

BYE-LAWS
OF
THE ARCHIVES AND RECORDS ASSOCIATION

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1. Introduction

- 1.1. All Bye-Laws are to be applied in conjunction with the appropriate Articles of Association of the Association as contained in the current Memorandum and Articles of Association of the Archives and Records Association.
- 1.2. The Bye-Laws are defined within the Articles of Association.
- 1.3. Article 42 of the Articles of Association of the Association shall apply to these Bye-Laws.

2. Individual members (Article 26)

Persons are qualified under Article 26 for election as Individual members who, at the time of application, are occupied or qualified in the administration or conservation of archives or in records management or in related activities. For the purpose of Article 26, archive assistants, record clerks, archives education officers and instructors and tutors on approved courses in the administration or conservation of archives or in records management, are deemed to be engaged in related activities.

Individual members are entitled to stand for election, or co-option, as officers and members of all Association committees.

3. Applications for membership (Article 25)

- 3.1. All applications for election to membership shall be made on a form prescribed by the Board.
- 3.2. Applicants for individual membership must be occupied or qualified in an activity as outlined in Article 26
- 3.3. All applicants for membership must sign an undertaking that they will abide by the Association's Code of Ethics.
- 3.4 All members, except Honorary Life Members, shall pay a rate of annual subscription, the scale of which shall be set by the Board from time to time.

4. Foundation, Registration and Fellowship

Applicants for Foundation, Registration or Fellowship must satisfy the appropriate professional standards, via assessment or re-validation, as published on the website www.archives.org.uk and approved by the Board as necessary.

- 4.2. Members of the Association who pass assessment or re-assessment and whose names are included on the Foundation, Registration and Fellowship register shall be entitled to describe themselves appropriately as Foundation Member of the Archives and Records Association (FMARA), Registered Member of the Archives and Records Association (RMARA) or Fellow of the Archives and Records Association (FARA). Registered Conservators shall be entitled to use post nominal letters RCARA. Conservators formerly accredited by ARA via PACR shall also be entitled to use the post nominals RCARA. Conservator members achieving Fellowship may use the term Conservator Fellow of the Archives and Records Association (FCARA). Retired members who maintain their status via the light touch re-assessment route must use (Retd) after their post nominals, as appropriate.
- 4.3 All members of the Association who have passed the Association's Conservation Certificate and who are up to date with membership subscriptions may use the post nominal letters ARA Cons Cert. This includes members who passed when the Certificate was administered by the Society of Archivists.
- 4.4 All members of the Association who have qualified to teach the Association's Conservation Certificate, and who are up to date with their subscriptions, may use the post nominal letters ARA Cons Cert Inst.

5. Student members (Article 28)

5.1. Applicants applying for student membership shall complete a form, approved by the Board, which shall include a declaration either

- a) by the person in charge of their course, that they are undergoing full-time education or are on full-time or part-time study on a course leading to a professional or paraprofessional qualification and accredited by the Association (or having applied for such accreditation).**
- b) by an elected Individual member of the Association that the applicant is working as an unpaid volunteer in archives with a view to gaining experience before undergoing full time or part time study on a course leading to a professional or paraprofessional qualification and accredited by the Association (or having applied for such accreditation).**

whichever is appropriate. Students studying conservation courses at Camberwell College, West Dean College or Northumbria University qualify for student membership. Trainees on the Skills for the Future funded placements qualify for student membership.

5.2. Student members, upon being in paid employment or qualified in the administration or conservation of archives or in records management, or in related activities, will be eligible for student membership for one additional membership year and after this time must apply for election as Individual members of the Association.

5.3. Student members may continue their student membership of the Association until such time as they become qualified in the administration or conservation of archives or in records management, or in related activities.

5.4. All applicants for student membership must sign an undertaking that they will abide by the Association's Code of Ethics.

5.5. On election, all student members will be eligible to join the nation/region in which they either live or work, and any Sections. They may attend meetings of nations/regions or Sections and vote on non-professional issues.

5.6. Student members may sit on general committees, national/regional committees and Section committees and may become officers. They may vote on non-professional issues.

6. Affiliate members (Article 29)

6.1. Applicants applying for affiliate membership shall complete a form, approved by the Board.

6.4. All applicants for affiliate membership must sign an undertaking that they will abide by the Association's Code of Ethics.

