



Council Meeting 18th August 2020 Agenda

On Zoom

18th August 2020 19.30 pm to 21:30 pm

See Appendix for the invitation

Table of Contents:

Agenda item	Page	Agenda item summary
1	5	Apologies for absence
2	5	Council Appointments
3	5	Chairman's Vision
4	5	Changes to working practices due to Covid-19
5	5	Acceptance of Minutes from 18/07/2020 Council Meeting
6	5	Matters Arising
7	5	Treasurer Update
8	6	Insurance Managers' Report Council - August 2020
9	6	Welsh Government Judicial Review Update
10	7	IT Working Group Vision
11	7	Y&D Working Group Vision
12	7	P&I Working Group Vision
13	7	Review of Operational Procedures and Constitution WG
14	7	AGM
15	7	BCA complaints - Update
16	7	AOB
Appendices	7	1. Zoom Invitation
	8	2. Secretary Report – Tele-conferencing
	9	3. BCA Voting Procedures Report

Next Meeting Important Agenda Items

Voting Procedures Proposal. **Please read in advance prior to discussion at the next meeting in September.**

Council Positions, Attendance and Report Status Table

(Note – new reports are not required as a matter of course and those submitted at the meeting on 18/07/20, should be consulted and any issues taken up with authors. If these cannot be resolved, please refer them to the Secretary for consideration at this meeting)

Voting Positions

Position	Name & Initials		Atn (y/n)	Report Status	
				Last	New
BCA Executive					
Chairman (Acting) (2018- 2021) 3 years	Phil Rowsell	PJR			
Secretary (Acting) (2019- 2022) 3 years	Russell Myers	RM			
Treasurer (2017- 2020 - 3 years)	Howard Jones	HJJ		26/07/2020	Yes
Group/Club Representatives					
Position 1 - (2019-2021 - 2 years)	Hellie Adams	HA			
Position 2 - (2019-2021 - 2 years)	Josh White	JW			
Position 3 - (2018-2020 - 2 years)	Rostam Namaghi	RM			
Position 4 - (2018-2020 - 2 years)	Idris Williams	IW			
Individual Member Representatives					
Position 1 - (2019-2021 - 2 years)	Phil Rowsell	PJR			
Position 2 - (2019-2021 - 2 years)	Will Burn	WB			
Position 3 - (2018-2020 - 2 years)	Andrew McLeod	AM			
Position 4 - (2018-2020 - 2 years)	Jenny Potts	JP			
Chairs of Standing Committees					
Training Officer (2018-2021 - 3 years)	Nigel Atkins	NA			
Equipment and Techniques Officer (2017-2020 -3 years)	Mark Sims	MS			
Regional Council Representatives					
Cambrian Caving Council	Stuart France	SF			
Council of Northern Caving Clubs	Tim Allen	TA			
Council of Southern Caving Clubs	Linda Wilson	LW			
Derbyshire Caving Association	Wayne Sheldon	WS			
Devon and Cornwall Underground Council	David Jean	DJ			
Constituent Body Representatives					
William Pengelly Cave Studies Trust	Richard Vooght	RV			
Association of Caving Instructors	Stephan Natynczuk	SN			
National Caving Scout Active Support Unit	Tony Radmall	TR			
British Cave Research Association	John Gunn	JG			
National Association of Mining History	Steve Holding	SH			

Organisations				
Council of Higher Education Caving Clubs	David Botcherby	DB		
Cave Diving Group	Claire Cohen	CC		
British Cave Rescue Council	Emma Porter	EP		

Non -Voting Positions

Position	Name & Initials		Atn (y/n)	Report Status	
				Last	New
BCA President	Mick Day	MD			N/A
Working Party Convenors					
Information Technology Annual	Ari Cooper-Davis	ACD			
Youth and Development Annual	Josh White	JW			
Publication and Information Annual	Rostam Namaghi	RN			
CRoW Annual	David Rose	DR			
Qualifications Management Committee (QMC) Annual	Juliet Parker Smith	JPS			
Vision Annual	Hellie Adams	HA			
Radon Annual	Gethin Thomas	GT			
Additional BCA Appointments					
Insurance Manager Annual	Howard Jones	HJJ			
Membership Administrator Contract	Wendy Williams	WW			
Safeguarding Officer Annual	Chris Boardman	CB			
Training Administrator Contract	Mary Wilde	MW			
Library Representative Annual	Jenny Potts	JP			
Newsletter Editor Annual	David Rose	DR			
UIS representative Annual	Andy Eavis	AE			
European Speleological Federation Rep Annual	Ged Champion	GC			
Rope Testing Annual	Bob Mehew	BM			
Artificial Cave Annual	Katie Eavis	KE			

(1) Apologies for absence.

