

# TABLE OF CONTENTS

- GLOSSARY OF TERMS ..... 1**
- INTRODUCTION..... 2**
- CHAPTER 1: ALL ABOUT BOARDS/ COMMITTEES ..... 3**
  - The Purpose Of A Board/Committee..... 3
  - Understanding Your Mission ..... 3
  - Role Of The Board/Committee ..... 5
- CHAPTER 2: THE IMPORTANCE OF DOCUMENTATION ..... 12**
  - Constitutions Or Trust Deeds ..... 12
  - Policies..... 12
- CHAPTER 3: BREAKDOWN OF ROLES AND RESPONSIBILITIES ..... 14**
  - Chairperson..... 14
  - Secretary..... 15
  - Treasurer..... 16
- CHAPTER 4: LEGAL ISSUES ..... 18**
  - Employment Relations Act 2000 ..... 18
  - Minimum Wage Act 1983 ..... 19
  - Wages Protection Act 1983..... 20
  - Equal Pay Act 1972..... 20
  - Child Support Act 1991 ..... 20
  - Holidays Act 2003 ..... 20
  - Health And Safety In Employment Act 1992 ..... 22
  - Privacy Act ..... 22
  - Parental Leave And Employment Protection Act 1987..... 24
  - Human Rights Act 1993 ..... 24
  - Other Rights ..... 25
  - Insurance For Agencies ..... 25
  - Taxation Liabilities..... 25
- CHAPTER 5: STAFF RELATIONSHIPS ..... 26**
  - Relationships With Staff ..... 26
  - What Is A Good Employer?..... 27
  - Succession Planning..... 28
  - Board/Committee Evaluation..... 28

Mediation Process.....	29
<b>CHAPTER 6: MEETINGS.....</b>	<b>31</b>
Agenda.....	31
Minutes .....	31
Correspondence.....	34
Meeting Procedures And Formats.....	34
<b>CHAPTER 7: RESOURCES.....</b>	<b>46</b>
Community Resources and Books .....	46
Useful Websites .....	46
<b>TEMPLATES .....</b>	<b>47</b>
Instructions On How To Use Templates.....	47
No 1: A Guide for the Chairperson	
No 2: A Guide for the Secretary	
No 3: A Guide for the Treasurer	
No 4: Meeting Agenda	
No 5: Minutes of a Meeting Version 1	
No 6: Minutes of a Meeting Version 2	
No 7: Meeting Procedures	
No 8: Formal Meeting Procedures	
No 9: Notice of AGM	
No 10: Agenda for AGM	
No 11:Format for AGM	
No 12:Minutes of AGM	
No 13: A Board Evaluation	

**©North Shore Community and Social Services Inc.  
February 2006**

**ISBN 1-877415-09-X**

---

## GLOSSARY OF TERMS

Board, Committee, Management Committee	The governing body of the organisation
Legal Entity	The Board, Committee, Management Committee
CEO, Manager or Administrator	The most senior employed staff member
Constitution	The foundation document of your organisation. The rules and regulations an incorporated society determines to abide by
Trust Deed	As above but for a Trust
Mission Statement	A statement that captures an organisation's purpose and philosophy.
Kaupapa	A statement about beliefs and values
Template	Forms that can be printed from the CD and personalised or changed to suit your organisation
Policies	A written statement, approved by the governance body, stating the official position of the organisation on an issue.
Quorum	The number of people present at a meeting as stated in your constitution or trust deed
Motion	A motion is put to the Chair at a meeting when something needs to be voted on.
Moved	The person who puts forward an idea and wording to be adopted by a meeting
Seconded	The person who agrees with the wording and that it be put to the meeting for a vote
Amendments	Any changes to original motion

**‘Leadership is “being rather than doing”. Being a leader is not the same as acting as one. Calling yourself a leader is not the same as being one.’**

**Anon**

---

## **INTRODUCTION**

This book is a guide for small to medium sized organisations to assist the Governance committee with a better understanding of their purpose, roles and relationships with staff, legal obligations and policies as well as managing the Annual General Meeting and committee meetings. Many organisations experience pitfalls that can be avoided and this guide sets out strategies to help groups avoid those generally negative experiences.

The toolkit is accompanied by a CD which contains templates you can personalise with your logo and contact details and then print off and distribute as required.

In the accompanying CD you will find templates of:

- Guides for the Chairperson, Secretary and Treasurer
- Board/committee Evaluation
- Notice of Annual General Meeting
- Agenda for your Annual General Meeting
- Format for Annual General Meeting
- Minutes of Annual General Meeting
- Agenda for monthly meetings
- Minutes of meetings and many more

# CHAPTER 1: ALL ABOUT BOARDS/ COMMITTEES

---

## THE PURPOSE OF A BOARD/COMMITTEE

The Governance group is the legal authority ultimately responsible for all aspects of the organisation and its affairs. Governance focuses on vision of the organisation and sets and monitors strategic direction. It is vital that Board/committee members understand their role and responsibilities as they are legally liable for negligence if things go wrong. The governance group – the Board/committee - is the custodian of the vision

The Board/committee is therefore the legal steward of the organisation and in simple terms “where the buck stops”!

---

## UNDERSTANDING YOUR MISSION

Every community organisation has a mission or kaupapa that is the reason the organisation exists. For some organisations this is quite a lengthy statement for others it is very short and clearly understandable by anyone who reads it.

There are various definitions of mission statements some of which are:

“A statement that captures an organisation's purpose and philosophy.”

“A statement of purpose an organisation is to carry out”

“An organisation’s description of itself. The declaration of values, goals, and aspirations that authoritative groups agree upon as being the central account of the organization’s unique sense of direction.”

“Sets out simply and directly what an organisation is trying to do”

No matter what your mission statement is, it needs to be understood at every level of your organisation i.e. from the Board/committee to the volunteer who only comes in for 30 minutes each month. It is this statement that should underpin everything that happens within the organisation and every project within the organisation should be tested against that mission statement.

If you are considering a new or revised mission statement it is worth thinking about the “kiss principle” – keep it simple – so that people can easily understand it at a glance.

## WAYS TO CREATE A MISSION STATEMENT

You will need:

- Copies of your objectives from your constitution or trust deed
- Pen and paper for each person
- A whiteboard
- Whiteboard pens and duster

### **If you are revising your current mission statement:**

At a planning meeting provide everyone with a copy of your objectives and a copy of your current mission statement. Then set a time limit of say 20 minutes.

Ask each person to:

1. Write down single words outlining what they think your organisation does
2. Write down words that capture your organisation from the objectives as set out in your constitution.
3. Write down words that should capture your organisation's role today
4. Write all those words on the whiteboard, putting a tick beside a word each time there is a duplication. From there, brainstorm a one or two sentence phrase that captures who you are and what you do. This sentence can then be refined further if time allows.

### **If you are forming a brand new mission statement:**

At a planning meeting provide everyone with a copy of your constitution or trust deed. Follow the four steps above.

The "statement" then needs to be tested with some stakeholders, volunteers or staff members who were not at the meeting. Ask the question "is this what we do"?

Revisit the statement at another planning meeting to discuss findings and to form the mission statement.

This is an excellent group process and you will find some innovative ideas and words emerge. Good luck!

---

## ROLE OF THE BOARD/COMMITTEE

- Successful board/committees will:
- Have the ability to ask probing questions
  - Be willing to accept intuition
  - Have an understanding of risks and consequences
  - Have the ability to automatically consider multiple scenarios
  - Have the ability to confront facts and mistakes

The Board/committee is legally responsible to be the custodian of the vision of the organisation.

- They will also:
- Appoint the CEO/Manager
  - Oversee all compliance issues
  - Approve budgets
  - Keep financial records in accordance with current requirements
  - Decide whether the organisation will operate under a management/governance model

Much has been written about governance and management and what is the difference between the two. The board/committee firstly needs to decide whether they want to delegate all day to day activities to management and if so they then adopt a governance/management structure. If they are not comfortable with this then the Board/committee needs to clearly define what roles they will undertake and what roles management will undertake.

The Governance body appoints and works in very close partnership with the CEO/Manager. The Board/committee must ensure that the CEO is supported and resourced to carry out the agreed responsibilities.

**Governance** is taking responsibility for the overall direction of the organisation, including the development of policies that will achieve its goals. Governance is concerned with the purpose, the 'big picture' and the 'ends'. People in the governing role are the trustees or stewards of the organisation's kaupapa and well-being.

