



CONSTITUTION OF THE COLLEGE AND UNIVERSITY BUSINESS OFFICERS (CUBO)

1. NAME

- (a) The name of the organisation shall be The College and University Business Officers (“the Association”).

2. MEMBERSHIP OF THE ASSOCIATION

- (a) Membership may be granted, at the discretion of the Executive Group, to Higher Education Institutions (HEIs) funded by any of the three Higher Education Funding Councils (England, Scotland and Wales) plus Northern Ireland universities funded by the Department for Employment and Learning (Northern Ireland) and The Republic of Ireland, 3rd level Institutions funded by the Higher Education Authority (HEA)
- (b) Membership allows for one primary member and one or more additional members.
- (c) Primary Members of the Association will be the Director or Senior Manager responsible for at least two of the following: Residences, Catering, Trading, Conferences, Facilities Management or equivalent. and will have voting powers in motions or elections. Primary members alone are responsible for nominating additional members from their HEI.
- (d) All Members shall have the right to hold posts on the Executive.
- (e) Membership shall be conditional upon payment of an annual subscription in accordance with clause 10(b).
- (f) Access to the full report of the CUBO Performance Indicators will only be made available to those institutions who have submitted data.

3. ASSOCIATION OBJECTIVES

- (a) To promote excellence in the strategic planning management, administration, operation and development of university facilities and services.
- (b) To promote the reputation and activities of the Association and its members regionally, nationally and internationally.
- (c) To consider and advise on matters referred to it by Universities UK, the Higher Education Funding Councils, or other appropriate outside bodies and individuals.
- (d) To consult with the professional institutions and other bodies on facilities matters, and to work in partnership with related organisations, regionally, nationally and internationally; to provide forums for discussion, consultation and exchange.
- (e) To influence opinion formers and decision-makers on facilities issues.

- (f) To establish, develop, maintain and promote systems for the dissemination of information relating to facilities matters to achieve optimum utilisation of resources.
- (g) To maintain and promote professional competence and ethical standards within the membership.
- (h) To promote opportunities for development and training for the benefit of Members and their staff
- (i) To optimise solutions to common problems and concerns by disseminating and harnessing the particular expertise, experience and knowledge of Members for mutual benefit.
- (j) To further its objectives by meetings, lectures, discussions and other activities.
- (k) To employ such staff as necessary for the proper pursuit of the Objectives, and to make all reasonable and necessary provision or the payment of pensions and superannuation for staff and their dependants.
- (l) To do all such other lawful things as necessary for the achievement of the objectives of the Association.
- (m) To produce annual Key Performance Indicators.

5. STRUCTURE OF THE ASSOCIATION

- (a) The Association shall have an Executive Group (“the Executive”). The Executive shall be drawn from the members of the Association. The Executive shall, from time to time, consider and review the composition and structure of the Group and, if necessary, make recommendations for amendment to the association at an Annual Business Meeting
- (b) Each member of the Executive shall hold a Portfolio of responsibility. The type and number of these portfolios may be revised and changed by the Executive as required.
- (c) In addition, members of the Executive may be nominated to be Members without Portfolio in order to support the general business of the Executive as required.

6. ASSOCIATION PROCEDURES

- (a) The Association shall endeavour to hold two conferences per annum for the benefit of the whole membership.
- (b) The Annual Business Meeting will normally take place at the Summer Conference. The quorum for the Annual Business Meeting and any other Business Meeting shall be one-quarter of the total Membership including at least 2 members of the Executive Group. Notice of the Annual Business Meeting or any other Business Meetings shall be given, by the Executive Secretary, in writing, at least one calendar month prior to the date of the meeting.
- (c) The purpose of the Annual Business Meeting is to:
 - i. Approve the annual accounts
 - ii. Receive any matters to be brought before the membership for furtherance of the Association’s business
 - iii. Note changes to the Executive
 - iv. To receive any proposals from the membership. Proposals from the membership shall be submitted to the Executive Secretary no less than 7 days before the Annual Business Meeting.
- (d) Additional Business Meetings may be held from time to time if called by the Executive or on the written request, to the Executive Secretary, of at least 20 Primary Members..

