



## **NBPA Constitution**

### **ARTICLE 1: NAME AND DEFINITION**

- 1.1 The name of the association shall be National Black Police Association (UK) (herein known as the NBPA).
- 1.2 The NBPA shall have its registered office at PO Box 15690 Tamworth Staffordshire B77 9HZ, United Kingdom
- 1.3 The definition of "Black" is one that emphasizes the common experience and determination of people of African, African-Caribbean, Middle-Eastern, Asian or Asian sub-continent origin to oppose the effects of racism and victimization
- 1.4 The Executive Committee will be known as the National Executive Committee and abbreviated to NEC.
- 1.5 The twelve elected posts as specified in Paragraph 4.4 headed by the President will be referred to as the NBPA Cabinet.

### **ARTICLE 2: AIMS**

- 2.1 The objects of the National Black police Association are to promote good race relations and equality of opportunity within the police services of the United Kingdom and the wider community.
- 2.2 In pursuance of Paragraph 2.1, the aim shall be achieved by: -
  - (1) Representing the views of all representative members of Constituted Black Police Associations (herein known as BPA's) who are affiliated to the NBPA.
  - (2) Providing a support to local BPA
  - (3) Influencing the direction of policies nationally in line with equality issues and anti-discrimination policies in the Police Service and wider Criminal Justice System.
  - (4) Advising, consulting and intervening on matters of racism nationally which have a negative impact on communities.
  - (5) Working towards improving relationships between the Police and the Black and Minority Ethnic (BME) communities within the United Kingdom and internationally when appropriate.
  - (6) Working towards improving recruitment, retention and progression of officers and police staff members within the Police Service.

- (7) Assisting the police service in the development of new and existing policies, impacting on BME communities.
- (8) Establishing relationships and working with other groups and individuals, , whose aims are compatible with or supportive of the NBPA.

2.3 In pursuance of Paragraph 2.2, the NBPA may exercise the following powers for the furtherance of its aims: -

- (1) To hold support meetings for members and other organisations.
- (2) To bring together, in conference, representatives of voluntary organisations, local government departments, statutory authorities and individuals.
- (3) To promote and carryout or assist in the promotion and carrying out of research, surveys and investigations and publish results which impact upon BME officers and staff within the Police Service or the BME communities within the United Kingdom, and internationally as and when appropriate.
- (4) To arrange and provide for, or join in arranging and providing for, the holding of exhibitions, meetings, lectures, classes, seminars and training courses.
- (5) To collect and disseminate information on all matters affecting such aims and exchange such information with other bodies having similar aims, nationally and/or internationally.
- (6) Raise funds and to invite and receive contributions, subject to the condition that in raising the funds the NBPA shall not undertake any substantial permanent trading activities and it shall conform to any relevant requirements of the law.
- (7) Do all such other lawful things as are necessary for the achievement of the aims of the NBPA.

### **ARTICLE 3: MEMBERSHIP**

3.1 Full membership is open to any constituted Black Police Association or equivalent support network whose aims and objectives are compatible with or supportive of those of the NBPA. All new BPA memberships will be approved by the Cabinet and issued a certificate of membership signed by the elected President in post

3.1(a) All member BPA's of the NBPA must hold regular meetings which are minuted

3.1(b) NBPA issues should be a standing item on all local member BPA agenda meetings.

### 3.2 Affiliate or Associate Membership

(a) Affiliate or associate membership by any organisation is subject to a 2 yearly renewal. Organisations on initial application or application for renewal maybe admitted to initial or renewed affiliated membership if they:-

1) Make a written declaration of their commitments to the NBPA's objects and their desire to work strategically towards the achievement of those objectives

2) Satisfy the NBPA that there is nothing in their constitution, aims or actions, which conflicts with the NBPA's objectives and functions

(b) With each application for initial renewal of affiliated membership, there shall be supplied to the NBPA the following documentation or an assurance that such documentation will be supplied within a calendar month of the date of its admission of an affiliated member:-

1) A copy of the organisations current constitution or other documents setting out its aims and objectives;

2) In the case of religious organisations, a copy of the organisations' statement of belief, address of place of worship, name of governing body or umbrella organisation (if any);

3) Evidence in writing that the organisation has a bona fide membership;

4) If the organisation employs staff or provides services a copy of its Equality Policy.

