



UNIVERSITY OF  
CAMBRIDGE

NOTES FOR THE GUIDANCE OF

**UNIVERSITY  
CLUBS & SOCIETIES**

Issued by

THE JUNIOR PROCTOR

October 2011

**Revised by the Societies Syndicate**

July 2000

September 2010 (*major update to 'Section 10: Insurance'*)

**Amendments made by the Junior Proctor**

August 2001

August 2002

September 2005

September 2006

September 2008

August 2009

January 2011

May 2011

July 2011

October 2011 (*major update to 'Section 3: Continuing Requirements',  
and addition of 'Section 6: Charitable Status'*)

# Notes of Guidance for the Formation and Running of University Clubs and Societies

The following information is based on the experience of established University clubs and societies, and of the Proctors and other officers associated with the affairs of registered clubs and societies. The notes provide guidance for founding and running a club or society, and for revising the constitution or accounting system of an existing club or society. The information given is not intended to be prescriptive, nor is it exhaustive, and it is offered without prejudice.

## 1. REGISTRATION

### *The Proctors*

The Proctors, and the Pro-Proctors and University constables who are appointed to assist them, are responsible for maintaining discipline and good order within the University. As the representatives of the Regent House in formal and disciplinary matters the Proctors attend Congregations, Discussions, University Sermons and meetings of the University Council, and are members of various Boards, Syndicates and Committees; they also have significant responsibilities in respect of the supervision of University examinations (including dealing with cases of alleged misconduct), in the upholding the University's codes of practice with regard to free speech and to public meetings and gatherings.

Junior Members of the University should consult the Proctors about:

- Speaker-Meetings and Demonstrations
- Disputes concerning the Cambridge University Students Union and the Graduate Union
- Registration of Clubs and Societies
- Motor Vehicles

As part of the disciplinary role of the Proctors, the University regulations provide for a scheme of registration for student clubs and societies. The process of registration is managed by the Junior Proctor, through the Proctors' Office. Registration is voluntary, not mandatory. ***It is important to note*** that the role of the Proctors in relation to registered clubs and societies is, under University regulations, distinctly a **disciplinary** one – not a **regulatory** one, nor a supervisory one. Registered clubs and societies remain, essentially, unincorporated members' clubs or associations.

### *Registration*

Any club or society consisting wholly or partly of current undergraduate or postgraduate students in the University may, but does not have to, apply to the Junior Proctor for registration as a University Society. Applications to register should be sent to the Proctors' Office, 1 St Mary's Passage, Cambridge CB2 3PQ. A club or society applying for registration should submit to the Junior Proctor:

- a statement of its current financial position, signed by the Senior Treasurer
- a copy of its constitution (see Appendix 1 for a sample constitution)
- an initial list of officers, including the name of the Senior Treasurer and details of colleges and e-mail addresses.

The Junior Proctor may refer applications to the Societies Syndicate, and if the Junior Proctor refuses to register a club or society, the club or society may appeal to the Societies Syndicate who may, if they think fit, register them.

To be registered, a society must normally have a **Senior Treasurer**. He or she provides essential continuity in the society's administration, and signs the annual accounts before they are submitted to the Junior Proctor. A Senior Treasurer is chosen because he or she expresses an interest in the aims and character of the society, and is willing to give some considerable time to its affairs. He or she must be a resident member of the Senate (for example a College Fellow, University officer or some other person of at least MA standing in the University) or an individual approved for the purpose by the Junior Proctor.

**Registration** ensures that a club has a recorded constitution, annually audited accounts and a current list of elected officers. When a society hires rooms or equipment, registration may also be an advantage. The Societies and Sports Syndicates normally require registration as a condition for financial assistance. Registered societies and clubs are entitled to space on the CU web-pages <http://www.cam.ac.uk/societies/>

The University regulations governing the conduct of registered societies as laid down in *Ordinances* are reproduced at the end of this booklet (Appendix 6). However, whether registered or not, all societies must observe regulation 7, which covers **trading** on University premises.

## 2. NAMING OF CLUBS AND SOCIETIES

Clubs and societies are encouraged to exercise proper care and judgement in the choice of name and to ensure that it is clear that the club or society is a members' society rather than an official body, institution or otherwise formally constituted part of the University. For example, the Junior Proctor may refuse to register a society titled '*The Cambridge University Institute for James Bond Studies*', as it might imply that the society is a University institution or forms part of the University's official educational programme. The Junior Proctor will decline to register a name that is ambiguous or misleading, such that the University's official purposes and activities might be undermined, compromised or misrepresented.

## 3. CONTINUING REQUIREMENTS

It is not necessary for a club or society to re-register with the Junior Proctor every year. However, every registered club or society must submit to the Junior Proctor, by **31 December each year**, the following:

- an up to date copy of their operating constitution, with any changes clearly highlighted (however small);
- a complete list of officers; and
- a copy of its annual accounts produced in the previous academic year.

The documents should have been audited and signed either by the Senior Treasurer or by a person otherwise approved for this purpose by the Junior Proctor. Specimen forms for annual accounts are set out in Appendix 3. **Failure to comply with any of these requirements will result in deregistration of the club or society.**

It is recommended that, particularly in the Long Vacation, proper arrangements are made for the safe custody of equipment and records, and that the Senior Treasurer and other continuing officers and members of the club are fully aware of these arrangements. The Senior Treasurer and society's bank should be consulted about ensuring continuity of the authority to sign cheques.

#### 4. CONSTITUTION

A constitution should set out:

- a. the name of club or society
- b. its aims
- c. the eligibility for membership and voting
- d. the procedure for election of the officers and any other members of the executive committee
- e. the powers and duties of the officers and executive committee
- f. the frequency and method of convening business meetings, e.g. the Annual General Meeting or any Extraordinary General Meeting
- g. the procedure for constitutional amendment
- h. the level of subscriptions (if any)
- j. the arrangements for the management of finances and for audit.
- k. the arrangements for dissolving the club or society and disposing of any assets

A constitution should make clear that a society is open to all interested members of the University, regardless of religion or nationality, and that power is in the hands of its members. It shall be permissible for particular clubs or societies to impose restrictions on eligibility to join or participate in the activities of the club or society on grounds such as national origins, ethnicity, religion, gender or sexual orientation provided they are judged by the Junior Proctor to be consistent with the purposes and objectives of the club or society and are reasonable and fairly applied in all the circumstances and are neither contrary to the law nor the University's anti-discrimination provisions.

