

# CONSTITUTION

OF

## THE BRITISH ASSOCIATION FOR THE STUDY AND PREVENTION OF CHILD ABUSE AND NEGLECT

### 1. **NAME**

The name of the Association shall be the British Association for the Study and Prevention of Child Abuse and Neglect (hereinafter referred to as “the Association”).

### 2. **OBJECTS**

The Association is established:-

- 2.1. To protect children from suffering, or likelihood of suffering, significant harm, ill-treatment, impairment of health or impairment of development by the encouragement and promotion of any methods, services and facilities calculated to safeguard and promote the welfare of such children.
- 2.2. To educate and inform the public at large and, in particular, but not exclusively, those persons professionally qualified in any relevant field in all aspects and effects of abuse and neglect on children generally.

### 3. **POWERS**

In furtherance of the above objects, the Association may encourage and promote:-

- 3.1. a greater understanding of the causes, means of identification and reduction of the incidence of the suffering of harm and the failure to achieve or maintain a reasonable standard of health or development and the impairment of the health or development of children;
- 3.2. a greater understanding of the effect upon children of the incidence of significant harm and the failure to achieve or maintain a reasonable standard of health or development and the means by which these might be prevented and treated;
- 3.3. the improvement of co-operation and liaison by the various professionals and agencies working in the field associated with

the objects herein and the establishment of Branches of the Association to operate under subsidiary constitutions which provide for the objects of the Association to be addressed within a specific geographical area;

- 3.4. and organise co-operation in the achievement of the objects of the Association locally, nationally and internationally and bring together in conference or otherwise, representatives of statutory agencies, voluntary agencies, Governments, (Local and Central), and individuals engaged in or associated with matters relevant to the achievement of the objects of the Association;
- 3.5. public comment and inform, and argue for change on matters relevant to the achievement of the objects of the Association;

and may:-

- 3.6. gratuitously or otherwise hold or arrange for the holding of conferences, congresses, meetings, lectures, seminars, training courses and such other events and exhibitions that may be relevant to the achievement of the objects of the Association;
- 3.7. make payments by the award of grants or loans to groups or individuals in order to further the objects of the Association in accordance with policies determined from time to time by the Association;
- 3.8. collect and hold or disseminate information for the benefit of members and others and establish or encourage international links on matters relevant to the achievement of the objects of the Association;
- 3.9. associate with other groups, associations, societies, voluntary agencies or charitable organisations with similar or related objects;
- 3.10. amalgamate with or subscribe or become affiliated to any body having similar charitable purposes and to acquire and undertake all or any part of the assets and liabilities of any such body;
- 3.11. publish or arrange to be published a Journal by which the members of the Association and others may be informed and educated on matters of practice and learning related to the objects of the Association;
- 3.12. procure to be written and print, publish, issue and circulate gratuitously or otherwise such papers, books, periodicals, pamphlets or other documents or films or materials created by electronic means which shall further the objects of the Association;

- 3.13. purchase, take on lease or in exchange, or hire or otherwise acquire any real or personal property and any rights and privileges, and construct, maintain and alter any buildings or erections that the Association considers necessary to further the work of the Association;
- 3.14. sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the Association;
- 3.15. accept gifts and borrow or raise money for the furtherance of the objects of the Association on such terms and on such security that the Association shall think fit;
- 3.16. procure contributions to the Association by personal or written appeals, public meetings or otherwise;
- 3.17. invest the monies of the Association in or upon such investments, securities or property as may be thought fit;
- 3.18. do all such other lawful things as the Association considers necessary or desirable in order to further the objects of the Association.

#### 4. **MEMBERSHIP**

##### 4.1. **Individual Membership**

Membership of the Association shall be open to individuals who work, have worked or propose to work, either in a paid or voluntary capacity in furtherance of, or can demonstrate an active participation or interest in, matters related to the objects of the Association.

##### 4.2. **Agency Membership**

An Agency concerned with the furtherance of the objects of the Association may be admitted to membership of the Association.

##### 4.3. **Organisational Membership**

An identifiable office or work unit concerned with matters relevant to the furtherance of the objects of the Association may be admitted to membership of the Association.

