Australian Computer Society
Constitutional Reform Working Group (CRWG)
Report Back to Members re the Round 1 Consultation
5 December 2021

Summary

During October 2021, a consultation with ACS members was conducted by the Constitutional Reform Working Group (CRWG), authorised by ACS Congress. This was the first round of a process to develop a replacement constitutional document. The focus was on the principles that should guide the design and drafting of that document. This Report plays back to members a summary of the input they provided. It is not in any way a statement of ACS policy.

The discussion launched on 30 September, with an Information Age article and the President's email to members. A consultation document and question list were provided. Feedback was requested on those documents, and input on any other aspect.

This Report summarises about 2200 comments from 160 members, which were received through:

•   30 written submissions;

•   meeting notes from 9 events organised by Branches and national bodies and a series of 15 nationwide video-sessions; and

•   about 400 messages posted in an asynchronous, interactive online forum.

ACS as a Professional Society: Members reaffirmed the importance to them of the ACS as their professional society. Considerable attention was paid to criteria for entry, to criteria and supporting services to attain promotion through the various grades, and to certification.

ACS Activities: Members want the Society's activities to be both driven by and constrained by its values, and by statements of its mission, purposes and key functions embedded in the constitutional document. The most commonly mentioned key functions relate to standards and the assurance of professional quality. However, networking aspects of professional development activities are also seen as a key function. Members also want to see the delegation of policy development to appropriately-constituted committees of members.

Centralisation of Power: Commentators are dissatisfied with the centralisation of power and control, especially the management of funds and the bureaucratisation of processes. Calls were made for much greater agility in all aspects of ACS activities.

Branches and SIGs: Members identify with their Branches and Chapters much more strongly than with the national organisation. There is widespread support for the restoration to Branches of their capacity to serve members, with power and resource control devolved to Branches in relation to local activities. Strong desire is expressed for the re-establishment of SIGs.

Business Lines and Industry Associations: An argument is put for the strategic alignment of business-lines with the interests of the professional membership, and hence with the public good. The purpose of business-lines is seen as the generation of surplus for application to key functions. Allocation of surplus to incubators is not supported. Having industry associations within the ACS structure is seen to create a conflict of values that is difficult to resolve.

Specialisations: Support exists for ACS to address ICT specialisations more effectively, both through external collaborations and partnerships, and by the hosting of sub-organisations.

Accountability: There is a strong desire for the governing committee to be subject to effective accountability to the members and to Branches. An electoral scheme is sought that provides for far more member involvement than the current electoral college arrangements, but that also protects against dominance by the larger numbers of members in the bigger states.

The views of members recorded in this Report will be applied to the consultation document for the next round of consultation, on constitutional features, which is scheduled for February-April 2022.

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Introduction

This Report presents back to ACS members what the participants in the consultation process of October 2021 say they want their Society to look like.

This was the first of a series of consultation rounds with the membership, which are to culminate in the recommendation of a new constitutional document. The project is being run by a Working Group of senior members of the Society with significant experience in constitutional matters, which was appointed by ACS Congress in mid-2021.

The focus of the first consultation round was members' requirements. The discussion did not look backwards at the existing constitutional document (the ACS Rules), because the Rules are widely regarded as problematic in both design and expression. Instead, the question was asked of members 'what principles do you think should guide the development of a new constitution?'.

The consultation process was launched on 30 September 2021, with an article in Information Age, and an email from the President to all members, pointing members to the landing-page at crwg.acs.org.au. This provided access to the 9-page consultation document and a list of questions.

A channel was provided for written submissions, of which 30 were received. Events were organised by a number of Branches, Branch Executive Committees, and national committees, Boards and SIGs. The COVID-era norm of video-conferencing was applied in a series of meetings facilitated by Working Group members. The notes from 24 events provided a great deal of information about members' views.

The most active discussion channel, however, was an online forum established by the Working Group using the groups.io service. A total of about 400 messages were exchanged in the forum, in about 40 threads, with a 38-strong tag-set enabling cross-referencing across topic-areas.

The original intention was for the consultation to run for the month of October. The ongoing interest was such that a second round of input-gathering was performed on 12 November. In all, just over 200 people participated, many in more than one of the channels, and just over 160 of them contributed content into the pool. The Appendix to this Report provides access to the Working Group's Terms of Reference, and descriptions of the project method.

As with any undertaking of this kind, some caveats are necessary. Of about 5,000 Professional Division members and about 5,000 Associates eligible to vote in ACS General Meetings, only about 2-4% participated in the consultation. This seemingly tiny proportion in part reflects the fact that constitutional matters are deathly boring for most human beings. In addition, active participation in such discussions depend on having achieved a reasonable level of understanding about the nature and operations of a complex professional society, and on being willing to grapple with somewhat abstract and even abstruse structures and processes.

