



BRITISH EDUCATIONAL RESEARCH ASSOCIATION (BERA)

CONSTITUTION

Constitution first adopted in April 1974 as amended in September 1975, September 1976, September 1996, September 2003, September 2006, September 2007 and September 2008.

Articles

1.0 Name and Status

- 1.1 The name of the Association is the British Educational Research Association (BERA).
- 1.2 The Association is an autonomous learned society distinct from other national institutions and is a registered charity (Number 272754).

2.0 Objects

The Objects of the Association shall be:

- 2.1 To encourage the pursuit of educational research and its application for both the improvement of educational practice and for the public benefit.

3.0 Membership

- 3.1 Membership of the Association is open to all educational researchers actively supporting the Objects of the Association.
- 3.2 Corporate membership may be granted by the Executive Council to certain organisations on terms stipulated by the Executive Council.
- 3.3 Membership will terminate automatically if annual subscriptions lapse beyond the time fixed by the Executive Council.

4.0 The Executive Council

- 4.1 The Executive Council is the governing body of the Association and the members of the Executive Council shall, de facto, be the Trustees of the Association as a registered Charity.
- 4.2 The Executive Council shall be responsible for administering the Association in accordance with the wishes of its members in order to achieve the aims of the Association.
- 4.3 The Executive Council shall comprise:
 - 4.3.1 President;
(who will act as Chair)

BERA CONSTITUTION 2007

- 4.3.2 Vice President;
(being either the President Elect or the Immediate Past President, who will act as Chair in the absence of the President)
- 4.3.3 Honorary Secretary and Treasurer; and
- 4.3.4 up to twelve Elected Members.
(Of the twelve elected members one member of the Conference Committee, a portfolio holder for Wales and a portfolio holder for Northern Ireland shall be elected as specified posts. If no nominations are forthcoming to fill these positions then up to three co-options can be made.)
- 4.4 The Executive Council has the power to co-opt up to six members of the Association (in addition to any co-options arising from Article 4.3.4).
- 4.5 The Executive Council has the power to set up committees or working groups to undertake the work of the Association and may delegate any of its powers or decision-making authority to such committees, working groups and/or members of staff as it sees fit, providing that:
- 4.5.1 the membership of any committee or working group is clearly identified at the time it is established by the Executive Council (although such groups may make co-options up to a specified number);
- 4.5.2 the limits of such delegation shall be established by the Executive Council and be actively monitored;
- 4.5.3 any committee or working group shall have at least one member of the Executive Council in its membership;
- 4.5.4 the deliberations and decisions of any committee, working group or member(s) of staff with delegated authority shall be actively monitored and reported to the Executive Council;
- 4.6 A quorum of the Executive Council shall constitute seven or more members.
- 4.7 Each member of the Executive Council shall have one vote (including the Chair) and the Chair shall have a casting vote.
- 4.8 Any member of the Association may attend any Executive Council meeting as an observer upon giving one month's notice to the Chief Executive Officer.
- 5.0 Nominations, elections and terms of members of the Executive Council**
- 5.1 Elections shall be by ballot among individual members of the Association.
- 5.2 Nominations for election to the Executive Council must be supported by at least two members of the Association.
- 5.3 The Chief Executive Officer shall act as the Returning Officer for elections.
- 5.4 Results of elections shall be reported to the Annual General Meeting of the Association.

BERA CONSTITUTION 2007

- 5.5 The President's term of office shall be two years.
- 5.6 Every second year, at the end of the President's first year in office, an election shall be held for the post of Vice President (President Elect). The successful candidate shall serve for one year as Vice President (President Elect), for two years as President, and for a further year as Vice President (Immediate Past President).
- 5.7 The Honorary Secretary and Treasurer shall be elected for a term of three years.
- 5.8 The Elected Members of the Association shall be elected to the Executive Council for a term of three years.
- 5.9 Any co-opted members of the Executive Council shall have a term of between one and three years to be determined at the point of their co-option.
- 5.10 All members of the Executive Council may offer themselves for re-election.
- 5.11 Any member shall hold the office of President once only.

