D1 Constitution

Organization:	Democracy and Accountability Committee
Resolution date:	10/29/2020
Agenda item:	D Amendments to Constitution/Standing Orders

Young Greens Constitution 2020/2021

Article 1: Name, Membership and Objectives

1.1 The name of the organisation is "Young Greens of England and Wales".

1.2 The accepted abbreviations are "Young Greens" or "YG" and in all publications this name and abbreviations shall be synonymous.

1.3 The geographical boundaries of the Young Greens are England and Wales.

1.4 The Young Greens aim to encourage young people to become active in politics and within the Green Party of England and Wales.

1.5 The Young Greens consists of all members of the Green Party of England and Wales:

1.5.1 aged 29 years or less;

1.5.2 full-time students regardless of age;

1.6 Membership of the Young Greens includes voting rights to all elections in accordance with this constitution.

1.7 An individual's membership of the Young Greens can be permanently terminated by an absolute two-thirds majority vote of the Executive Committee with the agreement of the Chair of the Democracy and Accountability Committee. Where the individual is a member of those committees, they will not be able to vote on or be required to approve the termination and the absolute two-thirds majority will exclude that individual.

1.8 Termination of membership can only occur if their membership is considered to be detrimental to the work of the Young Greens. Prior to that, however, the Young Greens Complaints and Disputes Procedure should have been used, as outlined in Article 5.

Article 2: Organisation

2.1 The Young Greens is composed of individual members, committees and Affiliated Groups, whose constitutions, aims and values should be consistent with those of the Young Greens and the Green Party of England and Wales.

2.2 The Young Greens will be run by an Executive Committee, defined in Byelaw 1.

2.3 There will be a Democracy and Accountability Committee with responsibility for constitutional affairs and inclusivity, as defined in Byelaw 2.

2.4 There will be a Green Students Committee consisting of two Co-Convenors and five Non-Portfolio Officers, defined in Byelaw 4.

2.5 The Executive Committee, Democracy and Accountability Committee and the Green Students Committee Co-Convenors will be elected at the Young Greens Annual General Meeting according to the provisions in Section D of the Standing Orders.

2.6 Subcommittees may be formed either by a member of the Executive Committee, where a simple majority vote of the Executive Committee has passed, or by a petition of 25 members to a General Meeting.

2.7 All other groups outside of the committees defined in sections 2.2-2.5 will be named Affiliated Groups, including Groups for the Regions of England, Wales, Local Groups or Liberation Groups.

2.8 Affiliated Group constitutions should state that they are a part of the Young Greens of England and Wales and not contradict the Young Greens constitution in any way.

2.9 For a group to be affiliated, they must be accepted by an absolute majority vote of the Executive Committee.

2.10 The Executive Committee must keep a list of affiliated groups and review it each year after Convention.

2.11 An affiliated group of the Young Greens can be disaffiliated by an absolute two-thirds majority vote of the Executive Committee if they are in violation of this constitution or if their membership is considered detrimental to the work of the Young Greens.

Article 3: Amendment of the Constitution

3.1 This constitution may only be amended by a two-thirds majority vote at a General Meeting.

3.2 The byelaws to this constitution which all have the status of parts of this constitution may be amended, created or revoked by a two-thirds majority vote at a General Meeting.

3.3 A minor change to the constitution and standing orders, for the purpose of the editing power that is held by DAC, is defined as one where the meaning of a clause, or outcome of a clause, has not been altered (although it may be clarified), nor additional clauses introduced; and the change is for the purposes of correcting errors or inconsistencies in typography, spelling, or grammar; clarifying a meaning, or correcting the numbering of clauses.

Article 4: The Standing Orders

4.1 The Standing Orders is a document which governs any elections within the Young Greens and the processes of Convention and a General Meeting.

4.2 The Standing Orders must be followed at all times. They can be amended by a two-thirds majority at a General Meeting.

4.3 Where there is a perceived contradiction between the Constitution and Standing Orders, the Democracy and Accountability Committee shall rule on the correct interpretation with precedence given to the Constitution.

