



Constitutional Arrangements

Agreed by the Older Peoples Assembly (Ratified 4th March 2009)

1. Name

1.1 The Name of the Assembly is "Southend on Sea Older People's Assembly" (hereafter called "The OPA").

2. Aims of the Assembly

2.1 The aim of Southend's OPA is to:

- (i) Provide a voice for people aged 55 and over at a local level and to establish & maintain links and facilitate dialogue between older people and any individual or organisation that has an impact on the over 55's.
- (ii) Identify, raise and highlight with any relevant organisation or body, the issues affecting older people within the Borough of Southend.
- (iii) Strive to improve the quality of life for older people within the Borough of Southend.

3. Organisational Structure of the Assembly

3.1 The OPA will consist of the following Officers:

- | | | |
|-------|--------------------------------|------------|
| (i) | Chairperson | x 1 |
| (ii) | Vice Chairperson | x 1 |
| (iii) | Hon Secretary | x 1 |
| (iv) | Hon Treasurer | x 1 |
| (v) | Committee Member | maximum 11 |
| (vi) | Non-Elected Honorary President | x 1 |

3.2 Any member of the public satisfying the criteria to be a member (Section 4) of the OPA may attend meetings, and will be known as "Non-Elected Members".

4. Criteria for Assembly Members

4.1 Officers and non-elected members of the OPA must be:

- (i) Over 55 years of age
- (ii) Live within the Boundary of Southend on Sea Borough Council

5. Roles & Responsibility of Assembly Officers

5.1 Chairperson

The Chairperson of the Group will be elected by the Assembly and has overall responsibility to:

- (i) Attend all meetings for which reasonable notice is given.
- (ii) Ensure that the Assembly functions properly – This includes effective planning of meetings in accordance to the constitution and that all matters are dealt with in an orderly manner.
- (iii) Ensure the Assembly is managed effectively – This includes making sure that procedures are in place for effective management.
- (iv) Oversee the responsibilities of the Vice-Chairperson, Hon Secretary, Hon Treasurer, Committee Members and Non Elected Members.
- (v) To represent the Assembly as its figurehead - This may include representing the Assembly or acting as spokesperson at various functions, meetings or other events.
- (vi) To be an approved signatory for the Assembly's bank account.

5.2 Vice Chairperson

The Vice-Chairperson is elected by the Assembly and has responsibility to:

- (i) Attend all meetings for which reasonable notice is given.
- (ii) Act in the absence of the Chairperson with all the powers and responsibilities of the chairperson.
- (iii) Receive and undertake any duties that the Chairperson or Assembly assign to the vice-chairperson.
- (iv) To be an approved signatory for the Assembly's bank account.

5.3 Hon Secretary

The Hon Secretary is elected by the Assembly and has responsibility to:

- (i) Attend all meetings for which reasonable notice is given.
- (ii) Manage the Assembly's secretarial functions.
- (iii) To organise and run the annual election of Assembly officers.

5.4 Hon Treasurer

The Hon Treasurer is elected by the Assembly and has responsibility to:

- (i) Attend all meetings for which reasonable notice is given.
- (ii) Manage the Assembly's budget - this includes all financial matters, reviewing all financial statements and ensuring accuracy and completeness of records.
- (iii) Approve and account for payment of invoices for Assembly expenditure.

- (iv) Responsibility and operation of the Assembly's bank account.
- (v) To be an approved signatory for the Assembly's bank account.

5.5 Committee Member

The Committee Member is elected by the Group and has responsibility to:

- (i) Attend all meetings for which reasonable notice is given.
- (ii) Act as lead responsibility for the delivering of any activities requested by the Assembly or elected Chairperson.

5.6 Non-Elected Member

Any member of the public satisfying the criteria to be a member (Section 4) of the OPA may attend ordinary meetings and will be known as "Non-Elected Members".

5.7 Non-Elected Honorary President

The Honorary President is appointed by the Committee and has responsibility to:

- (i) Promote the Aims and Objectives of the Assembly
- (ii) Support the activities of the OPA
- (iii) Attend the Annual General Meeting and where convenient any other "function" where the presence of the Honorary President is appropriate.