6.0 Meetings

- 6.1 There shall be an Annual General Meeting held during the Association's Annual Conference, at which the President shall take the Chair.
- 6.2 A quorum of the Annual General Meeting shall constitute 20 members.
- 6.3 The business of each Annual General Meeting shall include:
 - 6.3.1 a report from the President;
 - 6.3.2 a report from the Treasurer including presentation of the Financial Statements for the previous year and the proposed budget;
 - 6.3.3 a report from the Chief Executive Officer;
 - 6.3.4 notification of Executive Council election results.
- 6.4 The Executive Council shall meet at least three times per year.
- 6.5 Meetings of the Executive Council, its committees and working groups may be conducted:
 - 6.5.1 by the physical attendance of members of the Executive Council, its committees or working groups at a meeting;
 - 6.5.2 by electronic means such as videoconferencing or by use of internet video facilities;
 - 6.5.3 by telephone conference if a meeting where participants can both see and hear each other is either not possible or impractical. Any decisions taken during a telephone conference must be reported to and ratified by the Executive Council.

BERA CONSTITUTION 2007

- 6.6 Papers for all meetings of the Association (including its Executive Council, committees, working groups and Annual General Meeting) may be distributed or made available by electronic means, providing:
 - 6.6.1 where distribution by electronic means is not available papers will be distributed in hard copy by post;
 - 6.6.2 where papers are not available for distribution prior to a meeting they may be made available at the meeting.
- 6.7 A special general meeting of the Association can be called by a request, signed by 20 or more members, to the Executive Council, and notified to the Chief Executive Officer.
- 6.8 Special general meetings must be conducted within two months of the meeting of the Executive Council following the receipt of the request.

7.0 Finance and benefits for membership

- 7.1 Members will be entitled to attend BERA conferences and receive such benefits and publications as the Executive Council shall from time to time deem appropriate.
- 7.2 The Executive Council shall agree an annual budget to be administered by the Honorary Secretary and Treasurer.
- 7.3 The financial year of the Association is from 1st July to 30th June.
- 7.4 The accounts of the Association shall be subject to an annual external professional audit and will be presented to each AGM.
- 7.5 The annual subscription shall be fixed by the Executive Council providing that any proposal to increase subscription rates by more than 25% in any year shall require the approval of the AGM.
- 7.6 The Association does not seek to make any financial gain from its total activities.
- 7.7 The Association shall participate in the Direct Debiting Scheme as an Originator for the purpose of collecting subscriptions and/or any other amounts due to the Association.
- 7.8 The Association may enter into any Indemnity required by the banks upon whom direct debits are to be originated. Such an indemnity may be executed on behalf of the Association by officials nominated in an appropriate resolution.
- 7.9 The Association shall have power to borrow or raise money to achieve the aims of the Association on such terms and on such security as may be thought fit.
- 7.10 In the event of the dissolution of the Association the Executive Council then in office shall remain in office until the affairs of the Association have been properly terminated. Any funds remaining after payment of debts and obligations shall be distributed to one or more educational organisation(s) as approved by the Executive Council.

8.0 Changes to the Constitution

BERA CONSTITUTION 2007

- 8.1 The Association may amend any provision contained in this Constitution provided that:
- 8.1.1 no amendment may be made that would have the effect of making the Association cease to be a Charity at law;
 - 8.1.2 no amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the Charity;
 - 8.1.3 no amendment may be made to Article 2.0 or this article without the prior written consent of the Charity Commission;
 - 8.1.4 a proposal shall have been submitted to the Executive Council who shall have communicated such proposals with any recommendations to the membership;
 - 8.1.5 individual members unable to attend the AGM may cast their votes, in writing, by proxy through the Chief Executive Officer not less than three days prior to the AGM;
 - 8.1.6 any resolution to amend this constitution is passed by not less than 65% of the members present and voting at the Annual General Meeting.
- 8.2 A copy of any resolution amending this constitution shall be sent to the Charity Commission within twenty-one days of its being passed.

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