

HASSRA NORTH WEST CONSTITUTION

Title

1. The Title of the Association shall be "HASSRA North West" (hereunder termed the Association).

Membership

- 2 (a) Membership is open to all serving, retired & ex-staff (including casual employees, & ancillary staff ~ messengers, cleaners & canteen staff) of the Department of Health, Department for Work & Pensions, Food Standards Agency, & their Executive Agencies; & may also be open to such other persons as the National HASSRA Board of Management shall determine from time to time. Members of HASSRA shall be allocated to the Association based on its catchment area as provided for at Article 4. HASSRA Fylde & HASSRA NW members have the right to choose which catchment area they wish to be allocated to.

- 2(b) Associate membership:

- (1) is open to anyone who has previously worked for a qualifying department, agency or other eligible employer.
- (ii) is open to any individual who works indirectly for a qualifying employer via a third-party employer & cannot pay subscriptions directly from salary.

- 2(c) Associate Members:

- (i) will pay the same subscription rates as full-time members, & are entitled to the same member benefits;
- (ii) may be an elected member of the Regional Board of Management (BOM) & its sub-committees &/or the committee(s) of an affiliated club;
- (iii) may not hold an Association Officer post of the BOM & its sub-committees nor on the committee(s) of an affiliated club;
- (iv) will have voting rights at meetings of the Council, the BOM & its sub-committees, & at committee(s) of an affiliated club.

Objects

3. The objects of the Association shall be :
 - (a) to provide a high quality sports, social & leisure programme which is open to all members, embraces diversity & inclusion, is cost effective & delivered with integrity.
 - (b) to work in partnership with sponsor departments & agencies in promoting the wellbeing & work-life balance of existing & potential members &, in so doing, demonstrate the value HASSRA generates for both sponsors' businesses & members.

- (c) (i) to co-operate as an affiliated Departmental Association with CSSC Sports & Leisure for the purposes of encouraging & coordinating the pursuit of sport, leisure & recreation among the employees, retired & ancillary staff of the Departments & their Executive Agencies as detailed at Article 2 of this Constitution, & Affiliated Associations as hereinafter defined in Article 4 of this Constitution
- (ii) such affiliation will be withdrawn by the National Board of Management in consultation with regions at any time if it runs counter to any of the Association's aims & objectives contained in Article 3 or is considered not to be in the best interests of HASSRA.

Regional Catchment

- 4. The Association's catchment area shall cover office locations within the boundaries of the North West Government Office Regions (Cheshire, Cumbria, Greater Manchester, Lancashire, & Merseyside); but excluding those recognised as HASSRA Fylde locations

Affiliation

- 5. The Association shall be affiliated to National HASSRA & shall be governed by the rules & policies of HASSRA as determined by the National Council.

Affiliated Clubs

- 6. Members of the Association may form local, single activity or District clubs, & such organisations may apply for affiliation to the Association. The rules of the affiliated clubs shall be subject to approval by the Board of Management of the Association

The Council

- 7. The governing body of the Association shall be a Council comprising of the Officers of the Association, the BOM (appointed under Article 9 (a) (iv)) & one representative from each affiliated club.

Officers

- 8. (a) The Officers of the Regional Association shall be:
President, Life Vice President(s), Chairperson & Vice Chairperson.
- (b) The President & Life Vice President(s) shall be ex-officio non-voting members of the Association.
- (c) The President will be notified for a further year.
- (d) The Chairperson will be appointed by the President of HASSRA NW, & will be a serving or retired member of the Department of Health, Department for Work & Pensions, or Food Standards Agency & their Executive Agencies

Annual General Meeting

- 9. (a) An Annual Conference of the Council shall be held within three months after the close of each calendar year, at a date & time of which not less than 28 days notice shall be given. Copies of the audited Financial Statement shall be sent to the National Finance Manager of HASSRA & all affiliated clubs not less than 7 days before the date of the Annual General Meeting.

