# **December Update from the Constitutional Review Committee**

The RNZFB’s Constitutional Review Committee last met on 9 December. Here are the key points of note from that meeting.

## **Your Feedback**

The Committee remains grateful to everyone who is engaged with the process. Every submission you send to us via any medium is considered by the full Committee, so you can be assured that the effort you make to participate makes a difference.

We’re committed to an open, inclusive process of discussion. Here’s a summary of the ways you can continue to influence our work. The CRC has now completed its initial review of the full Constitution. Once the CRC has signed off on a draft version which contains our recommended amendments, we intend to publish the full draft for feedback so that further amendments can be made before the final consultation period.

Following the Christmas break, it’s our intention to publish an interim report for consultation, together with the initial review, with a deadline for submissions on these set for 31 March. We hope that this material will give you a clear picture of how our proposed amended Constitution would look. This process also provides us an opportunity to circulate another version of the RNZFB’s objects, further amended in response to the feedback we have received.

We aim to make the Interim Report a clear, plain English summary as much as it’s possible to do so when dealing with a legal document, and we look forward to your thoughts on its contents. We welcome the views of anyone who takes the time to study the draft sections, and we are committed to making further refinements based on your feedback.

To assist consumer organisations and others who may wish to review the final, complete version of the Constitution, we will give as much notice as possible as to when we intend to circulate our proposed final version, so you will know when the four-week final consultation period is to begin.

We also propose holding a telephone conference call prior to the final consultation period and at a point where you can still influence our thinking. Participation will be open to anyone who would like to have dialogue with the Committee directly.

As well as the amended Constitution, a grievance process the CRC has drafted will play an important role in strengthening self-determination. This new grievance process will be set out in the draft Constitution.

Finally, the CRC is proposing a requirement to consult with members before any changes to mandatory policies required by the Constitution are put to the Board for adoption.

The sum of all these changes is, we believe, an organisation where self-determination is even stronger, while making changes that will allow the organisation to be responsive.

## **Access to the Board**

The CRC spent time discussing whether any constitutional provisions might be introduced that guarantee a member’s right to seek a meeting with the Board. While mechanisms exist for formal proposals, there may also be merit in formalising the procedure which is presently informally agreed upon by the Board of the day that any member may seek to address the Board on any matter of concern. The Grievances and Complaints process will assist with this to some degree, but there may also be matters of strategic or even operational significance that members wish to bring to the Board’s attention without utilising the grievance process. We have asked Bell Gully for advice on this matter.

## **Technical Amendments to the Constitution**

Mindful of the concern expressed by some members following the adoption of amendments to the Constitution in September 2014, the CRC proposes amending the rule governing the Board’s ability to modify the Constitution without a vote of the membership so that it reads as follows.

“The Board may alter the Constitution without the approval of a resolution of Members, if in the opinion of the Board the alteration is made to correct a manifest error, is of a technical nature, or is to align the Constitution to any changes to applicable government legislation.”

## **Proxies**

At this stage, the CRC intends to recommend retaining the proxy vote system for meetings of members.

First, such a system maximises democracy, because it ensures that those who are unable to attend a meeting are not disenfranchised.

Second, there have been occasions when proxies have made the difference between whether a meeting can proceed or not, since the number of members physically in attendance did not make up a quorum. This means that meetings would have been postponed at a cost to the organisation.

We appreciate that the issue of proxies is contentious, and welcome further input on our rationale for their retention. We intend to set up a working group for those who are interested in the question of proxy voting to ensure that all perspectives have been fully canvassed and all those with a particular interest in this topic are able to participate in full discussion before the CRC reaches a conclusion as to its recommendation.

The Committee will next meet on 9 February.

We’d like to thank everyone who has taken the time to work with us this year, and we wish you a joyous and safe Christmas.