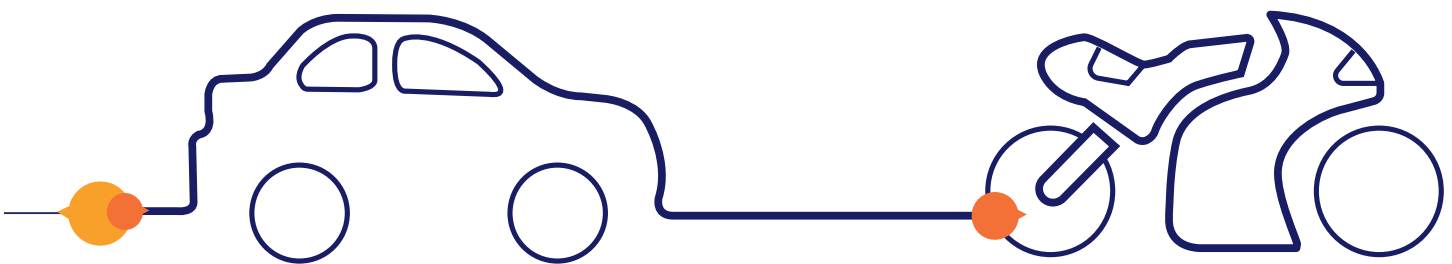


# RoSPA Advanced Drivers and Riders

## RoSPA Advanced Drivers and Riders – Edinburgh & Lothians Constitution

Version: 1

Date: November, 2017



## 1. Name and Definitions

The name of the Group is RoSPA Advanced Drivers and Riders – Edinburgh & Lothians, hereinafter called “the Group”.

### Definitions

- 1.1 RoSPA – Royal Society for the Prevention of Accidents (Charity Number 207823).
- 1.2 RoSPA Advanced Drivers and Riders.
- 1.3 Accredited RoSPA Advanced Drivers and Riders Groups are affiliates of RoSPA.

## 2. Status

- 2.1 RoSPA Advanced Drivers and Riders is part of The Royal Society for the Prevention of Accidents (Charity Number 207823) (“RoSPA”).
- 2.2 RoSPA Advanced Drivers and Riders is a voluntary organisation of people who have an interest in promoting RoSPA’s advanced driving and motorcycling standards and tests.

## 3. Aims and Objectives

- 3.1 To improve road safety and reduce road collisions and casualties by improving driving and motorcycling knowledge, attitudes, skills and standards
- 3.2 To provide access for the public to RoSPA’s advanced driving and riding system and test on a non-commercial basis.
- 3.3 To provide consistent, high quality advanced driver and rider tutoring to group members.
- 3.4 To encourage and help drivers and motorcyclists to pass RoSPA’s Advanced Driving and/or Advanced Motorcycling Tests.
- 3.5 To help to implement RoSPA’s overall mission to save lives and reduce injuries.



## 4. Membership

- 4.1 Membership of the Group is open to any individual interested in promoting the aims of RoSPA Advanced Drivers and Riders, who meets the admission criteria set out in 4.2 to 4.5.
- 4.2 The categories of membership are:-
- (a) Full Member;
  - (b) Associate Member;
  - (c) Honorary Member.
- 4.3 **Full Membership** is open to any driver or motorcyclist with a full, valid driving licence, who has passed a RoSPA Advanced Driving Test or Re-test and/or a RoSPA Advanced Motorcycling Test or Re-test subject to paying the appropriate annual membership subscription and passing the appropriate three-yearly re-test.
- 4.4 **Associate Membership** is open to any adult with a full, valid driving licence, who is preparing to take a RoSPA Advanced Driving Test and/or Advanced Motorcycling Test. An Associate Member will become a Full Member once they have passed a RoSPA Advanced Test.
- 4.5 **Honorary Membership** is granted to previous Full Members who have shown dedication over a long period of time to the group but are no longer able to do so. Membership of this category are nominated and chosen by the committee. Such members do not need to pay any membership fees to the group and remain honorary members until they choose to leave, are expelled from the group or death.

The Group may create additional Group membership categories, such as honorary or life membership, and prescribe their respective privileges, obligations and membership fees, as agreed by the group's committee. This membership category may include individuals who no longer wish to be retested or who have failed to take and pass their re-test as well as individuals who have never passed a RoSPA Advanced Driving Test and who do not wish to do so.

Members in this category who have previously passed a RoSPA Advanced Test may also remain a member of RoSPA Advanced Drivers and Riders provided that they continue to pay the appropriate annual membership subscription to RoSPA Advanced Drivers and Riders, as well as their group membership. Individuals in this category are covered by Public Liability as per stated in the insurance guide for RoSPA Advanced Drivers and Riders.