(2) Council appointment of roles, elections and new Group Members:

Chair: Philip Rowsell, no other applicants
C&A Officer: Will Burn, no other applicants

(3) Chair's Vision

Verbal Update

(4) Changes to working practices due to Covid-19

Teleconferencing of Council Meetings

See appendix for a report and proposal by the Secretary on the validity of teleconferencing meetings.

Change to Reporting process.

Now that we are moving to more regular video conference meetings, it is suggested that reports from the various standing committees, Working Groups etc move to a quarterly type report with a short update (if any) in between meeting. These will be logged in the new **Council Positions, Attendance and Report Status Table** at the start of the agenda/minutes; easily identifying the last report submitted and whether a new one has been received for the impending council meeting.

(5) Acceptance of minutes from Saturday 18th August 2020 Council Meeting. The link is here:

https://british-caving.org.uk/wiki3/lib/exe/fetch.php?media=about:documents:council_meetings:200718_minuted_draft_v4.pdf

and reports submitted, link here:

https://british-caving.org.uk/wiki3/lib/exe/fetch.php?media=about:documents:council_meetings:200718_papers_v2.pdf

Please forward any amendments/comments to secretary@british-caving.or.uk ahead of the meeting.

(6) Matters Arising

(7) BCA Treasurer Update

BCA Treasurer Report to BCA Council August 2020

Current bank balances: as at 07/08/2020 was £284,000. Of which £207,000 is in medium term interest bearing accounts and £10,000 is in a short term deposit account. I am holding more in the current account due to potential CRoW legal fees.

Abnormal Cash outflow since last Council meeting:

CNCC 2019 claim £1153

Budget 2020:

October 2019 Council meeting approved a budget for 2020 which had a deficit of £10,000. In January we approved significant expenditure on extra PL cover (£9k) and Adventure Academy project (£5k) and radon (£1k). Since then we approved £12,000 on the first batch of CRoW legal fees. If Council approve the next batch of CRoW legal fees and we lose the case (worst case scenario), the deficit for 2020 is likely to be in the order of £75k currently.

Regional accounts:

CNCC region submitted a claim for 2019 of £1,153, which was approved by Fin Com and paid.

Bank Interest cut March 2020

This is bad news for any entity with savings such as BCA. 2019 saw bank interest earned of £3,000. This will now drop going forward as banks reduce their savings offering. I estimate this will cost us £2,000 by 2021.

United Secure Bank

Is one of the banks BCA has a medium term savings account with. It recently decided to close all non-commercial accounts including ours. We are therefore in the process of claiming back our deposit and will move it to Redwood bank where there is headroom to invest and still be insured. This action appears to be drawing to a close, with yet another “final” request for information having been answered this week.

HJJ August 2020

(8) Insurance Managers' Report Council - August 2020

We are helping the British Cave Rescue Council with an issue they are having with their current insurers.

HJJ August 2020

(9) Welsh Government Judicial Review Update - BCA CROW Access Working Group Convenor..

Verbal Update

(10) IT Working Group Vision

Verbal Update

(11) Y&D Working Group Vision

Verbal Update

(12) P&I Working Group Vision

Verbal Update

(13) Proposal for Operational Procedures and Constitution Review Work Group

In the short time I have been involved in the BCA council and even more so being co-opted Chair, it is very apparent that our current constitution and Manual of Operations is not fit for purpose. This is further highlighted by the many proposals put forward to the 2020 AGM. In discussion with the EXEC, rather than continue with this piecemeal process of change, The EXEC believe a Work Group should be set up, led by the Chair, to review both documents, propose changes to and seek agreement of Council, with the explicit goal it will be put forward to the 2021 AGM for ratification.

Proposal. The EXEC propose that a Working Group be established led by the Chair, to review both the manual of operations and the constitution, gain councils approval of a proposed revision for ratification at the 2021 AGM.

