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Proposed Changes to Rules and Standing Orders

AGM

2015 | Perth
4-6 June

Proposed changes to Rules and Standing Orders as declared competent by the Standing Orders Committee for AGM 2015

1. Proposed Change to Rule IV. Fellowship and Honorary Fellowship

3(a) Grade of Fellow or Honorary Fellow (Page 13)

"Fellows, other than members upon whom the Grade of Fellow or Honorary Fellow has been conferred, shall not be required to pay annual contributions to the funds of the Institute nor, except at a meeting of Fellows or elections held under Rule IV 4, shall they be entitled to vote in any Institute election or at any Institute meeting or to hold any post or office within the Institute".

4 Board of Examiners (Page 13)

"The Institute shall constitute and appoint a Board of Examiners for the purpose of considering and reporting to the Council on recommendations for the Fellowship. The Board of Examiners shall consist of the Office Bearers and Convener and 12 members elected according to a scheme approved by the Council. One third of the 12 elected members shall retire annually. Nominations of the 12 elected members, all of whom shall be Fellows at the time of nomination, shall be invited from Fellows of the Institute. The election shall be carried out by a postal vote of Fellows of the Institute not less than three weeks before the Annual General Meeting. The Convener of the Board of Examiners shall be appointed annually, but shall be eligible for re-election. The Convener shall be elected by a postal vote of Fellows of the Institute not later than three weeks before the Annual General Meeting. Each Fellow of the Institute shall have one vote but, where there are more than two candidates, the method of election shall be by first past the post. Should the Convener'ship become vacant between Annual General Meetings, the nominations shall be sought from Fellows of the Institute. If more than one person be nominated for the vacant Convener'ship, the election shall be carried out by a postal vote of Fellows of the Institute. The Board of Examiners may appoint committees to which it may remit such matters as it deems proper. In the event of any vacancy occurring on the Board of Examiners, the unsuccessful candidate with the highest number of votes shall be appointed to fill the vacancy".

Fife Local Association

Commentary

Fellows and Honorary Fellows of the EIS, who are not themselves full paying members of the Institute, are not required to pay an annual subscription. However, other than at meetings of Fellows, they are not entitled to vote at any EIS election or meeting. This Rule Change would entitle all existing Fellows to vote for any appointment to the Board of Examiners which reports to Council with its recommendations for Fellowship of the Institute. At the present time the electorate for the election of the Board of Examiners is the Council itself.

2. **Proposed Change to Rule XIX Changes to Rules and Regulations (Page 28)**

At the end of the third paragraph delete

“the first working day following the end of February” and insert “...the tenth working day following the March meeting of the Council”.

Council

Commentary

This Rule Change brings the deadline for the receipt of proposed changes to the Constitution into line with the deadline for the receipt of motions. This means that the same Local Association or Self-Governing Association meeting could approve AGM motions and changes to the Rules and Regulations.

EXTRACTS FROM CONSTITUTION

(The following pages from the Constitution contain the sections to which changes have been proposed)

2. **Honorary Fellows**

On the nomination of the Board of Examiners, the Grade of Honorary Fellow may be conferred on persons who have rendered signal service to education in Scotland or elsewhere.

