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A proposed new constitution for Dragon Boat Tasmania

Dragon Boat Tasmania (DBTas) has followed the lead of the Australian Dragon Boat Federation and has renewed its efforts to review its constitution to produce a more relevant, contemporary and workable governance structure.

It is widely acknowledged that our constitution of 2008 is no longer meeting the needs of our growing sport. Its clauses about club representation on the DBTas board are out of step with the increased number of clubs and the voting structure allowing all present at an AGM to cast a vote is open to “vote stacking”.

As well, and very importantly, demands on sports governing bodies have grown and a higher level of professionalism is expected from sports administrators. Given the widespread use of technology it is essential that board members are tech-savvy. They need to have specific skills to make a genuine and useful contribution to the business of overseeing, to the highest possible level, the management of their sport.

Therefore, the DBTas understands that we have to step up to a higher level of accountability and operation.

To that end, DBTas met with AusDBF governance experts, as well as representatives from Dragon Boat Victoria, and believes the time is right to adopt a new constitution that:

- Is compatible with AusDBF governance in content and intent
- Reflects the development of dragon boating in Tasmania
- Is specific to sports organisations
- Enables DBTas to draw on experts from outside the organisation to join the board as appointed directors to complement skills of elected board members

The basis for the proposed new constitution is a template provided by the Tasmanian Government’s Division of Communities, Sport and Recreation. It is a blueprint for State Sporting Organisations and can be tailored to reflect the requirements for particular sports.

DBTas has gone through the constitution template clause by clause and has produced a draft to put to Tasmanian dragon boat club members at a special general meeting in time for the revised structure to be implemented for the Annual General Meeting later in 2016.

Clubs will be given adequate notice of the special general meeting that is required to ratify any constitutional changes.

In the meantime, the following questions and answers should assist clubs to understand the rationale behind the proposed change.

Club committees are urged to support DBTas and inform their club members of the proposed changes.

Key constitutional changes

1. Voting system, including voting for representatives to the DBTas board: one vote per club

Instead of giving every financial member of a DBTas aligned club a vote at general DBTas meetings (including the AGM), the new constitution stipulates that each club will be given one vote. This is viewed as a more equitable voting system and removes the present perception that larger clubs have more voting power.

It is anticipated clubs will carefully consider the candidates and finalise their voting choice based on the person best qualified for the job, not along club lines.

Clubs will nominate a representative to cast their vote at a DBTas general meeting (including an AGM). Other members of clubs may attend these meetings (as in the past) but only their representative will be able to vote.

DBTas board members are not elected as voices for their club; their task is to administer dragon boating in Tasmania according to the strategic plan and AusDBF directives.

Clubs will not be disadvantaged by not having a representative on the board. Clubs can make representations to the board at any time and they will be considered at a board meeting. Clubs will be invited to submit quarterly reports to the board to ensure a flow of information.

2. Reducing the board from 10 members to up to 7

The object is to have a skills-based board with all members experienced and competent in a relevant field .

With five defined roles for board members (chair; membership/finance; administration; events/communications/ marketing; asset/risk management), it is considered DBTas should be able to operate with five skilled board members. DBTas has been advised that the constitution does not have to set the number in concrete and up to seven members would be appropriate. This a departure from the current board of 10 members which the current constitution requires to have at least one and not more than two representatives from each club.

Contemporary governance for sports clubs now demands that state administrative bodies be leaner and skills based. While directors may be drawn from several clubs, it is not essential nor desirable for the board to be elected along club lines.

Board members also required to have reasonable computer skills with access to the internet and email . Clubs will be asked to nominate candidates for vacancies on the board and those candidates will be required to provide a 100 word summary of the skills they can bring to the board.

Interstate dragon boat associations (with between 11 and 60 member clubs) operate with boards of up to seven. Two operate with up to three vacant positions. The larger states retain paid staff.

3. Giving the board power to appoint two additional directors from within or outside the dragon boat community

An election may not deliver all the skills the board requires. If assistance is required with the website, finances, a major event or any other key activity of the board, it may appoint an additional director from within the dragon boat community or from outside.

This is fairly common with interstate dragon boat associations, some of which appoint paid executive or administration officers. For example, Victoria has a volunteer director and a professional chief executive officer, New South Wales has four paid staff and Queensland has an administrative officer.

4. Giving the board power to appoint subcommittees

A subcommittee can be appointed by the board to assist with special projects. This would be practical and useful especially for events such as the State Titles or the Master Games scheduled to be held in North West Tasmania in 2017.

It would also be useful to co-opt technical skills overcome issues that may arise with DBTas website. For example Dragon Boat South Australia has a website subcommittee.

The board would co-opt members of the dragon boating community and experts from outside to form subcommittees

5. The board to elect its own office bearers including the chair (formerly the president)

Contemporary governance structure recommends any new board elect its own chair and other office bearers. Once elected, the board can select those with the best skills to match board positions. At present the chair (president) is elected by members at the AGM.

QUESTIONS AND ANSWERS

1. What is wrong with the present constitution? Why does it need to change?

The present constitution (2008) served our sport well in the early days when there were just four clubs in Tasmania. Being based on a “representative” model (stipulating that DBTas board members must be drawn from each club and that all financial members at an AGM have a vote) is divisive and has created issues. Demands on sports governing bodies, like DBTas, have grown and the organisation is expected to step up to a higher level of accountability and operation. This includes the board determining its own chairperson. At present this position is determined by general vote at the AGM.