- (e) The Chair of the Executive shall normally chair the Annual Business Meeting, but in the event of the Chair not being available, the Executive Secretary shall chair the meeting. If neither the Chair nor the Executive Secretary is available, the Executive shall nominate a Chair from those members of the Executive present.
- (f) If a vote is required at any time during the Annual Business Meeting, any other Business Meeting, or at a meeting of the Executive it will normally be by a show of hands of those present and entitled to vote, and will be carried by a simple majority. In the event of a tie, the Chair will have a second and casting vote, or, at the Chair's discretion, a new vote will be taken. Each HEI shall be entitled to one vote, which can only be exercised by its Primary Member, or by a proxy nominated to the Executive Secretary in writing at least seven days before the start of the meeting.
- (g) If a vote of the Membership or the Executive is required at any other time it may be carried out by post or e-mail or some other method determined to be appropriate by the Executive.

7. MEMBERSHIP OF THE EXECUTIVE GROUP

- (a) The membership of the Executive is open to all CUBO Members and shall comprise "the Officers" as set out in clause 8(a) below and Members as maybe required from time to time to ensure that it has as broad a range of skills, experience and expertise as possible, and the host of the following year's CUBO Conference.
- (b) Membership of the Executive shall be for a period of three years. Thereafter, one further consecutive three-year term can be served excluding those holding the post of Chair or Executive Secretary who may serve a further consecutive three year term.
- (c) A retiring member of the Executive shall be eligible for re-election after a three-year period has elapsed.
- (d) The Executive shall be able to invite representatives of associated bodies, sub-groups and working groups to attend executive meetings; and on their working group or sub group business, they shall contribute on an equal footing with members of the Executive.

8. OFFICERS OF THE ASSOCIATION

- (a) "the Officers" of the Association will be Members and will comprise:
 - i. Chair
 - ii. Executive Secretary
- (b) The Chair and the Executive Secretary will normally hold office for a period of three years. Thereafter, one further consecutive three-year term can be served if re-elected by the Executive. The term of office will start at the end of the Annual Business Meeting. The Chair and Executive Secretary will normally be drawn from the members of the Executive
- (c) Nominations for the office of Chair and Executive Secretary must be signed by five Primary Members and should be sent, in writing, to the Executive Officer to be received by 12 noon on the day before the last normal meeting of the Executive prior to the Annual Business Meeting. In the event of no nominations being received by the given date, the Executive will make a nomination. In the event of more than one nomination for the Office of Chair and Executive Secretary, an election will take place at the Annual Business Meeting.
- (d) The election will be carried out as follows: -
 - i. Each candidate will be entitled to make a brief written submission to the Annual Business Meeting.

- ii. Each candidate will be given the opportunity of making an oral presentation at the Annual Business Meeting to the members lasting no more than five minutes.
 - iii. A show of hands will be taken of those present and entitled to vote and the successful candidate will be that receiving the most votes by a simple majority.
 - iv. In the event of a tie and in the absence of mutual agreement between the candidates with the most votes, the Chair may exercise a single casting vote, or, at the discretion of the Chair, a new election may be called.
- (e) If for any reason the Chair or Executive Secretary cannot take up the office they shall be directly appointed using the procedures outlined in (c) and (d) above. If the vacancy occurs between Annual Business Meetings then the procedures outlined in (c) and (d) may be undertaken electronically at a date to be set by the Executive.
- (f) A vote of no confidence in either officer may be tabled at the Conference or annual meeting if 25% or more of the CUBO Members indicate in writing to the Executive Officer to be received by 12 noon on the day before the last normal meeting of the Executive prior to the Annual, or Conference Business Meeting.

9. EXECUTIVE GROUP PROCEDURES AND POWERS

- (a) The Executive Group shall each be issued with a copy of the Constitution and have the following terms of reference:
- i. To promote, facilitate and action the objectives of the Association
 - ii. To manage the affairs, including the financial affairs, of the Association
 - iii. To report annually to the membership on the activities of the Association
- (b) The Executive shall meet at least twice a year; the quorum for such meetings shall be four members, one of whom must be an Officer. Minutes of the Executive meetings shall be made available to Members via the website
- (c) The Executive shall: -
- i. Establish sub-groups and working groups as required to further the objectives of the Association; and to delegate to them such powers and duties of the Executive as the Executive considers appropriate.
 - ii. Receive and approve reports and recommendations from such groups.
 - iii. Recommend the Association's annual membership subscriptions.
 - iv. On behalf of, and in furtherance of the objectives of the Association, enter into contracts for goods, services, property and employment, and all other contracts with third parties and agree appropriate payment criteria or remuneration. The Executive shall be entitled to delegate the power to enter into such contracts to the Officers provided that, without exception, two Officers shall be required to sign such contracts.
 - v. Agree the payment of appropriate expenses in accordance with clause 10(f).
 - vi. Ensure compliance with the Executive financial regulations.
 - vii. Organise meetings, seminars, training sessions and workshops.
 - viii. The Officers of the Association will consider membership applications from institutions.