- 6.5. On election, all affiliate members will be eligible to join the nation/region in which they either live or work, and any Sections. They may attend meetings of nations/regions and Sections.
- 6.6. Affiliate members upon being eligible to join the Association in another grade by being in paid employment in archives, on joining an academic course leading to an appropriate qualification or on becoming qualified in the administration or conservation of archives or records management, must apply for election to either the student or individual member category of membership of the Association.
- 6.7. Affiliate members may sit on general committees, national/regional committees and Section committees and may become officers. They may vote on non-professional issues.
- 6.8. Affiliate members shall be eligible to receive the Association's Journal at the individual subscription rate as set from time to time by the Journal's Publisher.
- 6.9. Affiliate members shall be eligible to attend Association training events, including the Annual Conference, at the member fee rate set for these events.
- 6.10. Affiliate members shall not be eligible to receive Association bursaries.
- 6.11. Affiliate members shall have access to the "Members Only" section of the Association's web site.

7. Corporate members (Article 27)

- 7.1. All applications for the grade of Corporate members shall be made on a form approved by the Board.
- 7.2. Corporate members shall be entitled to the following privileges:
 - a) free copy of the Association's Journal and ARC Magazine
 - b) member rates for all other Association publications
 - c) discount rates for exhibiting products at Association conference trade fairs and other like events
 - d) reduced attendance rates (i.e. member rate as opposed to non-member rate) for courses, seminars, conferences, etc., for their own staff or members up to a maximum of three (3) per Corporate member
 - e) discount rates for advertising in the Association's publications

- f) access to the knowledge and expertise of the Association's specialist groups.

7.3 Not for Profit organisations turning over less than £20,000 a year (or Euro equivalent) (not including grants or project funds) are eligible to join as Not for Profit Corporate members at a lower subscription and receive:

- a) free e-copy of ARC Magazine
- b) member rates for all other Association publications (excl. Association's Journal)
- c) discount rates for exhibiting products at Association conference trade fairs and other like events
- d) reduced attendance rates (i.e. member rate as opposed to non-member rate) for courses, seminars, conferences, etc., for their own staff or members up to a maximum of one (1) per Not for Profit Corporate member
- e) discount rates for advertising in the Association's publications
- f) access to the knowledge and expertise of the Association's specialist groups.

8. Honorary life members

8.1. Proposals for election to honorary life membership should be submitted at least four (4) calendar months before a general meeting of the Association.

8.2 Proposals for admission to honorary life membership may be made:

- a) by the Board
- b) by members of the Association. Such proposals shall be made, in writing, to the Board of the Association, by three (3) or more members of the Association and addressed to the Honorary Secretary. All such proposals shall contain:
 - i) the name, address, business and professional qualifications of the person proposed
 - ii) a statement of the outstanding service made by such a person

8.3 Honorary life members shall be entitled to the ordinary privileges of membership. They shall not be required to contribute to the funds of the Association.

9. Elections to membership

- 9.1. The Membership Administrator shall forward any queries regarding membership applications to the Chief Executive. In the event the Chief Executive requires further guidance he will seek guidance from the Board.
- 9.2. The Board of the Association retains the right to decide all matters of final appeal for deferred or rejected applications.

10. Subscriptions

Membership subscriptions shall be set by the Board.

11. Resignations and re-admissions

- 11.1. Members who have formally resigned and wish to apply for re-admission will be required to complete an appropriate application form.
- 11.2. A member who has formally resigned from the Association will not be required to pay a reinstatement fee.
- 11.3. Foundation, Registration and Fellowship members lose their status on leaving the Association and may not use post nominals. On re-joining the Association they must follow the procedures outlined in the CPD documentation available on the website www.archives.org.uk before being able to regain their prior status and use post nominals.
- 11.4. All applicants for reinstatement as members, student members, affiliate members, or corporate members, who have been removed from the membership lists for non-payment of subscription, will be required to pay a reinstatement fee of an amount to be determined, annually, by the Board and to complete the appropriate application form.

12. Regulations concerning complaints against members

- 12.1. On receipt of a complaint that any member has breached the Association's Code of Ethics or whose conduct has otherwise been contrary or prejudicial to the interests of the Association, the Board will appoint an Ethics Panel, consisting of three members of the Board, one of whom will normally be the Vice Chair who will chair the Panel. The Chair of the Association will not be a member of the Panel. The complainant does not have to be a member of the Archives and Records Association.
- 12.2 The Panel shall be empowered to investigate and make a decision on such complaints, subject only to the right of appeal to the Board as laid out in section 12.11.