(c) Failure to comply with the forgoing requirements shall cause the affiliated membership to lapse at the end of the above-mentioned calendar month period. In considering each application for renewal of commitment the NBPA shall:-

1) Seek confirmation that the affiliated members constitution or statement of aims and objectives and the Equal Opportunities Policy remain in force (as a minimum, the affiliated member must sign a statement confirming this);

2) Seek evidence that it still has a bona fide membership by reference to:-

i) The number of members;

ii) Whether the members are related to each other or not;

iii) Whether membership duplicates that of another organisation, in part or wholly

(d) The NEC of the NBPA shall have power to:-

1) Terminate the membership of:-

- i. An affiliate member, or
- ii. An associate member.

2) Whose actions or whose consistent failure to participate in the affairs of the NBPA, are or is deemed to be prejudicial to the interest of the NBPA provided that the affiliate or associate member or the representative of an affiliate member, shall have the right to be heard by the Legal Sub-Committee of the NEC before a final decision is made and thereafter a right of appeal to the next ordinary general meeting of the NBPA;

3) Any affiliate or associate member may resign her/his position by giving to the General Secretary written notice to that effect

3.3 The NEC shall appoint a membership committee to approve all memberships

3.4 Associate or Affiliate Members shall not be entitled to hold office nor shall they have any voting rights

3.5 Memberships of the NBPA shall be by application on an approved form submitted to the general secretary. The NEC will establish a Membership Committee made up of the following: -

(a) Three members of the NBPA who are not members of the Cabinet; and

(b) Two members of the Legal Sub-Committee

1) The NEC may delegate to the Membership Committee the following functions and powers:-

(a) To receive and consider all applications for full, affiliated and associate membership and annual renewals thereof;

(b) To determine all such applications provided that an organisation or individual wishing to appeal against a decision of the panel shall have the right to do so, and to be heard in such appeal, at the next ordinary general meeting of the NEC

(c) To recommend to the NEC termination of membership or withdrawal or recognition and the right to vote.

(d) The outcome of appeals to the NBPA shall be determined by a simple majority of members present and voting.

3.6 The cabinet should consider appointing a legal advisor to the cabinet from within the membership. This appointment should be cited as legal advisor to the NBPA. The legal advisor should be suitably qualified with a law degree or similar qualification.

3.6(a) Any member who has held full membership of a constituted black police association may continue to hold full membership on leaving the police service. Such membership is subject to approval by the membership committee and may also be subject to special conditions like membership fees. Full membership can only continue if the member maintains membership of their local black police association and meet their requirements of any special conditions.

3.6(b) A full member of a constituted black police association is automatically a full member of the NBPA.

3.6(c) Each newly appointed cabinet may appoint advisors during their term of office to assist them in meeting the aims and objectives of the NBPA. Such advisors would be subject to renewal at the end of the term of office.

3.7 Membership of the NBPA may be withdrawn or suspended for a specified period for any conduct that is in breach of the Code of Conduct (Article 11) by majority vote of the NEC.

3.8 In pursuance of Paragraph 3.7, the member shall be notified, by recorded mail as to the charge(s) against him/her, and be provided with a copy of the charge(s).

3.9 In pursuance of Paragraph 3.8, the member shall reply within fourteen (14) days of the receipt of the said charge(s), admitting or denying the charge(s).

3.10 In pursuance of Paragraph 3.9, the fourteen- (14) day period shall commence on the date of service of the charge(s) by recorded mail upon the member

3.11 In pursuance of Paragraph 3.9, the member has the right to a hearing before the NEC, unless waived by failure to respond within the fourteen-day period or waived by admitting the charge(s)

3.12 The Cabinet shall appoint an appeals committee, in the event of an appeal against the decision of the NEC. An appeal must be made in writing to the NEC within 14 Days of the NEC decision

3.13 Where an Appeals Committee has been appointed, its members shall be drawn from the representative BPA's of a Region other than the one to which the member subject of Paragraph 3.7 is affiliated. Members shall not be drawn from those BPA's who members may either be the complainant or witnesses for the complainant. At least one legally qualified member (Law Degree or Similar ILEX qualification) shall sit on the appeals committee, this person may be co-opted for the period in question.

