

BKA National Committee AGM minutes

Date: Saturday 12 July 2014
Time: 5pm to 6.30pm
Venue: Oasis Academy Coulsdon
Homefield Road
Old Coulsdon
Surrey
CR5 1ES

Present

Errol Blake (Chair) Hilary Hadley (Vice Chair), Debbie Bevan (Secretary), Neil Andriot (Membership Secretary), Martin Farncombe (Treasurer) Chris Buxton (Iaido DRC) Lesley Drewe (Jodo DRC) Gary O'Donnell (Kendo DRC)

BKA voting members 1398
Quorum 70
BKA voting members present 76

The Chair (Errol Blake, EB) declared that a quorum of members had been achieved and opened the meeting.

Agenda item 1

Apologies for absence received from:

Paul Gledhill
Malcolm Goodwin
Jock Hopson
Gerry Kincaid
David McLean
Vince Reynolds
Keith Rose
Sean Starr
Peter West

Agenda item 2

Minutes of the 2013 NC AGM

Motion - that the minutes be accepted

- 76 for
- Motion carried

Agenda item 3

Matters arising from the 2013 NC AGM minutes

None.

Agenda item 4 Treasurer's report

a) Financial performance 2013

Started the year with £136,000 in the bank account and ended the year with £140,000. The accountants have signed off the BKA's financial report - they report that we had a surplus of £11,800 last year (£5,800 surplus in the previous year). We had a turnover of about £140,000.

- Iai Bu - net loss of £9,200 in 2013 as planned. At the end of 2013 the Bu had £37,000 available.
- Jodo Bu - Costs were higher than planned - £24,000 - (half of which was for sending a team to the European Championships). This left £9,000 at the end of 2013 (including £5,000 nominally ring-fenced in the Ishido fund). The Jodo Bu has taken a number of steps to preserve its financial integrity and increase income.
- Kendo Bu - surplus of £7,500 in 2013. At the end of 2013, the Bu had £37,000 available. The Treasurer congratulated the Kendo Bu EC on the recovery in the Bu's finances.
- Central Services - principal costs of £14,200 for insurance, £3,200 EKF fees, £4,300 audit, £3,300 credit card charges (associated with on line payments), £2,000 admin. As we kept a high membership fee for 2013, CS had a surplus of about £20,000. We had new auditors for 2013, they did a good job and were cheaper (£1,800 as opposed to the previous year's cost of £4,200).

Motion: That the CS fee shall be £15 per member for 2015

- 1 abstention, 75 for
- Motion carried

b) Central Services budget for 2015

A lower CS fee of £15 was introduced on 1 January 2014. However, as the bulk of membership renewals occur in December, most members would have renewed at the previous higher rate (£24). The benefit will not be felt for most members until December 2014. This means that CS will have another significant surplus in 2014. **We plan to keep the £15 for 2015**, and have put aside £3,000 for redeveloping the BKA website. This means that we will make a small loss of about £2,000 in 2015.

c) Taking money back from the BKA

At the end of 2013 we had £57,000 in the CS fund. This was planned as a contingency fund was needed for a court case. The case was won so the contingency fund was not required. CS spends about £25,000 per year so we do not need that level of contingency fund. The Treasurer said that the money could not be given back to individual members, as it would jeopardise our tax status. The Treasurer therefore proposed that money was returned to dojo. Proposal: For each art practised by a dojo member, £14 will be refunded from CS to their dojo (where their membership is registered).

Motion: That the refund go to the Bu:

- 14 for, 62 against
- Motion failed

Motion: That the refund go to the dojo:

- 74 for, 2 abstentions
- Motion carried

Motion: That dojo get six months free membership - by moving the dojo renewal date from December to June.

- 75 for, 1 abstention
- Motion carried

Motion: That the annual accounts for 2013 be accepted.

- 76 for
- Motion carried

Motion: That the current auditors (Sedulo Ltd) be reappointed.

