

JERSEY CARE FEDERATION

CONSTITUTION

PURPOSE

The Jersey Care Federation is an association of care service providers registered under the Regulation of Care (Jersey) Law 2014, on the H&SS Approved Provider Framework, and resident in Jersey seeking to bring together the interests of the sector in terms of quality, standards, professional ethics, political representation, staff training, recruitment, retention and public relations.

The Federation will strive to establish and maintain a strong relationship with the Health & Social Services Department, the better to serve the public of the island by contributing to policy making and assisting the States of Jersey in the development and improvement of healthcare services in the Island.

1. NAME

The body shall be called the Jersey Care Federation and shall be referred to in this constitution as the “**Federation**”.

2. OBJECTIVES

The objective of the Federation shall be to provide a single voice to represent the Health & Social Care Industry (the Independent Sector) in the Island. Without limiting the generality of this primary objective, the Federation will also seek:

- (a) To provide a forum for members to facilitate the exchange and sharing of information, experience and expertise
- (b) Promote and encourage the development and adoption of the highest professional standards by formulating and publishing codes of practice guidelines. Issuing policy papers and authoritative statements and contributing to the development of policy and legislation by the States of Jersey
- (c) To create a single voice to represent the Industry in every aspect of its work but especially in its relationships with statutory States of Jersey authorities so that its combined experience may be able beneficially to influence political decision-making
- (d) In its activities to be aware of and have regard for the policies of the Health and Social Services Department and to establish communication and seek mutual understanding; and to strive to achieve prior consultation on issues of relevance to the Federation
- (e) To address relevant staff recruitment, retention and training issues and seek solutions and if appropriate to arrange for presentation to the responsible States authorities
- (f) To ensure that there is public awareness of and support for the contribution which the Independent Care Sector is making towards the good health and well-being of the increasing independent numbers requiring its skilled attention
- (g) To seek advantages of scale in the purchase of goods and services and for that purpose the Committee may enter into agreements with Providers of such goods or services
- (h) To assess and correlate the range of facilities available within the Independent Care Sector and in on-going consultation with the States authorities ensure that they and the public in general are aware of and procure due support for them
- (i) To take such steps as may appear desirable to assist and regulate the development of the Independent Care Sector to the mutual benefit of its members, their beneficiaries and the Island in general. In pursuit of which to

- exchange ideas, information and knowledge among its members
- (j) To advance the education and training of all individuals active in the provision of care provided by Federation members
- (k) To generate sufficient resources to ensure the viability of the Federation
- (l) To promote the Federation in all appropriate ways

3. BUSINESS OF THE FEDERATION

The business of the Federation shall be conducted in such a manner as may appear practical from time to time and shall be managed by Officers and a Committee appointed for the period of the ensuing year by the Members and subsequently at Annual General Meetings of the Federation.

Meetings of the Members shall take place at such intervals as may be determined by the Committee.

The Officers and Committee shall consist of:

- Chair
- Vice-Chair
- Treasurer
- Secretary
- Assistant Secretary
- Public Relations Officer
- One officer representing Approved Home Care Providers
- One officer representing Approved Nursing Homes

The Committee shall have the power to co-opt additional members and officers should it appear desirable so to do but shall report such actions to the next General Meeting.

A meeting shall be considered quorate when four officers of the Committee are present.

Officers and Committee Members shall be elected for a term of office of one year and may offer themselves for re-election at each Annual General Meeting.

Sub-Committees shall from time to time be appointed to investigate and report to the Membership on specific subjects of consequence to the Federation.

Officers of the Committee who fail to attend 3 consecutive meetings without apology, good reason or notice shall be deemed to have resigned from the Committee.

Officers who fail to attend five meetings in any 12 month period may be removed from the Committee by majority vote. Removal on these grounds or by reason of resignation above debars the Officer from standing for election again at the next AGM for the following twelve months.

The Secretary shall keep an adequate permanent written record of the attendance at every meeting and of matters resolved and any other business discussed and the whole to be read out or circulated in writing and confirmed at each subsequent meeting, and signed by the Chairperson.