3.14 During the review period of the Appeals Committee, the member's membership of the NBPA shall be suspended.

3.15 The decision of the appeals committee is final. (Other statutory rights of individuals are not effected)

3.16 Every BPA shall, on joining the NBPA, be given a copy of the Constitution and a certificate of affiliation.

3.17 The Executive Committee reserves the right to refuse membership and will submit in writing through to the office of the President, the reason for doing so.

3.18 The membership period shall commence on the date of the approval of the application.

3.19 The NEC must appoint from within the NEC a scrutiny committee of no more than five people. Cabinet members cannot sit on the scrutiny committee. The purpose of the scrutiny committee is to insure that the elected Cabinet members discharge their duties within the articles of this constitution and best interests of the NBPA membership. The scrutiny committee should report to the cabinet at the first available opportunity any issues of concern.

Should any issues of concern be unresolved then the scrutiny committee should at the earliest opportunity report to the NEC. It is not the role of the scrutiny committee to direct the cabinet members on what to do or to hinder them in the discharge of their duties. The cabinet should submit clear terms of reference for the scrutiny committee approved by the NEC.

#### **ARTICLE 4: COMPOSITION OF THE NBPA EXECUTIVE COMMITTEE (NEC)**

4.1 Each Constituted BPA affiliated to the NBPA shall elect 1 representative to sit on the NEC of the NBPA. The General Secretary will circulate the nominations to all members twice a year to ensure up to date list of the nominations.

4.1(a) Each elected representative must be able to demonstrate commitment to the aims and objectives of the NBPA and have a reasonable local agreement with their organisation to be released to carry out official NBPA duties. The cabinet may request a local BPA to re-select their representative where it can be clearly shown that the person has consistently failed to attend NEC meetings or consistently failed to meet the requirements of the job description for NEC members without good reason. Consistently is defined as 3 times or more.

4.2 In pursuance of Paragraph 4.1, the five largest Police Forces/services/agencies in the United Kingdom (based on the BME strength of officers and police staff) will have one additional representative.

4.3 In pursuance of Paragraph 4.1 and 4.2, members of the NBPA NEC shall be Full Members of the representative BPA's who are affiliated to the NBPA.

4.4 The NEC members shall elect the following posts from within the NEC; hereafter referred to as the Cabinet.

- 1) President
- 2) Vice President (Female Position)
- 3) Vice President (Male Position)
- 4) General Secretary.
- 5) Deputy General Secretary.
- 6) Treasurer.
- 7) Deputy Treasurer
- 8) Events Co-ordinator
- 9) Deputy Events Co-ordinator.
- 10) Training and Development Co-ordinator.
- 11) Sponsorship Co-ordinator.
- 12) Metropolitan Police reserved position

4.5 In pursuance of Paragraph 4.4, each Cabinet role will be defined by the NEC, which shall be appended in the appendices to this Constitution.

4.6 In pursuance of the aims of the NBPA, the Cabinet shall appoint a National Co ordinator. The appointment will be way of an interview conducted by the cabinet. The post will be advertised and is open to all members. The role will be defined in the appendices to this Constitution.

4.7 In pursuance of Paragraph 4.6, the Cabinet may also appoint such an assistant(s) or other support staff as it deems necessary for the time being. The National Co-ordinator, assistants or other staff will be subject to all requirements contained in this constitution. The powers and responsibilities for appointees will be published in a job description by the NEC and attached to this constitution.

4.8 In pursuance of Paragraphs 4.6 and 4.7, neither the Co-ordinator nor the assistant(s) nor the support staff shall be members of the NEC or Cabinet

4.9 Neither the Co-ordinator nor the assistant(s) nor the support staff shall have any voting rights at the Cabinet or NEC meetings

4.10 No member of the NEC shall acquire any interest in property belonging to the Charity (otherwise than as a trustee for the Charity as a Cabinet member) or receive remuneration or be interested (otherwise than as a member of the NEC) in any contract entered into by the NEC.

