**Australian Computer Society**
**Constitutional Reform Working Group (CRWG)**
**<u>Annex 2:    Analysis of Members' Input Following Round 2</u>**
30 March 2022

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The input provided by members during Round 1 in October-November 2021, and during Round 2 in February-March 2022 was encoded and consolidated into a single source-file, CRWG2-RptAnnex1.

That input was then analysed and summarised.

This Annex contains the output from the analysis and summarisation process.

It contains the 68 elements, in the same sequence as the Consultation Documents.

For each element, it provides:

- a page containing a Summary and Implications;  and
- the source-material, with the passages that the analysts saw as being most significant highlighted in yellow.

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## 0.    Common Themes

The following assumptions, which were widely held among the participants in the first consultation round, are relevant to many of the elements:

(1)    The organisation is a professional society;

(2)    The professional members are central to the Society;

(3)    Statements of the Society's mission, purposes, and perhaps also its key functions, need to be embedded in the constitution, with the Society's activities required to be both driven by and constrained by them;  and

(4)    The form of incorporation is not a major consideration in Round 2, with common ground in Round 1 discussions being that the discussion of elements should proceed without consideration of the opportunities and constraints inherent in the Constitution of a company limited by guarantee (CLG).

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Name:   Roger, Jo

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### 1.1.1 Embedment of the Society's Nature and Values in the Constitution

**Summary**   (50-100 words)

Responses were strongly in favour of the ACS being, and continuing to be, a professional society, of professionals, governed by professionals, for professionals and the public:  "ACS is a professional society, and needs to stay that way".  Members see the Society's nature and values as underpinning all ACS activities, driving decisions, and setting the standards against which performance is measured.

Many responses supported 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 perhaps also key functions;  the Code of Ethics;  and the principles for determining the allocation of surplus.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

There are strong leanings among the membership towards embedment of the following elements of the Society's nature and values in the constitutional document:
- a declaration that the ACS is a professional society;
- a declaration that the ACS comprises professional people;
- a declaration that the ACS is governed by its professional members;
- a declaration that the foundational value of the ACS is the public good;
- the Society's mission (cf. the current Principal Object);
- the Society's purposes (cf. the current Secondary Objects);
- the Society's Code of Ethics;  and
- a declaration that the ACS must apply the values as expressed in the constitutional document to all of its decision-making.

There is a desire for the following to be elements to be either (a) in the constitutional document or (b) in a By-Law, which is subject to member approval or member ratification:
- the process whereby the expression of the Society's nature and values (mission, purposes, Codes) are reviewed and proposals for change developed;  and
- principles for determining the allocation of surplus;
- the Society's Code of Professional Conduct;
- the Society's key functions.

The following Elements 1.1.1(a) to (f) provide further detail.

This intersects with s.5.4.5-6 and s.5.5.1-2.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

## 1.    ACS as a Professional Society

### 1.1    Nature and Values of the Society

*In the terms of the Australian Council of Professions' definition of a profession, the members who contributed in Round 1 ==strongly support ACS being and continuing to be a professional society, of professionals, governed by professionals, for professionals and the public:  "ACS is a professional society, and needs to stay that way"==.*

*==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==.  References were made to ACS needing to 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==.*

*One member expressed concern that the Society is taking no concrete actions in relation to reconciliation with first nation peoples, despite the bias embedded in 'big data' analytics techniques.*

*ICT Professionals play a role in shaping the future of the country and they need a strong ethical perspective which emphasises that technology is used to improve people's lives at personal, organisational and societal levels.*

### 1.1.1 Embedment in the Constitution

*==Members see the Society's nature and values as underpinning all ACS activities, driving decisions, and setting the standards against which performance is measured==.*

*==The reference-point is the commitment of the professional Society 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==.  That is underlined in the first two paragraphs of the Code of Ethics:*

### 1.    The Primacy of the Public Interest

*You will place the interests of the public above those of personal, business or sectional interests.*

### 2.    The Enhancement of Quality of Life

*You will strive to enhance the quality of life of those affected by your work.*

***There is concern among members that these precepts are not embedded in the constitutional document, and neither are the Objects, or in more contemporary language the Society's mission, purposes and key functions***.  *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 corporation.*

*Although two responses argued in favour of at least some aspects of that drift, a majority saw it as driving departures of disillusioned now ex-members, and pushback from remaining members, who perceive the CLG notion as corporatisation and with that the abandonment rather than the embodiment of values.*

*==Multiple members supported 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 perhaps also key functions;  the Code of Ethics; and the principles for determining the allocation of surplus==.*

A positive and prominent way in which those values can be projected is by their direct expression in the constitution. Alternatively, they might be expressed in some other document that is easier to amend than the constitution, or in an informal manner such as on a web-page.

Here are some examples of elements that members may wish to be embedded. The expression **'embed in the constitutional document'** is used. The advantage of doing so is that the governing committee is then bound by the provision;  but the disadvantage is that such provisions are difficult and slow to modify, because they require long notice of a General Meeting, and a 75% majority of those voting.

A softer form is available, which is to **'embed in By-Laws'** (of which the current ACS National Regulations are an example), and then specify in the constitutional document the authority required for changes to the By-Laws.  That authority can apply generally, or to specific By-Laws dealing with particular matters. These powers can, for example:

- be delegated to the governing committee; or
- require ratification, or approval, by the professional membership, which can be:
    - through online voting, with an approval threshold of 50%; or
    - at a General Meeting, with an approval threshold of 75%.

**Members' views were sought on which of these mechanisms are most appropriate, and for which elements.**

### Event Reports

**Staff Event #1 – 2 Mar 2022:**

**Helen**: Is the constitutional review process taking future-proofing into account?  And is there a mechanism envisaged to ensure constant review?

**John**:   In reviewing the Questions, I struggled with the question of whether I wanted a lot of these things in the constitution or elsewhere.  Things in the constitution are locked-in, and hence slow and challenging to change.

**Roger**:  Agreed, and we very much want to hear about which items are particularly problematical if they're baked into the constitutional document.

Members are saying they want a lot more assurance of protection against what they see as MC and staff running away with their Society.  One way they see to achieve that is by locking key things into the constitutional document, and assessing MC's performance against those requirements.

But members (generally) recognise that baked-in provisions directly conflict with their desire for more agility.

The more that the members have the power to haul in excesses, through more effective forms of accountability (see ss. 5.1, 5.4 and 5.5), the less they will logically demand be baked into the constitution.

**Tas BEC and Branch – 9 Mar 2022:**

**Jonathan:**  I'm interested in how balance is to be achieved between embedment in a constitutional document that's slow to change, and how to use By-Laws or similar to achieve flexibility and agility.

**Answer**:  The more confidence there is amongst the membership in the _effective_ accountability of the governing committee, the more that can be kept outside the constitution, and in By-Laws.  The confidence can be achieved with the right mix of embedment in the constitution of values that the GC must respect (section 1), plus the right mix of accountability mechanisms (section 5).  We need input on those.  Jonathan supportive.

**Ray**:   I support a not-too-large constitution, to embed values, and deliver legal structures and governance;  plus the structure for reporting to members;  but with a lot in the By-Laws for agility / flexibility, e.g. in relation to the strategic plan and other documents that are necessary at that level.

### Submissions

**Brian Falk  –  Thu, 17 Feb 2022 19:49:04 +1100**

Comment: I am a new student member (studying Master of Cybersecurity @ UNSW) and intend on eventually upgrading and maintaining my membershipas I transition into my career and progress through it.

