

guildofstudents

Guild Council

2011/12

Guild Council Guidance Notes

1 Purpose of these Guidance Notes

- 1.1 These Guidance Notes are written with the intention of ensuring free and equal debate and are to be interpreted in that spirit. They do not constitute a 'rule of law'. They are designed to provide parameters in which to run Guild Council, but are designed to be flexible at the point of use.

2 Purpose of Guild Council

- 2.1 The purpose of Guild Council is to act as the representational body for decision making in the Guild, representing the views of all students at Birmingham through elected representatives, Guild Councillors.
- 2.2 As defined in Bye-law 3 – General Governance of the Guild of Students, Guild Council may set Guild Policy, refer proposed policy to Referendum, and amend the Guild's Bye-laws (subject to the approval of the Trustee Board).
- 2.3 Guild Council is also responsible for holding the Officer Team to account.
- 2.4 As stated in the Guild's Articles of Association, decisions of Guild Council may be overturned by the Guild's Trustee Board for legal, financial or reputational reasons.

3 Role of the Chair

- 3.1 The role of Chair in a Guild Council meeting shall be taken by the Chair of Guild Council, elected in accordance with Guild Bye-law 7. A Deputy Chair shall also be elected who may take the role of Chair in any meeting where the Chair of Guild Council is not able to attend, or has had to step down from the Chair for any reason.
- 3.2 If the Chair and Deputy Chair are both unavailable to Chair a meeting, or have both had to step down from the role of Chair for any reason, a Sabbatical Officer will take the role of Chair of the meeting. The President or nominee shall be responsible for ensuring the meeting is chaired.
- 3.3 The Chair shall be responsible for the unbiased interpretation of these Guidance notes within a Guild Council meeting.
- 3.4 The role of the Chair is to ensure that the Guild Council meeting is run in an orderly way and that all attendees have the opportunity to speak in a free and equal manner. During a meeting, the Chair has the discretion to change the order of business on the agenda to meet the needs of the meeting.
- 3.5 Normally, the Chair will not engage in any debate that may occur in Guild Council, nor ask questions to the Officer Team. To participate in debate, or ask questions, the Chair must step down from his/her role for the duration of the debate or question.
- 3.6 During a meeting, the Chair's ruling on any question under the Guidance shall be final, subject only to challenge.
- 3.7 The Chair shall ensure that remarks are relevant to the issue being discussed, that speakers are not intimidated and that no defamatory or offensive comments are made by one person concerning another.

3.8 Should the Chair feel that an attendee is being repeatedly disruptive or has been disrespectful or abusive to another attendee of the Chair, the Chair may remove the attendee from the meeting. It is at the discretion of the Chair to readmit a removed attendee.

3.9 If the Chair feels that a meeting has become too disorderly s(he) may end the meeting

4 Attendance at Guild Council Meetings

4.1 Any Full Member of the Guild of Students may attend and speak at a Guild Council meeting. Only Voting Members (as defined in Guild Bye-law 5, Guild Council) may vote.

4.2 The chair may extend attendance and speaking rights to anyone whom they deem appropriate.

4.2.1 Non-student staff members at the Guild shall automatically have attendance rights, but may not be given speaking rights.

4.3 As defined in Guild Bye-Law 5, Guild Council, all voting members shall attend all meetings of Guild Council. If a voting member is unable to attend, they must send apologies to council@guild.bham.ac.uk prior to the meeting.

4.4 Signing the attendance register shall be sole proof of attendance of a Guild Council Meeting. It is the responsibility of those attending to ensure that they sign the attendance register. The minutes from each meeting shall list all members present at a meeting. Non-voting Members shall be marked as 'In Attendance'.

5 Guild Council Motions

5.1 Steering shall be responsible for agreeing the motions that may be heard by Guild Council. Steering shall use a set of criteria to inform their decision.

5.2 The following criteria shall be employed by Steering when considering the exclusion of a motion from Guild Council:

5.2.1 The motion should not call for action that is illegal under the Laws of the Country, including Charity and Company Law.