## **ARTICLE 5: RESIGNATION AND REMOVAL FROM THE NEC/Cabinet**

5.1 This Article shall apply to the resignation and removal of a member of the Executive Committee and/or a Cabinet member.

5.2 Any member of the NEC may tender his/her resignation at any time by delivering a written notice to the General Secretary.

5.3 In pursuance of Paragraph 5.2, the Cabinet shall consider the tendered resignation, and if the resignation is formally accepted by a majority vote of the Cabinet, the resignation shall be effective from the date the Cabinet delivers its decision. The resignation will be ratified by the NEC.

5.4 Any member(s) of the NEC may be removed from office for any breaches of the Codes of Conduct or Codes of Ethics (Articles 11 and 12) and the removal is consistent with the established procedure enunciated in Article 3 (Paragraphs 3.8 - 3.16).

5.5 Whenever a vacancy occurs in a member's position on the NEC the vacancy shall be filled by the relevant BPA from which that NEC member was nominated, consistent with the established procedure enunciated in Article 4. The appointment shall be ratified by the Cabinet.

5.6 The NEC may remove from office any Cabinet member whose performance fails to meet the aims and objectives of the organisation through their consistent failure to attend Cabinet and/or NEC meetings, or other NBPA events, without reasonable explanation.

5.7 The NEC may remove from office any cabinet member whose performance fails to meet the requirements of the elected post without reasonable explanation and consistently adversely affects the functions of the NBPA. The removal will be by way of a special general meeting where a role will be taken as per paragraph 5.8.

5.8 Consistently should be read to mean the performance falls short on at least three occasions within a 12-month period. Reasonable should be read to mean that at least 75% of the NEC consider the explanation as not to be reasonable.

5.9 Articles 5.6 and 5.7 should only be used in exceptional circumstances where all other means of addressing the performance have reasonably been exhausted.



## **ARTICLE 6: THE BUSINESS PROCESS OF THE NEC/CABINET**

6.1 The NEC shall be deemed to be quorate regardless of the number of NEC members present. Electronic voting on matters requiring a decision at the NEC meeting is permissible should an NEC member be unable to attend. The agenda of the NEC meeting will be published at least 14 days in advance to allow the NEC member to so vote in this circumstance. A simple majority will be sufficient to carry any vote. In the event of an even vote, the President or Chair of the meeting shall have an additional vote.

6.2 Any member of the representative BPA may attend an NEC meeting and participate in any discussion. Only members of the NEC can call a special meeting. However, fourteen- (14) days notice must be given when any special matters need discussion. Any vote taken shall be limited to the NEC members only

6.3 Where an NEC member is not able to attend the NEC meeting, then the member's BPA may appoint a deputy who shall have voting rights

6.4 The NEC may exclude any or all non-committee members from its meeting, where circumstances warrant the need, by majority vote of the NEC

6.5 The NEC shall meet at a minimum of three times a year

6.6 The Cabinet of the NBPA or Chairs of Sub-Committees of the NEC may take action as is required to pursue NBPA business without a vote of the NEC. The President will then give a report at the next meeting of the NEC

6.7 In pursuance of Paragraph 6.6, the Cabinet shall be as listed in Paragraph 4.4

6.8 The Cabinet and/or NEC may appoint sub-committees, or working parties, as required. Such committees may co-opt non-executive members. Such committees will observe the Meetings Protocols and Guidance attached to this Constitution. The sub Committee will be accessible to the Cabinet of the NBPA

6.9 Extra meetings of the NEC may be called providing at least seven days notice is given to NEC members

6.10 All members of the Cabinet shall remain in office for a term of two years from the date of Cabinet election. At the end of the said period, all members of the Cabinet shall retire from office, together, but they may be re-elected or re-appointed

6.11 The proceedings of the Cabinet or NEC shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment of a member

## **ARTICLE 7: GENERAL MEETING**

7.1 This Article shall apply to every general meeting of the NEC of the National BPA.

7.2 Any member of NEC may call a special general meeting. All members shall inform the President in writing of that intention and reply with notice in paragraph 7.4.

