



Aspect

achieving
change
together

Association
Rules

Aspect Rules

NAME

1. The Association shall be known as ASPECT, hereinafter referred to as “The Association”

OBJECTS

2. The objects of the Association shall be:

- a) To promote the provision of sustainable and high-quality education and children’s services, for the benefit of all children, young people and adults in society
- b) To provide a means whereby Members of the Association may unite for the purpose of initiating and discussing educational matters and influencing policy;
- c) To provide a means of regulating relations between Members and their employers and between Members both locally and nationally. These relations will include professional interests such as salaries, conditions of service and pensions;
- d) To provide Members with support and information in matters relating to contracts, service agreements and client relationships;
- e) To promote equal opportunities within the Association and the workplace in general regardless of sex, race, national origin, religious beliefs, disability, marital status, age or sexual orientation;
- f) To do such things as may be incidental to the above objects.

MEMBERSHIP

3. Membership of the Association shall be in the following categories and upon the following conditions:

(a) Full Members

A Full Member shall be a person who subscribes to the Association’s Statement of Core Principles and Code of Practice and whose membership is approved by the Council of the Association.

A Full Member shall normally:

- (i) Be employed or contracted to provide, or advise upon or lead or manage the provision of, a class of professional service deemed appropriate by the Council of the Association, within an organisation or activity with educational or children’s service objectives; or
 - (ii) Have qualifications, training and experience acceptable to the Council of the Association.
- (b) **Life / Retired Members**
- (i) Any person who has been a Full Member of the Association who is no longer in employment or activity in respect of which they are eligible to be a full member of the Association and who is either: (i) In receipt of a state retirement pension or (ii) has taken permanent early or ill-health retirement, shall be eligible to become a Retired Member of the Association, provided that all those persons who were Life Members of the Association as at 1 January 2005 will automatically become Retired Members following that date.
 - (ii) Retired members shall not be eligible to vote or speak at any Annual, Extraordinary or Ordinary General Meeting and shall not be eligible for nomination to elective post within the Association or to vote in any elections held under these rules or otherwise.
 - (iii) The Council of the Association may constitute a Retired Members’ group subject to such rules as they may deem appropriate and may make provision for the Group to elect a co-ordinator from amongst its membership.
 - (iv) Retired Members shall be eligible to such benefits as the Council may from time to time determine.

(c) Joint Membership

Council, or when they are not sitting the President, may authorise the General Secretary to enter into an arrangements with such other organisation (not being a trade union) as they consider appropriate for members of that other organisation to be also members of the Association on such terms as the Council, or as appropriate the President, shall see fit.

TERMINATION AND EXPULSION

4. a) The Strategy Sub-Committee shall have the right to terminate or suspend the membership of a member in any category on the grounds that the member has acted in a manner prejudicial to the good name and best interests of the Association or contrary to the Objects of the Association.

The Sub-Committee may decide to suspend the member from membership pending a decision on the question of termination of membership.

Expulsion and suspension are the only penalties open to the Sub-Committee. The member has the right of appeal to the Council of the Association. The procedure is as set out in Rule 4(b).

4 (b) (i) Before any decision is taken either to terminate membership or to suspend from membership as a disciplinary measure (as opposed to a suspension from membership pending a decision on the question of termination of membership), the Sub-Committee shall hold a meeting at which the member in question shall be entitled to appear, accompanied by a friend.

(ii) At least seven days’ written notice of time, date and place of such meeting shall be given to the member who shall at the same time be supplied with a written statement of the grounds of complaint.

(iii) The decision of the Sub-Committee shall be communicated in writing to the member and to the General Secretary within 48 hours of the meeting.

(iv) An appeal against the decision of the Sub-Committee shall be in writing, shall be posted to the General Secretary within 14 days of the date of the decision and shall contain the grounds of appeal.

(v) The General Secretary shall refer the appeal to the next meeting of the Council of the Association unless such a meeting is due to be held within the 21 days from receipt of the appeal, in which case it shall be referred to the following meeting. The member shall be entitled to appear at such a meeting, accompanied by a friend.

