

## DERBYSHIRE COALITION OF DISABLED PEOPLE

### DRAFT CONSTITUTION

#### 1. NAME

The name of the organisation is the Derbyshire Coalition of Disabled People.

#### 2. AIMS

The Coalition aims to promote the active participation of disabled people in securing such help as may be necessary to ensure maximum possible independence in daily living activities and full integration into society with full control over their lives.

#### 3. MEMBERSHIP

Membership and associated voting and other rights are categorized to promote the active participation in and control over the affairs of the Coalition by disabled members. Categories are not prohibitively rigid and the Council has discretion in allocating membership in accordance with its own guidelines. Application for membership is therefore open to anyone who agrees with the aims of the Coalition in the following categories :

##### A. Individual Membership

- i) Persons who are disabled and aged 18 or over.
- ii) Persons who are not disabled and who are aged 18 or over.
- iii) Persons who may or may not be disabled and who are aged under 18.

##### B. Group Membership

- i) Organisations whose predominant purpose is to further the interests of disabled people and whose disabled members have decisive control of the organisation or whose policy is to encourage such decisive control by disabled members.
- ii) Organisations whose predominant purpose may or may not be to further the interests of disabled people and whose disabled members, if any, do not exercise decisive control of the organisation and whose policy does not require a commitment to exercise such control.
- iii) Organisations whose predominant purpose may or may not be to further the interests of disabled people and whose membership principally consists of persons aged less than 18.

#### 4. REGISTER OF MEMBERS

A membership register shall be kept by the Council of the Coalition, showing the current category of membership of individuals and organisations. Organisations holding B i) membership shall provide the Council with a list of their members and indicate those persons who would otherwise qualify for A i) membership had they applied under that category (hereinafter referred to as listed disabled members). Any person can only be registered under one category of membership at any one time.

#### 5. RIGHTS OF MEMBERSHIP

Membership of the Coalition confers the following rights subject to the category of membership and such conditions as the Council shall from time to time decide :

Contd.

Category A i): one vote for each member on each issue requiring a vote.

- : the right to put forward motions and ideas to meetings of the Council and the Coalition.
- : the right of nomination for election or co-option to the Council and the right of such nominees to appoint a named substitute to act on their behalf at meetings, if elected.
- : to consider appeals from members whose membership has been withdrawn.

Category A ii): to put forward motions and ideas to meetings of the Council and the Coalition.

- : the right of nomination for co-option to the Council.

Category A iii): to put forward motions and ideas to meetings of the Council and the Coalition.

Category B i): one vote for each listed disabled member on each issue requiring a vote.

- : the right to put forward motions and ideas adopted by the organisation to meetings of the Council and Coalition.
- : the right of listed disabled members of nomination for election or co-option to the Council and the right of such nominees to appoint a named substitute to act on their behalf at meetings, if elected.
- : the right of members who are not listed disabled members to be nominated for co-option to the Council.
- : the right for listed disabled members to consider appeals from members whose membership has been withdrawn.

Category B ii): the right to put forward motions and ideas adopted by the organisation to meetings of the Council and the Coalition.

- : the right of members of the member organisation to be nominated for co-option to the Council.

Category B iii): the right to put forward motions and ideas adopted by the organisation to meetings of the Council and Coalition.

#### 6. WITHDRAWAL OF MEMBERSHIP

The Council of the Coalition has the power to withdraw membership of any category of member if in the opinion of a two thirds majority of the Council a member's actions have been detrimental to or in opposition to the aims of the Coalition. Any member shall have the right of notice of intention of withdrawal, the right of a hearing before the Council and the right of appeal to all A i) members and all listed disabled members of B i) organizations. In the case of withdrawal of membership from any B category member organisation the Council has power to offer or to consider reinstatement of membership to any individual member of the organisation concerned.

#### 7. REVIEW AND RENEWAL OF MEMBERSHIP

Membership shall be reviewed and renewed annually, when applications for changes of category will be considered and updated lists of members from existing or potential B i) organisations received for registration. The Council reserves the right however to carry out additional reviews whenever necessary.

## 8. MEMBERSHIP SUBSCRIPTIONS

The annual rate of subscription for each category of membership shall be determined by the Council from time to time and membership will lapse unless the appropriate subscription is paid within three months of renewal in each year.

## 9. THE COUNCIL

- a) The Council shall be composed of 12 elected members drawn from A i) members and listed disabled members of B i) organisations who shall have the right to vote on all issues put to the Council which require a vote. Such issues shall be decided by a simple majority of elected members or their named substitutes present and voting, subject to Clause 9b) below.
- b) The number of named substitutes able to vote on any item requiring a vote shall not exceed one third of the elected members of the Council.
- c) The Council shall provide for the establishment of 4 co-opted members drawn from the categories of members outlined at Clause 5 above, but without voting rights.
- d) The honorary officers of the Coalition shall be a Chairperson, Vice-Chairperson, and Secretary/Treasurer who shall be elected at the AGM from the 12 elected members to the Council and who shall act in the same capacity on the Council.
- e) All elected members shall retire annually but be eligible for re-election up to a maximum of four years in office.
- f) The Council shall meet not less than three times in each year and special meetings of the Council may be called by the Chairperson or by two thirds of the elected members of the Council at 14 days notice in writing.
- g) A quorum of the Council shall be a simple majority of its elected members.
- h) The Council may approve the formation of such sub-committees as it deems necessary to effectively pursue the Aims of the Coalition.
- i) The overall purpose of the Council shall be to manage the affairs of the Coalition in a manner consistent with the Aims of the Coalition.
- j) The Council has power to undertake any activity or commitment it deems appropriate within its overall purpose and within the policy guidelines adopted by the AGM.