Members in this category who wish to remain a member of the local group but not of RoSPA Advanced Drivers and Riders, may do so provided that they continue to pay the appropriate membership subscription to the group. They do not pay a membership subscription to RoSPA Advanced Drivers and



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Riders, are not a RoSPA Advanced Driver or Rider. Individuals in this category are covered by Public Liability as per stated in the insurance guide or RoSPA Advanced Drivers an Riders.

Members in this category who have never taken a RoSPA Advanced Test and are not intending to do so, may remain a member of the local group provided that they continue to pay the appropriate membership subscription to the group. They do not pay a membership subscription to RoSPA Advanced Drivers and Riders, are not a RoSPA Advanced Driver or Rider. Individuals in this category are covered by Public Liability as per stated in the insurance guide.

4.6 A person may not be refused membership to the Group on the grounds of the following protected characteristics covered by the Equality Act 2010 or because of their profession:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

## 5. Operational Procedures

5.1 The Group must have at least one Advanced Tutor whose responsibility is to assess and approve Group Tutors. The Advanced Tutor(s) must have passed RoSPA's Advanced Tutor Test, or be a RoSPA Advanced Driving Instruction Diploma holder, a RoSPA Advanced Riding Instruction Diploma holder, or a RoSPA Examiner.

5.2 The Group must seek to maintain a sufficient number of Group Tutors to meet the demand from members.

5.3 Group Tutors and Advanced Tutors must be full Members of RoSPA Advanced Drivers and Riders.

5.4 Advanced Tutors and Group Tutors may not receive a fee, except out of pocket expenses, for providing tutoring to any individual.

5.5 The Group may not collect test fees until an Associate Member is ready to take a RoSPA Advanced test.



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- 5.6 Group Tutors and Advanced Tutors may operate in other Groups, with the permission of the other Group(s) concerned.
- 5.7 The Group must not provide training services to any organisation except where an organisation has encouraged its staff to join the Group as individual Members, in which case, they must check with RoSPA HQ before tutoring commences. Organisations that contact the Group with requests for other services to help them improve their staff's driving or motorcycling must be referred to RoSPA HQ.
- 5.8 If the Group is registered as an independent charity, it must adhere to Charity Commission rules

## 6. Group Code of Conduct

Groups must have a code of conduct in place which clearly requires members to:

- Behave professionally at all times and treat others with respect and consideration.
- Avoid categorising anyone according to protected characteristics covered by the Equality Act 2010 or because of their profession.
- Avoid inappropriate language, comments and tone that could be misconstrued or create offence
- Avoid physical contact except in an emergency or in the normal course of greeting (for example, shaking hands).
- Understand and not breach Data Protection law.
- Not knowingly break any other laws.
- Be fair and honest.
- Not personally criticise any other trainer, examiner or road safety organisation.
- Not charge for providing tutoring (except Motorcycle Fuel Expenses).

(This is not exclusive or exhaustive).

## 7. Group Committee

- 7.1 The Group shall form a Committee which shall be responsible for the management of the Group, its running and activities.
- 7.2 The Committee shall consist of a Chairman, Secretary and Treasurer and not fewer than two other Members. The Chairman and the Secretary are the main contact points between the Group, the Groups Advisory Panel (GAP) and RoSPA HQ and are responsible for keeping RoSPA up to date with the details of the Chairman, Secretary, and Group Tutors.
- 7.3 The Chairman and at least one other committee member must be full members of RoSPA Advanced Drivers and Riders. However, in exceptional circumstances, Associate Members may act as Chairman in



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a newly formed Group which would otherwise be unable to fill the position. In such cases, the Associate Member must become a Full Member by passing a RoSPA Advanced Driving Test and/or Advanced Motorcycling Test within six months of being appointed.

- 7.4 The Committee shall be elected at the Annual General Meeting (AGM) of the Group. The Group may set a minimum length for an individual's membership of the Group to be eligible to join the Committee and may also set a length of term for office as a Committee member.
- 7.5 The Committee may co-opt any Member of the Group to the Committee for a special purpose, e.g. if a specific skill set is required, to fill any casual vacancy which has arisen or to make up the number of Committee members. The appointment of such Members must be confirmed or terminated at the Group's next AGM.
- 7.6 The Committee shall determine the Group's annual subscription fees for all categories of Group membership.
- 7.7 The Committee must maintain a Register of all Members incorporating their names and contact details. The Committee shall inform RoSPA HQ of the number of Members in the group on request. The Group must comply with the data protection act, and may only use Members' data for the purpose of the Group.
- 7.8 The Committee may choose to dissolve the Group, provided they follow the procedure in section 12 of this constitution. The resources and assets of a dissolved Group shall be transferred to RoSPA Advanced Drivers and Riders and used exclusively to help develop and support other groups within the network.
- 7.9 However, if the Group is a Charity in its own right, it must adhere to Charity Commission rules in the disposal of remaining assets.