5.2.2 The motion should not call for action that is outside the Guild's Charity or Company Objects.

5.2.3 The motion should not include anything that is slanderous or libelous, or information that cannot be substantiated if required.

5.2.4 The motion should consider any financial implications that may be incurred by the Guild.

5.2.5 The motion should not address operational issues that are best addressed through other democratic structures such as Open Forums, or the Officer Team.

5.3 In the event that Steering feel a motion calls for action that may have a reputational risk to the Guild, or the public hearing of the motion may create a reputational risk for the Guild, they can refer the motion to the Trustee Board for guidance.

6 The Guild Council Meeting

6.1 Order of Business

6.1.1 Steering shall be responsible for agreeing each Guild Council meeting agenda.

6.1.2 Normally, the Order of Business for each Guild Council meeting shall be:

- **Chair's opening remarks** – to include a welcome to the meeting, the reading of the Staff Protocol within Guild Council, and the starring of the agenda.
- **Quorum Count** – All voting members shall be asked to vote on a question to ensure that the meeting has enough members to begin (Half the total number of elected voting members)
- **Approval of all unstarred items on agenda** - A starring system shall be used for the agenda. Only starred items shall be discussed at the meeting. Any item not already starred may be starred at the beginning of the meeting.
- **Approval of minutes from the previous meeting** – Minutes should be an accurate account of who attended a meeting, and the decisions made within the meeting. Any amendments needing to be made to the minutes should be brought to the attention of the Chair at this point on the agenda.
- **Report from the Trustee Board** – After each Trustee Board a report on decisions made will be presented to Guild Council for information.
- **Reports from Sub-Committees and Actions from the previous meeting** Guild Council will receive written reports from each Sub-Committee regarding work conducted since the last Guild Council meeting. In this section actions from the previous meeting will also reviewed and Council may question any relevant officer on their progress.
- **Questions & Scrutiny** – Any Attendee may question an Officer related to their role in the Guild. It is preferable for Attendees to email proposed questions to council@guild.bham.ac.uk prior to the meeting to ensure the Officer has an opportunity to prepare an informed response. Questions will be taken from the floor.
- **Communications** – Any Attendee may use this opportunity to make a communication to Guild Council by submitting a Communication request to the Chair prior to the meeting. Communications may be related to upcoming events, successful past events etc.
- **Agenda Items submitted in advance of Guild Council** – Items may be brought to Guild Council for discussion which do not require a formal decision. They will be discussed in this section of the meeting.
- **Elections to sub-committees**- Elections to the various sub-committees of Guild Council.
- **Motions** – Items for discussion which require a formal decision from Guild Council to allow Guild Policy to be set. These must be pre-submitted (by the advertised date for each meeting), and have been seen by Steering to be discussed.

6.2 Order of Debate

- 6.2.1 For any item put to Guild Council for a formal vote, debate shall be allowed. The following debate structure shall apply
- Proposer of motion (or nominee) shall give a 2 minute speech in favour of the motion.
 - A attendee (taken from the floor) shall give a 2 minute speech against the motion (if no one wants to make this speech, it does not have to occur)
 - If the item allows for an Abstain vote, an attendee taken from the floor may give a 2 minute speech supporting an abstain vote (if no one wants to make this speech, it does not have to occur)
 - If the Chair feels it necessary, further rounds of speeches may occur as laid out above
 - Once all debate has finished, the Chair shall ask the proposer or nominee to make a final statement in support of the motion. No new information can be raised at this point.
 - The Chair shall put the item to the formal vote