## 10. STAFF

- a) The Council shall have power to employ a General Secretary to the Coalition and such other staff as may be considered from time to time to be necessary for the efficient functioning of the Coalition and shall have power to fix the remuneration of such staff.
- b) Any member of the Coalition, whether an individual member or a member of a member organisation, who holds a remunerated position within the Coalition or any of its undertakings, shall not be eligible for nomination for any post on the Council of the Coalition.

11. ASSETS

Any income, property and assets of the Coalition wheresoever derived shall be applied solely towards the promotion of the Aims of the Coalition. Any income, property and assets shall be held in trust for the benefit of the Coalition by no more than four trustees and by no fewer than two trustees as appointed by the Council from time to time.

12. ANNUAL GENERAL MEETING

- a) An Annual General Meeting shall be held once in every year at a place and time to be determined by the Council of the Coalition.
- b) The AGM shall receive and consider the Annual Report and Financial Statement of the Coalition, and elect an Auditor.
- c) The AGM shall consider and vote on such resolutions placed before the AGM in accordance with Clause 14 below which shall form the policy guidelines for the Council of the Coalition.
- d) The AGM shall vote members and officers to the Council as provided for in Clause 9 a) and b) and in accordance with the procedures in Clause 14 below.

13. EXTRAORDINARY GENERAL MEETINGS

- a) An Extraordinary General Meeting may be called by the Council of the Coalition or on the requisition of a least 50 members drawn from Category A i) and listed disabled members of Category B i), in time to give 4 weeks' notice to all members.
- b) The Agenda of any Extraordinary General Meeting shall include only those items of business specified in the request for such a meeting.

14. RESOLUTIONS AND NOMINATIONS

- a) Resolutions for consideration by the membership of the Coalition together with nominations for members to be elected to the Council and members to be co-opted to the Council shall be formally invited through the newsletter of the Coalition seven months prior to the AGM to be received by the Council within six weeks of such formal invitation.
- b) The list of resolutions and nominations shall be communicated to all members five and a half months prior to the AGM together with a formal invitation to comment and suggest amendments within six weeks.
- c) Three months prior to the AGM the list of resolutions with amendments together with nominees for election to the Council shall be circulated to all members together with appropriate voting forms inviting all A i) and B i) listed disabled members to vote and return to the Council within 10 weeks.
- d) Resolutions having attracted a 60% vote either for or against will be presented to the AGM as a significant motion and put to the vote which shall be recorded and presented as the Coalition's Policy Guidelines for the incoming Council. Other motions may receive a vote at the AGM at the recommendation of the Council and any resolution may receive discussion at the AGM before a vote is taken.

e) The number of votes recorded for each nominee for election to the Council shall be recorded and presented to the AGM which will be invited to adopt the twelve successful candidates after discussion as the incoming Council. Nominations for the officers of the Coalition will then be invited and the AGM shall elect such officers by an open ballot among Category A i) and B i) listed disabled members present and voting.

f) Nominees for co-option to the Council shall be recorded and presented to the incoming Council after discussion. The Council reserves the right to select the four successful co-opted members at its discretion, having regard to its overall purpose (referred to at Clause 9 i) and the Policy Guidelines referred to at Clause 14 d) above.

g) Motions proposing alterations to the Constitution can be made either to the AGM through the procedures set out in this Clause or to an Extraordinary General Meeting as provided for at Clause 13 a) above.

15. VOTING AT GENERAL MEETINGS

a) Ordinary resolutions presented to General Meetings shall be carried by a simple majority.

b) Resolutions proposing changes to the Constitution shall be carried by a 60% majority.

c) Voting at General Meetings is restricted to Category A i) and B i) listed disabled members, present in person or such other persons as the Council may permit to vote on behalf of members.

16. CHAIR AT GENERAL MEETINGS

The Chairman at all General Meetings of the Coalition shall be the Chairperson of the Coalition or in that person's absence, the Vice-Chairperson of the Coalition. In the absence of both Chairperson and Vice-Chairperson, the A i) and B i) listed disabled members present shall have the right to elect a Chairperson out of their own number.

17. AUDIT AND ACCOUNTING

a) Proper books of account showing all transactions, assets and liabilities of the Coalition shall be kept and made available for inspection by any paid-up member of the Coalition under such reasonable conditions as the Council shall deem sufficient from time to time.

b) At least once in each financial year the books of the Coalition shall be examined and a Financial Statement prepared by a properly qualified auditor.

c) The Auditor may be recommended to the AGM by the Council who shall have power to fix the auditor's remuneration and remove and replace him if circumstances so require such action. No elected or co-opted member of the Council nor any member of staff of the Coalition shall be eligible to be appointed Auditor.

18. DISSOLUTION

If a motion requiring the dissolution of the Coalition is carried and

there remains after the satisfaction of all the Coalition's debts and liabilities any assets whatsoever, the same shall not be paid or distributed to any remaining members of the Coalition but shall be disposed of by remaining members to such body or bodies having Aims similar to the Aims of the Coalition.