##### 4.4. **Retired Membership**

Membership of the Association shall be open to individuals who have retired from work either in a paid or voluntary capacity in furtherance of, or can demonstrate an active participation or interest in, matters related to the objects of the Association.

4.5. **Declaration of Suitability of Applicant**

Any applicant for Individual Membership or person applying for membership on behalf of an agency or organisation shall on making application, sign a Declaration in terms determined from time to time by the Association and by which it is declared that that person knows of no reason why, having regard to the objects of the Association, the individual, agency or organisation should not be considered suitable for membership of the Association.

4.6. **Suitability of Trustees**

The NEC shall make arrangements to ensure that the Trustees shall satisfy such conditions as to fitness to serve as the NEC shall determine, which conditions shall include Enhanced Disclosure under the arrangements applying to Criminal Record Bureau checks. Failure to satisfy such conditions shall disqualify any individual from taking or continuing membership of the NEC.

4.7. **Admission to Membership**

The Association shall determine from time to time the process by which an application for membership shall be considered and approved or rejected by the Association.

4.8. **Rights, Benefits and Obligations**

The rights, benefits and obligations, which shall attach to each of the categories of Membership provided for herein shall be determined from time to time by the Association.

5. **TERMINATION OF MEMBERSHIP**

5.1. The Association may terminate the membership of any Member who fails to pay the appropriate subscription, acts inconsistently with the objects of the Association, brings the Association into disrepute, misuses the membership of the Association or otherwise acts in a manner, or fails to satisfy standards which, having regard to the objects of the Association, renders the member unsuitable to be a member of the Association.

5.2. The Association shall determine from time to time the procedure by which membership of the Association may be terminated and such procedure shall, save for failure to pay the appropriate subscription, include a right for the member concerned to be heard on the issue of termination of membership.

6. **SUBSCRIPTION**

The Association shall determine from time to time the level of subscription to be paid by individual, agency, and organisational members of the Association and may provide for different rates of subscription to apply to different criteria or circumstances which the Association shall identify within the categories of membership of the Association.

7. **HONORARY OFFICERS**

- 7.1. The Honorary Officers of the Association shall be the Chair, Chair-Elect, Vice-Chair, Past-Chair, Secretary and Treasurer who shall be elected in accordance with the following provisions.
- 7.2. During the second year of the office of the Chair, the Association shall elect a Chair-Elect in accordance with paragraph 11 herein who shall take office at the Annual General Meeting of the Association held at the commencement of the third year of the office of the Chair, and who shall take office as Chair of the Association at the next following Annual General Meeting. The Chair shall hold office for a period of three years, and shall occupy the office of Past-Chair for a period of one year thereafter.
- 7.3. The Vice-Chair shall be elected by members of the Association in accordance with paragraph 11 herein and shall take office at the next following Annual General Meeting of the Association for a period of three years.
- 7.4. The Secretary and the Treasurer shall be elected by members of the Association for a period of three years in accordance with paragraph 11 herein and shall take office at the next following Annual General Meeting of the Association.
- 7.5. Notwithstanding Para. 11.6 the National Executive Committee may appoint such individual members of the Association as it thinks fit to undertake specific responsibilities that require particular expertise and which are concerned with the business of the Association for a period of up to 3 years. Such appointments shall attract the status of Officers of the Association.
- 7.6. In the event that there are no nominations received under paras. 7.2, 7.3, or 7.4, the National Executive Committee may extend the period(s) of office for such time as it thinks fit up to 2 years in order that the business of the Association may continue to be administered.
- 7.7. In the event that the National Executive Committee conclude that it is necessary to ensure continuity in the management of the affairs of the Association the National Executive may in calling for nominations under paras. 7.2, 7.3, and 7.4 may vary

the periods that shall be served in office.