As an organisation representing professionals that come from all areas of society, I think that the ACS Constitution and policies must ensure that the Society maintains impartiality in all of its activities. It should offer unbiased factual information and professional assessments to members and stakeholders, and ensure that personal opinions do not compromise the organisation's impartiality.

Without limiting the ACS's ability to contribute to bettering the Australian ICT environment, the Constitution should see the ACS avoiding involvement in controversial subject areas, letting its actions speak to its values, rather than taking actions that may be viewed as compromising its impartiality.

## Forum Entries

### Shane Moore   Feb 3   #107

Comment:  To remain registered with the ACNC, it should make clear the manner in which the ACS considers itself to be a charity (which may be helped by its statement of purposes being clear).

### Allan Baird   Mar 8   #377

Comment:  I believe that MC FAILED to apply 1.2.6 d and f when it came to the attempt to hijack the ACS.  MC and the CEO should have all resigned based on their actions when this whole debacle started,

### Ann Moffatt Mar 8   #405

Well said allan.

### Alex Reid    Mar 9   #419

Comment:  The Constitution should assert that there should be a Code of Ethics, who is responsible for maintaining it (an expert committee set up for the purpose), and that members (and the ACS itself) are expected to abide by it.  Maybe the key values on which the Code is based should be set out there (or else in a Values Statement, like a Mission Statement) - these are honesty, trustworthiness, respect for others, respect for the Profession.  See further comments in the discussion.

### Karl Reed    Mar 10   #456

Comment:  COE should be in Consititution and direct ACS decisions

As an example, the Engineers Australia Code of Ethics (COE) is bit long, but, could be used in ACS constitution with only fdiscipline changes. It's at a very high level. However, IMHO its not too long

https://www.engineersaustralia.org.au/sites/default/files/resource-files/2020-02/828145%20Code%20of%20Ethics%202020%20D.pdf

[ Forum Manager's Note:  ACS has an second-level document that expands on its Code of Ethics, called the Code of Professional Conduct.  But how well promoted is it?  And how well embedded in membership and professional development?  And when was it last reviewed for currency of language?

https://www.acs.org.au/content/dam/acs/rules-and-regulations/Code-of-Professional-Conduct_v2.1.pdf ]

Name:   Roger, Jo

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### 1.1.1a      Embedment of ACS as a Professional Society

**Summary**   (50-100 words)

There is very strong support among the membership for such a declaration to be included in the constitutional document, with an understanding that it acts as a motherhood, foundational statement.  Votes were 100% in favour.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to expressing this in a preliminary Nature and Values segment of the constitutional document.

However, for it to have any effect, it needs to be accompanied by a provision to the effect that the Nature and Values segment defines the criteria for evaluating the governing committee's behaviour.

**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 1.1.1a    Embedment of ACS as a Professional Society

In Round 2, members were asked:

**Do you want embedded in the constitutional document a declaration that the ACS is a professional society?**

**Event Reports**

**PAB  –  16 March 2022:**

The PAB strongly supports the declaration that the ACS is a professional society and only a professional society.

Note: Refer to the Australian Council of Professions definition of a profession and make the declaration that the ACS is the ICT professional society.

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, most definitely. It needs to be a foundational position around which everything else orbits.

**Web-Form Votes**

Yes  –  26;   No  –  0.

Forum entries:   Yes  –  0;   No  –  1.

**Forum Entries**

**Roger Clarke Feb 3   #9**

This is where to provide your input about whether the constitutions should contain a declaration that the ACS is a professional society.

You can <Reply> to any previous message, including this one.

You can post a message that starts a <New Topic> under this tag, by using the <Add Tags> drop-down menu to select the appropriate Tag (in this case #1.1.1a), and then typing in after the Tag a short title for the topic you're addressing.

Note that some posts in this area will contain just Yes or No, because they're responses sent directly from the Qestion List.

**Rupert Grayston   Feb 18   #311**

No.  I believe that ACS is a professional society and should remain so but I don't think that such a declaration would have any effect in a constitution. We have the design the elements of a professional society into the constitution and then it becomes so.

**Roger Clarke Mar 14   #623**

Rupert wrote:

> ... I don't think that such a declaration would have any effect in a constitution  ...

Fair comment;  but there's a way for it to be more than 'pious hope' / 'motherhood statement'.

In #5.4.1, at https://crwg.org/2/CRWG2-QnList.html#5.4.1, the question is asked:

Do you want the the appropriateness of decisions of the governing committee to be formally declared to be assessable against the Society's values, as expressed in its declarations of Mission, Purposes, Code of Ethics, etc.?

If the "etc." in that list includes the declaration that the ACS is a professional society, it becomes a criterion for evaluating the governing committee's behaviour.

Name:   Roger, Jo

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### 1.1.1b     Embedment of ACS as a Society of Professionals

**Summary**   (50-100 words)

There is strong support among the membership for such a declaration to be included in the constitutional document.  Voting was 76% in favour.

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to including this in the preliminary Nature and Values segment of the constitutional document.  It may be necessary to accommodate or consider the implications of member types when including this statement, i.e. what is an ICT professional?

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**Appendix:    Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**1.1.1b       Embedment of ACS as a Society of Professionals**

In Round 2, members were asked:

**Do you want embedded in the constitutional document a declaration that the ACS comprises professional people?**

**Event Reports**

**Queensland BEC Mon 14 Feb 2022:**

Paul:  The members who've been speaking have been strong on 'professional' association, and the industry they're associated with is irrelevant, i.e. ACS has only a small amount to do with 'the ICT industry' and everything to do with ICT professionalism wherever the person may perform their work.

Marilyn:  'The IT industry' is so broad that some people don't know that they're in it.

Beau:  We have to have our eye on what the future holds.  Professionalism – as measured by core capabilities – changes over time, so the bar can shift;  but it has to be high enough.

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes I do, but I'm not sure whether this is unnecessarily exclusionary to other existing members in lower membership grades? I agree we need to have a foundational statement about who we are, but if we're going to keep associates, then technically aren't they non-professionals?

**Web-Form Votes**

Yes  –  13;   No  –  2;   Other – 2.

**Forum Entries**

**Jack Burton Mar 9   #407**

Whilst I support the sentiment behind Q1.1.1b, I'm not convinced that "declaration that the ACS comprises professional people" is the ideal wording.  It sounds too nebulous.

Perhaps a better way to achieve the aim here would be:

1. yes to Q1.1.1a (declaration that ACS is a professional society) -- by definition, a professional society comprises professional people.

coupled with

2. Rules of the Society must make it clear that only members of the professional division get the right to vote (to have it any other way -- as we have done for the last decade or so -- is in effect to declare that we are *not* a professional society).

and of course

3. Guidelines for membership (or whatever replaces them -- this should also become a document that can only be changed with the consent of the Members in General Meeting, not one that can be dictated from on high as it is now) should make it clear that membership of the professional division is only available to membership of the Australian computing profession.  For example, currently membership of the professional division, at a grade of MACS(Snr) is available to people who have merely *managed* computing professionals, even if they've never worked in the computing profession themselves.  That is entirely inappropriate -- one would not expect the Royal College of Surgeons to award MRCS to a hospital administrator who had never been a surgeon, so why should the computing profession award professional status to someone who's never worked in computing?  Similarly, we need to return to a CBoK that's focussed on computing as the benchmark for professional membership.  The current benchmark (SFIA) is so broad that it is possible to map roles to it at the required level without actually including anything that's computing specific -- again, not appropriate for a professional society.