- 74 for, 1 against, 1 abstention
- Motion carried

Agenda item 5

Presentation/matters arising/acceptance of NC Officer's reports:

Membership Secretary

59 members lost in 2013, compared to 2012. The Membership Secretary asked dojo leaders to monitor whether all the people practising in their dojo are BKA members - this can be done via the membership section of the BKA website.

The Membership Secretary reported that more members are choosing to renew online and asked dojo leaders to encourage their members to use the online system for membership renewals, booking seminars etc.

It is hoped that dojo renewals will be on line in the future. Also the coaching insurance renewal process will change so that coaches will renew online, along with their membership renewal (it will no longer be part of the dojo renewal).

The meeting was asked to agree (in principle) a new class of membership - University Student - as many university students practising kendo are not BKA members as they have insurance cover from their university. However, they do need to be BKA members to take part in BKA gradings and taikai.

Motion: That a new class of membership (university student) be developed

- 74 for, 1 against, 1 abstention
- Motion carried

Motion 1: Minimum 3 months BKA membership required to take ikkyu grading

- 18 for, 52 against, 6 abstentions
- Motion failed

Motion 2: Minimum 6 months (3 months temporary membership counts toward this) BKA membership required to take ikkyu grading

- 68 for, 8 abstentions
- Motion carried

Director of International Affairs

It was noted that the DIA's (Jock Hopson's) report has been posted on the BKA website.

- The report explains that the working relationship with the EKF has greatly improved this past year.
- The DIA thanked the grading officers for their hard work in providing accurate data.
- The DIA asked that any members passing a grading abroad to let him know, as well as the relevant grading officer, so that the BKA and EKF databases are kept up to date.
- Our records with the EKF have been clarified, so that active members are recorded. This resulted in some names (ie Japanese who have returned home and are no longer active BKA members) being removed from our records. The DIA noted that this was important as our contribution to the EKF is based on the number of active members.
- The BKA was not represented at the EKF General Assembly, as there was just one minor item to be voted on. Therefore, the Chair and DIA decided that to attend would be an unnecessary use of BKA funds.
- The DIA noted that the BKA's proposed Shogo process had been examined by EKF officials.
- Congratulations were offered to Emiko Yoshikawa and Honga Wright for their Kendo Renshi from the AJKF last autumn and to Anna Stone, Andy Watson and John Honisz-Greens for their laido Renshi (the report says Kyoshi by mistake).

H&S

The H&S Officer (Donald Gordon) explained that there was little to report on health and safety matters.

The H&S Officer explained that he had updated all health and safety information, procedures and forms ready to be inserted in to the new BKA website.

The H&S Officer reminded the meeting that the accident reporting system is simple - a short email should be sent to him.

Child Protection

The CPO Officer's report is available on the web site. Her report explains that around 120 BKA members are currently covered by CRB or DBS (Disclosure and Barring Service, the new CBS) or Disclosure Scotland checks.

Complaints

No formal complaints received during the year, 1 anonymous complaint resolved.

Chair

In his final address as BKA Chair, Errol Blake gave an overview of his 3 terms of office and what the BKA has achieved in that time (report on BKA website). He thanked past and present officers for volunteering and giving their time to the BKA. In particular, the Chair thanked Gerry Kincaid for his work on the website. The Chair asked members to consider volunteering for posts as they become vacant.

Agenda item 6

Election of NC officers

- **Chair** - sole nominee Fay Goodman (nominated by Piotr Hawrylczak 8569, seconded by Lawrence Campbell 8017)
- **Vice Chair** - sole nominee Deborah Bevan 7874 (nominated by Errol Blake 344, seconded by Hilary Hadley 2315)
- **Secretary** - sole nominee Anil Sahal 10061 (nominated by Deborah Bevan 7874, seconded by Clare Lewis 12218)
- **Treasurer** - sole nominee Martin Farncombe 3480 (nominated by Judy Farncombe 3128, seconded by Deborah Bevan 7874)
- **Membership Secretary** - sole nominee Neil Andriot 9304 (nominated by Andy Watson 5351, seconded by Stephen Martin 8925)

The above officers were duly elected.

