



# **RoSPA Advanced Drivers and Riders Hampshire**

## **The Constitution**

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## **1 Name and Definitions**

- 1.1 The name of the Group shall be the RoSPA Advanced Drivers and Riders Hampshire thereafter called "the Group"
- 1.2 Definitions
  - 1.2.1 RoSPA - Royal Society for the Prevention of Accidents (Charity Number 207823).
  - 1.2.2 RoSPA Advanced Drivers and Riders.
  - 1.2.3 Accredited RoSPA Advanced Drivers and Riders Groups are affiliates of RoSPA.
  - 1.2.4 A Member is a fully paid up individual, to the Group, who has passed the RoSPA Advanced Test within the last 3 years.
  - 1.2.5 An Associate is a fully paid up individual, to the Group, who has not passed an initial RoSPA Advanced Test.
  - 1.2.6 The Group Financial Year will be a period of 12 month with the start date set by the Group Treasurer in conjunction with the other Committee Members.

## **2 Objectives**

- 2.1 To encourage interest in road safety.
- 2.2 To improve driving and riding standards.
- 2.3 To prepare people for the RoSPA Advanced Driving & Riding Test (The Test) and encourage them to achieve the highest standard of pass.
- 2.4 To become a centre for driving and riding excellence being recognised as such in the local business and driving communities
- 2.5 To offer social activities that will encourage membership retention and aid recruitment

## **3 Membership**

- 3.1 The Member will be expected to apply to re-take the Test at intervals as specified by RoSPA. The annual subscription to RoSPA will need to be maintained in order to retest with no additional cost.
- 3.2 Any other person may apply to be an Associate member of the Group. An Associate will normally be expected to take the Test. The initial test cost will include the cost of the test plus the first annual subscription to RoSPA and will need to be paid at the time of applying for the test.
- 3.3 Honorary and Life-long Membership of the Group may be conferred on an individual at the discretion of the committee. These Members will pay no group subscription. Any subscription to RoSPA is at the discretion of the Member.
- 3.4 Members who volunteer their services to the Group, as Tutors or Committee Members, will be exempt from having to renew their Group membership subscription during their tenure. When a Member relinquishes this exempt role, a new group subscription will be required at the end of the month, six months hence, to remain a Member of the Group. Tutors **must** maintain their annual subscription to RoSPA.
- 3.5 All members of eighteen years and over will be entitled to vote.
- 3.6 A person may not be refused membership to the Group on the grounds of the protected characteristics covered by the Equality Act 2010 or because of their profession.

- 3.7 All Membership is covered by Public Liability as per stated in the insurance guide for RoSPA Advanced Drivers and Riders.

## **4 Operational Procedures**

- 4.1 The Group must have at least one Advanced Tutor whose responsibility is to assess and approve Group Tutors. The Advanced Tutor(s) must be a RoSPA Advanced Tutor Certificate holder or a RoSPA Advanced Diploma holder or equivalent or a RoSPA Examiner. For the Driving or Motorcycle Chief Tutor role, a prerequisite is that the Member must be, in the relevant category, a current Advanced Tutor or Diploma Holder or equivalent. In circumstances where there is no Advanced Tutor, the Group Committee can appoint a Member to the role until such time that there is a suitable candidate with the prerequisite qualification.
- 4.2 The Group must seek to maintain a sufficient number of Group Tutors to meet the demand from members.
- 4.3 Group Tutors and Advanced Tutors must be full Members of RoSPA Advanced Drivers and Riders.
- 4.4 Advanced Tutors and Group Tutors may not receive a fee, except out of pocket expenses, for providing tutoring to any individual.
- 4.5 The Group will not collect any fees for the RoSPA Advanced Test. The Associate Member will be responsible for booking and paying for the Advanced Test directly to RoSPA.
- 4.6 Group Tutors and Advanced Tutors may operate in other Groups, with the permission of the other Group(s) concerned.
- 4.7 The Group must not provide training services to any organisation except where an organisation has encouraged its staff to join the Group as individual Members, in which case, they must check with RoSPA HQ before tutoring commences. Organisations that contact the Group with requests for other services to help them improve their staff's driving or motorcycling must be referred to RoSPA HQ.