- 12.3** The Panel shall consider any complaint placed before it and may either dismiss the complaint or resolve that further investigation is required. There shall be no appeal against dismissal of a complaint.
- 12.4** If the Panel resolves to investigate further any complaint, at least twenty-eight (28) days' written notice shall be given to the member complained against of the date, time and place of the meeting at which the complaint is to be considered as well as the details of the complaint and the membership of the Ethics Panel. This notice shall be sent by registered post to the member's address given in his/her membership record.
- 12.5** The Panel shall permit the member to be heard before the Panel. The member may be represented legally or by another member of the Association or by a friend. The member may call witnesses on their behalf. The member is required to give ten (10) days' written notice in advance of the meeting to the chair of the Panel of the details of any representatives and/or witnesses. The Board of the Archives and Records Association will consider paying reasonable expenses to cover the travel costs of the member and their witnesses.
- 12.6** The Panel may determine to call its own witnesses and/or legal support
- 12.7** If the member fails to respond to the notice of complaint or fails without good cause to appear before the Panel then the Panel may make its decision without reference to the member.
- 12.8** At the meeting of the Panel to consider the complaint, the Panel may decide to dismiss the complaint or that it is upheld.
- 12.9** Where the Panel has found the complaint against the member to be upheld i.e. that the member has breached the Association's Code of Ethics or whose conduct has otherwise been contrary or prejudicial to the interests of the Association, it may determine to deprive the said member of membership of the Association; to remove the name of the said member from the register of professional members maintained by the Association; to suspend the said member's membership rights; and/or to issue the said member with a reprimand.
- 12.10** The Panel shall inform the member in writing of its decision within seven (7) days of the meeting. The Panel shall have discretion to make public its decision.
- 12.11** The member shall have the right of appeal to the Board and if this case must inform the Chair of the Association in writing within seven (7) days of the date of Panel's notification of its decision.
- 12.12** The Board shall consider the appeal within three (3) months of the receipt of notification from the member. The members of the Panel may be present and may take part in the deliberations but may not vote. The member complained against shall have the same rights of representation as for the meeting of the Ethics Panel. The procedures for the meeting will be the same as for the Panel as laid out in sections 12.4-12.7

12.13 The Board's decision will be final and it may confirm, vary or reverse the decision of the Panel. The Panel shall inform the member in writing of its decision within seven (7) days of the meeting. The Board shall have discretion to make public its decision.

12.14 The Code of Ethics of the Association shall be approved, from time to time, by the Association in general meeting. The 2016 AGM voted to replace the previous Code of Conduct with a Code of Ethics.

13. Groups (Sections, Regions and Nations)

13.1 Each group shall have a Terms of Reference, agreed by the board, setting out: their purpose, relationship with other groups, how they will communicate with members, review date. Groups will be established according to need. There is no restriction to the number of regional, national or section groups.

13.2 An annual plan listing the priority areas of activity for the group will be submitted each year along to justify any budget request as will an annual report of what has been delivered and achieved in the previous year. Groups are able to undertake agreed activity to deliver ARA's priorities. This should be done in coordination and collaboration with other groups and ARA Officers.

13.3 Each year, each group shall select a Chair and a Secretary. The Chair is accountable to the board via the appropriate Portfolio Holder and has delegated responsibility for any agreed budget. Other posts may be recruited according to local need.

13.4 The Chair is expected to maintain regular contact with their nominated board contact and attend at least one annual ARA briefing.

13.5 Nominations for election as Chair and a Secretary shall be received, by the current Secretary, before the annual selection meeting (usually late spring / early summer). A vote at the meeting by a majority of members present will suffice to decide the elections.

13.6 The term of office commences from the end of the annual selection meeting. Posts may be held for a maximum of 3 years.

13.7 Each group will use ARA communication channels to communicate notice of meetings and events, seek the views of interested members and let people know the outcomes and decisions.

13.8 A sum of money, the amount to be determined and approved by the Board on an annual basis, may be allocated to each group to defray the cost of out-of-pocket expenses and administration expenses. All finances are the direct responsibility of the Honorary Treasurer of the Association and all financial dealings undertaken by groups must always be approved, in advance, by the Honorary Treasurer or the Chief Executive.

13.9 Meetings should be open to all members, wherever they are live or work. Guests and non-members may attend meetings by agreement with the Chair.