**Management** is responsible for implementing the policies set down by the governing body and coordinating the day-to-day activities, which achieve the organisation's goals. Management is concerned with methods, the everyday detail, and the 'means'. The person in the key management role (CEO/coordinator/manager) is employed by the Governing body and answerable to it.

The board/committee's primary role is the guardian of the organisation. It is concerned about the purpose of the organisation; it has a role of Governance.

Management is concerned about the way this is carried out – the how's, when's and where's. This is management.

To help make your decision easier the following is a suggested breakdown of the roles and responsibilities in a governance/management agreement together with the possible advantages and disadvantages of both:

<b>GOVERNANCE</b> e.g. Board/committee	<b>MANAGEMENT</b> e.g. Staff
Legal responsibilities	Communication with the Board/committee
Policy decisions and monitoring	Policy decisions, monitoring and implementation
Financial planning and monitoring including approving the budget	Financial policy, monitoring and implementation
Strategic planning and monitoring	Strategic planning, monitoring and implementation
Appointing and monitoring CEO/Manager	Management decisions and implementation
Delegation of management/administration	Administrative decisions and implementation
Funding responsibility and sometimes implementation	Funding responsibility and implementation
Keep its focus on the strategic implications of programmes and services rather than on their management	
Accept the principle that the board/committee speaks with one voice, that no one member shall publicly express his/her own opinion should this deviate from an agreed board/committee position or decision	
<b>The role is that of:</b>	<b>The role is that of:</b>
Broad decision makers	Implementing the board/committees decisions
Broad operational oversight	Fundraising and implementing ideas
Performance monitoring	Carrying out day to day functions
Ensuring financial viability and oversight	Carrying out financial functions

<b>GOVERNANCE</b> e.g. Board/committee	<b>MANAGEMENT</b> e.g. Staff
<b>Advantages</b>	<b>Advantages</b>
Ability and time to stand back and look at broader issues	Intimate knowledge of every facet of the organisation
Time to study trends/research relating to agency activities	Day to day management of issues
Less meetings	
More time for implementing funding responsibilities (where applicable)	

<b>Disadvantages</b>	<b>Disadvantages</b>
Tendency to lose touch with realities of some functions or services	Lack of time to consider wider issues and trends
Danger of becoming distant from staff and clients of the service	Danger of immersion in detail and paperwork
	Heavy workloads
	More sub-committees with consequent decision making delays and time usage
	More meetings
	Tendency to postpone decisions on broader or important issues

It is vital that the Board/committee clarifies and agrees which model they are adopting and articulates clearly to Board/committee members and staff the roles and responsibilities of each party.

#### **In all cases the board/committee should:**

- Act as a two-way channel between the organisation and the outside world, interpreting events in the community in terms of organisational direction.
- Ensure the organisation maintains an emphasis on outcomes or results rather than its own processes. Results must be shown for the staff's efforts and operational progress is measured against these results.
- The board/committee should establish a good relationship with the staff and particularly with the manager. The Board/committee should only ever work through the manager if requesting anything from the staff.
- The board/committee should stay clear of organisational trivia. It must find a balance between too much involvement and too little – staying in contact and informed, while not interfering.

- The board/committee should attend to all funding requirements
- The board/committee decisions whether unanimous or not, are accepted and supported by members. There must be unity to gain credibility.
- Be aware of the legal responsibilities they have in terms of their constitution or trust deed and be very familiar with the organisational plan, policies and other documents relating to the structure of the organisation.

## **SELECTION OF BOARD/COMMITTEE MEMBERS**

When selecting Board/committee members it is important that the skills of individuals match the needs of the organisation.

The first step is to identify the skills needed by the organisation and then match those to your board/committee members and you will quickly identify the gaps. For example - if you are an organisation that provides assistance for the elderly, contracts largely with government agencies and uses social workers extensively, it would be vital to have a mix of legal, financial and social work skills as well as contracting experience. Other skills you may consider would be media/communication, human resources and community networks. By attracting a range of skills to your board/committee you are getting diverse interests which are useful.

## **RECRUITING BOARD/COMMITTEE MEMBERS**

There are many ways to recruit board/committee members but the most successful way is usually by personal approach. Not many good people are searching around for something extra to do and therefore you need to “sell” them the organisation and why they would really enjoy being part of it and what skills they could bring. It is often a good idea to invite them along to a Board/committee meeting to see if they feel they can contribute and to make sure your organisation is the right one for them to contribute their time to.

There are other ways of attracting board/committee members such as:

- Advertising an application process
- Circulating your membership inviting them to apply

Which ever method you employ, make sure you have criteria so that those applying know what they are applying for! Some of the things to think about when preparing criteria are time commitments, experience, ability to attend meetings if held at a certain time and any other organisation specific issues that are important to you.

## **BOARD/COMMITTEE ORIENTATION**

When a new person comes on the board/committee it is not good enough to just tell them when the next meeting is and expect them to turn up and participate. There needs to be a process of orientation together with orientation material.

**Orientation kit:**

This should include:

- A copy of your constitution
- Your policy manual
- An organisational profile which would include names of board/committee/staff members and their roles
- Your brochure
- Your latest audited financial reports
- A copy of the minutes of your last 5 meetings plus the attachments
- Your last Annual Report

Once a person has read through all the above they will have a better feel for the organisation and will come to the meeting with an understanding of the way the group functions.

As well as the above it is important to have an orientation session with new members. This should be done by the Manager/CEO who provides an insight into the way the organisation functions, his/her role, meet the staff, have a look at the office and generally have an opportunity on a one to one basis to ask any questions that may arise from the documentation, the meeting attended or other issues.

**A Harvard Business Review 1995 edition had this description of a board/committee meeting:**

“Attending a board/committee meeting is rather like entering the on-ramp of an expressway at rush hour; you spend half the time coming up to speed and the other half trying to insert yourself in bumper to bumper traffic, only to find it is time to exit and try again a month later.”

## CODE OF CONDUCT

A good idea can be a Code of Conduct for Board/committee members. The following lists some points but you may have other organisation specific points.

### CODE OF CONDUCT

- Act in good faith
- Come to meetings prepared and on time
- Use care and diligence
- Not take improper advantage of the office
- Not disclose information of a confidential nature
- Not allow personal interests to overtake organisational interests
- Declare any conflicts of interest
- Abstain from voting if there is a conflict of interest
- Embrace differences of view
- Resign if you cannot adhere to the above

## BOARD/COMMITTEE TRAINING

**Why have board/committee training?** A few questions that you may wish to ask:

- How much better do we want to be?
- How will our ability to perform our mission be affected if we don't closely examine the way we are doing business?

If you feel you cannot improve – good luck! If you feel there is room for improvement – congratulations, you are always striving to improve and prepared to commit the time to do this.

### A suggested agenda:

1. What have been our successes over the past year (celebrate your successes)?
2. What could we have done better?
3. What could we have done differently?
4. What are our goals for the next year?

## CONCLUSION

Some useful questions for a Governance group:

- Can we depend on the world to stay the same as it is now?
- Can we depend on the same funders/stakeholders to continue?
- Can we continue to keep our membership/client base with out current services?
- Can we continue to afford the risks of inaction?

The world around us changes constantly and it is not good enough for a not for profit group to continue doing year in year out what they have been doing for the past 10 years. The Board/committee should be keeping a strategic view of the services and constantly examine whether they are appropriate for the day.

Client basis and contracts are constantly changing and organisations that are not adapting to cultural, contracting or environmental (the climate in which they operate) changes run the risk of distinction.

### Some differences

<b>Management</b>	<b>Governance</b>
You maintain vision and strategies	You develop vision and strategies
You focus on dealing with complexity	You welcome change and opportunity
You focus on systems and structure	You focus on people and relationships
You administer	You innovate

# CHAPTER 2: THE IMPORTANCE OF DOCUMENTATION

Let us look at key documents individually and see where they fit into the debate about governance and management.

---

## CONSTITUTIONS OR TRUST DEEDS

This document should set out such things as:

- The aims and objectives of your organisation
- Terms of membership
- Meeting requirements and Annual General Meeting requirements
- Number of Board/committee members and possibly who they should represent
- The management of assets of the organisation
- Decision making processes
- The winding up of your organisation

Board/committee members and staff should be very familiar with this document as it is key to the organisation. It is the basis on which the organisation was founded and, if it is now outdated, it should be revisited and revised.