Name:   Roger. Jo

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### 1.1.1c      Embedment of ACS as being Governed by Those Professionals

**Summary**  (50-100 words)

There is strong support among the membership for such a declaration to be included in the constitutional document.  Voting was 88% in favour

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to incorporating this in the preliminary Nature and Values segment of the constitutional document.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

**1.1.1c      Embedment of ACS as being Governed by Those Professionals**

In Round 2, members were asked:

**Do you want embedded in the constitutional document a declaration that the ACS is governed by those professionals?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, as a foundational statement, that the society is bound to the members, I support this. I'm unclear what the practical mechanisms that need to be put in place are to implement this, maybe revisiting voting rights for members?

[Forum Manager's response:  See the accountability mechanisms discussion in s.5. ]

**Web-Form Votes**

Yes  –  15;   No  –  1;   Other – 1.

**Forum Entries**

No messages were posted.

Name:   Roger, Jo

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### 1.1.1d   Embedment of ACS's Foundational Value as the Public Good

**Summary**   (50-100 words)

There is strong support among the membership for such a declaration to be included in the constitutional document.  Votes were 95% in favour

However, there is concern about the effectiveness of measures to make it more than a mere aspiration.  In particular, there were calls for:

•     careful expression of the commitment, to avoid over-claiming and an air of unreality;

•     lobbying of industry and government to respect the principles and to not force their staff and contractors to breach them;

•     demonstration to industry and government that meeting end-user and public expectations is a key factor in project success;  and

•     moving beyond mere statements about ethical behaviour, to encourage and require active training, through vignettes and case studies.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to incorporating this in the preliminary Nature and Values segment of the constitutional document.

Consideration needs to be given to placing the feedback from members before the Professional Ethics Committee to include in their review of the ACS Code of Ethics

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**1.1.1d      Embedment of ACS's Foundational Value as the Public Good**

In Round 2, members were asked:

**Do you want embedded in the constitutional document a declaration that the ACS's foundational value is ==commitment to the public good, by means of the promulgation of professionalism in the field of ICT, and the provision of services to its members in order to assist them to develop, maintain and extend their expertise for application in the interest of others==?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, this sounds reasonable and might help clear up some confusion around interpretation about what it is that we're here to do.

**Web-Form Votes**

==Yes  –  18;   No  –  1.==

==Forum entries:   Yes  –  5;   No  –  0.==

**Forum Entries**

**Rupert Grayston    Feb 21   #338**

==Indeed we must!==

https://www.professions.org.au/what-is-a-professional/

**Patrick B     Feb 21   #344**

Long time watcher, first time poster. I had a look at the definition of 'A Profession' in the link provided by Rupert. The second par of that definition seems to be problematic in the context of IT given that IT as an industry is driven by a commodity sales driven culture, providing good advice and appropriate solutions comes a distant second. I've seen things in the last couple of years in the commercial sphere that I regard as unethical in the sense of promises made knowing that they would be difficult if not impossible to keep within the timeframes and been ignored. I'm a member of the ASC and presumably would be bound by such a code if one exists. On the other hand, I work for a big multi-national firm that wants me to participate in unethical behaviour so management can collect their bonuses. Of course I could go elsewhere to work, and I did and I saw sales yet again trump delivery and a lot of people on the client side who I thought had very justifiable angst. This was dealt with using a 'blame the victim' internal groupthink approach, the client's are being difficult when they are probably being reasonable. The bottom line is that until IT firms start acting like other professions then we as IT professional are largely rendered impotent. ==If the ACS was to adopt a new code of ethics then it needs to lobby industry to respect them.==

**Karl Reed    Feb 21   #345**

In principle, a strong CoE backed by a strong organisation coupled with regulated employment would protect you in the following way:-

1,    If you break the CoE, you may lose your membership,

2,    If you loose your membership, you lose your job.

Sounds draconian, but try getting your plumber/electrician to issue a safety certificate for work you did!

Generally, they wont because they can lose their licences to practice.

Similarly for lawyers and doctors and other people.

Some years ago, I was taken to a marketing meeting by ACS's marketing gut. I am talking abut 2003.

We went to a very large transnational bidding for defence contracts that required that engineers were members of a sanction-bearing code of ethics.

After we had sent some time explaining our CoE, the manager concerned pushed back from his desk and said that he was sorry but, he'd go with EA because the CoE was tighter and he knew that actually did sanction people.

And, the regulation of professions is a live issue!

Look at the Victorian regulation of engineering!

If we don't put our house in order, someone might do it for us  after some major disaster in which people die.

### Patrick B Feb 22   #347

"your plumber/electrician to issue a safety certificate for work you did"

 Yes, well, I haven't seen too many certificates issued for projects I've been involved in. Basically your "plumber/electrician" is false equivalence in the extreme. And I do understand the concept of being a certified practitioner, CPAs etc. There is no equivalent in IT outside of maybe infrastructure, it's nonexistent in application development. Last year I posted an article on LinkedIN about the mushrooming use of the term architect, there is no qualification required to call yourself (or more likely a recruiter putting you forward as) one of the many flavours of architect. I think you need to consider the contemporary reality of enterprise IT.  As I said, if the major IT firms respected a CoE then the world would be a very different place. Jeff Bezos would be poorer (but still very wealthy).

### Karl Reed     Feb 22   #349

You also in Victoria, cannot install security camera systems without a police check and a certification.

Engineering in some domains is now a regulated profession in Victoria.

https://www.dtf.vic.gov.au/engineers-registration-bill-2018#

https://www.dtf.vic.gov.au/sites/default/files/document/Frequently%20Asked%20Questions%20for%20the%20engineers%20registration%20scheme.DOCX

Here is my summary of the Vic legislation.  If the attachment doesn't work, I;ll post in my website where it can be down loaded. Is ACS prepared for this possibility?

While an acceptance test is not a certificate in the sense of an electrical safety certificate, it is still a formalized milestone.

Of course, there are problems with acceptance tests as well.

I object to the random use of the term "software engineer"

### Alex Reid Feb 22   #352

I'm very wary about embedding in the Constitution statements such as "the ACS's foundational value is commitment to the public good".  It looks good on the surface, but it's a bit like Qantas saying that their first priority is our safety - if it really were, then they wouldn't fly planes at all (though I concede that there are fewer injuries, etc from flying (per distance traveled) than from using cars).  Qantas should be saying "our first priority is to fly you safely".  The same issue arises with statements (as in the ACM Code of Ethics) like "first do no harm". If that really is our goal, then we should not develop IT systems at all!  Rather (as in the currently being redrafted CoE), it should read "minimise any unavoidable harm", or similar.  So, I applaud the sentiment of a commitment to the public good, but it needs to be nuanced, such as "commitment to the public good in all IT systems its members develop" - that will need further work!

### Karl Reed    Feb 22   #353

There is an interesting issue here.

It relates to ACS taking political positions.

For example, the "killer robot" issues is both an ethical and a political issue.

And "harm" is also a political judgment as well as an absolute philosophical one.

The ROBODEBT system as it was implemented was political.

Whoever implemented it did not pay enough attention to exactly how that kind of data matching needed to work to produce the desired outcome.

That may have been a failure of professional standards.

Eliminating negative gearing would harm some people, but, if the relevant political decision was made, should we refuse to implement it?

**Tom Worthington Feb 24   #356**

On 22/2/22 13:18, Alex Reid wrote:

> I'm very wary about embedding in the Constitution statements such as "the ACS's foundational value is commitment to the public good". ...

Yes.

In 2005, the ACS jointly funded research into IT ethics with the Federal Government, costing almost $1M. This included a survey of what younger professionals actually believe in. Perhaps ACS should look at the results of the research they paid for, in crafting statements of values. https://idm.net.au/blog/003225ict-industry-ethically-challenged

As Weckert & Lucas, wrote: "..  demonstration of the integral relation between end user satisfaction and technological progress will do more to address these concerns than any amount of finger wagging about 'service' or 'public interest." (p. 122, 2013).