Caution is urged in interpreting the contents of this Report. Being a first round discussion, the questions were only lightly structured. A wide range of topics is addressed, in varying language. Some topics show a considerable degree of commonality of view, in many case with a few outliers, whereas other topics evidence more diversity of sentiment. The Working Group's view is, however, that the body of input in this Report is of enormous value in charting the Society's future course.

Many comments made during the consultation will not directly affect the design of constitutional features. Many of them are included in this Report, however, because they provide vital background, conveying the kind of Society to which contributors to the consultation process want to belong.

The Report presents members' input in five sections. It is supported by Appendices. These are rounded out by Annexes containing the raw content and the three successive phases of sorting and sifting that were undertaken in order to extract the story in the Report. The purpose of the Annexes is to satisfy the requirements of auditability, and traceability from raw comments onwards.

The later rounds of consultation will move on from this first requirements phase to consider the various features of a new constitutional document (equivalent to conceptual design) and then the clauses that will implement those features in the desired manner (detailed design). The consultation document to stimulate discussion in round 2, intended for release in early February 2022, will reflect the guidance that members have provided in this first round.

1.   ACS as a Professional Society

This first section of the Report draws together comments made in relation to the profession, professionals and the professional Society.

1.1   The Society is of, and governed by, Professional Members, for the Public Good

In the terms of the Australian Council of Professions' definition of a profession, the members who contributed strongly support ACS being and continuing to be a professional society, of professionals, governed by professionals, for professionals and the public.

Members recognise the obligations of a professional body to society as a whole, and of individual professionals to apply their expertise in the interest of others. Underpinning this is a strong ethical base that emphasises the use of technology to improve people's lives. Examples of key functions perceived as being performed in the public interest include:

•   professional standards and course accreditation;

•   contributions to technical standards;

•   policy advice;

•   public information; and

•   mentoring.

Some members argue that ACS must be more strongly committed to playing a part in solving the big problems facing humanity such as climate change, sustainability and mental health, and making the world a better place for the next generation.

Members note that there are challenges involved in forming the Society's public policy positions, and are looking for improvements to the mechanisms for achieving consensus.

Members express dismay at the low standard of the Society's own application of ICT, when it should be seen to be a leader, and its systems as exemplars.

Reflecting the commitment to being a profession and a society, the dominant view is that ACS's members are, and must continue to be, people. Corporations are vital to the economy, but the role of the Society is seen as social, economic and ethical in nature. As a result, many members consider that companies should not be members of ACS, and have serious problems with the idea of industry associations being embedded within the Society.

1.2   Criteria for Membership

Members perceive that a key function of the professional society is the establishment and maintenance of thresholds for the various levels of professional membership. The ICT field is increasingly diverse, and change is rapid, but many contributors see the Society as being too slow to recognise and address developments. Flexibility and adaptability are necessary in both the definition of the Core Body of Knowledge (CBOK) and the recognition of new specialisations.

Serious concerns were expressed by many members about:

•   the ongoing decline in Professional Division membership; and

•   the boosting of claimed membership numbers by including unqualified Associates and gratis guest members.

One of the reasons for the decline in numbers is seen to be the limited value that membership delivers, and the low regard of employers for ACS membership and certification. Members want the benefits for Professional Division membership to be designed to appeal to the self-interest of the prospective professional member. Some members aspire to a position, like other professional organisations, where professional grade membership is seen as a criterion for employment.

Areas in which members express the desire for change are:

•   eligibility criteria for entry to all grades;

•   attractiveness to the (mostly young) entrants to the field;

- thresholds for promotion through the levels of membership;
- pathways to, and support for achieving, certification; and
- activism on key issues, and hence exposure to target audiences.

The Associate grade was the subject of many comments. There is an overwhelming desire to clearly distinguish professional membership from the Associate grade. The view was expressed that the various categories of people in the Associate grade need to be better understood, with some needing encouragement and support to progress into the Professional Division.

Many members call for future entrants to the Associate grade to not be granted the right to vote, and instead for that to be a motivation for Associates to upgrade. Subject to those provisos, there is widespread support for means for non-ICT-professionals, such as professionals in other fields, managers, ICT users and unqualified enthusiasts, to have access to Associateship, and to the services that ACS provides.

Members made a number of constructive suggestions, including:

- the possibility of a 'Practitioner' grade within the Professional Division for people qualified for MACS but not for CP;
- an 'Executive' grade for C-suite members in the ICT field;
- a 'Technician' grade for hardware and software service and support specialists; and
- a 'Cadet' grade for high-school students that is designed both to enthuse them about ICT and to draw them into the Society's embrace.

1.3   The Branches as the Conduit between Members and the Society

One of the effects of COVID has been to accelerate the take-up of webinars and video-conferencing. This may in time weaken geographically-based bonds. However, few signs of such weakening are apparent from the Round 1 Consultation. Members have always identified with their Branch, but the linkage appears to be even stronger now than in the past.

