

Council Agenda

7th Week Michaelmas Term 2016

7th Week Council to start at 5:30pm prompt, with sign in opening at 5:15pm, on Wednesday 23rd November 2016; **VENUE TO BE CONFIRMED.**

We aim to make Council as accessible as possible, and ensure that it is always in accessible venues. However, if there are any accessibility requirements that we are not meeting for yourself or others, please contact OUSU's Democratic Support Officer at dso@ousu.ox.ac.uk. If you have any questions about OUSU Council, please feel free to contact the Chair, Matthew Dawe, at chair@ousu.ox.ac.uk.

- a. Minutes of the Previous Meeting
- b. Matters Arising from the Minutes
- c. Elections in Council
- d. Reports from and questions to the Sabbatical Officers, Executive Officers, Representatives of the OUSU Campaigns and RAG (*Raise and Give*), report from the Trustee Board, and report from the Trinity Term 2016 Returning Officer on the National Union of Students (NUS) affiliation referendum
- e. Visit from Richard Brooks, NUS Vice President (Union Development)
- f. Items for Debate
 1. National Union of Students democracy review
- g. Items for Resolution
 1. Urging the Oxford University Press to withdraw its appeal in the Rameshwari Photocopy Services case before the Delhi High Court
 2. College opening hours
 3. OUSU involvement in the Teaching Excellence Framework
 4. Prevent landlords and letting agents from taking advantage of student tenants
 5. Accepting the Michaelmas Term 2016 Scrutiny Committee report Below the Line*
 6. Consequential amendments to Campaign constitutions
 7. Updating guidance for Council's Scrutiny Committee
- h. Items for Debate
- i. Any Other Business

* We mark some items as "below the line" if we think they are uncontroversial – these will not be discussed unless someone in Council requests this, and at least ¼ of voting members present agree.

Please Note:

OUSU's team will be filming elements of Council as part of a new marketing and communication plan to promote OUSU Council. If you are not happy to be filmed or would like to remain out of the footage please contact Matt Tennant, Membership Services Manager (msm@ousu.ox.ac.uk) or Jo Gregory-Brough, Communications Manager (commsmanager@ousu.ox.ac.uk)

a. Minutes of the Previous Meeting

b. Matters Arising from the Minutes

c. Elections in Council

Chair of Council – to chair meetings of OUSU Council (and Council’s Steering Committee) for Hilary Term 2017.

Returning Officer – to oversee all elections, including the Annual Elections in 4th week (for Sabbatical officers and other positions), any cross-campus referendums, and Elections in Council. To serve for Hilary Term 2017.

Deputy Returning Officer – assists the Returning Officer in overseeing elections, referendums and Council. To serve for Hilary Term 2017.

Scrutiny Committee (x2) – to interview the Sabbatical officers and write a termly report to Council, in order to scrutinise the officers’ work. To serve for a year until the end of Michaelmas Term 2017.

JSc(EC)SM (Joint Subcommittee of the Education Committee with Student Members) (x2) – The principal committee for OUSU’s relationship with the University. Responsible for reviewing the democratic procedures of the Student Union, such as our elections and budget. **Must be filled by a graduate student.** To serve for two meetings (one in Hilary Term 2017; one in Trinity Term 2017).

Language Centre Committee (x2) - One of these positions must be filled by a graduate student. To serve from Michaelmas 2016 to Trinity 2017.

Steering Committee (x2) - Steering Committee is responsible for compiling the agenda for Council, and referring motions submitted to Council to other committees for preliminary discussions as and when needed. To serve for Michaelmas Term 2016.

Budget Advisory Group (x3) – This is an advisory subcommittee of OUSU’s Finance Committee. To serve until the end of Trinity Term 2017.

d. Reports from and questions to the Sabbatical Officers, Executive Officers, Representatives of the OUSU Campaigns and RAG (*Raise and Give*), report from the OUSU Trustee Board, and report from the Trinity Term 2016 Returning Officer on the NUS affiliation referendum (Appendix 1)

e. Visit from Richard Brooks, National Union of Students Vice President (Union Development)

f. Items for Debate

1. National Union of Students democracy review (Proposed: Jack Hampton, St Catherine’s)

Two questions posed by National Union of Students, to be debated:

Q29. How else might NUS reach out to engage more students through students’ unions and help them feel involved in decisions?

