

## **Notes to accompany the Proposed Constitution for the Eastern Centre ACU**

The following is an attempt to give the reasons, thought process and debate that the working group (set up by the Board of the Eastern Centre) went through to come up with the enclosed proposals.

These notes are not and MUST not be regarded as minutes of meetings of the working group.

The working group was reconvened following the resignation of David Smith as Chairman of the Eastern Centre and now consists of the following:

Paul Nash - Chairman

Alan Foskew - Vice Chairman and Secretary

Members - Roy Bannister, Gill Bannister, Roger Chaplin, Andi Deeks, Mick Deeks (co-opted) and Jim Woodmason.

It is understood that Adam Garrod has decided to be no longer involved with the Working Group for his own reasons and Mick Deeks has been co-opted onto the Working Group in his place.

### **CC1 HONORARY OFFICERS**

The Working Group are of the opinion that, in common with many other voluntary organisations, the positions of President and Vice President should be purely honorary and given as thanks for work done for and on behalf of the Centre. There should be no requirement to undertake any official work with regard to the positions and that the persons elected to the positions should be regarded as figure-heads.

In common with possibly the majority of voluntary organisations, the positions of President and Vice President should not be 'filled for life' but be available to any person who has 'shown their worth' to the centre. For this reason it is thought that the President should be elected for a single two year term of office whereupon a new/different person shall be elected to the post of President.

### **CC2 LIFE MEMBERS**

The Working Group was not happy with the present system of vice presidents and life vice presidents and considers that these positions should be done away with and replaced with a new position of Life Member which means that upon election the person remains a life member 'for life' unless he/she undertakes a post/position which requires them to resign their life membership.

Once again the intention is that these positions are given as a means of saying thankyou for work carried out for and on behalf of the Centre. The Working Group defines a life member as a person who has retired from major official or executive duties and as such, recognition should be given by the Board for their past work.

The Working Group feel, however, that any life member who determines to undertake an executive or 'major' official role within the centre should relinquish their life membership. This of course would not bar them from regaining life membership at a later date if successfully nominated and elected.

### **CC3 EXECUTIVE OFFICERS**

The Working Group considers that the Executive Officers, as elected, shall be those officers who will form the Emergency Committee if and when necessary in accordance with the ACU Handbook (see Model Local Centre Bye-Laws) with the exception that the President would now be a non-executive position and thus prevent him/her being part of the Emergency Committee.

The Working Group also considers the following:

- The Chairman and General Secretary shall between them undertake the day to day running of the centre with responsibility to the Management Committee and ultimately the Board.
- The position of Secretary IS an executive position and should convey all the responsibilities relating to that post which, in reality, relates to a company secretary in business terms. It must be appreciated that the legal system of this country believes and behaves in a manner that considers the Secretary to be the person to whom all writs shall be served and delivered; this has been borne out within this centre and other centres. For this reason, due respect should, and must, be given to the position of Secretary. Legally, it would appear that the buck does stop with the Secretary.

## **CC4 MANAGEMENT COMMITTEE**

The Working Group considers that a Management Committee must be set up to literally manage the Centre on behalf of the Board. This committee is to be required to meet regularly and can perhaps be viewed as legitimising the actions of the previous executive committee. The Working Group believes that the ordinary members of the committee will act as a tempering influence.

## **CC5 ASSISTANT OFFICERS**

The Working Group considers that the assistant officers to the Management Committee and the Board should be appointed by these respective bodies. It is to be hoped that the 'best person for the job' can be found WITHOUT necessarily appointing the assistant officers from the elected officers. If an assistant officer is appointed from within the elected officers then we believe that the Board must be satisfied that there is no better person for the job/post.

The Working Group also considers it essential that the Board has the right to terminate the tenure of any person either elected or appointed to a position of authority. Without having this clause/sub-clause in the constitution it would be very difficult, constitutionally, to remove that person for whatever reason.

## **CC6 SPORTING COMMITTEES/COMBINES**

The Working Group considers that the present Competitions Committee set up should be disbanded in favour of dedicated sporting committees/combines which shall be individually responsible to the Management Committee and the Board for the administration of their own sporting disciplines. It is hoped that this system will work as well as it does in other ACU centres who have adopted this approach. The group hopes that this will give individuals and clubs a better way of voicing their opinions or requests rather than in the more formal environment of the present Competitions Committee where it is not unknown for agenda (or non-agenda) items to be deferred to the next meeting due to the pressure of business. This should ensure that business is dealt with promptly and by those who understand the reason etc for the business and have an appreciation of the rules and requirements for the discipline.

