

About

This document is a model constitution for a Nightline. Your parent body may require you to use their own template but if not, this is a suggested template to start from. There are a number of notes throughout the document and some highlighted bits that you will need to fill in.

If you need any help or support, please contact governance@nightline.ac.uk

Even if using our template, we strongly recommend asking us to proof-read your constitution before it is approved.

Last updated: 2024-11-12

Constitution - of - **Sodor** Nightline

Note - Title

You should insert the name of your Nightline here.

1. Name

The name of the organisation is **Sodor** Nightline (“**Nightline**”).

Note - Clause 1

You should insert the name of your Nightline here.

2. Parent body

- 2.1. The **parent body** is **Sodor Students' Union**.
- 2.2. The Nightline is legally a part of the parent body.
- 2.3. All activities of the Nightline must be consistent with the rules and policies of the parent body. The rules and policies of the parent body take precedence over the constitution, rules and policies of the Nightline.

Note - Clause 2

You should insert the name of your parent body here.

This clause is important to show that you are part of the parent body - without it, you run the risk of future Committees being unsure as to their legal status and you may experience issues claiming on your parent body's insurance.

3. Served institutions

The **served institutions** are:

3.1. University of Sodor

3.2. Dorsetshire University

3.3. Any other institution of higher or further education as decided by the Committee.

Note - Clause 3

You can list the universities/colleges that you serve here.

Clause 3.3 is optional but will allow you to expand your service without needing to amend the Constitution.

4. Purpose

The Purposes of the Nightline are:

- 4.1. to provide an active listening and information service for students at institutions of higher and further education in, near, or connected with the County of Sodor; and
- 4.2. to raise awareness and understanding of mental health among students.

Note - Clause 4

You should insert your geographical location in Clause 4.1. This may be a single city, or a wider county, depending on your university's structure and campuses.

The "near, or connected with" line allows you to serve campuses outside of your area. Overseas campuses may pose legal issues however - you should seek advice before agreeing to serve them.

5. Application of money and assets

- 5.1. The funds and assets of the Nightline may only be applied towards the promotion of the purposes.
- 5.2. None of the funds or assets of the Nightline may be paid or transferred directly or indirectly to any member of the Nightline. This does not prevent a member from receiving:

- 5.2.1. a benefit from the Nightline in the capacity of a beneficiary of the Nightline; or
- 5.2.2. reasonable out-of-pocket expenses incurred in connection with the Nightline.

6. Powers

- 6.1. In order to further the purposes of the Nightline (but not for any other purpose), the Nightline may exercise the following powers:
 - 6.1.1. to obtain and pay for such goods and services as are necessary for the work of the Nightline
 - 6.1.2. to make use of funds or other assets allocated to the Nightline by the parent body
 - 6.1.3. to set aside funds as a reserve against future expenditure
 - 6.1.4. to cooperate with external organisations, including the Nightline Association, other Nightlines, and charities, and to exchange information and advice with them
 - 6.1.5. to do all such other lawful things as are necessary for the achievement of the purposes
- 6.2. All of the powers set out above are subject to any rules or policies of the parent body that may restrict the exercise of the powers.
- 6.3. Except as permitted by the parent body, the Nightline does not have the authority to enter into any contractual relationship on behalf of the parent body.

Note - Clause 6

Your parent body may want to change the list of powers - the suggested list should be sufficient for most Nightlines but edits can be made.
Clase 6.2 is not strictly necessary as it repeats Clause 2.3 but it is good to include it for clarity.

7. Membership

7.1. Full Members

- 7.1.1. All members of Nightline must be current students of **a served institution**.
- 7.1.2. All members must be aged 18 or older.
- 7.1.3. Membership is not transferable.
- 7.1.4. The Committee must keep a record of the names of all members.
- 7.1.5. The identity of members should remain anonymous to the general student body, with the exception of any members who cannot remain anonymous due to the nature of their role.

Note - Clause 7.1

Clause 7.1.1 has been drafted to allow students from any of your institutions to be full members. Your parent body may only allow students at a certain university to be full members, in this case you should give the name of that university in clause 7.1.1. Clause 7.1.2 is optional. However, if allowing under 18s to be volunteers, you should ensure that you have adequate safeguarding arrangements in place - please seek advice.