Members should elect officers and other members of the executive committee, and be responsible for amending the constitution. The powers and duties of the officers should be laid down, as should the timing and frequency of management meetings and the method of convening them. It is also helpful to include details of arrangements for dissolving the society in the event of it folding. A sample constitution can be seen at Appendix 1.

The executive committee must have a majority of members who are current CU undergraduate or postgraduate students or are members of the Regent House and the majority of principal officers, e.g. President, Secretary and Junior Treasurer must be current students.

Records of members (annual and life) should be kept. If kept on computer, this data may be subject to the *Data Protection Act* (1998). The University's entries on the Data Protection Register do not cover University clubs and societies. If data which comes within the Act is held on computer the club/society becomes a Data User and may need to register with the Data Protection Registrar. Advice on the Act and registration can be obtained from the University Data Protection Officer, (tel: (3)32306). See also paragraph 16.

##### *Complaints procedures; Codes of practice*

Clubs and societies are encouraged to ensure that they have in place – possibly as part of their constitution – an appropriate complaints or grievance procedure that is published and readily accessible to members and other parties who are dissatisfied with the conduct of the club or

society, or of any of its individual officers or members. It may be appropriate to provide for the Senior Treasurer, or some other senior member, to adjudicate in complaint matters.

Clubs and societies whose activities include publishing or the production of newspapers and other publications or media, or who are engaged in journalistic activities, are urged to adopt, explicitly, any relevant industry-standard codes of conduct or of best practice – for example, those engaged in student journalism should consider the adoption of the *Editors' Code of Practice* ratified by the Press Complaints Commission.

## 5. LEGAL STATUS

Clubs and Societies, whether or not they use the name of the University in their title, and whether or not they carry on their business on University premises, are bodies independent of the University. ***The University does not accept responsibility for any debts they may incur.***

Most Clubs and Societies are **unincorporated members' clubs** and, as such, cannot be sued. Any claim against a club can be brought only against its officers or its members.

It is important for a club or society to take reasonable steps to safeguard its officers, and in particular the Senior Treasurer, against liability. It is therefore desirable that the constitution of a club or society should expressly provide that the Senior Treasurer shall not be liable for any debt or other obligation of the club or society, except where they have personally authorised it in writing.

Officers of a club or society should not authorise any transaction involving financial liability, whether by signing a cheque or by authorising the making of a contract or agreement, ***unless they are sure it is within their authority to do so and that sufficient funds are available.*** If there are doubts, the transaction should not go ahead without all the members of the society agreeing to it in advance and undertaking liability for it. Funds should only be used for purposes consistent with the constitution of the club or society.

## 6. CHARITABLE STATUS

A few Registered Societies have also registered as **charities** with the Charity Commissioners. The Charities Act 1993 imposed requirements on charities, to which the officers of such societies should give very careful attention. Each club and society should independently seek this information, which is available at the website <http://www.charity-commission.gov.uk>.

Each society should consider whether it may fall within the legal definition of a charity, and, if it thinks it may do so (or is uncertain) should consult the Charity Commission's web pages for further information and advice, concerning the requirements of registration and the submission of accounts (in particular, the various financial thresholds for a charity's income which affect these requirements). Any such further requirements will be additional to those required by the University's Regulations for student societies.

Simple registration with the Junior Proctor's office does not automatically lend the University's charitable status to clubs and societies. *Some* societies may be sufficiently closely connected with the activities of the University to be exempt from the requirement to independently register with the Charity Commission ("linked charities"). If any society, large or small, believes this to be the case, they must write to the Registry to request formal confirmation that the University agrees. (*Note: most junior societies are unlikely to be linked charities.*)

## 7. DAILY ACCOUNTING

### NOTE:

- The following notes represent illustrative, outline guidance on basic accounting practices for clubs and societies. Although it assumes the use of a manual system of accounting, the principles and practice involved are also valid where an electronic accounting system (e.g. spreadsheet application or package) is used.
- The attention of clubs and societies is also drawn to the generic guidance and resource documents for small organisations produced by interns at the Humanitarian Centre (with funding provided by the Societies Syndicate) – <http://www.humanitariancentre.org>. See in particular [Guidelines for Treasurers of Small Societies](#), and [Guidelines for Committee Handovers](#).

Accounts for a small club or society may be kept in a columnar Receipt and Payments Book, and a columnar Petty Cash Book (see Appendix 2). ['Columnar': a separate column being allotted for each type of expenditure – e.g. printing, stationery, postage, hire charges, travel expenses, etc.] Entries for the current year may sometimes include receipts or payments due from a previous year and records of invoices ['Invoice': bill or document prepared by a seller of goods or services and submitted to the purchaser; the invoice lists all items bought, together with amounts owed.] for the current year which at the end of the current financial year have not yet been paid. When the Books are prepared for audit these special items should be adjusted and a separate list should be prepared for the auditor detailing those items which do not properly belong to receipts and payments of the current financial year.

### 7.1 Essential procedure

- a. The bank account should be in the full name of the club or society.
- b. All cheques should be properly crossed by the bank or by use of a stamp:

Account Payee Only  
& Co  
Not negotiable

- c. Specimen signatures of responsible officers should be supplied to the bank. At least two signatures should be required before a withdrawal can be made from a deposit or investment account.