(vi) The General Secretary shall give at least 14 days’ written notice of the time, date and place of such meeting to the member and to the Chair of the Sub-Committee, who shall also at the time receive a copy of the grounds of appeal. The Chair shall be entitled to send a written statement on behalf of the Sub-Committee provided that it is received by the General Secretary not less than 7 days before the meeting and a copy is sent directly to the member by the Chair of the Sub-Committee at the same time as the statement is sent to the General Secretary.

(vii) The decision of the Council of the Association shall be final and shall be communicated in writing to the member.

MANAGEMENT

5. a) i) The Association shall be managed by a Council which shall consist of:-
- A President, A Vice-President, An Immediate Past President
 - An Honorary Treasurer
 - A Membership and Industrial Relations Officer
 - An Education Policy and Professional Development Officer
 - One Regional Representative for each Region.

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And as from 2005:

One representative of the self-employed educational consultant sector

One representative of the private education companies sector

One representative of the voluntary and voluntary aided sector

ii) Members of the Council of the Association shall be elected in accordance with the procedures laid down in, and for the terms provided by, these rules and Schedule 3 to these Rules.

b) The election of the General Secretary shall take place in accordance with the provisions of the Trade Union and Labour Relation (Consolidation) Act 1992 at five yearly intervals by the votes of Full Members of the Association.

Nominations for the General Secretary must be submitted in writing by two Full Members of the Association to the President at his/her home address by such date as may be determined by the Council of the Association. In the event of more than one nomination being received, voting papers will be issued by the Electoral Reform Society which will act as returning officer and scrutineer (or such other qualified body as may be appointed by the Council).

c) i) A Vice-President shall be elected annually from amongst the Full Members of the Association; he/she shall become President in the following year, and shall become the Immediate Past President in the subsequent year.

ii) In the event of no nomination being received for any of the posts of Honorary Treasurer, Membership and Industrial Relations Officer, or Education Policy and Professional Development Officer, respectively, the Council of the Association shall be empowered to appoint such person as it deems suitable to discharge the duties attached to such vacant post who unless otherwise elected a member of the Council shall not be a member of the Council.

Such person shall be a Full Member of the Association and shall stand down at the next following Annual General Meeting and the General Secretary shall act in accordance with the Rules and Standing Orders currently in force and with 5c (iii) of these Rules as appropriate.

iii) In the event of any member of the Council of the Association being unable to complete the full term of office as provided under these Rules a new election shall be called by the General Secretary as soon as practicable thereafter and nominations shall be invited for election to the vacated post during the unexpired period of the term. In the event of no nomination being received in response to this invitation, the Council of the Association shall be empowered to appoint such person as it deems suitable to fill the vacancy. Such person shall be a Full Member of the Association and shall stand down at the next following Annual General Meeting and the General Secretary shall act in accordance with these Rules and the Standing Orders currently in force, who unless otherwise elected a member of the Council shall not be a member of the Council.

The Council of the Association shall have the power to invite any member to attend and speak at some or all of the meetings of the Council of the Association for the purpose of providing the Council of the Association with factual information or with technical or professional advice with respect to matters taken into account by the Council in carrying out its functions. Members so invited shall not vote in the Council of the Association.

The Council of the Association shall appoint annually a Strategy sub-Committee, a Membership and Industrial Relations Sub-Committee and an Education Policy and Professional Development Sub-Committee and such other committees as may be considered necessary in order to further the interests of the Association.

In absence of a quorum at either an Annual General Meeting or an Extraordinary General Meeting, the Council of the Association shall have the power to make decisions on the issues on the agenda of such meeting.

The Council may invite members, who are not members of Council, to membership of such committees as are mentioned in the preceding paragraph.

iv) Any member of the Council of the Association who:

- is absent from the whole of two successive Council Meetings without such reasons as may be considered adequate by the Council,
- is adjudicated bankrupt,
- is incapacitated from acting for a period of six consecutive months, or a total of six months in any year of service as a member of the Council, or
- communicates in writing to the General Secretary a wish to resign, shall thereupon cease to be a Council Member.

If that Council Member is also an Officer, he/she shall thereupon cease to be an Officer.

Any member of the Council who acts in a manner considered by the Council to be to the detriment or contrary to the interests of the Association may be removed by the Council. Before any decision is taken to remove a Council Member, the procedure set out in Rule 5 (d) must be complied with. If a Council Member who is removed is also an Officer, he/she shall thereupon cease to be an Officer.

