

BKA National Committee AGM minutes (draft)

Date: Saturday 21 July 2018

Venue: Warwick University

National Committee members present: Fay Goodman (Chair), Debbie Bevan (Vice Chair), Dave Fanning (Secretary), Fides Desacada (Membership Secretary), Chris Mansfield (Director of International Affairs), John O'Sullivan (Kendo DRC Chair), Keith Rose (Iaido DRC Chair), Jock Hopson (Jodo DRC Chair).

The Chair declared meeting quorate and opened it at 2.45pm.

Agenda item 1 - Apologies for absence

Received from: Eki Turner.

Agenda item 2 - 2018 Premier Cup results

Winner: Walter McCann

Agenda item 3 - Certificates of Appreciation

The Chair announced four certificates of appreciation for services to the BKA: Martin Chambers, Rachel Hahn-Morris, Paul Carruthers, Vito Tattoli

Agenda item 4 - Suspensions/Expulsions/Complaints

Suspension of Treasurer (Anna Stone)

The Chair explained that relevant papers were available for members to look at in the members-only section of the website.

The Chair presented the case for the sequential suspensions of the Treasurer, Anna Stone.

Anna Stone responded, explaining that the nature of the allegations had changed since she had prepared her defence and that there had been little time to examine the evidence.

The Chair and Treasurer disagreed over points of evidence and it was decided that Hilary Hadley (Vice Chair Elect) should take over chairing the meeting.

The meeting was then asked to vote on the motion.

Motion: That the NC's decision to suspend the Treasurer be upheld.

For: 86; Against 36; Abstentions 23.

Motion carried (suspension of the Treasurer upheld).

Motion to censure the Treasurer (Anna Stone)

Clarification of the term 'censure' was requested by the meeting - the Vice Chair Elect gave a brief explanation.

Gary O'Donnell commented that 'censure' is a form of punishment and should not be voted on if members had not had a chance to read all the evidence. He suggested that the NC withdraw the motion. The Chair accepted this suggestion and the NC voted by a majority to withdraw the motion of censure.

Agenda item 5 - Minutes of the 2017 NC AGM

Motion - That the 2017 NC AGM minutes be accepted (proposed Alan Nash, seconded Martin Chambers).

For: 107; Against: 0; Abstain: 38

Motion carried (minutes accepted)

Agenda item 6 - Matters arising from the 2017 NC AGM minutes

A member asked if the Travel & Subsistence policy had been reviewed. The Vice Chair replied that the review has been included in the general constitutional review.

Agenda item 7 - Treasurer's report

It was noted that Martin Farncombe (MF) had been dealing with the accounts during the Treasurer's suspension. MF had previously supplied a report of the accounts, available on the BKA website.

Motion: That the 2017 annual accounts be accepted.

For: 105; Against 0; Abstentions 41

Motion carried (2017 annual accounts accepted)

There was discussion of the differences between an audit and a management report. It was noted that the BKA is not required to have a full statutory audit and that we had voted at the 2013 NC AGM to change to a management report system. The meeting was asked to vote on whether the BKA should commission an audit or management report of the 2018 accounts.

Full audit (17 votes); management report (124 votes); 5 abstentions.

Result: The BKA will commission a management report of the 2018 accounts.

Appointment of company to carry out a management report of the BKA's 2018 accounts: The Chair explained that four companies had been approached but only two had sent in quotes.

The meeting voted to appoint Sedulo (For:144; Against: 0; Abstentions: 4).

2019 Membership fee

Discussion: That the Central Service fees remain the same¹.

The meeting agreed.

Agenda item 8 - NC Officer's reports

Membership Secretary

The Membership Secretary, Fides Desacada, noted membership numbers:

Male 1052

Female 197

Kendo Male 706

¹ Full member £17, concessionary, student, junior, associate, temporary £10. Coaching fee £10, dojo fee £20 and late payment fee £5.

Female 127
Iaido Male 401
Female 82
Jodo Male 154
Female 38

There were 6 new BKA dojo registered: 1 Kendo, 4 Iaido and 1 Iaido & Jodo.