One reason for this appears to be that members have been distanced by the actions of the ACS national office in recent years. They generally perceive their Branch as the deliverer of value to them, and as the conduit for their voice. Particularly in Queensland, members endorse the effectiveness of Chapters as the means whereby regional activities are stimulated and run.

Many members say they have experienced a decline in the services available to them. The (necessary) switchover to webinars and video-conferences during the COVID period has not been the issue. Indeed, they welcome the increased reach that comes with networked media enabling access to, and in some cases participation in, events occurring outside the member's own Branch. Several members commented on the value this has delivered them during 2020 and 2021.

The more significant factors in the perception of a decline in services appear to have been:

- the disappearance of SIGs;
- the reduction in events, arranged by local Branch members, with a strong focus on professional and social networking; and
- in some Branches, the disappearance of a monthly open meeting and the imposition of charges for events.

Members expressed an overwhelming desire for not merely the retention of the Branches, but also their un-glueing, rejuvenation and re-empowerment. One member sums up this viewpoint:

> "The role of branches should be enshrined in the future constitution, clearly spelling out the relationship between the elected members of the Branch BEC and the salaried Branch Manager"

Those familiar with BEC operations are concerned about Branch funding arrangements, seeking:

- an end to the current, inflexible budget model; and
- the inclusion in budgets of discretionary amounts for projects that focus on professional members, and take advantage of opportunities emerging during the budget year.

2.   ACS Activities

This section outlines members' views on the Society's values and the Society's activities, commencing at the abstract level of mission and purposes, then drilling down to its key functions.

Members see the values, mission and purposes as underpinning all ACS activities, and needing to drive decision rationale, and to be the standard against which performance is measured.

2.1   Values

The foundational value of the professional Society is commitment to the public good, by means of the promulgation of professionalism in the field of ICT, and the provision of services to members and the public, in order to promote and further that professionalism. Members recognise the centrality of this value, as expressed in the first two paragraphs of the ACS Code of Ethics:

1.   The Primacy of the Public Interest
Place the interests of the public above those of personal, business or sectional interests.

2.   The Enhancement of Quality of Life
Strive to enhance the quality of life of those affected by your work.

Concern is expressed by members that these precepts are not embedded in the constitutional document, and neither is the current set of Objects, nor the Society's mission, purposes and key functions that deliver value. This is seen by some members as having been instrumental in a drift in the ACS's behaviour away from the essential commitments of a professional society towards the mind-set of a commercial organisation.

The recent dominance of this mind-set is perceived by many members to have caused the departures of many disillusioned now ex-members, and pushback from remaining members. They perceive corporatisation as representing the abandonment of the Society's values.

The hosting of industry associations concerns many members, because such associations inherently prioritise the interests of profit-making companies over the interests of others, which is in direct conflict with the Society's obligations. One member raises the question as to whether, when the Society acquired industry associations, it required them to adhere to the Society's values.

2.2   Scope, Mission and Purposes

Discussion of the use of 'information and communications technologies' (ICT) to define the Society's scope identified multiple considerations. The dominant feeling was that, given the absence of any better alternative, ICT should continue as the, or at least the primary, scope-defining term.

The flavour of the current 'Primary Object' (or mission), "to promote the development of Australian information and communications technology resources", was somewhat unsatisfactory to many members. One proposed formulation for the ACS Mission is 'The advancement of ICT technology and practice for the benefit of the community' and another 'The ethical and positive use of computers and information technologies to improve society'.

At the level of 'Secondary Objects' (or purposes), the proposal was advanced that, because of the centrality of professionalism, Society activities must be strategically aligned with the ACS Professional Division Membership. This implies the need for something of a re-set of priorities.

2.3   Key Functions

A wide array of key functions of the Society was discussed. There is very widespread agreement that the mission of advancing computing, information and communications technology and practice leads to the most central functions being:

•   the accreditation of courses and institutions;

•   validation and certification of individuals' education and expertise; and

•   professional education to assist in achieving the necessary levels.

Members emphasise the importance of far more agility and flexibility in relation to:
- pathways for achieving certification as CT/CP;
- integration with industry certification;
- constructive approaches to the 'micro-credential' notion; and
- recognition of Rapidly-emerging specialisations.

It is recognised that these depend on the development, extension and maintenance of the quality of the ACS Core Body of Knowledge for ICT Professionals (CBOK).

Other comments by members about key functions are as follows:

- **Skills assessment and ICT career-entry priorities** are perceived to be heavily committed to revenue-generation and hence immigrants, and to be failing the needs of people in Australia.

  Weaknesses include inadequate support for student members, and insufficient emphasis on the need for employers to step back up to the plate and train their existing employees;

- **Mentoring** is seen as an important element at both entry and higher levels;

- **Networking aspects of professional development activities** are a key function, not a mere side-effect, and some purely social networking activities are also appropriate.

