Blind Citizens Australia – State Division Guidelines

Approved: 2 August 2017

Last amended 7 March 2020

# Preliminary matters

## Background

Blind Citizens Australia (**BCA**) is a not-for-profit organisation established to act as the national representative organisation of Australians who are blind or vision impaired. Its mission is to inform, connect and empower people who are blind or vision impaired and the broader community.

One of the ways that BCA supports and engages its members is through its State Divisions.

## Terms used in these State Division Guidelines

In these State Division Guidelines the following defined terms are used:

**BCA** means Blind Citizens Australia ACN 006-985-226.

**Board** means the BCA Board of Directors or such other group or individual to which it may have delegated its powers from time to time.

**Chief Executive Officer** means the person appointed to manage the ongoing activities of the organisation (however titled) and who has delegated authority from the Board on all operational matters.

**Member** means a full, associate, or junior member of BCA as defined in Clause 7 of the Constitution.

**State Division** means a State Division of BCA established, governed and operated in accordance with these State Division Guidelines and the State Division Operations Manual.

**State Division Chair** means the person elected or appointed to perform the role of chair for the State Division.

**State Division Committee** means the group of individuals (as determined by the Board) responsible for governing and operating the State Division and who must be drawn from the pool of members belonging to that State Division.

**State Division Member** means a BCA member who is normally resident in the State or Territory in which the State Division functions.

**State Division Operations Manual** means the BCA State Division Operations and Procedures Manual as amended from time to time.

## Purpose of these State Division Guidelines

The purpose of these State Division Guidelines is to:

* provide high level guidance to all members about how State Divisions are to be established, governed and operated; and
* describe how State Divisions are to relate and report to the Board.

## Policy is binding

These State Division Guidelines bind all members. All members that are part of a State Division must be given access to a copy of these State Division Guidelines.

A breach of these State Division Guidelines could result in disciplinary action by the State Division Committee or the Board.

## Other relevant documents

The following documents are relevant to these State Division Guidelines and should be read and understood by all Committee members:

* the State Division Operations Manual;
* the BCA Code of Conduct, Confidentiality Policy and all other Governance Policies; and
* the BCA Constitution;
* the BCA Branding and Style Guidelines.
* The BCA Business Plan.

## Keeping Up-to-Date

The most up-to-date version of these State Division Guidelines (and associated documents) are maintained on the BCA Information Repository located at: [www.bca.org.au/about/](http://www.bca.org.au/about/)

It is the most recent version of these State Division Guidelines (and associated documents) that apply.

# State Divisions

## What is a State Division

A State Division is a group of members, defined geographically by Australian state or territory, established, governed and operated in accordance with these State Division Guidelines.

Each State Division is governed by a committee of individuals drawn from the BCA members normally resident in that State/Territory. Each State Division is led by a nominated State Division Chair.

While State Divisions are, to some degree, autonomous, they are not separate entities and are still a part of BCA.

The purpose of State Divisions is to:

* help promote and further BCA’s purpose; and
* support, engage and grow the BCA membership.

## Establishing or Disbanding a State Division

A State Division can only be established or disbanded by a resolution of the Board.

The Board may independently decide to establish a State Division or may do so upon the request of a group of members. If asked to establish a State Division, the Board may accept or decline to do so.

When deciding whether to establish a State Division, the Board will consider a number of factors, including:

* the geographic area within which the State Division is to operate;
* the number of members living in the geographic area; and
* the qualifications and experience of the people who are to form the initial State Division Committee of the proposed State Division.

The Board may disband a State Division if:

* the number of BCA members living in that State or Territory falls below 50;
* upon request from the State Division Committee;
* the number of State Division Committee members falls below three and efforts to recruit additional sufficiently qualified and experienced committee members have been unsuccessful.
* It is considered that the State Division is no longer furthering the work of BCA;
* The State Division Committee continues to operate with disregard to the BCA Constitution, these State Division Guidelines or the other rules and determinations of the Board.

## State Division membership

Members residing in a specific Australian state or territory that has a State Division are by default members of that State Division. Members will be advised if a State Division is in operation in their State or Territory as part of BCA’s Member welcome pack.

If a person ceases to be a member of BCA, then that person also ceases to be a member of the State Division.

2.4 Australian Territories

Where the Board deems that it is not viable to establish a State Division in either the Australian Capital Territory (ACT) or Northern Territory (NT) it may determine that the BCA members normally resident in that Territory shall be considered members of an adjoining State Division.

