



# The Morris Federation

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## EGM Pack 2022

To all the members of The Morris Federation

These are the papers for the Extraordinary General Meeting of The Morris Federation to be held on

**Saturday 3<sup>rd</sup> December 2022 16:00**

**online via Zoom**

<https://www.morrisfed.org.uk/agm>

## IMPORTANT NOTES

1. Each member team may register for one Zoom session to attend the meeting to represent the team (individual members have access in their own right). Each person may represent only 1 member team on 1 Zoom session for the duration of the meeting. Attendance at the Zoom meeting will be counted as 'represented in person' to determine whether the meeting is quorate (requires 15 group members to be represented). We are not planning to record the meeting.
2. Other members of your team (or a different member team) will be able to sit with the representative on the Zoom session, but will not be permitted to participate directly. There will also be a live stream on YouTube so that any member of any team may watch the meeting.
3. Questions about the EGM itself, how it will run, the live stream, etc., should be sent to [feedback@morrisfed.org.uk](mailto:feedback@morrisfed.org.uk). We will endeavour to answer all such questions as soon as practicable and no later than 48 hours before the EGM starts. There are no stupid questions - someone else almost certainly has the same query. We will use your questions as the basis for an EGM FAQ which we will make available to all members via our website [www.morrisfed.org.uk/agm](http://www.morrisfed.org.uk/agm)
4. Member contacts will be sent a separate document: **EGM Voting & Registration 2022** with details of how to register for the meeting, meeting etiquette, how to submit votes in advance, proxy votes, etc.
5. Members are encouraged to vote in advance. Details on how to do so will be included in the EGM Voting & Registration 2022 document.
6. The 2 documents – the **EGM Pack 2022** and the **EGM Voting & Registration 2022** – will be sent to member contacts by broadcast email, and also made available on the Members area of the website (need to login) at [www.morrisfed.org.uk/members/agm](http://www.morrisfed.org.uk/members/agm)

## VOTING

Member Teams have 10 votes to be apportioned to reflect the views of the side Full Individual Members and Honorary Life Members have 1 vote. [Standing Order 10]. See the Votes Conversion Table in the EGM Voting & Registration document on how to apportion votes to reflect the views of member teams.

Member Teams and Individual Members should vote 'in advance' by midnight on **Thursday 1<sup>st</sup> December** if they are not planning to attend the EGM (either in person or online), and are encouraged to do so even if planning to attend. If you are the representative for your team and decide to attend after you have submitted your votes, you may do so and re-cast your votes at the meeting if you wish to change them.

All members are encouraged to vote so that the views of the entire membership are known.

Drew

**Andrew Knight, Secretary, The Morris Federation**

[www.morrisfed.org.uk](http://www.morrisfed.org.uk)

The Morris Federation is a member of



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## AGENDA

- a) Introductions
- b) Present at the meeting

### 1. APOLOGIES FOR ABSENCE

These will be recorded at the meeting.

### 2. CONSTITUTION REVIEW

#### a) MOTION 1 – Revised Constitutional Documents

<b>Proposed by</b> (Member)*:	<b>Jerry West (Notation Officer)</b>
<b>Seconded by</b> (Member)*:	<b>Mike Everett (Archive Officer)</b>
<b>Proposal</b> (give description, e.g. proposed change to the Constitution from x to y):	
To replace the current Constitution, Standing Orders and Resolutions to be found at: <a href="https://www.morrisfed.org.uk/about/constitution/">https://www.morrisfed.org.uk/about/constitution/</a> with the suite of documents to be found in Appendix 2.	
<b>Rationale</b> (give a reasoned argument for the proposed change):	
As noted at our AGMs in 2020 and 2021, the Committee are of the view that our Constitution and Standing Orders need a thorough review and overhaul, and proposed that we look to replace these during 2022.  A working party was convened, and consultation have occurred during 2022, chaired by Jerry West. Proposed Constitutional documents were circulated by broadcast email to the entire membership on 3rd November 2022, requesting feedback. Some small amendments have been proposed and the documents have been updated by Jerry West. The final proposed documents are found at Appendix 2 with the amendments and rationale clearly shown.  This EGM is for the whole membership to review and agree the amended documents.	

Note: If the meeting fails to agree one or more of the documents, the meeting will decide whether to hold a follow-up EGM in the new year, or bring any revisions forward to the AGM on 30<sup>th</sup> September 2023.

### 3. DISCUSSIONS

#### a) DISCUSSION 1 – Honorary Life Membership

##### BACKGROUND

Honorary Life Membership (HLF) is intended for individuals in the morris community who have made a very significant contribution to the morris community. In the constitution prior to 2022, awards of Honorary Life Membership was by nomination by 1 proposer and 5 seconders, and voted on at an AGM.

The committee brought a proposal to the AGM 2022 to have the ability to *also* awarding HLM automatically to those holding elected officer roles for 5 or more years, because this seem to qualify as 'exceptional service'. Partly this was to play catch-up - there have not been many awards of HLM since the early days of the MF. At the meeting itself, an amendment was brought, whose aim was to avoid awarding HLM to someone who had clearly done something to harm the MF - the wording was "*who have in the opinion of the Committee consistently upheld the Aims of the Federation and performed their role fittingly*" and this amendment was agreed at the meeting.

**However**, when the Committee tried to work through scenarios, it became apparent that the Committee were being the gatekeepers, rather than the membership, and there also could be personality conflicts that come into play. Consider this hypothetical scenario: someone in their posts does a fantastic job for 5 years, then gets sick and can't fulfil their role for 1 year, then stands down – in this case they arguably have not "performed their role fittingly" for the whole of their time in post, but they have done 5 fantastic years – under the wording above, they could be turned down. Moreover, it is up to the persons on the Committee at that time to make that call. How divisive it would be in our community if that person were not to be offered HLM? So, on reflection, the Committee recommends that this new mechanism be withdrawn entirely, as being too open to cause upset between our friends who share our hobby.


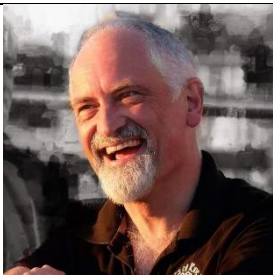





##### PROPOSAL

The Committee proposes that the item about HLM agreed at the AGM 2022 be completely removed and that the Committee will, in future, encourage nominations for Honorary Life Membership as part of each year's AGM Notice.