Any decisions taken by the Board/committee or the Staff should take into account the provisions in this founding document, as it is a legally binding document.

---

## POLICIES

Policies can be very simple but they provide a guideline dictating standards expected for the organisation. Policies are formed as a “commandment” for decision-making. They should be subject to much consultation and discussion before implementation. Policies act as a safety net for an organisation and should be a priority.

**POLICIES YOU MAY CONSIDER:**

<b>Complaints Procedure</b>	What avenues are available for staff, volunteers or clients to express concerns or lodge complaints?
<b>Safety Policy</b>	For staff visiting or being visited by clients
<b>Employment Policy</b>	Acknowledge that the Treaty of Waitangi is New Zealand's founding document, that the agency is an equal opportunity organisation.
<b>Financial Management Policies</b>	Such as cheque signing
<b>Dismissal Policy</b>	Termination of employment
<b>Conflict of Interest Policy</b>	For Board/committee Members

Your particular organisation may wish to introduce other specific policies.

# CHAPTER 3: BREAKDOWN OF ROLES AND RESPONSIBILITIES

---

## CHAIRPERSON

The role of the chairperson is essentially a leadership role of the board/committee. The chairperson is elected by a majority decision of those voting. Some constitutions or trust deeds set out how a Chairperson is selected. If this is not set out in your foundation document the members decide on the process.

- The Chairperson must be able to:**
- Attend meetings and understand meeting procedure
  - Conduct meetings efficiently
  - Develop a team from often diverse backgrounds and skills
  - Build and maintain positive relationships
  - Think strategically
  - Deal with conflict

### Relationship between Chairperson and Manager

The relationship between the Chairperson and the manager is a crucial one if the division between governance and management is to be successful for your organisation. The board/committee must have a relationship of trust with the manager so that they can be confident that board/committee decisions will be implemented and services delivered as agreed. If this relationship breaks down, for whatever reason, the process will be undermined and it is time for the organisation to rethink their strategies.

A major factor in the success of the management/governance division is clarity of the role of both the management and the Board/committee.

### Main duties of a Chairperson

The chairperson's main duties are to:

- organise meetings with the assistance of the secretary
- ensure that the meeting process is followed and all matters are attended to
- ensure that everyone is given a fair hearing
- perform their duties calmly under pressure
- endorse the meeting minutes
- perform their duties as a responsible trustee in addition to their role as chairperson
- ensure that they do not use their position to influence trustee voting.

**In addition you may consider adding the following to the template:**

- Liaise regularly with the Manager/CEO
- Foster and maintain key relationships with (name organisations)
- Ensure a performance appraisal of Manager is held annually



**Template No 1: A Guide for the Chairperson**

---

## **SECRETARY**

The Secretary's role is vital to the successful and efficient running of a professional and successful organisation.

**The minimum duties of a secretary are to:**

- Advise members of meetings
- Prepare meeting papers and agenda
- Attend committee meetings.
- Take minutes at meetings and distribute those minutes
- Keep comprehensive records
- Maintain membership lists
- Prepare funding applications in consultation with the committee and staff.

There are a number of other duties secretaries are often requested to carry out but these would vary from organisation to organisation.

An efficient secretary can, with planning, reduce meeting times and increase the productivity. Too many good people stay away from meetings that are not well run.



**Template No 2: A Guide for the Secretary**

---

## TREASURER

The Treasurer is responsible for the financial management of the organisation and may be expected to carry out the following list of duties.

### Duties of the Treasurer

- Attend meetings
- Ensure money received is properly receipted and banked
- Invoice groups/members for services rendered e.g. rental of building space, equipment, uniforms etc
- Prepare budgets for the forthcoming year describing all sources of income and expenditure and present to the Board/committee for approval
- To maintain accurate records of current income and expenditure
- To prepare and present monthly accounts for payment, for approval by the Board/committee
- To prepare annual financial accounts for auditing and provide the auditor with information as required
- To be the signatory on cheques (with at least one other person)
- To file GST, tax returns and PAYE returns for employees as required
- To ensure annual returns are filed with the appropriate Government Department (currently Ministry of Economic Development)
- To manage organisation investment programmes

The volume of the work will be dependant on the size of the organisation, the activities you are involved in and whether the organisation owns its own facilities and or employs staff.

Under the present Income Tax Act most not-for profit organisations are exempt from paying income taxes. This situation may change and you should be alert to any changes that may be introduced.

Those organisations with a turnover exceeding the GST limit of \$40,000 will have to become registered for GST and file GST returns on a regular basis.

### A FEW THINGS TO REMEMBER

1. **ALWAYS** try and pay by cheque or direct credit. This is so you have a record of your transactions. If you have to pay for something with cash, make sure you get a receipt with a GST number.
2. **ALWAYS** clearly record what the payment was for on your cheque stub.
3. **ALWAYS** keep a copy of the invoice and write your cheque number on it.
4. **ALWAYS** bank income directly into your organisation's account.
5. **ALWAYS** keep track of your 'petty cash'. Write a cheque, cash it and keep the money in one place. Record what it was used for in a petty cash book. Keep receipts where possible.
6. Write up a cashbook showing income and expenditure.
7. Reconcile your cashbook and bank statements monthly.
8. Keep a tight check on who owes you money. Hound them if necessary. If yours is a typical community organisation, it is running on a shoestring. You can't afford to be 'nice' to people who owe you money.

FINALLY, keep your system simple. Make good use of your advisers, accountants, and bank manager, but keep the control of your organisation's financial finances. You are much less likely to get into financial strife.



#### Template No 3: A Guide for the Treasurer

## CHAPTER 4: LEGAL ISSUES

Employers and Board/committees should be familiar with the following acts because there are statutory requirements for employment agreements.

- Employment Relations Act 2000
- Minimum Wage Act 1983
- Wages Protection Act 1983
- Equal Pay Act 1972
- Child Support Act 1991
- Holidays Act 2003
- Health and Safety in Employment Act 1992
- Human Rights Act 1993
- Privacy Act 1993
- Parental Leave and Employment Protection Act 1987

**Below we have provided a VERY BRIEF summary of each relevant act.**

---

### EMPLOYMENT RELATIONS ACT 2000

The Employment Relations Act applies to every employee and employer. It is illegal to employ a person without an employment agreement in place – either an individual employment agreement or a collective employment agreement.

#### Minimum Statutory Requirements in an Employment Agreement

Anything can be included in an employment agreement, provided both parties agree, though there are minimum statutory requirements, covered in the following legislation:

- Employment Relations Act 2000
- Holidays Act 2003
- Minimum Wage Act 1983
- Wages Protection Act 1983
- Equal Pay act 1972 & Human Rights Act 1993
- Parental Leave and Employment Protection Act 1987
- Accident Rehabilitation and Compensation Insurance act 1992

**All Employment Agreements must:**

- Include effective personal grievance and dispute procedures.
- Specify (for collective agreements) an expiry date.
- Comply with the minimum conditions of the other Acts, which include:
  - Minimum wages for those over 16 years old
  - Protection against unlawful deductions from pay
  - Paid statutory holidays
  - Paid annual holidays
  - Paid special leave for sickness, parental and bereavement reasons
  - Job protection for defence force volunteers.

The rules of the Employment Relations Act 2000 differ according to whether or not there are collective agreements in place. A collective agreement exists if the employer and the union have negotiated a collective agreement under the Act.

**Mandatory Clauses in an Employment Agreement**

To meet the minimum requirements of the Act, the employment agreement must contain the following clauses:

- The Parties involved
- Position and Duties
- Place of Work
- Hours of Work
- Payment
- Holidays and Leave
- Resolving Problems
- Employment Protection Provision

---

**MINIMUM WAGE ACT 1983**

From 21 March 2005 the adult minimum wage =	\$9.50 per hour \$76.00 for an 8 hour day \$380.00 for a 40 hour week
The Youth rate =	\$7.60 per hour \$60.80 for an 8 hour day \$304.00 for a 40 hour week

- The minimum wage does not apply to those who hold an exemption or are doing industry training.
- The employer must keep time and wage records for all your staff.

The minimum wage does change periodically – please check with Employment Relations Infoline on 0800 800 863

---

## **WAGES PROTECTION ACT 1983**

The employer needs to get the employee's written consent to make deductions from their pay or to pay wages in a form other than cash.

---

## **EQUAL PAY ACT 1972**

The employer cannot pay women and men differently if the only difference is their sex.