### 7.2 Recommended

- a. All cash and cheques received by the club or society should be paid into the bank account, recorded in a Receipts and Payments Book, and receipts issued from a numbered counterfoil receipt book. No cash disbursement should be made directly from cash received.
- b. Where payments received are numerous (e.g. subscriptions), a separate Receipts Book may be maintained, in which subscriptions can be listed as life or annual. Such a book should be ruled off and the totals brought to account in the Receipts and Payments Book each time the money is paid into the bank.

c. The Petty Cash Book should only be used for minor disbursements and run on an Imprest system (i.e. the cashier is started with a fixed sum and at each balancing period is given a cheque for the exact amount of the disbursements, bringing the balance up to the starting figure (see Appendix 2)).

d. Major disbursements should be made by cheque. Payment should only be made on the evidence of individual invoices. Where frequent purchases are made from a supplier, it is advisable to check the statement (the monthly or periodic summary of invoices, issued by a company or other supplier) to ensure that all invoices have been received for payment. When submitting the cheque in payment it is advisable to quote the numbers of all the invoices for which payment is being made.

e. All payments made by cheque should be recorded in the Receipts and Payments Book. The last three numbers of the cheque should be recorded against the date. (The same record of cheque numbers should be made in the Petty Cash Book.)

f. All receipts and payments recorded in the Receipts and Payments Book should be specifically analysed according to the needs of the club or society (e.g. postage, room hire, and subscriptions). At the end of the financial year the Receipts and Payments Book should be ruled off, added up and balanced. The bank statements should be reconciled (i.e. checked so that you can confirm that what is in your accounts actually matches what came in and went out of the bank account) with the balance shown in the Receipts and Payments Book.

g. All vouchers and invoices supporting payments should be filed in the order of payment recorded in the Receipts and Payments Book.

h. If the club or society authorises a member to incur expenditure, he/she should sign each invoice to authorise its payment before submitting it to the Junior Treasurer. An application for a refund in respect of minor cash payments should be supported by payment slips, proofs of purchase or other vouchers, etc. If the sale of tickets is involved, these should be numbered. The Treasurer should be given the cash for tickets sold, any unsold tickets, and a reconciliation.

i. Proper records of any assets held by the society should be kept. Purchase of a major piece of equipment may be recorded as a payment in its year of purchase (e.g. £100) or a portion of its purchase price may be recorded as a payment (£20) and the remainder as an asset (of £80). In the next year a further £20 may be entered as a payment and a corresponding £60 would appear in assets, and so each year until the entire sum has been recorded in payments. If, however, the society were asked by the Societies Syndicate to list its assets, the full purchase price (£100) should be shown and an estimate given, when relevant, of the current replacement cost.

## **8. PREPARATION OF FINAL ACCOUNTS FOR AUDIT**

At the end of the society's financial year the Junior Treasurer should prepare the accounts for audit and approval by the AGM. To do this he/she should:

- a. rule off the Receipts and Payments Book and reconcile this with the bank statement
- b. rule off the Petty Cash Book and check that the cash in hand agrees with the balance shown
- c. rule off and check any other books which may be kept by the club or society

- d. prepare a list of any receipts and payments which do not belong to the current financial year.

From the above records the club or society should prepare its annual accounts for presentation to its members and to the Junior Proctor in as simple a form as possible (see Appendix 3). The record books themselves or photocopies of bank statements are not sufficient as valid accounts.

It may be helpful for theatre companies to prepare a summary of income and expenditure for productions during the year where production costs fall into two financial years (see Appendix 4).

The Junior Treasurer should make available to the appointed auditor (usually the Senior Treasurer) all books, invoices and other records, including minutes of meetings.

If the audit is carried out by members of the club or society, two auditors should be appointed. (See Appendix 5: Notes for guidance of auditors).

## **9. GRANTS FROM THE SOCIETIES SYNDICATE**

Full notes of advice for societies applying to the Societies Syndicate, together with application forms, are available from the Syndicate's website:

(<http://www.cam.ac.uk/about/socinfo/jpo/grants.html>)

Applications should be forwarded, preferably by email, to the Secretary, Ms Sarah Pickard, (Email: [Sarah.Pickard@admin.cam.ac.uk](mailto:Sarah.Pickard@admin.cam.ac.uk) Address: Student Registry, 4 Mill Lane, Cambridge CB2 1RZ). All applications to the Syndicate for assistance should be accompanied by a copy of the society's accounts, correctly audited, and countersigned by its Senior Treasurer, together with information about the current year (including estimates where necessary). When a grant is requested for equipment, the Syndicate will need a list of relevant assets, their cost and replacement value.

## **10. INSURANCE**

### Public liability insurance for clubs and societies

The University's Public Liability insurance applies to clubs and societies registered with the Junior Proctor. To obtain a letter confirming public liability insurance to external providers of conference facilities, concert halls, sports facilities etc., please contact the Insurance Section with information about the activity. Clubs and societies should be prepared to provide evidence of appropriate risk management and will be directed to relevant University risk managers for assistance.

### Liabilities

Registered clubs and societies must ensure that adequate insurance is in place to cover their activities and to reduce the exposure of officers and members. The University's insurance is very limited and does not provide comprehensive cover against all the liabilities and risks to which a club or society might be exposed. (The limitations on cover arise necessarily because registered clubs and societies, as unincorporated members' associations, are not regulated by the University or otherwise subject to its control.)

For details of the University's insurance provision please consult the Insurance Section of the Finance Division (Greenwich House, Madingley Road, Cambridge CB3 0TX; Tel: (3)32216/(3)39659). The Section's website (<http://www.admin.cam.ac.uk/offices/insurance/>) includes the University's Insurance Notice (as published in the *Reporter*) together with other guidance on exclusions and policy excesses.

The University's insurance does not currently cover the following areas (*NB*: these are examples only, and the list is not exhaustive), and clubs and societies must make their own arrangements:

- Personal accident
- Personal possessions
- Motor vehicle insurance
- Hire vehicles
- Travel insurance
- Private medical insurance
- Life insurance
- Employers liability insurance
- Insurance for officers and trustees

#### Club/Society Equipment

Club property stored on University premises with the permission of the Head of institution concerned may in some circumstances be covered under the University's property policy. Exclusions and excesses will apply. (Please note this does not extend to College premises.) Transit insurance for equipment, and insurance for the equipment off-site, will not normally be covered by the University's insurance unless the department concerned has made special arrangements with the Insurance Section of the Finance Division.