Director of International Affairs

The Director of International Affairs, Chris Mansfield (CM), presentation included that:

- the BKA is the fourth largest association in Europe
- members should keep their records up to date
- trend for Koryu being dropped from Iai and Jodo gradings

Vice Chair

The Vice Chair, Debbie Bevan, said that there had been two first aid courses this year, one in London and one in Glasgow - all attendees had passed. She added that there is a great demand for first-aid courses, particularly in London. The plan was to survey members to ascertain where more courses are needed in the country.

GDPR- the Vice Chair noted that a template of a privacy notice for dojo leaders is available from the BKA. Currently oversight of Data Protection falls within the remit of the Vice Chair, although this might not be the case going forward. The BKA will be advertising for a member to become the BKA's Data Protection Officer.

Chair

The Chair (Fay Goodman) explained that her report is on the BKA website. She noted that following negotiation, the level of the BKA's insurance cover has been doubled for no extra cost, although we need to look into cyber-crime cover. It was noted that the incoming NC would review the insurance position to make sure that the cover is adequate to meet the BKA's needs. There was discussion of cover required for BKA delegations travelling abroad to competitions.

The Chair thanked those who had volunteered their time and services to the BKA. The Chair was thanked for her service to the BKA.

Agenda item 9 - Co-opted Officer's reports

The Chair referred members to the officers' reports - published on the website. The officers were thanked for their work for the BKA.

Agenda item 10 - Election of NC officers

Chair - nominees Errol Baboolal Blake and Anil Sahal
Errol Baboolal Blake 120 votes; Anil Sahil 23 votes; Abstentions 3.
Errol Baboolal Blake elected as Chair.

Vice Chair - nominees Karl Gibbons and Hilary Hadley
Hilary Hadley 116 votes; Karl Gibbons 26 votes; Abstentions 4.

Hilary Hadley elected as Vice Chair.

Secretary - nominees Debbie Bevan and Ed Marshall
Ed Marshall withdrew his nomination.
Debbie Bevan elected unopposed as Secretary.

Treasurer - nominees Anna Stone and Edward Lee Umeyama
Edward Lee Umeyama 105 votes; Anna Stone 36 votes; Abstentions 3.
Edward Lee Umeyama elected as Treasurer.

Membership Secretary - nominee Roger Pimlott
Roger Pimlott elected unopposed as Membership Secretary.

It was noted that Fides Desacarda will now act as the Deputy Membership Secretary.

Director of International Affairs - nominee Christopher Mansfield
Christopher Mansfield elected unopposed as Director of International Affairs.

The incoming NC officers took their places at the head of the meeting.

Agenda item 11 - Notification of election of Bu Officers

- Jodo Bucho - Stojanka Vidinic
- Jodo Events Officer - Mark Thurman
- Jodo Grading Officer - David Parker
- Iaido Bucho - William Heal
- Iaido Events Officer - Martin Chambers
- Iaido Grading Officer - Gill Wacey

It was noted that the Kendo Bu AGM had not been quorate so a Kendo Events Officer had not been elected.

Agenda item 12 - Electronic voting

Anna Stone spoke in favour of electronic voting, citing the disenfranchisement of the majority of members who were unable to attend the AGMs.

The Kendo DRC said that although the BKA had the ability to vote electronically, we needed to decide what matters could be the subject of an electronic vote. The Chair (Errol Baboolal Blake) was not in favour of electronic voting, explaining that we had seen today examples of the benefit of face-to-face debate. However, he said that it would be considered.

Agenda item 13 - Proposed amendments to the constitution/T&S policy (see Appendix)

The Chair passed around a list of issues that he asked the membership to allow the NC to have the right to vary the Constitution on. He explained that the variations mostly concern members' rights and to make processes quicker.

A member raised a concern about the 'widening the scope of sanctions available' mentioned in No.3 Article 10 of the list. The Chair explained that 'wider sanctions'

refers to the Chair being able to caution a member before official/severe sanctions are put in place.

Motion: To grant the NC emergency powers to vary the Constitution until the 2019 AGM.

For 129; Against 6; Abstentions 11.

