

# Market Drayton Amateur Operatic and Dramatic Society

## CIO Rules of Management

### **President**

The Charity shall have a President appointed by the Executive Committee (Trustees) to chair the Annual General Meeting and be non-voting except as required by clause 19 (3) (c) (Meetings and proceedings of charity trustees) of the Constitution.

### **Honorary Officers**

The Charity shall have a Chair, a Treasurer and a Secretary appointed by the Executive Committee from the trustees elected at the AGM.

### **Chair's Executive Powers**

- a) The Chair of the trustees shall have executive power to act on behalf of the Executive Committee (Trustees) in an emergency.

### **Points of Order**

The Chair's decision on all points of order at meetings shall be final.

### **Inspection of Minutes**

The minutes of the Charity shall be available for inspection by a member of the Charity, at the discretion of the Chair of the Trustees, in the presence of a member of the Executive Committee (Trustees).

### **Non-Executive Appointments**

Non-executive posts (e.g. Front of House Manager, Subscription Secretary, Social Secretary, Publicity, etc.) shall be applied for in line with the procedure for committee members at the AGM and appointed by the committee as required at their first meeting after the AGM. The results to be published in the next newsletter.

### **Annual General Meeting**

- a) The Annual General Meeting of the Charity shall be held in the month of June or as soon as practicable thereafter.
- b) Every Annual General Meeting shall be called by the Executive Committee (Trustees) giving at least 21 days' notice to all members of the Charity. Attendance is open to all members of the Charity and to non-members. Only Adult and Young Adult members shall be eligible to vote at the meeting (i.e. not Juniors or Friends.)
- c) The President of the Charity shall be the chairman of the Annual General Meeting, but if he or she is not present, the persons present shall appoint a chairman of the meeting.

- d) The Executive Committee (Trustees) shall present to each Annual General Meeting the report and accounts of the Charity for the preceding year, and all general business shall be transacted.
- e) Resolutions for consideration at the Annual General Meeting must be received by the Secretary at least 14 days before the meeting.
- f) Nominations for election to the Executive Committee (Trustees) must be made by members of the Charity in writing and must be in the hands of the Secretary at least 7 days before the Annual General Meeting. Should nominations exceed vacancies, election shall be by ballot at the meeting.

### **Membership**

- a) Application for membership shall be made online. Applicants will be made aware of the Constitution and Rules of Management which can be viewed online or in hard copy in Adastra.
- b) The Society may invite members of the public to become 'Friends/Patrons' of the Society. The Friends/Patrons fee shall be determined at the Annual General Meeting. Friends/Patrons shall receive copies of the Newsletter. Friends/Patrons of the Society shall not be entitled to vote, stand for office or be cast to perform in productions, but may convert to full membership during the year by paying the balance between the Friends/Patrons and Full Member subscriptions.

### **Junior Theatre Workshop**

Junior members may join the Junior Theatre Workshop, subject to space being available, which shall operate in accordance with rules laid down from time to time by the Executive Committee (Trustees) to achieve the objects set out in Clause 3 (2) of the Constitution.

### **Subscriptions and Fees**

The annual subscriptions and entrance fees (if applicable) shall be recommended by the trustees and voted on each year by the members at the Annual General Meeting.

### **Payment of Entrance Fees and Subscriptions**

Entrance fees (if applicable) and first annual subscriptions shall become due and be paid to the Subscription Secretary after completion of the online application. All subsequent annual subscriptions shall become due on the 1<sup>st</sup> August each year and shall be paid to the Subscriptions Secretary not later than the 30<sup>th</sup> September following.

New members joining after the 1<sup>st</sup> March shall pay half the Annual Subscription – to apply in the first year only.

### **Non-Payment of Subscriptions**

The Executive Committee has discretion, but all membership privileges will normally be suspended automatically if a member's subscription remains unpaid after 30<sup>th</sup> September.

## **Accounts**

- a) The financial year of the Society shall commence on 1<sup>st</sup> June and an annual profit and loss account and balance sheet shall be prepared within two calendar months after 31<sup>st</sup> May in each year.
- b) The Treasurer shall, within two calendar months of the end of any function, prepare a balance sheet which shall be open for inspection by the members.

## **Proposals for Productions**

- a) Any member wishing to propose a production shall submit such to the Secretary by a specified date with a brief written synopsis.
- b) The Executive Committee (Trustees)'s decision on productions and production dates shall be final.