5 (d) (i) A resolution proposing the removal of a member of the Council of the Association shall not be valid unless:

- (a) it is in writing;
- (b) it contains the signature of at least six members of the Council; and
- (c) it contains a statement of the grounds of complaint.

(ii) The resolution shall be sent to the General Secretary who shall refer it to the next meeting of the Council of the Association unless such a meeting is due to be held within 21 days from the receipt of the resolution, in which case it shall be referred to the following meeting.

(iii) The meeting of the Council shall be chaired by the President or, if he/she is absent, the Vice-President or, if he/she is absent, the Immediate Past President. The member of the Council whose removal is proposed cannot take the Chair.

(iv) At least 14 days' written notice of the time, date and place of the meeting shall be given to the member of the Council of the Association who shall, at the same time, be supplied with a copy of the resolution. The member shall be entitled to be accompanied by a friend at the meeting.

(v) The decision of the Council of the Association shall be final and shall be communicated in writing to the member of the Council.

MEETINGS OF THE COUNCIL

6. Meetings of the Council of the Association shall be held at least twice every calendar year and at other times as determined by the President.

Such meetings may also be held on receipt of a written request to that effect, signed by not less than six voting members of the Council of the Association, or a written request signed by not less than 50 Full Members of the Association, such members being representative of not fewer than two regions as defined under these rules.

QUORUM OF COUNCIL

7. The quorum of the Council of the Association shall not be less than one-third of the voting members.

DUTIES OF THE GENERAL SECRETARY

8. a) The General Secretary shall act as chief executive officer to the Council and its Sub-Committees. He/she shall be responsible for drafting the agenda for all the meetings in consultation with the President or Chair of the meeting, and for the recording of all Association business. The General Secretary shall conduct the correspondence of the Association and shall report to the Council of the Association all that relates to the business of the Association.

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- b) The General Secretary shall be responsible for the collection of monies due to the Association and for the payment of monies and for the collection of subscriptions payable under schedule 4 to these rules.
- c) The General Secretary shall cause to be kept proper accounting records with respect to the transactions of the Association and its assets and liabilities.
- d) The General Secretary shall establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances, including an annual audit by auditors appointed by the Annual General Meeting, in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. Such auditors may only be removed and replaced in accordance with the provisions made in Schedule 2 to these rules. Alterations to Schedule 2 may be made by the Council of the Association from time to time as necessity arises but shall be reported to the next Annual General Meeting.
- e) The Council of the Association shall, from time to time, specify in detail the duties of the General Secretary and shall keep under review these duties in the light of the current business of the Association.
- f) The General Secretary shall be responsible for the appointment, management and termination of employment of staff. The general terms and conditions of staff shall be as determined from time to time by the Council.

ASSETS

9. The property and assets of a trade union are held on trust by the Union's trustees on behalf of its members.
- a) The President, Vice-President, National Treasurer and Immediate Past President for the time being are the Trustees.
- b) The property of the Association, including all its income, shall be paid or applied solely for the aforesaid objects of the Association, and no part thereof shall be distributed to any category of member of the Association by way of profit, provided that nothing in this clause shall prevent the remuneration of any person or persons for any services rendered or work done to or for the Association whether or not such person or persons is in any category of membership of the Association.
- c) The property or funds of the Association may be applied or invested by the Trustees with the consent of the Council of the Association, in the purchase of such stocks, funds, shares, securities or other investments or property of whatsoever nature and wheresoever situated and whether involving liabilities or not as the Trustees shall, in their absolute discretion, think fit. The Trustees may with the like consent borrow monies or hold purchase or take lease on any land and may sell, exchange, mortgage, lease, surrender or build upon such lands, or do such other things in relation thereto as the Council of the Association may decide.
- d) The Trustees may execute any indemnity that may be required by the banks receiving direct debits originated by the Association.
- e) Every Officer, Trustee, member of the Council of the Association and every agent or employee of the Association shall, so far as may be allowed by law, be indemnified by the Association against and there shall be paid out of the funds of the Association, all costs, losses and expenses of whatsoever nature such Officer, Trustee, member of the Council of the Association, agent or employee shall or may incur or become liable to, by reason of any contract entered into or act or thing properly done by him/her in the course of or in discharge of his/her duties to or for and on behalf of the Association.
- f) The Trustees shall undertake such further duties as the Council may from time to time determine.