## **5 Subscription**

- 5.1 The financial year (the Year) of the Group shall be the period from 1st November to 30th October.
- 5.2 Membership and Associate Membership shall be subject to the payment of a Subscription the amount of which and the period covered shall be determined at any Annual General Meeting or Special General Meeting before the start of the Year to which it relates.
- 5.3 A Member or Associate Member, other than one covered by exemption 3.4, who has not paid a subscription within one month of the date on which it became due shall, except at the discretion of the committee cease to be a Member or Associate Member.

## **6 The Committee**

- 6.1 The management of the group shall be vested in a Committee consisting of a Chairperson, a Secretary, a Treasurer, and up to six other elected members all being over eighteen years of age. The Committee shall not comprise more than two Associate Members at any one time.
- 6.2 Committee members shall be elected by simple majority vote at an Annual General Meeting. Any Full Member can put their name forward to be included on to a ballot paper for consideration at an AGM or SGM.

- 6.3 The retiring Committee shall nominate a Chairperson for the following year.
- 6.4 The Committee shall meet at regular intervals. The meetings are to be called with a notice of at least two weeks. The secretary shall be responsible for arranging the Agenda.
- 6.5 The Committee shall have the power to
  - 6.5.1 Be responsible for the normal running of the Group and its activities
  - 6.5.2 Make standing orders for regulating the conduct and affairs of the Group provided that they are not inconsistent with this constitution.
  - 6.5.3 Fill any casual vacancy which may occur in any position to make up the number of its members which position shall be held until the next Annual General Meeting.
  - 6.5.4 Co-opt any person to serve the committee for a special purpose and period. Such person shall not have a vote during the Meet(s) of the committee.
- 6.6 At any Meeting of the Committee four members shall constitute a quorum each member, except co-opted persons, shall have a vote on all matters. In the absence of the Chairperson those present shall elect a chair for that meeting. The Chairperson shall have a casting vote.
- 6.7 The Committee shall determine the Group's subscription fees for all categories of Group membership and whether that fee covers an annual or multi-annual time period.
- 6.8 The Committee will maintain a Register of all Members incorporating their names and contact details. The Committee shall inform RoSPA HQ of the number of Members in the group on request. The Group must comply with the Data Protection Act, and may only use Members' data for the purpose of the Group.

## **7 Financial Arrangements**

- 7.1 The Committee shall open banking or other accounts in the name of the Group with such bank or similar organisation as the Committee may select. Withdrawals shall be on the signature of the Treasurer and one of two other named Committee members.
- 7.2 More than one committee member must have access to the Group's bank account.
- 7.3 The Treasurer shall be responsible for paying all items of expenditure for which approval has been given (whether generally or specifically) by the Committee.
- 7.4 Income shall be banked within 60 days save that the Treasurer may maintain a nominal sum as cash in hand.
- 7.5 Cheques, direct debit instructions and other financial instructions shall not be approved by fewer than two Members of the Committee.
- 7.6 The preferred method for all money receipts and payment will be electronic. Cheques will only be accepted at the Treasurer's discretion. Normally, cheques will be paid into the Group bank account, sort code and account number details will be supplied, by the originating applicant.
- 7.7 An independent Auditor shall be appointed by the Annual General Meeting and may not serve on the Committee in any capacity.
- 7.8 The Treasurer shall maintain records of all transactions of the group to the satisfaction of the Auditor and the Committee and shall present Year ending accounts and an accompanying report at the next AGM.

- 7.9 The Treasurer shall present at each meeting of the Committee a report showing the financial state of the Group.

## **8 Expulsion From The Group Membership**

- 8.1 The Committee has the power to expel any Member or Associate Member who offends against the principles or objectives of the Group or whose conduct in the opinion of the Committee renders him/her unsuitable for membership of the Group.
- 8.2 No person shall be expelled until the Secretary shall inform him/her in writing of the complaint against him/her. The Member or Associate Member will be given at least 14 days written notice to present in person before a meeting of the Committee reason why he/she should not be expelled.
- 8.3 No person shall be expelled unless at least five members of the Committee vote in favour of that expulsion.
- 8.4 A Member who is expelled from the membership of a Group may appeal to RoSPA HQ within 14 days of being notified of the decision to expel him/her. RoSPA HQ will consider the appeal and may recommend the Committee re-consider its decision, giving its reasons. The Committee will consider RoSPA's recommendation and has the final decision on whether or not to change to uphold or reverse the expulsion.

