

Baltinglass & District Forum

**REVISED DRAFT
CONSTITUTION**

PROPOSED BALTINGLASS & DISTRICT FORUM CONSTITUTION

Preamble

At a public meeting held Thursday evening, August 23, 2007, an agreement was reached to proceed with the establishment of the Baltinglass & District Forum ("BDF") comprising 26 voluntary and community groups from the district. The decision was reached as a result of the groups consulting with their members and receiving the green light to participate.

Each voluntary and community group subsequently nominated either one or two members to represent Baltinglass & District. As a result the originating BDF has 46 members.

It is acknowledged this formation process is not unflawed, and that BDF needs to strive for the broadest representation of all members of the community. As such BDF intends to move as quickly as possible toward a publicly elected Forum voted for through an electoral ward system.

Until broadly elected, recognised voluntary and community groups not currently involved in the Forum may nominate one or two members to be accepted to Forum membership to represent Baltinglass & District.

Mission Statement

Baltinglass & District Forum's ("BDF") mission is to promote the welfare of the Baltinglass & District community.

Ethos

BDF will strive for the broadest ~~(total)~~ possible inclusion of all members of the community on a non-party political and equal basis.

Aims & Objectives

- ❖ Actively involve as many people as possible in the promotion of the social, educational, cultural, economic, and environmental welfare of the Baltinglass & District community.
- ❖ Aim to represent every member of the community, and the community as a whole, in dealings with local government, statutory bodies, and other agencies.
- ❖ Encourage all residents of Baltinglass & District to generate community spirit and participation.
- ❖ Act as an umbrella group in the district, to further common interests by providing information, guidance and assistance in reacting to community opportunities, and resolving issues.
- ❖ Liaise with, and participate in the community development projects initiated by community groups, Wicklow County Council and other agencies.
- ❖ BDF is currently comprised of nominated representatives of the various community groups in the district and aims to move towards broad elected representation.
- ❖ To acquire and hold by rental, lease, purchase, donation or otherwise, such property and effects as shall be necessary or expedient to attain these ends.

Structure & Organisation

- ❖ The Forum shall be administered by a Committee of at least three Officers, namely:
 - Chairperson
 - Secretary
 - Treasurer
- and such other officers as the Forum may deem necessary from time to time.
- The Chairperson may exercise the facility of a casting vote.
- ❖ The Committee shall be elected by biennial nomination & vote at a meeting of Members.
- ❖ All members of the Forum eventually to be elected through an electoral ward system.
- ❖ The Forum consists of the originating Members and any other new Members accepted from time to time by the originating Members.
- ❖ All Members are equal under this constitution.
- ❖ An annual Membership & Insurance Fee shall apply, at a rate to be determined from time to time by the Forum.
- ❖ Meetings of the forum take place as often as necessary but preferably once a month.
- ❖ Decisions of the Forum shall be by consensus of the Members present where possible. In the absence of this, decisions are on the basis of simple majority of those Members present.
- ❖ A quorum is **one third (1/3) plus one (1) of the 20** members.
- ❖ The Public are welcome **and encouraged** to attend Forum meetings.
- ❖ "Liaison Persons" (for example, Garda Superintendent or Representative, ~~Church Representatives~~, TD's, Councillors & WCC Representatives) may attend Forum meetings and participate in the associated debate. They cannot hold office or exercise voting rights.
- ❖ The Forum may censure, suspend, or remove from its membership, any member considered to be acting at variance with its decisions or not in accordance with its Aims and Objectives. Such a decision must be taken ~~on foot of a motion, given to the Secretary at least one week in advance of the relevant meeting at which the motion is to be taken, and passed by a two-thirds majority of members present at that meeting and entitled to vote,~~ **in accordance with the Disciplinary Procedures of Standing Orders.**
- ❖ The Forum may, from time to time, pass any special resolution not inconsistent with this Constitution as it may consider necessary or desirable for the management or well being of its activities.
- ❖ The Forum may not rescind any decision already properly taken without prior notice of motion, given to the Secretary at least one week in advance of the

relevant meeting, and passed by a two-thirds majority of members present at that meeting and entitled to vote.

- ❖ From time to time in pursuit of its Aims and Objectives, the Forum can decide that certain specific or classes of procedures, records or information are to be kept confidential. Such confidentiality shall then apply until the Forum, at a subsequent meeting, decides to remove the need for continuing confidentiality.
- ❖ Any member with a conflict of interest with respect to any motion before a meeting of the Forum shall declare that conflict of interest and shall abstain from any vote on that motion.