### 4. CLOSING REMARKS

## APPENDIX 1 – WHO’S WHO

### Elected Committee:

			
Pauline Woods-Wilson President	Andrew Knight Secretary	Jenny Everett Treasurer	Mike Everett Archive Officer
			
Jerry West Notation Officer	Sam Ross Newsletter Editor (to 31/12/2022)	Jess Searle Membership Communications (from 1/1/2023)	

### Co-optees and Advisors

			
Dan Watford IT Administrator	Brian Kelly Communications & IT	Abigail Banfield Social Media	Fee Lock JMO Secretary
			
Sally Wearing Health and Safety Advisor			

## APPENDIX 2 – REVISED CONSTITUTIONAL DOCUMENTS

This follows in a separate document.

# THE MORRIS FEDERATION - CONSTITUTION

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## 1. Name and Aims

- 1.1 The association's name is The Morris Federation.
- 1.2 The Morris Federation's aims ('the Aims') are:
  - (a) To encourage and promote Morris and related activities, for anyone who wants to participate or to spectate, and where all feel safe, welcomed, and respected.
  - (b) To provide a channel of communication between member sides.
  - (c) To encourage improvements in standards of dancing and related activities among its members.

Commented [N(F1)]: This gives effect to the Member's Resolution from 1978.

## 2. Membership

- 2.1 Membership is open to
  - (a) Individual Members aged eighteen or over at the time of application for membership; or
  - (b) Group Members represented as per the relevant Standing Order(s);who wish to further the Aims of the Morris Federation.
- 2.2 Additional classes of membership differing in entitlement, obligations and/or subscription may be introduced by a Special Resolution<sup>1</sup> of the members in General Meeting.
- 2.3 Except where otherwise specified, "Individual Member" means any person with individual membership whatever their class of membership and "Group Member" means any organisation whatever their class of membership.
- 2.4 Membership is by annual subscription. The subscription rate for each class of membership for the forthcoming membership year will be decided at the Annual General Meeting.
- 2.5 All applications for membership or for renewal of membership must be considered by the Officers. If a majority vote to refuse membership, the Secretary must inform the applicant, in writing, of the reasons for the refusal within seven days of the decision.
- 2.6 Membership is terminated at the end of the membership year or if:
  - (a) an Individual Member dies, or a Group Member ceases to exist; or
  - (b) the Member resigns by written notice to the Secretary; or
  - (c) the Member fails to pay in full their subscription within 28 days of the Treasurer giving a final written demand for payment.

<sup>1</sup> i.e., one passed by not less than two-thirds of the votes cast by the members present in person or by proxy; see sub-clause 5.1(b).

- 2.7 If the Officers, having followed the Policy on Complaints against Members (Discipline) for the time being in force, pass a resolution to the effect that in its opinion any Member has:
- (a) failed to comply with or observe the Constitution, Standing Orders or Policies of the Federation for the time being in force; or
  - (b) acted in a manner which is not in the best interests of the Federation or its Aims;
- then the Member shall be suspended from Membership.
- (c) The Secretary shall forthwith give notice to the Member of the terms of the Officers' resolution and the Member shall within 28 days thereof be entitled to request in writing that the question of their Membership be referred to the next General Meeting of the Federation.
  - (d) Both the Member and the Officers shall be entitled to submit written representations for consideration at that Meeting or to attend and make such representations as they may consider appropriate.
  - (e) In the event of the Member failing to request such a referral then their Membership shall cease on the expiration of the said period of 28 days.

### 3. General meetings

- 3.1 An annual general meeting must be held each year and not more than 15 months may elapse between successive annual general meetings.
- 3.2 The Officers may otherwise call a general meeting at any time.
- 3.3 The Officers must call a general meeting if requested to do so in writing by at least 15 members or one-tenth of the membership, whichever is the fewer. The request must state the nature of the business that is to be discussed. If the Officers fail to call the meeting within 28 days of a proper request being received by them, the members may proceed to call the meeting.
- 3.4 Each class of membership holds voting rights as agreed at their creation or subsequently amended. Unless specified otherwise, each and every Individual Member has one vote and each and every Group Member has up to ten votes in total that may be cast in a written ballot by their Designated Representative either for or against a motion in any combination that totals to ten votes or fewer.

### 4. Governance

- 4.1 The Morris Federation is managed and administered in the furtherance of its Aims by a committee of Officers elected by members in general meeting.
- 4.2 The Morris Federation must have the following Officers:
- (a) a President;
  - (b) a Secretary;
  - (c) a Treasurer.
- 4.3 Additional persons may stand for election as "Officers of the Morris Federation" or some such title as may be descriptive of their intended role, provided that at no time are there more than nine Officers including those named in sub-clause 4.2.
- 4.4 Should an Officer holding an elected position not named in sub-clause 4.2 retire or fail to be re-elected and there is no candidate to replace them then the position lapses.
- 4.5 The Officers may from time to time make and amend Standing Orders and Federation Policies binding on themselves and on members for the good conduct of Morris Federation business.

**Commented [GU2]:** there is a mix of words and numbers within documents for numerals: a general rule is < or = 10, use words, >10 use number

**Commented [NF3R2]:** Noted

**Commented [NF4]:** Removed unnecessary references to "extra-ordinary" general meetings and renumber accordingly.

**Commented [GU5]:** is this a legal phrase - would it not otherwise be 'a general meeting' or 'general meetings'? same comment for 4.8 and 5.1

**Commented [NF6R5]:** Not perhaps a legal phrase but "common" usage in the field; I imagine so as not to imply only one, or necessarily more than one meeting.

**Commented [NF7]:** Do we want to add Archive Officer? I can't see that role disappearing (unlike say Notation which could morph into something else).

**Commented [GU8R7]:** No, I don't think it's necessary to add other officers to the constitution. Less is more! Fee x



- 4.6 No Standing Order or Policy may be inconsistent with, or materially affect, or repeal anything contained in this Constitution.
- 4.7 The Officers must issue a Notice to bring a new or amended Standing Order or Policy to the attention of members. No Standing Order or Policy may take effect until 7 days after this Notice is issued.
- 4.8 Members in general meeting may resolve to amend or repeal Standing Orders or Policies.

## 5. Amending this constitution

- 5.1 Members in general meeting may amend any provision of the constitution provided that:
  - (a) the full text of the proposed amendment is set out in the Notice of the meeting; and
  - (b) any resolution to amend the constitution is passed by not less than two-thirds of the votes cast by the members present in person or by proxy ("a Special Resolution").
- 5.2 No amendment can have retrospective effect to invalidate any prior act of the Officers or members.

## 6. Dissolution of the Federation

- 6.1 The Morris Federation may be dissolved by a Special Resolution.
- 6.2 The Officers currently in place will remain in office and be responsible for winding up the affairs of the Morris Federation. The Officers must apply any remaining Morris Federation property or money as soon as practicable:
  - (a) to pay outstanding liabilities; and/or
  - (b) directly in support of the Aims; and/or
  - (c) by donation to a recognised public archive or museum (for property only, plus any money strictly necessary for that archive or museum to accept or process the donation to make it publicly available); and/or
  - (d) by transfer to any not-for-profit organisation or charity whose purpose is the same as or similar to the Morris Federation's.