In most cases, the employer can not discriminate in hiring, firing, training or promoting an employee based on race, colour, nationality, ethnicity, sex or sexual orientation, marital or family status, employment status, age, religious belief, political opinion.

---

## **CHILD SUPPORT ACT 1991**

Child support is money paid by parents who are not living with their children to help financially support their children.

As an employer you are required by law to:

- deduct child support payments from an employee's wages if we instruct you to do so
- continue making the deductions until Inland Revenue Department (not the employee) instruct you to stop
- ensure employee privacy and protection from discrimination in child support matters. (You cannot give out any information unless requested by Inland Revenue Department)

---

## **HOLIDAYS ACT 2003**

### **Annual Leave**

- At the end of each year of employment with any one employer, an employee is entitled to four weeks paid annual leave.
- An employee is entitled to holiday pay for shorter periods of work at a rate of 8% of their gross earnings.
- If they are a casual employee they can agree to receive their holiday pay on a "pay as you go" basis.
- Holiday pay must be shown separately on a pay slip

### **Public Holidays:**

- 11 Public Holidays are set out by the Holidays Act 2003 and include: Christmas Day, Boxing Day, New Year's Day and the 2nd January Good Friday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Waitangi Day and the Anniversary of the province in which the Employee lives.
- If any of these days falls on a Saturday or Sunday, and the employee normally works on that day, and works on that particular public holiday another paid day shall be given as an alternative holiday in lieu of the public holiday. The rate of pay for the alternative holiday will be that of the relevant daily pay of the employee.
- If the public holiday falls on a day the employee would not normally work and the employee does not work on that particular public holiday the employer will not provide a day's pay or an alternative holiday.

### **Alternative Holidays:**

- (a) This is a day off that an employee is entitled to if they work on a Public Holiday where that day is a day they would normally have worked. (formerly called a paid day in lieu).
- (b) The alternative holiday can be taken at a later date that both parties agree to.
- (c) Alternative holidays can be 'sold' by the employee or 'bought' by the employer after the expiry of 12 months from the entitlement arising.

### **Closedowns:**

- (a) In the event that the employer determines there is to be {or there is} a closedown period over {period of close down eg. Christmas and New Year} when only {staff positions required eg. administration and sales} staff will be required, then other staff may, at the discretion of the employer be required to take annual holiday entitlements when period(s) of closedown is in force {where an event or occurrence necessitates the closedown eg. plant and machinery is being maintained or eg. December 20th and January 20<sup>th</sup>}
- (b) In the event that the employer decides there is to be a closedown then the employer will give the employee at least 14 days notice to those employees that may be required to take annual leave.
- (c) The Employer may, in accordance with the Act require employees to take annual holidays in advance.
- (d) Where a closedown period is determined by the employer then those employees so affected, will, in accordance with the Act be deemed to have commenced the beginning of their next employment year. The purpose being that such employees will attract their full leave entitlement in the event of a closedown at a similar time the following year.

## **Sick Leave**

After 6 months and employee is entitled to 5 days paid sick leave during the next 12 months. Sick leave can be taken for themselves or to care for a spouse, dependant child or parent. Unused sick leave can accumulate up to 20 days.

## **Bereavement leave**

After 6 months and employee is entitled to paid bereavement leave of 3 days on the death of a spouse, parent, child, sibling, grandparent, grandchild or spouse's parents. Or 1 day if the employer accepts that the employee has suffered bereavement.

## **Holiday and Leave Record**

There is a requirement under the Act for employers to keep a Holiday & Leave record for each employee.

---

## **HEALTH AND SAFETY IN EMPLOYMENT ACT 1992**

Employers must take all practicable steps to ensure the safety of employees while at work by:

- Providing and maintaining a safe working environment;
- Providing and maintaining safety and health facilities;
- Ensuring that employees are not exposed to hazards arising out of the arrangement, disposal, manipulation, organization, processing, storage, transport, working or use things either in the workplace itself, or near the workplace and under the employer's control; and
- Developing procedures for dealing with any emergency which may arise.

---

## **PRIVACY ACT 1993**

The employer and Employee shall comply with the obligations of the act. The Employee must not breach the privacy of any customer or client in the course of their employment.

Each organization must appoint an officer as a Privacy Commissioner. This person is responsible for keeping records safe whether in a database or filing cabinet.

### **Principle I**

Provides that information may only be collected by an agency if it is collected for lawful purposes. Organizations should ask "Why do we ask this Question? What is the use we make of this information?" A Society will usually have a proper purpose in asking for a person's contact details for the purpose of collecting membership fees and for compiling a contact list. The range of information collected by a society will depend on its functions and activities. For instance, some service organizations may require sensitive information about individuals, so that they may perform their functions.

A group providing assistance for people with physical disabilities will need to know what an individual's disability is, and what kind of assistance is needed, so that it can give appropriate help.

### **Principle 3**

Requires societies to take reasonable steps to ensure that the individual is aware of certain matters when information is collected directly from that person.

These steps must be taken unless that is not practicable before the information is collected. These include:

- the fact that information is being collected; and the purpose for which the information is being collected;
- the intended recipients of the information;
- the name and address of the agency collecting and the agency holding the information;
- the consequences if any, of not providing the information;
- the rights of access to and correction of personal information.

Societies should make their information practices clear to the members. For instance, if a society uses circulated contact lists, members should be informed of this before they give their personal details. Societies should consider whether they will allow members the option of not being on this circulated list. If a form is used to collect details, it should include a box to be ticked if the individual agrees to have his or her details used for this list. Societies may also wish to pass the details to a regional or national body, or to publish them in a directory, and again this should be made clear. Members should be given the opportunity to keep their details private if this publication is not an essential aspect of membership.

In the Privacy Act, the full requirements concerning collection of personal information are set out in principles 1 to 4.

### **Use and disclosure**

It may be desirable in some situations to disclose information about members, to other members of societies or even to outside organization. This is possible, provided that one of the exceptions contained in principle 11 permits the disclosure. One of those exceptions is that the person authorises the disclosure.

There is no restriction on the use of information which was obtained before 1<sup>st</sup> July 1993. If you are disclosing information gathered prior to that date, you should however get permission from person involved.

### **Membership Lists**

If membership lists or directories are distributed to members, a notice should be included, that the information is to be used only in connection with club membership and may not be used for any other purpose such as direct marketing or for soliciting donations to other organisations.

### **Minutes of Meetings**

If minutes contain information about an individual, the person concerned may view the information before publication.

## Annual Accounts

Salaries and wages earned by individuals cannot be listed in annual accounts without permission. You can just use a broad heading such as “staff costs” or wages if more than one employee. The privacy commissioner suggests the best solution, is to advise the applicant that the salary/wage will be disclosed in the annual accounts. Descriptions such as “manager” or “secretary” are often identifiable and would fit the category of personal information.

---

## PARENTAL LEAVE AND EMPLOYMENT PROTECTION ACT 1987

An employee and their partner can apply for Parental Leave either on the birth of their child or adoption of a child under 6.

To qualify they must have:

- Worked on average 10 hours a week (including 1 hour per week) or 40 hours per month for the same employer for 6 or 12 months before the date of birth or adoption. (An employee whose work hours have changed many not meet the hours of work test for the previous 12 months, but will qualify based on the previous 6 months)
- The employee may also be entitled to tax payer funded 13 weeks paid parental leave (increasing to 14 weeks from December 2005).
- It is illegal for an employer to dismiss or discriminate against an employee on the grounds of pregnancy or taking parental leave.

---

## HUMAN RIGHTS ACT 1993

The following are grounds of discrimination:

- Sex (including pregnancy and childbirth);
- Marital status (including single, married, married but separated, divorced, widowed, or living in a relationship in the nature of marriage);
- Religious belief or ethical belief, meaning lack of any religious belief, both in respect to a particular religion or religions or all religions;
- Colour or race
- Ethnic or national origins (including nationality and citizenship);
- Disability, defined as physical disability or impairment, physical illness, psychiatric illness intellectual or psychological disability or impairment, any other loss or abnormality of psychological, physiological, or anatomical structure or function, reliance on a guide dog, wheelchair or other remedial means, and the presence in the body of organisms capable of causing illness;
- Ages, meaning from age 16 to the date (in relation to employment) when the employee or prospective employee qualified for New Zealand superannuation (until 1 February 1999 when the upper age limit is removed);
- Political opinion (including lack of a political opinion or any political opinion);

- Employment status, meaning unemployed or being the recipient of a benefit or compensation under the Society Security Act 1964 or the Accident Rehabilitation and Compensation Insurance Act 1992;
- Family status defined as having responsibility for part-time care of children or other dependents, being married to or living in a relationship in the nature of marriage with a particular person, or being the relative of a particular person;
- Sexual orientation, meaning heterosexual, homosexual, lesbian or bisexual.