DUTIES OF THE HONORARY TREASURER

10. a) The Honorary Treasurer shall advise the Council of the Association at least annually on its budgetary strategy.
- b) The Council of the Association shall, from time to time, specify in detail the duties of the Honorary Treasurer and shall keep under review those duties in the light of the current business of the Association.

DUTIES OF THE MEMBERSHIP AND INDUSTRIAL RELATIONS OFFICER

11. a) The Membership and Industrial Relations Officer shall chair the Membership and Industrial Relations Sub-Committee which shall consider matters pertaining to relations between members and their employers, both locally and nationally, particularly in relation to salaries and conditions of service.
- b) The Council of the Association shall, from time to time, specify in detail the duties of the Membership and Industrial Relations Officer and shall keep under review those duties in the light of the current business of the Association.

DUTIES OF THE EDUCATION POLICY AND PROFESSIONAL DEVELOPMENT OFFICER

12. The Council of the Association shall, from time to time, specify in detail the duties of the Education Policy and Professional Development Officer and shall keep under review those duties in the light of the current business of the Association. The Education Policy and Professional Development Officer shall chair the Education Policy and Professional Development Sub-Committee.

OTHER DESIGNATED OFFICES

13. The Council of the Association may, from time to time, designate that other offices may be created, having regard to the current business of the Association and shall be empowered to appoint such persons as it deems suitable for the discharge of any duties attached to such offices.

MEETINGS OF THE ASSOCIATION

14. Annual General Meeting

- a) An Annual General meeting of the Association shall be held each calendar year.
- b) The business of the Annual General Meeting shall include:
- The Annual Report of the Council of the Association;
 - Presentation of the Annual Financial Statement and the balance Sheet;
 - The report of the Auditors;
 - Appointment of Auditors;
 - Declaration of the election of Officers and Council of the Association;
 - Amendments to the Rules and Standing Orders of the Association put forward in accordance with the procedures laid down in these Rules and including the determination of the annual subscription of members for the ensuing financial year;
 - Resolutions put forward in due form;
 - Such other business as the President shall determine in consultation with the General Secretary and which is duly notified in writing to the General Secretary.
- c) The business of the Annual General Meeting shall be notified in writing in accordance with the Standing Orders appended to these rules as Schedule 1.

EXTRAORDINARY GENERAL MEETING

15. a) Extraordinary General Meetings may be held on the determination of the Council of the Association to deal with any matter pertaining to the business of the Association.
- b) An Extraordinary General Meeting shall be held to deal with any matter pertaining to the business of the Association on receipt by the General Secretary of a written request of not less than 100 Full Members working in not less than two Regions.

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c) Notice of an Extraordinary General Meeting shall be in writing and shall state the business of the meeting. The meeting shall be held on a day not less than 14 days from the date of posting of notices to members.

d) The quorum for the Extraordinary General Meeting shall be the same as for the Annual General Meeting.

ORDINARY GENERAL MEETING

16. a) Ordinary General Meetings may be held on the determination of the Council of the Association for all, or any, members of the Association to deal with any matter pertaining to the business of the Association.

b) Such Ordinary General Meetings shall not be empowered to pass resolutions in the name of the Association or instructing the Council of the Association.

REGIONAL AND SECTOR STRUCTURE

17 a) The Association Membership shall be grouped into Regions and (from 2005) Sectors as set out in Schedule 3 to these Rules.

b) The Full Members within each Region shall be entitled to gather together to conduct the business of the Association provided that such conduct of business is governed by the Regional Constitution which is:

- i) subordinate to these Rules;
- ii) approved by the Council of the Association.

c) Schedule 5 (Local Representatives) to these Rules shall have effect

STANDING ORDERS

18. a) Standing Orders for the conduct of meetings and other business of the Association shall be appended to these rules as schedule 1.

b) The amendment or deletion of any Standing Order shall be by resolution of a simple majority of those present and voting at an Annual or Extraordinary General Meeting.