Sub-Committee [Work Group] Structure

- ❖ Sub-Committees may be set up on an ad hoc basis to deal with specific items of work or specific work areas.
- ❖ Terms of Reference shall be provided to the Sub-Committee in writing by the Forum including the timeframe for the finalisation of its work and submission of its report(s).
- ❖ Sub-Committees are appointed by the Forum, and may co-opt additional members to their Sub-Committee because of their particular expertise. Co-Opted members have no voting rights on the sub-committee.
- ❖ All other things being equal, the terms of this constitution and standing orders shall apply to the work of the sub-committee.
- ❖ All working papers and documents of sub-committees or working groups remain the property of the Forum.

Procedural Items

Annual General Meeting (AGM) and Extraordinary General Meeting (EGM)

- ❖ The AGM shall be convened at least once in each calendar year.
- ❖ The AGM shall be held in compliance with the relevant Standing Order
- ❖ **An EGM of the Forum may be called at any time by direction of the Forum committee or on a requisition to the Honorary Secretary signed by at least twenty per cent (20%) of members of the Forum entitled to vote at such meeting and stating the business to be transacted**
- ❖ **No business other than that stated in the notice of the EGM shall be brought before the EGM**
- ❖ **Save in circumstances deemed exceptional by the Forum committee at least fourteen (14) days written notice of an EGM shall be given to members entitled to vote, specifying the time and place of the EGM and the business to be transacted.**

Finance Matters

- ❖ All monies and funds of the Forum shall be deposited as soon as reasonably practicable after receipt in such financial institution as the Forum may by resolution designate. All such funds shall be held in the name of the Treasurer, Chairperson and Secretary for and on behalf of the Forum. All cheques and other withdrawal of funds, monies or cash on behalf of the Forum shall be signed by the Treasurer and Chairperson, or Secretary in the absence of the Chairperson.
- ❖ Monies and funds in the financial institution belonging to the Forum may be put on deposit in the same manner to gain interest.
- ❖ In the event of the cash assets of the Forum becoming deficient to the extent of €250 for a period of more than two months, the Forum shall call a special meeting to consider the matter and its resolution.
- ❖ The financial year of the Forum shall end on the 30th Day of September of each year, to which date the accounts shall be balanced and a statement shall be presented by the Treasurer to the next Annual General Meeting. The accounts of the Forum shall be audited before the date of each AGM by two independent members of the community appointed by the Forum.

Insurance

- ❖ The Forum shall indemnify themselves and/or any agent of the Forum against all or any claims, damages, demands, actions, costs or proceedings arising from, or in any way connected with the employment of any person or persons or company or of any person or persons who may at any time render voluntary assistance or help in any manner whatever to the Forum, including public liability cover. **Agents must be appointed in writing.**

Communications & Web Site

- ❖ The Forum shall endeavour to maintain continuous contact with the community which it represents and to keep people informed of all plans, activities and progress, by maintaining an up-to-date website, supplemented by announcements in local newsletters and any other available means subject to confidentiality and conflict of interest provisions.

Proxy Voting

- ❖ There shall be no proxy voting.

Interpretation/Amendments of the Constitution

- ❖ The Forum is the sole authority for the interpretation of this Constitution and any rules or standing orders made there under.
- ❖ Only an Annual General Meeting ("AGM") or Extraordinary General Meeting ("EGM") of the Forum shall have the power to alter or amend this constitution. **Such AGM or EGM shall be held in compliance with the relevant Standing Order and all motions shall require a two thirds ($\frac{2}{3}$) majority of members present and entitled to vote to be placed into effect.**

Dissolution

- ❖ The Forum may be dissolved by a special resolution passed by a two-thirds ($\frac{2}{3}$) majority of those **members** present **and entitled to vote** at the Annual General Meeting or Extraordinary General Meeting.
- ❖ Such special resolution may only be decided upon where all members have been notified by post of same at least two weeks prior to the date of the relevant meeting.
- ❖ If upon the dissolution of the organisation there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Forum but shall be given or transferred to some other institution, association or organisation and which shall prohibit the distribution of its or their incomes and properties amongst its or their members to an extent at least as great as is imposed on the organisation under or by virtue of this constitution.
- ❖ Such institution, associations or organisations shall be determined by the members of the Forum at or before the time of dissolution.
- ❖ If no such suitable organisations exist then they shall be transferred to a local charity organisation.

