

FAQs #1

*some frequently
asked questions*

This is the first in a series of FAQ's responding to questions being asked about the independent Report into the GRA, the need for change and a New Rule Book to underpin the changes required.

Q. What's all this about? A substantial report and proposed new Constitution and Rules for the Association?

A. The 2016 Annual Delegate Conference decided to have an independent examination of all aspects of the way the Association was conducting its affairs. Issues like transparency in decision-making and in financial reporting, structures, effectiveness, communications, training, and leadership were all issues which the Conference motion sought to have independently examined. The Report does just that. In addition, the consultants were specifically asked to bring forward recommendations to improve the Association's methods and structures. The Report does that too. It is well worth taking the time to read the Report to see the extent of changes and improvements being recommended.

Q. What's going to happen to the Report?

A. The Report was posted to every member of the Association. This was designed to initiate a debate on the importance of reorganising the Association. Extensive changes and improvements are being recommended and a Special Delegate Conference has been organised for January 2018, where the Report will be presented, in its entirety, to the delegates attending. A discussion will take place and a decision will be made.

Q. So, briefly then, what's wrong?

A. All organisations require housekeeping, from time to time. The Association has never commissioned an independent root and branch examination of the way in which it does its business. It was clear to the 2016 Conference that the time had come to revisit the ways in which the Association was being managed and how it operates. Modern thinking on issues of transparency and governance needed to be brought into the Association. If there are better ways in which to get things done more cost effectively, then the Association should not be left behind.

Q. Yes, that all makes some sense, but specifically what's being recommended?

A. The way the Association is structured involves a significant degree of 'inbuilt' rigidity and cost, and there are some serious deficiencies such as no ongoing industrial relations and problem-solving training for representatives, an inadequate information system, and an urgent need for a modern system of communications to keep members up to date with developments in which they have an interest. *"What issues are being discussed, and when are we likely to see some improvement?"* is a fairly standard question to which members are entitled to answers. Members quite reasonably expect that they should have the benefits of a modern system of communications, whether via App, tablet, internet site – but just as importantly, the communications should be accurate, prompt, reliable and accessible.

Members also quite reasonably want to have Association financial management practices which are transparent and rooted in prudence and good governance. Members expect that they can have quality explanations and answers to questions about the use of members' subscriptions, and knowledge of where the funds have been spent. Such information should be readily available.