## **11. HEALTH AND SAFETY**

Clubs and societies are responsible for ensuring the health and safety of their members when engaged in the normal activities of the society. Officers must comply with relevant legislation and must undertake appropriate risk assessments. Guidance and information is available from the University's Health and Safety Division (16 Mill Lane, Cambridge CB2 1SB; Tel: 33301; Email: [safety@admin.cam.ac.uk](mailto:safety@admin.cam.ac.uk)).

Clubs and societies should ensure that any electrical equipment which they own is checked each year by someone who is suitably qualified. The Manager at the ADC Theatre is willing to assist in checking specialist theatre equipment, including lighting.

The Director of Physical Education (Tel: (3)36580) can advise clubs engaged in potentially hazardous sports on procedures and safety measures. Clubs and Societies should ensure that they exercise 'due care'. As a minimum requirement, societies should have a written **code of practice** to which they are committed, and which is regularly reviewed and circulated to members. It is a condition of funding from the Societies Syndicate that the safety procedures of such clubs are approved by the Director of Physical Education.

## **12. DISABILITY**

Clubs and Societies are reminded that their membership, constitutional arrangements and activities are subject to the provisions of disability legislation, in particular Part III of the Disability Discrimination Act 1995. Membership should be open to all members of the University, including those with disabilities, and clubs and societies have a responsibility to

take reasonable steps to ensure that people with disabilities have access to activities or events organised by the club or society.

Information and guidance on both legislative matters and on all disability issues is available from the Disability Resource Centre, Keynes House, Trumpington Street, Cambridge CB2 1QA, Tel. 32301, Text phone: 01223 764085, E-mail: [ucam-disability@lists.cam.ac.uk](mailto:ucam-disability@lists.cam.ac.uk); <http://www.cam.ac.uk/cambuniv/disability/>. Clubs and Societies are also referred to the information and resources produced by the National Disability Team and TechDis, in particular the guide 'Accessible Events: a good practice guide for staff organising events in higher education'

### **13. CHILDREN AND VULNERABLE ADULTS**

Clubs and Societies should be aware that their activities are subject to the provisions of the Protection of Children Act 1999, the Protection of Vulnerable Adults Act 2002 and the Safeguarding Vulnerable Groups Act 2006. Clubs and Societies must determine and meet their obligations under the Acts in respect of

- (i) when their membership includes either children (under 18, and especially under 16) or vulnerable adults (e.g. people with disabilities or with special educational needs), or
- (ii) when their activities involve children or vulnerable adults, whether these are regular activities involving members only, or whether they are special activities, such as community projects, involving children or vulnerable adults outside the membership.

If the activities of a club or society frequently or intensively bring members into contact with children or with vulnerable adults it may be necessary for Criminal Records Bureau (CRB) checks to be carried out on individual members or for them to register with the Vetting and Barring Scheme (VBS), or otherwise, with the Independent Safeguarding Authority (ISA), and for information disclosed under this procedure to be acted upon. Clubs and Societies are advised to consult as appropriate the ISA (<http://www.isa.gov.org.uk>), Criminal Records Bureau and Home Office guidance and determine for themselves whether registration is desirable or necessary.

Clubs and Societies are also advised to consult and to follow the University's Child and Vulnerable Adult Protection Policy, which is maintained by and is available from the Personnel Division (website: <http://www.admin.cam.ac.uk/offices/personnel/policy/>). Clubs and societies engaged in sporting activities are also referred, for information, to the child protection policy of the Sports Syndicate.

### **14. LEGAL RESTRICTIONS**

Officers of clubs and societies should in appropriate cases acquaint themselves with the legal restrictions or controls placed on music, dancing and public performances, gaming, trading, and the supply of alcoholic liquor.

#### **14.1. Public Meetings**

The Officers of any University society who are organising any public meeting within the Precincts of the University (otherwise than in a College) are requested to consult the Proctors at an early stage in their preparations.

The University authorities intend to safeguard freedom of speech and lawful assembly; the Proctors wish to ensure that public meetings and assemblies within the Precincts of the University are peaceful and orderly both in intent and fact. Full co-operation from all members of the University is expected.

Organisers of meetings are responsible for ensuring that fire regulations and other conditions attached to the use of the meeting place are not infringed.

#### 14.2. Public Performances Theatres Act 1968

University societies are reminded that, by law, no play may be performed or other entertainment provided in PUBLIC, either indoors or in the open air except under certain conditions described below, without a licence having been granted by the County Council.

It is generally accepted that if attendance at a play or entertainment, as defined below, is restricted to members of the Club putting on the performance, to members of the College concerned and their *bona fide* guests, or to resident members of the University and their *bona fide* guests, this would not constitute a ‘public’ performance or ‘public’ entertainment. Where restricting attendance to such persons cannot be guaranteed, all reasonable steps should be taken to exclude members of the public.

If any play or entertainment takes place without a necessary licence, or without complying with the conditions of a licence, the organisers of the entertainment as well as those making the place available could be liable for a fine of up to £1,000. A licence either may relate to particular entertainments to be held on one or more occasions, or may cover all entertainments to be held on the premises concerned for a period of up to one year.

If a public performance takes place on premises where a *premises licence* is in force, fourteen days’ written notice of the performance must be given in accordance with the special conditions attached to the licence. *In all other cases* application for an occasional licence must be made, as a statutory requirement, at least thirty days in advance of the performance.

Applications for **Public Entertainment Licences** should be made to: Licensing Environmental Services, Mandela House, 4 Regent Street, Cambridge, CB2 1BY. Normal office hours are 9.00am – 5.00pm Monday to Thursday and 9.00am – 4.30pm on Fridays. Website: <http://www.cambridge.gov.uk/ccm/navigation/business/business-and-street-trading-licences/entertainment-licences/guidance/>

**Play** means (a) any dramatic piece, whether involving improvisation or not, which is given wholly or in part by one or more persons actually present and performing and in which the whole or a major proportion of what is done by the person or persons performing, whether by way of speech, singing or action, involves the playing of a role; (b) any ballet given wholly or in part by one or more persons actually present and performing, whether or not it falls within (a) of this definition.

