



Zoom **Council Meeting 15<sup>th</sup> September 2020 Agenda**

15th September 2020 19:45 pm to 21:45 pm  
See Appendix for the Zoom invitation

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**Next Meeting Important Agenda Items**

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

# Council Positions, Attendance and Report Status Table

## Voting Positions

Position	Name & Initials		Atn (y/n)	Report Status	
				Last	New
<b>BCA Executive</b>					
Chairman (Acting) (2018- 2021) 3 years	Phil Rowsell	PJR			
Secretary (Acting) (2019- 2022) 3 years	Russell Myers	RM			
Treasurer (2017- 2020 - 3 years)	Howard Jones	HJJ		15/09/2020	Yes
<b>Group/Club Representatives</b>					
Position 1 - (2019-2021 - 2 years)	Hellie Adams	HA			
Position 2 - (2019-2021 - 2 years)	Josh White	JW			
Position 3 - (2018-2020 - 2 years)	Rostam Namaghi	RN			
Position 4 - (2018-2020 - 2 years)	Idris Williams	IW			
<b>Individual Member Representatives</b>					
Position 1 - (2019-2021 - 2 years)	Phil Rowsell	PJR			
Position 2 - (2019-2021 - 2 years)	Will Burn	WB			
Position 3 - (2018-2020 - 2 years)	Andrew McLeod	AM			
Position 4 - (2018-2020 - 2 years)	Jenny Potts	JP			
<b>Chairs of Standing Committees</b>					
Training Officer (2018-2021 - 3 years)	Nigel Atkins	NA			
Conservation and Access (Acting)	Will Burns	WB			
Equipment and Techniques Officer (2017- 2020 -3 years)	Mark Sims	MS			
<b>Regional Council Representatives</b>					
Cambrian Caving Council	Stuart France	SF			
Council of Northern Caving Clubs	Tim Allen	TA			
Council of Southern Caving Clubs	Linda Wilson	LW			
Derbyshire Caving Association	Wayne Sheldon	WS			
Devon and Cornwall Underground Council	David Jean	DJ			
<b>Constituent Body Representatives</b>					
William Pengelly Cave Studies Trust	Richard Vooght	RV			
Association of Caving Instructors	Stephan Natynczuk	SN			
National Caving Scout Active Support Unit	Tony Radmall	TR			
British Cave Research Association	John Gunn	JG			
National Association of Mining History Organisations	Steve Holding	SH			
Council of Higher Education Caving Clubs	David Botcherby	DB			

Cave Diving Group	Claire Cohen	CC			
British Cave Rescue Council	Emma Porter	EP			

## Non -Voting Positions

Position	Name & Initials		Atn (y/n)	Report Status	
				Last	New
BCA President	Mick Day	MD			N/A
<b>Working Party Convenors</b>					
Information Technology Annual	Ari Cooper-Davis	ACD		18/08/20	
Youth and Development Annual	Josh White	JW		18/08/20	
Publication and Information Annual	Rostam Namaghi	RN		18/08/20	
CRoW Annual	David Rose	DR		15/09/20	Yes
Qualifications Management Committee (QMC) Annual	Juliet Parker Smith	JPS		15/09/20	Yes
Vision Annual	Hellie Adams	HA			
Radon Annual	Gethin Thomas	GT		15/09/20	Yes
<b>Additional BCA Appointments</b>					
Insurance Manager Annual	Howard Jones	HJJ		15/09/20	Yes
Membership Administrator Contract	Wendy Williams	WW			
Safeguarding Officer Annual	Chris Boardman	CB			
Training Administrator Contract	Mary Wilde	MW			
Library Representative Annual	Jenny Potts	JP			
Newsletter Editor Annual	David Rose	DR			
UIS representative Annual	Andy Eavis	AE			
European Speleological Federation Rep Annual	Ged Champion	GC			
Rope Testing Annual	Bob Mehew	BM			
Artificial Cave Annual	Katie Eavis	KE			

## **(1) Apologies for absence.**

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

None

## **(3) Acceptance of previous Council Meeting Minutes.**

### **Minutes**

18th August 2020 Council minutes circulated along with this Agenda and to be uploaded to the BCA website.