Baltinglass & District Forum - Standing Orders

Procedures at Meetings

1. The decision of the Chairperson on any question shall be final. Should he/she be in doubt, the matter must be settled by the majority present.
2. When the Chairperson stands to speak, all present will immediately be seated and remain silent.
3. No person shall address the meeting until called upon by the Chairperson.
4. All remarks will be addressed to the Chairperson.
5. Interruptions, improper conduct, repetition and unseemly language are deemed as bad manners and are calculated to interfere with the expeditious and satisfactory conclusion of business. The members should give the Chairperson full support for the maintenance of good order.
6. No member shall be permitted to speak more than once on the same motion, except the proposer, who will have the right to reply. The proposer shall be allowed four (4) minutes and other speakers two (2) minutes.
7. Whenever an amendment is moved to any motion, no other amendment shall be taken into consideration until this amendment is disposed of.
8. An amendment may be moved to any motion without any notice being given. It shall be in writing, signed by the mover and seconder and handed to the Chairperson before the original motion is put (i.e. before the members are asked to vote). The Chairperson may, if he/she wishes, allow one amendment and one only, to any motion from the meeting.
9. No member can move more than one amendment to the original motion.
10. Amendments that are passed will be incorporated in the original motion and this substantive motion will be put to the meeting. If it is lost, the motion in its original form will ~~not be raised again at~~ **then be put** to the meeting.
11. Motions, when put, and any other matters for decision will be decided by a show of all hands. In the case of the tie, the Chairperson shall, in addition to a deliberative vote, have and exercise a casting vote.
12. **Where majority decisions entail the exclusion of a minority position, the minority may request that position to be noted and carried forward in the minutes as recorded.**
13. Elections will be by secret ballot when there is competition for appointments.

Baltinglass & District Forum - Standing Orders

Disciplinary Procedures

1. The Forum shall have the power, to be exercised only in accordance with the provisions of these standing orders, to deprive a member of membership of the Forum
2. The Forum may, by a majority of not less than two thirds of the members present and entitled to vote at a meeting, decide that a member shall be called on to resign membership of the Forum, when in the opinion of the other Forum members the conduct of the member, either inside or outside the Forum shall be injurious to the interests of the Forum
3. Upon receipt of a complaint requesting, or deemed serious enough to warrant, a member being deprived of membership of the Forum, the Secretary must convene a meeting of the Forum committee to discuss same. Such meeting must be held within five (5) days of receipt of the complaint
4. Each member of the Forum committee must be given an outline of the issue to be discussed with the notification of the committee meeting.
5. At the same time a copy of the outline and notification must be sent to the member(s) concerned
6. The member may request to be allowed to appear before the Forum committee in person or for a written reply to be read on his/her behalf
7. If the member fails to exercise his/her rights as outlined in 6 above the Forum committee may interpret this as they see fit
8. The Forum committee may set up a Special Body consisting of a Forum committee member and two (2) other ordinary members, one of whom may be nominated by the member in question, to enquire into all relevant aspects of the case and to make a report and recommendation to the Forum committee. The member may make an oral presentation of his/her case to a meeting of the Special Body. At least seven (7) days notice will be given to the member to attend that meeting and he/she shall have the right to call such evidence and make such case as he/she sees fit
9. The Forum committee, having considered the report and recommendations of the Special Body shall have the power, by a majority of not less than two thirds ($\frac{2}{3}$) of those present at the meeting to implement clause 10
10. The Forum committee may implement any of the following
 - a. Withdraw the notification requesting the member to resign, in which case no further action shall be taken; or
 - b. Censure the member; or
 - c. Suspend the member for a specified period; or
 - d. Terminate membership
11. Within seven (7) days of the decision of the Forum committee the member shall be given notice of the decision, in writing, by the Forum's Secretary. Such member shall have the right of appeal against the decision within seven (7) days of the date of notification. If the decision of the Forum committee is expulsion of the member, such member shall have the right to have an appeal heard at an Extraordinary General Meeting ("EGM") requisitioned under the appropriate clause of this constitution and provided that the necessary signatures for such requisition are procured by such member or any other member of the Forum. The EGM shall be by a simple majority of those present,

decide whether the expulsion shall be confirmed or repealed. Should the signatures provided for in the appropriate clause of this constitution not be obtained within fourteen (14) days from the date of notification the Forum committee shall have the power to deem the appeal to be lapsed and to enforce the disciplinary decision forthwith. In the event of expulsion the expelled member's name shall be removed from the list of members of the Forum and he/she shall cease to be a member of the Forum

12. All voting under this standing order shall be by secret ballot
13. Notice shall be deemed to be duly given if sent by prepaid registered post to the member's last address appearing in the records of the Forum.