6.3 Procedural Motions

- 6.3.1 At any point during a meeting, attendees may ask Guild Council to alter the way the meeting is being run. This can be done on the following grounds:
- Change the order of the Agenda so that an item can be dealt with earlier or later on the agenda that originally listed.
 - Stop debate on an item after current round of speeches, and have the question put to a vote (if vote required)
 - Refer an item to a subsequent Guild Council meeting, without allowing a vote on the item.
 - Refer an item to another Guild Committee for decision.
 - Split an item into constituent parts to take separately (if the item is seen to be too big, or too complicated).
 - Adjourn the meeting for up to fifteen minutes.
 - End the meeting, with all items not yet dealt with referred to the next Guild Council meeting.
 - Overturn the decision of the Chair.
 - No confidence in the Chair. (For this to pass it requires a two thirds majority of the vote)
- 6.3.2 To use any of these Procedural Motions, an attendee must put the Motion to Guild Council (through raising of a hand and acknowledgement from the Chair). The Chair shall then ask for the display of five voting cards for the Procedural Motion to be put to the greater vote. Once raised, the Chair shall call a vote on the Direction required, with the options of For and Against. If successful, Procedural Motion will take effect.

6.4 Voting

- 6.4.1 Only voting members of Guild Council (as defined in Guild Bye-Law 5) shall be eligible to vote in any Guild Council meeting.
- 6.4.2 Voting shall normally be held with the use of electronic voting pads. Each voting member shall be given an electronic voting pad at the start of each meeting.
- 6.4.3 Voting in elections held with Guild Council shall be by the Alternative Voting Method and done on paper ballots.
- 6.4.4 Where possible, the Guild shall record the way each voter has voted on an item/motion to be published if required. This is inline with Guild Policy.
- 6.4.5 A revote may be held on any item if the Chair believes that a majority of voters voted wrongly as a result of confusion regarding the question to be voted on, or were intimidated to vote in a certain way.
- 6.4.6 All votes shall be simple majority (50% +1), with two exceptions:
- Approval of a student trustee (requires a 75% majority)
 - No confidence in the Chair (requires a 2/3 majority)
- 6.4.7 There shall be the following voting options for each area of the agenda
- Acceptance of Reports, and Meeting Minutes – For and Against
 - Officer Censures and Commendations – For and Against
 - Motions – For, Against, Abstain

7 Reporting

- 7.1.1 After each Guild Council meeting, a report shall be submitted to the Guild's Trustee Board by the VPDR. This report shall outline the decisions made within the Guild Council meeting

8 Elections

8.1 Any nominations for committee elections within Guild Council should be pre-submitted. The deadline for nominations will be 4pm on the day of the relevant Council meeting.

8.2 "Starring"

- 8.2.1 Elections may be "starred" in the same way as a motion to allow additional students the opportunity to stand. In "starred" elections RON will remain a candidate.
- 8.2.2 If there are more candidates than positions available, the election is automatically starred and additional nominations from the floor may be taken.
- 8.2.3 If an election is not starred and the same number of, or fewer, candidates stand for election then they are deemed automatically elected. Any subsequent vacant positions will be put up for by-election at the next Guild Council meeting.

8.3 Speeches

- 8.3.1 The time limit for all speeches during elections within Guild Council is one minute.
- 8.3.2 This may vary between 30 seconds and 2 minutes at the discretion of the Chair.
- 8.3.3 The Chair's decision may be challenged by the room if they feel that longer or shorter speeches are necessary.

8.4 Elections Schedule

November 10th 2011

Elections Committee (*first year place*)
 Good Governance Working Group
 Appointments Panel (*2 places*)

March 15th 2012

Nominations Committee (*4 places*)

June 11th 2012

2 ordinary places for Elections Committee
 Appointments panel 2012/13 (*2 places*)

9 Censure

- 9.1.1 A vote to censure an officer can be made during the Questions and Scrutiny item on the agenda.
- 9.1.2 To call for a vote to censure an attendee must put the Censure to Guild Council (through raising of a hand and acknowledgement from the Chair). The Chair shall then ask for the display of five voting cards for the Censure to be put to the greater vote. If this is successful a round of speeches for and against will take place, followed by a vote to Censure.
- 9.1.3 For a Censure to pass it must have a simple majority of Councilors in attendance.