All meetings of the Federation may be video or audio recorded for accuracy and compliance purposes.

No Member, Official or Committee member may make, distribute or publish audio or video recordings without written consent of the Chairperson after a meeting has been called for that purpose.

4. MEMBERSHIP

Organisations entitled to Membership shall be care providers in the private, parochial, charitable and voluntary sectors of the Independent Sector. Any organisation having two or more home/services under their administration will be required to pay the annual subscription fee for each one that they wish to register for an entitlement to vote. As stated on the Jersey Care Federation registration form the principle of one subscription for each vote is policy.

The Committee shall be responsible for acceptance of new Members in accordance with the principles of the Federation.

The officers and the Committee may, in its absolute discretion, terminate, or refuse to accept applications for membership. In exercising such discretion, the Membership Sub-Committee will give due consideration to any representations made to it by the organisation concerned and will make such enquiries and investigations as are proper in the circumstances to establish relevant facts.

All members of the Federation must be registered providers of care under the Regulation of Care (Jersey) Law 2014 and resident in Jersey. Loss of registration will result in automatic expulsion from the Federation. Evidence of registration is necessary at the time of application and may be requested by the Federation at any time.

All persons seeking membership of the Federation shall complete an application form confirming their name and address and pay the appropriate annual membership fee

Membership shall be refused or revoked for any person who demonstrates a lack of sympathy for the aims of the Federation or who behaves in a manner likely to bring the Federation into disrepute or who fails to pay the appropriate membership fee.

All Disputes relating to membership, including the revocation of membership shall be referred to the next Regular meeting of the Federation or a Special Committee meeting for adjudication and the relevant member shall be entitled to attend with or without a supporter of his or her choice.

Officers or members choosing to resign from the Federation shall give one month's notice in writing of their intention and return any documents or property of the Federation to the Committee.

There shall be no repayment of annual fees to members who resign or whose membership is revoked.

All members may inspect the minutes of the Federation after giving reasonable notice to the Secretary.

The Federation shall endeavour at all times to ensure that its activities are accessible to persons without discrimination by reason of disabilities.

5. CONDUCT OF MEMBERS

Each member, as a fundamental condition of membership, formally agrees and undertakes to be bound by, and comply with the terms of this constitution, as it may be

amended from time to time.

Members are at liberty to state in the public domain that they are members of the Federation. Members shall not, without the prior written consent of the Executive, hold themselves out in any way as being able to represent, the views or opinions of the Federation.

No member, without the prior written consent of the Committee shall in any way hold themselves, as being in any way authorised to give any commitment or undertaking of any nature whatsoever in the name or on behalf of the Federation whether intended to be legally binding or not.

All members shall respect the right of confidentiality of all other members and shall not disclose to any other person or organisations any views expressed or statements made by any other member in any way which might lead to that member being identified as the author or originator of such views or statements, except to the extent that any legally enforceable obligation may require such disclosure.

6. MEMBERSHIP FEES AND FINANCE

Membership of the Federation is conditional upon the payment of an annual membership fee to be determined by the Committee. Any company holding one or more registrations with Public Health shall be liable to pay a membership fee for each registration.

Membership fees shall be at rates agreed at the Annual General Meeting (AGM).

All Members shall receive upon joining a copy of the Federation's Constitution and Rules.

Membership Fees, where applicable, shall be payable within one month of the AGM

The Federation shall operate a current account. Three Officers, including the Secretary shall be authorised to act as signatories.

Two Signatories shall be required on each cheque drawn from the account.

No person may sign a cheque payable to themselves.

Expenditure may be incurred by the Federation provided that prior approval is obtained at a meeting of the Committee.

Any donation to another group or organisation shall only be made with the prior approval of the Committee

The Treasurer shall keep proper records of the Federation's finances, issue receipts for membership fees and any donations received and prepare annual accounts up to the 1st September each year and shall have these records and accounts audited each year by a suitable person appointed by the AGM.