Article 5: Complaints and Disputes

5.1 There shall be a Complaints and Disputes Subcommittee (C&D) of the Democracy and Accountability Committee.

5.2 C&D will be constituted of a permanent representative from the Democracy and Accountability Committee (hereby known as the DAC Rep), who will chair the group, as well as four volunteers from the Young Greens membership, to make five total members. Two of these four spaces should be advertised first to the Young Greens Liberation Group Co-Chairs, with priority given to Young Greens of Colour and Young Greens Women of Colour, before being opened to the wider membership if no volunteers step forward who are Liberation Group Co-Chairs. Where there are too many volunteers, selection will be made by DAC; candidates may be put on a reserve list that would be used when other members are recused (see 2.). Where there are too few volunteers, the remaining membership will be drawn by lots from: Co-Convenors of Groups of the Regions of England, and Wales; Green Students Committee members; and Young Green Liberation Group Co-Chairs. At least two members of C&D should not be self-defining men.

5.3. C&D should have 5 participating members for every case dealt with. A reserve list of members may be created by DAC in order to ensure that this is possible, as members may be taking leave of absence. It may also be that members have personal interests in the outcome of a case, or possess personal or professional relations, amicable or otherwise, with those involved in a case. Applications for recusal may be made by members of C&D, DAC, EC any Young Green directly involved within a case, and are submitted to DAC, and may be done so by or on the behalf of a member of C&D. A majority vote from DAC determines if a member is recused. If the DAC Rep is recused, C&D is to vote on an acting Chair for a case, who must be a member of C&D. Recusal should happen before the point of formal intervention (the implementation of Section B.3).

5.4 C&D membership will be from its initiation until the following Young Greens Convention, after which C&D will be re-formulated following Article 5.2. It is permissible to re-volunteer. Complaints and Disputes will be dealt with by a single C&D only and will not be passed on between re-formulations (except in the case of resignations). This may lead to persons carrying out C&D duties for as long as a complaint of dispute takes to judge on.

5.5 Members are to submit complaints based on breaches of the Young Greens Constitution, Young Greens Standing Orders, Green Party Constitution, Green Party Standing Orders, Green Party Code of Conduct or any other organisational policies of the Green Party of England and Wales and Young Greens, including anti-harassment and Safe Space policies.

5.6. Any complaints about another member of the Young Greens, or disputes that a member feels they need help resolving, should go in the first instance to the C&D. If for whatever reason a member does not feel comfortable approaching any C&D member, they may go to Young Greens Staff, Young Greens Non-Portfolio Officer with the Equality and Diversity Portfolio or to the Democracy and Accountability Committee.

5.7 In the first instance when a complaint is lodged, a member of the C&D will speak to involved parties and attempt to resolve the issue informally whilst maintaining clear records, in accordance with Article 5.14.

5.8 Where any involved parties feel that hasn't worked, or where any parties refuse the informal intervention, the complaint should be made in writing. All involved parties will have equal chance to state their own case.

5.9 C&D Subcommittee will consider the complaint and make a judgment, in writing, to all parties. Judgements should include a ruling on whether there have been breaches of the Young Greens Constitution, Young Greens Standing Orders, Green Party Constitution, Green Party Standing Orders, Green Party Code of Conduct or any other organisational policies of the Green Party of England and Wales and Young Greens, including anti-harassment and Safe Space policies.

5.10 After a judgement, C&D Subcommittee will make a recommendation of action to either or both complainants. In cases where there is a need for disciplinary action, to DAC or another relevant body where appropriate. These disciplinary actions may include, but are not limited to:

5.10.1 Ban from Young Greens Events/Spaces, for a period of up to 12 months

5.10.2 Suspension of Young Greens membership, for a period of up to 12 months

5.10.3 Censure from holding a position within the Young Greens, for a period of up to 12 months

5.10.4 Permanent termination of membership, as outlined in Article 1.7

5.11 Where the case is deemed to be serious enough, C&D Subcommittee may recommend a suspension for the period of the investigation and which must be agreed by the Chair of the Democracy and Accountability Committee.

5.12 If the recommended action(s) following a judgment are not followed by the involved parties, C&D should make recommendations of action to the EC or DAC.

5.13 If an individual; wishes to appeal a judgment made by C&D, they may do so by communicating to DAC. The grounds for an appeal are if new evidence emerges, or if C&D broke procedure. DAC should look over the evidence presented by the appellant and may make a ruling on whether the appeals process should be initiated. In this case, appeals will be heard by a new group formulated on the same basis as C&D in 5.3 but excluding C&D members that made the original judgment. This may be drawn from the list of reserve members.