Such an arrangement shall be subject to review at least every two years, and/or as requested by a petition of a group of members who are resident in the Territory concerned.

Where members from an adjoining Territory are deemed to be members of a State Division, a State Division Committee Member will be elected/appointed from among the members in the Territory concerned. This Committee position will be additional to those elected/appointed from among the members of the relevant State.

In all other regards the election/appointment of a Territory based Committee Member will be as provided for in Clause 3 of these Guidelines.

# State Division Committees and State Division Chair

## Forming the State Division Committee

The initial State Division Committee will be determined by the Board and will serve to the second Annual General Meeting of BCA following appointment.

From then on, membership of a State Division Committee is to be determined by election from among the members of the State Division.  Voting for election of State Division Committee members shall be by whatever means the Board determines , with provision for eligible members to record their vote in whatever format is deemed acceptable by the Board.

State Division Committee Members will serve for a two year term.  Procedures for the election of Committee members and the filling of casual vacancies will be, so far as possible, in accord with the procedures set out in the BCA Constitution for election/appointment of Directors.

In the case of the initial committee which is determined by the board, six positions will be filled. Once the initial Committee has been determined, the Chief Executive Officer will draw lots to determine which of these six people will serve for a term of two years, and which for a term of one year. Following this process, three positions on the committee will be filled at each AGM. In cases where there are more than three vacancies to be filled, Up to three elected members with the highest number of votes will serve for a two year term, the remainder for a one year term.

## State Division Chair

The initial chair of a newly formed State Division is to be determined by the Board and will serve to the second Annual General Meeting of BCA following appointment.

From then on, the State Division chair is appointed by the State Division Committee from among its members. All such appointments are subject to ratification by the Board.

If the State Division Committee does not appoint a chair for whatever reason, then the Board may do so.

Once appointed, the State Division chair is responsible for the overall good governance of the State Division and:

* is to act as the State Division’s representative and spokesperson; and
* is the person through whom the State Division Committee reports to the Board.

This must occur at least once each year, and the Chair may delegate a more regular reporting function to the Chief Executive Officer or their delegate.

The Committee, through the Chair, may also report to the board on matters outside its area of jurisdiction which relate to national BCA policy.

The State Division Committee may also appoint a Deputy Chair, Secretary and-or Treasurer as it sees fit from time to time.

## State Division Committee responsibilities

Each State Division Committee, led by the State Division chair, is responsible for the governance and operation of the State Division including ensuring that:

* regular State Division Meetings are held and appropriately conducted;
* all State Division records are properly kept and stored;
* communication channels between the State Division and the Chief Executive Officer and Board are open and professional; and
* all BCA policies and procedures are properly followed.

## State Division Committee meetings

State Division Committees must:

* meet at least once in every quarter;
* conduct their meetings in accordance with proper governance processes, these State Division Guidelines, the State Division Operations Manual and in such way as may be determined by the Board from time to time;
* keep proper written records of the business and decisions of the State Division Committee; and
* provide copies of all meeting minutes to the Chief Executive Officer in a timely manner.

## Annual State Division Plan

Each State Division Committee must meet once each year for the purpose of preparing an Annual State Division Plan.

The Annual State Division Plan must conform to the Annual State Division Plan Template as provided by the Chief Executive Officer from time to time and will commonly require the State Division committee to:

* set meeting dates and locations for State Division meetings and other events; and
* Prepare a budget which provides details of the income and expenditure that the State Division Committee expects to manage in the year ahead.

The Annual State Division Plan must be submitted to the Board on or before the date determined by the Board. It will be shared amongst other State Divisions to encourage collaboration and cooperation between State Divisions.

# Reporting and contributions

All State Divisions must report to BCA at such times and in such way and format as determined by the Board from time to time, including, for example, through the use of a reporting template.

State Divisions also have a number of other reporting requirements which are detailed throughout these State Division Guidelines and the associated State Division Operations Manual. They include, in summary:

* **Annual State Division Plan** – to be provided to the Board each year;
* **Content** – content for BCA’s website detailing latest State Division news; and
* **Finance** – updates on the State Division's financial situation, to the Board's Finance, Audit and Risk Management Committee on a quarterly basis.

# Finance and Banking

## General

BCA is a not-for-profit organisation, as such all income is to be spent or reserved to further its purpose.

BCA’s finances and business activities are managed at a National level and all contracts, payments and other commercial relationships above a limit set by the Board from time to time are to be managed by the Chief Executive Officer on behalf of the Board.

State Divisions must seek and receive written approval from the Board before incurring any costs that are not provided for in the annual State Division Budget.