For the avoidance of doubt, under no circumstances may the property or money be distributed to the Officers, nor to the Members, nor to any other persons except as above.

Commented [N(F9)]: Clause required to re-assure grant funders etc.

Commented [GU10R9]: Yes, good to have that. Fee x



# THE MORRIS FEDERATION – STANDING ORDERS

## MEMBERSHIP

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### 1. Membership

- 1.1 No Group or Individual member that when Morris dancing uses any solid full face coloured makeup which could be taken by a reasonable observer as likely to imitate or parody a skin colour different from their own shall be eligible to be a member of the Morris Federation.
- 1.2 Honorary Life Membership
  - (a) Honorary Life Membership may be bestowed on any individual by a majority vote of members in general meeting, provided the nomination for such membership reaches the Secretary not later than five weeks before the meeting. A nomination may be made by any member other than the nominee and a vote cannot take place until the nomination is seconded by at least five other such members.
  - (b) Honorary Life Members maintain the full rights and obligations of individual membership but pay no subscription.
- 1.3 Friendship of The Morris Federation
  - (a) Friendship of The Morris Federation is a recognition of services rendered by non-members to or on behalf of the Morris Federation or in pursuit of its aims.
  - (b) Friendship of The Morris Federation may be bestowed on any individual or organisation by a majority vote of members in general meeting, provided the nomination for such status reaches the Secretary not later than five weeks before the meeting. A nomination may be made by any member and must be seconded by at least five other members.
  - (c) Friends of The Morris Federation pay no subscription and have none of the rights or obligations of membership excepting they are entitled to attend and speak at general meetings.
- 1.4 Associate Group Membership
  - (a) Associate Group Members have all the rights and obligations of Group Members except that they pay a reduced subscription and cannot benefit from the insurance cover normally arranged by the Morris Federation on behalf of its membership.
- 1.5 Junior Group Membership
  - (a) Junior Group Membership is available for practising Morris sides comprised in the majority by young people of compulsory education age residing in the United Kingdom.
  - (b) Junior Group Members have all the rights and obligations of Group Members except that they pay a reduced subscription.

**Commented [NF1]:** Removed requirement for nominee to be a (current) member and for seconds to be identified prior to submission.

**Commented [NF2]:** Removed requirement for this to be the Annual meeting.

(c) Per clause 2.2, Junior Group Members must appoint as their Designated Representative a member of the Group aged 18 or over. If the Group has no such person in its membership, the Group may appoint a person who is not within its membership which would otherwise be contrary to SO2.2. That person must confirm their appointment in writing and through such confirmation will be deemed to contract with the Morris Federation on behalf of the Junior Group Member on the terms contained in this constitution.

- 1.6 The membership year (that period covered by the annual subscription) runs from January 25<sup>th</sup> through January 24<sup>th</sup> the following year.

## 2. Designated Representatives

- 2.1 Any organisation that is, or wishes to be, a member of the Morris Federation or that is invited to attend Morris Federation events or general meetings must nominate one person (their 'Designated Representative') to act on its behalf:
- (a) to receive such communications as may be necessary;
  - (b) to be its representative when attending a meeting of the Morris Federation.
- 2.2 The organisation must give written notice to the Morris Federation of the name and contact details of its representative. The nominee must be eighteen years of age or older and a member of the organisation.
- 2.3 A nominee is not entitled to represent the organisation at any meeting until notice has been received by the Morris Federation. The nominee will continue to represent the organisation until written notice to the contrary is received by the Morris Federation.
- 2.4 Any notice given or communication sent by the Morris Federation to the address provided by the Designated Representative will be conclusive evidence that notice has been served on or communication received by the organisation.
- 2.5 Designated Representatives may act as true representatives, making their own choices about how to cast votes, or as delegates, casting votes as instructed by the organisation they represent. The Officers are not required to consider whether the person casting votes on behalf of an organisation is properly following any instruction given to them by the organisation.

## 3. The annual day of dance

- 3.1 Customarily, the Morris Federation holds a day, or weekend, of dance alongside its annual general meeting. Such days of dance are hosted by one or more member teams local to the meeting. Certain restrictions on these arrangements have been imposed by the passing of resolutions by members at annual general meetings. These restrictions are:
- (a) The Morris Federation shall not allow 'combination' sets to perform in any public displays that may form part of the annual day(s) of dance. 'Combination' sets arise when dancers from different teams, wearing different kit, dance together in the same set.
  - (b) Sides attending the annual day(s) of dance must ensure in advance that they have a musician to play for them in any public display. No musician is to play for a side unless invited to do so by that side.

# THE MORRIS FEDERATION – STANDING ORDERS

## OFFICERS’ RESPONSIBILITIES

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### 1. General

- 1.1 Officers are appointed to represent the interests of the membership in furthering the Aims of the Morris Federation. The Officers may regulate their proceedings as they think fit, subject to the provisions of the constitution.
- 1.2 Officers and others exercising delegated powers or responsibilities on behalf of the Morris Federation must use the level of care and skill that is reasonable in the circumstances, taking into account any special knowledge or experience that they have or claim to have ('the duty of care').
- 1.3 No Officer, and no one exercising powers or responsibilities that have been delegated by the Officers, is liable for any act or failure to act unless, in acting or in failing to act, they have failed to discharge the duty of care.
- 1.4 Officers must not allow conflicts of interest to arise or appear to arise when acting on behalf of the Morris Federation or its members. Officers subject to a conflict of interest must not vote or set policy on the matter.

### 2. Co-optees

- 2.1 The Officers may co-opt persons to act on the Morris Federation's behalf in certain matters.
  - (a) Accountability and authority remain with the Officers and the nature and the terms of any such delegation must be recorded in the minutes.
  - (b) Co-optees are not Officers and do not have a vote.
  - (c) Co-option is not subject to ratification by members but may be terminated upon a resolution passed by a majority of members in general meeting.
  - (d) No expenditure may be incurred by co-optees on behalf of the Morris Federation except as previously agreed with the Officers.
  - (e) All acts and proceedings of co-optees must be fully and promptly reported to the Officers.
  - (f) The Officers may revoke or alter co-option arrangements at any time.