Clause 7.1.4 is best practice as it ensures you have certainty around your membership. This “record” can be as simple as your Three Rings directory as long as it is kept up to date.

7.2. Admission of Members

- 7.2.1. Membership shall commence after volunteers have successfully completed the required training.
- 7.2.2. Admission to Nightline shall be based on the volunteer’s performance during the training, and the decision of the Committee shall be final, subject to any right of appeal to the parent body under the parent body’s policies and procedures.

7.3. Rights of Members

All members have the right:

- 7.3.1. To attend, speak, and vote at General Meetings
- 7.3.2. To stand for election and hold a Committee Officer position.
- 7.3.3. To have access to suitable welfare support.

7.4. Suspension of Membership

- 7.4.1. Any member may be suspended from the Nightline by the parent body, for any period of time.
- 7.4.2. A member that is suspended may have some or all of their rights suspended.

7.5. Termination of Membership

Membership will terminate when:

- 7.5.1. The member ceases to be a student;
- 7.5.2. The member resigns in writing to a Committee Officer;
- 7.5.3. The Coordinators consider that non-attendance and a failure to communicate indicates the desire to resign; or
- 7.5.4. The member is dismissed by the parent body.

7.6. Associate members

- 7.6.1. Subject to the rules and policies of the parent body, the General Meeting may create categories of associate membership with such rights and obligations as they may see fit except that no associate

member may be eligible to vote at a General Meeting or to hold a Committee Officer position.

- 7.6.2. Any other reference in this constitution to “members” refers only to full members, with the intentional exclusion of associate members.

Note - Clause 7.6

This clause is optional but allows members that are not full members (e.g. recent graduates or students from other institutions where your parent body does not allow them to be full members). Your parent body is likely to already have these categories defined and so you can replace clause 7.6.1 with details of the categories instead.

8. General Meetings

8.1. Membership & Purpose

- 8.1.1. The General Meeting is the highest decision-making body of the Nightline.
- 8.1.2. All members have the right to attend, speak and vote at General Meetings.
- 8.1.3. A representative of the parent body has the right to attend and speak at General Meetings.

8.2. Frequency & Notice

- 8.2.1. An Annual General Meeting (AGM) must be held in each academic year and is called by the Committee.
- 8.2.2. Extraordinary General Meetings (EGMs) may be called by the Committee at any time.
- 8.2.3. An EGM must be called if requested by the parent body or by **10%** of the members.
- 8.2.4. Notice of General Meetings must be given to all members and to the parent body at least **one full week** in advance (**two weeks** for an AGM or a meeting at which a constitutional amendment will be proposed).

Note - Clause 8.2

The threshold for calling an EGM and the notice periods are suggested as best practice. Your parent body may set different numbers however - you should check this.

8.3. Proceedings

- 8.3.1. Quorum at a General Meeting is the lower of:

8.3.1.1. 50% of members; or

8.3.1.2. 20 members.

- 8.3.2. If it becomes impractical for a meeting to reach quorum, the parent body may give authority for an inquorate meeting to make decisions.
- 8.3.3. Meetings will be chaired by the Coordinators or, in their absence, another Committee Officer.
- 8.3.4. The agenda of meetings will be set by the Committee but must include any item requested by the parent body or 10% of the members.
- 8.3.5. The agenda for an AGM must include:
 - 8.3.5.1. A report from the Committee of the Nightline's activities in the previous year, and the financial income and expenditure of the Nightline.
 - 8.3.5.2. Elections to the Committee for the following year

Note - Clause 8.3

A quorum is suggested in Clause 8.3.1 but you can insert your own figures if you prefer. You should carefully consider the practicalities of the number that you pick. Check that your parent body does not have quorum figures set in its own policies or rules.

Clause 8.3.2 allows the parent body to effectively lower the quorum if it is proving difficult to hold a quorate meeting.

Clause 8.3.5 is optional but gives some guidance to the Committee when calling an AGM. You can add other items if you wish.