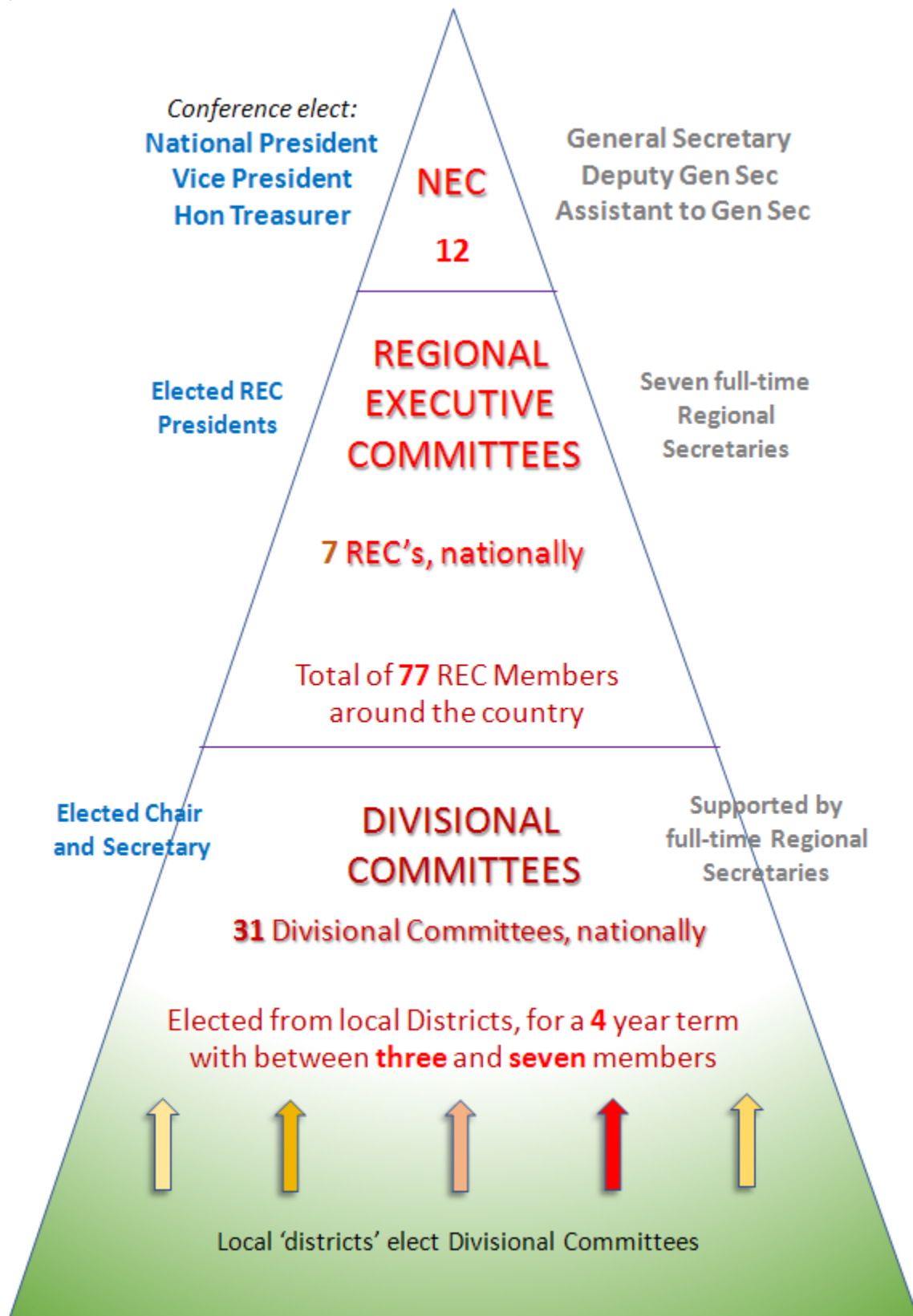
Q. So, how will the proposed changes affect me?

A. A new structure is being recommended which will see a 'new' engine room of representation closer to the members, at Regional level, which will streamline local problem-solving and decision-making. A full-time Regional Secretary will be accountable to both the Regional Executive and, a new body, the National Executive Committee. The Divisional Committees will elect the Regional Executive which will elect the National Executive Committee and the chart on the following page sets out the new structure, as a reference guide.

As you can see from the chart overleaf, it is planned that there will be 31 Divisional Committees (with from between three and seven elected members each), 7 Regional Executive Committees (with between 8 and 15 elected members depending on the size of Region) and a National Executive Committee to deal with 'national issues' (with 12 elected members together with a President, Vice President and the Treasurer). All of these elected reps will be required to participate in training so that members receive a quality support and service from elected and full time Reps. This will take a little time.

The new structures also lay considerable emphasis on ensuring that members can participate in decision-making of the Association and that the leadership is fully accountable to the members.

The Proposed 'new' Structure



Q. I heard that we were going to have less representation, is that true?

A. The aim is to improve the quality of representation but also the quality of all communication and information to the members. As you can see, from the chart below, when the plans are installed there will be trained representatives attached to democratically elected committees at the three significant levels of the Association and a full time Regional Secretary in each Region will bring professionalism in how members are represented. The ratio of reps to members at 1:56 at Division level exceeds the international standards and is far greater than the comparable ratio in the UK as indicated below. Representatives at District level may be elected based on need, as agreed by the Regional Executive Committee.

Representation Ratios			
Membership		10,500	
Regional Secretaries	7	1500	per Regional Sec
NEC	12	875	per NEC Member
REC	77	136	per REC Member
Div Committees			
(say ave 6) X by 31	186	56	per Divisional Rep
UK Representation statistic			
		142	per Constable Rep
<i>SOURCE: Police Federation Independent Review. www.rsa.org.uk</i>			

Q. Did Ampersand find anything positive in the Association?

A. Yes, we did and this is reflected in the Report. While the detail is focussed as it must be on what needs to be done, it is the ambition, clarity of shared diagnosis of the issues to be addressed, and commitment and loyalty to the Association of all the representatives that we met that provides the basis for setting out the rigorous and challenging level of change which is needed.