## **9 Group Code of Conduct**

- 9.1 The Group requires all Members to adhere to the following:-
- 9.1.1 Behave professionally at all times and treat others with respect and consideration.
  - 9.1.2 Avoid categorising anyone according to protected characteristics covered by the Equality Act 2010 or because of their profession.
  - 9.1.3 Avoid inappropriate language, comments and tone that could be misconstrued or create offence
  - 9.1.4 Avoid physical contact except in an emergency or in the normal course of greeting (for example, shaking hands).
  - 9.1.5 Understand and not breach Data Protection law.
  - 9.1.6 Not knowingly break any other laws.
  - 9.1.7 Be fair and honest.
  - 9.1.8 Not personally criticise any other trainer, examiner or road safety organisation.
  - 9.1.9 Not charge for providing tutoring (except Motorcycle Fuel Expenses).

(This is not exclusive or exhaustive).

## **10 Annual General Meeting (AGM)**

- 10.1 An AGM shall be held as soon after the Group Year End as is practicable, but with no more than 15 months elapsing between one AGM and the next, to:

- 10.1.1 Receive the Chairperson's report
- 10.1.2 Receive the Treasurers report and audited accounts for the preceding Year.
- 10.1.3 Elect a Chairperson, Secretary and Treasurer.
- 10.1.4 Elect persons to the Committee
- 10.1.5 Appoint an Auditor for the current Year
- 10.1.6 Consider any other matters that the Committee wishes to bring before the members or which have been notified at least 28 days in advance by at least two members.

## **11 Special General Meeting (SGM)**

- 11.1 An SGM shall be convened at any time by the Committee or by written notice to the Secretary signed by at least five Members or Associate Members provided that in either case at least 21 days notice of the purpose and date of that meeting shall be sent to all members.

## **12 Supplementary Matters Relating To Meetings**

- 12.1 At an AGM or SGM twelve Members or Associate Members present shall form a quorum and a simple majority vote shall decide any motion.
- 12.2 The Secretary or person otherwise appointed by those present shall be responsible to record the minutes of the Meeting.

## **13 Dissolution**

- 13.1 The Group may be dissolved, or merged with a neighbouring Group, by a resolution passed at a Special General Meeting (SGM) of the Group. The Group Committee should seek advice from RoSPA HQ first.
- 13.2 In the event that the Group agrees to merge with another Group, the new merged group must complete the RoSPA Advanced Drivers and Riders Accreditation process in order to join the Accreditation Scheme.
- 13.3 Such Resolution will give instruction for the disposal of the assets held by or in the name of the Group, provided that if any property remains after the satisfaction of all debts and liabilities, it shall be given or transferred to the Head Office of RoSPA Advanced Drivers and Riders.



# The Constitution



## **14 Amendments to the Constitution**

- 14.1 Amendments to this Constitution may only be made by the Group committee and with the agreement of the Group membership.
- 14.2 The Committee must inform RoSPA HQ of any changes to the constitution, and gain written agreement from RoSPA that the constitution still conforms to the RoSPA Advanced Drivers and Riders Accreditation Scheme.
- 14.3 This constitution replaces all other constitutions and supersedes any other agreement.

This is the Constitution of the Hampshire RoADAR Group initially adopted at the Annual/Special General Meeting on 22nd October 2012 and subsequently updated, in accordance with the RoSPA Accreditation process, in June 2018.

Original Document Signed by:-

SIGNATURES OF:-  
CHAIRPERSON  
SECRETARY  
TREASURER

### Constitution Amendment Version 6 (23<sup>rd</sup> June 2021)

Following emailed agreement by all Committee Members, the following text, with regard to a Group Chief Tutor role, was added at the end of paragraph 4.1:- *“In circumstances where there is no Advanced Tutor, the Group Committee can appoint a Member to the role until such time that there is a suitable candidate with the prerequisite qualification.”*

The Chief Tutor is a group specific role which is not covered in the RoSPA Constitution Template supplied during the Accreditation process. As the additional criterion was being added to the existing group constitution, with regard to this group only role and did not impact on any specific text required by RoSPA, within the standard constitution, it was decided that the new text did not constitute a major change and thus did not require submission to RoSPA for review. As the role is integral to the normal organisational capability of the group, which is under Committee control, it was decided that there was no requirement for the change to be submitted to the Group Membership for agreement.