- 7.8. The Honorary Officers shall be eligible for re-election.
- 7.9. The Chair of the Association shall chair meetings of the Association, meetings of the National Executive Committee, and meetings of the Management Committee, and shall within the policies established by the Association and subject to the direction of the Association and in accordance with any terms of obligation determined by the Association, have delegated authority to take such steps and actions as may be necessary for the proper administration of the business of the Association.
- 7.10. The Chair shall present on behalf of the National Executive Committee at each Annual General Meeting, a Report concerned with the administration of the business of the Association during the preceding year.
- 7.11. The Secretary shall ensure that due notices are given and proper elections held in accordance with the constitution of the Association, shall ensure that proper minutes of meetings of the Association and its Committees are kept and shall carry out such other responsibilities as the Association may determine from time to time.
- 7.12. The Treasurer shall advise the Association, the Committees and Officers of the Association on matters relating to sound financial management and shall produce for each Annual General Meeting, a Report concerned with the financial business of the Association and shall carry out such other responsibilities as the Association may determine from time to time.
- 7.13. The Vice-Chair shall carry out the duties of the Chair in circumstances in which the Chair is unable so to do and shall carry out such other responsibilities as the Association may determine from time to time.
- 7.14. An Honorary Officer may resign from office by notice in writing addressed to the Secretary of the Association or in the case of the Secretary, addressed to the Chair of the Association, such resignations to be effective from the next following Meeting of the National Executive Committee to which any Notice of Resignation shall be reported.
- 7.15. Any Honorary Officer may be removed from office by the Association in General Meeting.
- 7.16. Vacancies which occur during the period of office of an Honorary Officer may be filled by the National Executive Committee until such time as arrangements shall be made for election to the vacancy in accordance with paragraph 11 herein.

- 7.17. For the purposes of this paragraph a year shall be calculated as the period between consecutive quorate Annual General Meetings of the Association.
- 7.18. Honorary Officers shall take office immediately following the completion of the item on the Agenda of the Annual General Meeting of the Association that provides for their appointment following election.

8. **National Executive Committee**

- 8.1. There shall be established a National Executive Committee of the Association, (hereinafter referred to as “the NEC”) which, shall meet not less than three times in each year and, save for those functions expressly required herein to be exercised by the Association in General Meeting, and subject to the direction of the Association in General Meeting, shall be responsible for the exercise of the functions of the Association, and for the determination of policy and general management of the business of the Association.
- 8.2. The Membership of the NEC shall be determined in accordance with the next following sub paragraphs: -

8.2.1. **Officers**

The Honorary Officers of the Association shall be members of the NEC.

8.2.2. **Elected Members**

No more than six individual members of the Association shall be elected in accordance with paragraph 11 herein to be members of the NEC for a period of three years and shall be eligible for re-election.

- 8.2.3. The Association may from time to time having regard to the total membership of the Association, provide for a different number of elected members of the NEC than that provided for in the preceding paragraph.

8.2.4. **Nominated Members**

A Branch that has not less than 50 members and is constituted in accordance with paragraph 13.1. herein may in General Meeting or by decision of the Management Committee of the Branch, nominate an Individual Member to serve as a member of the NEC for a period not exceeding three years. A nominated member shall be eligible for re-nomination.

8.2.5. The Association may from time to time substitute an alternative number of members of a Branch that shall qualify for nominating to membership of the NEC and may determine criteria allowing for more than one member to be nominated for membership of the NEC from each Branch.

8.2.6. **Co-opted Members**

The NEC may co-opt no more than four persons to membership of the NEC, who shall be Individual Members or representatives of an agency or organisational Member of the Association and shall serve on the NEC for a period not exceeding 12 months. Co-opted Members of the NEC shall be eligible for further co-option. The NEC shall co-opt persons to be Members of the NEC only if satisfied that they are likely to make a significant contribution to the furtherance of the objects of the Association and the business of the Committee and the minute providing for the appointment of such persons shall record the reason for the co-option. The NEC may from time to time vary the number of co-options to reflect a requirement for additional knowledge, skill and sector that is not adequately represented in the membership of the NEC.

8.2.7. **Editors**

Individual Members of the Association who are appointed by the Association to be Editors of any Journal published or arranged to be published by the Association shall be members of the NEC.

- 8.3. The proceedings of the NEC shall not be invalidated by any failure to appoint or any defect in the appointment, election, co-option or qualification of any member thereof.
- 8.4. The Association may appoint to any vacancy in the elected membership of the NEC until such time as arrangements shall be made for election to the vacancy in accordance with paragraph 11 herein.
- 8.5. The NEC shall review the operation of the constitution of the Association and shall arrange from time to time for a report to be considered by the Annual General Meeting of the Association setting out any proposals for reform.
- 8.6. The members of the NEC shall on appointment to membership of the Committee and before taking part in the business of the Committee sign an acknowledgment in a form determined by the Association from time to time of their acceptance of the

responsibilities placed upon charitable trustees by the Charities Acts, subordinate legislation and regulations.