**Commented [GU1]:** unless they are already an individual member in their own right?

**Commented [NF2R1]:** No - this is voting at a committee meeting: members have no right to vote at committee meetings

### 3. Notices

- 3.1 The Morris Federation may give any notice to an Individual Member or to a Group Member via their Designated Representative either:
- (a) in writing, personally or by post or by leaving it at the address of the member; or
  - (b) using electronic communications individually or by 'broadcast' to the address provided by the member for that purpose; or
  - (c) by publication on the Morris Federation website, provided that:
    - (i) reasonable steps are taken to ensure members are notified; and
    - (ii) written notice is given to members who have not provided an electronic address.
- 3.2 A notice is deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent or published.
- 3.3 A member who does not register an address with the Morris Federation or who registers only a postal address that is not within the United Kingdom is not entitled to receive any notice from the Morris Federation.
- 3.4 Any Notice properly given to the address provided by the member that does not reach the member shall nonetheless be considered as properly served.

### 4. Minutes

The Officers must keep minutes of all:

- 4.1 Proceedings at meetings of the Morris Federation.
- 4.2 Meetings of the Officers and committees of Officers including:
- (a) the names of the Officers present at the meeting;
  - (b) the decisions made at the meetings, and where appropriate the reasons for the decisions;
  - (c) appointments by the Committee of persons to act on behalf of the Morris Federation.
  - (d) gifts made to Officers or persons acting on behalf of the Morris Federation.

### 5. Accounts

- 5.1 The Officers must keep suitable accounting records for the Morris Federation, such accounts to be independently examined each year.
- 5.2 The accounts and examiner's report must be presented to members at each Annual General Meeting.

### 6. Insurance and repairs

- 6.1 The Officers will arrange public liability insurance cover for members resident in the United Kingdom for practices and performances of the Morris and associated traditions in the United Kingdom unless such insurance is not available to the member by reason of their class of membership.
- 6.2 The Officers may also facilitate access to personal injury and other forms of insurance<sup>1</sup>.

<sup>1</sup> In doing so, the Officers must not perform any regulated activity defined by the *Financial Services and Markets Act 2000*, such as providing advice to members on the suitability of different insurance products.

- 6.3 The Officers must keep in repair and insure to their full value against fire and other usual risks all the assets of the Morris Federation (including any stock for resale or issue).
- 6.4 The Officers may arrange trustee indemnity insurance and/or legal costs insurance for themselves and/or co-optees having taken proper advice on the matter.

## 7. Committee Meetings

- 7.1 Committee meetings are normally held four times a year, but the Secretary must call a meeting at other times if requested to do so by any quorate number of Officers (see OR7.6).
- 7.2 Meetings may not be called at less than seven days' notice.
- 7.3 Meetings may be held in-person or electronically provided those participating are able to vote in real time at the meeting, hear the proceedings of the meeting, speak, and be heard at the meeting.
- 7.4 An Officer may not appoint anyone to act on their behalf at meetings of the Officers.
- 7.5 Officers must consider conflicts of interest. Any officer subject to a conflict of interest must not be counted towards the quorum for, and must not vote or set policy on, the matter.
- 7.6 The quorum for any meeting or decision within a meeting is three, to include at least one of the Officers named in sub-clause 4.2 of the Constitution unless all such Officers are conflicted.
- 7.7 A simple majority only is required to exercise any of the Officers' powers.
- 7.8 In the case of an equality of votes, the President has a second or casting vote.
- 7.9 An electronic resolution will be as valid and effectual as if it had been passed at a meeting of Officers duly convened and held, provided that:
  - (a) An identical copy of the motion is circulated to all Officers entitled to vote; and
  - (b) the motion identifies a person to receive the votes (the Recipient); and
  - (c) the motion sets a reasonable deadline for the receipt of votes; and
  - (d) reasonable care is taken to ensure the vote can be confirmed as being sent by an Officer entitled to vote on the matter.
- 7.10 The Recipient may declare the result:
  - (a) when sufficient votes have been received for the result to constitute an overall majority of all Officers (there are insufficient votes outstanding to enable the decision to be overturned); or
  - (b) when the deadline has expired provided that sufficient votes have been received to meet the quorum normally expected at a meeting.
- 7.11 The date of an electronic resolution shall be the date of the email from the Recipient confirming formal approval.

# THE MORRIS FEDERATION – STANDING ORDERS

## GENERAL MEETINGS

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### 1. Management of general meetings

- 1.1 The Officers shall determine in relation to each meeting the means of attendance at and participation in the meeting, whether by simultaneous attendance and participation at a physical place, or by means of electronic facilities, or partly in one way and partly in another.
- 1.2 All those participating must be able to vote in real time at the meeting, hear the proceedings of the meeting, speak and be heard at the meeting.
- 1.3 General meetings are private to Members. Persons who are members of Group Member organisations, other than Designated Representatives, who attend in their own right, may attend these meetings but must not speak unless permitted to do so by the Chair. The number of such persons may be limited by the Chair for the practical performance or the good order of the meeting.

### 2. Notice of meetings

See also Standing orders – Officer’s Responsibilities (section ‘Notices’)

- 2.1 Notice of general meetings:
  - (a) The minimum period of notice required to hold any new<sup>1</sup> meeting of the Morris Federation is eight clear weeks from the date on which the notice is deemed to have been given.
  - (b) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If the meeting is an annual general meeting, the notice must say so.
  - (c) The notice must be given to all members and Officers.

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<sup>1</sup> I.e., not an adjournment of a meeting, which is considered to be the same meeting. See section 4 “Quorum”.

(d) A member present in person or online at any meeting of the Morris Federation is deemed to have received notice of the meeting and of the aims for which it was called.

- 2.2 Members may give notice to the Officers or to the Morris Federation by post or by email to the Secretary at the addresses published for that purpose.

### 3. Chair

- 3.1 The Officers shall appoint a Chair for the meeting from their own number.
- 3.2 If no Officer is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present are entitled to vote must choose one of their number to chair the meeting.
- 3.3 The Chair may stand aside for any motion or proceeding of the meeting and must stand aside if they have a conflict of interest, appointing some suitable substitute who will for the duration of the relevant proceeding(s) hold all the powers previously held by the Chair.

### 4. Quorum

- 4.1 No business shall be transacted at any general meeting unless a quorum is present.
- 4.2 A quorum is:
- (a) Fifteen (15) members entitled to vote upon the business to be conducted at the meeting; or
  - (b) One-tenth of the total membership entitled to vote at the time;
- whichever is the fewer.
- 4.3 If either:
- (a) a quorum is not present within half an hour from the time appointed for the meeting; or
  - (b) during a meeting the numbers present fall below quorum<sup>2</sup> or are noticed to have done so<sup>3</sup>;
- then
- (c) all business conducted up to that point (if any) stands as if passed by a quorate meeting;
  - (d) all Officers currently in post remain in post;
  - (e) the Chair must adjourn the meeting to a later date, to be within two months of the date of the original meeting.