AMENDMENT TO THE RULES

19. a) These rules (except the schedules to them) shall not be amended except at the Annual General Meeting or at an Extraordinary General Meeting in accordance with this rule.

b) Notice of any proposed amendment shall give the full text of the proposal and shall be in writing and shall be given to members not less than four weeks before the meeting.

c) Amendments shall be carried by a two-thirds majority of those Full Members present and voting.

d) The amendment or deletion of Schedule 2,3, 4 and 5 to these rules shall be by resolution of a simple majority of those present and voting in an Annual or Extraordinary General Meeting.

DISSOLUTION OF THE ASSOCIATION

20. The Association shall not be dissolved except at a special meeting called for that purpose. One month's notice of the meeting shall be given to all Full Members by Recorded Delivery Post and the resolution of the dissolution shall require a majority of two-thirds of the members present and voting together with those who have communicated their views to the Officers of the Association in writing. Any property of the Association whatsoever which remains after satisfaction of all debts and liabilities shall be sold as directed by the Council of the Association and the monies raised thereby transferred to such educational charity or charities as the Special Meeting shall decide.

NON-PARTY POLITICAL FUND

21.

1. The objects of The Association shall include the furtherance of the political objects to which section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, that is to say the expenditure of money -

(a) on any contribution to the funds of, or on the payment of expenses

incurred directly or indirectly by, a political party;

(b) on the provision of any service or property for use by or on behalf of any political party;

(c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the Association in connection with any election to a political office;

(d) on the maintenance of any holder of a political office;

(e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;

(f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Association.

In these objects -

"candidate" means a candidate for election to a political office and includes a prospective candidate;

"contribution", in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

"electors" means electors at any election to a political office;

"film" includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

"local authority" means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

"political office" means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

2. Any payments in the furtherance of such political objects shall be made out of a separate fund of the Association (hereinafter called the political fund) and the Association shall not affiliate to any political party.

3. As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Association the executive committee shall ensure that a notice in the following form is given to all members of the Association in accordance with this rule:-

"Trade Union and Labour Relations (Consolidation) Act 1992

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Association has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the Association but every member of the Association has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any branch office of the Association or

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from the Certification Office for Trade Unions and Employers' Associations, Brandon House, 180 Borough High Street, London SE1 1LW.

This form, when filled in, or a written request in a form to the like effect, should be handed or sent to the secretary of the branch to which the member belongs."

The notice shall be published to members by such methods as are customarily used by the Association to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Association's main journal which is circulated to members. A copy of the notice shall be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members, at the office or meeting place of each branch of the Association. The Secretary of each branch shall also take steps to secure that every member of the branch, so far as is reasonably practicable, receives a copy of the notice, and shall supply a copy to any member on request. The Council shall provide the secretary of each branch with a number of copies of the notice sufficient for these purposes.

4. Any member of the Association may at any time give notice on the form of exemption notice specified in Rule 5, or by a written request in a form to the like effect, that he objects to contribute to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any branch office of the Association, or from the Certification Office for Trade Unions and Employers' Associations, Brandon House, 180 Borough High Street, London SE1 1LW.

5. The form of exemption notice shall be as follows:-

"The Association

POLITICAL FUND EXEMPTION NOTICE

I hereby give notice that I object to contributing to the political fund of the Association and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.

Signature:

Address:

Date:"

6. Any member may obtain exemption by sending such notice to the secretary of the branch to which the member belongs and, on receiving it, the secretary shall send an acknowledgement of its receipt to the member at the address in the notice, and shall inform the General Secretary of the name and address of that member.

7. On giving such notice, a member shall be exempt, so long as his notice is not withdrawn, from contributing to the political fund of the Association as from either: (a) the first day of January next after notice by the member is given, or, (b) in the case of a notice given within one month after the notice given to members under Rule 3 or after the date on which a new member admitted to the Association is supplied with a copy of these rules under Rule 13, as from the date on which the member's notice is given.

8. The Council shall give effect to the exemption of members to contribute to the political fund of the Association by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Association towards the expenses of the Association as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.

For the purpose of enabling each member of the Association to know as respects any such periodical contribution what portion, if any, of the sum payable by him is a contribution to the political fund of the Association, it is hereby provided that £300 of each annual contribution is a contribution

to the political fund, and that any member who is exempt shall be relieved from the payment of the sum of £300, and shall pay the remainder of such contribution only.