At the Annual General Meeting:

- (i) The business of the Council shall be conducted in accordance with the Rules of Debate appended to this Constitution as Appendix 1.
- (ii) The President will be notified for a further year.
- (iii) The Chairperson shall be appointed by the President. The meeting shall be invited to endorse this appointment.
- (iv) The Vice-Chairperson shall be elected but only permanent or retired staff of the Department of Health, the Department for Work and Pensions & the Food Standards Agency & their Executive Agencies within the catchment area of the Association who are members of HASSRA shall be eligible for election. This appointment will be subject to the approval of the Association business sponsor, normally the President of the Association.
- (v) A BOM consisting the Officers & up to 16 other members of the Association shall be elected. The number will be as deemed appropriate by the Regional Chairperson.
- (vi) The Annual Report, & audited Financial Statement of the Association for the preceding year, shall be received &, if accepted, passed.
- (vii) An Auditor shall be appointed, subject to the approval of the Regional Association business sponsor who will normally be the President of the Association
- (viii) A representative of the Association to CSSC Sports & Leisure shall be appointed for the ensuing year
- (ix) Any item of business can be raised at the Annual General Meeting by the Officers, the BOM or an affiliated club provided that in each case not less than 14 days formal notice shall have been given to the BOM. The BOM shall then give Council members at least seven days notice of the business to be discussed.

Further General Meetings

10. Further Conferences shall be called at any time on the instructions of the Association President, or the Chairperson, or on the written request of at least 7 affiliated clubs subject to 28 days notice of the meeting being given.

Voting at General Meetings

11. Voting shall be limited to one vote from each of the Chairperson, Vice-Chairperson & the nominated representatives from each affiliated club, provided however, that in the event of a tied vote the Chairperson has an additional or casting vote as stipulated in Article 17.

Board of Management (BOM)

12. a) The BOM shall meet face to face no less than four times each year unless the Chairperson considers that a face to face meeting should be dispensed with. In which case these could be virtual meetings by telephone or video.
- b) The BOM shall be responsible for the management of current business of the Association between General Meetings of the Council.

- c) The BOM shall have the power to fill vacancies on the Board which arise during its term of office & to co-opt such other members as may from time to time be necessary. Co-opted members shall have voting powers unless it is otherwise decided at the time of their appointment.
- d) The BOM members agree to attend at least 50% of BOM meeting over the 12-month term
- e) BOM members who cannot attend at least 50% of BOM must show significant involvement outside of the meetings
- f) The Regional Chairperson of the Association will review this before each AGM & notify accordingly.

Other Committees & Sub-Committees

13. The Council shall have the power to appoint committees additional to the BOM to deal with specific matters & the BOM shall have the power to appoint sub-committees for the same purpose. Unless otherwise directed by the Council such committees and/or sub-committees shall report to the BOM. All such committees in being at the close of the Annual General Meeting shall continue in office until discharged or reappointed.

Records of Meetings

14. The BOM shall ensure that adequate records of the meetings of any BOM, committees appointed the Council, or sub-committees, are retained.

Regional Finance Manager

15. (a) The post of Finance Manager (a member of the National Finance Team) shall be a salaried position within the Department for Work & Pensions normally graded at Executive Officer level. Selection for this post shall be made by reference to the prevailing personnel rules & procedures of that Department. The Finance Manager will be nominated exclusively by the National Finance Director to manage.
- (b) The Finance Manager will be nominated exclusively by the National Finance Director to be the only member eligible to have ultimate authority to manage the funds of the Association & shall maintain accounts of all sums received and expended in a form approved by the Council. The Finance Manager shall also be ultimately responsible for safe custody & production of the Association's securities & assets.

Quorum of the Council, Board of Management, Committees and Sub-Committees

16. A quorum of the Council shall be one-third of its members & a quorum of the BOM or any committee or sub-committee shall be one half of its members, for which purpose the President, & Life Vice President(s) shall not be counted as members.

Casting Vote of Chairperson

17. The Chairperson at any General Meeting of the Council, or at any meeting of the BOM, or any committee or sub-committee shall, in the event of an equality of votes, have an additional or casting vote.