Motion carried (the NC can vary the Constitution until the 2019 AGM)

The Chair said that he welcomed emails from the membership. However, if a member wished to email him in confidence, they should alert him **before sending the email**, so he could accept or refuse the confidentiality request before the email arrived.

Agenda item 14 - Any other business

- The meeting (led by David Hickey) thanked Chris Buxton for the great work that he had done for the BKA over many years, especially with the Iai and Jodo Nationals. The meeting gave Chris Buxton a standing ovation.
- The Kendo DRC Chair urged members to beware of making libellous comments. He added that the NC does not use Facebook as a means of official communication - so does not respond to Facebook posts.
- The meeting was asked if the NC would co-opt a Communications Officer. The Chair responded that this was part of his role.
- The meeting was asked if the BKA would appoint a PR Officer. The Chair responded that the NC would consider this.
- The meeting was asked if there could be more co-operation between the Bu. The Chair responded that this was a matter for the Bu.
- It was put to the meeting that too much time is spent debating during the AGM - information should be digested beforehand and members should just turn up to vote. The AGM could then be used to work out how to increase the effectiveness of the organisation. The Kendo DRC Chair supported this notion, suggesting debate an online forum of some description as a way forward. Some members spoke out against using online forums in this way, as such debates can degenerate in to rudeness.
- Amanda Allen requested that a member of the Kendo bu join her and Ed Marshall as part of an E&D team, to highlight issues specific to kendo.
- The Chair appealed to the membership for harmony during the coming two years.

The Chair closed the meeting at 5.55pm

APPENDIX 1

Request by Errol Baboolal Blake AGM 21 July 2018

Whoa! Be careful of this!!!

You would be right to think carefully before granting the NC emergency powers to amend the Constitution! This can be dangerous to the whole Membership and the Association. It boils down to whether you TRUST the person asking for such powers.

In my previous service as Chairman, I have twice been granted Emergency Powers and I do not think I abused such powers. I believe that if the Association is to avoid dissolution an number of things need immediate attention - ALL of which will be presented to the Membership for approval/rejection at the next AGM.

I am asking the Membership to grant the NC under my Chairmanship emergency powers to amend the Constitution. Such changes will be effective immediately, notified to members via email and website posting and will be presented at the next AGM for acceptance/rejection by the Membership.

I am asking for such powers because without immediate changes in the light of our experiences in the last few years, the Association will be unmanageable.

What sort of things do I need powers to change immediately?

Summary here and details (to date, subject to NC debate etc) in the Appendix 1.1 below:

Make clear the duty of the Chairman to act unilaterally in certain circumstances - subject to ratification by the NC and communication to the Membership.

Article 7.1: make clear the rights, responsibilities and liabilities of Membership.

Article 10: widen the scope of sanctions by the NC.

Replace the NC appeals Committee with a Disciplinary Sub-Committee with powers if investigation, fact gathering, issuing of letters of concern/caution, recommend suspension/expulsion etc.

Change the timetables involved with complaints/appeals/suspension to be more realistic.

Extend view-only access to the BKA bank account to increase oversight and efficiency e.g. 3 NC members (Treasurer, Chairman, Secretary); 3 Bucho, 3 Bu Cashiers.

APPENDIX 1.1

More details on my use of emergency powers - the things I think need immediate attention. Proposed emergency/immediate changes to the Constitution:

Appendix 1: to add an express power and duty on the Chair to act unilaterally in an emergency to protect the interests of the Association. (There may already be an implied duty to do this). On condition that any decisions made shall subsequently be ratified by the NC and communicated to the Membership.

Article 7: To clarify the rights and duties of ordinary members.

7.1 The membership shall consist of the following categories

Ordinary individual
Temporary individual
Concessionary Junior Membership Exceptional Membership
Temporary Visitor Membership
Associate Membership
University/Education Membership
Dojo Membership

Members of the Association agree to abide by the provisions of the constitution and its Byelaws. This agreement is a "contract" between the Association and the member. Applications for membership shall be treated in accordance with the Equal Opportunities Policy of the Association.

Except as detailed below and in the Byelaws all individual members of the Association shall have the following rights, responsibilities and liabilities.