- 8.7. A Member of the NEC may resign from membership of the Committee by Notice in writing addressed to the Secretary of the Association, such resignation to be effective from the next following meeting of NEC to which the Notice of Resignation shall be reported.
- 8.8. The Association may terminate the membership of a member of the Committee who shall have failed without reasonable cause in the judgment of the Committee to have actively participated in the work of the Committee for a period of not less than six months, and who has not otherwise contributed to the business of the Association, or who shall have acted in a manner inconsistent with the responsibilities of the Committee or with the furtherance of the objects of the Association.
- 8.9. The Association shall determine the arrangements for the management of, the calling, holding and selection of the business to be transacted at, meetings of the Committees of the Association.
- 8.10. No members of the NEC shall acquire any interest in property belonging to the Association (otherwise than as a Trustee of the Association) or be interested (otherwise than as a member of the NEC) in any contract entered into by or on behalf of the Association.
- 8.11. Honorary Officers, Members of the Committees, sub-committees, and working parties of the Association and other persons involved in the business of the Association shall be entitled to claim and be paid all reasonable and proper out of pocket expenses incurred in carrying out duties on behalf of the Association in accordance with arrangements determined from time to time by the Association.
- 8.12. The Association may make such arrangements as it thinks fit for persons who may be representatives of agencies or otherwise to attend meetings of the Association as observers of the business.
- 8.13. For the purposes of paragraph 8.2.2. a year shall be calculated as the period between consecutive quorate Annual General Meetings of the Association, and for the purposes of paragraph 8.2.3. shall be calculated as 12 calendar months.

## 9. **Management Committee**

- 9.1. There shall be established a Management Committee which, to the extent that shall be determined by the NEC, shall be responsible for the good management of the financial and administrative affairs of the Association, the implementation of

the policies and directions of the Association in General Meeting and of the NEC and for such other matters as may be delegated from time to time by the NEC. The membership of the Management Committee shall comprise of the Honorary Officers of the Association and such other members of the NEC as the NEC shall determine from time to time.

9.2. The Management Committee shall meet on such occasions as the Management Committee shall think fit, or as may be determined by the Chair of the Association, or by the NEC.

9.3. The acts and proceedings of the Management Committee shall be reported promptly to the NEC.

10. **Sub-Committees and Working Parties**

10.1. The Association may establish such sub-committees, and working parties of the Association with such terms of reference, duties and responsibilities as the Association shall think fit and may invite any member of the Association to assist and carry out the business of such committees or working parties.

10.2. Sub-Committees and working parties shall operate subject to such direction as may be given by the NEC.

10.3. The acts and proceedings of any sub-committee and working parties shall be reported promptly to the NEC.

11. **Elections of Honorary Officers and Members of National Executive Committee**

11.1. The Secretary shall arrange for Members of the Association to be given notice of such vacancies as arise to enable the proper application of this paragraph.

11.2. Nominations for the appointment of Honorary Officers or for elected membership of the NEC must be made and seconded in writing by individual members of the Association with the agreement of the persons nominated and must be sent to arrive with the Secretary of the Association at least 42 days before the holding of an Annual General Meeting of the Association. The Association shall from time to time determine the information concerning any nominees for vacancies which shall be required to accompany any nomination for election.

11.3. In the event that nominations exceed vacancies, the Secretary shall arrange for an election to be held by which members of the Association shall vote by postal ballot. The Secretary shall ensure that members receive ballot papers which shall include such information concerning the nominees as shall have accompanied the nominations at least 28 days before the holding of the next Annual General Meeting. Ballot papers must

be returned to be received by the Secretary no later than seven days before the holding of the next Annual General Meeting of the Association and the appointees shall be those receiving the majority of votes cast in the ballot sufficient to fill the vacancies for the time being.