5.14 There should be clear minutes and records of actions kept of all C&D meetings. These may be disclosed beyond C&D at the discretion of C&D Subcommittee, and a need for confidentiality and fair treatment must be considered. C&D are to submit reports of each case to DAC. DAC will then include a general, anonymous summary of these in their annual report.

5.15 A response to all initial complaints should be made to the initiator of the complaint within 48 hours of receiving the complaint, in which the standard process is outlined to them and how C&D intend to carry out the informal mediation.

5.16 Informal mediation should start within 5 days of a complaint or dispute being lodged.

5.17 A judgment should be made within 3 weeks of a complaint or dispute being lodged in writing following informal mediation failing or where the written statement refuses informal mediation.

5.18 Any requests for updates from any involved party should be responded to within 72 hours.

5.19 Extensions to these deadlines should be sought from DAC in extenuating circumstances

5.20 Malicious complaints made against a Young Greens member are serious and a breach of the principles outlined in the Constitution as well as the GPEW Code of Conduct. C&D Subcommittee will dismiss malicious complaints and may notify relevant parties that a malicious complaint has been made.

Article 6: The Young Greens Record of Policy Statements

6.1 There shall be a Young Greens Record of Policy Statements (hereafter YG RoPS) that contains contemporary policy statements from the Young Greens of England and Wales.

6.2 Actions from Young Green bodies should not contradict statements in the RoPS.

6.3 Statements may be submitted to the YG RoPS by a simple majority vote of a motion submitted to Convention. Alternatively, statements may be submitted to the YG RoPS by a simple majority vote of the Executive Committee, with the consent of SPC. All statements added between Conventions are to be reported to the following Young Greens Annual General Meeting by DAC and recorded in DAC monthly reports.

6.4 Statements may be removed from the YG RoPS by a simple majority vote of a motion submitted to Convention. Alternatively, statements may be removed from the YG RoPS by a simple majority vote of the Executive Committee, with the consent of DAC. All statements removed between Conventions are to be reported to the following Young Greens Annual General Meeting by DAC and recorded in DAC monthly reports.

6.5 After five years of a statement being entered into the YG RoPS, it is considered to be in grace as recorded by DAC. This means that it will be reported to be in grace to the following Young Greens Annual General Meeting by DAC, who will give Convention the chance to vote on whether it should stay in the YG RoPS, which requires a simple majority. This restarts the five-year placement of that statement into the YG RoPS.

6.6 The YG RoPS should be publicly available.

Article 7: The Young Greens Record of Organisational Statements

7.1 There shall be a Young Greens Record of Organisational Statements (hereafter YG RoOS) that contains organisational policies from the Young Greens of England and Wales.

7.2 Actions from Young Green bodies should not contradict statements in the RoOS.

7.3 Statements may be submitted to the YG RoOS by a simple majority vote of a motion submitted to Convention. Alternatively, statements may be submitted to the YG RoOS by a simple majority vote of the EC, with the consent of SPC. All statements added between Conventions are to be reported to the following Young Greens Annual General Meeting by DAC and recorded in DAC monthly reports.

7.4 Statements may be removed from the YG RoOS by a simple majority vote of a motion submitted to Convention. Alternatively, statements may be removed from the YG RoOS by a simple majority vote of the EC, with the consent of DAC. All statements removed between Conventions are to be reported to the following Young Greens Annual General Meeting by DAC and recorded in DAC monthly reports.

7.5 Each year EC will review the RoOS and bring a list of statements they judge to be out of date to Convention for a vote of retention or removal.

7.6 The YG RoOS should be publicly available.

Article 8: Safe Spaces Policy

8.1 The Young Greens are committed to providing an environment free of racism, sexism, ableism, homophobia, transphobia, religious discrimination or any other types of oppression, including, but not limited to, oppression against non-binary identities and sex workers.

8.2 The Young Greens are committed to providing an environment free of bullying, name-calling or any forms of abusive behaviour.

