

Appendix A

NICSSA CONSTITUTIONAL RULES - PROPOSED CHANGES

Introduction

1. There is general agreement on the Executive Board and Council that the Association's current governance arrangements, in place since 2008, are working well and are not in need of major review. However, it has been acknowledged that the constitutional rules need to be reviewed to ensure that they continue to meet current legal requirements and that they reflect changes in funding arrangements, business practices and working relationships over the past number of years.
2. This short paper and the attachment are the outcome of that review.

Review findings

3. The current rules are based on the requirements of legislation that dates from the late 1960s. Apart from a few substantive amendments to cover particular circumstances that have arisen in the period since then, they have by and large stood the test of time. They are also in line with consolidating and updating legislation enacted two years ago and brought in to force in April this year.
4. Having said that, they would arguably benefit from some modernising in terms of structure and written style to correct minor grammatical and other errors and to make the document as a whole easier to read. At another, more significant level there is a need to consider changes to the rule on membership to meet the expectations of potential funders, and the rule on governance and management structures to reflect the current business relationship with the Department of Finance. There is also a need to consider whether the rules on suspension/expulsion and handling disputes are sufficient for purpose in the current operating environment.

Proposal

5. Work on refreshing the style and structure of the document is continuing. None of it will change the substance of the rules as they stand at present.
6. Proposals for substantive changes to the rules referred to in paragraph 4 above are set out in the attached Appendix.

Conclusion

7. The Executive Board is invited to note the outcome of the review and to discuss the proposed changes.

21 August 2018

APPENDIX

MEMBERSHIP

Current Rule

(1) **Ordinary Members**

The members of the Association shall be such persons being members or pensioned members of Her Majesty's civil establishments in Northern Ireland as may be admitted to membership by the Council.

(2) **Associate Members**

(a) The Council may admit as Associate Members persons not eligible for ordinary membership, and subject to the modifications hereinafter contained, these rules shall apply to a person so nominated.

(b) An associate member shall initially be elected for one year only, but shall be automatically re-elected if conduct is satisfactory and all necessary fees paid.

(3) **Honorary Life Members**

The Council may admit as Honorary Life Members persons who have rendered exceptional service to the cause of the Association.

Proposed Rule

(1) The **ordinary members** of the Association shall be:

(a) serving or retired members of the Northern Ireland Civil Service,

(b) members of clubs affiliated in accordance with Rule 11 who are not serving or retired civil servants, and

(c) such other persons as may be admitted to membership by the Council.

(2) The Council may admit as **honorary life members** persons who have rendered exceptional service to the cause of the Association.

GOVERNANCE AND MANAGEMENT STRUCTURES

Current Rule 11 (1) and (2)

(1) The business of the Association shall be managed by an Executive Board under authority delegated by the Association's Council.

(2) The Council shall consist of:

a Chairman, Vice-Chairman and Honorary Treasurer nominated by the Department of Finance and Personnel;

six members of the Association elected at the Annual General Meeting of the Association in accordance with arrangements determined by the Council;

one representative of the Northern Ireland Civil Service Social Club, normally the Chairman or Treasurer;

six members of the Association elected by affiliated clubs (other than the Northern Ireland Civil Service Social Club) in accordance with arrangements determined by the Council;

one representative of sports clubs operating at the Pavilion Complex nominated in accordance with arrangements determined by the Council; and

in the event of vacancies for any reason in any one year, up to two additional members agreed and co-opted by a unanimous vote of the Council to serve in a non-representative capacity until the next Annual General Meeting.

Proposed Rule

(1) The business of the Association shall be managed by an Executive Board under authority delegated by the Association's Council.

(2) The Council shall consist of:

(a) a Chairman and Vice Chairman who are serving or retired members of the Northern Ireland Senior Civil Service, **or exceptionally a serving or retired senior manager in the Northern Ireland Civil Service; [substantive change]**

- (b) an Honorary Treasurer who is a qualified accountant ~~or auditor and a serving or retired member of the Northern Ireland Civil Service;~~
[substantive change]
- (c) six members of the Association elected at the Annual General Meeting of the Association in accordance with arrangements determined by the Council; **[no change]**
- (d) one representative of the Northern Ireland Civil Service Social Club, normally the Chairman or Treasurer; **[no change]**
- (e) six members of the Association ~~elected~~ nominated by affiliated clubs (other than the Northern Ireland Civil Service Social Club) in accordance with arrangements determined by the Council; **[substantive change]**
- (f) one representative of sports clubs operating at the Pavilion Complex, nominated in accordance with arrangements determined by the Council; **[no change]** and
- (g) in the event of vacancies for any reason in any one year, up to two additional members agreed and co-opted by a unanimous vote of the Council to serve in a non-representative capacity until the next Annual General Meeting. **[no change]**