- It is important that coordinated input by professional members be provided to the more important **technical committees of Standards Australia and IFIP**, with reimbursement of expenses available to contributors;

- Whereas few members voice support for **the operation of incubators**, multiple members argue that **innovation** should be supported, by direct grants and by education and standards activities, undertaken in conjunction with universities, governments and industry;

- The enormous value of **SIGs** is mentioned in many different contexts, and their demise is deplored;

- Particularly in the less-large Branches, **EdXN and other visiting speakers** are highly valued;

- A failure to sustain **strategic alignment of the organisation with the professional membership** is evidenced by steep decline in professional membership, associated with the allocation of the increased surplus being applied for purposes other than professional matters and member services;

- The **gifting of gratis associateship to employees and tenants** is highly inappropriate, and devalues professional qualification;

- The absence of **a threshold for Associate membership** is criticised by many members, who argue that voting rights in a professional society must be limited to professional members;

- The absence of **an under-16 'student member' / 'cadet' membership category** is a missed opportunity to attract participation in the mid-High School years;

- **The publication of position papers** is an important activity. These need to be developed by or at least coordinated by professional members, to support public statements on policy issues and public policy input to governments, both directly and via peak bodies;

- Public policy input needs to be complemented by **digestible information for the general public**. This needs to embody a strong ethical perspective that emphasises ICT's use to improve people's lives at personal, organisational and societal levels, with a particular focus on the quality of public-facing systems, and their security in the widest sense;

- **Volunteering by ACS members** is seen as a key function that is missing from the list and that appears not to be supported by ACS. This is important in post-emergency contexts such as bushfires and floods, and perhaps also ongoing contexts, e.g. for those with disabilities and the socio-economically disadvantaged. Support is needed in such forms as communication channels, coordination and facilitation (e.g. through insurance).

3.   ACS Business-Lines

The ACS has many key functions to perform. The term 'business-line' is used here to refer to additional activities, which have as a major purpose the achievement of surplus.

3.1   The Principles

Members want business-lines to be consistent with ACS values, mission and purposes, and hence ACS activities must be directed to the public good. In addition, in order to facilitate professionalism, the interests of members need to be addressed. As previously mentioned, one member argued that the principle of 'strategic alignment with the ACS professional membership' needs to be applied, in order to recover the appropriate focus.

Members expect business-lines to be entered into for the prime purpose of supporting the professional activities of the ACS, by generating surplus that can be applied to ACS's key functions, or otherwise providing material benefits to society or the ACS membership. The function of business-lines is not to prop up loss-making business ventures. There is also an expectation of transparency to the membership about where the Society's surplus is allocated.

Members suggest that some forms of business activity that might generate surplus are natural for ACS, and other activities are consistent with professional society values, or at least neutral. Some, however, need to be avoided, because they are inconsistent with the Society's values, mission or purposes, or conflict with key functions.

When ACS considers commencing or acquiring substantial business-lines, members want protections to exist against the pursuit of agendas that do not align with that of the ACS. Members are far from satisfied that any governing committee with inadequately-controlled power can be trusted to make major decisions about new business-lines in the absence of:

*   clarity about the evaluation criteria to be applied;

*   assurance that those criteria are actually being applied;

*   adequate transparency about the initiatives being considered, in advance of the decision;

*   meaningful engagement processes; and

*   effective accountability mechanisms, so that safeguards exist against inappropriate initiatives.

Some members believe that sufficient constraints can be established within the constitutional document, but other members are sceptical about that proposition.

A number of members argued that business-lines need to be clearly separated from the Society, e.g. in a separately-managed subsidiary subject to governance under ethical investment principles. The purpose of this is to avoid both business-lines becoming the raison d'être for the Society's existence, and exposure of the Society to reputational damage or monetary loss.

3.2   Innovation, and ACS Labs

Members agree that ACS should support innovation. The issue is how this should be done.

In relation to direct involvement by ACS in the IR&D and commercialisation pipeline, a majority of the members who commented are dubious. Because innovation is consistent with the Society's values, it could be considered even if it is a reliably breakeven operation, but not if it is materially loss-making. If incubators or accelerators were a business-line that generates surplus, more respondents might favour ACS operating them; but, even then, arguments are made for:

*   a transparent engagement process to be conducted with members prior to launch of such a business-line;

*   the Division to be aligned to providing benefits to members;

*   structural separation from the main body of the professional Society; and

*   operational results to be transparent to members.

As it stands, the dominant perception is that Labs Division is a value-added form of real estate management that should be performed primarily by universities, business organisations and government organisations that can share their resources and, importantly, can capitalise on the interaction with start-up innovators.

3.3   Industry Associations, and ADMA Division

There was widespread agreement that ACS needs to have engagement with industry associations and constructive relationships with them, but the dominant view of those commenting on this aspect was that ownership was not appropriate, with a majority of those members arguing for divestment, but in a responsible and orderly manner, ensuring transitional arrangements are made to sustain value of all kinds for all participants.