Reference

Weckert, J., & Lucas, R. (2013). Professionalism in the information and communication technology industry. ANU Press. https://press.anu.edu.au/publications/series/practical-ethics-public-policy/professionalism-information-and-communication

**Karl Reed   Feb 24   #357**

But, how do we deal with problems such as Horizon? People were jailed because the sw said they were defrauding the UK PO.

https://www.bbc.com/news/business-56718036

And a long list of other stuff ups that were avoidable?

Only a strong sanction bearing code of ethics and recognition that we no longer make systems for "private" (that is, the use of a single company and are not public facing).

I keep pointing to the regulation of engineering, but I don't get any comments

p.s. this was done under the old constitution so much for there being no nimbleness

**Ann Moffatt    Feb 24   #359**

Well said Patrick.

**David Abulafia Feb 26   #363**

I also say well said.

**Tom Worthington Feb 26   #364**

On 24/2/22 11:24, karl wrote:

> ... Only a strong sanction bearing code of ethics and recognition ...

Yes, but, as the West is finding in Ukraine, strong sanctions may not sufficient to change behavior.

We can use the results of research on what members actually believe, and do, with behavioral science to put the rules in a way which are meaningful to members and so they are likely to actually follow the rules.

Part of this is training in professional behavior. At ANU computer students I took it down to the practical level.

I was reminded of one of hypotheticals I use for ethics training recently, about a fictional incident with a maritime patrol aircraft. Such an incident actually happened just north of Australia last week: https://blog.highereducationwhisperer.com/2022/02/incident-with-patrol-aircraft-following.html

The question for students was if they should participate in a cyber-attack in response. That is a real questions for some Australian IT professionals, as the ADF has been assisting the Ukrainian military with cyber defence.

Name:   Roger, Jo

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### 1.1.1e    Embedment of the ACS Code of Ethics

**Summary**   (50-100 words)

There is strong support for the Code of Ethics to be included in the expression of the Society's Nature and Values.  Votes were 74% in favour

There is opposition to it being under the direct control of the governing committee.

There are competing views about:

- whether to embed the COE in the constitutional document (requiring a GM and a Special Resolution to amend it);  or
- require a COE without embedding it in the constitutional document. For example embedment in the constitutional document only of authority for the Code, and perhaps a slim, set of headings and/or the means by which it can be amended;  and
- making it a part of the By-Laws that is subject to Member Approval or at least Member Ratification.

Responses indicated that the COE could be in the custodianship of a Committee of members; acknowledging the difficulty of describing of how such a committee would be constituted.

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to the following options:

- embedding the Code of Ethics in the constitutional document;
- embedding in the constitutional document only:
  - an obligation to have a Code;
  - inclusion of the Code in the Nature and Values against which the governing committee's behaviour is assessed;
  - principles underlying the Code;
  - the authority for amending the Code, viz.:
    - a designated committee;  or
    - the professional members (cf. s.5.4.5 and s.5.5.1);  and/or
  - the process for amending the Code;
- expressing in a By-Law:
  - the Code;
  - the authority for amending the Code;  and/or
  - the process for amending the Code.

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**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

### 1.1.1e Embedment of the ACS Code of Ethics

In Round 2, members were asked:

**Do you want the ACS Code of Ethics embedded in the constitutional document?**

**Event Reports**

**Vic Branch – Tue 2 Mar 2022:**

**Karl**: A high level code of ethics should be in the Constitution

**Submissions**

**Sam Horwood – 3 March 2022**

While I consider the code of ethics to be central to our society, I feel it might be potentially easier to refer to the existence of the code of ethics in the constitution, but actually have the code of ethics captured in a separate document. Just thinking that might be easier to update if we ever have to add stuff to the code of ethics?

**Professional Ethics Committee – 16 March 2022**

The PEC recommends something in the form of the following words to be part of any constitution in order to protect the Code from arbitrary changes by the Board or Executive of Company.

*As a professional association the ACS is to have a Code of Professional Ethics (Code) by which all members of the Society are to be bound. The Code in force as at the commencement of this Constitution is set out in Attachment A to the resolution adopting this Constitution. The Board of Directors must establish a standing committee of professional grade members (Committee), the initial members of which are to be the persons comprising the Professional Ethics Committee immediately preceding the date of adoption of this Constitution. The Committee is to be the custodian of the Code. The Code may not be amended unless each proposed amendment has been approved by a majority of members of the Committee.*

*Any resolution to change this clause of the Constitution must be put to the professional membership grades of the ACS for their approval and passed by 75% of such Members casting a vote on the resolution in addition to any other governance processes required to make changes to the Constitution.*

**Web-Form Votes**

Yes – 17;  No – 3;  Other – 3.

**Forum Entries**

**Rupert Grayston    Feb 21   #337**

The ACS Code of Ethics is currently embedded in the Regulations, where they can be updated from time to time as professional practice evolves. Changes to the Regulations are subject to member notification and Management Committee approval. The ACS Ethics Committee (under the oversight of the Profession Advisory Board) has indeed undertaken member surveys and done much work in recent times to review the Code of Ethics and to make recommendations to the MC. I think this has taken 2-3 years.

If the CoE were embedded in the ACS Rules (constitution) an update could wait a very long time for the next membership ballot. The current ACS Rules haven't been updated since 2010.

The constitution should create powers for creation of a Code of Ethics to which members are bound. The Code of Ethics can be a stand-alone document (which can be more convenient) or embedded within the Regulations as at present.

**Karl Reed   Feb 21   #343**

I don't agree here.

The basic requirements of a Code of Ethics stem from whether ACS is a professional society or a body for anyone in IT.

<mark>Leaving the CoE to regulations means it can easily be changed in a manner that reduces the Society's commitment to professionalism</mark>

**Alex Reid Feb 22 #348**

<mark>I do believe that the Code of Ethics needs to be referenced in the Constitution, but not fully spelt out there</mark>. It is paramount that as a Professional Body we have a Code of Ethics, so this should be firmly established in the Constitution. However, work over the past 3 years trying to revise the CoE has led me to believe that the *detail* should be in a form that can be updated without huge effort. <mark>The proposed new CoE as currently drafted is based on 4 key values, and it may be sensible to embody them in the Constitution, with the greater detail of how that works out in practice in a more readily modifiable document</mark>, so that we can adapt quickly to changing challenges that advances in IT present (eg AI/ML). The Constitution should clearly state that there should be a CoE, and that all members are expected to abide by it, maybe also that failure to do so may/will result in disciplinary measures; it should perhaps also set out the 4 key values (<mark>honesty, trustworthiness, respect for others, and respect for the profession</mark>) on which the CoE is based. Embedding these key values in the Constitution should also serve to ensure (if we haven't done so already) that we've really thought them through properly.

1 person liked this

**Tony Errington Mar 9 #420**

I agree with Alex here, and mostly with Rupert. The Code of Ethics will need to change over time and putting it into the constitution would make that difficult if not impossible. However, the basic key values do need to be in the constitution, and the constitution should reference the CoE.

