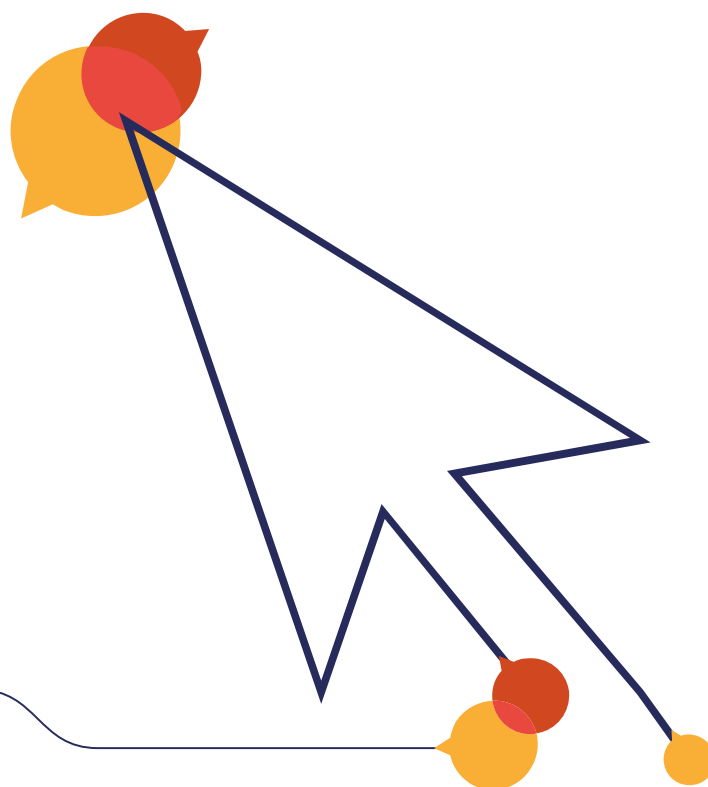




accidents don't have to happen

# Advanced Drivers and Riders - Constitution

Version: 1  
Date: April 2016



## RoSPA Advanced Drivers and Riders - Constitution

### 1. Name and Definitions

The name of the organisation is RoSPA Advanced Drivers and Riders.

#### Definitions

- 1.1 RoSPA – Royal Society for the Prevention of Accidents (Charity Number 207823).
- 1.2 RoSPA Advanced Drivers and Riders.
- 1.3 RoSPA Advanced Drivers and Riders Groups are affiliates of RoSPA.

### 2. Status

- 2.1 RoSPA Advanced Drivers and Riders is part of The Royal Society for the Prevention of Accidents (Charity Number 207823) (“RoSPA”).
- 2.2 RoSPA Advanced Drivers and Riders is a voluntary organisation of people who have an interest in promoting RoSPA’s advanced driving and motorcycling standards and tests.
- 2.3 RoSPA shall appoint staff to manage and operate RoSPA Advanced Drivers and Riders, who shall be known as RoSPA HQ.
- 2.4 RoSPA may form one or more groups or committees comprising members of RoSPA Advanced Drivers and Riders from different regions to help advise RoSPA on the operation of its advanced driving and riding.
- 2.5 RoSPA may form one or more groups or committees comprising RoSPA Examiners to help advise RoSPA on the standards and operation of the RoSPA Advanced Driving and Advanced Motorcycling Tests.

### 3. Aims

- 3.1 The aims of RoSPA Advanced Driving and Riding are to:
  - (a) Improve road safety and reduce road crashes and casualties by improving driving and motorcycling knowledge, attitudes, skills and standards
  - (b) Promote RoSPA’s advanced driving and motorcycling.
  - (c) Encourage and help drivers and motorcyclists amongst to pass RoSPA’s Advanced Driving and/or Advanced Motorcycling Tests.
- 3.2 RoSPA Advanced Drivers and Riders aims to support and help to implement RoSPA’s overall mission to save lives and reduce injuries.