If you do not hold your elections at the AGM, delete Clause 8.3.5.2.

8.4. Voting

- 8.4.1. Each member of the Nightline has one vote.
- 8.4.2. In the event of a tie, the motion will fail.
- 8.4.3. Voting will be by show of hands, unless a poll is requested by at least two members.

9. Committee

9.1. Function & Duties

- 9.1.1. The Committee is responsible for:
 - 9.1.1.1. The day-to-day running of the Nightline.
 - 9.1.1.2. Planning and developing Nightline in all respects.
 - 9.1.1.3. Developing, drafting, and approving policy changes.
 - 9.1.1.4. Managing the financial affairs of the Nightline in line with the requirements of the parent body.
 - 9.1.1.5. Upholding the constitution and the rules and policies of the parent body.
- 9.1.2. In addition to their individual duties, Committee Officers also take part in the collective responsibility for the Committee and are also

responsible for any matter delegated to them by the members or Committee.

- 9.1.3. In order to carry out its functions, the Committee may use all of the Nightline's powers.

9.2. Frequency & Notice

- 9.2.1. The Committee will meet whenever required, but at least two times per term.
- 9.2.2. The Coordinators may call a committee meeting at any time and must call a meeting at the request of any two Committee Officers.
- 9.2.3. Every Committee Officer must be given at least 48 hours' notice of an ordinary meeting.
- 9.2.4. An emergency meeting may be held with less than 48 hours notice, provided that reasonable notice has been given to every Committee Officer.

Note - Clause 9.2

Clause 9.2.4 is optional but allows you to react to urgent situations.

9.3. Proceedings

- 9.3.1. Quorum at a Committee Meeting is 50% of Committee Officers.
- 9.3.2. Meetings will be chaired by the Coordinators or, in their absence, another Committee Officer.
- 9.3.3. The agenda of meetings will be set by the Coordinators but must include any item requested by a Committee Officer.
- 9.3.4. Every Committee Officer has an equal right to speak and vote.

9.4. Voting

- 9.4.1. The Committee will work towards a consensus wherever possible.
- 9.4.2. Each Committee Officer has one vote.
- 9.4.3. In the event of a tie, the Coordinators have an additional casting vote.
- 9.4.4. Voting will be by show of hands, unless a poll is requested by at least two members.

Note - Clause 9.4

Clause 9.4.3 is optional but is a common provision.

9.5. Decisions made outside of meetings

- 9.5.1. A decision may be made outside of a Committee Meeting if it is agreed to by a simple majority of Committee Officers, including the Coordinators.
- 9.5.2. The decision and all agreements must be in writing, which may be electronic.

Note - Clause 9.5

This clause is optional but allows you to make decisions over email / text / etc. without needing to hold a meeting.

10. Committee Officers

10.1. Committee Officer Positions

The committee is made up of the following positions:

10.1.1. Coordinator (two positions)

10.1.2. Treasurer

10.1.3. Secretary

10.1.4. Welfare Officer

10.1.5. Rota Officer

10.1.6. IT Officer

10.1.7. Socials Officer

10.1.8. The Committee may create additional Committee Officer positions as required.

Note - Clause 10.1

You should list your Committee positions here. You can give more detail about their responsibilities, but this detail may belong better in policy.

Clause 10.1.8 is optional but provides flexibility.

10.2. Eligibility

10.2.1. To be eligible for a committee office, a person must be a full member of the Nightline and have the required skills, experience, and characteristics for the position.

10.2.2. A person who ceases to be eligible for a position will automatically cease to hold office.

11. Elections & Removal of Committee Officers

11.1. Term of Office

11.1.1. Committee Officers are selected through election at the AGM (or a later EGM if need be), and the term of office will run from the AGM in one year to the AGM in the following year.

11.1.2. No member may hold more than one Committee Officer position.

Note - Clause 11.1

If your elections are not held at the AGM, you should amend Clause 11.1.1 as required.