Finance

18. The financial year of the Association shall end on the 31 December of each year.
- (a) Club accounts should be completed, audited, ratified at club AGMs & uploaded onto HASSRA Live by the club treasurer, by 31 March.
 - (b) To safeguard this process our HASSRA NW Admin Team will write to clubs in November each year, providing a **required date** ~ the date by which clubs will be invited to confirm that the deadline at para 18(a) will be met.
 - (c) Any club which anticipates a problem with uploading their annual accounts onto HASSRA Live by 31 March must notify our HASSRA NW Admin Team no later than the **required date**, at HASSRA.NW@dwp.gov.uk explaining the problem.
 - (d) All monies received for or on account of the Association shall be paid to the credit of the Association's banking account
 - (e) Payments drawn on the Association's banking account shall be signed by two members of the HASSRA National Finance Team.
 - (i) Payments may be drawn from the Regional Account by way of the "Raise a Payment" system managed by the National Finance Team. The Association will provide sufficient Requisitioners and Approvers to manage the process. The Association will determine the required numbers of Requisitioners and Approvers.
 - (ii) The Association will manage finances, such as collection of monies for events through on-line banking. This process will be subject to audit as in Article 18(f).
 - (f) The accounts of the Association shall be audited by the approved auditor in accordance with Article 9 (a) (vii).
 - (g) The BOM will propose the amount of the Regional levy on HASSRA subscriptions to be retained by the Association: this levy to be ratified by Council
 - (h) BOM has the annual accountability to judge the amount of rebate, drawn from subscriptions to HASSRA, to be paid to affiliated HASSRA NW clubs. The amount of rebate judged appropriate is presented annually as a motion to Conference.
 - (i) The BOM has the right to impose penalties ~ a reduction in rebate ~ on clubs that fail to upload their annual accounts onto HASSRA Live by 31 March. All cases where clubs fail to upload their annual accounts onto HASSRA Live by 31 March **AND** fail to notify our HASSRA NW Admin Team by the **required date** set by the Association will be considered for a penalty, on a case-by-case basis, by our Finance & Policy Sub-Committee. IN OTHER WORDS, if one or other of our Affiliated clubs anticipate problems or need assistance, our HASSRA NW Admin Team should be contacted by the **required date**, else penalties will be considered.
 - (j) The timescales & associated penalties are as follows:-
 - For clubs submitting Accounts late but within 3 months of the year end ~ 25% reduction in rebate
 - For clubs submitting Accounts 3 to 6 Months late 50% ~ reduction in rebate
 - For clubs submitting Accounts 6 to 12 Months late 75% ~ reduction in rebate
 - For club Accounts submitted over 12 months late ~ 100% reduction in rebate.

- (k) The Council shall have power to borrow money & to purchase or lease property
- (l) The BOM shall have power to disburse payments of honoraria. The individual amount(s) of honoraria will be at the discretion of the BOM & reviewed annually by the BOM.
- (m) The income & property of the Association shall be applied solely towards the promotion of the objectives of the Association as defined at Article 3 of the Constitution & no portion shall be paid or transferred directly or indirectly by way of dividend, bonus or by way of profit to the members of the Association (otherwise than on winding up or dissolution). This does not prevent the payment in good faith of remuneration to any officers, any member of the Association, or to any other person in return for any services actually rendered to the Association.

Member Indemnification

19. The Association agrees to indemnify [*whichever officers are nominated*] & the Regional Finance Manager against any claims, including associated legal fees & expenses that may be initiated against them on account of their execution of their on-going duties with the Association, provided that the action which has given rise to the claim was:
- (a) mandated by the Board of Management;
 - (b) lawful;
 - (c) in the usual course of business and operation of the Association; &
 - (d) objectively reasonable in the circumstances, taking into account the general knowledge, skill & experience reasonably expected of a person carrying out the role of the individual in question & the individual's own general knowledge, skills & experience.

Amendment of the Constitution

20. This Constitution may be amended by resolution at a General Meeting provided that:
- (a) such resolution shall not be held to be passed unless carried by a majority of at least two thirds of its members present at the meeting & voting therein
 - (b) any amendment to the Constitution shall be subject to the notification to, & approval of the National HASSRA Board of Management

Bye-Laws

21. The BOM shall have the power to make such bye-laws (rules made to enable better control &/or management of the business of the Association) as are not inconsistent with the Constitution to cover any matter arising in the day to day management of the Association or in relation to any specific matter. See Appendix 1 (paragraph 18 etc) if a bye-law is proposed at Conference.

Notice

22. Notice of any matter shall be deemed to have been delivered to any member of the Council, BOM, committee, sub-committee or to any club representative provided that such notice has been posted to the member's last known official address or to the last known official address of the secretary of the appropriate affiliated club.

Interpretation

23. In any question as to the interpretation of this Constitution the decision of the Regional Chairperson shall be final.

Dissolution

24. (a) The Association may be dissolved by a resolution of the General Meeting provided that:
- (i) notice of the motion has been given in writing to all members of the Board of Management, the Chairman and National Operations Director & all affiliated clubs at least four weeks prior to the meeting & that,
 - (ii) such a motion shall not be held to be passed unless carried by a majority of at least two thirds of the members present at the meeting & entitled to vote therein.
- (b) The Permanent Secretary of the Department for Work and Pensions shall, in conjunction with the Permanent Secretary of the Department of Health, have the power to instruct the Association to dissolve should at any time (s)he deem the continuance of the Association unnecessary or undesirable & the Association shall comply with such instructions within such period as the Permanent Secretary may stipulate.
- (c) In all cases of dissolution, if after the payment of all debts any funds or property remain, such assets shall be transferred to National HASSRA & dealt with in agreement with that organisation.