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### 4. Objectives

RoSPA Advanced Drivers and Riders objectives are to:

- 4.1 Help prevent road accidents and casualties by improving driver and motorcyclist standards and behaviour.
- 4.2 Set and promote standards for advanced driving and advanced motorcycling.
- 4.3 Operate and support a network of local volunteer RoSPA Advanced Drivers and Riders Groups across the UK and internationally.
- 4.4 Encourage and help drivers and motorcyclists to prepare for and pass the RoSPA Advanced Driving Test and/or the RoSPA Advanced Motorcycling Test.
- 4.5 Provide graded advanced driving and riding standards against which drivers and riders will be measured in the RoSPA Advanced Driving Test and/or the RoSPA Advanced Motorcycling Test.
- 4.6 Provide a system of three-yearly re-tests and require RoSPA Advanced Drivers and Riders Members to take and pass a RoSPA Advanced Driving Re-test and/or RoSPA Advanced Motorcycling Re-test in order to demonstrate that they have maintained or improved their driving and/or motorcycling standards.
- 4.7 Provide a written report to each person who takes a RoSPA Advanced Driving or Advanced Motorcycling Test, and a certificate to each person who passes such a test.
- 4.8 Provide other services or products to promote RoSPA Advanced Drivers and Riders, and its aims and objectives.

### 5. Membership

- 5.1 Membership is open to any individual interested in promoting the aims of RoSPA Advanced Drivers and Riders, who meets the admission criteria set out in 5.2 to 5.5.
- 5.2 There shall be three categories of membership:-
  - (a) Full Member;
  - (b) Associate Member;
  - (c) Club Member.



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- 5.3 **Full Membership** is open to any driver or motorcyclist with a full, valid driving licence, who has passed a RoSPA Advanced Driving Test or Re-test and/or a RoSPA Advanced Motorcycling Test or Re-test subject to paying the appropriate annual membership subscription and passing the appropriate three-yearly re-test.
- 5.4 **Associate Membership** is open to any adult with a full, valid driving licence, who is preparing to take a RoSPA Advanced Driving Test and/or Advanced Motorcycling Test. An Associate Member will become a Full Member once they have passed a RoSPA Advanced Test.
- 5.5 **Club Membership** is open to any driver or motorcyclist who wishes to remain a member of RoSPA Advanced Drivers and Riders but who does not wish to be re-tested, or who has failed to take and pass their re-test as per 5.9, provided that they continue to pay the appropriate annual membership subscription.
- 5.6 RoSPA HQ may establish different classes of membership, prescribe their respective privileges and obligations and set the amount of any subscriptions.
- 5.7 A Full, Associate or Club Member whose subscription is six months or more in arrears ceases to be a Member but may be reinstated on payment of the amount due and on completion of the retest when due.
- 5.8 In exceptional circumstances, a Full Member who wishes to defer their three-yearly test for a specific reason such as illness may postpone their re-test by up to three months, provided that they apply in writing to RoSPA HQ in advance. RoSPA HQ will write to the Full Member to inform them of the result of their application for a postponement. In exceptional circumstances, RoSPA may extend this period on request in writing.
- 5.9 A Full Member who fails to take and pass their three-yearly re-test within three months of the re-test becoming due will become a Club Member unless they have contact with RoSPA HQ as per 5.8
- 5.10 A person may not be refused membership to RoSPA Advanced Drivers and Riders on the grounds of race, gender, religion, disability, sexuality or because they are a professional driving or motorcycling instructor.



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- 5.11 RoSPA HQ may terminate the membership of any Member on the grounds that in RoSPA's final absolute discretion the Member's continued membership would be harmful to RoSPA Advanced Drivers and Riders or RoSPA, or the Member has been found to be unreasonably difficult towards RoSPA staff. A decision to terminate membership shall only be valid after notifying the Member in writing and considering the matter in the light of any written representations which the Member puts forward within 14 days of receiving notice.
- 5.12 RoSPA HQ may refuse an application for membership from any individual on the grounds that in RoSPA's final absolute discretion admitting the applicant would be harmful to RoSPA Advanced Drivers and Riders or RoSPA, or the applicant been found to be unreasonably difficult towards RoSPA staff. RoSPA HQ is not required to provide an explanation for any decision to refuse membership nor will the individual concerned be permitted to put forward written representations unless invited to do so by RoSPA HQ.
- 5.13 Membership of RoSPA Advanced Drivers and Riders is not transferable.