### 5. Election of Officers

- 5.1 At the time they are elected, Officers must be either Individual Members or members of a Group Organisation that is a member.
- 5.2 Candidates seeking election as an Officer must be proposed and seconded in writing by two members (not being the candidate themselves) and must confirm their willingness to be appointed. Nominations should be received by the Secretary no later than five weeks prior to the date set for the election.

<sup>2</sup> Unless the reduction is temporary, e.g., for a short time during an Internet outage; business should be suspended until the full meeting can be restored. Only if that fails should the meeting be adjourned.

<sup>3</sup> Any person may draw the Chair's attention to a lack of quorum and the Chair should always be aware of the need for a quorum.

**Commented [N(F1)]:** This is new - previously an inquorate meeting became an "Open Committee Meeting" with rules for postal ballots, etc. With electronic meetings now possible it is (a) less likely that a meeting will be inquorate; (b) easier to arrange adjournments.

**Commented [GU2]:** 5.2 - I have a vague recollection that nominations & seconding for officership have to be received from member sides/group members only. This reads as though individual members can nominate someone for officership. Is this what was intended?

**Commented [N(F3R2)]:** I can't see anything in the old constitution to forbid this, so yes, individual members are entitled to nominate (and second) candidates for election.

**Commented [NF4]:** Remove unnecessary requirement for voting rights and confirm that candidates cannot nominate or second themselves.

**Commented [NF5]:** Reduced to five weeks from six to match deadlines for Honorary Membership (etc) to simplify administration of AGM.



- 5.3 All candidates seeking election must identify the role and responsibilities they intend to fulfil should they be elected. A "job description" for the role must be presented to the members as part of the candidate's nomination pack.
- 5.4 Retirement in rotation
- (a) Officers must stand for re-election every three years, with the President, the Secretary, and the Treasurer each standing down at consecutive annual general meetings thus establishing a tri-annual system of retirement in rotation.
- (b) Elections may occur outside of this rotation scheme:
- (i) Members may challenge an incumbent Officer by proposing alternative candidates for election at any general meeting.
- (ii) Officers may resign and if an election is required to fill the vacancy arising it must be held no later than the next annual general meeting.
- (iii) Officers may be appointed under GM5.5 and must stand for election no later than the next annual general meeting.
- (c) Any Officer elected "out of rotation" must stand for re-election when the tri-annual rotation for that position requires it, whether that is one or two years later from their original election.
- (d) Therefore, every year, the following persons shall stand down, but all are eligible for re-election:
- (i) The President, or the Secretary, or the Treasurer, as appropriate;
- (ii) Officers standing down under GM5.4(c);
- (iii) Officers who have reached the third anniversary of their last election.
- 5.5 Should the number of serving Officers fall below the minimum required, the continuing Officers may act only for the purpose of calling a general meeting to hold elections or of filling vacancies by appointment, such appointment:
- (a) to be of a person willing and able to act as an Officer;
- (b) not to be to a role already occupied by an elected Officer;
- (c) to be reasonably publicised to members;
- (d) to be subject to election no later than the next annual general meeting.

**Commented [NF6]:** Change to "nomination" rather than "Notice of the meeting" as candidates standing for new roles will not be identified until after the meeting notice has gone out.

**Commented [NF7]:** Removed unnecessary reference to extra-ordinary general meetings

**Commented [NF8]:** Remove requirement for it to only be the AGM.

## 6. Motions and amendments

- 6.1 Every motion and amendment must be moved either by a member present at the meeting or by any Officer on behalf of the committee<sup>4</sup>.
- 6.2 All motions and amendments must be seconded by a member present at the meeting who is not an Officer nor represented by an Officer.
- 6.3 No Special Resolution that lies substantially outside the matters of which non-attending members will have received notice may be accepted at any meeting.

**Commented [N(F9)]:** This is new; previously committee motions have usually been proposed and seconded by (teams represented by) committee members.

**Commented [N(F10)]:** The intention is not to spring any constitutional changes without giving prior notice.

<sup>4</sup> The alternative is the convenient fiction that the motion is proposed by the team (Group Member) to which the Officer belongs.

- 6.4 The proposer of a motion may speak to introduce the motion and has the right to reply to any amendment put forward and to speak again at the close of the debate.
- 6.5 The proposer of any amendment may speak to introduce the amendment but has no further right to speak except by permission of the Chair.
- 6.6 The first proposition on any subject shall be known as the Original Motion and all succeeding propositions on that subject shall be called amendments.
- 6.7 Amendments are voted upon immediately after discussion. If an amendment is carried, it displaces or alters the Original Motion and the resultant text becomes the Substantive Motion, which shall be carried forward for further discussion, amendment, or vote.
- 6.8 Motions to
- (a) move immediately to a vote (terminating discussion), or
  - (b) adjourn the discussion (and hence any vote) to some later time, or
  - (c) move to the next item on the Agenda without further discussion or vote, or
  - (d) adjourn the whole meeting on a two-thirds majority
- may be proposed at any time by any member or Officer present and if seconded must be put to the vote immediately. If defeated, that proposal may not be put again until at least 20 minutes have elapsed.
- 6.9 In the case of a successful motion to adjourn the meeting:
- (a) The Chair shall decide the date, time and place at which meeting is to be re-convened unless those details are specified in the resolution.
  - (b) No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
  - (c) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' Notice must be given of the re-convened meeting stating the date time and place of the meeting.

## 7. Postal and Proxy votes

- 7.1 Group Members may appoint a person to be their Designated Representative for the meeting, reverting to their prior Representative once the meeting is over.
- 7.2 Members may nominate a proxy, including the Chair, to cast their vote(s), such nominations to be received by the Secretary before the start of the meeting.
- 7.3 All proxies may cast their votes as they see fit. The Officers are not required to consider whether a proxy is properly following any instruction given by the member (except for Postal Votes received by the Chair).
- 7.4 "Postal Votes" are proxy instructions to the Chair received in advance of a meeting where the complete text of a motion or the final list of candidates for an election has been given in the Notice for that meeting, thus enabling non-attending members to cast a definitive vote.

- 7.5 Postal Votes are to be voted by Chair as received except when a motion has been amended at the meeting. In that case the Chair will decide whether the amendment alters the sense of the motion sufficiently to render the inclusion of Postal Votes in any ballot as unsafe or contrary to the sense of the meeting<sup>5</sup>.
- 7.6 Any member who attends the meeting disables any previously appointed proxy but unless they vote in person, any Postal Votes previously received will stand.