5.8 Committee Members not attending three consecutive Committee meetings without prior notice to the Chairman or Secretary could be asked to resign from the Committee.

6. Code of Conduct for Officers & Members of the OPA

6.1 All officers and members of the OPA must comply with the following ten codes of conduct when they attend or conduct the business of the OPA, or act as representative(s) of the OPA:

- (i) **Selflessness** - Members when conducting OPA business should serve only the public interest objectives of the OPA and should never improperly confer an advantage or disadvantage on any person.
- (ii) **Honesty and Integrity** - Members should not place themselves in situations where their honesty and integrity may be questioned, and should avoid the risk of being placed in any such situation.
- (iii) **Objectivity** - Members should make all decisions on merit taking account of the views of others, but should reach their own conclusions on the issues before them.
- (iv) **Corporate Responsibility** – Members of the OPA should respect its proper decision-making processes even where s/he disagrees with a decision of the OPA.
- (v) **Accountability** - Members should be fully accountable to the public for all of their actions in conducting OPA business and the manner in which they

carry out their responsibilities, and should co-operate fully and honestly with any process of accountability or request for accountability made by the OPA or on its authority.

- (vi) **Openness** - Subject to proper observance of requirements for confidentiality as agreed by the OPA, members should be as open as possible about their actions and those of the OPA, and should be prepared to give reasons for those actions.
- (vii) **Respect for Others** - Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.
They should respect the impartiality and integrity of the non-members who provide support, give advice and inform the OPA. (E O Statement app A)
- (viii) **Duty to Uphold the Law** - Members should uphold the law and, on all occasions, act in accordance with the trust that the OPA and the public is entitled to place in them.
- (ix) **Stewardship** - Members should do whatever they are able to do to ensure that the OPA uses its resources prudently and in accordance with the law.
- (x) **Leadership** - Members should promote and support these principles by leadership and by example, and should always act in a way that secures or preserves public confidence.

6.2 In addition to the above members must:

- (i) promote diversity by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.
- (ii) when using or authorising the use by others of the resources of the OPA, act in accordance with the OPA's requirements.

6.3 Members must not:

- (i) do anything which compromises or which is likely to compromise the impartiality of an officer or those who work for, or on behalf of, the OPA.
- (ii) disclose information given to her/him in confidence by anyone, without the consent of a person authorised to give it, or unless s/he is required by law to do so.
- (iii) prevent another person from gaining access to information to which that person is entitled by law.
- (iv) commit a criminal offence, or conduct her/himself in a manner which

could reasonably be regarded as bringing the OPA into disrepute.

- (v) must not use her/his position improperly to confer on or secure for any person, an advantage or disadvantage.
- (vi) Let any personal political views or involvement influence or dominate any part of the OPA. The OPA should remain politically neutral at all times.

6.4 Any member breaching the above code of conduct shall be reported to the Chairperson, Vice Chairperson or committee member.

6.5 The Chairperson or Vice Chairperson may call a meeting of the officers of the OPA only to discuss and agree appropriate action for the breach in the above code of conduct.

6.6 The Chairperson / Vice Chairperson may in the cases of breaches of conduct :

- (i) Ban the member from future meetings of the OPA.
- (ii) Impose a time period on attendance at meetings of the OPA.
- (iii) Remove officers from their elected position.

7. Annual General Meeting & Election of Assembly Officers

7.1 The OPA will hold an annual general meeting to elect the officers of Chairperson, Vice Chairperson, Hon Secretary, Hon Treasurer and Committee Members.

- (i) Elections will be held every 2 years for all officers of the Assembly.
- (ii) Officers can serve a maximum of one term except where there are grounds for exceptional circumstances.
- (iii) Nominations will be accepted by the Hon Secretary in the month of February and no later than the last day of that month (including the 29th on leap years only).
- (iv) Nominations will be accepted from anyone who meets the criteria to be an Assembly member.
- (v) Nominations will only be accepted on the designated forms and signed by the relevant candidate.
- (vi) Candidates may, if desired, at the time of nomination or 24 hours before the election meeting submit a summary of their background, attributes, reasons, intentions or any other relevant information to be used as their campaign submission. This will be submitted to the Hon Secretary. The summary should remain non-political at all times.
- (vii) An election meeting will be held in March for elected officers to take

post from the 1st April.