From the consultation as a whole, it is clear that most members feel strongly that ACS is a professional membership-based society of people, and not an organisationally focussed association. Further factors giving rise to the considerable opposition to the inclusion of industry associations within the Society are:

- the potential conflict between organisational values and missions;
- doubts about whether industry associations are able to provide benefits to ACS members; and
- scepticism about financial viability.

However, a minority of the contributors on this topic would accept industry associations within ACS, provided that:

- they are maintained at arm's length (although what this means has not been clearly defined);
- they provide benefits to ACS members, such as professional development included within membership fees or available to members at low cost; and
- the cost to ACS is small.

More members might accept industry associations within ACS if the associations were required to subscribe to adherence to the Society's values and Code of Ethics. This would, however, involve them prioritising the interests of the public over the interests of the companies participating in the association.

The suggestion was made that ACS develop and operate an 'association as a service' platform, delivered through an ACS subsidiary, for fee, with industry associations as clients.

4. ACS Internal Structures

This section addresses members' views on governance, national structures and regional structures.

4.1 Governance

Members noted the need for the new constitution to provide:

- much-improved accountability by the Management Committee;
- far more delegation of powers and funding to groups of members; and
- associated accountability measures.

The term 'groups of members' is intended to encompass not only Boards, national committees, task forces, working groups and SIGs, but also Branch committees, sub-committees and SIGs.

As part of the necessary checks and balances, members called for the Objects, the Mission, the Purposes and the Key Functions of the ACS to be embedded in the constitutional document.

4.2 National Structures

The reduction to three Boards in 2016 is argued by one member to have been a regressive step. The member further argues that there need to be more Boards, each of which:

- has sufficiently specific scope to enable it to achieve focus;
- has authority to act within its defined area, as a Committee of the governing committee with defined delegations, rather than merely being advisory in nature; and
- is a working board.

Given that the breadth of the Society's scope is enormous and growing, and specialisations are continually changing, it challenging to establish and retain effective coverage of all areas. Members see collaboration as the means to address the need for specialisations.

Widespread support exists for the notion of ACS being an umbrella organisation. However, concern is voiced that:

- sub-organisations need to be professional, and serve individuals not organisations; and
- the risk of drifting away from the nucleus of ICT must be carefully managed.

Some members perceive that the broadening of scope to embrace relevant managerial topics has been accompanied by a softening in technical offerings, and impregnation with marketing-speak. The focus on the core (BOK, accreditation requirements, industry standards) needs to be sustained.

Members perceive ways to support non-core areas as being:

- constructive partnering with compatible professional societies, e.g. by means of:
  - MoUs;
  - cross-accreditation of professional education offerings;
  - discounted joint memberships of two or more professional societies; and
  - co-branding of events;
- hosting of compatible professional organisations, e.g. as National SIGs; and
- enabling of the organic proliferation of self-organising groups within ACS, especially as Branch SIGs and virtual communities-of-interest or -practice.

To achieve this, members want the ACS to be organisationally a great deal more agile, and to overcome the current deficit in its internal ICT so as to efficiently provide convenient and effective service-bundles designed to meet the needs of National SIGs, Branch SIGs and virtual communities.

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4.3   Regional Structures

Most of the members who participated see members as being the reason the Society exists, and the Society's priority, and, as noted earlier, most members strongly identify with their Branch.

4.3.1 Branch Authority

Whereas members' contributions to national activities are appropriately made through national committees, the feeling among the members who contributed was that Branch committees:

•   know their local community;

•   have the agility to respond to local needs;

•   are close to State and Territory governments; and

•   are close to professional societies, industry associations and educational institutions within the particular jurisdiction.

As a result, the Branch is seen as the part of the Society that members relate to, a primary source of events, activities, mentoring schemes and other services relevant to local members, and the primary conduit for members' engagement with ACS. In smaller Branches in particular, active participation of Branch members is necessary for these activities to happen.

ACS's federated model reflects the national model, and members aware of changes made in recent years argue that ACS must honour the provisions in the Rules.

Reflecting those perceptions, members call for devolved responsibility to Branch committees, and to Chapters and Branch SIGs, within a national framework. Those members see grass-roots agility, innovation and value-added activities at Branch level being enabled by financial and other delegations to Branch committees

Members see it as essential that decisions can be made by Branch committees. It is acknowledged that Branch committees must be accountable for their actions and their use of funds; but members see requirements that activities be predicted 3-15 months ahead as being impracticable, and as hindering effective member engagement. Budget creation is seen as a necessarily joint exercise, not as an imposition from above. Members perceive the centralisation of the last few years as having undermined member morale, and argue for discretionary funds within Branches to enable them to serve their members effectively.

One member put the view that members should be guaranteed a minimum level of uniform service, despite the small size of some Branches and Chapters. This requires cross-subsidies from the Branches that operate at considerable scale across to less densely-populated regions.