## **Procedure for Appointing Producers**

- a) Applications for a producer will be advertised in the newsletter with a published closing date. The advert to appear in at least two consecutive newsletters.
- b) All applications received by the closing date will then be considered by the committee and a producer chosen as appropriate.
- c) Applicants' names will not be published prior to the appointment of a producer.
- d) Anyone applying to produce prior to the slot being advertised will be held on file until the closing date and then considered along with all applications.
- e) Failing any applications by the closing date, the committee will be free to appoint a producer as appropriate.
- f) All applications must be in writing to the Secretary who will be happy to discuss any queries over the phone or obtain appropriate advice.
- g) In the case of co-productions, one of the co-producers must be nominated to liaise with the committee.

## **Producers**

- a) Any member may apply to produce a selected production.
- b) Producers for all productions will be selected by the Executive Committee (Trustees).
- c) The Producer shall be required to liaise with the Executive Committee (Trustees) to report on the overall progress of the production on a regular basis.
- d) The Producer will not be permitted to take a major part in the production without the agreement of the Executive Committee (Trustees).
- e) 'Guidelines for Producers' will be issued to the producers of all shows.

## **Casting**

- a) Casting will be at the discretion of the Producer initially by a read/sing through process comprising of a minimum of two read/sing throughs, with an option of up to two further read/sing throughs if required. The decision to be taken at the final read/sing through. If the producer feels that the competition for parts is extensive then the following audition process comes into play:

Candidates will be given a set piece and/or song to prepare for their audition. Auditions to be held as soon as possible at a set venue. The final casting decision to be taken by the Producer, Co-Producer (when applicable), Musical Director (when applicable), Choreographer (when applicable) and overseen by the Chair of the Society or their delegated representative. The notification of casting is at the discretion of the producer.

- b) In the event of difficulties over casting the Executive Committee (Trustees) decision shall be final, after consultation with the Producer.

## **Obligations of cast members**

- a) Cast members will be expected to attend rehearsals regularly and comply to the best of their ability with the directions given by the Producer and/or the Musical Director.
- b) During the production, cast members are under the direction of the Stage Manager and will be expected to comply with his/her requests.
- c) The Society's rule is that the consumption of alcohol is not allowed either during rehearsals or performances of the show.

## **Floral Presentations**

Floral presentations should be decided by the Producer in consultation with the Executive Committee (Trustees) for each production

## **After Show Parties**

- a) Official After Show Parties must be arranged in consultation with the Executive Committee (Trustees).
- b) In the event of an after-show party being held on licensed premises, no-one under the age of 15 may attend. Persons above the age of fifteen but under the legal age requirements for the consumption of alcohol (subject to age restrictions at the venue) may only attend under the supervision of a parent or guardian.

## **Disciplinary Procedure**

Procedure to be followed in the event of the need to discipline members: see APPENDIX A

## **Grievance and Complaints Procedure**

Procedure to be followed in the event of a member having a grievance or complaint against the society: see APPENDIX B

## **Alterations to the Rules of Management**

These rules may be added to, repealed or amended by resolution of the Executive Committee (Trustees). Notice of that resolution will be given to all members. If no objection is received within 21 days of that notice, then that resolution will take effect. If more than 20 objections are received, a meeting between the objectors and the Executive Committee (Trustees) shall be called. If the objections are resolved the resolution will stand. If the objections are not resolved then a General Meeting of the members shall be called to discuss the resolution.

## **APPENDIX A**

### **MDAODS Disciplinary Procedure**

#### **1. Introduction and Purpose of the Procedure**

Market Drayton Amateur Operatic & Dramatic Society (MDAODS) is committed to creating an environment where all members can perform to their best ability and achieve job satisfaction. MDAODS also recognises that there will be occasions when disciplinary and/or performance problems arise. The purpose of this policy is to ensure that if such problems do arise, they are dealt with fairly and consistently. This policy sets out the action that will be taken when problems occur.

The aim of the policy is to encourage improvement in individual conduct and performance and to minimise disagreements about disciplinary matters.

#### **2. Principles**

If a member is subject to disciplinary action:

- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues.
- At every stage the member will be advised of the nature of the complaint and given the opportunity to state their case in a meeting before any decision is taken on whether to impose a warning or other disciplinary sanction.
- The member will be given the opportunity to be represented or accompanied at any disciplinary meeting
- In some cases an investigation will be required before any final decision is taken on whether to impose a warning or other disciplinary sanction.
- There is a right to appeal against any disciplinary action taken against a volunteer.

#### **3. Informal Discussions/Counselling**

Most disciplinary problems can be solved by informal discussions or counselling. Before taking formal disciplinary action, the Committee will make every effort to resolve the matter by informal discussions, through an appropriately appointed member of the committee (Mentor), which may include mediation, additional training, or support for the member. This would not be recorded as disciplinary action and would be seen as a process of constructive dialogue.

Only where this fails to bring about the desired improvement will the formal disciplinary procedure be implemented.

