

# Merger Update

Version: 2.0



## Thank you for providing your feedback on the draft Constitution

An initial draft of the Constitution was given to the Membership during August and September 2019 to review. Thank you to all Brigades and Individuals that took the time to read and comment. You have all helped shape the Constitution the Membership will vote on in November this year.

## Background

In 2017, the UFBA and FRFANZ Members voted unanimously to merge the two Associations. The benefits of a merger being:

- our ability to provide a stronger combined voice for Volunteers and Members’;
- to enhance the effectiveness of delivering our joint functions and reflect the Membership’s changing expectations and needs;
- to better support FENZ unification (the bringing together of FENZ Personnel – employees, volunteers, FENZ contractors);
- to help give effect to the FENZ Volunteerism Strategy and the new FENZ Act (especially Section 36 relating to Volunteers); and
- to strengthen overall financial sustainability.

In 2018, we engaged with you across the country, and you told us the following is important to you:

- we need to maintain our history and our memberships;
- we must keep the Honours and Awards, Competitions and Events, and Benevolent Services; and
- that we must continue our work as champions of Volunteerism and reflect the needs of the Membership in the new FENZ Operating Model.

## Membership feedback on the draft Constitution

In August and September 2019, we consulted with the Membership on the draft Constitution that will serve our combined Association. Your key feedback was as follows. Members acknowledged:

- that we need to enable FRFANZ brigades to join with the UFBA in a collaborative way;
- that whilst the UFBA has been more transparent in its work on behalf of Member’s over the past six months, including establishing the Brigade Representatives Group to work more closely with the UFBA, more was needed;
- the need to modernise the Constitution such that it:
  - ✓ aligns with legislative changes affecting Incorporated Societies and Charities, and modern governance practices relevant for an Association of the size, complexity and range of members (including rural brigades and Associates) within the UFBA;

## Membership feedback continued:

- ✓ ensures Members' interests are represented through democratic processes;
- ✓ incorporates a clear governance model where Members' hold the Board accountable for meeting Members' interests through the AGM; and the board holds the Chief Executive accountable for managing the Association;
- ✓ provides the Board with the ability to undertake its governance role on behalf of Members' in a relevant timeframe in keeping with the Board's governance and Member responsibilities and duties; and
- ✓ enables the introduction of a democratically elected Members Advisory Panel (referred to in Remit 2 as a Members Committee) to:
  - provide an additional means to connect, communicate and consult with, to hear from, and to represent the views of all Members' (with administrative support provided by UFBA staff); and
  - provide additional surety that the Board's decisions reflect Members' expectations when exercising their governance responsibilities by requiring it to consult with the Members Advisory Panel before making decisions that are of specific importance to Members'.
- that you wanted an Association that:
  - offers greater engagement with the Membership on matters directly affecting Members';
  - has greater communication about what is being advocated for, by whom, and who decides these priorities';
  - is more democratic, transparent and accountable to its Membership in these activities.
- when seeking to provide the Board with greater flexibility to make decisions on behalf of the Membership, more than once a year at the AGM, you said the Board and Management:
  - need to demonstrate greater democracy, transparency and accountability in how the Association is governed and managed, for you to be comfortable with giving the Board increased decision-rights (e.g. minutes of Board Meetings should be published and made available to all Members);
  - need to remember that this is membership-based organisation where the Board are accountable to the Membership and the Chief Executive is accountable to the Board;
  - need to continue improving communication and engagement with Members. With the proposed Constitutional changes, the Membership would expect, for example, engagement with the Membership to inform the development of Board Policies (i.e. where these are no longer in the Rules)
  - need to recognise that the Board could be removed from office (with the Membership invoking their rights at a Members Meeting) should the Board be considered irresponsible in its duties; and
  - for there to be a stronger alignment with Provincials.
- That the Membership will view any Constitutional amendments with these things in mind (i.e. what should be controlled via AGM or Governance (Board) via Board Policy).

## Summary of Constitutional Changes

1. UFBA to be maintained and the Constitution modernised (i.e. align with current and proposed legislation such as the Incorporate Societies Act and the Charities Act, and enable and direct the Board in its functions, with details reserved for Board Policies)
2. Provides the Board with:
  - a. the ability to make decisions in a relevant timeframe in keeping with their fiscal, legal and Membership responsibilities and duties; and
  - b. allows for greater flexibility to adapt to the changing fire and emergency sector
3. Enable FRFANZ brigades to join UFBA and provide for a protected governance for three years
4. Incorporates a clear accountability model where the:
  - a. Membership holds the Board accountable;
  - b. The Board holds the Chief Executive accountable; and
  - c. Constitution enables the Membership to invoke their right to remove a Board should it be considered irresponsible in the application of its duties.
5. To balance the Board having greater ability to make decisions throughout the year (i.e. not confined to an annual AGM), and remembering that this is a membership-based Association; enable the establishment of a Membership Advisory Panel (MAP) to:
  - a. provide a more formal two-way communication channel between the Association and its Membership, and a means for the Association to consult with its Membership on matters of high-interest and importance such as Board Policies and Regulations;
  - b. strengthen the role of elected leaders who we propose lead the MAP on behalf of Members' (i.e. President, Vice President, immediate Past President), and provides for this Panel to evolve as needed in the future
  - c. provide all Membership Brigades with:
    - ✓ a democratic means of hearing matters of importance; and
    - ✓ an equal voice on matters the Association is advocating for on behalf of the membershipFor example, the Constitution enables Brigades Representatives to be democratically elected by their Brigade to be a conduit between the MAP and the Brigade.
6. The FRFANZ entity to be retained for non-brigade members (i.e. FENZ Contractors used on wildfire such as aircraft and bulldozer crews) until a new entity is established 2019/2020 for non-brigades and other participants with an interest in fire and emergency sector such as land managers and other industry groups.

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A detailed version of the changes made to the Constitution will be posted on line by 11 October 2019. In the meantime, if you have any questions or concerns please contact the UFBA, we welcome your call.

Email: [UFBA\\_FRFANZmerger@ufba.org.nz](mailto:UFBA_FRFANZmerger@ufba.org.nz)

Phone: (04) 237 0265