## 6. Local RoSPA Advanced Drivers and Riders Groups

- 6.1 RoSPA Advanced Drivers and Riders Members may form a local Group with assistance from RoSPA HQ provided that the conditions set out in paragraphs 7 to 11 are met.

## 7. Name and Branding of Groups

- 7.1 The name of the Group shall be "RoSPA Advanced Drivers and Riders [geographical area] and "Drivers" if the Group operates as a drivers-only Group or "Riders" if the Group operates as a motorcyclists-only Group. Any alternative name must be approved in writing in advance by RoSPA HQ.

### Example

RoSPA Advanced Drivers and Riders, West Midlands (if the Group covers both drivers and motorcyclists)

RoSPA Advanced Drivers and Riders, West Midlands Drivers (if the Group operates as a drivers-only Group)

RoSPA Advanced Drivers and Riders, West Midlands Riders (if the Group operates as a motorcyclists-only Group)

- 7.2 The Group name shall be written in full on all printed and online materials.
- 7.3 Groups must use the RoSPA Advanced Drivers and Riders logo, as provided by RoSPA and adhere to brand and logo guidelines provided by RoSPA. Groups may not create individual Group logos, Group colours or strap lines and must adhere to RoSPA's marketing and branding policy.



## 8. Formation of Groups

- 8.1 RoSPA Advanced Drivers and Riders Groups must be approved by RoSPA HQ before they use RoSPA Advanced Drivers and Riders name or logo or benefit from RoSPA services such as insurance.
- 8.2 RoSPA Advanced Drivers and Riders Groups must adopt this Constitution, in order to be able to use RoSPA's name and services.
- 8.3 RoSPA Advanced Drivers and Riders Groups must form and operate a Group Committee which will be responsible for the management and operation of the Group, in accordance with the RoSPA Advanced Drivers and Riders Constitution.

## 9. Operational Procedures of a RoSPA Advanced Drivers and Riders Group

- 9.1 RoSPA Advanced Drivers and Riders Groups must follow the Group Guidelines and other policies set by RoSPA HQ.
- 9.2 Group Tutors may not receive a fee, except out of pocket expenses, for providing tutoring to any individual.
- 9.3 Groups may not collect test fees until an Associate Member is ready to take a RoSPA Advanced test.
- 9.4 Groups must have at least one Advanced Tutor whose responsibility is to assess and approve Group Tutors. A Group who has a Member who is a RoSPA Advanced Driving Instruction Diploma holder or a RoSPA Advanced Riding Instruction Diploma holder, may appoint the diploma holder as their Advanced Tutor.
- 9.5 Groups must seek to maintain a sufficient number of Tutors to meet the demand from members. It is a Tutor's responsibility to help prepare Members to take the RoSPA Advanced Tests.
- 9.6 Group Tutors and Advanced Tutors must be full Members of RoSPA Advanced Drivers and Riders.
- 9.7 Tutors and Advanced Tutors may operate in other Groups, with the permission of the other Group concerned.
- 9.8 RoSPA Advanced Drivers and Riders Groups must not provide training services to any organisation, except where an organisation has encouraged staff to join RoSPA Advanced Drivers and Riders as individual Members in accordance with section 10 below and section 5.2 to 5.5 above. Organisations that contact individual RoSPA Advanced Drivers and Riders Groups with requests for other services to help them improve their staff's driving or motorcycling must be referred to RoSPA HQ.



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- 9.9 Groups that register as an independent charity must adopt, and operate in accordance with, the RoSPA Advanced Drivers and Riders Constitution in order to remain a RoSPA Advanced Drivers and Riders Group and benefit from RoSPA services.
- 9.10 Groups that are registered as an independent charity must adhere to Charity law.

## **10. Membership of RoSPA Advanced Drivers and Riders Groups**

- 10.1 RoSPA Advanced Drivers and Riders Groups must have the membership categories specified in 5.2 to 5.5, namely
- (a) Full Member;
  - (b) Associate Member;
  - (c) Club Member;
- 10.2 Membership of a RoSPA Advanced Drivers and Riders Group is open to any individual who meets the criteria in 5.2 to 5.5 and is interested in promoting the aims of the Group.
- 10.3 Any Full Member who no longer wishes to be tested may continue their membership as a Club Member, provided they pay the appropriate annual subscription to RoSPA HQ and the group.
- 10.4 RoSPA Advanced Drivers and Riders Groups may create additional membership categories, such as honorary or life membership and prescribe their respective privileges, obligations and set the amount of any subscriptions, as agreed by the group's committee. Members in additional group categories must also be either a Full, Associate or Club Member and pay the appropriate membership subscriptions to RoSPA.
- 10.5 A person may not be refused membership to any Group on the grounds of race, gender, religion, disability, sexuality or because they are a professional driving or riding instructor.