At this point the new Chair, Fay Goodman took over chairing the meeting.

The meeting offered their thanks to Errol and Hilary Hadley (outgoing Vice Chair) for their 5 years of hard work for the BKA.

Agenda item 7

2015 CS fee

See agenda item 4.

Agenda item 8

Ratification of amendments to the Constitution / Complaints Procedure that the NC had implemented during the year, under special powers

1. That the new Byelaw 6 (See appendix to this report for detailed text) be accepted
Voting: Unanimous. Motion carried
2. That the new Criminal Records Policies (see BKA website for detailed text) be accepted
Voting: Unanimous. Motion carried
3. That the changes to Articles 10&11 Suspension & expulsion be accepted
Voting: Unanimous. Motion carried
4. That the changes to Article 14.4.3 and 14.5.3 - Nominations will not be allowed from the floor of AGM meetings except under exceptional circumstances. The BuEC/NC will appoint a Temporary Officer until the next AGM. (See appendix to this report for detailed text)
Voting: 75 for, 1 abstention. Motion carried
5. That the changes to the Complaints procedure (see appendix to this report for detailed text) be accepted.
Voting: 75 for, 1 abstention. Motion carried

Agenda item 9

AOB

Two items for consideration were received.

a) Subject: Addition to the BKA Constitution

Any person or persons involved in taking the BKA and its officers to court (and the proceedings are found in favour of the BKA and its officials with costs awarded to the BKA and its officials) shall lose their Association membership and be banned from all BKA events or BKA-supported events and also banned from practising at any BKA dojo, regardless of membership to another European country.

Proposer: Mick Taylor (624)

Seconder: Wilfred Swindells (475)

b) Due to the high cost of attending AGMs, mainly held in London, many members from the North are unable to attend personally. Could a postal vote by individual member be implemented (not a block vote)? This would mean publishing the agenda on the BKA website with a cut off date for any inclusions. I am sure this would reflect a truer response of more members and more democratic in its outcome.

Proposer: Wilfred Swindells (475)

Seconder: Mick Taylor (624)

The above items were considered by the meeting but were not adopted.

The meeting adjourned at 6.30pm

Minutes taken by Debbie Bevan

APPENDIX

New Byelaw 6

General

Participation in any activity or service under the auspices of the Association shall be open to persons (members and non-members) who conduct themselves in good faith at all times in relation to the Association and its members and are prepared to abide by the rules, spirit and ethos of the Association.

Specific

For competitions individual participants must hold full membership on the day of the event and for at least 7 days prior to the event. Membership must be full (including Concessionary, Student and Junior).

For training seminars and regular training individual participants must hold full membership (including Concessionary, Student and Junior) or Temporary Membership.

National level events

Only members of the Association can take part in competitions organised by the Association at national level.

International level events

Eligibility to compete at international level shall be in accordance with the rules of the FIK/EKF.

Denial of participation

The Association will not tolerate unlawful discrimination of any kind. For guidance, please refer to the Association's Equal Opportunities Policy.

The Association reserves the right to deny participation in any activity or service held under its auspices to anyone. Examples where refusal/denial may apply include (but is not restricted to)

- A person whose membership has been suspended by the relevant Bu/NC.
- A person has been expelled from the Association.
- Where a dojo leader or event organiser has carried out a risk assessment of the circumstances and concluded that the person poses an unacceptable risk to the members, themselves, or others present. Such risk assessment may include, but is not limited to the following: inadequate or no insurance; risk of being sued; risk of irresponsible allegation; risk to the health and safety of the members of the dojo, etc.
- Where a person has failed to conduct themselves in good faith in relation to the Association and its members. A breach of good faith includes, but is not limited to the following: being in debt to the Association, supplying false information to or about the Association; making false allegations against the Association or its members. In such a case the Association shall publish on the Association website the name of the person and the reasons for denial of access to BKA facilities. The person so named shall have access to the Complaints procedure if this has not already been invoked.