- 11.4. Subject to sub-paragraph 11.7. herein no person shall be eligible for nomination or for appointment under paragraph 7.13. herein for the posts of Chair-Elect or Vice-Chair unless having been a member of the NEC for a period of not less than two years immediately preceding nomination or appointment.
- 11.5. Subject to sub-paragraph 11.7. herein no person shall be eligible for nomination or appointment under paragraph 7.14. herein as Secretary of the Association unless having been a member of the Association for not less than three consecutive years immediately preceding nomination or appointment.
- 11.6. No person shall be eligible for nomination for election, or for an appointment under sub-paragraph 8.4. herein to membership of the NEC unless having been a member of the Association for not less than 12 consecutive months immediately preceding nomination.
- 11.7. No person shall be eligible for nomination by a Branch under paragraph 8.2.3. to be a member of the NEC unless having been a member of the Association for not less than 12 months immediately preceding nomination or appointment.
- 11.8. In the event that no nominations are received from persons who satisfy the qualifying criteria set out in sub-paragraphs 11.4., 11.5. and 11.6. above, the Association may determine that in relation to a particular vacancy: -
  - 11.8.1. the procedure set out in sub-paragraphs 11.2. and 11.3. herein shall apply to that vacancy save that references to "Annual General Meeting" therein shall be construed as "a meeting of the NEC on a date specified by the NEC," that the qualifying criteria set out in sub-paragraphs 11.4., 11.5. and 11.6. shall not apply, and that persons so elected shall take office in accordance with paragraphs 7 and 8 herein, and the period of office shall be deemed to have commenced from the date of the last held Annual General Meeting, or
  - 11.8.2. may appoint to any vacancies individual members of the Association whether or not they satisfy the qualifying criteria set out in sub-paragraphs 11.4., 11.5. and 11.6. herein, to take up office until the date of the next following Annual General Meeting, and shall determine that the procedures set out in sub-paragraphs 11.2. and 11.3. herein shall apply as if such posts shall then become

vacant.

11.9. The periods of notice required for balloting and the summoning of meetings shall be reviewed from time to time by the Association which may in the interests of efficient and effective operation of the processes substitute such periods of time for the summoning and giving of notices required herein as it thinks fit provided that notice of any change shall be sent to each member of the Association prior to its implementation.

## 12. **EMPLOYMENT OF STAFF**

12.1. The Association shall arrange for the appointment of such staff to ensure the proper operation of the business of the Association on such terms and conditions as the Association shall think fit.

12.2. The Association shall establish policies and procedures relating to matters of discipline, grievance and appeals in relation to the staff employed and shall ensure the application of best practice in relation to employment issues and equal opportunities policies.

## 13. **BRANCHES**

13.1. The Association may authorise the establishment of such Branches of the Association as it thinks fit and shall determine the geographical area in which such Branches shall operate in order to bring together members of the Association for the better furtherance of the objects of the Association.

13.2. Any Branch established in accordance with paragraph 13.1. herein shall operate within the terms of a constitution which shall be approved by the Association.

13.3. The funds held by Branches shall be the funds of the Association and the application of those funds shall be subject to the direction of the Association. If any Branch shall cease to function the funds held to the account of the branch shall be paid to the credit of the Association.

13.4. The Association shall determine such policies and practices regarding the operation of Branches, the relationship between branches and the NEC and the administration and application of funds as are necessary in order to ensure effective operation of the business of the Association.

## 14. **GENERAL MEETINGS OF THE ASSOCIATION**

14.1. There shall be summoned at intervals of no longer than 15 months an Annual General Meeting of the Association. The

Annual General Meeting shall take place at such time and place as the NEC shall determine. The Secretary shall arrange for notice in writing of the holding of the Annual General Meeting to be sent to each member of the Association at least 56 clear days before the holding of the Annual General Meeting.