**Karl Reed Mar 10 #456**

Comment: <mark>COE should be in Consititution and direct ACS decisions</mark>

As an example, the Engineers Australia Code of Ethics (COE) is bit long, but, could be used in ACS constitution with only fdiscipline changes. It's at a very high level. However, IMHO its not too long

https://www.engineersaustralia.org.au/sites/default/files/resource-files/2020-02/828145%20Code%20of%20Ethics%202020%20D.pdf

<mark>[ Forum Manager's Note: ACS has a second-level document that expands on its Code of Ethics, called the Code of Professional Conduct</mark>. But how well promoted is it? And how well embedded in membership and professional development? And when was it last reviewed for currency of language?

https://www.acs.org.au/content/dam/acs/rules-and-regulations/Code-of-Professional-Conduct_v2.1.pdf ]

**Adrian Mortimer Mar 11 #542**

Comment: <mark>I'm not sure the actual Code of Ethics should be embodied in the constitution, but a requirement to have a Code of Ethics and for it to be applied in decision making, and in the professional activities of ACS members should be embodied in the constitution</mark>

**Adrian Porteous Mar 12 #575**

Comment: <mark>I view the Code of Ethics as a foundation document that should be referenced by the Constitution but kept separate to permit update/enhancement without 'opening' the Constitution for change.</mark>

I would defer to governance specialists if they recommended embedding in the Constitution.

**[ Forum Manager posts as follows: ]**

[ I'm re-posting message #344 below because it raises a novel point, and it needs at least its own Topic (maybe even its own Hashtag):

**Patrick #344 Feb 21**

Long time watcher, first time poster. I had a look at the definition of 'A Profession' in the link provided by Rupert. The second par of that definition seems to be problematic in the context of IT given that IT as an industry is driven by a commodity sales driven culture, providing good advice and appropriate solutions comes a distant second. I've seen things in the last couple of years in the

commercial sphere that I regard as unethical in the sense of promises made knowing that they would be difficult if not impossible to keep within the timeframes and been ignored. I'm a member of the ASC and presumably would be bound by such a code if one exists. On the other hand, I work for a big multi-national firm that wants me to participate in unethical behaviour so management can collect their bonuses. Of course I could go elsewhere to work, and I did and I saw sales yet again trump delivery and a lot of people on the client side who I thought had very justifiable angst. This was dealt with using a 'blame the victim' internal groupthink approach, the client's are being difficult when they are probably being reasonable. The bottom line is that until IT firms start acting like other professions then we as IT professional are largely rendered impotent. If the ACS was to adopt a new code of ethics then it needs to lobby industry to respect them.

[ Forum Manager's interpretation:  The ACS Code of Ethics needs to be communicated beyond the ACS.  Lecturing employers on its contents won't get anywhere.  But it can be invoked when the ACS makes statements on public policy matters.  An example is what ACS (didn't) say about Robo-debt, and about a range of other matters that materially harm the public good.  ACS needs to draw to the attention of employers of IT staff when they cause their staff and contractors to breach the Code. ]

Name:   Roger

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### 1.1.1f    Embedment of Application of ACS Values in Decision-Making?

**Summary**   (50-100 words)

There is strong support among the membership for such a declaration to be included in the constitutional document.  Votes were 90% in favour.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to incorporating this in the constitutional document , and referencing at least the preliminary Nature and Values segment of the constitutional document, but perhaps also nominated parts of the By-Laws.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**1.1.1f    Embedment of Application of ACS Values in Decision-Making?**

In Round 2, members were asked:

**Do you want embedded in the constitutional document a declaration that the ACS must apply the foundational value and the Code of Ethics to all of its decision-making?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

While I support the intent of this, I'm not sure how much effective control this yields us, as a general statement about using the code of ethics in its decision making is so broad in interpretation that it is hardly incorruptible.

[ Forum Manager response:  The expression of ACS Values includes the Code, but extends much further, to mission and purposes. ]

**Web-Form Votes**

Yes  –  18;   No  –  2.

**Forum Entries**

**Karl Reed   Mar 10   #471**

Choice:  Yes

Comment:  and COE

---

Name:    Roger

---

### 1.2.1    Professional Membership

**Summary**   (50-100 words)

There was consistent and very strong support for the following:

- Embed in the constitutional document a statement, as part of the expression of Society values, that ICT professional membership is clearly distinguished from other grades;
- Require that eligibility criteria for entry to and promotion between professional grades:
    - be clearly expressed in suitably-named and published documents;
    - emphasise a core of professional, technical knowledge (as indicated by CBOK), with the soft-skills aspects within SFIA as additional, complementary elements, not core;
    - preclude discrimination against applicants on any grounds other than professional factors;
    - reflect the ongoing specialisation within the ICT professional arena;  and
    - be updated on an ongoing basis, to address those changes;
- Declare in the constitutional document that the documents that define grades and eligibility criteria are subject to approval by the membership.

(Sorry, that's 138 words;  but this is a signficiant topic).

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This is a very important requirement of the new constitutional document.

It has significant implications for s.5.4.6 and s.5.5.1 (re Member Approval).

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**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 1.2 Professional and Other Membership of the Society

*The dominant view was 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 argued that* **ACS is not and cannot be an industry association, and companies cannot be members of ACS**.

Further, concern exists that the professional nature of the ACS is at risk if the primacy of professional membership is diluted. This risk could be addressed by a formal statement about the primacy of professional membership, complemented by a differently positive statement about other forms of membership.

### 1.2.1 Professional Membership

Professional membership is distinguished by the need to satisfy requirements in relation to education and experience on entry, and to satisfy additional requirements to achieve promotion to higher grades and certification.

*This was perhaps the topic that generated the most responses - with* **overwhelming recommendation to clearly distinguish professional membership from associate grades**.

*Generally, the view was that professional grades and associates (and any other grades) should have* **clear eligibility criteria and thresholds for moving upwards**. *We should make it clear to all whom ACS has verified as being a member of the ICT profession, and who is just an interested and supportive member.*

*Many* **specialisations** *have evolved recently (e.g. blockchain, cybersecurity [?], cloud development, data analysis [?]) but these* **have not been adequately addressed by ACS**. *But how should people working in emerging tech be classified (i.e. roles that do not qualify for professional status for example someone working on blockchain development may not have any qualifications and have limited years of experience but are still a professional in the industry)?* *We should have criteria allowing for different ICT professions/specialities.*

*ACS needs to provide for specialisations within the ICT sector,* **either in collaboration with other compatible organisations (if they exist) or by itself if necessary**.

*SIGs are one way to address this, as is cooperation with independent societies where new fields are a fusion of multiple professions. And separately, several commented that there has been little recent activity from, or focus on SIGs.*

In Round 2, members were asked:

**Do you want embedded in the constitutional document the statement that the ACS clearly distinguishes ICT professional membership from other grades, by means of eligibility criteria for entry and promotion?**

**Event Reports**

**Queensland BEC Mon 14 Feb 2022:**

Paul: Aust Council of Professionals definition of professional is relatively loose. Some categories of 'mis-fits' under the present grades include: People with certificates plus experience rather than ICT-relevant degrees; People who have switched into ICT from another area; and Managers of ICT who lack ICT qualifications. We shoot ourselves in the foot if we can't accommodate them

Marilyn: Why would we want to exclude esp. decision-makers in IT-rich organisations??

Paul: Calling experienced and successful IT practitioners 'Associates' is seen as belittling to some prospective members

Roger: 'Co-Professional Member' for those with qualifications in another profession?

Paul: Do you hardwire definitions into the constitution, or delegate changes in definitions to the governing committee?

Nick: So we believe 'ICT professionals should be running ACS', but we haven't defined very clearly what 'ICT professionals' means.

Peter: Agreed on definitional issues, and in ed space has experienced problems with audio-visual expertise.

Peter: My personal hot issue: Clarity about what our professionalism is about

**Vic Branch – Tue 2 Mar 2022:**

Generally Yes, and a critical feature.