7.3 The General Secretary shall give at least fifty-six (56) days notice of the AGM to all members. All members shall be entitled to attend but there shall only be one vote per BPA affiliated to the NBPA Those BPA's who have an additional representative as per Article 4.2 will have an additional vote.

7.4 Any member of the NEC may call a special general meeting of the NBPA at any time. The request shall be approved by the Cabinet and if so the General Secretary shall give at least twenty-eight (28) days notice to all members to attend.

7.5 The NEC shall be quorate at a special general meeting, in line with article 6.1

7.6 A special general meeting shall only consider the business stated in the notice. The subject of said business must be provided in writing to all members, 14 days before the meeting.

7.7 Any general meeting may, by simple majority vote, agree to consider any other urgent business that has arisen since the notice of the meeting was given. Urgent business is defined as one, it would have been wholly unreasonable or impractical in order to comply with 7.6

7.8 The Cabinet shall present to each AGM the report and accounts of the NEC of the NBPA for the preceding year. The report shall be circulated 14 days in advance of the AGM

7.9 In pursuance of Paragraph 7.8, all records shall be maintained at the principal office(s)

7.10 Every member shall be entitled to inspect specified business records of the NBPA. A written request shall be made to the General Secretary

7.11 In pursuance of Paragraph 7.10, the Cabinet shall determine the records that shall be open to inspection by members subject to any relevant legislation current at the time.

7.12 In pursuance of Paragraph 7.10, the inspecting member shall make the written request to the General Secretary, or any other person the NEC has designated for the time being, fourteen (14) days before the date of the inspection

7.13 In pursuance of Paragraph 7.10, the inspecting member shall be entitled to make copies at his/her expense.

7.14 The Executive Committee will be known as the National Executive Committee and abbreviated to NEC

## **ARTICLE 8: FINANCES**

8.1 This Article shall apply to the finances of the National BPA.

8.2 The Cabinet as the trustees of the NBPA shall comply with its obligations under the Charities Act 1993 (or any statutory reenactment or modification of that Act) with regard to: -

- (1) The keeping of accounting records for the NBPA.
- (2) The preparation of annual statements of account for the NBPA.
- (3) The auditing or independent examination of statements of account of the NBPA.
- (4) The transmission of the statements of account of the NBPA to the Commissioners.

8.3 In pursuance of Paragraph 7.9, the Cabinet shall submit an audited or independently examined statement of the accounts for the last financial year to the AGM.

8.4 A bank account shall be opened in the name of the NBPA with Barclays Bank (Bank Plc/Building Society).

8.5 All cheques shall be signed by not less than two Authorised signatories, as determined from time to time by the Cabinet.

8.6 In pursuance of Paragraph 8.5, the signatories shall be members of the Cabinet, and the National Coordinators subject nevertheless to the condition that one of those signatories shall be the Treasurer or Deputy Treasurer.

8.7 All funds raised by or on behalf of the NBPA shall be applied for the furtherance of the aims of the NBPA.

8.8 The NEC shall invest all funds of the NBPA not immediately required for the furtherance of its aims, in or on such investments or securities to property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.

8.9 No loan(s) or advance(s) shall be contracted on behalf of the NBPA, and no documentary evidence, or otherwise, shall be issued in its name, unless it is so authorised by the NEC.

8.10 In pursuance of Paragraph 8.9, any authorisation by the NEC may be general or confined to specific instances. The authorisation may include authorisation to pledge, as security for the loan(s) or advance(s) so authorised, any or all securities and other personal property at the time being held by the NBPA

8.11 In pursuance of Paragraph 8.10, the NEC shall seek independent financial and/or legal advice before granting such authorisation

8.12 The NEC shall enquire into the character of the individual, group or organisation making any contribution (herein known as the Contributor) to the NBPA before accepting any contributions

8.13 In pursuance of Paragraph 8.12, if the NEC determines that the character of the Contributor(s) is not in the best interests of the NBPA and after having obtained consent in writing from the Charity Commission, then it shall not accept the contributions

8.14 The members may be paid honoraria by the NBPA but only in the following circumstances:

(a) the payment must be in the best interests of the NBPA;

(b) The payment should be reasonable with regard to the size of the charity and the reason for the payment.

