescribed shall have the effect of automatically suspending this decision pending the appeal taken.

7. Appeals

1. A party found guilty of a breach of discipline by the Discipline Committee appealing against a finding of guilty by the Discipline Committee or against the sentence imposed by its Chair must do so on one or more of the following grounds:
 1. The procedures followed in respect of the charging of the party, or in the conduct of the Discipline Hearing, was departed from to such a material extent as to render the proceedings culminating in the finding of guilt void;
 2. That any discretion exercised by the Discipline Panel relative to any aspect of the Discipline Hearing or its conduct was exercised in a wholly unreasonable manner causing material prejudice to the party charged;
 3. That no ordinary or properly instructed Discipline Panel could have returned a guilty verdict based on the evidence provided by the Prosecutor based on balance of probabilities;
 4. That the conduct or action complained of did not constitute a breach of discipline;
 5. That the sentence imposed was oppressive or unduly harsh and did not reflect the nature and circumstances of the offence.
2. A party wishing to appeal against a decision of a Discipline Hearing or against the sentence imposed by its Chair must lodge a notice of appeal within fourteen days of the decision being communicated to him or her. The fourteen day period shall begin one day after communication of the decision by letter addressed to the party.
3. Upon receipt of the notice of appeal, the appellant shall be sent the appropriate Minutes of the Discipline Hearing as soon as reasonably practicable.
4. The procedures for convening a Discipline Appeal Hearing shall be the same as those outlined in Discipline Hearings and their Proceedings, above, with the exception of reasons for appeal being heard in place of a plea.
5. No Chair or member of the original Discipline Panel can be present at any subsequent Appeal Hearing arising from that original Hearing.

Schedule 1: Code of Conduct

Please remember that the MSA is **self-financing** and managed by students for students.

Although this list is not exhaustive, the following rules along with a healthy dose of **common sense**, are the **minimum** that it is expected MSA members will abide by when making use of the facilities.

This is in order to ensure an adequate level of **cooperation** and **respect** is shown at all times to your fellow students, security staff, cleaning staff and all other university staff.

- No eating or drinking in the PC Labs under any circumstances;
- Noise to be kept to a minimum in the PC Labs;
- Ensure that you pay for all your printing and photocopying;
- When Livingstone Tower is in lockdown, members can only use PC Labs 301A and 301B when none are available on level 2;
- PCs left unattended for more than 10 minutes can be used by another member; when taking/making a phone call please leave the PC Lab; when finished, PCs should be logged off not shut down;
- Please ensure that only Whiteboard markers are used on MSA Whiteboards;
- Heaters must be signed out and back in at all times when you are using them out with the MSA common rooms; heaters can only be taken off level 2 Livingstone Tower when used in PC Labs 301A and 302B;
- No sleeping in the MSA or any room on level 2 of Livingstone Tower;
- Ensure you pay for your tea and coffee and, if you can, make a contribution towards other foodstuffs;
- All lockers must be paid for;
- Wash, dry and put away food containers before eating - do not leave them in or around the sink;
- Wash, dry and put away your dishes, cutlery, crockery etc ASAP after use;
- Tidy up after yourself by throwing out all rubbish etc, can all members please read all notices in MSA facilities;
- No alcohol is to be taken to or consumed on level 2 of Livingstone Tower; intoxicated students are not welcome or allowed on level 2 of Livingstone Tower;
- Misappropriation of MSA or other members property will be reported to Campus Security and the appropriate action taken;
- Do not remove mugs, crockery, cutlery etc from the MSA common room;

- It is prohibited from using the MSA out with regular opening hours without possessing an MSA stamped red card; all students must sign out at the security office when leaving the building;
- Any student who loses RED CARD privileges for any period of time cannot use the MSA facilities with a card issued by another department;
- The MSA area of level 2 Livingstone Tower will be monitored 24/7 by CCTV cameras;
- All users of the MSA facilities must have subscribed to this Code of Conduct, students not abiding by the Code may have their MSA privileges withdrawn.

Thank you for **reading** the Code of Conduct.

Thank you in advance for **abiding by** the Code of Conduct.

Finally, if you have any suggestions to improve the Code of Conduct, please contact a Committee Member with your idea.