3. **Grade of Fellow or Honorary Fellow**

- (a) Fellows other than members upon whom the Grade of Fellow or Honorary Fellow has been conferred shall not be required to pay annual contributions to the funds of the Institute nor, except at a meeting of Fellows, shall they be entitled to vote in any Institute election or at any Institute meeting or to hold any post or office within the Institute.
- (b) A meeting of Fellows for the purpose of considering nominations to the Grade of Fellow shall be held at such a time as is determined by the Council. The Grade of Fellow and of Honorary Fellow shall, upon the nomination of the Board of Examiners and with the approval of the Council, be conferred on qualified persons by a majority of the Fellows of the Institute present at such a meeting provided that such a meeting is attended by no fewer than 15 Fellows.
- (c) The Council shall have the power to declare void any diploma of Fellowship conferred on any member who has been suspended or expelled from the Institute.
- (d) Fellows or Honorary Fellows who are members of the Institute and who retire shall be deemed to be honorary life members of the Institute and shall be entitled to all the rights and subject to same restrictions as other retired members except as regards the meeting of Fellows specified in paragraph 3b above and as regards membership of the Board of Examiners.
- (e) The Board of Examiners shall not entertain personal applications for the Grade of Fellow except in the case of those presenting a thesis under Rule IV 1(b). The Board of Examiners, local associations and self governing associations shall not divulge to any individual under consideration for the Grade of Fellow that the individual is under consideration until a decision in the particular case is confirmed by the Council.

4. **Board of Examiners**

The Institute shall constitute and appoint a Board of Examiners for the purpose of considering and reporting to the Council on recommendations for the Fellowship. The Board of Examiners shall consist of the Office Bearers and a convener and twelve members (not necessarily members of the Council) elected according to a scheme approved by the Council. One third of the twelve elected members shall retire annually. Nominations of the twelve elected members, all of whom shall be Fellows at the time of nomination, shall be invited from members of the Council. The election shall be carried out by a postal vote of the members of the Council not less than three weeks before the Annual General Meeting. The convener of the Board of Examiners shall be appointed annually, but shall be eligible for re-election. The convener shall be elected by postal vote of members of the Council not later than three weeks before the Annual General Meeting. Each member of the Council shall have one vote but, where there are more than two candidates, the method of election shall be by first past the post. Should the convenership become vacant between Annual General Meetings, the Council shall fill the vacancy at its first meeting thereafter. If more than one person be nominated for the vacant convenership, the election shall be carried out at the

Certificates of membership and diplomas of Fellowship shall be issued under the Seal of the Institute and the signatures of the President or Vice-President, the General Secretary, and such other Officials as the Council may determine.

XIX. CHANGES IN RULES AND REGULATIONS

The Annual General Meeting shall enact such Rules and Regulations as it deems necessary. The Rules and Regulations shall be binding on all concerned and may only be revised in accordance with the following procedure:

The Executive Committee may propose changes in the Rules and Regulations for consideration by the Council at its March meeting. In addition, members of the Council may propose changes in the Rules and Regulations for consideration by the Council at its March meeting.

Local associations and self-governing associations may also propose changes in the Rules and Regulations. All proposed changes to the Rules and Regulations must be received by the General Secretary no later than the first working day following the end of February.

All proposed changes in the Rules and Regulations shall be submitted to the Standing Orders Committee, which shall determine the competence of the proposals submitted. Where there are two or more proposals having similar content, the Standing Orders Committee shall decide on the wording of a composite amendment. Proposals considered not competent by the Standing Orders Committee shall not be entered on the Agenda of the Annual General Meeting. Intimation of such ruling shall be sent to the body which has submitted the proposal along with a full and clear explanation as to why the proposal has been considered not competent.

No change in Rules and Regulations shall be effective until it has been approved by a 2/3 majority of those present in the hall and taking part in the vote.

XX. FUNDS

1. Application of Funds

The income of the Institute from the national subscriptions of members shall in the first instance be recorded in a General Fund which will be used for the operational expenses of the Institute. The Council may determine from time to time the amounts or extent of members' subscription income which can be applied to support other Institute Funds.

2. Financial Year

The financial year of the Institute shall end on 31 August annually or on such other date as may be determined by the Council from time to time.

3. Auditors

The accounts of the Institute shall be audited or independently examined by professional auditors, who shall be appointed by the Annual General Meeting and who shall normally hold office from the close of one Annual General Meeting until the close of the succeeding Annual General Meeting. Casual vacancies in the professional auditors shall be filled by the Council. The qualifications and appointment and removal of the professional auditors shall be in accordance with the provisions of the legislation in force from time to time relating to Auditors of Trades Unions.