(14) AGM Update

Verbal Update

(15) BCA complaints - Update

Verbal Update

(16) AOB

New Reports:

List of those received:

None to date

Appendix

1. Zoom invitation

Stuart France is inviting you to a scheduled Zoom meeting.

Topic: BCA council meeting

Aims: This is the next full council meeting that will be recorded to the cloud

Time: Tuesday Aug 18, 2020 19:45 London for 2 hours

Join Zoom Meeting

<https://us02web.zoom.us/j/82744553195?pwd=UEN1RjFabWNtZS9FV0p4bWRhMVYwQT09>

Meeting ID: 827 4455 3195

Passcode: 073602

One tap mobile

+441314601196,,82744553195#,,,,,0#,,073602# United Kingdom

+442030512874,,82744553195#,,,,,0#,,073602# United Kingdom

Dial by your location

+44 131 460 1196 United Kingdom

+44 203 051 2874 United Kingdom

+44 203 481 5237 United Kingdom

+44 203 481 5240 United Kingdom

+44 203 901 7895 United Kingdom

Meeting ID: 827 4455 3195

Passcode: 073602

Find your local number: <https://us02web.zoom.us/u/kbtX57WQ4f>

People will find their microphones are muted on joining the meeting, so use space bar to unmute while speaking.

2. Proposal - Secretary Report re Teleconferencing Council Meetings

The validity of holding Council Meetings by Teleconferencing has been raised so I thought it worthwhile presenting Council with a rationale for continuing to hold them with a view to this becoming the norm for the foreseeable future. The Manual of Operations (MoO) here:

<https://manual.british-caving.org.uk/wiki/doku.php?id=council:meetings>

describes the protocols for holding meetings and refers to the Venue:

“Meetings may be held at any suitable location. It is desirable to choose somewhere relatively central and with suitable WIFI to allow participants to join remotely via video link. The venue should be available all day and have the capacity for at least 40 people (based on usual maximum attendance). Proximity to amenities (e.g. for lunch) and on-site parking and hot drinks facilities (tea/coffee) is recommended.”

In my opinion, a Teleconferencing Meeting more than admirably fulfils these requirements (amenities in particular) and even refers to the use of “video” such that we should have no concerns about the validity of the meeting.

The Constitution at 6.12 requires *“Council shall meet at least twice per year”*

https://british-caving.org.uk/wiki3/doku.php?id=about:documents:bca_constitution

Teleconferencing will allow us to meet more frequently than this requirement.

The inaugural Teleconferencing Council Meeting in July was successful and whilst I received a number of supportive emails for Teleconferencing meetings to be continued, there were no complaints and indeed, calls for meetings to be held in this manner more frequently with a reduced but targeted agenda. 2 hours appears to be the optimum meeting time period and correspondents commented on the benefit of having substantially more free time for themselves rather than giving up a whole day and significant travelling time to attend face to face meetings. The next meeting is scheduled for Tuesday 18th August in the evening between 7.45 pm and 9.45 pm, another experiment to see how well it fits into Council Members lives.

Teleconferencing allows us to function and conduct the business of the Association and be more flexible in our approach to Meetings with the ability to almost react on the “hoof” if need be. However, it does bring us into conflict with MoO which imposes timelines in the run up to a meeting.

To take advantage of this new flexibility, I recommend Council suspend the timelines outlined in MoO for the foreseeable future but kept under continuous review by the Executive Committee for the most effective alternatives, which may be implemented.

Meetings that are more frequent will place additional pressure on the secretariat to produce agendas, minutes etc. and receive reports coupled with the need to give reasonable notice to Council of a forthcoming meeting. Monthly meetings have been suggested but in the early phase of this development, I would favour 6-week intervals in order to process documentation and allow circulation of matters to Council Members for consultation with their own members. I also favour production of more succinct minutes recording the critical issues and less detail to reduce the administrative burden.

The timeline I envisage will run something like this:

Meeting - 2 weeks to produce/circulate minutes – following 2 weeks receive agenda items for the next meeting - 4th week issue Agenda and associated documents – 6th week next meeting.

Noting that MoO states that *“The deadlines are not set in stone (and may need to be adjusted due to Secretary vacations for example), so cannot be used to invalidate a meeting,.....”* The key consideration is that we remain flexible about these arrangements, particularly having regard to the vagaries of the current Pandemic, in order to keep the business of the Association functioning.