## 11. Group Committee

- 11.1 The Group shall form a Committee which shall be responsible for the management of the Group, its running and activities.
- 11.2 The Committee shall consist of a Chairman, Secretary and Treasurer and not fewer than two other Members.
- 11.3 The Chairman and Secretary must be Full Members. However, in exceptional circumstances, Associate Members may act as Chairman or Secretary in a newly formed Group which would otherwise be unable to fill these positions. In such cases, the Associate Member must become a Full Member by passing a RoSPA Advanced Driving Test and/or Advanced Motorcycling Test within three months of being appointed as Chairman or Secretary.
- 11.4 The Treasurer may be a Full, Associate or Club Member as per 5.3 to 5.5
- 11.5 The Committee shall be elected annually at the Annual General Meeting (AGM) of the Group.
- 11.6 The Committee may co-opt any Member of the Group to the Committee for a special purpose, e.g. if a specific skill set is required or to fill any casual vacancy which may occur in any office or in order to make up the number of Committee members. The appointment of such Members must be confirmed or terminated at the Group's next AGM.
- 11.7 The Committee shall determine the Group's annual subscription fees for Full Members, Associate Members, Club Members and any other category of Group membership created in accordance with 10.4
- 11.8 The Committee must maintain a Register of all Members incorporating their names and all contact details. The Committee shall inform RoSPA HQ of the number of Members in the group on request. The Group must comply with the data protection act, and may only use Members' data for the purpose of the Group.
- 11.9 The Committee may make standing orders relating to the governance of the Group provided that they shall not be inconsistent with this Constitution.
- 11.10 The Committee may choose to dissolve the Group at any time, in accordance with the paragraphs on dissolution of a Group (section 17) of this Constitution. The resources and assets of a dissolved Group shall and must be transferred to RoSPA.





## 12. Committee Meetings

- 12.1 The Committee shall not meet fewer than three times per calendar year.
- 12.2 Committee meetings shall be called by the Chairman or Secretary giving not less than 14 days' notice of the date of the meeting. Each Member of the Committee shall be notified of the date, time and location of the Committee meeting and invited to attend.
- 12.3 The quorum for Committee meetings shall be 3 Members, or 25% of Committee membership, whichever is greater, of which one must be the Chairman, Secretary or Treasurer.
- 12.4 Each Member of the Committee shall have one vote on all matters to be cast personally by the Member. Proxy votes shall not be permitted.
- 12.5 All decisions shall be made by majority vote. In the case of an equality of votes, the Chairman shall have a second or casting vote.
- 12.6 The Secretary shall ensure that minutes of Committee meetings are taken and circulated to all Group Members. Copies of the minutes and other relevant documents must be kept by the Group and copies provided to RoSPA HQ on request.
- 12.7 The President, Chief Executive and Deputy Chief Executive of RoSPA and RoSPA Advanced Drivers and Riders staff are entitled to attend any RoSPA Advanced Drivers and Riders Group Committee with or without advance notification.

## 13. Group AGM

- 13.1 The Group shall hold an AGM each calendar year and not more than 15 months shall elapse between one AGM and the next.
- 13.2 An AGM shall be called by the Chairman or Secretary by giving not less than 14 days' notice of the date of the meeting. Each Member shall be notified of the date, time and location of the AGM and shall be invited to attend.
- 13.3 The quorum for AGMs shall be 5 Members, or one-tenth of the total Membership, whichever is the greater, of which one must be the Chairman, Secretary or Treasurer.
- 13.4 Each Member shall have one vote on all matters to be cast personally by the Member. Proxy votes shall not be permitted.