11.2. Election Process

- 11.2.1. The election of all Committee Officers must be carried out in a free and fair democratic manner (in accordance with any rules, policies, or guidance issued by the parent body).
- 11.2.2. All members are entitled to vote.
- 11.2.3. Voting will be carried out according to the rules and policies of the parent body or, if there are no applicable rules or policies, a method agreed by the General Meeting.

Note - Clause 11.2

You can replace 11.2.3 with more comprehensive details if you wish.

11.3. Casual Vacancies

- 11.3.1. If a Committee position becomes vacant during the term of office due to resignation or removal, an EGM should be called to fill the vacancy.
- 11.3.2. The Committee may appoint a temporary acting officer to fill a vacant position.

Note - Clause 11.3

If your elections are not held at the AGM, you should amend Clause 11.3.1 as required.

11.4. Resignation and Removal of Committee Officers

A Committee Officer is automatically removed from their position if:

- 11.4.1. They cease to be eligible for the position;
- 11.4.2. They resign in writing to the Coordinators;
- 11.4.3. They are removed by the members; or
- 11.4.4. They are removed by the parent body.

11.5. Removal of Committee Officers by the members

- 11.5.1. Any Committee Officer may be removed from their position as a last resort only.
- 11.5.2. Reasons for removal include bringing the Nightline into disrepute by their actions in office or an insufficient level of commitment or ability as a Committee Officer.

- 11.5.3. A Committee Officer can be removed only following a request from:
 - 11.5.3.1. a majority of the Committee,
 - 11.5.3.2. 10% of the members
- 11.5.4. The Coordinators must then call a General Meeting within two weeks. At this meeting, both the proposers and the Officer must be allowed to make their case to a meeting.
- 11.5.5. A secret ballot will then be held. A majority of 75% is required to remove the Committee Officer.
- 11.5.6. An appeal can be made in writing to the parent body by the removed Officer or the proposer if they believe that the process was not correctly followed.

Note - Clause 11.5

This clause is optional. If you do not include it then the only way to remove a Committee member will be to have the parent body remove them.
If you do not include this clause then you should also remove Clause 11.4.3

11.6. Removal or suspension of Committee Officers by the parent body

The parent body may dismiss or suspend any Committee Officer in the event of serious misconduct.

12. Constitution & Policy

12.1. Constitution

- 12.1.1. This constitution is subject to the policies and rules of the parent body.
- 12.1.2. This constitution may be amended by a 75% majority at a General Meeting but any amendment is subject to the approval of the parent body.

12.2. Policies & Procedures

- 12.2.1. Policies and procedures can be created about any matter relating to the operation of the Nightline.
- 12.2.2. Policies and procedures may not contradict this constitution, or the policies and rules of the parent body.
- 12.2.3. Policies and procedures may be created, removed, or changed at any time by the Committee.

13. Conduct & Disciplinary

- 13.1. The Committee may establish appropriate disciplinary policies and procedures for the Nightline to cover inactivity, failure to complete training, and other minor issues.
- 13.2. All serious issues must be referred to the parent body. This includes, but is not limited to:
 - 13.2.1. criminal activity
 - 13.2.2. harassment or assault
 - 13.2.3. discriminatory behaviour

Note - Clause 13

You or your parent body may wish to add more examples to clause 13.2 to aid future Committees.

14. Affiliations

- 14.1. The parent body is a member of the Nightline Association.
- 14.2. The Nightline's activities must follow the requirements of the Nightline Quality Standards issued by the Nightline Association.

Note - Clause 14

This clause is useful to make the Association's role clear and to help you in discussions with your parent body about best practice.

15. Closure

- 15.1. The Nightline may be closed by a 75% majority vote at a General Meeting.
- 15.2. In the event of the Nightline being closed, all money and assets remain the property of the parent body.
- 15.3. Where money or assets have been donated to the Nightline for the specific purpose of providing the Nightline service, the money or assets will be held on trust by the parent body to be used for:
 - 15.3.1. the future provision of a Nightline service; or
 - 15.3.2. similar purposes as permitted under cy-près powers

Note - Clause 15

Clause 15.3 reflects the general legal position regarding gifts for a purpose. Your parent body may wish to remove it but this does not actually affect anything.