Policy Digest

25. This Constitution may be read alongside the HASSRA NW Policy Digest, which contains individual policy decisions (driven out during day to day running of Association business) applicable to the upholding & implementation of this Constitution.

Review

26. This Constitution will be reviewed annually.

HASSRA NW ANNUAL CONFERENCES OF THE COUNCIL – CONDUCT AND RULES OF DEBATE

Conferences of the Council

1. Conferences of the Council – often called the AGM or Conference – comprise:
 - i. Officers of the Association (President, Life Vice President(s), Chairperson & Vice Chairperson)
 - ii. One delegate from each of the affiliated clubs
2. The Constitution specifies the business of Conferences of the Council & formalities & timescales for papers, nominations for elections & motions for consideration.
3. Ordinarily the Conference will be conducted in person. The Constitution is silent on who may attend the Conference in addition to the Council. However, it is customary for affiliated clubs to bring observers. It is also accepted that ordinary members may also attend the meeting, although in practice available space will necessarily limit numbers.

Motions to Conference

Submission and Initial Scrutiny

4. Motions must be submitted in the prescribed form & timescale. Motions so received will in the first instance be scrutinised by a member of the Board of Management (BOM) to ensure they are clear, operable and within the rules and objects of the Association. If the BOM member has any doubts as to these requirements (s)he will refer the motion to the Regional Chairperson who will then consult with the Chairperson of the relevant affiliated club. The purpose of this consultation is to ensure that motions are capable of meaningful debate & implementation; it is not to inhibit full participation in the management & development of the Association or to curb controversy or challenge.
5. Motions going forward to Conference will be circulated to all affiliated clubs no later than four weeks prior to the date of Conference. As these motions will have been proposed, seconded & agreed either at an affiliated club annual general meeting or BOM meeting, they will not need to be seconded at Conference.

Handling of Motions at Conference

6. The discussion of motions shall proceed as follows:
 - i. The nominated proposer shall present the motion to Conference
 - ii. One other Council member may speak in support of the motion
 - iii. Where the motion is proposed by a delegate of an affiliated club a member of the BOM may respond to the motion on behalf of the Board
 - iv. Following this sequence of speakers, other members of the Council may speak to the motion. Non-Council members may also speak at the Regional Chairperson's discretion.

- v. Before bringing the discussion to a close, the Regional Chairperson will invite the proposer to respond to any comments, questions & suggestions raised during the debate.
 - vi. Following the proposer's response, & assuming the motion has not been withdrawn or amended, the Council will move to a formal vote.
7. Where in the course of debate a Council member proposes an amended motion:
- i. the Regional Chairperson will ensure the amended motion is sufficiently clear and operable before asking for it to be seconded by another member of the Council
 - ii. if the amended motion is not seconded, it falls immediately.
 - iii. where it is seconded, the Regional Chairperson will invite discussion in accordance with paragraph 5 before moving to a vote.
 - iv. if the amended motion is passed, the original motion falls automatically.
 - v. if it is not passed, the Regional Chairperson will move to a vote on the original motion.

Status of Motions Passed at Conference

8. The Council has exclusive control over matters reserved by the Constitution for Council's consideration. Only the Council may reverse, revise or replace the Council's decisions on any of these matters except where the constitution otherwise expressly permits the Council to delegate that control to an alternative decision-making body of the Association. They comprise:
- i. appointment of committees additional to the BOM
 - ii. amendments to the Constitution (by two thirds majority)
 - iii. making of bye-laws covering day-to-day management of the Association or of specific issues.
 - iv. dissolution of the Association.
9. Any decision taken by the Council on a matter not reserved to the Council will remain in force until the Council or the BOM (or any other competent body acting expressly on behalf of the BOM) reverses, revises or replaces it. The circumstances in which the BOM would reverse, revise or replace a decision by the Council comprise;
- i. where a motion is incapable of implementation eg. it is unlawful or contrary to business sponsors' policies or impracticable.
 - ii. where there is a compelling need or urgent necessity to do so eg. in response to a change in a relevant law or in business sponsors' policies or in dealing with a financial issue such as a shortfall in funds to meet contractual or other commitments.
 - iii. where the Council has already given the BOM delegated authority to act.
 - iv. where a motion has effectively expired eg. a decision of the Council has run its course & is now being taken forward as business-as-usual.