## 8. Voting on show of hands

- 8.1 A show of hands may be conducted using any mechanism that allows for the unambiguous recording of singular votes for or against.
- 8.2 Each singular vote cast by the Designated Representative for a Group Member will be counted as ten. There is no split vote on a show of hands.
- 8.3 A proxy has one vote for and one vote against a resolution on a show of hands where they have been appointed by more than one member and the proxy has been instructed to vote in different ways by the different members. Proxies otherwise get only one vote in a show of hands no matter how many members they represent.
- 8.4 Any member who previously appointed a Proxy but who then attends the meeting and votes in a show of hands invalidates any previously received Postal Vote.
- 8.5 Once the show of hands has been completed, any Postal Votes received will be included. Postal votes are “split vote” and will be counted as such.
- 8.6 If there is an equality of votes the Chair has a casting vote in addition to any other vote they may have.
- 8.7 It is the Chair’s responsibility to count the votes on a show of hands and their declaration of the result is conclusive without the need to announce votes for or against.

**Commented [N(F11):** 8.5 This is our current practice though it is inconsistent with 8.3 (proxies have only one vote no matter how many members they represent). We could remove 8.4 and 8.5 to simplify the procedure, and have the Chair call a ballot under 9.2 where sufficient Postal Votes had been received to over-rule the show of hands.

## 9. Written ballots

- 9.1 Two members together may at any time call for a written ballot instead of a show of hands.
- 9.2 The Chair may call for a ballot at any time.
- 9.3 In a ballot, Designated Representatives may split their ten votes, some for, some against, some to abstain. How this split is performed is entirely at the Member’s discretion.
- 9.4 Ballots will be conducted using suitable voting forms, including electronic or other mechanisms, that allow for the unambiguous recording of split votes. The Chair may appoint tellers to verify the count.
- 9.5 Persons holding proxy votes shall complete a separate form for each proxy vote cast save that the Chair may record postal and proxy votes received by them ‘en-bloc’.
- 9.6 If there is an equality of votes the Chair has a casting vote in addition to any other vote they may have.

<sup>5</sup> The Chair must decide whether in casting a vote for or against the Original Motion, the postal voter would on the balance of probabilities now chose to cast their vote in the same fashion for the amended motion. If not, should the Chair convert those votes to proxies to be voted as the Chair sees fit? If they do not, will this dis-enfranchise non-attending members (who will not have had notice of the Substantive Motion now under discussion)? If that is a concern, the meeting may be asked to postpone the discussion under GM6.8.

- 9.7 The Chair shall announce the votes for and against and that declaration of the result shall be conclusive.

## 10. Good conduct at meetings

- 10.1 Persons invited to attend meetings other than by right of membership will have no speaking rights except when invited to speak by the Chair.
- 10.2 Persons attending a meeting under GM1.3 (members of Group Member organisations other than the Designated Representative) must ensure that they do not obstruct or otherwise hinder participation in the meeting by Individual Members or the Designated Representatives of Group Members. They must also vacate their seat if asked to do so by a member where there are no other seats available for that member.
- 10.3 Members wishing to speak should raise their hand and wait until called upon by the Chair. When called to address the meeting, the person must give their name and, where applicable, the name of the organisation that they represent.
- 10.4 If any member interrupts the speaker or uses abusive language, or causes a disturbance, or refuses to obey the Chair when called to order for a second time, they may be expelled from the meeting and will not be allowed to enter again until an apology and undertaking of good behaviour has been given.
- 10.5 Disruptive or abusive persons who are not members may be expelled by the Chair and will not be allowed to re-enter the meeting.
- 10.6 Exceptionally, the Chair may clear a general meeting of all but Individual Members, the Designated Representatives of Group Members, those specifically invited by the Morris Federation, and those otherwise necessary to the proper functioning of the meeting.

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# MORRIS FEDERATION POLICY: RESOLVING COMPLAINTS AGAINST THE OFFICERS OR THEIR ACTIONS ON BEHALF OF THE MORRIS FEDERATION.

- 1.1 It is the policy of the Morris Federation that its Committee and its agents should act at all times in accordance with the law, with the Morris Federation's policies and in an ethically appropriate fashion.
- 1.2 General concerns by Members around the overall performance of the Committee or about established Morris Federation policy are not covered by this procedure. These concerns should be addressed first with the President, or if that fails to satisfy, then by the Membership in General Meeting as they apply, presumably, to all Members, or to a class of Members, equally.
- 1.3 Members of the public (or groups representing interested parties) who have no standing at General Meetings should work through the Committee who are likely, but are not obliged, to follow a form of the procedure set out below.
- 1.4 Individuals (including Individual Members, members of Group Member organisations, and members of the public) may raise grievances under this policy concerning their treatment as individuals by an Officer or Officers or by the Committee or its agents when acting on behalf of the Morris Federation.
- 1.5 Group Members may raise grievances if it is their membership (or their organisation's relationship with certain Officers or with the Committee) that is the root of the grievance.
- 1.6 Persons raising grievances are referred to here as "complainants".

## 2. Informal resolution

- 2.1 Many potential grievances can be resolved informally. A quiet word is often all that is required to resolve an issue.
- 2.2 Complainants should in the first instance raise their concerns with the relevant Committee member or with the President directly. This does not prejudice the complainant's right to subsequently pursue a formal grievance.
- 2.3 Where an issue cannot be resolved informally then it may be pursued formally.

## 3. Formal process

- 3.1 The process for handling conflicts of interest described in the Morris Federation's Disciplinary Policy (Complaints against Members) applies to this Policy.
- 3.2 Complainants wishing to declare a formal grievance should do so in writing to the President (or if their concern is with the President, to the Secretary), laying out the nature of their grievance. Receipt of the grievance will be acknowledged as soon as is practicable.
- 3.3 Within 14 days of receipt, the President (but see conflicts of interest above) will appoint an Officer, or an independent person, (the "Appointed Officer") to hear the grievance and determine a resolution. The Appointed Officer will respond to the complainant within a further 7 days setting out the process and suggested timetable for resolution.
- 3.4 Where appropriate (e.g., representations by third parties objecting to Morris Federation policy), and at the Committee's sole discretion, the Committee may sit in full or in part as the "Appointed Officer".

## 4. Grievance Hearing

- 4.1 The first step is usually to meet with the aggrieved complainant or for Group Members, their appointed representative. The Appointed Officer has the right to seek sufficient confirmation that the person raising the grievance is a proper representative of a Group Member.
- 4.2 The aim of the meeting is to:
  - (a) Determine the nature of the grievance (to the complainant's satisfaction), in particular, the action(s) that gave rise to the grievance and to understand why they ought to be considered unfair or unreasonable.
  - (b) Explore possible solutions.
- 4.3 The meeting will be chaired by the Appointed Officer. They will usually be accompanied by one other person - to take notes, etc and to provide advice if asked to do so.
- 4.4 Designated Representatives and Individual Members may prefer to be accompanied at this meeting. Typically, persons accompanying Members:
  - (a) provide moral support;
  - (b) take notes;
  - (c) help with papers, evidence etc;
  - (d) quietly give advice.
- 4.5 There is no right to legal representation in these circumstances.
- 4.6 The complainant will be asked to explain their grievance, and how they would like it to be resolved.
- 4.7 It may be necessary to adjourn the meeting to allow time for necessary investigations to be undertaken. The nature and scope of such investigations will be agreed with the complainant, though the Appointed Officer may conduct any additional investigation as may be necessary to determine the full facts of the matter.
- 4.8 Complainants should note that it may not be possible, or desirable, to agree the ultimate solution at the hearing itself. Although all parties may agree, it may be necessary to consult or inform others or make arrangements that cannot be confirmed at the time.

