

Elections of Branch Delegates to Central Council

Alex Scott-Samuel raised the issue of the validity of certain delegates from Branches. Officers had no option other than to investigate, take advice and act accordingly. A report was produced and circulated. A number of Branch delegates were informed that they had not been properly elected. This was endorsed by Central Council on 1 August.

The facts remain:

- Branches must hold their AGMs, where they elect their delegates to Central Council, in accordance with the rules in the constitution.
- There is no power for the Chair to override the constitution, for example to waive the requirement for Branch AGMs to be held in accordance with the timetable.
- Some Branches held AGMs outside the timeline set by having the SHA AGM on 29 February 2020, and so their election of delegates was invalid.

Records of decisions

What is of great concern is that there appears to be no proper record of who decided what, when and with what authority. Communications to Branches appear to have been sporadic and often contradictory.

The disputed elections were the first time it had been applied. The change was made at the 2018 AGM although not on the Agenda and little thought appears to have gone into what the rule change might imply organisationally.

The then Chair decided that the SHA AGM expected to be held in March 2019 was not held (due to allegations of inaccurate membership records) and so there were no elections tied to it. In September 2019 Central Council, which has the constitutional role to oversee election arrangements, agreed that there would be an AGM on 7 December 2019. The minutes show that Central Council was aware that this decision then set the window in which Branches had to hold their own AGMs and elect their delegates. The decision did not give the required notice for Branches but it was at least possible for Branches to comply by holding their own AGMs within the window.

The decision was taken to postpone the AGM to 29 February 2020, because of the General Election. This decision is not recorded anywhere and was not made, as it should have been, by Central Council.

This however changed the window during which Branches had to hold their own AGMs in order to comply with the rules, but the then Chair wrongly decided he had the power to disapply the rules. As a result, misinformation was given to Branches.

The rule about branch dates is hard to implement.

What is now clear is that to be fair to Branches the date of any SHA AGM and the date of the associated call for nominations for elections has to be notified at least 5 months in advance, and arguably six months.

The rule change made in 2018 and first used for the recent Branch elections sets out a timetable for Branches to hold their AGMs at which they can elect delegates to Central Council.

Once the date for the SHA AGM is agreed then notice of the date and the request for nominations has to be circulated no less than 4 weeks prior to that date. Branches must hold their AGMs between 12 and 3 weeks prior to the date on which the request for nominations is made. Branches must give 4 weeks notice for their AGMs. This means that the date of the SHA AGM and the associated date when nominations will be requested have to be announced 4 plus 12 plus 4 weeks in advance – a period of 20 weeks at the absolute minimum.

If Central Council agreed to hold the earliest possible AGM then that would be 27th February.

30/9	The Central Council meeting
10/10	Branches must send out their announcements.
7/11 – 9/1	Branch AGMs must be held in this window
30/1	Call for nominations
27/2	AGM