4.3.2 Branch Relationship to National Office

The members gave strong support for clear definition of responsibilities between Branch committees, Branch Managers and National Office, with far more devolution of power to Branche**s.** Multiple members say they want Branch managers and staff to work in support of Branch committees, within a national context, and not to direct Branch members.

A commonly-held view was that there is a disconnect between the needs of Branches and the orientation of ACS staff. An example that was cited was the prevention of committees from contacting their local members directly.

Matrix management, based on trust, collaboration and communication, is seen as an established technique that works in organisations of the size and degree of dispersion of the ACS. Members argue that a matrix management approach needs to be adopted, and reflected in re-worked job descriptions and KPIs.

4.3.3 Chapters and Special Interest Groups

Particularly in Queensland, Chapters are seen as vital to providing services to at least regional, rural and remote areas. They need Branch support. Further, some members argue that well-established Chapters need funding, with a budget and power to themselves initiate projects and activities, with oversight. North Queensland Chapter deplores the expropriation by national office of its hard-earned reserves of $10,400.

SIGs are seen by many contributing members as relatively informal organisational units that support professional and social networking, and information access and interchange, in a specialised area. SIGs have typically been oriented towards real-world / face-to-face activities, particularly addresses and panels with invited speakers, demonstrations and site-visits. Electronic channels have historically tended to be an adjunct rather than the heart of a SIG. Alternative terms are 'communities of interest (CoI)' and 'communities of practice (CoP)', and these may emphasise electronic channels more strongly than the conduct of events in a single location.

Members noted that SIGs offer benefits not only to members, but also to the Society as a whole by:

•   acting as seeds of structures within ACS that reflect new specialisations;

•   spawning additional pathways to CP;

•   providing a basis for the establishment of a National SIG; and

•   being a vehicle for formalising collaborative relationships with other suitable organisations.

Many members deplored the abolition of most SIGs in 2016-17. That destructive action is associated by many with the collapse in membership that has occurred during the last 5 years, with one arguing that it was emblematic of the manner in which the centralisation and bureaucracy has lost track of Branch members as people.

Members are convinced that SIGs need to, once again:

•   be a key feature of Branch activities;

•   be supported by modest in-kind and financial budgets;

•   be welcoming of prospective as well as current members; and

•   be authorised to work collaboratively with other organisations.

Some members underline the importance of an ACS platform that provides SIGs **and communities of interest with a** self-managed Web-presence, membership management, and communications services.

5.   The ACS Governing Committee

This section draws together members' views on the governing committee, its membership, electoral structures, who has the right to vote, the powers of the governing committee, and means to ensure transparency, engagement and effective accountability, particularly of the governing committee and of the CEO (to deliver trustworthiness by the membership), and of other committees and staff (to ensure governability).

To sustain neutrality and avoid confusion with existing usages within the ACS Rules, the term 'governing committee' is used rather than 'board', and 'governing committee member' rather than 'director'. The term 'groups of members' is used to refer to the many forms that a 'committee' can take and the many names that can be applied to them.

5.1   Composition

Members see the governing committee's size as needing to be sufficient to achieve a spread of expertise, and to enable turnover without losing corporate memory, but without being unworkably big.

Many members argue that the CEO of a member-based and member-serving organisation should not be a member of the governing committee, but should have full rights of attendance and participation in the committee's activities.

Regarding eligibility to stand for election, there is a distinct preference for all Professional Division members to be eligible, but no other categories of member. The restriction of nominees to a narrow elite is strongly opposed, whether through constitutional provisions or a nomination committee.

However, members recognise the need for candidates to emphasise their qualifications and experience relevant to governing committee work. Support exists for ready access to opportunities to acquire experience through lower-level groups of members, and appropriate training courses.

Some members spoke approvingly of providing scope for a large majority of elected members to be able to be supplemented by a small number of suitably qualified external directors, but only in order to address any weaknesses in the committee's expertise matrix.

5.2   The Electoral Scheme

Multiple contributing members see the need for measures to avoid dominance by the largest Branches, and by the largest capital cities. That problem is seen as inevitable if a simple scheme of one-professional-member / one-vote were to be adopted. Many members want the scheme to include both protection for and empowerment of Branches generally, but also for protection of smaller Branches against larger Branches. This results in a leaning towards a hybrid voting model, partly the conventional single-electorate, one-member/one-vote, and partly an 'electoral college' model. Some prefer a wholly 'electoral college' model, maintaining something like the present designed-in bias in favour of smaller Branches.

Multiple members want measures in place to address the risk of staff having a disproportionate impact on election results, particularly given the conflict of interest inherent in being both an employee and a member, and the scope for staff to be influenced by the CEO and governing committee members, and mobilised in favour of or against particular motions.