## 5. Resolution

- 5.1 The Appointed Officer will provide a report within 21 days of the meeting (or of the completion of any investigations and/or subsequent meetings that may be necessary). The report will summarise the nature of the grievance, the possible solutions explored, the conclusions reached and final recommendations.
- 5.2 The report will be presented to the Officers in Committee (excluding the President and those recused or excluded) for ratification. The Officers by majority vote may:
  - (a) Accept the report and commit to implementing its recommendations, in full or in part.
  - (b) Refuse to accept the report's recommendations.
- 5.3 The Committee decision should be communicated to the complainant within 28 days of ratification.

## 6. Right of appeal

- 6.1 Where a complainant does not feel that the Committee decision satisfactorily concludes their grievance, they may appeal. They must do so in writing and without undue delay. If satisfactory conclusion requires waiting for a future opportunity to demonstrate the proposed solution any appeal should follow without undue delay after that opportunity has arisen (and the solution has been shown to be unsatisfactory).
- 6.2 Appeals should be made to the President (subject to Conflicts of Interest) who, commencing to review the situation within 14 days, may at their discretion:
- (a) Conduct any meeting, investigation, etc as they see fit and reach a new determination in an effort to resolve the grievance.
  - (b) Refer the case back to the Appointed Officer to explore new solutions or to reconsider rejected solutions.
  - (c) Appoint a new Officer to reconsider the case or to start afresh.
  - (d) Refuse the appeal.
- 6.3 **All timescales are advisory.** Failure to meet these timescales does not in itself invalidate the outcome nor constitute a right of appeal.



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# MORRIS FEDERATION POLICY: COMPLAINTS AGAINST MEMBERS (DISCIPLINE)

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## 1. Introduction

- 1.1 It is unusual, but not unknown, for complaints to be made against Members of the Morris Federation on matters that are directly relevant to the Aims of the Morris Federation or concerning the activities of Members under the Constitution, Standing Orders or Morris Federation Policies.
- 1.2 Matters of interest only to the parties concerned (such as may arise when a team splits or should two teams clash over some issue of performance rights) are not subject to this Policy. Teams may apply to the Committee for advice or to ask for an informal mediation process, though the Committee may refuse any such request if it feels it lacks competence in the matter.
- 1.3 Relevant complaints under this Policy may be raised by:
  - (a) other Members;
  - (b) third parties (including the public);
  - (c) the Morris Federation through its elected Officers.
- 1.4 We wish to ensure that any such complaints are treated fairly and transparently.
- 1.5 Fairness and transparency are promoted by developing and using rules and procedures for handling disciplinary and grievance situations. Our policy aims to ensure that:
  - (a) Issues can be raised and dealt with promptly. The Committee must not unreasonably delay meetings, decisions, or confirmation of those decisions. Members must co-operate to enable rapid action to be taken.
  - (b) The Committee and Members act consistently.
  - (c) Any necessary investigations are conducted to establish the facts of the case.
  - (d) Members are informed of the basis of the problem and given an opportunity to put their case in response before any decisions are made.

(e) There is a right of appeal against any decision made.

## 2. Definitions

- 2.1 “Appointment”. The process of appointing of some suitable person to complete a certain task or role under this Policy. “Appointee” – the person so appointed.
- 2.2 “Committee”. For the purposes of this Policy, references to the Committee should be taken to include:
- (a) The officers of the Morris Federation elected as per the Constitution (“Officers”); plus
  - (b) Co-opted members of the Committee at the discretion of the President (or, if the President is conflicted (see below), at the discretion of the majority of Officers).
- 2.3 “Misconduct”
- (a) Action in breach of the Morris Federation’s Constitution, including action that demonstrates an unwillingness to accept or abide by the Aims of the Morris Federation.
  - (b) Action in breach of the Morris Federation’s Standing Orders.
  - (c) Action in breach of Morris Federation Policies intended to apply to all members until rescinded (i.e., those published in the relevant section of the Members’ Manual).
  - (d) Action that disrupts or is intended to disrupt the legitimate business of the Morris Federation and/or its Committee and/or anyone working under the authority of the Committee.
  - (e) Action that brings the Morris Federation into disrepute.
  - (f) Any other action that a reasonable observer would take to be misconduct.
- 2.4 “Gross Misconduct” is misconduct sufficient in its nature to justify immediate suspension of Membership.

## 3. Handling conflicts of interest

- 3.1 A conflict of interest arises if an Officer is associated with (e.g., is a member of) any of the Member teams raising a grievance, or against whom a complaint has been made.
- 3.2 Due consideration should be given to other forms of conflict of interest that may exist.
- 3.3 All Officers must declare any conflicts of interest and if conflicted should withdraw from further participation.
- 3.4 If the President is deemed to have a conflict of interest:
- (a) Appointments lie with the majority decision of the Officers, excluding any members in conflict.
  - (b) The outcome of any appeal by the Member lies with the majority decision of the Officers, excluding any members in conflict and excluding any Appointees.
- 3.5 Should fewer than three Officers be unconflicted then all Appointments must be independent of the Committee. That leaves the remaining Officers unencumbered and free to consider any appeal.

- 3.6 The rules in this clause may be amended as reasonably necessary to address unusual circumstances not allowed for by these arrangements. Such amendments must be explicitly justified and minuted.
- 3.7 All other clauses in this Policy must be interpreted so as to give effect to these rules, either as stated or as amended under sub-clause 3.6.

## 4. Allegation

When misconduct is alleged, it is important to carry out necessary investigations without unreasonable delay to establish the facts of the case.

- 4.1 Within 7 days of receipt of an allegation of misconduct, the President will:
- (a) Appoint one of the Officers, or an independent person, as Investigator, to establish the facts of the case insofar as they may reasonably be determined on the balance of probabilities.
  - (b) Appoint one of the Officers, or an independent person, to act as Determining Officer, whose task is to determine whether there is a case to answer and to preside over the implementation of the disciplinary process described below.
- 4.2 Where a person independent of the Committee has been appointed, it is permissible for the Investigator and the Determining Officer to be one and the same person.