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- 13.5 All decisions shall be made by majority vote. In the case of an equality of votes, the Chairman shall have a second or casting vote.
- 13.6 The Secretary shall ensure that minutes of the AGM are taken and circulated to all Group Members. Copies of the AGM and other relevant documents must be kept by the Group and copies provided to RoSPA HQ within 14 days of the AGM.
- 13.7 The President, Chief Executive and Deputy Chief Executive of RoSPA and RoSPA Advanced Drivers and Riders staff are entitled to attend any Group AGM with or without advance notification.

## 14. Finance

- 14.1 The Committee shall open a bank account in the name of the Group with a bank or financial institution of the Committee's choice.
- 14.2 Monies received by the Group shall be paid into the Group's bank account within 14 days of receipt.
- 14.3 The Treasurer shall be responsible for managing the Group's bank account and for ensuring that the Group's bills are paid.
- 14.4 At least two Committee Members must have access to the Group's bank account.
- 14.5 Cheques, direct debit instructions and other financial instructions shall not be signed or authorised by fewer than two Members of the Committee.
- 14.6 The Treasurer shall be responsible for arranging an independent examination or annual audit of the accounts of the Group and must present the final accounts to the AGM each year.
- 14.7 The Committee must provide a copy of the Group's annual accounts and annual report to RoSPA HQ, and the Minutes of the AGM and the number of its Members, within 14 days of the date of the AGM.
- 14.8 Group funds must only be used to run the Group and to meet the Group's aims.



## 15. Expulsion of Members from a Group

- 15.1 The Committee may terminate the membership of any Member within the group on the grounds that the Member's continued membership would be harmful to the Group, provided this does not contravene 5.10.
- 15.2 The Committee must notify any Member in writing of their possible removal from Group membership. The Member must be given the opportunity to submit written representation to the Committee within 14 days of receiving notice, explaining why she or he should not be expelled. The Committee must consider any such written representations when making a final decision about expelling the Member. A decision to terminate membership shall only be valid after a Committee vote.
- 15.3 A Member who is expelled from the membership of a Group may appeal to RoSPA HQ within 14 days of being notified of the decision to expel him/her. RoSPA HQ will consider the appeal and has the final decision on whether to uphold or overrule the expulsion.

## 16. Dissolution of a Group

- 16.1 A Group that wishes to dissolve or merge with a neighbouring Group should seek advice from RoSPA HQ.
- 16.2 The Group may be dissolved at any time by a resolution passed at an extraordinary meeting of the Group.
- 16.3 The extraordinary meeting must be called by the Chairman or Secretary giving not fewer than 21 days' notice. Each Member of the Group and RoSPA HQ shall receive notice of the meeting specifying the date, time and location of the meeting.
- 16.4 The quorum shall be 5 Members, or one-tenth of the total Membership, whichever is the greater, of which one must be the Chairman, Secretary or Treasurer.
- 16.5 A decision to dissolve the Group must be passed by at least 75% of those attending and voting at the extraordinary General Meeting.
- 16.6 In the event that a resolution to dissolve the Group is passed, the Committee must arrange for the Group's debts and liabilities to be paid and its bank account(s) to be closed.
- 16.7 After the Group's debts and liabilities have been paid, any remaining property or assets must be given or transferred to RoSPA.



## 17. Expulsion of a Group

17.1 RoSPA HQ may expel a Group from RoSPA Advanced Drivers and Riders and withdraw permission for it to use RoSPA Advanced Drivers and Riders' name and logo if it deems the Group's aims or actions are prejudicial to RoSPA Advanced Drivers and Riders or RoSPA's reputation or aims, or if it acts outside this Constitution, Group guidelines or policies.

## 18 Amendments to the Constitution

18.1 Amendments to this Constitution shall only be made by RoSPA HQ who may choose to consult with any Group or Committee RoSPA has formed to help advise on the operation of RoSPA Advanced Drivers and Riders in accordance with 2.4 and 2.5.

18.2 RoSPA HQ has the final decision on any amendments, processes, expulsions and policies relating to a RoSPA Advanced Drivers and Riders Group.

18.3 This constitution replaces all other constitutions and supersedes any other agreement.

● Signed by Chairman: \_\_\_\_\_

● Print name \_\_\_\_\_

● Date: \_\_\_\_\_





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