**Other entertainment** means ‘Public dancing or music or any other public entertainment of a like kind’, or ‘any entertainment which consists of, or includes any public contest, exhibition or display of boxing, wrestling, judo, karate or similar sport’.

**Premises** include any place whether indoors or out of doors. However, a licence would not be required for an entertainment which takes place wholly or mainly in the open air, unless it is held on private land (i.e. where the public has access, whether on payment or otherwise, only with the occupier’s permission) and involves music as a substantial ingredient. Nor

would a licence be required for music performed in a place of public religious worship (or performed elsewhere as an incident of a religious meeting or service).

**Public Performance** includes any performance in a public place within the meaning of the Public Order Act (1986) and any performance which the public or any section thereof are permitted to attend, whether on payment or otherwise.

The Theatres Act 1968 places considerable responsibility on organisations and individuals who present 'plays', whether or not the presentation constitutes a 'public' performance. In their own interest presenters and producers of plays should read this Act. A copy may be seen at the University Marshal's Office at 1 St Mary's Passage. This is particularly important when a new play, or a new adaptation or presentation of an old play, is to be performed. All those concerned may be liable to prosecution by the Civil Authority if the words and action of a play constitute a criminal offence (e.g. obscenity, incitement to racial hatred, or provocation likely to lead to a breach of the peace). They may also be liable to a civil action for defamation.

Organisers are reminded that, even if an entertainment or performance does not require a licence, they may be held responsible if inadequate precautions are taken to ensure the safety of the performers and the audience.

University societies are advised that where they are arranging a performance of a play or entertainment for which a licence is required, they should not advertise the event until they have obtained the licence. They are also advised that owners' permission must always be obtained before advertisements are displayed on any site; it is an offence at law to affix advertising matter of any kind to buildings, hoardings, trees, etc., without permission.

For events which are to take place on College premises, advice should be sought beforehand from the College authorities. For events which are to take place elsewhere, advice may be obtained from the Proctors.

### 14.3 Freedom of Speech

The University has a long tradition of seeking to safeguard freedom of speech. It will assist University Societies, and the Proctors, in meeting their obligations under the University's Code of Practice on Freedom of Speech (see Appendix 7), if societies send a copy of their programme (and the names of their officers if they do not appear on it) to the Proctors before the beginning of each full term.

## **15. EMPLOYMENT OF STAFF**

Where staff are employed by the club, steps should be taken to comply with statutory regulations regarding Tax and National Insurance. If payment of the salary or wage is made on behalf of the club by a College or the University, the club should be clear whether the employee is an employee of the club. Other statutory regulations should be observed (e.g. Contract of Employment). In addition the club or society should inform the appropriate authority of changes in pay (e.g. sickness, holiday advance, increase including cost of living).

## **16. VALUE ADDED TAX**

For VAT purposes, clubs and societies are considered as individual entities; they are not part of or covered by the University's VAT registration. Each club or society is thus treated as a separate business.

A club or society engaging in trade (including the sale of tickets for a play, concert or dance) may have to register for VAT if the annual turnover is likely to exceed the prevailing threshold (£70,000 in 2010/11). If there is any doubt as to a possible VAT liability in respect of a society, the Senior Treasurer should consult the Finance Division Tel: (3)39661. Expert advice may be obtained from the local HM Customs and Revenue. The matter of registration for VAT should be dealt with in timely fashion; Customs & Revenue impose financial penalties for late registration.

This means a club or society does not need to charge or account for VAT, e.g. on its subscriptions to members, on sales of tickets for dinners/entertainments, sales of advertising space in term-cards, sales of tee-shirts and mementoes, etc. However, suppliers to clubs and societies of goods and services will charge VAT according to the normal rules, and clubs and societies not registered for VAT will need to absorb this VAT as part of the costs of the goods/services purchased.

## 17. DATA PROTECTION

Please note that the Data Protection Act which came into effect on 1 March 2000 introduced important changes in the way in which *personal data* (i.e. information about living people) must be handled and subjects' rights to inspect and challenge the data. The old Data Protection Act just covered electronically-held data: the new Act extends this to paper-held records as well (and has new restrictions on transferring data abroad). Each club and society registered with the Proctors is responsible for the handling of its own data. You will therefore need to think about the kinds of personal information held about the club's members (and perhaps others who are on mailing-lists but who are not official members) and how this information is used. For example, if you photocopy your handwritten membership register and give out members' name-and-address details to external sponsors, or even to other clubs when you are arranging joint events, you may be breaking the law.

The key features of the current Data Protection Act are:

Personal data must not be held without consent or unless absolutely necessary to fulfil a contract with the subject or to meet legal requirements, and then must be processed fairly and lawfully: *so it is OK for you to keep members' names on a written or electronic register and use this for the purposes of administering the club (collecting subscriptions, sending out termcards, organising elections, keeping a record of who is eligible to drive minibuses under the Minibus Hire Scheme, etc) provided individual members agree to this;*

- personal data must be obtained for one or more lawful purposes and must not be further processed in any manner incompatible with the purpose(s); *so it is not OK for you to use the membership register to generate mailing-lists for use by external parties (e.g. sponsors, other clubs) unless individual members specifically agree to this*
- personal data must be adequate and not excessive for the purpose(s) for which they are processed; so if you are asking members to provide details of home addresses, their subject and year of study, etc you need to consider whether such data are necessary for the purposes of the club's activities
- personal data must be accurate and where necessary kept up to date;
- personal data must not be kept for longer than necessary for the purpose(s) originally collected; so you need to be careful about retaining details of members who have left the University – the club might want them for its historical records, but must not use

such information as the basis of mailshots (e.g. for fund- raising) unless the subjects consented to that when the data were originally collected

- personal data must be processed in accordance with subjects' rights under the Act: these include the subject's right to inspect the data held about him or her (but not data about other people); to prevent the processing of data; to correct, block or erase data; to sue for damage caused; ***you need to bear in mind that the club collectively, or individual officers, could be prosecuted for breaches of the Act.***
- appropriate technical and organisational measures must be taken to prevent unauthorised/unlawful processing of personal data and against accidental loss, destruction, damage; ***so if the club is holding its data on computer, you need to be careful about who is able to access and process the data; even if your records are paper-based, they must be kept secure***
- personal data must not be transferred, without the subject's consent, outside the European Economic Area unless the country concerned ensures an adequate level of protection for the rights and freedoms of data subjects; ***this needs to be borne in mind by clubs with an international focus or whose officers may be taking club records out of the UK (e.g. on a lap-top computer) when returning home during the vacation***