---

## OTHER RIGHTS

Employees who are injured may be entitled to ACC

Employees who do full-time voluntary training in the armed forces may be entitled to unpaid leave.

---

## INSURANCE FOR AGENCIES

If agencies are apprehensive about possible difficulties and liabilities where their volunteers are concerned, it is suggested that they look at a range of insurance options which would provide them with protection. These options could be by means of:

- **Public Liability Insurance:** This indemnifies agencies against claims from injury, accidents or property damage and covers against claims from all persons other than employees. It should protect individual volunteers from claims from clients or the public and other agency members, either volunteers or employees.
- **Employers' Liability Insurance:** This involves obtaining an extension on an existing policy to cover liability from claims from volunteers.
- **Personal Accident Insurance:** This is for volunteers. It provides payments for injuries or death in the course of work for the agency, thus providing protection where the accident rehabilitation and Compensation Insurance Act does not apply.
- **Professional Indemnity Insurance:** This applies where agencies offer advice to clients or members of the public and clients take action to recover resultant financial loss. To avoid liability, the agency would need to prove reasonable care was taken to give correct advice. This is an expensive insurance, the need for which would need to be balanced against perceived risk.

---

## TAXATION LIABILITIES

Apart from the normal PAYE, tax obligations organisations should remember, if your income (including grants) is over \$40,000, you must register for GST. To allow donations to your organisation, to be "tax deductible" you must obtain a certificate from IRD granting "charitable Status", section 61 (25) of the Income Tax Act 1976.

# CHAPTER 5: STAFF RELATIONSHIPS

## SOME USEFUL TIPS

- Open discussion is part of the rationale for the whole process of committees and meetings.
- Putting the lid on problems can be more explosive than dealing with them.
- Uninformed unstructured discussion is more likely to be destructive than informed discussion.
- A well thought out agenda can help the group to decision making. The secretary must be very clear whether an item needs a decision or is tabled as information.
- If a decision is expected are there factors to take into consideration such as recommendations of a sub-committee, staff member, independent reports or previous motions? If none of these exist is there any further information required before a decision can be reached?

---

## RELATIONSHIPS WITH STAFF

By establishing good communication at every level of your organization many situations can be defused before they become a problem. There should be good communication between:-

- Board/committee members
- Employees and committee
- Employees
- Volunteers
- Volunteers and employees
- Volunteers and board/committee
- Board/committee and funders
- Staff and funders
- Clients and employees
- Clients and volunteers
- Clients and committee

If you do not have communication channels between all these sectors there will be tension.

As the employer a Board/committee should always strive to be a good employer.

Whilst employees and employers have protection under current legislation the following gives some everyday suggestions to assist employers.

---

## WHAT IS A GOOD EMPLOYER?

1. One that does not leave a worker without direction
2. Supports but does not dominate
3. Empowers and encourages
4. Has expectations after clear guidelines
5. Provides a good job description
6. Provides training opportunities
7. Provides comfortable working conditions
8. Provides necessary tools to produce expected results
9. Provides resources for independent supervision
10. Does not expect worker to raise own salary
11. Says thank you – it costs nothing
12. Allows the employee to be a valued part of the organization not someone who presents a faceless report
13. Provides regular feedback – good and bad
14. Provides opportunities for communication (other than in writing) so difficulties and differences can be resolved before they become conflicts.
15. Provides regular performance appraisals and use these as a tool to help workers, strengthen and develop the agency and move forward
16. Does not focus on personalities but rather on performance
17. Has policies and procedures in place to protect both employees and the Agency
18. Does not use employees as a scapegoat for their own power trip.

An employer is entitled to expectations of an employee and the minimum should be employees who:

- Embrace and enhance the philosophy of the organization
- Are Loyal
- Are committed
- Are fair
- Display honesty and integrity

---

## SUCCESSION PLANNING

Succession planning enables workplaces to plan for employee movement and turnover, and ensure skill and knowledge gaps are met. For example retiring employees could participate in mentoring and training programmes for younger employees, or an employee could be seconded into a new role on a trial basis while the post-holder is on a career break. Good succession planning does not assume that all employees are keen on promotion to a higher grade or level, but considers a wide range of work options. *Adapted from Equal Opportunities Trust*

Succession planning is vital if you rely on Government contracts, Local Authority funding or any ongoing commercial sponsorship relationship. Most successful funding relationships are based on the excellent communication and goodwill between the organisation and the funder/sponsor. It is essential that the funder/sponsor still has sufficient confidence in an organisation to continue the relationship if a key person leaves the organisation. Therefore it is important that all key positions have a second person in the organisation who can liaise with them even it is on a temporary basis.

It is always a good idea for groups to identify the key talents, skills and relationships of an organisation and prepare a contingency plan as to how these gaps would be filled if suddenly employees with those key factors resigned suddenly. Questions such as “who will fill in on a temporary basis? Who will liaise with the funders? Each organisation needs to have a strategy in place to cope with these issues. Some solutions may be:

- Upskilling staff in key areas so more than one person can carry out the tasks
- Using a buddy system where people learn enough of each other’s positions to be able to cope on a temporary basis
- Checking that temporary employees are available on call
- Checking to see if outsourcing is a possibility

Whatever your response it is important there is an agreed strategy so that there is minimal disruption to an organisation. At the end of the meeting the Facilitator should summarise and clarify the main issues, the decision reached, the actions that need to be taken and the decisions to be held over until the next meeting.

---

## BOARD/COMMITTEE EVALUATION

At the end of each year, and often before your planning day it is useful to do a board/committee evaluation. This can be as simple as a discussion between board/committee members about what has been done well and what needs to be improved or it can be more formal. Some of the more formal ways are to:

- Enlist the help of an outside facilitator
- Questionnaires
- Individual interviews by an independent person
- Exit interviews

The information gained from these evaluations is often useful for a board/committee to improve and develop board/committee processes and effectiveness. Some board/committee members may feel threatened by this process but it is in the interest of the organisation that it is done.



### Template No 13: Board/Committee Evaluation

---

## MEDIATION PROCESS

Conflict is a very important feature of all relationships. It can serve as a safety valve that helps to release emotions that may have built up due to many different types of demands from:

- families
- work
- relationships generally
- financial problems

### Factors that effect the development of conflict

**Personal factors** - the psychological make-up of participants:

- needs and wants
- self-concept
- past experience
- health

**Environmental factors** - the participant may not have any direct control over these factors:

- stage of development of the organisation
- organisational structures
- clients
- state of business
- weather

### Fighting Fairly - Some Ground Rules

- Purpose:** The parties in the conflict agree that the goal is to fix the problem - not to assign blame, hurt, humiliate, or threaten.
- Timing:** Both parties agree as to when they will work out the solution. (Timing means individual readiness, psychologically, physically, or mentally, to invest energy in resolving the conflict.)
- Commitment:** Both parties agree to “stick it out” until an equitable solution is found - neither party will avoid the issue or run away from it.
- Mediator:** Both parties participate in the decision as to whether or not a third party or mediator is needed. If one is desired, both parties must agree as to who that person will be - preferably someone who is objective to the problem, flexible, assertive about moving things along, has a sense of humour, and has the ability to cut through the superficialities to the meat of the problem.

- Place:** A place that is comfortable and neutral is best. It should provide privacy and be free of all kinds of interruptions.
- Food and Drink:** No drugs or alcohol will be consumed. Refreshments and food should be available as needed.
- Recording:** Both parties need to agree on how the issues and resolutions will be recorded: newsprint, tape recorder, third party, etc.
- Confidentiality:** Both parties agree that whatever happens in the conflict session will remain confidential. Only the terms of any agreement are public and are published jointly.
- Bad-Mouthing:** The parties agree not to bad-mouth each other before or after the session.
- Other Supporters:** Both parties have the right to invite one other person to attend the session. These supporters lend aid and comfort to each person, can provide useful information (only when asked by the mediator), and generally are available to lend emotional support in a trying situation.