For clarity, all matters relating to the appointment and management of staff, the provision of office space and facilities and other business relationships are the province of the BCA Chief Executive Officer, operating with delegated authority from the Board.

## Banking

State Divisions will have expenses throughout the year – e.g. expenses for conducting State Division Meetings, by paying for venues, catering, etc. State Divisions may maintain a bank account to hold local fundraising income up to an amount authorised by the Board and to meet these local expenses.

State Division Bank accounts will be in a form that ensures that the Chief Executive Officer or delegate can monitor income and expenditure electronically.

All income received above the limit set by the Board must be transferred to the national organisation. However funds generated through state or local government contracts, philanthropic grants, sponsorships or specific purpose donations will be held by the national organisation for use within the state or territory from where they were generated.

# Entering into agreements

State Divisions will not normally enter into contracts or other agreements. However the Board may, from time to time, delegate certain responsibility to a State Division Chair which may include the ability to enter into binding contracts on behalf of BCA; but only in accordance with clause 19.3 of the BCA constitution.

# Confidentiality and use of data

The Board may from time to time provide one or more State Divisions with information including the names and contact details of members.

The State Division Committee must ensure that all confidential and personal information is:

* kept confidential and secure;
* only used for the purpose for which it was given. For example, for emailing State Division members about events; and
* otherwise handled and used in a way consistent with BCA’s policies and procedures relating to the collection, use and storage of personal information.

Under no circumstance should a State Division or a State Division Committee collect or store credit card details.

# Communication and branding

## Name logo and brand

State Divisions will normally operate under a name that consists of the words "Blind Citizens" followed by the name of the relevant State or Territory, e.g. "Blind Citizens Victoria".

Upon approval for the establishment of a State Division the Chief Executive Officer will ensure that the relevant name is registered as a Business Name and will provide the State Division Committee with appropriate stationary and other branding materials.

State Divisions must not use the BCA name, logo or brand in any other form without the prior written approval of the Board.

All such use must be undertaken in conformance with the BCA Branding and Style Guidelines as amended from time to time.

## Publications

State Divisions must not create or distribute their own publications, newsletters, media releases or other communications materials without the prior approval of the Chief Executive Officer.

## Website

State Divisions will not have their own website. BCA can arrange for pages within the BCA website to be dedicated to a State Division upon request.

If space on the BCA website is made available to a State Division, then it is the responsibility of that State Division to provide the content for it.

## Email

BCA will provide each State Division Chair with a generic email address (e.g. NSW@BCA.org.au) and guidelines on how to use the email account. It is preferable that State Divisions use this account for emails relating to the work of BCA.

This email address must not be used for personal matters or for purposes other than those of BCA.

## Invitations

Coordination of invitations to Federal Members of Parliament, Senators and the Governor General will be coordinated by the Chief Executive Officer. State Divisions may request that the Chief Executive Officer issue an invitation to one of these people.

# State Division Spokesperson

The State Division Chair has authority to make public statements or to otherwise represent the State Division provided that;

* the subject and content of the representation is in conformity with BCA's public policies and the organisation's national advocacy and policy positions;
* the subject and content of the representation relates to policy and advocacy matters that are particular to the State or Territory in which the State Division operates.
* The content of the statement and response to any likely questions has been discussed with and approved by the Chief Executive Officer or their delegate.

No other member of a State Division has authority to represent a State Division without the prior approval of the Chief Executive Officer.

# Sponsorship and fundraising

State Divisions are not permitted to raise funds for a purpose other than as provided for in these State Division Guidelines or as directed or approved by the Board in writing.

State Divisions are not permitted to agree to ‘sponsor’ any event or activity without the Board’s prior written approval.

All sponsorships must be obtained and maintained in accordance with the BCA Sponsorship Guidelines.

# Events

State Divisions must not hold any event, other than business and social meetings of members, without the prior written approval of the Board, unless that event is listed in the Annual State Division Plan.

All events must:

* be related to the purposes and activities of BCA;
* be conducted in accordance with all relevant BCA policies and procedures (including those relating to media and Work Health and Safety); and
* otherwise be conducted as directed by the Board.

In those states and territories where a State Division is in operation the State Division will have a primary role, in association with all relevant branches, in the organisation and conduct of State Conventions. However, the dates, location and all contractual arrangements related to the State Convention will be subject to approval by the Board or Chief Executive Officer on the Board's behalf.

# BCA contacts

Any queries about these State Division Guidelines can be directed to: companysecretary@BCA.org.au