

OUSU

council agenda

**7th week Council to be held at 2.30pm on Friday 6th March 2009
In the Christopher Cox room, New College
Sign in from 2.15pm**

- a. Minutes of the Previous Meeting
- b. Matters Arising from the Minutes
- c. Ratifications in Council
- d. Elections in Council
- e. Reports from the Sabbatical Officers
- f. Reports from the Executive Officers who wish to make reports
- g. Questions to Members of the Executive
- h. Emergency Motions
- i. Passage of Motions Nem Con
- j. Motions of No Confidence or Censure
- k. First readings of Motions to Amend the Constitution or Standing Orders
- l. The Budget or Amended Budget
- m. Motions Authorising Capital Expenditure
- n. Other Motions
 - i. motions affecting ousu members as ousu members
 - ii. motions affecting ousu members as students at Oxford University
 - iii. motions affecting ousu members as members of the student movement
 - iv. motions affecting ousu members as residents of Oxford
 - v. motions affecting ousu members as residents of the United Kingdom
 - vi. motions affecting ousu members as citizens of the world
- o. Any Other Business

a. Minutes of the Previous Meeting

No matters arising

c. Ratifications in Council

I. Ratification of Complaints Committee Ruling

Elliot Golend (Pembroke)

I will briefly summarise for anyone who was not around last term. I asked last term for financial information about OSSL, the result was should OUSU / OSSL would provide termly accounts, which would be provided on request.

This has led to this complaint, as they were not provided despite the fact that this had been mandated by a previous complaints committee resolution. We were not provided with any information on this. OUSU said in last council that this would be provided by this council.

Reaffirmed previous ruling, and suggest if it doesn't occur by next term we will move to sanctions.

Opposition

Lewis Iwu (New)

I would like to provide council with some contextual information.

OSSL is a commercial subsidiary, which means that business can be run with them confidentially. A charity with a commercial arm is the usual way other unions structure their business.

Because it is a company it is therefore governed by company law. We cannot make any actions which we feel will effects the company or its employees negatively. We have an obligation to promote the long term success

of OSSL. OSSL ruled that it would undermine the company, if we were to provide termly reports to council as commercial info has to remain confidential.

We therefore have a problem between what council has mandated, and what UK law says. What we do is provide Council with all the info that OSSL provides to companies house, which we give annually. This information can be found on line.

This is why this information has not been release by previous Business Managers as it is against the law.

Elliot Golend (Pemb)
Why taken to until now?

Lewis Iwu (New)
Because I have been in consultation with lawyers and accountants, and because I needed full information before I could advise council.

Ben Britton (St Catherine's)
This was brought this up before last week. Why didn't you know this information in 5th week MT.

Lewis Iwu
In MT when this was brought to council, filed audited accounts on website. File as soon as possible is when we have them audited, couldn't publish until audited anyone is welcome to see previous accounts of OSSL. If we decide to create a company we cannot make it transparent, just how it works because a company. Could put a motion for it to be unwound if they are not happy with it functioning in this way.

SFQ
Who are the board members of OSSL

All of the sabbatical officers apart from Kaushal Vidyarthee, some members of the Executive and Sue from the accounts department as well as the Acting financial manager and the accountant.

Stakeholders OSSL members, people who have a vote in council. Distinction between directors and members. Directors cannot reveal information if it will have a detrimental effect on the company in the long term.

Andrew Brown (Christ Church)

Point of Order
Not a member of Council.

Point of Order
Elliot Golend proposed to give him speaking rights.

No one was in opposition he was therefore given speaking rights.

Andrew Brown
I personally disaffiliated last year

Asked OSSL accounts two weeks ago, wasn't given them by (mentions member of OUSU permanent staff)
Advised by Chair that can't discuss employees of OUSU who are not members of council.

I was told OSSL budgets were not available for public review, yet now two weeks later they have been put up on website.

Originally complained... begins long speech

Point of Order

Needs to be a short factual question.

SFQ

If a standing order is written in the way that they mean by following them then we are breaking law, then why are they here?

Lewis Iwu (New)

Been latent we are going to try and repeal. There has never been a time when this amount of financial information was given on a termly basis.

SFQ

Really unclear how OUSU council gets to comment on how OSSL runs its accounts. Surely your roles should be separate. You are in breach of trust if you're making decisions based in the interests of the other company. What power does OUSU council have to tell OSSL what to do?