9. A member who is exempt from the obligation to contribute to the political fund of the Association shall not be excluded from any benefits of the Association, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Association (except in relation to the control or management of the political fund) by reason of his being so exempt.

10. Contribution to the political fund of the Association shall not be made a condition for admission to the Association.

11. If any member alleges that he is aggrieved by a breach of any of these rules for the political fund, being a rule or rules made pursuant to section 82 of the Act, he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he thinks fit and after giving the complainant and any representative of the Association an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the Act, be enforced in the manner provided for in section 82(4) of the Act.

12. Any member may withdraw his notice of exemption on notifying his desire to that effect to the secretary of his branch, who shall on receiving it send the member an acknowledgement of receipt of the notification and inform the General Secretary of the name and address of that member.

SCHEDULE 1 (Rule 18)

STANDING ORDERS

A) CONDUCT OF ELECTIONS

1. Elections for all Council of the Association positions shall be conducted by post.

2. The General Secretary shall be responsible for the proper conduct of these elections.

3. Every nomination shall be in writing. It shall be signed by one proposer and one seconder, each of whom shall be a Full Member of the Association, and shall include the signature of the nominee indicating acceptance of the nomination.

4. In the event of a member being the person with the highest number of votes for more than one post on one occasion he/she shall be deemed to be elected to the post highest in the order of precedence in 5(a)(i) of the Constitution, and another election shall be held for the other post or posts for which he/she was nominated.

5. The voting for Officers and members of the Council of the Association shall be by voting papers, issued by the Electoral Reform Society which will act as returning officer and scrutineer. The declaration of the results of all elections shall be made in accordance with the relevant provisions of the Trade Union and Labour Relations (Consolidation) Act 1992.

B) CONDUCT OF MEETINGS

ANNUAL GENERAL MEETING AND EXTRAORDINARY GENERAL MEETING

1. The quorum at meetings shall be 30 Full Members present.

2. Except in the case of any proposed amendment to these Rules, a motion shall be carried if it obtains a simple majority of those voting. Any motion failing to obtain the requisite simple majority shall be declared to be not carried. In the event of a tie, the member in the Chair shall exercise the casting vote.

3. The Chair shall be taken by the President, or if unavailable, the Vice-President, or, if also unavailable, the Immediate Past President, or, if also

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unavailable, by any Full Member proposed and approved by a majority vote of the Full Members present.

4. Speeches from the floor, other than those by movers of motions, shall not exceed two minutes. No individual, unless representing the Council of the Association, shall speak more than twice in each motion, except that the mover shall have the right of final reply to the debate before the motion is put.

5. The member in the Chair shall have the power to curtail any speech which he/she deems to be not relevant to the motion under debate.

6. Except as otherwise provided above, proceedings shall be conducted by reference to the latest available edition of "A.B.C. of Chairmanship" by Lord Citrine.

C) ORDINARY GENERAL MEETING

1. There shall be no specified quorum.

2. A motion shall be carried if it obtains a simple majority of those voting. Any motion failing to obtain the requisite simple majority shall be declared to be not carried.

3. The Chair shall be taken by a person designated by the Council of the Association. In the event of the unavailability of such a person, the chair shall be taken by any other person selected by such members of the Council of the Association as are present at the meeting.

4. Except as otherwise provided above, proceedings shall be conducted by reference to the latest available edition of "A.B.C. of Chairmanship" by Lord Citrine.

D) COUNCIL OF THE ASSOCIATION MEETING

1. A motion shall be carried if it obtains a simple majority of those voting. Any motion failing to obtain the requisite simple majority shall be declared not to be carried. In the event of a tie, the person in the Chair shall exercise a casting vote.

2. The Chair shall be taken by the President, or, if unavailable, the Vice-President or, if also unavailable, the Immediate Past President, or, if also unavailable, by any other voting member agreed after proposal and a majority vote of the voting members of the Council of the Association present.

3. Except as otherwise provided above, proceedings shall be conducted by reference to the latest available edition of "A.B.C. of Chairmanship" by Lord Citrine.

E) COUNCIL SUB-COMMITTEE MEETINGS

1. The quorum for a sub-committee meeting shall be determined by the Council of the Association and shall be specified in the minute establishing that sub-committee.