### **Submitted Reports**

Incorporated in the above minutes

**Please forward any amendments/comments to [secretary@british-caving.or.uk](mailto:secretary@british-caving.or.uk) ahead of the meeting.**

## **(4) Matters Arising**

## **(5) BCA Treasurer Update**

**Current bank balances:** as at 03/09/2020 was £279,000. Of which £207,000 is in medium term interest bearing accounts and £10,000 is in a short term deposit account. I am holding more in the current account than usual due to potential CRoW legal fees.

### **Abnormal Cash outflow since last Council meeting:**

Go membership costs of £500, Y&D training cost of £480

### **Budget 2020:**

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

### **Regional accounts:**

Nothing new to report. Only DCUC and CNCC have made claims so far this year. Other regions have held their AGMs but have yet to make a claim.

### **United Secure Bank**

Is one of the banks BCA has a medium term savings account with. It recently decided to close all non-commercial accounts including ours. We are therefore in the process of claiming back our deposit and will move it to Redwood bank where there is headroom to invest and still be

insured. This action appears to be drawing to a close, with yet another “final” request for information having been answered this week.

## **(6) Insurance Manager - Update**

We have made some progress with helping the British Cave Rescue Council with an issue they are having with their current insurers. Its looking like a positive outcome with an anomaly covered that was previously not. When confirmed I will submit a full report.

## **(7) Welsh Government Judicial Review Update**

The original judge refused us permission to bring a judicial review of the Welsh Government decision to exclude caving from its Access Reform Group (ARAG) on the grounds caving is not covered by the CROW Act. She accepted the WG's argument that ARAG is not part of the Government, although it set ARAG up and all ARAG's activities are reported on its website.

Following discussions with our lawyers, we have renewed our application, and it will now be considered at an oral hearing of the High Court in Cardiff on October 8. We say that that ARAG is part of the Government, and that even if it wasn't, its decisions would also be subject to judicial review as it is clearly an official body.

The hearing will be before a different judge. It is encouraging to note that the first one did not say that our case is flawed on its merits. She rejected the application only on the technical issue of what is known in the legal trade as "justiciability". If we win at this hearing, there will be a full further hearing of the case.

I will be available to discuss this at the meeting and answer questions.

David Rose

CROW working group convenor

## **(8) Radon Working Group - Vision**

See Appendix for Report

## **(9) Qualification Management Committee Working Group - Vision**

See Appendix for Report

## **(10) Conservation and Access Committee - Vision**

See Appendix for Report

## **(11) Constitution and Operational Working Group - Terms of reference**

See Appendix for Report

**(12) BCA Demographics and Data Collection**

See Appendix for Report

**(13) AGM update**

Verbal Report

**(14) Voting procedure**

See Appendix for Report

**(15) BCA Membership - Simplification of Membership for January 2022**

See Appendix for Report

**(16) AOB**

Canyoning Club request to join the BCA

## Appendices.

### The Radon Working group

The Radon Working group was re-activated with the remit to update the Radon Underground document reflecting changes in the regulations relating to radon.

One of the key changes in the regulations is the need to gather an annual average of radon. To manage this a significant project conducting sampling over Spring, Summer, Autumn and Winter took place funded by the BCA, MoD, AHOEC and various regional groups/providers.

Our work is largely done, however COVID has stalled one last phase of important work sampling during Spring. This work will now take place in the Spring of 2021 at which point the document will need some minor amending. Radon Underground Version 3 is available to download from the BCA website (look under publications) together with the supporting sampling results.

As a group we are in the process of drafting an “executive summary” of the document which we hope will be of value to cavers and mine explorers to help us all assess the risk of radon exposure (and the potential risk of developing of lung cancer as a result). This work is still in progress however we hope to have it produced by the end of October.

The change in regulations highlight the need to be mindful regarding radon when exploring caves and mines, however some relatively simple steps (such as avoiding some venues during the Summer months) should assist cave and mine explorer in reducing our dose. It's worth highlighting there is no safe dose of radon, however as radon is abundant in our homes, places of work and even outdoors we cannot avoid it.

One of the key benefactors to this work has undoubtedly been those working under the Local Cave and Mine Leader Award or Cave Instructor Certificate who must comply with the regulations. That the document has been reviewed and accepted by a Radon Protection Adviser and scrutinised by HSE has not only given an added level of credibility to the document but also given the award scheme significant support. The document will be used by QMC to support award holders and providers in the years to come.

Moving forwards there's the question of the future of the working group. BCA may want to consider providing a fund for those that control access to caves and mines as well as cavers and mine explorers to enable sampling (together with advice on how to conduct the sampling) with the view to developing a data base of radon for many caves or mines across the UK.