8.15 No member of the NEC shall accept any personal gift (In accordance with paragraph 8.16)

8.16 All members of the NEC shall serve without a fixed salary, subject nevertheless to the condition that the NBPA shall authorise reimbursement for reasonable expenses incurred by the members in the performance of their duties on behalf of the NBPA in accordance with the agreed criteria

8.17 In pursuance of Paragraph 8.18, the Cabinet shall authorise the reimbursement of the expenses

8.18 The posts of National Co-ordinator, Assistant(s) to the National Co-ordinator and support staff maybe paid posts

8.19 Nothing in the constitution expressly or by implication prevents the association presenting a business case for the appointment of full- time, paid or non-paid Cabinet members

8.20 The NEC members shall have the power to provide indemnity insurance for themselves out of the income of the NBPA. The insurance shall not extend to:

1. any claim arising from any act or omission which:

- (a) the executive committee members knew to be a breach of trust or duty; or
- (b) was committed by the NEC members in reckless disregard of whether it was a breach of trust or breach of duty or not; and

- 2. The costs of an unsuccessful defence to a criminal prosecution brought against the executive committee in their capacity as trustees of the NBPA.

8.21 In pursuance of Paragraph 8.20, no member shall settle a claim wherein he/she seeks indemnification without first submitting a written request to the NEC, and allowing the NEC twenty-eight (28) days to respond to the request.

8.22 The NBPA shall not indemnify any NEC member for intentional and wilful misconduct or conduct determined to be reckless.

8.23 In pursuance of Paragraph 8.22, the NEC shall appoint a sub-committee to determine whether the misconduct of the member(s) concerned was intentional and wilful or reckless.

8.24 In pursuance of Paragraph 8.23, members of the sub-committee shall be drawn from the representative BPA's other than the one to which the member subject of Paragraph 8.23 is affiliated.

## **ARTICLE 9: INTERPRETATION AND AMENDMENTS**

9.1 In the event of any question of interpretation, or any point on which this Constitution is silent, the NEC or Cabinet reserves to itself the right to act according to its interpretation of the Constitution.

9.2 No word or construction in this Constitution shall be taken to imply any discrimination contrary to the domestic discrimination law or article 14 of the Human Rights Act.

9.3 The Constitution may be clarified on any point by the drafting of a schedule. This Schedule will be the legal basis on which decisions are based until amended. Amendments to the constitution will only be made by a majority vote at an AGM or extraordinary general meeting.

9.4 In pursuance of Paragraph 9.3, the General Secretary of the NBPA shall give 28 days notice in writing to all its members that the proposed amendment(s) to the Constitution shall be put before all members of the NBPA who have power to vote at the next AGM of the Association. The said notice shall outline the Article(s) of the Constitution to be amended and the proposed change(s):

- a) No amendments may be made to article 1.1, article 2.1, article 8.14, article 8.18, article 8.22, article 10 or article 11 without prior consent in writing of the Charity Commission.
- b) No amendment may be made which would have effect of making the NBPA cease to be a charity at law.
- c) The NEC should promptly send to the Charity Commission a copy of any amendment made under this clause.

9.5 This Constitution should be read as a living document.

## **ARTICLE 10: WINDING UP PROCEDURE**

10.1 If the NEC, by a simple majority, decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the NBPA, it shall call a general meeting of all members of the NBPA who have power to vote.

10.2 In pursuance of Paragraph 10.1, the General Secretary must give at least twenty-eight (28) days notice to all NBPA members, stating the terms of the resolution to be proposed.

10.3 In pursuance of Paragraph 10.1, a minimum of two executive members from each representative BPA are required to attend the general meeting.

10.4 In pursuance of Paragraph 10.1, if proposition is confirmed by two-thirds of the NBPA members present and who have power to vote, the NEC shall have the power to dissolve the NBPA and dispose of any assets held by or on behalf of the NBPA.

10.5 Any assets remaining after the satisfaction of any debts and liabilities shall be given or transferred to such other charitable institution(s) having aims similar to the objects of the NBPA, as the NEC may determine.