Full details of the legislation are available from the Information Commissioner at: <http://www.dpr.gov.uk/notify/self/index.html>. Further information can be found on the University's Data Protection website at: [www.admin.cam.ac.uk/univ/dpa/](http://www.admin.cam.ac.uk/univ/dpa/)

When people become club members, or renew their subscriptions, it is important to make clear to them what personal data will be held and what use the club wants to make of this. But please bear in mind that data-subjects can withdraw their consent for particular uses at any time; and the club will need to keep under review what personal data are held; where and how securely held; and what the data is being used for.

## **18. EMPLOYER SPONSORSHIP**

A number of student societies have succeeded in obtaining sponsorship from employers interested in recruiting from Cambridge. Those societies do not necessarily have any direct connection with employers or recruitment. The Careers Service is happy to offer societies help and information about potential sponsors. It is suggested that societies make use of this free service before responding to approaches from any agencies which offer to obtain such sponsorship in return for payment. The Careers Service can also offer advice if societies are planning any employer-related events.

Societies have also been approached by recruitment and internet agencies of various sorts hoping to raise their profile and to harvest membership contact details in return for sponsorship or payment. Before entering into any agreement or creating links with these agencies, societies are again encouraged to contact the Careers Service for advice on the possible implications of such links with recruitment agencies and so safeguard the interests of the societies' members (see also Section 15 above on Data Protection).

Please note that sponsorship from recruiters is likely to be relatively small and would not be an appropriate way of seeking very large sums of the sort needed e.g. for major sporting events which are likely to come from corporate relations budgets rather than recruitment budgets.

## **19. DISSOLUTION**

Unless contrary provision is made in the constitution, any surplus assets of a club or society after payment of debts belong upon dissolution to all the members equally. Many clubs and societies prefer to include provision in their constitution for any assets remaining after dissolution and the discharge of liabilities to be paid over to the Societies Syndicate or to another registered CU club or society. The Societies Syndicate may require a society to return to the Syndicate, on dissolution, any assets purchased with grants from the Syndicate.

**SAMPLE CONSTITUTION**

**THE *{INSERT THE NAME OF YOUR SOCIETY HERE}*  
SOCIETY**

**CONSTITUTION**

**1. NAME:**

The name of the Society shall be “*The {INSERT THE NAME OF YOUR SOCIETY HERE}*” Society” hereafter referred to as “the Society”.

**2. OBJECTS:**

(1) The Society’s aims shall be to promote (*you fill in this part*)

(2) In pursuance of its aims the Society (*again you fill in this part or delete all together*).

**3. MEMBERSHIP:**

(1) Membership of the Society shall be open to all members of the University and any others that have an interest in the (*fill in again*).

(2) There shall be an annual fee for membership which shall be determined by the Society from time to time. (*This can be taken out if you are not charging fees*).

(3) The Society may offer Life Membership and Honorary Membership on such terms as it may decide.

(4) The Executive Committee may expel any member whose conduct seems likely to bring the Society into disrepute. Such expulsion shall be subject to confirmation at the next General Meeting of the Society.

**4. THE EXECUTIVE COMMITTEE:**

(1) The day-to-day management of the Society’s affairs shall be in the hands of the Executive Committee, which shall normally be elected at the Annual General Meeting (AGM).

(2) The Executive Committee shall consist of a President, Vice-President, Secretary, and Junior Treasurer, who shall be elected by the members as in 4(1). In addition there shall be a Senior Treasurer, who shall be a resident member of the Senate or other person approved by the Junior Proctor. The Senior Treasurer shall be appointed by the elected members of the Executive Committee and shall be *ex officio* a member of the Executive Committee.

(3) A majority of the elected members of the Executive Committee shall be full-time undergraduate or postgraduate students of the University.

(4) Meetings of the Executive Committee shall be chaired by the President or in his or her absence the Vice-President. If neither the President nor Vice-President is present, the remaining members shall elect a chairperson for that meeting. The quorum for a meeting of the Executive Committee shall be three members and a written record of each meeting shall be kept.

## **5. GENERAL MEETINGS**

(1) The Society shall hold an Annual General Meeting (AGM) during each Academical year. The AGM shall be held in Cambridge during *Easter Full Term*. All Members, other than Honorary Members, shall be entitled to attend and vote at any General Meeting. At least fourteen days written notice shall be given to members before the AGM.

(2) The AGM shall approve Minutes of the last General Meeting and the Society's Accounts for the preceding year, elect the Executive Committee for the year ahead and conduct such other business as is necessary.

(3) Candidates for election to office shall be proposed and seconded by two other members. Every motion at a General Meeting shall be proposed and seconded by two members. Voting shall be by secret ballot and if there are more than two candidates for a post or more than two options on a motion, voting shall be by Single Transferable Vote.

(4) An Extraordinary General Meeting (EGM) may be held at any time during Full Term. It shall be held in Cambridge and may be called by the Executive Committee or at the written request of at least ten members. Twenty-one days written notice shall be given to members before an EGM is held. An EGM shall have the same powers as an AGM.

(5) The President or in his or her absence the Vice-President shall take the Chair at any General Meeting. In the absence of the President and Vice-President the meeting shall elect a Chairperson for that meeting. The quorum for a General Meeting shall be five members and a written record of every General Meeting shall be kept.

## **6. FINANCIAL MATTERS:**

(1) The Society shall maintain a banking account with a suitable Bank or Building Society to hold the Society's funds.

(2) It shall be the responsibility of the Junior Treasurer to ensure that monies received are properly accounted for and that the Society's financial records are kept in good order.

(3) The Senior Treasurer shall make arrangements for the Society's Accounts to be properly audited, either by himself or herself, or by some other person approved under University Ordinances.