## 8. Committee Meetings

- 8.1 The Committee shall meet not fewer than three times per calendar year.
- 8.2 Committee meetings shall be called by the Chairman or Secretary giving not less than 14 days' notice of the date of the meeting. Each Member of the Committee shall be notified of the date, time and location of the Committee meeting and invited to attend.
- 8.3 The quorum for Committee meetings shall be no less than 3 Members, of which one must be the Chairman, Secretary or Treasurer.
- 8.4 Each Member of the Committee shall have one vote on all matters to be cast personally by the Member.



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Groups can allow proxy votes as long as this is agreed in advance.

- 8.5 All decisions shall be made by majority vote. In the case of an equality of votes, the Chairman may have a second or casting vote, if agreed in advance by the committee.
- 8.6 The Secretary shall ensure that minutes of Committee meetings are taken and circulated to any group member who requests a copy. Copies of the minutes and other relevant documents must be kept by the Group and copies provided to RoSPA HQ on request.

## 9. Group Annual General Meeting (AGM)

- 9.1 The Group shall hold an AGM each calendar year and not more than 15 months shall elapse between one AGM and the next.
- 9.2 An AGM shall be called by the Chairman or Secretary by giving not less than 14 days' notice of the date of the meeting. Each Member shall be notified of the date, time and location of the AGM and shall be invited to attend.
- 9.3 The quorum for AGMs shall be 5 Members or 10% of the total Membership, whichever is the greater, of which one must be the Chairman, Secretary or Treasurer.
- 9.4 Each Member shall have one vote on all matters.
- 9.5 All decisions shall be made by majority vote. In the case of an equality of votes, the Chairman shall have a second or casting vote.
- 9.6 The Secretary shall ensure that minutes of the AGM are taken and circulated to any Group Members who requests a copy. Copies of the AGM and other relevant documents must be kept by the Group and provided to RoSPA HQ on request'.

## 10 Finance

- 10.1 The Committee shall open a bank account in the name of the Group with a bank or financial institution of the Committee's choice.
- 10.2 Monies received by the Group shall be paid into the Group's bank account within 60 days of receipt.
- 10.3 The Treasurer shall be responsible for managing the Group's bank account and for ensuring that the Group's bills are paid.
- 10.4 More than one committee member must have access to the Group's bank account.



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- 10.5 Cheques, direct debit instructions and other financial instructions shall not be approved by fewer than two Members of the Committee.
- 10.6 The Treasurer shall be responsible for arranging an annual independent examination or audit of the accounts of the Group and must present the final accounts to the AGM each year.
- 10.7 Group funds must only be used to run the Group and to meet the Group's aims.

## **11 Expulsion of Members from the Group**

- 11.1 The Committee may terminate the membership of any Group Member on the grounds that the Member's continued membership would be harmful to the Group, provided this does not contravene 4.6.
- 11.2 The Committee must notify any Member in writing of their possible removal from Group membership. The Member must be given the opportunity to submit written representation to the Committee within 14 days of receiving notice, explaining why she or he should not be expelled. The Committee must consider any such written representations when making a final decision about expelling the Member. A decision to terminate membership shall only be valid after a Committee vote.
- 11.3 A Member who is expelled from the membership of a Group may appeal to RoSPA HQ within 14 days of being notified of the decision to expel him/her. RoSPA HQ will consider the appeal and may recommend the Committee re-consider its decision, giving its reasons. The Committee will consider RoSPA's recommendation and has the final decision on whether or not to change to uphold or reverse the expulsion.

## **12 Dissolution of the Group**

- 12.1 The Group may be dissolved, or merged with a neighbouring Group, by a resolution passed at an Extraordinary General Meeting (EGM) of the Group. The Group Committee should seek advice from RoSPA HQ first.
- 12.2 The EGM must be called by the Chairman or Secretary giving not fewer than 21 days' notice. Each Member of the Group and RoSPA HQ shall receive notice of the meeting specifying its date, time and location.
- 12.3 A decision to dissolve the Group must be passed by at least 75% of those attending and voting at the EGM.





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- 12.4 In the event that a resolution to dissolve the Group is passed, the Committee must arrange for the Group's debts and liabilities to be paid and its bank account(s) to be closed. The resources and assets of a dissolved Group shall be transferred to RoSPA Advanced Drivers and Riders and used exclusively to help develop and support other groups within the network.
- 12.5 However, if the Group is a Charity in its own right, it must adhere to Charity Commission rules in the disposal of its remaining assets.
- 12.6 In the event that the Group agrees to merge with another Group, the new merged group must complete the RoSPA Advanced Drivers and Riders Accreditation process in order to join the Accreditation Scheme.

### **13 Amendments to the Constitution**

- 13.1 Amendments to this Constitution may only be made by the Group committee and with the agreement of the Group membership.
- 13.2 The Committee must inform RoSPA HQ of any changes to the constitution, and gain written agreement from RoSPA that the constitution still conforms to the RoSPA Advanced Drivers and Riders Accreditation Scheme.
- 13.3 This constitution replaces all other constitutions and supersedes any other agreement.

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accidents don't have to happen

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