Q7. How else might NUS increase accountability?

g. Items for Resolution

1. Urging the Oxford University Press to withdraw its appeal in the Rameshwari Photocopy Services case before the Delhi High Court

Council Notes:

1. The Delhi High Court in the case of *the Chancellor, Masters and the Scholars of the University of Oxford, trading as Oxford University Press v. Rameshwari Photocopy Service*, permitted the photocopying of certain course materials.
2. That the Oxford University Press has filed an appeal against this judgment before a larger bench of the Delhi High Court, scheduled to be heard on 29 November 2016.
3. That the authors and academics published by the Oxford University Press have recognized the social consequences of this decision and have opposed the filing of the original lawsuit.
4. That the case found that, contrary to the publisher's stance, Oxford University Press have not and will not suffer any significant losses by allowing students to photocopy excerpts of academic works for course packs.

Council Believes:

1. That the court's verdict protected the right of the students in India to have an affordable and meaningful education.
2. That the decision of the Oxford University Press to appeal the decision ignores the tremendous resource constraints with which students and institutions in developing countries are faced, and the many economic hurdles they have to overcome to access knowledge goods.
3. That if the Oxford University Press is successful in its appeal, it will result in an increase in the cost of higher education in India to the extent that higher education in India will be inaccessible to all but a privileged few
4. That it is disappointing for a University Press, affiliated to a University which strongly believes in devising ways for securing equitable access to knowledge, and instituting open access regimes with greater reach, to pursue such an aggressive litigation in a developing country.
5. It is important to support better access to education for students across the world, in line with existing OUSU policy.

Council Resolves:

- 1) To condemn this decision of the Oxford University Press to appeal the decision of the Delhi High Court.
- 2) To urge the Oxford University Press to withdraw their appeal before the Delhi High Court.
- 3) To mandate the OUSU Sabbatical officers to take all possible efforts to convince the Oxford University Press to withdraw their appeal before the Delhi Court.
- 4) To support the open letter to the Delegacy of the Oxford University Press by the students, urging them to withdraw their appeal.
- 5) To encourage all members associated with Oxford presently or in the past, to sign the above-mentioned open letter.
- 6) To continue OUSU's commitment to supporting better access to education for students.

Proposed: Gopika Murthy Lekshmi (Exeter)

Seconded: Arushi Garg (Magdalen)

2. College Opening Hours

Council Notes:

1. A considerable amount of colleges have opening hours.
2. These opening hours in some cases are fairly restrictive.

Council Believes:

1. These opening hours seem not to promote a community spirit within the University.
2. These opening hours are frustrating when visiting friends.
3. These opening hours are disliked by many students.
4. These opening hours relegate members of the university to view or enter colleges at peak times when tourists are allowed, which does nothing but increase congestion and/or inconvenience the student from a different college.
5. It is not a considerable number of students who would be visiting any one college at any one time, so the opening hours benefit colleges so negligibly and hinder students of the university markedly, that they should be repealed.

Council Resolves:

1. To condemn these opening hours as not in-keeping with the inter-collegiate community spirit.
2. To oppose that these opening hours for other students actually benefit the college in any real way.
3. To propose that members of the university, on presentation of a valid Bod card, should be admitted to a college (at very least before college doors shut for the night).
4. To mandate the President of the Student Union to lobby the policymakers of the various Oxford colleges with strict opening hours to implement the above resolution.

Proposed: Stephanos Iossifidis (St Peter's)

Seconded: Alex Zelenka-Martin (St Peter's)

3. OUSU involvement in the Teaching Excellence Framework

Council Notes:

1. Its policy "to support free education as a policy" (passed Michaelmas Term 2014), and "to condemn the increased marketisation of this University, and Higher Education in Britain" (passed Hilary Term 2014).
2. The government's Higher Education & Research Bill, and particularly that it paves the way for a Teaching Excellence Framework (TEF), based on which universities would be assessed on teaching quality and the results of which will be used to enable the raising of fees.
3. Its policy "to oppose and condemn the linking of fees to the assessment of teaching quality ... [and] the introduction of differentiated fees across the Higher Education sector" (passed in 3rd week, Michaelmas Term 2016).