8.3 The Young Greens are committed to challenging these types of oppression whenever they occur in Young Greens spaces.

8.4 The Young Greens are committed to having a victim centred approach when safe spaces are jeopardised.

8.5 The Young Greens will follow guidance regarding safe spaces in the RoOS.

8.6 When it comes from outside of the Young Greens but within the Green Party, individuals in the Young Greens are encouraged to report all forms of oppression or discrimination including hate crime to the Green Party of England and Wales through the standard complaints procedures for further investigation into these matters. Individuals may contact the Young Greens Complaints and Disputes Committee to receive support in doing so.

Article 9: Safeguarding

9.1 Young Greens EC shall appoint a Safeguarding Officer and Deputy Safeguarding Officer.

9.2 The Safeguarding Officer and their Deputy have the duty to:

9.2.1 Lead on the development of safeguards for the Young Greens.

9.2.2 To promote the safety and welfare of children and young people in the Young Greens.

9.2.3 Receive and record information from anyone who has concerns.

9.2.4 Assess the information promptly and carefully, clarifying or obtaining more information where necessary.

9.2.5 Consult initially with a statutory child protection agency, such as the local children's social care teams or the NSPCC with any doubts or concerns.

9.2.6 Make a formal referral when required to a statutory child protection agency or the police.

9.3 It is not their job to decide whether a child or a young person has been abused or not. These roles can be shared with other roles within the Young Greens.

9.4 Young Greens will follow the guidance regarding safeguarding in the RoOS.

Byelaws of the Young Greens of England and Wales

Byelaw 1: The Young Greens Executive Committee

1.1 There shall be an Executive Committee (hereafter referred to as "the Executive Committee" or "EC") which shall consist of:

1.1.1 Two Co-Chairs, of which at least one must be not a self-defining man.

1.1.2 Treasurer.

1.1.3 Six Non-Portfolio Officers, one of whom shall be responsible for the Equality and Diversity portfolio.

1.2 EC Elections shall be carried out according to Section E of the Standing Orders, following the procedures, timescale and gender balance rules described therein.

1.3 The aim and responsibility of the EC is to:

1.3.1 Provide an overall direction and strategic planning.

1.3.2 Support all members and bodies within the Young Greens.

1.3.3 Represent the Young Greens externally, including running the website and social media and representing the Young Greens at events.

1.4 EC members shall individually provide a quarterly report to the membership which is made available for all members. A quarterly online question and answer session hosted by DAC should follow and be promoted to all members with a call for questions.

1.5 EC Members shall provide an end of year report to the Young Greens Annual General Meeting

1.6 Vacant positions may be co-opted at any time throughout the year following the procedure outlined in Section D6 of the Standing Orders.

1.7 The quorum for EC decisions is 50% + 1 of all EC members.

Byelaw 2: The Democracy and Accountability Committee

2.1 There shall be a Democracy and Accountability Committee (hereafter known as "the Democracy and Accountability Committee" or "DAC") which shall consist of:

2.1.1 Five members, where one member is selected within as Chair.

2.1.2 The Chair shall be selected at the first meeting of DAC after the Annual Ballot.

2.1.3 The position of Chair may also be taken as a job-share between two members of DAC who will then be Co-chairs.

2.1.4 If the Chair or Co-chairs resigns, DAC shall select a new Chair or Co-chairs at their next available meeting.

2.2 Elections will be carried out according to Section E of the Standing Orders, following the procedures, timescale and gender balance rules described therein.

2.3 The aim and responsibility of the Democracy and Accountability Committee is to:

2.3.1 Uphold this Constitution, Byelaws and Standing Orders.

2.3.2 Oversee updates and clarifications to these, including through elections and the Annual General meeting.

2.3.3 Make rulings on interpretations of this Constitution and to declare acts constitutional or otherwise.

2.3.4 Make minor changes to the Constitution and the Standing Orders to ensure it is standardised and accurate, as outlined in Article 3.3 of this Constitution.

2.3.5 As part of this role, the Democracy and Accountability Committee will run a General Meeting as described in Sections B and C of the Standing Orders.

2.3.6. Additionally, the Democracy and Accountability Committee is responsible for ensuring accountability of the Young Greens at large.

2.4 The Chair of the Democracy and Accountability Committee has the right to attend all meetings of the Executive Committee, but not vote, as a representative of the Democracy and Accountability Committee and should be consulted on major decisions.

2.5 The Democracy and Accountability Committee members shall individually provide a quarterly report to the membership, which is made available to all members, and an end-of-year report to the Young Greens Annual General Meeting. These shall detail any minor changes made to the constitution and standing orders.