The intension now is to hibernate (for want of a better word!) the working group until next Spring until the final round of sampling is required.

Gethin Thomas

Radon Working Group Convener

## **Qualification Management Committee Working Group - Vision**

**Add PDF**





## **Conservation and Access Committee - Vision**

**Add PDF**

# Terms of Reference

for the

## Constitution and Operations Working Group

### **i. Purpose**

- i. The aim of the group is to conduct a complete review of the BCA Constitution and BCA Manual of Operations and re-write both documents for ratification at BCA council, and subsequent presentation to the 2021 AGM.
- ii. An additional aim is to produce roles and responsibilities / help guides and minimum expectations for key officers (to assist them when new to their post).

### **ii. Membership**

- i. Members are to be invited by the Constitution and Operations Officer.
- ii. The convenor of the group will be the Constitution and Operations Officer.
- iii. Membership should be reviewed on an annual basis and its members re-invited.
- iv. There will not be any restrictions on numbers in these terms of reference, to allow it to reach an organic operable size.

### **iii. Accountability**

- i. The Constitution and Operations Officer will report back to Council at meetings.
- ii. There will be quarterly reports detailing the working group's activities and progress.
- iii. Complaints are to follow BCA procedure and brought to Council.

### **iv. Review**

- i. The re-written documents will be presented to council two meetings prior to the 2021 AGM for consideration, discussion and ratification. On ratification to be presented to the 2021 AGM for member acceptance.

### **v. Methods**

- i. Focus groups will be formed to look at specific parts of both documents and bring their ideas to the working group for discussion and agreement.
- ii. Official meetings will occur by whatever suitable medium at least quarterly with regular discussions between members of the working group occurring in between.
- iii. The minutes will be published on the BCA website promptly.
- iv. The convenor of the group will prepare the agenda.

## **BCA Demographics and Data Collection**

**Add PDF**





## Voting procedures

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

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

Annual General Meetings have further stipulations:

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

The following items of business will require voting:

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

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

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

It is very desirable for contested Council positions to be resolved at the meeting by mutual agreement between the candidates. The Chair is encouraged to try to facilitate discussions of this nature. However, if this is not possible, then the contested position and candidates will be progressed automatically to an online vote, in which it would be good practice to provide the candidates the opportunity to include a statement.

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

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

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

### **Constitutional Subsections Relevant to Voting**

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

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

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

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

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

6.3. Representatives from the classes of Individual and Group Membership shall be elected at an AGM. Uncontested applicants will be elected. Applicants exceeding the number of positions will

go forward to an online vote after the AGM. Each representative shall serve for a term of two years from the AGM.

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

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

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

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

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

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

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

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

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

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

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

8.10. Online voting by individual members for motions and contested positions arising from General Meetings must be conducted over a period of approximately 30 days. Voting is by simple majority of individual voting members, except for changes to the constitution which require  $\geq 70\%$  in favour.8.6. The quorum for any General Meeting shall be 10 members, of which at least 5

persons eligible to vote in each House shall be present. No one person may represent more than one group member.

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

**Author : Rostam Namaghi**

## **(15) BCA Membership - Simplification of Membership for January 2022**

Proposal for simplifying membership for January 2022, and the removal of the Club membership fee.

This is the unification of the two categories Club Individual Member (CIM) and Direct Individual Member (DIM).

The reason for this is not to get rid of club membership but administrative reasons. Clubs are an integral part of British Caving and the BCA. They will still administer membership and they will still supply details of the person (including email) and pay the BCA as before. With the new membership database being planned it will allow people to be members of more than one club – all you will need is a BCA number and you can be linked to multiple clubs, which the system will automatically check. The removal of the club fee is to support our clubs in recognition of the work they do for BCA and so that clubs are not at any cost disadvantage to unincorporated groups.

The reason for simplifying the membership categories is because there is little difference between them. They cost the same, everyone has one vote and carrying it on sets up a false divide and complexity that is a hangover from yesterday. The constitution makes no difference between CIMs and DIMs – we're all just Individual Members (IMs). We vote on Individual member representatives from the same electorate as club ones so it has no procedural impact there either.

This isn't a constitutional change but it is an important way for our organisation to plan ahead, declutter the bureaucracy and pave the way for the framework of a future, well thought out, reformed constitution.