**Matt**: I'm concerned about whether this is sufficient to reverse the fall in professional membership, and I'm seeking assurance that complementary measures will be implemented. Victorian Membership numbers dropped 7% between December and January. That's the reason for my questions.

**Nick**: Outlined some of the complementary measures, in parallel with constitutional reform.

**Karl:** It's vital to get employers to value certification. MACS CP must become compulsory for particular jobs, starting with cybersecurity, where it's already emergent. The way to get members is to have ACS professional membership as a requirement for jobs! We have NEVER pushed that. You cannot teach in Victoria without certification from the Victorian Insititute of education. No-one is complaining!

**Karl**: A qualification: Pathways should require real knowledge acquisition and proof of same, not just attending events. The Inst. of Engineers exams were equivalent to Degree level.

**Jeff**: This needs to be ramped up, so that professionals are recognised nationally as something special - like a CA/CPA. Even to point where we can sign Stat-Dec's etc. Supported by Karl.

**Josef**: We are in decline in membership, and our engagement levels are falling - we have to be more open to different forms of membership pathways otherwise we will end up in a room of 5 people who are "experts" in ICT whilst the world passes us by.

**Discussion**: The poor cost/benefit trade-off (time and money) of CP means that take-up is very slow, resulting in a pool of Associates who aren't progressing to Professional Division at MACS CP.

**Vic Branch – 10 March 2022:**

**Karl**: ACS should be working to make professional membership a qualification for employment.

**Dan**: Be careful. Firstly, you need to define a professional, and it's not so easy, e.g. (1) my own experience as a qualified immigrant gaining recognition for an international qualification, e.g. (2) students at high school level who advise other students on coding.

What stance does ACS take re other professional societies re competition/collaboration?

What's the right balance between inclusiveness and exclusion?

ACS's street-rep is not so great.

As ICT becomes embedded into 'digital', how does ACS sell itself into all industry sectors?

**NSW Branch Focus Group – 14 Mar 2022:**

**Ashley**: Despite the importance of diversity, we can never be 'inclusive'. A professional society sets quality standards. However, vilification is not acceptable, on any grounds (including, for example, industry sectors that offend some people, such as breweries, casinos and coal mining).

**Roger**: We ask about a positive statement: "Do you want embedded in the constitutional document the statement that the ACS clearly distinguishes ICT professional membership from other grades, by means of eligibility criteria for entry and promotion?".

But perhaps we should match that with a statement in the negative, precluding discrimination on any other grounds?

**Robert**: Is 'sustainability reporting' a trigger for the coal-mining example?

**Ashley**: Yes. It's capable of being weaponised.

**Robert**: So it's important that the ACS not wander away from its role as a professional society.

**Roger** I see sustainability reporting as having its focus on ICT-relevant topics only, such as residue from computer manufacture and discarded devices; and energy usage by highly compute-intensive functions (esp. blockchain, and within that esp. crypto-coin 'mining').

**Submissions**

**Brian K. Hardy  -  Thu, 10 Mar 2022 15:00:02 +1100**

Thanks for the offer to contribute a response.

However, being 81 years of age, and long retired from a full working life in computers, I feel that any thoughts now would be so out of both date and current context.

However, I shall, for as long as I can keep a distant eye on developments, and wish ACS all the best in its endeavours.

As an aside, it is sobering to reflect that when I started in the industry in 1961, there were only some 74 computers in the whole of Australia.

**Sam Horwood  –  3 March 2022**

Yes, but maybe the specifics of what is required to be a professional member is covered in a separate document?

**Web-Form Votes**

Yes  –  12;   No  –  2.

Forum Entries:  Yes  –  7;   No  –  1;   Other  –  1.

**Forum Entries**

**Don Fraser    Feb 10   #248**

Choice:  Yes

Comment:  I believe that having a clear hierachy of grades - with different eligibility and benefits - fits both the needs of professionalism, governance and as a framework for developing/improving skills and recognition.

**Rod Dilnutt    Feb 13   #283**

Yes this is important.

**Jack Burton   Mar 9   #406**

Choice:  Yes

Comment:  See also my comment on 1.1.1b:

**Jack Burton Mar 9   #407**

Whilst I support the sentiment behind Q1.1.1b, I'm not convinced that "declaration that the ACS comprises professional people" is the ideal wording.

It sounds too nebulous.

Perhaps a better way to achieve the aim here would be:

1. yes to Q1.1.1a (declaration that ACS is a professional society) -- by definition, a professional society comprises professional people.

coupled with:

2. Rules of the Society must make it clear that only members of the professional division get the right to vote (to have it any other way -- as we have done for the last decade or so -- is in effect to declare that we are *not* a professional society).

and of course

3. Guidelines for membership (or whatever replaces them -- this should also become a document that can only be changed with the consent of the Members in General Meeting, not one that can be dictated from on high as it is now) should make it clear that membership of the professional division is only available to membership of the Australian computing profession.  For example, currently membership of the professional division, at a grade of MACS(Snr) is available to people who have merely *managed* computing professionals, even if they've never worked in the computing profession themselves.  That is entirely inappropriate -- one would not expect the Royal College of Surgeons to award MRCS to a hospital administrator who had never been a surgeon, so why should the computing profession award professional status to someone who's never worked in computing?  Similarly, we need to return to a CBoK that's focussed on computing as the benchmark for professional membership.  The current benchmark (SFIA) is so broad that it is possible to map

**Karl Reed   Mar 10   #459**

Choice:  Yes

Comment:  Entry and promotion through grades

Entry should require proof that applicant has a general knowledge of the BOK and its history, and, basic competences that will allow them to develop through experience to warrant elevation from an entry grade to a fill professional grade. At all points, achievements should be via certified practice OR study involving attendances and assessment, NOT simply attending events

**Adrian Porteous   Mar 12   #576**

Choice:  Yes

Comment:  If the ACS is to position itself as a professional society, it has to provide eligibility criteria for entry, promotion and disciplinary action.

The ACS has seriously weakened its standing in Australia by loosening its membership criteria.

I joined a professional society, not an interest group. The ACS has taken on characteristics of the latter in recent times.

**Barry J.   Mar 14   #626**

This part of the conversation has troubled me. I think it's because, with regard to the conversation, it's needlessly complex. From a Constitutional viewpoint, I think the focus should be on the types of members based on the privileges a member can expect. And the only privilege that seems to be in play is voting rights. So I think the constitution should only contain a statement that we have voting and non-voting members, and something about how that determination is made (qualifications, certifications, years of experience, ...?). Hopefully the value of full membership of the organisation entices non-voting members to take the steps necessary to gain the right to vote.

The assorted categories of members that have been listed can then be created and defined outside the constitution, and mapped to voting or non-voting, based on strategic decisions to appeal to, to target particular groups.

**Chris Radbone   Mar 15   #666**

Choice:  Yes

Comment:  Preference for increasing IT / ICT professional membership of the ACS

My preference is for us to actively position the membership of the ACS to be as inclusive as possible. This is especially important for attracting and holding primary, secondary and tertiary education students, early career professionals, who are the future of the ACS. Potential slogan "Empower the ACS membership to drive the future".

Name:   Roger

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### 1.2.2 Non-Professional Membership

**Summary**   (50-100 words)

Subject to suitable provisos, there is widespread (but certainly not universal) support for means for non-ICT-professionals, such as professionals in other fields, managers, ICT users and unqualified enthusiasts, to have access to some form of membership, and to the services that ACS provides. Key provisos that have been mentioned:

•     commitment to ACS values and the Code of Ethics;

•     no right to vote;

•     a grade-title that avoids confusion with professional membership, viz. Associate, but possibly Affiliate, Companion;

•     no post-nominal.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document may need to establish the existence of one or more non-professional grades, and embed several features different from current arrangements, particularly the right to vote and the post-nominal AACS.