The Employment Relations Act sets out very clearly the process you need to follow if the conflict is employment related. For more information Ph 0800 800 863 or visit [www.ers.dol.govt.nz](http://www.ers.dol.govt.nz)

## HOW DO WE DEAL WITH DISPUTES?

- It is often preferable to begin by establishing procedures for handling disputes rather than dealing immediately with substantive issues.
- It is often preferable to deal with one issue at a time
- It is often preferable to break issues down into smaller units rather than deal with enormous problems with many parts.
- It is often preferable to start with issues that you believe can be most easily resolved to the satisfaction of all parties.
- It is important to eventually get down to the root cause not the ripples.
- It is usually preferable to define the dispute in terms that do not pit the principles of one person against the principles of another. When possible, define the dispute in non-ideological terms. Try to find out how your needs and the other's needs can be satisfied. To the extent that values issues are involved, Roger Fisher points out, it is wise to say that "the solution we seek is not only consistent with our principles but is also consistent with those of our adversary - at least if properly construed and applied. By insisting that our adversary can come along without abandoning his principles, we make it easier for him to do so."

Roger Fisher (international conflict and behavioural sciences)

## CHAPTER 6: MEETINGS

Send out a notice of meetings, agenda and other relevant information. If possible, set regular meeting dates and times at the beginning of the year. Committee members should not, but often do require reminders of the meetings.

Prepare for the meetings, room, seating, paper, documents, previous minutes, correspondence etc.

Be ready to commence on time and avoid having to leave the meeting for forgotten items. Late comers will soon realize that they must be on time too!

---

### AGENDA

Preparing the agenda is one of the most important aspects of a meeting. If the meeting does not have a purpose there is no point in meeting. Therefore everyone needs to be clear about why they are meeting (the purpose), issues that need to be discussed (the agenda) how long the meeting is to be for (timeframe) and where the meeting is to be held (venue) and the time and date.

No matter how large or small the meeting is this rule needs to be followed. Not only does it give a framework for the issues that are to be discussed, it allows people attending to focus their thinking about the issue on the agenda and eliminates people straying from the point and introducing irrelevant items or information.



#### Template No 4: A Meeting Agenda

---

### MINUTES

Minutes show a brief formal summary of proceedings at a meeting.

- Minutes should show:
- Organisation name
  - time, date and place of meeting, and the type of meeting
  - Present: Chairperson (named), noted guests, number of members (as per attendance register, or named in case of a small meeting)
  - In attendance – paid Officials not forming part of the quorum
  - Apologies
  - Business transacted, including all motions and amendments, except those not proceeding for lack of proposer or seconder
  - The closing time of the meeting.

Take down minutes and rewrite later. Aim to complete these by the next day, to ensure you have an accurate record of the proceedings.

The chairperson will advise on format and how detailed the minutes need to be. (It is often wise to check with the members of the organisation if the minutes are clear). Minutes are to record the decisions made at that meeting rather than individual contributions. Minutes must be kept on file and in a safe place as they are the official record.

Minutes can include a list of action points:

Action to be taken

By whom

By what date

Issues can then be easily followed up at the next meeting. This helps accountability e.g. "Action - Price on new heaters required -Joe to obtain 3 prices by 4<sup>th</sup> May (next meeting)."

### MINUTE FORMATS: (Version 1)

<b>MINUTES OF MEETING OF [name of organisation] held on [date] at [venue]</b>	
<b>Present:</b>	<i>[names or number of people present]</i>
<b>Apologies:</b>	<i>[List names of people who have apologized]</i>
<b>Minutes of Previous meeting:</b>	Approved by [name] Seconded by [name]
<b>Matters Arising:</b>	<i>[Note any matters arising and the decisions after discussion e.g. who was delegated to do what and within what timeframe]</i>
<b>Financial Report:</b>	The financial report for the period [insert] was tabled and Approved by [name] Seconded by [name]
	<i>[Record any discussion here]</i>
Business 1	
Business 2	
The meeting closed at	<i>[insert time]</i>



### Template No 5: Minutes of Meetings (Version 1)

**MINUTES FORMAT (Version 2)**

<b>MINUTES OF MEETING OF [name of organisation] held on [date] at [venue]</b>			
<b>Present:</b>	<i>[names or number of people present]</i>		
<b>Apologies:</b>	<i>[List names of people who have apologized]</i>		
<b>Minutes of Previous meeting:</b>	Approved by [name] Seconded by [name]		
<b>Matters Arising:</b>	<i>[Note any matters arising and the decisions after discussion e.g. who was delegated to do what and within what timeframe]</i>		
<b>Financial Report:</b>	The financial report for the period [insert] was tabled Approved by [name] Seconded by [name]  <i>[Record any discussion here]</i>		
<i>(The following format is simple and direct and may suit your organisation. It gives a very good "quick glance" of the issue, the outcome and when progress should be expected. A schedule of meetings topic has been used as an example.)</i>			
<b>ISSUE</b>	<b>DISCUSSION</b>	<b>OUTCOME</b>	<b>DATE BY</b>
<i>Schedule of Meetings</i>	<i>It was suggested by people that this would be helpful</i>	<i>Catherine to prepare and include the 4 meetings with the Researcher</i>	<i>February 28th</i>
The meeting closed at <i>[insert time]</i>			

**Template No 6: Minutes of Meeting (Version 2)**

---

## CORRESPONDENCE

### Incoming correspondence

- Table correspondence if required by the group
- Decide who should see and action
- Act promptly
- File original
- File reply and action details
- Pass controversial matters on to the chairperson and share the process of action.

### Outgoing correspondence

Attend to it as soon as possible after the meeting  
 File a copy of all correspondence  
 Circulate a copy with the minutes if the matter is of importance  
 Use a follow up file so that you are reminded if you have not received a reply and can ask for one.

---

## MEETING PROCEDURES AND FORMATS

### INFORMAL MEETINGS

It is not always necessary to use formal meeting procedure. Informal style is good for planning and problem solving tasks. Emphasis is placed on open discussion and participation of all individuals.

Appoint a 'facilitator' instead of a chairperson whose role is to keep the meeting flowing and ensure everyone is heard. An agenda may be developed at the start of the meeting from the suggestions of those present. Minutes or notes may be kept, especially of major outcomes.

### Brainstorming

is a technique where all ideas are noted down no matter how ridiculous. Then the group can discuss the pros and cons of each idea before making a decision.

### Consensus

decision making is when the group attempts to come to a decision by discussion, without formally voting. If there is a disagreement there needs to be room for compromise, alternative suggestions, postponement of the decision and/or agreement to differ. Groups may adopt this approach initially before formalising the decision with a vote for the record.

## FORMAL MEETINGS

Formal meetings have a set structure and follow an established set of rules and regulations. The meetings are controlled by the Chairperson.

Formal meetings tend to be for straight decision making rather than creative problem solving. There is often less open discussion but it depends on the style for discussions but with the formality of keeping minutes, following set agenda and motions.

### How to Chair a Formal Meeting

Chairing is usually one of the roles of the president, however the Chair can be another member of the committee, or rotated around the committee.

- Before the Meeting**
- Call for and decide on items for the agenda with the Secretary.
  - Circulate the agenda and any relevant papers among the committee about 1 week before (or at least 2 days).

### The Meeting - an example of proceedings may be:

Apologies	From members who have notified someone that they can't attend or will be late. Acceptance of these needs to be moved and voted on.
Circulate minutes	Of the previous meeting and other reports to be discussed.
Minutes	Ratification of the accuracy of the previous meetings' minutes. The accuracy of these needs to be moved and voted on.
Matters Arising from the Minutes	Discussion or questions on any matters recorded in the previous meeting (eg. Relating to actions that were to have taken place etc)
Notification of Items of General Business	If there is anything anyone wants to discuss that is not already on the agenda.
Correspondence	The main points of inward and outward correspondence received and sent by the Secretary. A motion receiving the inward and approving the outward correspondence needs to be put in and voted on.
Accounts for Payment and Financial Statement	Outstanding accounts need to be presented and a motion and vote approving their payment be made. An indication of the Clubs' financial situation is presented by the Treasurer and noted in the minutes.
Committee Member Reports	Individuals or subcommittees report to the meeting on activities in their area and further actions that need to be taken. Highlights are noted in the minutes.

Other Reports	Reports dealing with specific topics (as listed in the agenda) are presented, discussed and noted in the minutes.
General Business	Minor items are brought up such as questions, proposals and sharing information. (The Chair has the right to decide if any matter brought up in general business should be discussed).