(4) The Senior Treasurer shall not be liable for any financial debt or other obligation of the Society unless he or she has personally authorised such a debt in writing.

(5) For so long as the Society shall be Registered with the Junior Proctor, it shall be the duty of the Executive Committee to ensure that the Society complies with the requirements for Registration as a University Society.

## **7. CHANGES TO THE CONSTITUTION:**

The Constitution may be amended at a General Meeting.

## **8. DISSOLUTION:**

(1) The Society may be dissolved at a General Meeting provided that at least Twenty-one days written notice of the intention to dissolve the Society has been given to the members. At least two thirds of those present and voting at the General Meeting must vote in favour of the motion for Dissolution for it to be effective.

(2) Any motion for Dissolution of the Society shall provide that assets remaining after all liabilities have been met shall be transferred either to another Registered University Society, or to the Society's Syndicate.

### PETTY CASH BOOK - IMPREST SYSTEM

This system is started with a fixed sum of cash. This amount (here shown as £10) should be no larger than is necessary to meet the needs of the club or society. At each balancing period cash is withdrawn from the society's current account for the exact amount of disbursements shown in the Petty Cash Book for that period. Each cheque for petty cash should also be recorded in the Receipts and Payments Book. Such periodic reimbursement will bring the Petty Cash Book back to its starting balance (£10). If details of expenditure for which each cheque is drawn are recorded in the Receipts and Payments Book, this master book will always record the total expenditure of the club or society for the period and the fixed sum in the Petty Cash Book will always be represented by cash in hand together with disbursements made since the last balancing period. Vouchers should be made out and signed when persons other than the Junior Treasurer use petty cash.

#### Key to terms:

b/d **brought down:** the remaining unspent cash (£3) is brought down and entered in receipts column. This is then made up to the original sum (£10) by withdrawing cash for the exact sum of that periods' expenditure (£7).

c/d **Carried down:** the remaining unspent cash (£3) is carried down, that is, entered, for purposes of checking, in the payments column and added to the (£7) cash spent. The sum is then compared to the original starting sum (£10).

\_\_\_\_\_ **Ruled off:** totals will be below the ruled mark.

\_\_\_\_\_ **Double Ruled:** complete balancing of entries will be above this double ruling.

### PETTY CASH BOOK

#### RECEIPTS

#### PAYMENTS

	Date	Details	Voucher No. (large clubs only)	Total	Stationery	Postage	Hire of Premises.
£ 10.00	1 Jan	Cash from Bank					
	2 Jan	Postage Stamps	1	2.00		2.00	
	4 Jan	Paper and envelopes	2	3.00	3.00		
	7 Jan	Hire of Room	3	2.00			2.00
		Balance c/d		7.00	3.00	2.00	2.00
10.00				3.00			
3.00		Balance b/d		10.00			
7.00	8 Jan	Cash from Bank					
10.00							

**SPECIMEN ACCOUNT FORMS**

NAME OF CLUB \_\_\_\_\_

ACCOUNT FOR YEAR ENDED \_\_\_\_\_

<b>INCOME</b>	<b>ACTUAL PREVIOUS YEAR</b>	<b>ACTUAL CURRENT YEAR TO DATE</b>
1.1: Grants 1.2: Subscriptions 1.3: Event Income 1.4: Interest on money in bank 1.5: Miscellaneous (please specify)  <b>Total income</b>		
<b>EXPENDITURE</b>	<b>ACTUAL PREVIOUS YEAR</b>	<b>ACTUAL CURRENT YEAR TO DATE</b>
2.1: Room bookings 2.2: Speaker costs 2.3: Equipment 2.4: Admin & Insurance 2.5: Entertainment 2.6: Travel 2.7: Publicity 2.8: Depreciation (of equipment) 2.9 Miscellaneous (please specify) <b>Total expenditure</b>		
<b>Excess of Income over Expenditure</b>		

BALANCES AT (date):

Deposit account   £  
Current account   £  
Petty cash         £  
Assets               £

Signature of:

**JUNIOR TREASURER****SENIOR TREASURER**Annual Club/Society Members totalled ..... and paid a subscription of £ .....Life Club/Society Members totalled ..... and paid a subscription of £ .....Assets or Equipment - It is estimated that the replacement value of assets above is £ .....  
(give some detail if necessary)



**GENERAL NOTES FOR GUIDANCE OF AUDITORS**

These are not comprehensive notes applicable to all audits. In all cases the auditor must have complete freedom to investigate.

Nevertheless there are a number of basic checks which should be made. The auditor should ensure that the Junior Treasurer has:

- a. reconciled the bank statement with the Receipts and Payments Book balance,
- b. checked that the Imprest Account balance agrees with the amount of cash in hand,
- c. properly balanced and cross costed the Receipts and Payments Book,
- d. checked that all members have paid their subscriptions,
- e. issued a receipt for each member's subscription,
- f. updated any record of equipment and other assets belonging to the club and verified the continuing existence of the items contained therein,
- g. made sure that all paid invoices have been properly signed to authorise payment.

The auditor should establish by reference to the Receipts and Payments Book and bank statements that:

- a. all receipts have been promptly paid into the bank,
- b. the level of cash held on the current account is no more than necessary to meet normal requirements and that any excessive amount has been placed on deposit,
- c. proper security exists for cash and club assets.

The auditor should also:

- a. establish that proper account is being taken of the replacement value of equipment and other assets, and that subscriptions are at a level which will enable the accumulated funds of the club to replace them if it should become necessary,
- b. make any recommendation with respect to these matters which he/she thinks desirable.

In addition the auditor should establish whether the club has:

- a. complied with any regulations which may have been laid down by the University,
- b. covered itself adequately in respect of insurance,
- c. complied with statutory regulations regarding the employment of staff,
- d. entered into any transaction of a trading nature without prior approval of the University.