## **ARTICLE 11: CODE OF CONDUCT**

11.1 This article shall apply to the conduct of full, associate and affiliated members of the NBPA, all will be referred to as 'members' in this article.

11.2 The Code of Conduct as determined from time to time by the NEC shall provide standards of conduct for members of the NBPA in the pursuance of the aims, ethos and policies of the NBPA.

11.3 The Code of Conduct shall be that every member shall discharge his/her duty with integrity, politeness, tolerance, courtesy, respect, openness and truthfulness.

11.4 In particular, every member shall avoid all forms of harassment, victimisation, unreasonable discrimination, abusive or derisive attitude, or behaviour towards other individuals or groups.

11.5 And shall behave in a manner that does not bring discredit to the NBPA

11.6 Avoid favouritism to any particular group or individual

11.7 Treat any information that comes into his/her possession during the course of his/her as confidential and shall not use it for personal benefit, nor shall he/she divulge that information to other parties except in the proper course of the NBPA.

11.8 Members shall enter into the NBPA gratuities and gifts register any item received exclusively by that member or on behalf of the NBPA.

11.9 All cash gifts will be paid into the NBPA account.

11.10 If the gift is of a personal nature (not cash) the NBPA NEC will determine whether the gift is retained or returned

11.11 Any member of the NBPA who knowingly breaches the Code of Conduct of the NBPA, or who commits any act (by word or deed) which may be deemed by the President or Vice President as being detrimental to the NBPA, shall have his or her membership temporarily suspended, pending consideration by the NEC members at the first available NEC meeting, thereafter. Any decisions made by the NEC will be based upon a simple majority vote.

## **ARTICLE 12 CODE OF ETHICS**

12.1 This article shall apply to the ethics adopted by full and associate members of the NBPA. Both will be referred to as 'members' in this article.

12.2 The Code of Ethics as determined from time to time by the NEC shall provide standards of conduct for members of the NBPA in the pursuance of the aims, ethos and policies of the NBPA.

12.3 The Code of Ethics will be that every member will comport themselves with:

(1) SELFLESSNESS: Members should take decisions solely in terms of the NBPA interest. They should not do so in order to gain financial or other material benefits for themselves, their families or their friends

(2) INTEGRITY: Members should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

(3) OBJECTIVITY: In carrying out NBPA business, including making NBPA appointments, awarding contracts, or recommending individuals for rewards or benefits, members should make choices on merit.

(4) ACCOUNTABILITY: Members are accountable for their decisions and actions to the NBPA Executive and must submit themselves to whatever scrutiny is appropriate to their office.

(5) OPENNESS: Members should be as open as possible about all decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider NBPA interest clearly demands.

(6) HONESTY: Members have a duty to declare any private interest relating to their NBPA duties and to take steps to resolve any conflicts arising in a way that protects the NBPA interest.

(7) LEADERSHIP: Members should promote and support these principles by leadership and example.

12.4 Any member of the NBPA who knowingly breaches the Code of Ethics of the NBPA, or who commits any act (by word or deed) which may be deemed by the President or Vice President as being detrimental to the NBPA, shall have his or her membership temporarily suspended, pending consideration by the Cabinet members at the first available Cabinet meeting, thereafter. Any decisions made by the Cabinet will be based upon a simple majority vote and ratified by the NEC.

## **ARTICLE 13 CHARITABLE STATUS**

13.1 Subject to the following provisions of this clause, the Constitution may be altered as outlined in paragraphs 9.3 and 9.4 above

13.2 No amendment may be made to clause 1.1, clause 2.1, clause 5.13, clause 11 or this clause (13.2) without prior consent, in writing of the Commissioners

13.3 No amendment may be made to the Constitution, which would have the effect of making the Charity cease to be a charity at law

13.4 The NEC should promptly send to the Commission, a copy of any amendments made under clause 12.3

13.5 The NBPA is a registered charity in its entirety and therefore all the rules regulations and legislations that govern the work of charities directly affect all NBPA activity. All Cabinet members automatically become trustees of the NBPA as the decision making body



## **Appendix 1 – NBPA co-ordinator role profile**

To be updated