Lewis Iwu (New)

AGM people who come to OUSU council act as members of this company. Wearing hat as members of company, this has happened year after year.

How can OUSU council ratify this, did Complaints committee look into this?

Elliot Golend (Pemb)

No reason to think that there were legal issues.

(Individual from Council)

I used to work for Charity commissions, OUSU council can't make OSSL directors do this.

Question

Could you clarify in terms of why?

Would hurt OSSL, how much have made in a certain time, some companies may make you do business with them in confidentiality because they may be working with other publications. It could reveal sensitive management information about other companies relating to when deals are done. This is the opinion held by the accounts staff, who have worked for OUSU for over 10 years, and the business staff who deal with customers and suppliers on a daily basis. Feels strongly on this, got statement from the Acting SAFAM

SFQ

Why when I asked for accounts, did they advise that they were not to be published by OUSU, and then I find them on the website, after I have had to pay companies' house for them.

Lewis Iwu (New)

I apologise we did not have the full information then

Chair

Reminds Council that they cannot comment on unelected individuals.

Andrew Brown

Why is it important that Council can see this information, because OUSU claims that OSSL contributes, yet on inspection of the accounts filed with Companies House this does not appear the case.

In fact OUSU pays for the most of the costs for OSSL, I am simply reporting what I know from the information that is available in the accounts. In 2005/6 Calculate amount of OSSL paid to OUSU £5,000 whereas the amount OUSU supported OSSL by seriously exceeds this.

OUSU in fact contributes to OSSL. Students actually contribute to the running of OSSL.

All money received by OUSU and we as a student body should be able to see this information.

Lewis Iwu (New)

In terms of rent the union gets a block grant for activities, and a grant for SAFAM. OUSU would go bankrupt without OSSL. Needs a commercial arm to support OUSU. The directors meet termly with the University, to scrutinize OSSL accounts.

OSSL incredibly valuable, we don't charge them rent, because this actually comes from the University

If you think how it is structured is wrong then bring in a motion to council to change this

Ben Britton (St Cats)

Not arguing about OSSL what it should do or the relationship with it, it is a given that it is a close relationship. What concerned about is the lack of transparency in both sets of accounts. We can't be sure what paying for. Seemingly transparent in OUSU, but smoke and mirrors in OSSL. We should support the ruling of the Complaints Committee.

Alex Bulfin

Interesting no ability to comment. It seems unclear whether OUSU council can make this decision or not it needs to be clarified.

Need to make sure it is as transparent as possible. To represent as smoke and mirrors or as having a conflict of interest is wrong because it's an extremely good and normal way. It provides stability and security.

Andrew Brown

Not asking for dissolution of OSSL, fine for it to exist as long as it is profitable, but obviously it is not because it is subsidised. We need to find a way, which will force OSSL to produce termly reports.

SFQ

Why wasn't the information about illegality given to comp committee?

Lewis Iwu (New)

On conflict of interest point, constitution says the President has to be chair of OSSL. We can't force OSSL directors to do something, which will be contradictory to the interests of the company.

The University gives us money for it, but the University scrutinizes OSSL about this and asks searching questions every term. Fact we have a company means some things can't be completely transparent. Only on OSSL board that finally got info.

Is it possible to amend?

Point of Order move to vote

Favour

Lewis Iwu (New)

As we can't amend, seems inherently unclear there is no point trying to go further, however this debate has been very valuable.

Speak about options about.

In favour of move to vote.

Passes to move to vote.

Summary in Proposition

Elliot Golend

The issue here is that there might be certain information that should have been brought to complaints.

OUSU has right of appeal should do it themselves. Council doesn't like matter of complaint. I have to submit the appeal. Let them use the right of appeal rather than trying to overturn the submission

Speech in opposition

Lewis Iwu (New)

We as a council decide whether we should uphold. Good reasons why we shouldn't uphold it. Document sent to complaints in MT. If as directors we don't think it is in the interests of company for us to provide this information and then we do, then we are acting illegally.

Clearly Fails

2. Emergency Motion Ratification

Chair Explains reasons for allowing to be an Emergency Motion.