In summary, we have a fantastic opportunity to exploit current technology to our advantage, which significantly outweighs any disadvantages. Our Treasurer notes that a “face to Face” meeting in the past, costs on average £1000.00, a significant saving along with other advantages.

Although we are still in the early stages of its use and finding how we may best use the technology, I present the following proposal for Council approval.

Proposal by the Secretary

That Council agree to continue to hold meetings on Teleconferencing under continuous review by the Executive Committee for the foreseeable future and suspend protocols in the Manual of Operations pertaining to the timescales to service those meetings.

Russell Myers
Acting Secretary
BCA 04/08/2020

3. BCA Voting Procedures Report Rostam Namaghi

Introduction

Item for discussion: Voting Procedures

I've submitted an item for the AGM to confirm the way we have votes. This needs to be done as it isn't outlined in the Manual of Operations and there's no precedent as we've never had a contested position and therefore an actual election.

I have chosen to independently compile this report in order to facilitate the IT Working Group's implementation of a membership database and online voting setup to ensure that the group remain apolitical.

The main issue was that it was unclear what the **voting system** for **contested elections** was. This is not a surprise as in the history of the BCA there has **never been a contested position** (following a review of every AGM election in the organisation's history). Given that more of our members are engaging in the democratic process, due to recent ballots and the Countryside Rights of Way campaign, it seems inevitable that our members will get to vote on their representatives.

It should be noted that it is very hard to find out:

- how to submit a nomination and when the deadlines are
- what positions are vacant
- who is currently running

These three things are fixable without changes to the manual of operations, all you would need is an elections tab on the website that is updated with all these things.

Fortunately, there is a line from the January 2020 changes to the Manual of Operations (MoO):

For contested positions or multi-choice option motions, the candidate or option with the most support will be appointed/accepted.

'Most support' requires interpretation. It doesn't detail how the vote is to be implemented. I have identified the two most common systems and listed their necessary changes to the MoO.

Voting Systems

Plurality voting

'First past the post' – Members have one vote which they can allocate to one candidate, and the candidate with the largest number of votes wins.

Advantages: Simple, familiar system that most of the British public is familiar with and delivers a clear result. Good for head to head races.

Disadvantages: In the event of many candidates the largest minority are represented. i.e. unlikely to be a consensus candidate.

MoO change:

*'For contested positions or multi-choice option motions, the candidate or option with the most support will be appointed/accepted. **For candidate elections each member can cast one vote for their preferred candidate.'***

There is another issue that must be pointed out: The 2 position vacancies would either have to be listed as separate positions i.e. candidates have to run for 'DIM rep 1' or DIM rep 2' – this could result in tactical voting so in order to avoid this a further line could be added:

'For multiple vacancies of the same position the candidates with the largest shares of the vote are elected.'

Or amend the whole thing to:

'For candidate elections with a single vacancy each member can cast one vote for their preferred candidate. For multiple vacancies, a system of ranked choice voting is implemented. The lowest ranked candidate has their votes redistributed until a candidate has an overall majority. The elected candidate/s is/are removed and the process repeated until the vacancies are filled.'

Majoritarian

'Ranked choice voting with instant run off' – Members rank the candidates available for the position/positions available. If no candidate reaches 50% in the first round then the lowest ranked candidate is eliminated and their votes redistributed, this continues until a candidate reaches a majority of votes.

Advantages: Favours general consensus candidates, good if many people run.

Disadvantages: The results are given by round and so can be confusing to people.

MoO change:

*For contested positions or multi-choice option motions, the candidate or option with the most support will be appointed/accepted. **For candidate elections members rank the available candidates they wish to vote for in order of preference. The lowest ranked candidate has their votes redistributed until a candidate has an overall majority. If there are multiple vacancies, the elected candidate/s is/are removed and the process repeated.***

Other Issues

There are two other issues that should be highlighted:

- I) Uncontested Candidates
- II) Election Statements

Uncontested Candidates.

The constitution states that 'uncontested candidates' for Council position 'will be elected'. This wording was based on the pre-2019 status quo of appointing unopposed candidates without a vote. This should therefore be the default interpretation.