2. Why don't we change the present constitution instead of adopting a new one?

An attempt was made to update our present governance structure two years ago. There was little interest from clubs to address the shortcomings at that time. It was “too hard” and to make it more palatable DBTas directed its efforts into attempting to simplify language and terminology. The matter has been in abeyance for some months. It is less complicated to adopt a new constitution that is tailor-made for sports organizations and has the stamp of approval from AusDBF.

3. Has DBTas taken advice from the Australian Dragon Boat Federation on this matter?

AusDBF has recently revised its own constitution and has advised Tasmania to adopt a similar, more contemporary model that is specifically designed for sports organizations. In particular, this model focuses on a “skilled” board rather than a club representative structure. Other state dragon boat bodies have either taken this path or are considering it.

4. Who will draft the replacement constitution?

The constitution template that DBTas would prefer to adopt is provided by the State Government's Division of Communities, Sport and Recreation. It is specifically written for state sports administration bodies and can be adapted to suit relevant requirements. Its website page - Governance Guidelines for State Sporting Organisations - http://www.dpac.tas.gov.au/divisions/csr/sportrec/publications/governance_guidelines outlines the basic principles. Scroll to the bottom of the page to Additional Resources and click on *State Sporting Organisation constitution* to view the state constitution template. DBTas has examined the template. Irrelevant clauses, such as regional bodies, have been deleted. Other changes have been suggested to tailor it to our needs.

5. Will clubs need to change their constitutions to fall into line with the new DBTas structure?

AusDBF recommends a compatible club constitution be adopted. While there is no immediate need for this to occur, the State Government's Division of Communities, Sport and Recreation also provides a compatible template for club constitutions. Go to: http://www.dpac.tas.gov.au/divisions/csr/sportrec/publications/governance_guidelines and scroll to the bottom of the page to *Additional Resources*. Click on Sporting club constitution to view the club constitution template.

6. Will the voting system for board members change?

Yes. The proposed constitution provides a significant departure from the present voting system. Instead of financial members of clubs attending the AGM being eligible to vote, the new proposal provides for one vote per club. Nominations for board positions will be advertised (as in the past) and nominees will be required to provide a 100 word "candidate summary". These will be circulated to clubs which will then determine their choice of candidates. The clubs will appoint a person to cast the club vote at the AGM.

7. Will the size of the DBTas board change?

Yes. At present there are 10 board members. The template suggests five (including the chair) with defined roles. Other state dragon boating bodies have between 5 and 9 members (directors). AusDBF advises it should be an odd number to overcome an evenly split vote. DBTas considers up to 7 (seven) members would be appropriate.

8. Can a new and smaller DBTas board seek assistance to help it meet its obligations to be more professional and accountable?

Ideally the new board would comprise competent members elected for their expertise in finance, administration, IT, communications etc. For significant or specialised tasks, the proposed constitution allows for the engagement of outside help in the form of sub committees from the association membership, or the appointment of an external director to fill a skills gap (eg qualified accountant, book keeper or MBA student to manage finances or IT consultant to manage the website). Some state dragon bodies employ a CEO to administer their organization. Tasmania is not in a financial position to do this.

9. Can clubs still select who they will nominate for election to the DBTas board?

Yes. While the proposed constitution changes the voting system from all members casting votes to a one club-one vote system, clubs are still asked to propose nominees to fill board vacancies. The onus is on clubs to ensure that its nominees have the necessary skills and experience to represent dragon boating as a whole, and not merely to represent a club's interest. A leaner board (up to 7 rather than 10 members) means that all board members will be expected to offer skills to ensure the board is operating with a broad base of expertise. It is imperative that all board members make a positive and equal contribution

and are available to attend board meetings in person or be available on skype or at the very least mobile phone.

10. Will clubs be guaranteed of a representative on the new board?

Not necessarily. The object of the proposed constitution is to set aside club allegiances and self interest and elect a smaller, skilled and more efficient board that can administer our sport. Past boards have done an excellent job have but have been hamstrung at times with the bulk of administrative tasks being shared by too few.

11. How will the chairperson be elected?

At present the chairperson is elected at the AGM. Under the proposed constitution the newly-elected board will elect its own chairperson and other executive positions.

12. If the proposed new constitution is adopted, will there be an election for an entirely new board?

No. To ensure there is some continuity, members of the current board whose two-year terms do not expire until 2017 will remain on the board. Only those due to retire (having completed their two-year terms) will leave the board. With the proposed constitution reducing the size of the board from 10 to a maximum of 7, this means that there will be two ordinary vacancies to be filled at the AGM.

13. What happens now?

DBTas will meet with the presidents of all clubs to discuss the proposal for a new constitution. A special or extraordinary meeting must be held to alter or replace the current constitution. Clubs would be given 30 days notice. Teleconferencing would be permitted. All registered members (ie all financial members of dragon boat clubs in Tasmania) would be eligible to vote at the special meeting. If the proposal for a new constitution were adopted, the DBTas AGM in October 2016 would proceed under the auspices of the new governance document.