RIGHTS of Membership:

To attend and to be heard at all General Meetings; to vote on all matters concerning the election of officers ("Officers") of the Association where provided for in the constitution.

To vote on the policies of the Association in accordance with the elections/voting policy.

To complete visibility of all records of the Association including, but not limited to, financial, legal, organisational, and membership matters save those exempted by the constitution and the law.

To be treated with courtesy, fairness and honesty by Officers of the Association.

To be issued with a copy of the terms and conditions of the Association's insurance policy or website link to it (individual member and professional indemnity etc) upon being so insured.

To have access to the minutes of NC/BuEC meetings according to the Communications Policy.

To receive timely notice of changes to any rules and regulations that may be adopted.

To receive in writing/email notification of the dates and agenda of General Meetings in accordance with the provisions of the constitution.

To participate in events organised under the auspices of the Association, provided that they satisfy the entry criteria.

To enter Association sponsored and other recognised gradings.

To represent the UK in international competitions (subject to the selection process and the rules of the EKF and FIK).

To receive a membership book that details the nature of their membership.

RESPONSIBILITIES of Membership.

All individual members of the Association shall conduct themselves

With integrity, transparency, accountability in a fair and equitable manner.

Be truthful in communications with each other and with all Officers and committees of the Association.

Consider the consequences of their actions on the Association as a whole and not take actions which prove to be incorrect/untrue to the detriment of the Association.

Failure to shoulder the responsibilities of Membership constitutes misconduct.

LIABILITIES of Membership

All individual members of the Association are responsible for the financial management of the Association and carry individual liability for its debts to a maximum of the subscription [?], notwithstanding the delegation of financial management to elected Officers.

All Officers and members explicitly accept that, as a condition of receiving expenses/monies from the Association, all members have the right to examine expenses/monies paid to/received by the Association and the Association's bank statements - except for their personal details specified in law.

Articles 10 and 11: to widen the scope of sanctions available for the NC to recommend, to give a full range of options suitable to the situation, rather than being restricted (as is the case now) to expulsion for members or censure for officers. The available range of sanctions should include those which are currently

available to complaints panels- reprimand, fine, disqualification, suspension/ expulsion- but also a generic power to impose any penalty which is proportionate to the misconduct of the member or officer;

That the ground of " in the opinion of the NC, the conduct of the member is injurious to the character and interests of the Association" be amended to include "or that a reasonable person would conclude that the conduct of a member would be likely to cause injury to the interests of the Association..". The point of this would be to be able to deal with any such conduct before it had actually caused damage to the Association, and to introduce an element of objectivity to the grounds .

Article 13: To replace the NC Appeals Committee with a Disciplinary Subcommittee, not consisting entirely of members of the NC for 2 reasons-

- to lessen the workload of the NC
- to attempt to avoid any conflicts of interest or accusations of political bias.

The Chair of the DSC would however be an elected member of the NC.

The intention would be for the DSC to hear appeals from complaints panels in the same way that the NC Appeals Panel does now, but also;

To use the DSC as a tribunal for hearing cases of expulsion following suspension by the NC. (Article 10) The DSC would make findings and recommendations. If the DSC find the case not substantiated the person would be immediately unsuspending. If they recommend further action, then this will be passed on to the membership with the findings of fact, at a properly constituted EGM or AGM for ratification of the decision.

A similar process should be available in respect of suspension of officers (under article 11.)

This would allow matters to be dealt with throughout the year, without having to convene a quorate EGM, and for hearings to be conducted in private. However, it retains overall democratic control by the membership- because it is subject to the Members decision at an AGM, (unless there is an earlier EGM for other purposes). It would also be fairer to the subject of the proceedings because it means that if the case is 'not proven' it is not hanging over the member or officer for a year.

Most constitutional changes and reforms required will be dealt with by the Constitutional Subcommittee and presented at the 2019 AGM.

Should other issues arise which require immediate reform through emergency powers, the Membership will be informed of proposals in advance. The powers requested will not be indefinite but would expire at the 2019 AGM unless renewed by vote of the membership.

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