It is the intention of the Working Group that the officers of the Sporting Committee/Combine (Chairman, Deputy Chairman and Assistants) should, if necessary, sit as that discipline's own Emergency Committee. One reason for this is to assess any need for the Management Committee to set up a disciplinary court and to inform the Management Committee of that need/requirement.

The Working Group considers that disciplines that include youths within their remit should not discriminate between youth and adult. The Working Group considers that both youth and adult scenes shall have an equal say at any meeting/forum of the appropriate Sporting Committee/Combine.

## **CC7 ASSISTANTS TO THE SPORTING COMMITTEES/COMBINES**

The Working Group believes that the assistants to each Sporting Committee/Combine should be appointed from within the community formed by the appropriate sporting discipline. Any person who has an interest in more than one discipline should not be prevented from acting as an assistant to more than one discipline.

The Working Group are firmly of the belief that there should be no ex-officio posts within the Sporting Committees/Combines. However, any Executive Officer or Management Committee member should be made welcome to all meetings/forums held by that discipline but without voting rights by dint of their positions on the Management Committee.

## **CC8 DISCIPLINARY MATTERS**

It is the belief of the Working Group that currently the Centre has no coherent policy with regard to disciplinary matters as can be seen by the way things have been carried out over the past decade or so.

The Working Group have attempted to propose a procedure that should overcome most if not all the complaints that have been levelled against the current (non-)system.

It is considered that a Disciplinary Officer (or officers) be appointed who should be able to operate in a similar manner to the clerk to a magistrates court, i.e. be able to advise the court of their responsibilities, procedures etc.

In the past too much emphasis has been given to the 'bush telegraph' regarding the existence and findings of any court with the consequence that the truth can be accidentally or purposely disguised. It is for this reason that the Working Group feels the necessity for the findings (not the minutes/notes) of any court must be made available to the Board and its affiliated member clubs.

## **CC9 SELECTION PANELS**

The Working Group are of the opinion that some posts or appointments within the Centre are so important, particularly in this litigious age, that a candidate for a post or appointment should, if thought necessary, attend a Selection Panel to determine their suitability. In all cases it is believed that the appointing body (the Management Committee or Board), should have the final say in the matter.

## **CC10 ATTENDANCE AT MEETINGS**

The Working Group believes that any person who is appointed or elected to a post or position should make all reasonable attempts to attend meetings which he/she is expected to attend. Failure to do this without having a good reason for non-attendance is thought to be inconsiderate and not carrying out the obligations entered into when accepting the post/position.

## **CC11 GENERAL**

The Working Group considers that any person who occupies a post/position within the Centre's administration should, whilst undertaking Centre business, undertake to work for the Centre without showing any preference to their own group, club (or clubs).

## **CC12 THE BOARD**

The Working Group believes that the Board should remain essentially as at present but with the voting rights of Honorary Officers, Life Members, Management Committee members etc removed - the Board is in reality the delegates/representatives of the affiliated clubs forming the Centre.

The Working Group believe that previously the Board has been kept in the dark by both the Executive and Competition Committees and feel that this does not engender a feeling of belonging and are now seeking to implement ways of making the operation of the Centre more transparent and accountable.

It must not be forgotten that the Board is made up of delegates from clubs who are or should be voicing the opinions and views of their club so it is neither right nor fair to expect them to voice a view or vote on any topic not previously advertised via the agenda.

## **CC13 PROCEDURE FOR ELECTION OF OFFICERS**

The Working Group believes that the procedure should be essentially the same as is currently implemented by the Board but that the method should be formalised. If nominations are required prior to a meeting then under NO circumstances shall nominations be taken from the floor of the meeting.

## **CC14 AGE LIMIT FOR OFFICERS**

The majority view of the Working Group is that there should be an upper age limit for the elected Officers of the Centre in line with the practise at ACU HQ. A major reason for this is that there appears to be a natural desire by those in positions of authority (in all walks of life) to hang onto their positions. Whilst the Working Group is aware that many believe that younger people are unwilling to undertake positions of authority, it is believed that younger people ARE willing to come forward but are being inhibited by the current system. The Working Group feels strongly that we MUST overcome the "deadmen's shoes syndrome". After all, age or lack of age does not necessarily directly relate to experience.

## **CC15 VOTING**

Currently there seems to be little or no consistency in the rules for voting. The Working Group have attempted to come up with a consistent method of voting and a means for resolving ties.

## **CC16 JOB DESCRIPTION**

The Working Group believe that the Constitution shall include a Job Description for each of the posts/positions defined. This Job Description is not intended or able to be all embracing but to give a minimum requirement for the holders of each post/position.