## **The Procedure**

### **4. Formal Verbal Warning**

If, despite informal discussions or training, the conduct or performance still does not meet acceptable standards, the member may, following a disciplinary meeting their Mentor, be given a formal verbal warning. The member will be told:

- the reason for the warning
- what the member needs to do to improve the situation
- a time frame within which the conduct or performance needs to be improved
- any support or training that MDAODS might provide to support the member
- that the verbal warning is the first stage of the disciplinary procedure

A brief note of the warning will be kept but it will lapse after 6 months, subject to satisfactory conduct and/or performance.

### **5. Written Warning**

If there is no improvement in standards within the prescribed time, or if a further offence occurs, the member will receive a letter from the Committee. The letter will contain:

- details of what the member has alleged to have done wrong
- the reason why the current behaviour or performance is unacceptable
- an invitation to attend a disciplinary meeting with their Mentor at which the problems can be discussed
- information about the right to be accompanied at the disciplinary meeting
- copies of any documents that will be referred to at the disciplinary meeting

The disciplinary meeting should take place as soon as is reasonably possible but with sufficient time for the member to consider their response to the information contained in the letter. The meeting will be an opportunity for both the member (with their representative) and the Mentor to talk about the allegations being made, review the information with a view to establishing whether to progress the disciplinary action.

Where, following the disciplinary meeting, it is decided that no further action is warranted, the member will be informed in writing.

Where, following the disciplinary meeting, the member is found to be performing unsatisfactorily or their behaviour is deemed unsatisfactory, they will be given a written warning which will set out:

- the performance and/or behaviour problem
- the improvement that is required

- the timescale and date for achieving the improvement
- any support that MDAODS will provide to assist the member
- a statement that failure to improve could lead to a final written warning and ultimately dismissal
- a review date
- the appeal procedure

A copy of the written warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

Where a written warning is given, the Chair of the Committee will be advised and kept up to date with any progress.

## **8. Final Written Warning**

If the conduct or performance remains unsatisfactory by the stipulated date, or if the misconduct is sufficiently serious to warrant only one written warning, a further disciplinary meeting will be called by the Mentor with the member and their representative, where The Chair will also be present. The disciplinary meeting will be an opportunity for the member to answer the issues raised by MDAODS.

Where this meeting establishes that there has been a failure to improve or change behaviour, then a final written warning will be given to the member. The final warning will:

- give details of and the grounds for the complaint
- set out the improvement that is required and a time frame
- make it clear that any recurrence of the offence, lack of improvement or other serious misconduct within the stipulated period will result in dismissal
- refer to the volunteer's right of appeal

A copy of the final written warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

## **9. Dismissal**

If the member's conduct or performance still fails to improve or if further serious misconduct occurs, the final stage in the disciplinary process may be instituted and the volunteer dismissed. The decision to dismiss will be taken by Committee following an appropriate hearing where the member will be given the opportunity to state their case and put forward any mitigating circumstances. Following the hearing the member will be informed as soon as possible as to the outcome and if relevant the reason for the dismissal and right of appeal.

## **10. Gross Misconduct**

Where a member is found guilty of gross misconduct, they will normally be subject to summary dismissal and the above procedures regarding progression of warnings will not apply. Where there is an allegation of gross misconduct, the Chair will carry out an immediate investigation. The member will have an opportunity to participate in that investigation and put their case and answer the allegations of gross misconduct. While the alleged gross misconduct is being investigated, the member may be suspended. Such suspension is not to be regarded as a form of disciplinary action and will be for as short a period as possible. Any decision to dismiss will be taken only after an investigation and a disciplinary hearing.

If, after investigation and disciplinary hearing, it is deemed that the volunteer has committed an offence of gross misconduct, the normal consequence will be dismissal. The member will be notified of the dismissal and appeal process as soon as possible.

The following list is a non-exhaustive list that indicates the type of actions that may constitute gross misconduct,

- theft, fraud, deliberate falsification of company documents
- violent behaviour, fighting, assault on another person
- deliberate damage to society property
- harassment
- being unfit through alcohol or illegal drugs
- gross negligence
- gross insubordination
- inappropriate social or moral behaviour

## **11. Appeals**

If a member wishes to appeal against any disciplinary decision, they must appeal, in writing, within five working days of the decision being communicated to them, to the Chair of the Committee who will convene an Appeals sub-committee to hear the appeal and the member will be invited to a meeting with the Appeals sub-committee. The volunteer will have the right to be accompanied to the appeal meeting.

The Chair will not form part of the Appeal sub – committee and the decision of the Appeal sub-committee will be final.

## **APPENDIX B**

### **MDAODS – Grievance and Complaints Procedure**

#### **Rationale**

Grievances can arise from a variety of sources and may be relatively simple in nature or of fundamental importance.