13.10 The Board of the Association has the power to dissolve groups.

14. Board Membership

14.1. Board Members shall normally serve on the Board for three years from election before either seeking re-election or standing down.

14.2. The Chair of the Association shall hold office for two years.

14.3. A Board Member can serve on the Board for two consecutive terms of three years. However, if serving for two consecutive terms they must stand down at the end of the period and cannot stand again for one full term (three years)

14.4. A minimum of one quarter of the Board should either stand down or seek re-election at the AGM. This should include no more than two honorary officers

14.5. Board members will ordinarily not be required to stand for re-election within their term of office, unless there are less than a quarter of the Board members whose terms have been completed at each AGM.

14.6. In the event that less than one quarter of places on the Board are available for election, the Chair shall decide which Board members to ask to stand for re-election before the expiry of their three year term.

14.7 Board reports and associated documents should reach the Honorary Secretary at least 10 days prior to the relevant Board meeting. Any report received after the 10 day deadline will only be included in the agenda for that Board meeting if the Chair (or Vice Chair in the absence of the Chair) agrees. Late reports will be considered for inclusion in the next Board meeting or, if deemed by the Chair (or Vice Chair in the absence of the Chair) or Honorary Secretary, may be presented remotely for an E.vote

14.8 The Honorary Secretary will circulate Board reports and associated documents one week prior to the Board meeting.

15. Standing orders for general meetings

15.1. All members attending a general meeting and entitled to vote must sign the register of attendance.

15.2. The Chair of the general meeting must call for a proposer and seconder for each and every resolution.

- 15.3.** A minimum of two (2) ushers must be appointed at the beginning of each general meeting, from the ranks of the members present, to monitor and count all the votes cast for each and every resolution. The ushers **shall not** be appointed from the ranks of the Honorary Officers or the permanent staff of the Association. Each usher shall report the results of each and every vote directly to the Chair of the general meeting. If the result of a vote is so close as to be in doubt, twenty (20) members, rising in their seats, may require that the vote on that resolution be taken again.
- 15.4.** Where practical the Chair shall immediately report the result of each and every vote to the general meeting and will indicate whether or not the resolution voted upon is passed or rejected.
- 15.5.** No new original resolutions or motions are permitted at general meetings of the Association. Only those resolutions or motions itemised on the agenda, and distributed to all the eligible members of the Association, are allowed. The Chair shall order the votes on any resolution to be recounted where at least twenty (20) members rise in their seats to demand a recount.
- 15.6.** No resolution or motion is permitted to be considered as an item of 'any other business' at a general meeting.
- 15.7.** Amendments to ordinary and special resolutions can be made by following the procedures outlined in point 41 of the Articles of Association.
- 15.8.** No amendments are permitted when considering the annual report and accounts beyond basic corrections of fact or any inaccuracies in relation to the names of the Officers and the Board.
- 15.9.** Non-acceptance of the annual report and accounts by the membership at a general meeting shall be considered to be a vote of 'no confidence' in the Officers and the Board of the Association and they shall be obliged to resign and call an election for these positions.
- 15.10.** If an election is called, it shall take place following the procedures outlined in the Articles of Association.
- 15.11.** In the case of such an election being called, all existing Officers and members of the Board shall be eligible for re-nomination.
- 15.12.** In the case of such an election being called, the incumbent Officers and members of the Board, as appointed trustees of the Association, shall remain in office until the election results have been declared.
- 15.13.** The Chair of every general meeting shall ensure the following points of order:
- a) amendments from the floor shall not be contradictory or negative in effect, shall not be unconstitutional, libellous, repetitious or irrelevant
 - b) the Chair must indicate which member has the floor

- c) every speaker must stand and address his/her remarks to the Chair
- d) a member shall speak only once in a debate except on a point of order or information, except that a proposer of a motion or resolution shall have the right of reply and a seconder may reserve his/her remarks when formally seconding the resolution or motion.

15.14. The ruling or decision of the Chair of a general meeting, on any point of procedure or order, shall be conclusive and shall not be open to debate or discussion.

16. Declaration of interest

If, in the course of his/her involvement as a member of the Board or as a member of a subordinate management structure of the Association, an individual has any reason to believe that the interests of the Association are in conflict with, or related to, his/her own personal or employment interests, the individual concerned is bound, immediately, to declare this interest to the Chair of the Board of the Association or to the appropriate subordinate Chair involved and may subsequently be asked to withdraw and/or refrain from voting.