AGM's are the final arbiter of the constitution and at the 2019 AGM the will of the AGM was to require election of all candidates. Therefore, this is the last interpretation and action would be required to change it back to the 'status quo'. For the sake of procedural speed at meetings I propose that this be amended to:

'The constitution states that 'uncontested candidates' for Council position 'will be elected'. They will be elected by default unless an objection at an AGM requires a vote be held. The options will be For/Against/Abstain – if the candidate is not elected, the post is reopened for nominations and vote to occur at the next AGM.'

I would recommend voting on the 'uncontested candidates' proposal as it does not reflect the will of the last AGM and would require a motion at an AGM to implement. Therefore it is easier to modify it to the current position.

Election Statements

Candidates are afforded the opportunity to include a statement. I would suggest that these statements be on the website rather than the voting portal, and that the Secretary or Chair be responsible for moderating them. This is to be a very light touch affair as detailed in the proposed change to the MoO below (to be included immediately after the reference to the statement):

'Statements are to moderated by the Secretary/Chair (but not for their own position, or a position they are running for) and only on the grounds of public decency, defamation, relevance or falsehood.'

This is only included as currently there is nothing to stop someone contesting the position and using it as a free advert to our members, a platform to slander people or simply list every profanity in the dictionary.

Summary

We need to vote on the voting system, with 4 options so far identified:

- I. First Past the Post (multiple vacancies separate)
- II. First Past the Post (largest vote shares for multiple vacancies)
- III. First Past the Post (with Ranked Choice Voting for multiple posts)
- IV. Ranked Choice Voting

We also need to vote on the other issues:

- V. Uncontested Candidates
- VI. Election Statements

I have included all the relevant parts of the Manual of Operations and Constitution in the appendix – there should be no conflicts with the proposed changes.

Appendix

The current voting procedures

The BCA's voting procedures for meetings in the Manual of Operations is detailed as follows:

Voting is by simple majority of those present and eligible to vote with no minimum number necessary for the meeting to be quorate. The Chair shall hold the casting vote. The Council Members page gives a list of those eligible to vote. Although an individual is free to represent more than one Group, nobody is entitled to more than one vote.

Annual General Meetings have further stipulations:

Voting at General Meetings is done by a show of membership cards of individual members present at the meeting.

The following items of business will require voting:

1. Appointment of Honorary Members and an Honorary President (50% majority of all votes required with no subsequent online voting).
2. Accepting minutes, reports and other regular 'housekeeping' duties or matters arising that would not be considered 'motions' (50% majority of all votes required with no subsequent online voting).
3. Submitted motions. It is suggested that before any voting occurs, those attending the meeting should debate any presented motions and, if necessary (and with the permission of the proposer), refine or consolidate them. The final motions must then receive the support of $\geq 20\%$ of all individual members present and eligible to vote, or ≥ 10 individuals, whichever is lowest, to pass at the meeting. Motions passed at the meeting must then be progressed to an online vote of all individual members.

Motions are considered to be items put forward that would make any change to the constitution or involve taking a significant action or making a significant change to BCA operations, policy, procedure or position. They are expected to be submitted in advance on the agenda. In the event of uncertainty as to whether something should be a 'motion' or a 'housekeeping' matter, the Chair shall make the final decision, and the idea is that common sense should prevail here. The default position, in the event of indecision or dispute should be to consider the item a 'motion' and process accordingly.

The constitution states that 'uncontested candidates' for Council position 'will be elected'. This wording was based on the pre-2019 status quo of appointing unopposed candidates without a vote. This should therefore be the default interpretation.

It is very desirable for contested Council positions to be resolved at the meeting by mutual agreement between the candidates. The Chair is encouraged to try to facilitate discussions of this nature. However, if this is not possible, then the contested position and candidates will be

progressed automatically to an online vote, in which it would be good practice to provide the candidates the opportunity to include a statement.

The quorum for a General Meeting is 10 individual members eligible to vote.

Online voting should be available to all BCA Individual Members for a 30-day period commencing as soon as is possible after the General Meeting. It is good practice to ensure this is well communicated to all members by email (if possible) and through the BCA website and social media. Motions must receive 50% support of all votes cast (70% for changes to constitution) to be accepted. For contested positions or multi-choice option motions, the candidate or option with the most support will be appointed/accepted.

For the purposes of all voting, abstentions are not considered a 'vote'.