- (viii) All candidates and their campaign submissions will be available at the election meeting.
- (ix) Candidates for the Chair & Vice Chair may, if they wish give a campaign speech, or written resume at the election meeting prior to voting, as may all other candidates.
- (x) Only elected and non-elected members attending the meeting may cast votes.
- (xi) All elected officers will serve until the next annual general meeting.
- (xii) The outgoing Chairperson will chair the annual general meeting.
- (xiii) The order of business at the annual general meeting will be:
 - Welcome and address from the chairperson on the year's activities and achievements.
 - Address from Hon Secretary on the election process.
 - Formal stand down of Assembly officers
 - Election Campaign from candidates for Chairperson & Vice Chairperson.
 - Voting.
 - The appointment of an auditor / independent examiner or other appropriate person to as is required by law as being appropriate to the OPA's finances
 - Any other constitutional matters
 - Standing Order Programmes
 - Formal address by newly elected chair.
- (ix) All other meetings of the OPA (other than the AGM or Extraordinary meetings) will be known as "Ordinary" meetings.

8. Ordinary Meetings

8.1 The order of business at OPA Ordinary meetings shall normally be:

- (i) Ordinary meetings shall be chaired by the Chairperson or Vice chairperson to be agreed between them.
- (ii) In the absence of the Chairperson or Vice Chairperson, any elected officer of the OPA may chair the meeting.
- (iii) A minimum of four ordinary meetings are to be held every year or more frequently if deemed necessary.
- (iv) Minutes of the previous Ordinary meeting and the Annual general meeting, if applicable, will be agreed at this meeting.
- (v) The order of business at this meeting is to be decided by the

Chairperson or in his absence the officer chairing the meeting.

- (vi) The agenda for the next Ordinary meeting is to be agreed at the end of each Ordinary meeting.
- (vii) The Chairperson / Vice Chairperson or Officer chairing the meeting may add or remove items from the agenda at their discretion.
- (viii) Agenda for the next Ordinary meeting will be available from the Hon Secretary.

9. Voting

- 9.1 Voting at all meetings including the election of officers to the OPA will be by a show of hands and the decision will be decided by a simple majority of those members present.
- 9.2 No person shall exercise more than one vote, except in the case of an equality of votes when the chair of the meeting shall have a second or casting vote, or in the circumstance detailed in 9.4 the Vice Chair.
- 9.3 In the business of electing offers to the OPA members may vote for themselves.
- 9.4 In the business of electing a Chairperson to the OPA and when an equality of votes occurs the Vice Chairperson and not the Chairperson will have the casting vote.
- 9.5 Ten or 2/3 of the working Committee shall represent a quorum at their respective meetings and any proposal at those meetings shall be carried on a majority vote of those present and entitled to vote.
- 9.6 In the event of equality of votes the Chairperson or presiding member shall have the casting vote.

10. Minutes

- 10.1 Minutes of every Ordinary, Extraordinary and Annual General meetings of the OPA shall be submitted to and signed at the following Ordinary meeting. The Chair shall put the question that the minutes submitted to the meeting be approved as a true and accurate record. No discussion shall take place upon the minutes, except for their accuracy. Any questions as to the accuracy shall be raised and amendments noted.
- 10.2 The Chair should sign the minutes as accepted.
- 10.3 The initialled minutes, after having been agreed by the Assembly, will be made available on the Council Website.

11. Extraordinary Meetings

- 11.1 The Committee may, when they consider appropriate, call an emergency meeting to deal with OPA matters or urgency. A notice of 21 days should be observed to give suitable notice to members.

12. Sub Committees

- 12.1 The Committee may, when they consider appropriate, create or dissolve any Sub Committee of members or advisors to the OPA.
- 12.2 Sub Committee members shall be drawn from the Assembly or on the recommendation of the Committee. All findings on issues will be reported to Ordinary, Extraordinary or Annual General Meetings of the OPA.