This procedure is designed to enable the Committee, Volunteers and Members to foster good relations by:-

- discouraging the harbouring of grievances;
- assisting the resolution of individual grievances in an atmosphere of trust and confidentiality;
- enabling grievances to be settled as near as possible to their point of origin; and
- ensuring that grievances are dealt with fully, promptly and fairly.

The procedure sets out:

- firstly, an informal process through which most grievances may be resolved without recourse to any subsequent, formal stage;
- secondly, a formal procedure to be invoked when the first stage has failed or is inappropriate.

The Committee accepts the principle that if individuals have a grievance relating to their employment, they have a right to express it and to seek a solution. It is emphasised that the



existence of a grievance procedure is an important part of management/member relations and the use of such a procedure shall not be held against the individual.

### **Representation**

At all stages, the Members involved are entitled to be accompanied and/or represented by a friend (who may be a colleague member or other adviser). During the formal procedure, witnesses may be called and questioned by either side.

At all stages a neutral stance will be adopted by those investigating the grievance. Any Committee member must declare any interest or involvement and must excuse themselves from taking any part in investigating the grievance.

**At all stages information MUST be restricted to those who ‘need to know’.**

### **Informal Stage**

(a) Where a Member has a grievance, s/he should first of all endeavour to resolve it by direct approach to the person(s) with whom they have that grievance.

(b) If considered necessary, the employee should then request a **personal** interview with a member of the Committee. The interview should take place within **five working days** of the request. The person consulted should seek to resolve the problem personally in consultation with any other member(s) involved.

The aim of this consultation is to consider and seek a resolution of the grievance. At this stage, procedures are still considered to be “informal”.

(c) Following either (a) or (b), should the Member wish to proceed with the grievance, s/he should advise or consult with the Committee Chair.

### **Formal Stage**

**NOTE: All time limits may be extended by mutual consent of all parties, although it is recognised that it is in everybody’s interest to resolve a grievance as speedily as possible.**

(a) Where the matter has not been resolved informally as above, the Member should submit a **formal written notice** of the grievance to the Committee Chair, with a copy to any other persons(s) concerned. The written notice should:

- include full details of the grievance, together with any supporting documents;
- set out the steps already taken to resolve the issue;
- state the resolution now requested; and
- where the grievance is against the Committee Chair, the formal written notice will be conducted through the Committee Vice-Chair.

(b) Any other person(s) concerned in the grievance may make a **formal written response** (together with any supporting documents) to the Committee Chair, with a copy to the Member employee raising the grievance. This response should normally be submitted within **ten working days** of receipt of the written notice of grievance.

Where the grievance is against the Committee Chair, the formal written notice will be conducted through the Committee Vice-Chair. If the grievance is against/with the Committee Chair of Governors, the formal written notice will be conducted through the grievance sub-committee or vice versa.

- (c) A **hearing** will then be arranged before the appropriate 1<sup>st</sup> Appeals Committee to consider the grievance. The documents submitted shall be made available to the 1<sup>st</sup> Appeals Committee in advance. This hearing shall take place after receipt of any written response(s) and/or report, and within **20 working days** of receipt of the formal notice of grievance.

At least **five working days' notice** of the hearing will be given to the parties concerned, who may attend in person and be accompanied and/or represented by a friend as in section 2 above.

All parties concerned may call witnesses at the hearing and may question any witnesses called.

- (d) The 1<sup>st</sup> Appeals Committee, in seeking to resolve the grievance, may **adjourn** the meeting or defer its decision if this is considered appropriate to promote conciliation or obtain further information on relevant factors.

The **decision** of the Appeals Committee and its reasons will be confirmed to the parties concerned in writing within **five working days**.

### **Appeal**

**NOTE: All time limits may be extended by mutual consent of all parties, although it is recognised that it is in everybody's interest to resolve a grievance as speedily as possible.**

- (a) Any party to the grievance may **appeal in writing** to the Committee Chair within **ten working days** of receiving the 1<sup>st</sup> Appeal Committee's written decision. The notice of appeal should set out the reasons, with a copy to any other person(s) concerned.
- (b) The appeal shall be heard by the **2<sup>nd</sup> Appeals Committee** comprising only of members who have not previously been involved. All documents already submitted shall be available to this committee. This hearing shall take place within **15 working days** of receipt of the notice of appeal.

At least **five working days' notice** will be given to the parties concerned, who may attend in person and be accompanied and/or represented by a friend as in section 2 above.

All parties concerned may call witnesses at the hearing and may question any witnesses called.

- (c) The 2<sup>nd</sup> Appeals Committee's decision will be confirmed to the parties concerned in writing within **five working days**. This decision will be final.

Adopted: 23/04/2024

Signed

Colin Whitfield (Chair of Trustees)