

SONZ Club Consultation – Survey Monkey Questions and Answers

In the survey, we asked the question: *Having had some time to reflect on the meeting, do you have any further feedback for the Board?* All comments received are listed below, with a response from the Board of Trustees.

Clubs who currently apply for charitable funding all have individual Charity numbers. In Manawatu is different from SONZ. This is a huge advantage for clubs. I have been on a board where the charity status was taken from the regions and managed by the main body. This resulted in the regions missing out of funding for grass roots activities. I have also been on the COGS board, and any organisation applying for funds from the local pool was declined. However organisations where the local office applied for funding, they were always successful. Another board I am on is the Manawatu parafed board and because they are local they have a huge success rate with funding.

Answer. The proposed changes do not affect this. Clubs will still have their own Charity number, and will, in fact, be better able to raise their own funds since they will be able to demonstrate incorporated status.

Hence I am in favour of clubs having support to train volunteers to manage their own accounts and charitable status.

Answer: Most Clubs already manage their own accounts and charitable status. If a Club requires assistance in training up their committee to do this, they may seek advice from their RSC or another Club in their Region.

Likewise, most charitable organisations have funding for national distribution and other identified for local distribution. Hence SO is getting full advantage from the funding pool by having the clubs their own charitable status. Since we are our own charitable status, I was perplexed that funders have been contacting Carolyn when we apply for grants.

Answer: The only circumstances under which funders contact Carolyn when a Club applies for a grant is when that funder requires the recipient to be incorporated. Once all Clubs are incorporated there will no longer be a need for funders to contact SONZ when the Club applies for a grant.

When are you going to start?

Answer: The proposed changes to Board composition would be rolled out over the next year to 18 months as current Trustees come to the end of their tenure. Changes to Club status (to become incorporated) could start as soon as the Constitution is finalised. From there the Board would encourage clubs to transition as soon as possible, however transitioning at the end of a financial year avoids the requirement to complete two sets of accounts. We realise some clubs will need

more support than others, and it is proposed to set a target of having the changes in place by the end of 2022.

I do believe there should be 3 elected members.

Answer: The Board's primary focus is to ensure that as a group we have access to all the skills and knowledge we need if we are to be effective, whilst keeping the Board size to a manageable number. At the same time we are aware of the need for balance between appointed and elected Trustees, and in fact we have retained the ability to add an additional elected or appointed Trustee to the Board if the need arose.

With the new structure will all board members be voted. I realise 2 will be elected by the clubs. While the other 3 or 4 members will have specific roles, will they be appointed or will members have the right to vote for them. And what mechanism will clubs have if they do not think the board is not working in the best interests of clubs and special Olympics.

Answer: The proposed constitution allows for 4 appointed members, and states that independent trustees (appointed trustees) will be appointed by a Board Appointments Panel. This panel will be made up of:

- *an independent professional who is experienced in governance;*
- *an independent who has an interest and understanding of sport and governance in New Zealand and;*
- *the Chairperson (or his/her nominee).*

A board appointment panel is one of the Foundation criteria that must be met to achieve Governance Mark (i.e. Board best practise).

The Athlete Input Council provides the pool of candidates for election of the athlete representative to the board, but it is only vaguely mentioned. Where are its rules or constitution?

Answer: The Athlete Input Council is currently made up of one Athlete Leader from each region. The Athletes are determining the purpose of the council, how often they meet, the types of things that they will discuss and how they will engage with the wider athlete base. The broad purpose of the Council is a voice for the athletes by the athletes.

The draft SONZ constitution refers to Global Messengers. Has this title been reinstated? If so, why does it refer to athletes who have not yet graduated from the national Athlete Leadership Programme? I note that the GM title is still in use with US SO clubs and SO Otago use to on their new website to refer to their own ALs/GMs.

Answer: Athlete Leader is the correct term, not Global Messenger, and is the term that will be included in the new constitution.

Thank you for noticing the use of the term by Special Olympics Otago on their website – this will now be corrected.

4.1.(c) represents a conflict for the Athlete Representative - they should not be allowed to vote on these matters.

*[Note the section referred to states: Special Olympics New Zealand has all the powers of a natural person to give effect to the Objects to the maximum extent permitted by law, including the power to, in each case from time to time: (a) determine the scope of its operations, and the scope and the frequency of the Games to be conducted by Special Olympics New Zealand or its licensed organisations; (b) secure and maintain accreditation with Special Olympics Inc as New Zealand's national Special Olympics programme; (c) **select the Athletes who will represent Special Olympics New Zealand in all World Games and international Regional Games;**]*

Answer: The selection committee for international competitions has, in the past, involved the Head of Delegation, CEO and the Sports Committee (a sub-Committee of the Board of Trustees). When this selection sub-Committee is formed the Board will ensure it is impartial and SONZ management will have final sign-off on international selection decisions.

7.2 The clubs should have an absolute majority so 7.2(a) needs to allow for 6 "Elected members", 5: generally very undemocratic:

Answer: It is important to note that the board (and therefore trustees) are not appointed to represent clubs as such, but rather is responsible for the stewardship and future well-being of the organisation. The Board is charged with setting the organisation's purpose, values and key outcomes. Trustees have a responsibility to protect the organisation from harm (risk) and steer it towards positive achievement. The board's job is to define what is to be achieved; management works out how to get there.

once a governing board member is in place it is almost impossible to remove.

Answer: As stated in the proposed constitution, the Governing Board may suspend any Governing Board member who, in the opinion of the Governing Board, has failed to comply with the duties of a Governing Board member or whose conduct has been prejudicial to the Governing Board or to the interests of Special Olympics New Zealand.

The Board has a Board Charter and a Code of Ethics to adhere to. There are many governance disciplines and frameworks that provide clarity about what is acceptable and what isn't. Achieving the Governance Mark requires and ensures these disciplines are in place.

Good opportunity to provide clubs with more surety from being legal entities. Probably lot more work on the elimination of regional councils because of their large asset base both inventory and personnel abilities. Leaving regions to decide their fate will likely produce variable outcomes.

Answer: The Board of Trustees has deliberately not provided a view on the future of regional councils. We think it is important to leave this up to the Clubs in each Region to decide whether

they see value in their Regional Council, and to decide whether to dissolve it or retain it and in what form.

Following on from that it will be for the Clubs in each region to decide what to do with existing assets. We agree that this may lead to variable outcomes, however it is important to note that currently each region operates quite differently. We appreciate that some Regions may retain their Council and some may not, however that will simply reflect the wishes of the Clubs in each Region.