## STANDARD ORDER FOR MEETINGS

The standard order of business at a meeting is as follows (and it makes it far easier if the same order is followed each and every meeting)

- Meeting declared open
- Read notice of meeting
- Call for apologies
- Minutes of the previous meeting (and confirmation thereof)
- Business arising from previous minutes
- Correspondence
- Matters arising from correspondence
- Reports from:
  - President
  - Manager
  - Treasurer
- Accounts for payment
- Election of members
- Sub-committee reports
- Election of Officers
- General business
- Date of next meeting
- Meeting declared closed



### Template No 7: Meeting Procedures (Non Formal)

## **RULES OF FORMAL MEETINGS e.g. Annual General Meeting**

**Motions** - a motion must be:

- Proposed (mover)
- Seconded
- Explained by the proposer
- Can be suspended by the seconder (who reserves the right to speak)
- Spoken against
- Replied to by the proposer
- Put to vote

**Amendments** - changes to the original motion:

- The amendment to original motion is moved
- The amendment is seconded
- The mover then speaks
- Others for and against the amendment speak
- Amendment restated and put to vote
- If carried the debate continues to the new motion. If lost debate goes back to the original motion.

**Voting** - ways of voting: This varies from organisation to organisation and you need to refer to your constitution or trust deed.

*[If a vote is taken this should be done in accordance with the rules set down in your constitution and results recorded then moved and seconded*

- General agreement - do we all agree?...anyone disagree?
- Verbal agreement - the chairperson asks people to say aye or nay and decides which is the greater response.
- Show of hands
- Secret ballot - individuals vote on paper and two elected people count the votes.
- Proxy - absentees get someone else to vote for them.
- Postal votes.

### **Notices of Motion**

It is about now that the difference between those in the know and the rest are uncovered. It is important to the smooth running of meetings that the correct procedure is followed, especially in the case of motions.

### **Definitions**

A motion is a suggested course of action and can either be procedural or substantive. A resolution is the result of the vote on the motion. Procedural motions seek to affect the procedure of the meeting; Substantive motions seek to have something done, or authorise some past or proposed action.

## **Form of Motions**

Motions must be proposed and seconded. A motion not seconded will lapse. It is perfectly fine for the proposer to speak to the motion before it is seconded (subject to standing orders). It is suggested that all motions be in writing, aiding both the smooth running of the meeting, and the accurate recording of motions in the minutes.

## **Discussion of Motions**

Every person has the right to speak for or against the motion, but only has one opportunity, apart from the proposer who gets the right of reply. (No new arguments may be brought into the right of reply). As much as possible, speakers should be alternated between those in favour and those against the motion. Speakers should not be allowed to have their content go beyond the scope of the motion.

## **Amendments**

Members may seek to amend the motion, but such amendment can not change the intent of the motion. Any amendment raised must be proposed and seconded in the normal way. Proposed amendments must be raised after the motion has been seconded, but before a vote on the motion is taken. If an amendment is passed, the motion then is modified by the amendment; if the amendment fails, then the original motion still stands. Only one amendment can be on the table at any one time but any number of proposed amendments can be moved.

## **Discussion on Amendments**

The rules for debate on amendments are much the same as those for a motion, with the proviso that discussion may only encompass matters brought about by the proposed amendment.

## **Amendments to Amendments**

An amendment can not be further amended. The amendment is either approved or not. However it is possible to propose a further amendment to be discussed should the vote on the present amendment be lost.

## **Voting on Motions**

Once the motion is decided (and there may be more than one amendment proposed) then the motion can be voted upon. Once the vote has been taken, that matter has been dealt with, and the meeting can proceed. Any person can insist on their vote against the decision being recorded in the minutes, and this should be requested straight after the decision on voting has been announced.

Voting can be carried out one of three ways, each of which has its benefits and drawbacks: The most common is by voice and show of hands. This has the benefit of being quick and easy, but is not always the preferred option.

Division can be used, where those voting for move to one area, and those against to another. This is a good method where records need to be kept of whom voted for and against, but it is time-consuming. A poll can be used, but this is time consuming. This is normally reserved for election of Officers and other votes where an element of secrecy is required.

Most matters will require a simple majority to be passed, but others, especially constitutional matters should and normally would require a higher percentage of the vote to be passed. Check your club's rules as these details are normally covered there.

### **Recording of Motions**

Motions must be recorded clearly and accurately in the minutes, as must the amendments proposed, whether accepted or not. The motion, including amendments if applicable must be clearly understood by members before voting thereon, and should be equally clear in the records.

### **Procedural Motions**

Procedural motions take precedence over substantive motions. Below are some examples of procedural motions and the outcomes if accepted:

**"That the question be put"** – ends discussion on the matter, and demands a vote;

**"That the meeting proceed to the next business"** – treats the motion or amendment before the meeting as having been lost

**"That the matter be referred to committee"** – refers motion under discussion (and any current amendments) to committee with no further action being taken by that meeting

**"That debate be adjourned"** – Debate on that matter is deferred to another point in the meeting

**"That the meeting do now adjourn"** – adjourns the meeting until a later time. Some procedural motions can be debated, others can not.

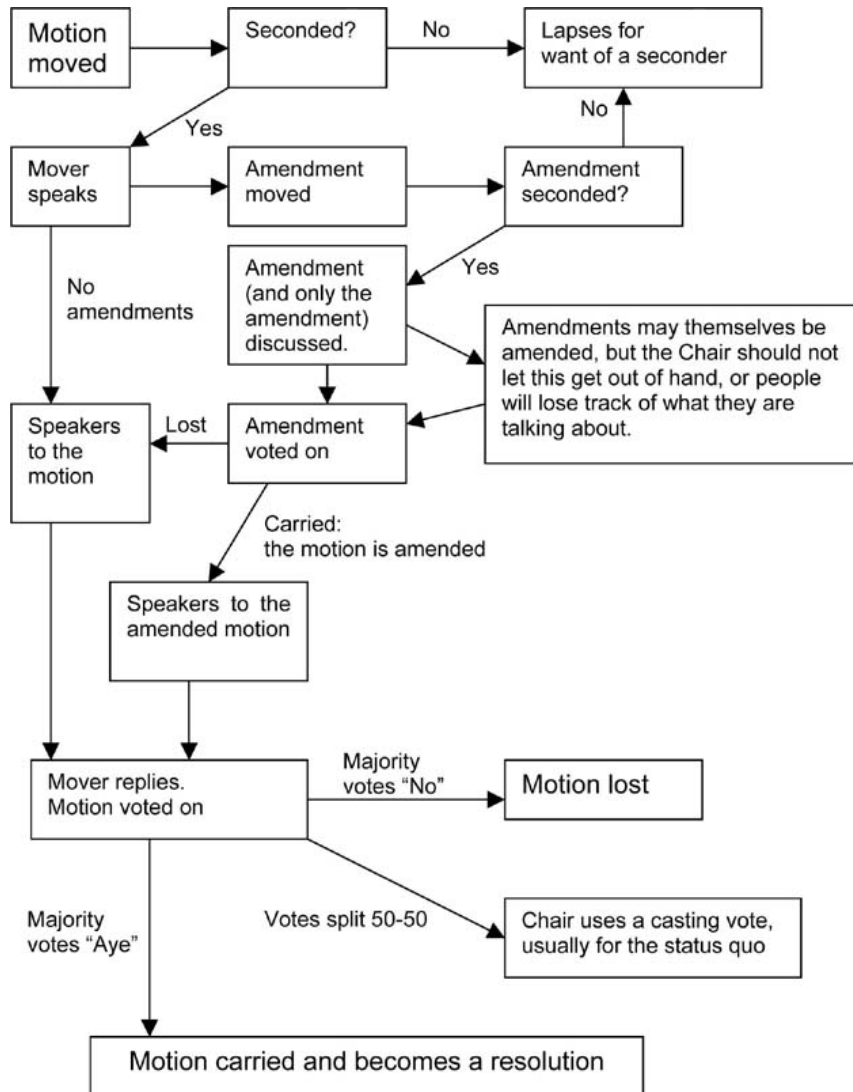
### **Points of Order**

These are where a member draws the Chairperson's attention to an irregularity in proceedings. These may be discussed and then the Chairperson (or acting Chair if the Point of Order is against the Chair) must rule on the legality or otherwise of the point, including his/her reasons for the decision. If the meeting does not accept the ruling, a motion of dissent may be moved immediately (A motion of dissent challenges the ruling given, and if carried overrides that decision).