NATIONAL EXECUTIVE COMMITTEE AND OFFICERS

Q. Are there 12 or 15 people on the NEC?

A. 15. There are 12 members drawn from the Regions, elected as per Rule 43 (d), and 3 National Officers – President, Vice President and Treasurer - elected by Delegate Conference. [Rules 41 (a) & (b) and 17].

Q. *What happens if a member elected to the incoming NEC from a Region has been nominated, and is then elected, National President, vice President or Treasurer at the Delegate Conference?*

A. If a person elected to the incoming NEC is elected to a National Officer role then the provision on set out in Rule 43 (f) applies and they are replaced for the period in which they hold National Office.

Where a National Officer is elected, but is not a member of the incoming NEC, then no vacancy on the incoming NEC arises.

Q. *Can a National Vice-President seek election to more than one term in that role?*

A. Yes.

Q. *The balance of representation on the NEC is weighted towards the DMR rather than where the majority of members are situated, why? And with each National Officer does that mean that some Regions would have additional representation?*

A. The representative figures for seats on the NEC follow three Regional constituency ‘sizes’, which apply regardless of location, rather than mirroring the historical nature of voting powers within the GRA. The proposed size of the NEC is fluid, allowing for changes if the numbers of Association members in a Region increases (or decreases).

In addition to the 12 members which the current Regional figures indicate, the three National Officers are elected by Delegate Conference, and so there are 15 voting members. All 15 members of the NEC, regardless of which Region they come from, carry responsibility for decision-making in the Association on behalf of the whole membership and are expected to act always, and only, in the interest of the Association *as a body* and not in a partisan or parochial way.

The commitment to transparency and considerable improvements in communications and accountability, as outlined in the Review Report, will ensure that NEC decision-making is explained to the membership. The establishment of the Regional structures will also ensure that issues are being addressed at the appropriate level – Region or Division – and that the NEC is focussed on national issues and strategy.

In the event of any semblance of concern, for example about voting patterns or bias at the NEC, then the matter would be open to reference to the NRB. (See Rule 13)

Q. *Does the National President have a casting vote?*

A. Yes – the President is a voting member and, in the event of a tie, has a casting vote. [See Rule 41 (d)]

TRUSTEES

Q. *What is the process of nomination and election of Trustees?*

A. The processes are set out in Rules 16 (b) and 16 (a) respectively, and the Trustees are elected at a Delegate Conference for a period of 4 years. The current method of nominating and electing Trustees has not been disturbed.

Q. *Is it right that the NEC would direct the Trustees to do something, as Rule 44 (e) suggests – does this not cut across the independence of the Trustees?*

A. Between Delegate Conferences, the NEC is the national leadership body of the Association. Under the Rules, it is vested with significant responsibilities, including decisions in respect of expenditure(s) and the property of the Association, while the Rules also provide that the Trustees are the body in whose name all properties and assets are held in trust for the organisation. As provided for in Rule 44 (e), it is perfectly in order for the NEC to give direction as has been the case in the existing Rules.

The independence of the Trustees is enhanced within the new Rules.

REGIONAL STRUCTURES

Q. *Could a Division nominate more than one person to the REC?*

A. Yes, and all nominated will be subject to the election process as set out in Rule 45 (c).

Q. *How will the Regional President/vice President be elected and what is their role/function?*

A. The Regional President and vice-President are elected at the first meeting of and REC following an election for the term of that REC. See Rule 45 (b). The roles and functions of these positions is set out in a role profile which will be approved by the NEC.

REGIONAL SECRETARIES

Q. *How will the Regional Secretary be selected, what is the role/function and what will the tenure of service be? Are these not just more ‘jobs for the boys’?*

A. A professional and open recruitment process will be held for these full-time positions. The role/function will be agreed by the NEC but, for information, a draft of such a role will be included in the Draft Role Profile document which will issue shortly. The Regional Secretaries will be employed, reporting to the General Secretary, and will be subject to a fixed term contract of employment and a performance management system.