Current rule 11 (3)-(7)

For completeness, consequential changes in current Rule 11 are required if the change to 11 (2) is accepted. They are:

- (3) All ~~the~~ members of the Council shall be members of the Association and over 18 years of age. A member who is at least six months in arrears with his contributions shall not be ~~nominated~~ eligible for office. **[minor change]**
- (4) All ~~the~~ members of the Council of the Association shall be elected at the Annual General Meeting by a majority of the votes cast at the meeting by members of the Association present or represented by proxy and entitled to vote, and they shall hold office from the date of appointment. Any officer or member elected at that meeting may be appointed to serve for a term not exceeding three years and shall be eligible for re-election thereafter. Nominations for election to the Association's Council must be made to the

Council Secretary by notice in writing at least 7 days before the AGM. [*minor change in the wording but significant change in its effect*]

- (5) ~~Members of the Council nominated by the Department of Finance and Personnel shall hold office for three years from the date of appointment and shall be eligible for re-appointment.~~ [*substantive change*]
- (6) Where there is a substantive reason or cause accepted at a duly constituted General Meeting of the Association, any member of the Council may be removed by ~~the~~ a resolution of a ~~duly constituted~~ that General Meeting of ~~the Association,~~ and such meeting shall, ~~in the case of an elected member,~~ elect a successor, ~~or shall, in the case of a nominated member, call on the nominating authority to appoint a successor.~~ [*substantive change*]
- (7) In the event that any member of the Council dies, resigns or in the opinion of the Council becomes unfit or incapable of acting, the Council or Executive Board acting under delegated authority of the Council may at any time appoint a person to fill the vacancy until the next Annual General Meeting of the Association, ~~or may in the case of a nominated member call on the nominating authority to appoint a successor.~~ [*substantive change*]

EXPULSION/SUSPENSION

Current Rule

6. The Council may expel from the Association or suspend from the privileges of membership for such period as it may decide, any member who, in the opinion of the Council, has acted in a manner detrimental to the interests of the Association.

Commented [1]:
Current Rule 6

Proposed Rule

10. The Council may expel from the Association or suspend from the privileges of membership for such period as it may decide, any member who, in the opinion of the Council, has acted in a manner detrimental to the interests of the Association. **[DQ: Insert provision for appeal process “to be determined in such manner as the Council may decide”?]**

Commented [2]:
Current Rule 6

DISPUTES

Commented [3]:
s. 69 of the Act

Current Rule

- (1) If any dispute shall arise between a member or person claiming through a member or under the Rules, or any person aggrieved who has for not more than six months ceased to be a member or any person claiming through such person aggrieved, and the Association or any officer of the Association, it shall be decided by reference to arbitration.
- (2) Five arbitrators shall be elected by the Association, none of them being directly or indirectly interested in the funds of the Association; and in each case of dispute the names of the arbitrators shall be written on pieces of paper and placed in a box or glass, and the three arbitrators whose names are first drawn out by the complaining party or by someone appointed by him, shall be the arbitrators to decide on the matter in dispute. In case of a vacancy or vacancies on the arbitration panel, another arbitrator or other arbitrators shall be elected at a General Meeting.

Proposed Rule

- (1) If any dispute shall arise between:
 - (a) a member or person claiming through a member under the Rules, or any person aggrieved who has for not more than six months ceased to be a member, or any person claiming through such person aggrieved, and
 - (b) the Association or any officer of the Association [DQ: definition of "officer"?],it shall be decided by arbitration.
- (3) Five persons aged 18 or over and with no direct or indirect interest in the funds of the Association shall be selected by the Council of the Association, or the Executive Board on the delegated authority of the Council, to form an arbitration panel. In each case of dispute the names of the arbitrators shall be written on pieces of paper and placed in a box or glass. The three arbitrators whose names are first drawn out by the complaining party or by someone appointed by him shall be the arbitrators to decide on the matter in dispute.