13. Prevention of Disorderly Conduct

- 13.1 If the Chair presiding at any meeting of the OPA is of the opinion that a member is guilty of misconduct by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the OPA, the Chair may notify the meeting of that opinion and may take any of the following courses, either separately or in sequence:
- (i) direct the member to refrain from speaking during all, or part, of the remainder of the meeting.
 - (ii) direct the member to withdraw from all, or part of the remainder of the meeting.
 - (iii) order the member to be removed from the meeting.
 - (iv) adjourn the meeting for 15 minutes or such period as shall seem expedient to her/him.
 - (v) If there are others present at a meeting of the OPA by invitation and such a person interrupts the proceedings of that meeting by displaying any of the behaviour referred to at 13.1, the Chair may take any of the courses of action as set out at 13.1 (i) to (iv) in respect of others present.

14. Payments and Out of Pocket Expenses

- 14.1 Payment to members of the OPA may be made of reasonable out-of-pocket expenses. Southend on Sea Borough Council subsistence rates shall be used as a guideline.

15. Financial Arrangements

- 15.1 The OPA shall:

- (i) keep accounting records for the OPA.
 - (ii) prepare an annual statement of account for the OPA.
 - (iii) audit or arrange for independent examination, or make other appropriate arrangements for the examination of the statements of account of the OPA, as required by law as being appropriate to its financial circumstances.
- 15.2 An audited, independently examined, or examined statement of the accounts for the last financial year shall be submitted by the OPA to its Annual General Meeting, after which the accounts shall be made available for public inspection.
- 15.3 All bank accounts shall be opened in the name of the OPA.
- 15.4 All cheques must be signed by at least two signatories. These signatories shall be nominated at an Ordinary meeting of the OPA.

16. Alterations to the Constitution

- 16.1 The constitution may be varied, amended or added to by resolution of the OPA Standing Orders and agreed at an Ordinary, Extraordinary or Annual General Meeting.

17. Dissolution of the OPA

- 17.1 If the OPA by a simple majority decide at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the OPA, a meeting of all elected officers and interested members of the OPA shall be called. Not less than 21 days' written notice (stating the terms of the resolution to be proposed) shall be given to all Officers and advertised to all members.
- 17.2 The views of all members of the OPA present at the meeting shall be sought and taken into consideration when members of the OPA vote on the resolution to dissolve the OPA.

This constitution was formally agreed and ratified at a general meeting of the Older People's Assembly on the 28th May 2008. Amended and ratified at general meetings on the 4th March 2009, 20th June 2012 and 5th June 2013.

Southend Older People's Assembly

EQUAL OPPORTUNITIES STATEMENT

1. Aims of this statement

The purpose is to challenge discrimination in all areas of the Assembly and to encourage inclusion. To ensure that the Assembly reflects the needs and diversity of the local community and incorporates equal opportunities into all areas of its work.

- To establish good links with, and to offer support, to those people in the locality who are facing discrimination.
- To establish good links with officers of Southend Borough Council and other like-minded organisations.
- To consider equal opportunities and diversity in all areas of our services and work.
- To consider establishing specific projects that promote equality of opportunity.

2. Statement of intent

The Assembly recognizes that certain groups and individuals in our society are discriminated against because of their race, colour, ethnic or national origin, gender, physical. Sensory or mental disability, marital status, sexual orientation, age, social class, religious belief, employment status or if they are HIV+.

Accordingly, the Assembly is strongly committed to positive action to remove and/or counter discrimination and encourage inclusion in all aspects of its work, in the way it works with other organisations, and in all its work within the community.

3. Implementation

Language or behaviour designed to be offensive to any person or group outlined in this statement is unacceptable and will not be tolerated by the Assembly and will be dealt with in accordance with the Assembly's Constitution and the Assembly's Code of Conduct.

4. Qualification

This Equal Opportunities Statement is referred to in the Southend Older People's Assembly's Constitution. No part of this statement shall supersede or override the Assembly's Constitution or Code of Conduct.