2. A motion shall be carried if it obtains a simple majority of those voting. If any motion fails to obtain the requisite simple majority it shall be declared to be not carried.

3. The Chair shall be taken by, in the case of the Membership and Industrial Relations Sub-Committee, the Membership and Industrial Relations Officer, in the case of the Education Policy and Professional Development Sub-Committee, the Education Policy and Professional Development Officer, and in the case of any other Sub-Committee, such person as the Council of the Association may decide and, in all cases, in the event of the unavailability of that person, any other person selected by such Council of the Association members as are present.

F) SUSPENSION OF STANDING ORDERS

In relation to any matter of urgency, whoever is in the Chair may accept a motion for the suspension of the Standing Orders. The member moving such suspension must state clearly the nature and urgency of the matter, the numbers of the Standing Orders to be affected, and the length of time

(not exceeding 30 minutes) that such suspension is to last. The motion shall then be put to the meeting.

On expiry of the above-mentioned period during which the Standing Orders have been suspended, a motion may be accepted for one further extension of the period of suspension and that motion shall immediately be put to the meeting.

No suspension of the Standing Orders, or extension of a period of suspension, shall take place except in consequence of a vote of the meeting in which not less than two-thirds of the members present at the meeting have voted in favour of the suspension or (as the case may be) the extension of the period of suspension.

SCHEDULE 2 (Rule 8(d))

AUDITORS

Appointment and Removal of the Auditor

1. The Association shall, at each Annual General Meeting, appoint an auditor to hold office from the conclusion of that meeting until the conclusion of the next Annual General Meeting.

2. At each Annual General Meeting the retiring auditor for the preceding financial year shall be re-appointed Auditor for the current financial year without any resolution being passed unless:

2.1 a resolution has been passed at that meeting appointing somebody else or providing expressly that he/she shall not be re-appointed, or

2.2 the auditor has given to the Association notice in writing of his/her unwillingness to be re-appointed, or

2.3 the auditor is ineligible for appointment as auditor for the current financial year, or

2.4 the auditor has ceased to act as auditor by reason of incapacity.

Provided that where notice is given of an intended resolution to appoint some person in place of a retiring auditor and, by reason of the death, incapacity or ineligibility of that person, the resolution cannot be proceeded with, the retiring auditor shall not be automatically re-appointed by virtue of this paragraph.

3. 28 days' notice shall be required for a resolution at the Annual General Meeting appointing as auditor a person other than a retiring auditor or providing expressly that a retiring auditor shall not be re-appointed.

3.1 On receipt of notice of such an intended resolution, the General Secretary shall forthwith send a copy to the retiring auditor.

3.2 If the retiring auditor makes, with respect to the intended resolution, representations in writing to the Association and requests their notification to members of the Association, it shall, unless the representations are received by it too late for inclusion in the agenda for the AGM:

3.2.1 in any notice of the resolution given to the members of the Association, state the fact that representations have been made, and

3.2.2 send a copy of the representations to every member of the Association to whom the AGM Agenda is sent.

3.3 If a copy of the representations is not sent to the members because they are received too late or because of the default of the Association, the auditor, may, without prejudice to his/her right to be heard orally, require that the representations shall be read out at the meeting.

SCHEDULE 3 (Rule 5)

a) REGIONAL AND SECTOR ORGANISATION

(i). All Members of the Association shall either:-

(a) be assigned to the Region in which the Education Authority by whom they are employed is grouped; or

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(b) (from 2005) be assigned to one of the following sectors:-

- Self-employed educational consultant sector
- Private education company sector
- Voluntary and voluntary-aided sector

In the event of any dispute, the decision of the Council shall be final.

(ii). a) Regions shall be defined geographically. The self-employed educational consultant sector shall comprise those members who are self-employed educational consultants and such other categories of members as the Council may from time to time determine. The private education company sector shall comprise those members employed by private companies and such other categories of members as the Council may from time to time determine. The voluntary and voluntary-aided sector shall comprise those members employed in the voluntary and voluntary-aided sector and such other categories of members as the Council may from time to time determine.

b) The Council of the Association shall decide within which Region any particular Education Authority is to be grouped, and in reaching such decision, the Council of the Association shall take into account the views of the membership in that Authority. The Council of the Association shall decide to which sector any member, not assigned to a Region, shall be assigned.

c) The Council of the Association shall review the regional grouping of Educational Authorities biennially in even numbered years prior to the Annual General Meeting for that year.

d) Following a review of Regions, the Council of the Association shall publish and circulate to the membership, a list of Education Authorities, indicating to which Region each has been allocated.