- 14.2. In the event that an Annual General Meeting of the Association is not quorate, Honorary Officers shall continue to hold office and membership of the NEC shall continue until the holding of the next following quorate Annual General Meeting.
- 14.3. In the event that an Annual General Meeting is not attended by a quorate number of members, the Secretary shall arrange for members of the Association to be summoned to a further Annual General Meeting of the Association not less than three months after the attendance of members failed to reach the required quorum.
- 14.4. The business of an Annual General Meeting shall include the appointment of Honorary Officers and elected Committee members, the appointment of the Association's auditors, consideration of the Annual Report of the Chair and the Treasurer's Report and such items for discussion, debate or resolution, notice of which has been received by the Secretary from members or on behalf of Branches of the Association not less than seven days before the date on which the Annual General Meeting is to be held.
- 14.5. The Secretary shall summon a Special General Meeting of the Association: -
  - 14.5.1. if instructed so to do by the Chair of the Association, or by the NEC, or
  - 14.5.2. upon receiving a written request so to do, which sets out the reasons for the request and is signed by not less than ten persons who shall be individual members of the Association or representatives of agency or organisational members of the Association.
- 14.6. The Secretary shall no later than seven days following the receipt of an instruction or request under sub-paragraph 14.5. herein send to the members of the Association notice of the date of a Special General Meeting to be held no later than twenty eight days after the receipt of such an instruction or request. The said Notice shall set out the reasons for the instruction or request to hold a Special General Meeting and no other business shall there be transacted.

15. **APPOINTMENT OF PATRON**

The Association in General Meeting may determine to invite a person considered to be suitable to become a Patron of the Association.

16. **RULES AND PROCEDURES AT MEETINGS OF THE ASSOCIATION**

**Quorum**

16.1. The quorum for General Meetings of the Association shall be one third of the total membership of the Association or 35 members, whichever is the lesser or such other number as the Association may in general meeting from time to time determine.

16.2. The quorum for meetings of Committees of the Association shall be one third of the total membership of the Committee.

**Finance**

16.3. The Association shall in consultation with the Treasurer, arrange for appropriate financial regulations to be established for the proper administration of the financial affairs of the Association.

16.4. The Association shall ensure that insurance policies are entered into in the name of the Association to provide such proper and adequate insurance cover as is required for the conduct of the business of the Association provided that such cover shall not extend to trustee liability insurance without the proper consent of the Charity Commissioners.

16.5. The Association shall arrange for the proper auditing of the financial affairs and accounts of the Association by auditors appointed by the Association in Annual General Meeting.

16.6. The Association shall arrange for audited Statements of Accounts prepared by the Association's auditors to be submitted for consideration by the Association in Annual General Meeting.

16.7. The Association shall arrange for such bank accounts to be opened in the name of the Association as shall from time to time be necessary for the efficient operation of the business of the Association and the Association shall make such administrative arrangements with regard to the said accounts including the requirement for the signing of cheques by no less than two members of the NEC as the Committee shall consider appropriate.

17. **AWARDS**

The Association may from time to time make awards to such members of the Association who in the judgement of the Association shall have made a substantial contribution to the business of the Association.

18. **ALTERATION TO THE CONSTITUTION**

Any alteration of this constitution shall require the assent of not less than two thirds of those members of the Association who are present and who vote at a General Meeting of the Association, the Agenda for which shall expressly include a proposal for such an alteration, provided that notice in writing of any such proposed alteration shall have been received by the Secretary not less than 30 clear days before the meeting at which the alteration is to be considered. Not less than 14 clear days notice in writing of the proposal to consider an alteration of the constitution shall be sent by the Secretary of the Association to each member of the Association. No alteration shall be made which would have the effect of causing the Association to cease to be a Charity at law.

19. **DISSOLUTION**

19.1. If the NEC shall decide by a simple majority at any time that the Association shall be dissolved, the Committee shall arrange for a General Meeting of the members of the Association to be convened specifically to consider the issue of dissolution. No less than 21 days notice of the proposal to hold such a meeting and the terms of the resolution shall be sent by the Secretary to each member of the Association.

19.2. The Association shall be dissolved on the vote of a simple majority of those members of the Association who are present and who vote at such a meeting and the NEC shall thereafter have power to dispose of any assets held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given, or transferred to other such charitable institution or institutions having objects similar to the objects of the Association as the NEC may determine.

20. **EQUAL OPPORTUNITIES**

The Association shall carry out all aspects of its business in accordance with equal opportunities and non-discriminatory principles. The Association shall publish from time to time a policy statement providing for the application of these principles.

21. **NOTICES**

Any Notice may be served by the Secretary on any members either personally or be sending it through the post in a pre-paid envelope addressed to such member at his or her last known address and any letter so sent shall be deemed to have been received within 10 days of posting.

22. **INTERPRETATION**

For the interpretation of this constitution the Interpretation Acts shall apply as if being applied to the interpretation of an Act of Parliament.