Reason is that the university did not finalise pay grades until Tuesday. Reason is because how much paid is pretty important, when it comes to applying for a job. Therefore it can be seen to have substantially arisen after deadline.

No challenges. Good I remain a Chair who has not been challenged.

Lewis Iwu (New)

OUSU has internally undergone staffing review, as GM leaving and SAFAM leaving, we have looked at what work is actually being done and put it under different jobs, basically putting the correct jobs under the right specifications and portfolios.

Passed

n. Other Motions

1. Returning Officer's Report for Statutory Elections Michaelmas Term 2008

Madeline Stanley (LMH)

The report from the elections is very long so want to speak about it, as if I don't I think it is unlikely that anyone is going to read the whole of it. I'm not going through geeky one's just a few important points. Should be stricter rules relating to media participation.

It is clear that there should be strict rules around special council. It shouldn't be possible to change election rules when in the middle of the election. Endorsements. Declaration form a waste of time. Financial breakdown, should become part of nom process. Use of internet, free use is not easy to monitor, not easy to keep inline with standing orders. Huge problems with facebook.

Online voting, I haven't made a recommendation to go back to paper ballots, although there is an issue with voting lists which we have to sort. Shouldn't burn bridges with paper ballots, but think should keep online at this time.

James Dray (Mans)

One suggestion is that because you can vote online from wherever, it loses some of the atmosphere that there is with a paper ballot. What do you think to the idea of each college setting up a voting site with a common room returning officer, to stimulate the old type of election do you think this would help? Or would this just bring back the problem of the returning officer having too much influence on the elections?

Madeline Stanley (LMH)

Personally to me that seems like the problem without the solution, gives scrutineers the power over the election without the checks inherent in the paper ballot system.

How would you bring back the elements of paper voting that have been lost?

Madeline Stanley (LMH)

Constantly re-evaluate electronic voting. Should still consider paper voting in future as there may be a place for it.

RONs how will they be handled in the future?

Madeline Stanley (LMH)

No ron in elections if want to put them in would have to bring a change to the constitution and standing orders.

You mention about stopping media participation early on, what if someone decided to run in 4th week after writing in the paper.

Madeline Stanley (LMH)

Ways of doing this, it is an election offence. If something is clearly done to effect the elections before the elections happen. Introduce a clause. Is banned from the opening of nominations. Anything before this should not be allowed. Press quite fair in the last elections, but they may not be in future.

Could we go back to having a paper vote if we wanted to?

Madeline Stanley (LMH)

At the minute, don't think there is an actual provision for use of paper ballot if a problem, but think sensible enough to just use if a real problem.

Jonny Medland (Queens)

Are you going to bring SO changes next term?

Madeline Stanley (LMH)

Not sure.

James Dray (New)

Recommendation 19. Is there a reason why this came up?

I stumbled across it a week before the elections. A subsection of a colleges votes, can be excluded because extremely prejudiced there has been cases in the past, were the votes of a college have been excluded because prejudiced beyond all effects. Think power someone should have but only for extreme situations

Can you disqualify in my vote?

Yes

Why can't you comment on alternative hustings?

Madeline Stanley (LMH)

I can't undo something special council did. I had to report on them and they were incredibly protracted and I hated every moment because there was no real debate, basically they didn't do what designed to do. Not able to suggest that shouldn't happen

Have we anyway solved problems regarding the use of non-herald addresses?

Jake Leeper (LMH)

Would you disqualify a whole college, might be something on an e-mail that went round a JCR. A prejudicial e-mail, would obviously mean that everyone had seen it. But if someone was protesting, and this was only ever in college for specific time, then would you exclude everyone in the college from Voting?

Madeline Stanley (LMH)

Won't make a ruling on something hypothetical. Might want to give a power to Junior Tribunal, the intricacies of how it would work would have to be used then.

James Dray (Mans)

Did it come out of something that happened?

No. It was a case of what if this were to happen. Can you do this if this happens. This is the one chance I have to say what is wrong with the elections.

Passed

2. Returning Officer's Report for By-Elections Hilary Term 2009

Madeline Stanley (LMH)

It was necessary for voter lists to be changed manually to insert herald addresses for those who had originally put down non-herald addresses. Possibility to put a hyperlink to my voice, may be a possibility in the future. Some problems with this, need to be aware of need to be sorted out.

Passed

Election of pub 3 Goats Head