4. That in 7th week Trinity term 2016, Council resolved to “organize a boycott/sabotage of NSS¹ and DLHE²”, in part because (Council Believes 3): “sabotaging NSS and DLHE will disrupt the introduction of TEF, giving us leverage”.
5. The motion passed in 7th week Trinity term mandating the Sabbatical Officers to lobby for the University of Oxford not to opt in to the Teaching Excellence Framework from Year 2.
6. The Sabbatical Officers’ concerted efforts against TEF throughout Hilary, Trinity, and Michaelmas terms 2016.
7. That the TEF process consists of 2 parts:
 - a. an initial assessment of a university based on a range of metrics (NSS, DLHE, and student retention rates);
 - b. a 15-page submission prepared by the University with additional supporting evidence to explain performance on the metrics and supplement it.
8. That OUSU does much work on the quality of teaching at the University of Oxford, including by running the annual OUSU Teaching Awards, coordinating and training the course and Divisional Board reps and academic reps in Common Rooms, collecting considerable amounts of data (both quantitative and qualitative) on the student experience, and collating information on our various activities.

Council Believes:

1. That OUSU’s strong and productive working relationship with the University is based on collaboration and mutual sharing of information, and that this allows us to be more effective when pushing for change.
2. That if the University were to prepare a submission for the TEF, they would likely wish to use additional evidence based on data held by OUSU.
3. That because of existing Council policy and resolutions detailed in Notes 1, 3, 4, and 5, the Sabbatical Officers require a steer from Council on whether, as a matter of principle, we should contribute OUSU-held data to any future TEF submission, should we be asked for it.

Council Resolves:

1. To discuss the matters detailed above (particularly Believes 2 and 3) for at least 10 minutes and as long as the Chair deems necessary to reach a resolution.
2. To mandate the Sabbatical Officers to be guided by the resolution reached by Council during the discussion.

Proposed: Marina Lambrakis (St John’s)

Seconded: Beth Currie (Corpus Christi)

4. Prevent landlords and letting agents from taking advantage of student tenants

Council Notes:

1. A significant number of Oxford undergraduate and postgraduate students live in rental accommodation.

¹ National Student Survey

² Destinations of Leavers from Higher Education Survey

2. The Student Advice Service provides information and talks on living out, but more could be done to improve the rental situation in Oxford.
3. Oxford students living in University-run accommodation are protected by the Student Accommodation Code, but no similar protection exists for students in private rental accommodation.
4. Many student unions, such as the University of Warwick Student Union and UCLU, maintain lists of approved letting agents and landlords, who are required to meet certain codes of practice.
5. UCL carried out a successful rent strike in 2016, demonstrating that student action can produce substantial improvements to the situation of student renters.

Council Believes:

1. The welfare of students who rent is significantly affected by the quality of their accommodation and the conduct of their landlords and letting agents.
2. Students' short term leases and lack of experience renting property makes it easy for letting agents to take advantage of them.
3. The current renting climate in Oxford has led students to accept substandard and, in some cases, illegal living conditions.

Council Resolves:

That the relevant sabbatical officers be mandated to:

1. Collect information from Oxford undergraduate and postgraduate students on abuses they have experienced at the hands of letting agents and landlords in Oxford,
2. Use this data to create and maintain a blacklist of letting agents and landlords who have caused undue financial or emotional damage to student tenants, have included illegal terms in their rental agreements, or have failed to carry out their legal obligations to student tenants, and
 - a. Advise students not to enter into contracts with letting agents or landlords on the blacklist,
 - b. Prevent letting agents or landlords on the blacklist from advertising in OUSU publications, in student newspapers, at the Freshers' Fair, or on <http://www.oxfordstudentpad.co.uk/> (the Oxford Accommodation Service's property finder), and
 - c. Challenge industry accreditations (e.g. membership of the Association of Residential Letting Agents or the National Association of Estate Agents) held by letting agents or landlords on the blacklist,
3. Include information on the Student Advice Service website and in the Living Out Guide on how to challenge actions and decisions of letting agents and landlords,
4. Create an OUSU code of practice for letting agents and landlords on the model of those maintained by UCLU, WUSU and other student unions and present a draft of this to OUSU council in Hilary Term,
5. Work with the Student Advice Service, Oxford Tenants' Union, the Oxford City Council, and other relevant groups to achieve these goals.