Byelaw 3: The Green Students Committee

3.1 The Green Students Committee shall be led by two Co-Convenors, of which at least one must not self-define as a man.

3.2 The Co-convenors shall be elected in line with Section E of the Standing Orders following the procedures, timescale and gender balance rules described therein.

3.3 The aim and responsibility of the Green Students Committee is to:

3.3.1 Encourage Young Greens to stand for positions in their student unions, in the National Union of Students (NUS), and as National Union of Students delegates as well as support Young Greens holding those positions.

3.3.2 Involve Young Greens in National Union of Students campaigns and activities.

3.3.3 Liaise with relevant external bodies.

3.3.4 Direct Young Greens to chosen student campaigns and organisations.

3.4 Green Students Committee Co-Convenors shall individually provide a quarterly report to the membership, to be published on the members' website, and an end-of-year report to the Young Greens Annual General Meeting.

3.5 Vacant positions may be co-opted at any time throughout the year following the procedure outlined in the standing orders.

Byelaw 4: Liberation Groups

4.1 Liberation Groups shall represent individuals who face current and historic oppression, discrimination and/or are marginalised in wider society due to a shared characteristic.

4.2 Liberation Groups shall ensure that the voices and perspectives of people in marginalised groups are well represented and heard within the structures and policies of the Young Greens and the wider Green Party.

4.3 Young Greens members are free to join any Liberation Group which they self-identify as a member of. As such, these groups shall be organised and led by self-identifying members.

4.4 The current list of Liberation Groups is as follows:

4.4.1 Disability.

4.4.2 LGBTIQA+.

4.4.3 People of Colour.

4.4.4 Sex Workers.

4.4.5 Trans.

4.4.6 Under 18.

4.4.7 Women.

4.4.8 Women of Colour.

4.5 A new group can be set up if the criteria in both 4.5.1 and in 4.5.2 are met:

4.5.1 The proposed group face current and historic oppression, discrimination and/or are marginalised in wider society based around a shared characteristic.

4.5.2 The proposer can demonstrate that at least 5 members will actively join the group.

4.6 EC shall use their discretion in approving the creation of new Liberation Groups between General Meetings and shall bring a paper of ratification to the next Annual General Meeting, or to an Emergency General Meeting if this happens to occur first.

4.7 Each Liberation Group shall elect from their membership at least two Co-chairs, where no more than one self-defines as a man.

4.8 The election should be organised by said Liberation Group using a system of Single Transferable Vote, for which advice can be sought from DAC, to ensure that the rules in 4.7 are satisfied.

4.9 Liberation Groups may be additionally led by a committee, with the number of positions and the election or co-option timescale at the discretion of the Liberation Group members.

4.10 The Liberation Group Co-Chairs, or Committee where appropriate, are in charge of moderating any online spaces they group holds, organising training days and meet-ups, upholding the Safe Space policy at all times, and representing their Liberation Group concerns to the EC Non-Portfolio Officer holding the Equality and Diversity portfolio.

Byelaw 5: International Affiliation

5.1 The Young Greens of England and Wales is a full member organisation of the Federation of Young European Greens (FYEG).

5.2 The Young Greens of England and Wales is a member of the Global Young Greens (GYG) by virtue of its membership of FYEG.

5.3 As a member of both organisations, the Young Greens will endeavour to send at least one delegate to the FYEG General Assembly or GYG Congress each year.

5.4 The first international delegate shall be a member of EC.

5.5 If there are to be any further delegates, they should be appointed from the general membership by EC.

5.6 Additional observers for the General Assembly may be appointed by EC.

5.7 In the event of the Global Young Greens Congress being held the same year as the FYEG General Assembly, this election shall occur twice - all members, despite any prior delegate status, are able to be a candidate in this election, in line with Section E of the Standing Orders.

5.8 At the FYEG General Assembly, the first delegate and the elected international delegate shall be given one vote each (as permitted by the FYEG Constitution). The first delegate shall consult EC for advice on how to vote on motions, but further delegates may vote independently; they can seek advice from EC and indeed agree with the EC delegate vote.

5.9 If any member of the Young Greens of England and Wales wishes to run for election to any roles within FYEG or GYG, they must consult and seek the nomination of the EC.