A provision is needed to grandfather for current rights of Associate that existed at the time individual joined that grade.

The By-Laws may need to be modified to reflect the change in approach, and to adjust the title(s) the grade(s).

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**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**1.2.2 Non-Professional Membership**

*The general view was* that **other forms of membership need not require that education and experience thresholds be achieved,** *but do require commitment to ACS values and the Code of Ethics.*

*Subject to suitable 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.  One such proviso is that members who do not satisfy professional entry requirements should not have the right to vote on Society matters.*

*Several specific suggestions were made for additional membership categories:*

- *For C-suite members of organisations with ICT responsibilities (develop ICT governance);*

- *For PC technicians ( like BCS) ( show competence / validate skills);*

- *For Cadets – secondary students ( pathway into profession);*

- *For ICT practitioners / users. ( Involved with ICT but may never progress to higher level).*

*Several contrary views were expressed:*

- *"[Re managers and users] If we try to be all things to all people, we are no longer a professional society";*

- *"Barriers need to be drawn.  Entry needs to remain tertiary qualification in an ICT discipline";*

- *"I have had a couple of managers of ICT functions that are 'professional managers' but have no understanding of the technology they manage. As such I do not think it would be appropriate for the ACS to give them standing as ICT professionals….. If anything, ACS should be \*pushing back\* against that alarming trend, not going out of our way to accommodate it (and thereby becoming complicit in it)".*

*Overwhelmingly, respondents expressed the opinion that only professional members have voting rights, with that being one of the motivations for associate members to upgrade.*

In Round 2, members were asked:

**Do you want embedded in the constitutional document the statement that the ACS welcomes membership by people who are not ICT professionals, such as students, trainees, managers, professionals in other fields, ICT users and unqualified enthusiasts?**

**Event Reports**

**Vic Branch – Tue 2 Mar 2022:**

**Rod**:  Yes, definitely, but with appropriate hurdles linked to accepted standards of SFIA, AQF, etc.

**Staff Event #1 – 2 Mar 2022:**

**John**:  I'm all for revisiting the grades and grade-names, but please consider the members and what they'd like.  In particular, terms like 'Technician' and 'Cadet' aren't aspirational-sounding.

**Henry**:  Agreed with John on that aspect.  Attention is also needed to where each grade is positioned, e.g. in terms of the Professional Division and voting.

**Darren**:  There's also a need to ensure alignment with the emergent statutory requirements,  e.g. for length of experience in a field before becoming recognised as a (certified) professional. Flexibility is needed in order to cope with changing external requirements as well as internal needs.

**Submissions**

**Sam Horwood  –  3 March 2022**

I am less fussed either way about whether there is a statement or not in the constitution about it. I would expect that the different grades of membership would be sufficient to cover these non-professional members?

**Web-Form Votes**

Yes – 11;   No – 4.

**Forum Entries**

**Paul O'Brien   Feb 3   #20**

Edited Feb 19

Yes or No:  Yes

Comment:  But only in a separate, non-professional, non-voting grade such as "affiliate"

**Shane Moore   Feb 3   #108**

Edited Feb 19

Yes or No:  Other

Comment:  I think students/trainees should be ok to include, perhaps with a caveat that their membership is subject to annual review for eligibility.

**Paul Bailes   Feb 15   #291**

I just received [a marketing email] from ACS [staff]

Where did the "Inclusive. Moving beyond thinking about a traditional 'ICT sector', we aim to include anyone who may work with technology in their career" come from?

That seems to suggest that a lot of what we're discussing in CRWG is determined (for the worse in my view).

Is it already time for a new Society to be formed for ICT professionals specifically?

Bad news

**Jack Burton   Mar 9   #408**

Choice:  Other

Comment:  Only if:

1. It is made clear that those are non-voting grades;

2. The names of such grades cannot be confused for professional grades (e.g. "Affiliate" or "Companion" or "Student Member" makes that clear; "Associate" probably does not; "Senior Member" [when referring to someone who merely manages computing professionals, without ever having been one himself] is outright misleading).

3. Post-nominals are never granted for grades outside of the professional division (the fact that for the last decade or so we've been handing out AACS to anyone who pays the fee, with no entry criteria beyond being an adult, has made us the laughing stock of real professional societies).

**Jack Burton   Mar 9   #427**

Speaking of the Overseas Group, it was *intended* to be for Australian computing professionals working overseas (expats), in order to give them a discount on their ACS membership whilst they were living outside Australia so were unable to derive the benefit of local branch events etc.  It now has vastly more members than all the branches put together, which strongly suggests that it is being used for purposes other than its intended purpose.  That need to be fixed too (although that's an operational matter -- the Rules were already sufficient; the problem was that the power that be simply chose not to follow them).

**Jack Burton   Mar 9   #454**

... I do not regard giving away gratis membership to entire classes of person (cf. just specific individuals for HM/HF/HLM, which of course BECs/Councils/MCs should be able to do, subject to the guidelines, without asking anyone's permission), such as was done with the overseas skills assessment applicants, to be a mere fee schedule matter. IT WAS A MAJOR CHANGE OF POLICY (clearly designed to dilute the professional membership and falsify membership statistics to fake reports of growth at a time when the membership was seriously *declining*) about which we

the Members were never consulted and that sort of thing should never ever be allowed to happen again.

**Adrian Porteous    Mar 12   #581**

Choice:  No

Comment:  I assertively reject the proposal. <mark>The ACS has been a society of ICT professionals. I value that, and reject any moves to change the ACS to an interest group.</mark>

The key question for me is why would we consider doing this? If the answer is revenue, we need to circle back to the objective of being a Professional society; we should not be focussed on revenue growth as a primary objective.

**Allan Baird   Mar 8   #378**

Choice:  Yes

Comment:  We should do more to reach into those who have TAFE only or industry certifications. WE pay lip service to it - and do nothing.

**Karl Reed    Mar 15   #677**

If people have qualifications already accredited by ACS, there is a no problem.

If not, we need a hierarchy of memberships which include mechanism for up grading that go well beyond PCP points accrued by attending any workshop of or forum. One should have hurdles to meet before becoming a professional.

**Keith Besgrove   Mar 15   #643**

Choice:  Yes

Comment:  Re unqualified enthusiast

<mark>The preoccupation with emphasising professionals to the exclusion of others (outsiders?) carries with it the clear risk of excluding talented outsiders who may be able to add strategic value to ACS</mark>

**Jack Burton Mar 16   #688**

<mark>Isn't "emphasising professionals to the exclusion of others" fairly core to what a professional society is?  If not, what makes us any different to, say, a club?</mark>

**Chris Radbone   Mar 15   #667**

Choice:  Yes

Comment:  We must for our future membership, influence,  and demonstrated value to the wider society (small 's') the ACS must be inclusive of people who are not ICT professionals.

**Paul Bailes Mar 15   #674**

Chris, You may not intend this, but to me the apparent reading of the below (and your other related responses) is that you want ACS to be something other than a society of/for ICT Professionals.

Kind of a national Computer Club, but much better-heeled?

In which case, will ACS mind if the rest of us set up an actual ICT Professional association?

**Ali Shariat Mar 16   #683**

I feel this is more about defining the ICT profession.

**Jack Burton Mar 16   #684**

Good point Paul, but it really should be the other way around.

ACS was founded as a professional society and should remain one.  If others see a genuine need to set up a "national computer club" as you describe, why can't they simply go set one up for that exact purpose, rather than trying to turn ACS into something that tries to be all things to all men (an errand doomed to failure by its very nature)?