Proposed: Chris de Lisle (New College)

Seconded: Jack Doyle (St Hilda's College)

5. Accepting the Michaelmas Term 2016 Scrutiny Committee report: **NOTE: Appendix 2 will be available on the Council website before the Council meeting.**

Council Notes:

1. The Scrutiny Committee was established in Hilary 2010 to monitor the work of the OUSU team, and ensure they are held accountable to the students of the university.
2. That the Scrutiny Committee is required to present a report to council every term.
3. That, due to the current situation regarding Part time executives, it would not be productive to require that Part time executives are included in this term's report.
4. That a constructive and productive scrutiny report this term is one that focuses on the work of the current Sabbatical officers.
5. That this term's Scrutiny report is an accurate representation of the work of the Sabbatical officers.

Council Believes:

1. That the Scrutiny Report in Appendix 2 should be accepted by OUSU Council.

Council Resolves:

1. To accept the Scrutiny Report in Appendix 2.

Proposed: Joe Small (Jesus)

Seconded: Dan Mead (St John's)

Below the line

6. Consequential amendments to Campaign constitutions

Council Notes:

1. Recent changes to OUSU's governing documents approved by Council (Trinity Term 2016), and in particular, minor amendments to the provisions concerning OUSU's campaigns and requirements for their constitutions.
2. That a series of consequential changes are needed to the constitutions of all of OUSU's Campaigns; Council approved some of these in Trinity Term 2016.
3. That Campaigns have been consulted on these changes, and that the amendments now only require Council's ratifications.

Council Resolves:

1. To ratify the amendments to two Campaign constitutions, as provided in track-changes format in Appendix 3 (separate document on Council website).

Proposed: Sandy Downs (Corpus)

Seconded: Kate Cole (Regent's)

7. Updating guidance for Council's Scrutiny Committee

Council Notes:

1. That Council's Scrutiny Committee has not been updated in line with the recent changes to the OUSU Bye-laws and governing documents which restructured OUSU.
2. That Council agreed in 5th week to shrink the size of the committee to 2, and provided guidance for Scrutiny Committee's activities.
3. That amendments to OUSU's Bye-Laws require a second reading at a later Council.

Council Believes:

1. Scrutiny of our officers not only lets our students evaluate how well their elected representatives are doing in their jobs, but also allows our elected officers to better think about how to grow in the role.
2. That if used correctly scrutiny of our officers will increase the profile of their work by examining it from an uninvolved perspective.

Council Resolves:

1. To give a Final Reading to amend OUSU's Bye-Laws as follows to reflect the changes to Scrutiny Committee (track changes version in Appendix 4 below):
 - a. In Bye-Law 9.6, replace "four" with "two".
 - b. In Bye-Law 10.2, replace "The chair of the Scrutiny Committee" with "The Scrutiny Committee", and "the chair" with "it".
 - c. In Bye-Law 10.3, delete "the chair of".
2. That the Bye-Law amendments in Resolves 1 will (subject to approval by OUSU's Trustee Board) take effect at the end of 8th week, Michaelmas Term 2016.

Proposed: Dan Mead (St John's)

Seconded: Joe Small (Jesus)

h. Any Other Business

Appendix 4

Amendments to OUSU Bye-Laws

9.6 The Scrutiny Committee has particular responsibility for scrutinising the work of the Sabbatical Trustees. Its members are ~~four~~two Student Members (other than a member of the Executive).

10.1 Council must hold each Sabbatical Trustee to account, and scrutinise their activities, through (a) questions at Council meetings, and (b) termly reports to Council from the Scrutiny Committee.

10.2 The ~~chair of the~~ Scrutiny Committee may require a Sabbatical Trustee to supply ~~the chair~~it with such documents as the committee may reasonably require. A document may be edited before submission to ensure confidentiality.

10.3 A Sabbatical Trustee, in consultation with the ~~chair of the~~ Scrutiny Committee, must attend one or more meetings as the committee may reasonably require.

10.4 Council must from time to time provide the Scrutiny Committee with guidance on the exercise of the committee's responsibilities.