5.3   Effective Accountability Measures

The majority view of contributors is that, for the professional society, conventional corporate governance norms represent a constraint to be taken into account, not an objective. A key requirement of the governance structures and processes is that trustworthiness of the governing committee is assured by placing appropriate powers in the hands of the membership. Members want influence well beyond merely voting for members of the governing committee. That can be achieved by establishing several layers of regulatory measures.

Multiple members support the argument that the constitutional document needs to embody the standards against which the appropriateness of decisions of the governing committee are assessed. This includes the Society's mission, purposes and key functions; the Code of Ethics; and the principles for determining the allocation of surplus.

Transparency is seen as the most basic requirement, and its absence as being a major reason for the recent collapse in trust. Members want the culture of information suppression to be overcome, and the norm of late, vague and even no responses to questions replaced by sensible answers to sensible questions. Beyond communication, **Explanation** of the reasons for decisions is essential.

The next level is **Engagement**, which members want to feature meaningful opportunities to provide input, and to see that it is reflected in the decision-making process. In the case of significant initiatives, explanation and engagement are seen as being essential <u>prior to</u> the governing committee entering into commitments. Within this layer, one member proposed a key governance mechanism as being the capacity of each Branch committee to pass **a motion of concern**, or **a motion of serious concern** – the first category being communicated to the governing committee, and the second category being communicated to the membership generally.

Some categories of decision are seen as being sufficiently important that they warrant **Endorsement or Ratification** by the membership, by (electronic) vote of the Professional Division members. This is at the level of 'strong advice' by the members, i.e. a plebiscite. Some categories of decision, with particular reference to membership grades and the Code of Ethics, are seen by some members as requiring **Approval** by the membership (by electronic vote), equivalent to a referendum.

The uppermost-layer regulatory measure is the well-established mechanism of **a Motion of No Confidence in the governing committee**, **as the mechanism of last resort**, with the previous governance features intended to be sufficient to achieve the resolution of issues. The consequence of passage of such a motion is a spill of positions and the entering of caretaker mode pending the completion of the election process.

Proposals were put that the proportion of the membership needed to trigger consideration of a Motion be readily achievable, and that any two Branch committees can trigger a General Meeting.

Members want **the Minutes of governing committee meetings** to be published, including information about initiatives under discussion, such as new business-lines. Members acknowledge the need for a small minority of details to be recorded in an unpublished section of the Minutes.

5.4   The Matters of Greatest Importance to Members

Contributing members acknowledge that there are hard choices to be made about which things are to be delegated to the governing committee by the membership, versus published-to-members-in-advance, versus consultative-with-plebiscite, versus put to determinative-member-vote / referendum.

As regards which matters and/or documents need to be strongly influenced by members rather than delegated to the governing committee, those most frequently raised were the Society's mission, purposes and key functions; the Code of Ethics; membership arrangements, grades and eligibility requirements; major initiatives, particularly those relating to business-lines; and powers and resourcing of Branches and Chapters.

5.5   Delegation to and Accountability of Groups of Members

Appropriate separation of powers between groups of members and employed staff is seen as being important, with strategy and policy delegated to groups of members rather than staff, and with groups of members supported by staff and not directed by them. Operational matters, on the other hand, need to be delegated to staff rather than groups of members.

Members see the need for delegations to groups of members to be anchored in the constitutional document, and to facilitate decision and action by delegated groups rather than impeding them and even reducing them to mere advisory roles, as current arrangements do.

Members also want delegations to Branches to be embedded in the constitutional document. Matters that came to attention during consultations are leadership of interactions with State and Territory governments and agencies; direction of strategy and policy aspects of local activities and programs; budget management, with a discretionary component to ensure agility; the direction of local staff, consistent with policies set at national level, and workplace law; and management of regional PPP partners.

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Conclusions

This Report has summarised the input of 160 members submitted through multiple channels, some of them written submissions, others verbal comments in live, video and hybrid events, plus hundreds of typed comments in asynchronous but interactive mode in an online forum. There was diversity, but also a great deal of commonality in themes, sentiments, and specific points made.

The discussion was about **what principles should drive the development of a replacement constitutional document for the professional society**. Structure was provided by means of a Consultation Document and a Question List, but it was made clear that these were intended as conversation-starters, not as a means of limiting the topics of conversation. Some input did indeed go beyond the structure provided, but by and large the suggested structure provided a framework satisfactory to the participants.

The nature of the comments fell into several categories:

- In some segments, members' input was confirmatory of the *status quo*;
- in others, members suggested some modest adaptations;
- In multiple segments, however, disappointment and disgruntlement and in many cases serious dissatisfaction with the changes in the Society over the last 5-10 years resulted in demands for:
    - the reversal of practices that have been imposed, and that members see as being in breach of the spirit and even the letter of the current Rules; and
    - new constitutional provisions significantly different from those that are currently in place.