**Extract from *Statutes and Ordinances*, 2010 p.200-01**

**CLUBS AND SOCIETIES**

1. Any club or society consisting wholly or partly of members of the University *in statu pupillari* may apply to the Junior Proctor for registration as a University society. A club or society applying for registration shall submit to the Junior Proctor a statement of its current financial position and a copy of its constitution. The Junior Proctor may refer such an application to the Societies Syndicate. If the Junior Proctor refuses to register a club or society the club or society may appeal to the Societies Syndicate, who may if they think fit register the club or society.
2. All registered clubs or societies shall deposit any changes in their constitution with the Junior Proctor, and shall notify him or her of any change of officers.
3. Every registered club or society shall deposit by 31 December each year with the Junior Proctor a copy of its accounts for the previous academical year audited either professionally or by a resident member of the Senate or by a person approved for this purpose by the Junior Proctor.
4. A club or society whose constitution requires it to have a Senior Treasurer shall not amend its constitution so as to remove this requirement without obtaining the prior approval of the Junior Proctor and submitting to the Junior Proctor a statement of its current financial position.
5. Any club or society sanctioned by the Proctors before these regulations take effect shall be deemed to have been registered in accordance with these regulations.
6. Any registration granted or deemed to have been granted under these regulations may be withdrawn at the discretion of the Junior Proctor, subject to a right of appeal by the club or society to the Societies Syndicate.
7. No club or society consisting wholly or partly of members of the University *in statu pupillari*, whether registered under the provisions of these regulations or not, shall, while occupying University premises, engage in trade without the permission of the Finance Committee of the University Council. The Finance Committee may make such permission conditional on the submission to them of annual audited accounts or subject to such other conditions (including the condition that the club or society shall be registered as a limited liability company) as the Board may deem desirable in the interests of the University or of its members. For the purpose of this regulation
  - (a) the term 'trade' shall include the buying or selling of goods or services, whether for profit or otherwise, but shall not include the sale of tickets for admission to a public performance given by a club or society, or the sale of any paper, magazine, or journal published by a club or society or of advertising space in such a publication;
  - (b) the term 'occupying' shall not include the occasional hiring of University premises.

**Extract from *Statutes and Ordinances*, 2010 p.201-02**

**MEETINGS AND PUBLIC GATHERINGS ON UNIVERSITY PREMISES**

**Code of practice issued under Section 43 of the Education (No.2) Act 1986<sup>1</sup>**

1. Section 43 of the Education (No.2) Act 1986, referring to freedom of speech in universities, Polytechnics, and colleges, requires the Council to issue and keep up to date a code of practice to be followed by members, students, and employees of the University for the organisation of meetings, etc., which are to be held on University premises, and for the conduct required of members, students, and employees of the University in connection with meetings, etc. This code of practice therefore applies to all members, students, and employees of the University, in respect of all University premises, which for the purposes of this code includes the Union Society. Outdoor, as well as indoor, meetings, etc., on University premises are included.
2. Members of the University are reminded that alleged offences under the general regulations for discipline may be brought by the University Advocate before the University Tribunal, the Court of Discipline, or the Summary Court, as appropriate.

***Organisation of meetings, etc., on University premises***

3. Authority is required for meetings and public gatherings to be held on University premises, whether indoors or out of doors. In the case of accommodation assigned to a single Faculty or Department, the permission of the relevant Faculty or Departmental authorities is required. In the case of accommodation not so assigned, permission must be obtained from the central University authorities and, if a room is to be reserved, a booking must be made through the relevant office. The organisers of meetings, etc., must comply with any conditions set by the University authorities concerned for the organisation of the meeting or other activity and the arrangements to be made. Such conditions may include the requirement that tickets should be issued for public meetings, that an adequate number of stewards should be available, that the police should be consulted about the arrangements, and that the time and place of the meeting should be changed. The cost of meeting the requirements, and the responsibility for fulfilling them, rests with the organisers.
4. In addition to seeking the permission referred to in paragraph 3, the organisers of all meetings, etc., to be held on University premises which are to be addressed or attended by persons who are not resident members of the University (except for academic meetings organised by the authorities of a Faculty or Department, or for any meetings or classes of meetings approved for the purpose by the Senior Proctor as being commonly or customarily held on University premises) are required to give notice to the Senior Proctor. This notice may be given on the form used to book University premises, a copy of which will be sent by the University authority concerned to the Senior Proctor. The organisers may also, if they wish, communicate directly with the Proctors to give further details. Information is required at least five clear days in advance (although the Senior Proctor may, at his or her discretion, agree to receive information closer to the time of the meeting than this). The information needed is the date and time of the meeting, the place, the names, addresses, and Colleges (if any) of the organisers, the name of the organisation making the arrangements, and the name of any expected speaker, whether or not a member of the University.
5. The organisers of any meeting must comply with instructions given by a Proctor, by any other University officer, or by any other person authorised to act on behalf of the University, in the proper

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<sup>1</sup> Section 43 of the Education (No.2) Act 1986 was reproduced in *Reporter*, 1986-87, p.578.

discharge of his or her duties. The attention of members of the University is drawn to Regulations 8 and 9 of the general regulations for discipline.

### *Colleges*

6. The provisions of section 43 of the Education (No.2) Act 1986 apply also to the Colleges in respect of their own members, students, and employees, and in respect of visiting speakers. Each College is requested by the University to name a senior member who will be responsible for enforcing the provisions of the Act in that College and will co-operate as necessary with the Proctors. Members of the University are reminded that University disciplinary regulations apply on College premises as elsewhere in the Precincts of the University. A College may invite the Proctors to enter its premises.

### *Other legal requirements*

7. The attention of organisers of public meetings and assemblies is drawn to sections 11 and 14 of the Public Order Act 1986, concerning processions and assemblies. Other legal requirements may affect the conduct of meetings, etc. A speaker, for example, who incites an audience to violence or to a breach of the peace or to racial hatred transgresses the bounds of lawful speech. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they cause serious public disorder or breaches of the peace. Attention is also drawn to the provisions of the Licensing Acts, which apply to certain University premises, including the University Centre. These Acts require the licensee to maintain good order on licensed premises, and give the licensee the power to expel persons from the premises if he or she considers it necessary.

### *Application of the code*

8. Any person who is in any doubt about the application of this code of practice to any meeting or public gathering in the University is under an obligation to consult the Senior Proctor, who will determine whether the provisions of the code apply.