- ix. Take such reasonable actions necessary to promote the objectives of the Executive.
 - x. On behalf of, and in furtherance of the objectives of the Executive Group, and subject to the provisions of clause 10(a), be responsible for the custody and proper use of the assets of the Executive.
- (d) Put appropriate insurance in place to indemnify the Officers, members of the Executive and members of any sub-group, or working group set up in pursuant to clause 9(c)(i) against all liabilities properly incurred by them in the proper management and conduct of the affairs of the Association, provided that it is available and can be provided at reasonable rates. If appropriate insurance cannot be put in place, the Members shall provide said indemnity.

10. FINANCIAL REGULATIONS

(a) General

- (i) The Association is a non-profit making organisation and any funds generated shall be used to fulfill the objectives of the Association.
- (ii) Any proposed alteration of the Financial Regulations shall be discussed by the Executive and approved at the Annual Business Meeting.

(b) Subscription

- (i) Annual Membership subscriptions for the forthcoming year shall be recommended by the Executive for approval at the Annual Business Meeting.
- (ii) The Executive Secretary shall ensure that all subscriptions are collected promptly from Members, by issuing a formal invoice to each Member for payment.
- (iii) Failure by an institution to pay any subscriptions levied by a date specified on the invoice will result in the suspension of that institution's Membership until such time as all accounts have been settled. Late payment may be subject to a penalty payment which shall be determined from time to time by the Executive and indicated on the invoice.

(c) Bank accounts and Signatories

- (i) Bank accounts shall be kept in the name of The College and University Business Officers at a clearing bank or building society approved by the Executive.
- (ii) Signatories to the account shall be:
Chair of the Executive, Executive Secretary and the appointed account manager for CUBO. ("the Signatories")
- (iii) Financial payments must be authorized by two of the Signatories.
- (iv) Any changes to the Signatories must be approved in advance by a majority of the members of the Executive.

(d) Accounts and Auditing

- (i) The Account Manager shall be responsible for keeping appropriate accounting records of all financial transactions and reporting a quarterly statement reconciled with the bank to the Executive Secretary and other reports as required.
- (ii) The Executive Secretary shall provide an annual set of audited income and expenditure accounts and balance sheet for approval at the Annual Business Meeting.

- (iii) The Executive Secretary shall prepare an annual budget to be approved by the Executive.
- (iv) The accounts shall be audited by a qualified individual, who shall be nominated and approved by the Executive Secretary.
- (v) The Account Manager shall ensure that all appropriate arrangements are in place for the prompt collection and banking of all income as well as making approved payments.

(e) Income

- (i) The financial year shall run from 1 May to 30 April
- (ii) Details of any income due to the Association shall be notified to the Account Manager who will ensure that an invoice is raised.
- (iv) All monies payable to the Association shall be received by the account manager and deposited into an approved bank account at the earliest possible opportunity.

(f) Expenditure

- (i) The Executive shall have the power to reimburse expenditure and it shall, from time to time, determine levels of reimbursement in respect of expenditure incurred by, members of the Executive or members of working groups, sub-groups, executive groups etc.
- (ii) No expenditure should be made or committed on behalf of the Association without the prior consent of the Chair or Executive Secretary.
- (iii) The income of the Association shall be applied only in the furtherance of the objectives of the Association.

11. AMENDMENTS TO THE CONSTITUTION

- (a) Amendments to the Constitution shall only be made at the Annual Business Meeting or at a Business Meeting. Approval of proposed amendments shall require the support of at least two thirds of those present and entitled to vote.
- (b) Any proposed amendments must be submitted in writing to the Executive Secretary not less than thirty working days before the Annual Business Meeting or Business Meeting.

12. DISSOLUTION

- (a) The Association shall be dissolved if a resolution for dissolution is carried by a majority of two thirds of those present and entitled to vote at a Business Meeting.
- (b) Dissolution shall take effect from the date of the resolution and the Executive shall be responsible for the winding up of the assets and liabilities of the association.
- (c) Any assets remaining after the discharge of the debts and liabilities of the Association shall be distributed amongst Members in proportion to the amount each Member has paid in subscription fees in the previous year.

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