(iii). a) The Council of the Association shall determine annually what Regional Grant is to be paid to each Region during the forthcoming year.

b) Any Regional Grant shall be allocated on the basis of a flat rate per Full Member.

c) Each Region shall be entitled to elect or otherwise determine upon any member or members who shall receive the Regional Grant for that Region and be responsible for its disbursement.

d) The member or members elected or otherwise determined upon in accordance with Paragraph 3c shall account to the Honorary Treasurer, at his/her request, for the disbursement of the Regional Grant.

(b) REGIONAL AND SECTOR REPRESENTATIVES

(i) Each Region (and from 2005) and each Sector shall be represented on the Council of the Association by one Representative.

(ii) One Regional Representative and One Sector Representative shall be elected by and from the Full Members in each region or, as appropriate, sector. In 2005, all Regional Representatives in office immediately prior to the Annual General Meeting in 2005 shall cease to hold office from the end of the Annual General Meeting in 2005 (or if later the declaration of the result of the Council elections in 2005).

(iii) The duties of the Regional Representative and Sector Representative shall be such as are from time to time determined by the Council of the Association.

c) TERMS OF OFFICE

(i). The term of office for the Honorary Treasurer, the Membership and Industrial Relations Officer and the Education Policy and Professional Development Officer shall be three years.

(ii). The term of office for Regional Representatives and Sector Representatives shall be three years.

(iii). A Regional Representative may not serve in that capacity for more than two full consecutive terms.

SCHEDULE 4:

ANNUAL SUBSCRIPTION (Rule 8(b))

1. The Council of the Association shall review and fix annually the subscriptions of Full Members and shall review and fix in accordance with paragraph 4 of this Schedule the subscriptions of Retired Members of the Association, and shall place before the Annual General Meeting such motions as may be necessary to effect changes in subscriptions deemed necessary by the Council of the Association as from the following 1st January. No changes in rates of subscriptions shall take effect unless approved by the Association in General Meeting. Different rates of subscriptions may be set for members working part time, on maternity or adoption leave, on career break or on long term unpaid sick leave. The Council shall be empowered to fix different rates of subscriptions for, and within, different groups of members .

1(a). "The Council of the Association, or when they are not sitting the President, may determine different rates of subscriptions for any full member who is and remains a member of such other organisation as may be determined by Council, or when they are not sitting the President".

2. Subscriptions shall be payable on or before 1st January each year.

3. Any members wholly, or partly, in arrears of subscriptions at 1st March in any year shall no longer be entitled to receive any of the benefits of membership of the Association and may be suspended or removed from the list of members at the direction of the Council of the Association.

4. For the first subscription, a Full Member who chooses to pay annually will be entitled to membership until 31 December of the subscription year by paying the pro-rata balance of the annual subscription from the first day of the month following membership approval. Full Members who choose to pay by monthly direct debit will pay the appropriate monthly subscription from the first day of the month following membership approval.

5. Subject to paragraph 1 of this Schedule, a Retired Member shall as from 1 January 2005 pay an annual subscription of £25 per annum or such higher sum as may from time to time be determined by the Council of the Association provided that any Retired Member who had been a Life Member of the Association as at 1 January 2005 shall not be required to pay any subscription throughout the duration of their Retired Membership.

SCHEDULE 5:

LOCAL REPRESENTATIVE

1. The Full Members working for each employer shall annually elect one of their number to act as the Local Representative of the Branch.

2. It shall be the duty of the Local Representative to inform the General Secretary of the result of the election.

3. The duties of the Local Representative shall be such as are from time to time determined by the Council of the Association and to act as branch secretary for purposes of the political fund rules of the Association.

4. Where a Local Representative is unable to complete the term of office, the Full Members working within the Branch concerned shall immediately elect one of their number to serve for the unexpired part of the term of office.

5. Where a Full Member works within the area of more than one branch he/she shall be entitled to one vote in an election for Local Representative, to be exercised in the area of his/her choice.

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