7. ANNUAL GENERAL MEETINGS

An annual general meeting of the Federation shall be held at least once in each calendar year, not more than fifteen months and not less than nine months after the date of the previous annual general meeting.

The Chairperson and Officers will set the date and time of meeting.

At least twenty eight days prior to the date specified for the annual general meeting, the

Committee shall issue a notice to all members calling the annual general meeting. Such a notice shall specify:-

- The date, time and place at which the annual general meeting is to be held;
- The normal business to be transacted, which shall comprise of the approval of the minutes of the previous annual general meeting and of any extraordinary general meetings held since the previous annual general meeting, and consideration and approval of the Federations' annual audited accounts receiving relevant reports.
- Any other motion for consideration by the Annual General Meeting.
- Each registered nominated representative shall have the right to cast one vote in any vote or ballot taken at an annual general meeting. Any member unable to attend in person shall be entitled to appoint a proxy to speak and vote on that member's behalf. The Federation must be notified of the appointment of a proxy, the member concerned, in writing not less than forty-eight hours before the commencement of the annual general meeting.
- The quorum for an annual general meeting shall be the attendance at the commencement of the meeting and the taking of any vote, in person or by proxy, of at least one-fifth by number of those members of the Federation entitled to attend and vote.
- Votes will be taken at the meeting on a show of hands. At the discretion of the Committee, a ballot may be ordered. For normal business, decisions will be made by a simple majority of those voting. All motions to change or amend this constitution in any way shall require a vote in favour by at least three quarters of those members attending the meeting, in person or by proxy, who are entitled to vote.
- The Federation shall keep minutes of the annual general meeting and shall issue them to all members.

8. EXTRAORDINARY GENERAL MEETING

Any general meeting of the Federation which is not an annual general meeting shall be an extraordinary general meeting.

An extraordinary general meeting may be convened at the request of the Committee or on the written requisition of not less than one quarter of the members entitled to vote at the annual general meeting.

The Chairman and Officers will set the actual date and time of on receipt of a request by the Committee or a written requisition from members, the Federation shall, within six weeks of such receipt, issue a notice calling the extraordinary general meeting, specifying the location, date and time of the meeting, the business to be conducted and the motion (s) to be considered.

The provisions as to voting rights, proxies and the quorum for an extraordinary general meeting shall be the same as for the annual general meeting.

No motion put to an extraordinary general meeting shall be passed unless at least three quarters of those attending the meeting and entitled to vote, cast their vote in favour of the motion.

9. RELATIONSHIPS WITH OTHER ORGANISATIONS

The Federation shall from time to time seek representation on or discussion with official committees or industrial bodies whose activities appear to be relevant to its interests or whose proposals could affect the Independent Care Sector in any way whatsoever.

Due note shall be taken of the activities of and influence exerted by bodies of a similar nature operating in the United Kingdom and Europe, with particular reference to the British Federation of Care Home Proprietors and the European Confederation of Care Home Owners.

10. Changes to the Constitution

This Constitution may only be changed by a vote of 2/3rds of those voting members present at an AGM or EGM and then only if the proposal has been circulated to all members of the Federation at the time of the announcement of the AGM or EGM.

11. Interpretation of the Rules

In the event of any questions arising over the interpretation of the Constitution and Rules of the Federation the Chairperson shall adjudicate accordingly and their decision recorded and confirmed at the next meeting.

In the event of a failure to agree upon an interpretation then the matter shall be brought before an AGM or EGM which may be called for that purpose.

12. Compliance and Data Protection

The Federation's everyday business and correspondence shall be treated as confidential by all members and the Secretary shall ensure compliance with current Jersey Data Protection Law requirements. No data shall be used for any other purposes or given to any third parties except in accordance with the aims and objectives of the Federation and the current Jersey Data Protections Laws.

13. Dissolution

The Federation may only be dissolved at an AGM or an EGM called for that purpose. In the event of dissolution all remaining monies and assets after settlement of outstanding debts shall be donated to Charity.

EILEEN CRABB

CHAIRPERSON

July 2012