Our Profession, Professionals and the Professional Society

The first section of the Report addressed the ongoing importance of the Society, its orientation towards people as members, and its commitment to members and thereby to society as a whole. Members note the challenges involved in the formation of public policy. Also of considerable concern are clusters of matters relating to membership grades, and to the crucial role of Branches.

ACS Activities

The second section called for values, mission and purposes to underpin all **ACS activities**. Members highlight many of the Society's key functions as requiring attention, and the need to recover strategic alignment of the organisation's priorities with the professional membership.

ACS Business Lines

In the third section, members identify the principles that they believe need to determine what additional activities are undertaken. Central among them is the requirement that they generate surplus that can be applied to the key functions. Whereas innovation needs to be supported, many members do not accept incubators as being an appropriate business-line, unless it is fully-funded. As regards industry associations, engagement with them is seen as being important, but hosting them is seen as generating a serious conflict between the professional Society's values and those of advocacy organisations for corporations' interests.

ACS Internal Structures

In the fourth section, distrust in the previous governing committee as a result of its behaviour c. 2017-2020 results in calls for far greater and far more effective accountability mechanisms. In addition, the need is expressed for winding back of the dominance of the CEO and staff that developed over the last decade, which has muted member contributions.

On the other hand, guarded enthusiasm exists for the recently-emerged ideas concerning ACS as an umbrella organisation. Constructive partnering with other professional bodies, hosting of others, and the enablement of organic emergence of internal professional groupings, are all welcomed. However, this initiative needs to be accompanied by the replacement of ossifying bureaucratic processes with delegated decision-making and agility; and supporting IT platforms are needed.

Many members feel strongly that regional structures need to be freed up and empowered. They say that Branch committees need delegations and flexible budgets, and that staff arrangements need to

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be adapted to a matrix organisation that reflects the Society's joint national / regional nature. Chapters need be encouraged, and SIGs need to rise from the ashes of their predecessors.

The Nature of the Governing Committee

In the fifth and final section, members identified a cluster of features that the next Consultation Round needs to pay careful attention to, including eligibility for election as a member of the governing committee, the electoral scheme, and means of ensuring transparency, engagement, and actual, enforceable accountability by the governing committee to the membership. Only if such features are architected and engineered-in will members have confidence that the Society can no longer be subject to the threat of being re-purposed away from its role as a professional society.

Looking Ahead to Round 2 of the Consultation Process

The 2021-22 constitutional change process is different from that of 2018-19 in several ways: It is driven by members; it starts with requirements analysis rather than design; it involves active consultation, across three rounds, and reflection of previous input in the next round; and its focus is on a reformed constitution not on the form of incorporation.

For these reasons, the term 'CLG' was mentioned only in the introductory paragraph of the Consultation Document, and the main body and the question list did not refer to it. Despite this, the online forum featured active discussion of the topic, most of which was irrelevant to the 'principles' theme addressed in this Round – but which will be fed into the Round 2 process.

However, one aspect of those discussions was very relevant. There is considerable contention regarding whether a CLG Constitution by its nature denies members any meaningful control over the governing committee. Some quotations from the online forum that encapsulate the discussion are:

> *"What I'd like to see is a debate on what we want the ACS to be and how it should be governed, and then what should go into the new Constitution to implement those agreed elements ... a robust debate about what governance structure we want to have and then to embody that in a new constitution ... Under a properly designed new [CLG] Constitution, the internal governance arrangements of the ACS can be established in any way desired ... [conversion to a CLG] can't be an issue if the Constitution reflects what members want the ACS to look like"*
> *(past ACS President and senior lawyer, NSW)*

> *"No exemplars of Constitutions for CLGs have come to light that assure their members of adequate control" (senior member and company chair, Cbr)*

> *"The constitutional questions must not be jammed into a CLG framework until and unless the membership is satisfied that, for good reasons, that form is to be used" (senior member and not-for-profit deputy chair, Vic)*

> *"We should concentrate on getting the new constitution fit for purpose ... We should adopt a new constitution and evaluate its operational impacts on ACS governance and management before we revisit the need to transition" (senior member and company chair, Qld)*

The common ground among the disputants is that **both the requirements analysis (this first Round) and the conceptual design (in Round 2) should proceed without consideration of the opportunities and constraints inherent in a CLG Constitution**. That can be deferred until the third Round, by which time the key features that are necessary to satisfy members' requirements will be reasonably clear.

The next step following this Report back to Members is the use of the members' input, combined with knowledge of the design of constitutional documents, to identify a set of features that the new constitution likely needs to specify, together with alternative forms those features might take. The Working Group will then develop the Round 2 Consultation Document. It is currently anticipated that Round 2 will be launched at the beginning of February 2022, and run for 5-6 weeks into March.

The Constitutional Reform Working Group members thank ACS members for their energetic contributions to Round 1, and look forward to further constructive discussions next year, to enable the emergence of the Society's new constitutional document.