## 5. Investigation

- 5.1 The Investigator may conduct their investigation in any reasonable manner as they see fit. They should seek to discover on the balance of probabilities:
- (a) The nature of the action that has given rise to the complaint or allegations of misconduct.
  - (b) The circumstances surrounding the action.
  - (c) The likely type of any misconduct. NB: It is not for the Investigator to determine whether misconduct has occurred, merely to bring possible interpretations to the attention of the Determining Officer.
  - (d) The participants, insofar as they can be identified. Personal identification is required only for Individual Members under investigation, otherwise it is sufficient to identify Member sides.
  - (e) The role played by different participants (especially Members).
  - (f) Any other matters that may be relevant to the determination of the issue.
- 5.2 It is not necessary to show that any action that might be misconduct was the official policy of, or sanctioned by, a Group Member. It is sufficient to show that the action took place and on the balance of probabilities could be reasonably ascribed to members of the Group Member.
- 5.3 The Investigator may contact the participants to determine the facts of the matter. They are not obliged to do so, however, if there is prima facie or third-party evidence available. The participants have a right to be heard later in the process.
- 5.4 It is highly desirable that the investigation be conducted as swiftly as practicable.
- 5.5 The Investigator will report the results of their investigation to the Determining Officer.

- 5.6 The Determining Officer will determine whether the complaint or likely misconduct is of such a nature as to warrant further action and inform the Member accordingly.

## 6. Hearing

- 6.1 Assuming further action is required, the Determining Officer will arrange a hearing at which the evidence gathered by the investigation will be presented to the Member in order to understand the Member's side of the story.
- 6.2 Details as to the nature of the misconduct alleged must be provided to the Member and they must have time to prepare for the hearing (14 days is recommended).
- 6.3 In the interests of speedy resolution, the Determining Officer should endeavour to arrange for the hearing to take place within 28 days.
- 6.4 It is usual, but not required, that the hearing be "face-to-face"<sup>1</sup>. Where the situation is particularly complex (or indeed, particularly simple), it may be preferable to present and consider written submissions from the parties involved either in advance of or in replacement for a meeting. In this case, the procedure described below should be amended accordingly. The underlying principles must be retained: that there is timely and adequate notice, that the charge laid against the Member be explained, and that an opportunity be afforded for the Member to put forward counterarguments.
- 6.5 Assuming an oral hearing (meeting):
- (a) The Determining Officer will chair the meeting, accompanied by up to two colleagues, one whose primary function is to maintain the record of the meeting and one to assist with files, reports, evidence, etc. Both may provide advice if requested.
  - (b) Group Members may be represented by up to two persons, both must be members of the Member Side. One must be nominated as the primary spokesperson, held to be representing the Member team and their members.
  - (c) Individual Members should attend in person and may be accompanied by another person of their choice.
  - (d) The second person is there to:
    - (i) provide moral support;
    - (ii) take notes;
    - (iii) help with files, reports, evidence or other case notes;
    - (iv) quietly give advice on any aspect of the conduct of the case.
- They may not speak to the meeting without permission (which will not be unreasonably denied) but, for the Individual Member, cannot act as your agent nor represent you.
- Some ask: "Can I bring my solicitor or lawyer to the meeting?". The answer is **no**. There is no statutory right to legal representation in these circumstances.
- 6.6 The purpose of the hearing (or consideration of written evidence) is to determine, on the balance of probabilities:
- (a) Whether the evidence presented is an accurate representation of events

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<sup>1</sup> In person or electronically.

- (b) Whether the Member can be held responsible for the action.
- (c) Whether there are mitigating circumstances that should be considered.
- (d) Whether there are aggravating circumstances that should be considered.

## 7. Determination

- 7.1 The Determining Officer will consider all findings and write a brief report within 14 days that sets out their conclusions and any recommendation regarding disciplinary action. Such action may include:
  - (a) Taking no further action.
  - (b) Issuing a warning requesting the Member cease and desist from the misconduct. Should the Member repeat the offensive behaviour after a warning has been issued, the repeated offence may be considered as gross misconduct and further penalty may be enforced.
  - (c) A refusal to renew membership either indefinitely, or for a set period of time, or during the likely duration of (or repetitions of) the misconduct, or until a solemn declaration is made that the misconduct will not recur.
  - (d) Termination of membership (see section 9).
- 7.2 The report will be placed before the Officers in Committee (excluding the President and those recused or excluded) within a further 7 days for acceptance. The Officers may:
  - (a) Accept the recommendations of the report as they stand
  - (b) Reduce the severity of the action to be taken against the member. The justification for such a reduction should be explicitly minuted.
- 7.3 The Officers must not impose a greater penalty than that recommended by the Determining Officer.
- 7.4 The Determining Officer will then send the (possibly revised) determination to the Member within 7 days. The Member must be informed of their right of appeal (see below) and the timescales they must adhere to.
- 7.5 **All timescales are advisory.** It is highly desirable that the time period between hearing and receipt of determination by the Member should not exceed 28 days but failure to meet these timescales does not in itself invalidate the outcome or constitute grounds for appeal.

## 8. Appeal

- 8.1 The Member has a right to appeal any penalty applied. The Member must indicate their intent to appeal within 14 days of receipt of the determination and must lodge the details of their appeal within a further 14 days (28 days in all).
- 8.2 An appeal may be made on any of three grounds:
  - (a) A substantive error of fact exists in the determination, or new evidence previously unavailable has arisen, that is likely to alter the balance of probabilities.
  - (b) The conduct of the inquiry and/or hearing was so unreasonable as to be perverse.
  - (c) The penalty is disproportionate to the offence.

Full and sufficient argument must be provided before the first two grounds will be considered.

- 8.3 Appeals will normally be considered by the President or by an independent Appeals Officer appointed by the President.
- 8.4 Unless otherwise unreasonable, the person(s) hearing the appeal should commence their consideration of the appeal within 14 days of receipt of the full argument as to the grounds for appeal. The duration of the appeal will depend on the grounds presented. It is highly desirable that “simple” appeals be completed quickly and that an estimated timetable be published for more complex arrangements.
- 8.5 The person(s) hearing the appeal may:
  - (a) Issue a new determination based on corrected facts or new evidence and proceed accordingly.
  - (b) Refer the case back to the Investigator and/or Determining Officer to correct facts or consider new evidence.
  - (c) Appoint a new Investigator and/or Determining Officer and either refer the existing determination back for their consideration or request a new inquiry and/or determination be launched.
  - (d) Reduce the penalty.
  - (e) Refuse the appeal.
- 8.6 The rationale for the outcome decided upon must be set out in writing and communicated to the Member within 7 days.

## 9. Termination of membership

- 9.1 Should the penalty determined be termination of membership, all members have the right of final appeal to a General Meeting as per sub-clause 2.7 of the Constitution.