10. In the event that the BOM wishes to reverse, revise or replace a decision of the Council in accordance with the provisions of section 9 it would consult affiliated clubs before doing so in matters affecting:
 - i. Association strategy and policy.
 - ii. Major financial issues affecting Regional funds.
 - iii. clubs' income or expenditure.
 - iv. anything else which it considers to be of sufficient importance.
11. Any changes to a decision made originally by the Council would need to be reported & explained in the Annual Report submitted to the next Conference of the Council.
12. If the Council wishes to reserve exclusive control over any matter brought forward by a motion that is not already reserved to it by the Constitution, it should do so either by amending the Constitution to expressly reserve it to itself or by making a bye-law to direct the BOM how it should be managed going forward.

Special General Meetings

13. Further Conferences of the Council – more usually referred to as SGMs or Special General Meetings - comprise:
 - i. The Regional Chairperson
 - ii. Officers of the Association (President, Life Vice President(s), Chairperson & Vice Chairperson)
 - iii. One delegate from each of the affiliated clubs
14. The Constitution specifies the formalities and timescales for calling an SGM.
15. Where an SGM is to be called by the President or affiliated the Regional Chairperson will be consulted before the SGM is called. The purpose of the consultation is to provide assurance that an SGM is appropriate to the business at hand, necessary & cannot be dealt with in any other way. The Regional Chairperson may not, however, prevent an SGM being called.
16. Ordinarily the business of an SGM will be more limited than for a full AGM. This may mean that the costs in time, travel & accommodation may be disproportionate to the business at hand. Modern communications ~ video-conferencing, telephone conferencing, & so on ~ offer cost-effective alternatives to face-to-face meetings. However, the Regional Chairperson will always consult affiliated club chairpersons in deciding whether an alternative to a face-to-face meeting is appropriate to the subject matter & prevailing circumstances.
17. As the Constitution is silent on who may attend an SGM in addition to the Council, the Regional Chairperson shall determine whether it is appropriate and practicable to open the meeting to observers & ordinary members, whether the SGM is conducted face-to-face or by other means.

Making Bye-Laws

18. The Constitution provides for the making of bye-laws but is silent on the procedure for doing so. In view of the preceding paragraphs covering matters such as the reservation of matters to the Council, it is important that the Council has sufficient flexibility to act in a timely way when making directions for the future handling of business. The Council should therefore be free to propose & adopt bye-laws in the course of a meeting of the Council & without prior notice, as follows.

Handling of Bye-Laws at Conference

19. The discussion of bye-laws shall proceed as follows:
- i. A bye-law may be proposed by a member of the Council at any time in the course of a meeting of the Council. The Regional Chairperson will rule on whether the proposed bye-law is appropriate to the business at hand ie. confirm a bye-law is an appropriate way to deal with the subject matter.
 - ii. One other Council member may speak in support of the bye-law.
 - iii. Where the bye-law is proposed by a delegate of an affiliated club a member of the BOM may respond to the proposed bye-law on behalf of the BOM.
 - iv. Following this sequence of speakers, other members of the Council may speak to the proposal. Non-Council members may also speak at the Regional Chairperson's discretion.
 - v. Before bringing the discussion to a close, the Regional Chairperson will invite the proposer to respond to any comments, questions & suggestions raised during the debate.
 - vi. Following the proposer's response, & assuming the bye-law has not been withdrawn or amended, the Council will move to a formal vote.
20. Where in the course of debate a Council member proposes an amended bye-law:
- i. the Regional Chairperson will ensure the amended bye-law is sufficiently clear & operable before asking for it to be seconded by another member of the Council
 - ii. If the amended bye-law is not seconded, it falls immediately.
 - iii. Where it is seconded, the Regional Chairperson will invite discussion in accordance with paragraph 19 etc. before moving to a vote.
 - iv. If the amended bye-law is passed, the original proposal falls automatically.
 - v. If it is not passed, the Regional Chairperson will move to a vote on the original proposal.

Status of Bye-laws Passed at Conference

21. The Council has exclusive control over bye-laws & only the Council may reverse, revise or replace the Council's decisions on any of these matters. However, a bye-law may be over-ruled or over-taken by subsequent motions to the Council.
22. Because bye-laws may be proposed & adopted in the course of a meeting of the Council, it may be appropriate for the Council to direct another body, such as the BOM, to formally draw up the bye-law after the meeting, in which case Council members will be given an opportunity to ratify the final wording (This task may be performed by correspondence rather than a meeting).

23. Once passed at Council, the bye-law will be incorporated into the Regional Constitution.

FOOTNOTE: This Appendix is based upon the Appendix contained in the National Constitution & has been incorporated as part of a review of the HASSRA NW Regional Constitution at 25 January 2024.