Change to Articles 10 & 11 Suspension & expulsion

New wording in **red** only sections where changes have been made have been reproduced)

- 10.5** Suspended members shall immediately forfeit all rights **and benefits** of membership of the Association, saving access to the conflict resolution procedures detailed in this constitution.
- 10.6** The NC may seek to have the *suspended* member “*expelled*” from the Association at the ~~next~~ **earliest available** AGM or an EGM or other properly constituted voting procedure.
- 11.12** The NC/BuEC shall present to the membership (in accordance with the Communications Policy) the full circumstances in which the officer was suspended, within 21 days of the suspension and shall seek membership confirmation of its actions at the ~~next~~ **earliest available** AGM or an EGM or other properly constituted vote in accordance with the elections/voting policy within 60 days. Expulsion from post shall be determined by $\geq 66\%$ majority of those voting.

Changes to Article 13 (only sections where changes have been made have been reproduced. Additions in red, deletions in blue, additional information in green)

13.4 COMPLAINTS PROCEDURE - BRITISH KENDO ASSOCIATION

13.4.1 The procedures to be followed for informal and formal complaints shall be as follows:

General Principles

- **The NC may co-opt a Complaints Officer to act as the point of contact for member complaints. The Complaints officer shall not sit on any Complaints panel and is thus free to advise members and panels. (this entry was formerly item 13.5)**

13.4.4 Complaints by one member of one dojo against another member of another dojo

...

In the event that the two Dojo Leaders fail to arrive at an informal joint decision the complaint will be referred by the Dojo Leaders to the ~~relevant Bu Complaints Committee~~ **Complaints Officer** in writing within the 14 days of the informal hearing of the Complaint, unless the complaint is withdrawn.

13.4.5 Formal Complaints - Referral to Bu Complaints Committees

Procedures to be followed:

1. A complaint made by a member against a Dojo Leader, dojo teacher or a group of dojo members will be made in writing (email is acceptable) within 21 days of the incident, 21 days of the last of the series of incidents or within 21 days from when the complainant first became aware of the issue. The complaint should be sent to the **Complaints Officer** ~~Chair of the relevant Bu Complaints Committee~~. The written complaint will include all relevant details of the complaint, the names of the individual/s against whom the complaint is made and the names of any witnesses who will be providing witness evidence or statements.

2. **The Complaints Officer will then decide in consultation with the NC Secretary if the Complaint is within remit and if so (this decision process is laid out in the BKA guidelines**

for BU Complaints Committees written by Debbie Bevan 2012) the appropriate Complaints Committee will be constituted and, if a formal hearing is to be held, will set a hearing date at the earliest possible time and in any event no later than 28 days of receipt of the complaint and the Complainant advised of the date of the hearing.

13.4.7 Complaints against an individual NC/Bu Executive member

Complaints must be made in writing within 21 days of the incident or series of incidents or within 21 days from when the complainant first became aware of the issue. An unresolved complaint made against a member of a NC/BuEC shall be sent in writing to the **Complaints Officer and if appropriate will then be forwarded to the** Chair of a different BuEC Complaints Committee for **investigation consideration.**

The Procedure followed will be as the procedure 2 - 7 above.

Changes to Article 14.4.3 and 14.5.3 (changes in red)

14.4.3 **If a post remains vacant the relevant NC/BuEC/DRC shall be empowered to appoint a temporary officer until the next available elections.** Exceptionally, if there are no nominations for a post under 14.4.2, nominations shall be accepted from the floor of a properly constituted meeting. This shall take the form of a resolution to accept nominations from the floor. If seconded and if passed, nominations can be accepted from the floor. **In such a case the post shall be considered "Temporary" until the next available elections.**

14.5.3 **If a post remains vacant the relevant NC/BuEC/DRC shall be empowered to appoint a temporary officer until the next available elections.** Exceptionally, if there are no nominations for a post under 14.5.2, nominations shall be accepted from the floor of a properly constituted meeting. This shall take the form of a resolution to accept nominations from the floor. **If seconded and if passed, nominations can be accepted from the floor. In such a case the post shall be considered "Temporary" until the next available elections.**