Q. *Where are the Regional Secretaries to be based / accommodated?*

A. They will be based within the Region, and where practicable it shall be in the same location as the Regional Commander (Asst Commissioner). This is primarily to ensure efficient industrial relations and representations at the appropriate level.

Q. *Will the Regional Secretary have an assistant?*

A. No, it is not envisaged that he or she will have any need for an assistant. They will be equipped with the necessary technology and systems to self-manage their work.

DIVISIONAL COMMITTEES

Q. *What determines the number on a Divisional Committee?*

A. The rules provide for each District to be represented on the Divisional Committee. [(See Rule 47 (b))] and so a minimum of three and a maximum of seven based on current District by Division numbers.

Q. *Can any member serve on a Divisional Committee?*

A. If the member has been in membership for three years, then they can seek to serve on the Divisional Committee.

Q. *Who is responsible for the election process at Division level?*

A. The REC in a Region will organise the elections in accordance with Rule 47 (c).

Q. *How are the Divisional Committee Officers elected?*

A. At the first meeting of the Divisional Committee following an election. [See Rule 47(b)]

Q. *How often can Divisional Committees meet?*

A. Divisional Committees are required to meet every second month. It is anticipated that the proposed improvements in systems (including decision-making on Legal Assistance) and communications, and the support of the full time Regional Secretary, will reduce the need for meetings, although they are not precluded from convening a meeting to deal with an urgent/compelling issue such as an extraordinary event.

Q. *What happens if there are changes to Divisions in AGS – how will representation work then?*

A. Rule 47 (ix) provides for the relevant REC to make temporary arrangements to ensure that members receive necessary representation. Any impact on Association structures would be assessed by the Rules Revision Committee for recommendations if consequent Rule changes arise.

DISTRICT REPRESENTATION

Q. *How many Designated District Reps will there be?*

A. Rule 48(f) requires the Regional Secretary to undertake an annual evaluation and make a written report to both the REC and the NEC on the adequacy of resources, support, training, etc., at Regional, Divisional and District levels. If on request, confirmed by this evaluation, the REC confirms that a District requires to have a Designated Representative, then the members in that District, at the Annual General Meeting of the District, may elect such a Designated District Representative (DDR). The role and function of the DDR will be detailed in a 'Role Profile' and every DDR will be trained. As information and communications systems are also to improve considerably under the proposals, the needs in the future are likely to change as members are better informed and can access information easily.

Q. *How will 24-hr access to Reps be available at local level?*

A. If adopted the proposals will ensure a more streamlined, professional response to queries / needs of the membership, including, for the first time, a full time Regional Secretary and elected representatives who are trained to respond. It is envisaged that access to representatives at any time will be organised professionally, and all members will have the contact information which will ensure that they can reach a Representative as necessary, and where the need is urgent that the contact point is reliably available.

Q. *Why is there a proposal to remove the District Committees?*

A. Committees (as opposed to representation) at District level add a layer of administration which is not necessary in the proposed structures. The Divisional and Regional Committees and the NEC

will address representation issues at their respective levels, and ensure a consistent democratic decision-making process between Delegate Conferences. The democratic 'foundation platform' of the Association going forward will be the Divisional Committee, made up of members drawn from the Districts.

Q. *Will there be only one meeting of members in a District each year?*

A. The Rules provide for a requirement for an Annual Meeting of members in a District each year. (See Rule 49). The number of Ordinary Meetings of a District will be a matter that can be fixed in conjunction with the Divisional/Regional Committees.

NRB

Q. *What is the NRB and how will it function without Garda Representatives?*

A. This is an independent body whose judgement has to be seen to be separate from the existing hierarchy / chain of command, and is intended as an oversight body of 'last resort' where structured and experienced (external) help may be required. The NRB has no involvement in the industrial relations agenda of the Association, and is a way of finding solutions adopted by some representative organisations so that good standard problem-solving is completed 'in house', rather than as public laundry. In an ideal world it may never be needed, but if it is, it will be available.