Constitutional Subsections Relevant to Voting

5.3. Applications for the class of Group Membership shall:

- a) be submitted on an application form and accompanied by the appropriate subscription for the class of membership and a copy of the constitution of the applicant, and
- b) be put before any National Council or General Meeting as the next item of business following apologies and establishment of quorum, and accepted or rejected by National Council or any General Meeting by a simple vote of those eligible to vote at that meeting.

5.4. Applications for the class of Associate Membership shall:

- a) be submitted on an application form and accompanied by the appropriate subscription for the class of membership, and
- b) be put before any National Council or General Meeting as the next item of business following apologies and establishment of quorum, and accepted or rejected by National Council or any General Meeting by a simple vote of those eligible to vote at that meeting.

5.6. Candidates for Honorary Membership may only be proposed by the National Council for election by simple majority vote at a General Meeting. Honorary membership may only be conferred on individuals and Honorary Membership will entitle the individual to the same benefits of the Association as those given to the class of Individual Membership.

6.1. The Association shall have the following officers: Council Chairman, Secretary, Treasurer together with Chairmen of the Standing Committees (Section 7) who shall be elected from the individual membership of the Association at an Annual General Meeting (AGM). Uncontested candidates will be elected. If there are multiple applicants, they will go forward to an online vote after the AGM. Each officer shall serve for a term of three years from the AGM. One third of Officers' posts in turn shall be eligible for election or re-election each year and those elected shall serve for a term of three years from the AGM.

6.2. The Association shall have a National Council comprised of the Officers of the Association, up to four representatives from the class of Group Members, up to four representatives from the class of Individual Members and one representative from each Regional Caving Council and National Body.

6.3. Representatives from the classes of Individual and Group Membership shall be elected at an AGM. Uncontested applicants will be elected. Applicants exceeding the number of positions will go forward to an online vote after the AGM. Each representative shall serve for a term of two years from the AGM.

6.4. Representatives from Regional Caving Councils and National Bodies shall be appointed by that Council or that Body.

6.5. The National Council may co-opt persons to fill any vacancies in any posts of officers of the Association, or members of National Council for the remaining period of the post's vacancy.

6.6. The National Council may co-opt non-voting Assistant Officers to assist in its business.

6.7. At a meeting of the National Council, each Member shall have one vote except the Chairman who shall hold only a casting vote.

6.8. In the event of a vote being necessary at National Council, matters shall be resolved by means of a simple majority of those present and eligible to vote.

6.15. The Association may have an Honorary President. Candidates for the post of President shall be proposed by National Council and elected at an Annual General Meeting by a show of hands of those present who are eligible to vote. Here the two-house voting system outlined in sub section 8.9 will not apply. The President need not be a member of the Association, but on election, will become an honorary member of the Association for the period of tenure of the post. The post of President shall run for a period of one year from the Annual General Meeting. The President shall be an ex-officio a member of National Council, all Standing Committees and any Working Group set up by Council, but will have no vote at any meeting. The President may resign at any time by writing to the Secretary of the Association.

8.2. The National Council shall nominate a Chairman and Recorder for the General Meeting. The General Meeting may elect a Chairman or Recorder in their absence. Neither the Chairman nor the Recorder shall be entitled to vote.

8.6. The quorum for any General Meeting shall be 10 individual members who are eligible to vote.

8.7. Any General Meeting is open to all, though the Chairman shall have the right to exclude any person if the meeting so decides by simple show of hands of individual members eligible to vote.

8.8. Minutes shall be kept of all General Meetings of the Association and these shall be made available to members on request.

8.9. Any person may speak at a General Meeting, subject to the Chairman's agreement. All motions arising from a General Meeting must be first voted on by individual members present at the meeting and eligible to vote. All motions with support from at least 25% of those individuals who vote, or 10 individuals (whichever is lowest) must be taken forward to an online vote.

8.10. Online voting by individual members for motions and contested positions arising from General Meetings must be conducted over a period of approximately 30 days. Voting is by simple majority of individual voting members, except for changes to the constitution which require $\geq 70\%$ in favour.8.6. The quorum for any General Meeting shall be 10 members, of which at least 5 persons eligible to vote in each House shall be present. No one person may represent more than one group member.

It should also be noted that the constitution listed in the MoO is the 2017 one and not the 2019 one, this should be updated.

Author : Rostam Namaghi