### **Standing Orders**

These are a set of permanent rules covering how the organisation's meetings shall be run. Having standing orders ensures that all members have the chance to know how meetings will be run, and is also helpful for the Chairperson to decide on points of order and some procedural motions.

### Motions and Amendments Flowchart



*Points of Order:* these are introduced by the words "Point of order, ...". These refers to a breach of rules, a violation of the bylaws, or a misrepresentation. Points of order must be made at the time of the breach, and are subject to the Chair's ruling.

**Department of Internal Affairs Running Meetings Resources**



**Template No 8: Meeting Procedure (Formal)**

## ANNUAL GENERAL MEETINGS

Your Annual General Meeting is usually required by law under your constitution. The constitution or trust deed usually dictates the notice that must be given to members, the quorum and the issues that need to be discussed at that meeting such as:

- Appointment of auditor
- Appointment of Board/committee and/or Chairperson
- Tabling of your annual accounts

The following documents and templates will assist with the planning, advertising and smooth running of your annual general meeting.

<p><b>[NAME OF ORGANISATION]</b></p> <p><b>NOTICE OF ANNUAL GENERAL MEETING</b></p> <p>Notice is hereby given that the Annual General Meeting of will be held</p> <p>At    [venue name and address]</p> <p>On    [day and date]</p> <p>At    [time]</p> <p><i>[Add in if lunch/food will be served or if there is a guest speaker]</i></p> <p><b>Final date for receive nominations will be [add date]</b></p> <p>All welcome we do hope you can join us.</p> <p><b>Enquiries to:</b>       [Phone number]</p>
--



### Template No 9: Notice for an Annual General Meeting

## Sample Agenda for an Annual General Meeting

**AGENDA FOR THE [No] ANNUAL GENERAL MEETING OF  
[Name of organisation]  
TO BE HELD ON [date]  
AT [venue]  
TIME [time]  
ALL WELCOME**

- Apologies
- Minutes of [*number*] AGM held [*date*] and matters arising
- Election of Officers
- Chairperson's Report
- CEO/Manager's Report
- Treasurer's Report
- Appointment of Auditor
- Nominations for Board/Committee
- Consideration of Notices of Motion received
- General Business



### Template No 10: Agenda for an Annual General Meeting

#### FORMAT OF AGM

**Attendance:** [Numbers and Names if necessary]

**Welcome:**

**Apologies:**

**AGM Business:**

**Minutes of 2005 AGM:** *[These are read or circulated prior to the meeting and the Secretary moves that they are a true and correct record of the meeting. The persons moving and seconding the motion must be recorded as being present at that particular AGM]*

Moved: [name]

Seconded: [name]

**Chairpersons Report:** *[This is read and then the Chairperson asks if there are any questions. After questions the chairperson moves that the report be received]*

Moved: [name of Chairperson]  
Seconded:

**CEO/Manager's Report** *[This is read or summarized and then the CEO asks if there are any questions. After questions the CEO moves that the report be received.]*

Moved: [name of CEO/Manager]  
Seconded:

**Financial Statements:** *[These are summarised by the Treasurer who then asks if there are any questions. After questions the Treasurer moves that the financial reports be received]*

Moved: [name of Treasurer]  
Seconded: [name]

**Appointment of an Auditor:** *[If your constitution requires this to take place at your AGM the treasurer moves that [name] be appointed as auditor for the next financial year]*

Moved: [name of Treasurer]  
Seconded: [name]

**Nominations for Board/committee Executive:** [Names]

### **VOTING.**

This varies from organisation to organisation and you need to refer to your constitution or trust deed.

[If a vote is taken this should be done in accordance with the rules set down in your constitution and results recorded then moved and seconded

*It is hereby declared that the following people have been nominated to the {Board/committee/executive/committee}*

**[list names]**

Moved: [name]  
Seconded: [name]

**The following members will remain on the Executive Committee:**

**[list names]**

Moved: [name]  
Seconded: [name]

### Notices of Motions/Remits

If your constitution requires you to carry out any additional functions at your Annual General Meeting these need to be added here.

**General Business:** *[If there is no general business the chairperson declares the meeting closed and then you proceed to other agenda items such as Guest Speakers]*

Meeting closed at [time]



### Template No 11 Format of Annual General Meeting

### Minutes Of An Annual General Meeting

**MINUTES OF THE ANNUAL GENERAL MEETING OF  
[Name of Organisation]  
on [date]  
At [place]**

**Attendance:** [Number and names if required]

**Welcome:**

**Apologies:** [list names of people or organisations who have apologized]

**AGM Business:**

**Minutes of 2005 AGM:** *The minutes of the [year] annual general meeting were approved OR [If there are and changes these are noted]*

Moved: [name]

Seconded: [name]

**Chairpersons Report:** **The Chairperson's report was read and accepted.**

Moved: [name]

Seconded: [name]

*[Your may wish to record any discussion or favourable comments here]*

**CEO/Manager's Report This is read and accepted**

*[Your may wish to record any discussion or favourable comments here]*

*continued on next page*

**Financial Statements:** The treasurer presented the annual  
**[audited/unaudited] accounts which were accepted**

Moved: [name]

Seconded: [name]

*[Record any discussion here]*

**Appointment of an Auditor:**

Moved: [moved]

Seconded: [name]

**Nomination for Board/committee Executive: [Names]**

**A [written/show of hands/ayes and nays] vote was taken and the following people were elected for the coming year**

**Names**

It is hereby declared that the following people have been nominated to the  
{Board/committee/executive/committee]

**[list names]**

Moved: [name]

Seconded: [name]

The following members will remain on the Executive Committee:

**[names]**

**General Business:** *[Record any general business or other comments that arose at the meeting].*

**Meeting closed at [time]**

*[If there was further business such as a guest speaker this is recorded here but it is important to keep the annual general meeting business in one section.]*



## Template No 12: Minutes of Annual General Meeting

# CHAPTER 7: RESOURCES

Community Resources from North Shore Community and Social Services Inc.

- Setting Up a Legal Structure
- Sexual and Racial Harassment Policy
- Legal Resources Manual
- Fact Sheets – Legal Series
- Policy Examples

Community Resources Video – Can You Manage?

- Part 1 Community Development
- Part 2 Meetings
- Part 3 Roles and Responsibilities
- Part 4 Being a Good Employer
- Part 5 Volunteers

Chairing Meetings - John Milligan

Meetings made Easy - Malcolm Reid

Make Meetings Work - Malcolm Reid

How to run Committees and Meetings - Michael Locke

The Inland Revenue Department has a number of publications useful for not-for-profit organizations:

- Charitable Organisations – IR255
- Clubs and Societies – IR254
- Education Centres – IR253
- Employers Guide – IR335
- GST – Do you need to register – IR 365
- GST for Non-profit Bodies (605A)
- GST Guide, Guide to working with GST – IR375

---

## USEFUL WEBSITES

Accident Compensation Corporation: [www.acc.govt.nz](http://www.acc.govt.nz)

Inland Revenue Department: [www.ird.govt.nz](http://www.ird.govt.nz)

Funding Information Service: [www.allaboutfunding.org.nz](http://www.allaboutfunding.org.nz)

Employment Relations Service website [www.ers.dol.govt.nz](http://www.ers.dol.govt.nz)


Employment Relations Infoline 0800 800 863

# TEMPLATES

- No 1: A Guide for the Chairperson
- No 2: A Guide for the Secretary
- No 3: A Guide for the Treasurer
- No 4: A Meeting Agenda
- No 5: Minutes of Meetings (Version 1)
- No 6: Minutes of Meetings (Version 2))
- No 7: Meeting Procedure (Non-formal)
- No 8: Meeting Procedure (Formal)
- No 9: Notice for an AGM
- No 10: Agenda for an AGM
- No 11: Format for an AGM
- No 12: Minutes of an AGM
- No 13: A Board/Committee Evaluation

---

## INSTRUCTIONS ON HOW TO USE TEMPLATES

1. Start with a blank document - e.g. click . This is called e.g. Document2
2. Click **Insert** on the menu bar
3. Click on **File**
4. Select the file you wish to use from the CD -  
e.g. No1 A Guide for the Chairperson“
5. Click **Insert**. The contents of the template will appear in the document.
6. Make the changes your require to the word document. For example delete the template heading, type in the name of your organisation, insert a logo etc.  
Click on **File**. Click **Save As**.  
Give the document a new name e.g. Chairperson Guide March 2006.