Q. *What will it cost and who decides?*

A. The NEC shall determine the fees and payment methods of the NRB after consulting the Trustees on the matter.

Q. *Is the NRB to be the supreme governance for the Association?*

A. No - the supreme governance of the Association remains, as it has always been, with the Delegate Conference.

J DAYS

Q. *What allocation of days will be available for representatives at each level?*

A. The new structures will involve discussion with the Official Side (DOJE and AGS) to establish arrangements to cover the new structures, as would be the case with any employer.

SUBSCRIPTIONS

Q. *Why is there a proposed increase to the subscription rate?*

A. There is a proposed increase of 0.1% to the subscription rate. This is to be ring fenced for the development of urgently needed Communications (including IT) systems, an area clearly identified by the membership as requiring major improvement. It shall be utilised solely for this purpose and its use shall be presented at each Delegate Conference during the financial report, to show precisely how these funds have been spent.

BUDGET/COSTS

Q. *Can we afford the proposed changes, particularly the appointment of staff? What will this new layer of employees cost and where is the money coming from?*

A. The introduction of the Regional Secretaries posts is a crucial step in the professionalisation of the Association and it is intended that the costs will be borne from within the current overall expenditure. The heavy use of funds for expenses will reduce significantly both with professionalisation and with a smaller CEC. Better systems and budget management will contribute to further savings. The final decision on salaries, which will be the major expense, will be a matter for the NEC but based on comparable roles in other organisations, and will be affordable.

The Association requires considerable change and professionalisation. The proposals are made with the intention that the changes will be completed within budget, with the exception of investment in the communications systems, for which the increase in member subscriptions is proposed.

All costs will be accommodated within the Association's means and from 2018 will be regulated, planned, budgeted, and overseen to deliver the necessary services and supports to members, and to ensure they are represented professionally and effectively from District through to national level.

The absence of current analysis of costs – why they are incurred or to what advantage/outcome – makes projecting future costs almost impossible, other than to observe that they cannot exceed the current amounts and will be put to more effective and transparent use in what is proposed.

MEETINGS

Q. *What is a quorum at a meeting?*

A. A quorum is 50% +1 of those entitled to attend.

REMOVAL FROM OFFICE

Q. *What is required to vote to remove someone from office?*

A. Removal from office is a final step in a very serious set of circumstances and requires a two thirds majority of those present at a quorate meeting which has the authority to make such a determination. There is little doubt that such an action would not be undertaken lightly, and only very rarely or exceptionally, with due process, fair procedure and natural justice considerations involved. Rules 32(b), and 43(g), read in conjunction with Schedule A (ii), (8)(g) clearly identify such an action as the most serious matter with all the attendant consequences.

GENERAL CLARIFICATIONS

Rule 17(a) – what does “eight weeks” signify: This is the timeframe after which, if subscriptions are not received, the REC may institute a sanction.

Co-options – why is this option not included in the new Rules: Consistent with good democratic practice, only after no candidates present to run for a position should a Committee consider co-option.

Counting ballots – why change the oversight of ballots: There will be an increase in member balloting after the re-organisation. It is inappropriate that members should have to wait on the availability of one designated person, to oversee a count. The use of a local authority returning officer will ensure both good standard and consistency, and likely a lower cost.

Counting PR(STV) ballots – why change: The proposed Rules introduce a number of areas where it is deemed within the competence of an REC to decide – in its local knowledge and experience – what may be most appropriate. Should a DC Chairperson feel competent in such counting, then s/he may not need the assistance of a Regional Secretary. Given the administrative as well as the organising functions of the full-time Regional Secretary, it may be simply more efficient for a Regional Secretary to either count the vote, if competent him/herself, or to bring in a competent person to do that. In every situation the process of the counting has to have the confidence of the electorate.

Representation by the GRA on the St. Pauls Garda Medial Aid Society and the Garda Benevolent Trust Fund Society (6 members on each) – in light of the proposed new structures and a smaller NEC should there be changes: This issue falls outside the &|Ampersand remit. The NEC may want to review its representation, and/or policies in respect of these bodies, but that was not a matter for the &|Ampersand Review. It would appear, at first glance, that six representatives is a little overweight, but we were not asked about this.