It may well make sense for ACS have some sort of informal *relationship* with such a group (e.g. where better for them to source their guest speakers than from Australia's professional society for computing?) but there is no compelling reason for ACS even to *own* such a body, far less to *become* it.

**Paul Bailes Mar 16   #694**

110% correct Jack! Well said!

IMHO ACS has for a while overreached in the way you, I and, I trust, others might fear.

ACS appears to me to have a "scope" problem in at least two dimensions:

1.      sees itself as a professional association for all workers in the "ICT Industry"

2.      sees itself as with "computer club" interests across the "ICT Industry" beyond strictly "professional" matters (e.g. recommending that people use COVIDSafe, etc...).

Further re. 1., the problem has a further two dimensions:

1a.    the different skill/qualification levels at which different putative professionals operate

1b.    the diversity of technical interests/specialisations. (An interesting way in which this manifests itself is that we can't require a course in discrete maths/set theory/logic in our degree accreditation regime ... a bit like a medical society not obliging its members to know anatomy!)

Further re. 2., of course "computer club" is not the best term to describe the phenomenon in question. Indeed, if we wanted to go that "ICT Industry" way seriously, we should consider corporate memberships along with the rest that have been proposed. (Would keep the "executives" happy?)

To be fair, the current mission statement is IMHO too broad, so that people with views that diverge from ours can't easily be faulted that way. And the current ACS strategic planning process sounds like it's going in a direction other than the one we'd like to see.

But in any case to get the right result we need to have something close to a consensus - which may not be easy, given the divergence of views on this topic expressed in this forum?

More generally, here we are contesting "what" sort of organisation ACS should be, when then process is in the "how" phase.

Anxious that a satisfactory outcome might be beyond us,

**David Abulafia Mar 16   #696**

I completely agree with all your ideas. Being an Associate for 4 years and a Member of the ACS for 37 years, I have seen discussions that ICT is a profession and not a trade, an entry into the professional society defined this. It looks like a lot of people want to reverse this and make ICT a trade.

**Jack Burton 11:22   #701**

Thanks Paul.  Yes, I agree with that too, but would add a third scope problem:

3. Conflating the industry with the profession.

Computing professionals work in *all* industries and the computing industry employs people from most professions.  Confuse the two and all of a sudden our target market for membership becomes "everyone", which is just ridiculous.

Let's leave industry bodies to represent the computing industry (a perfectly valid & useful thing to do too, but not the same as being a professional society) and return ACS to its original focus on the computing profession.

Any organisation which tries to be all things to all men is doomed to failure from the outset.

Further re. 1., the problem has a further two dimensions:

1a. the different skill/qualification levels at which different putative professionals operate

Yes, but that's something membership grades could address.

1b. the diversity of technical interests/specialisations. (An interesting way in which this manifests itself is that we can't require a course in discrete maths/set theory/logic in our degree accreditation regime ... a bit like a medical society not obliging its members to know anatomy!)

Again, I agree with you -- that's appalling, as those topics are all foundational to CS, CSE & SE (and at least two of those three are also foundational to IS).

The only point on which I'd differ is to note that we shouldn't require a course as the only pathway -- whilst taking an accredited degree is probably the most common way to acquire CBoK, it's not the only way -- independent study (assessable by holding our own exams, like some other professional societies do) and on-the-job learning (assessable by the former "equivalent professional experience" criterion) are valid ways too.

But regardless of how new members choose to acquire the requisite skills & knowledge, I'm certain that we do need to return to defining *what* the requisite skills & knowledge are (as earlier revisions of CBoK used to do) -- a professional society for computing that says "you don't need to understand logic to be a member" is a bit of a joke... <mark>SFIA does not help, as the majority of what it covers is applicable to *any* profession, not specific to ours</mark>.

Paul continued:

> To be fair, the current mission statement is IMHO too broad, so that people with views that diverge from ours can't easily be faulted that way. And the current ACS strategic planning process sounds like it's going in a direction other than the one we'd like to see.

Agreed again.  See also my comments elsewhere on the mission statement and on the use of the terms "ICT" (cf. computing) and "innovation" / "disruption" (cf. advancing the art, science & practice of computing)...

Name:   Roger

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### 1.2.3 Changes to Membership Grades

**Summary**   (50-100 words)

The current ACS Rules declare that grades exist, but delegate all power relating to grades to the Management Committee.  Members are not satisfied with such a substantial delegation.

Members are also not satisified that the current grades and entry criteria are appropriate, in that:

• Associates have no entry requirement (removed a decade ago), making the grade equivalent to Affiliate as that term was previously used, and not the entry-level professional grade it used to be;

• The entry threshold for the Professional Division was changed a decade ago to require satisfaction of the certification requirement as CP or CT in order to become an MACS. Certification has become a blockage, stalling conversion from non-professional Associateship to Membership.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to specify that the definitions of grades and the entry requirements to them needs at least Member Ratification and perhaps Member Approval.

The By-Laws need amendment to:

• change the provisions relating to Associates;

• perhaps change the title(s) of the non-professional grade(s);  and

• change the requirements for entry to the professional grade;

• perhaps change the title of the entry-level, e.g. to Provisional Member, until certification is achieved.

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(Yellow highlight (or similar) on key / quotable expressions)

### 1.2.3 Changes to Membership Grades

Members may wish to have a discussion about additional categories of membership, and the entry criteria appropriate to those categories.

The current Associate grade includes members with many different profiles.  Many current Associates, and many new Associates in the future, may have a relevant ICT qualification, but not satisfy the experience requirements. These people commence in the same grade as an unqualified person.

Other current Associates, and more in the future, may have a relevant ICT qualification together with sufficient experience to qualify for the grade of Member, but have not achieved certification.  Element 5.2.2, if included in the new constitutional document, would deny future such members the vote.

In addition, the ACS has the opportunity to make itself more attractive to many categories of people in the ICT industry, by creating additional grades that address their needs.

### Event Reports

#### Staff Event #2 – 3 Mar 2022:

Anthony:  As regards **getting a stronger flow of Associates into Professional Division**, it may be less a question of the categories of membership grade, and more about the hurdle that needs to be jumped.  Conversion depends on achieving certification.  Perhaps the certification barrier preventing access to the Professional Division needs to be adapted.

Vicki:  Intended to make much the same point.  A related question is whether the membership grades are now, and whether they will in future, be in the constitution or in National Regs / ByLaws?

Answer:  Currently, the notion of grades is in the Rules, but the definitions of the grades and the admission requirements for each, and which grades are in Professional Division, are all in National Reg. 2 (and hence capable of being changed by Management Committee).  This is one of the areas in which members have a deep interest.  They were seriously disturbed by the behaviour of the previous Management Committee and CEO, and are calling for greater powers to ensure future decisions are consistent with the values of the Society.  Provisions in the constitutional document are harder to change;  but on the other hand a requisite level of trust has to be achieved.

Anna:  **The use of the term 'associate'** is different in the ACS compared with other professional associations.  In particular, the term 'provisional' in other associations indicates a more junior level than a 'professional associate', whereas an ACS Associate is outside the Professional Division, and it sounds like a 'Provisional Member' grade would be above it, and perhaps inside that Division?

Answer:  Agreed, the use is unusual.  ACS originally used the term 'Associate' in the normal way, with a threshold requirement for entry to it.  It was the starting-point for entry to the profession, and hence an Associate had the right to vote;  but it was not inside the Professional Division.  At that time, the grade of Affiliate existed, with no substantive threshold requirement, and no vote.

In about 2012, (a) the Affiliate grade was disestablished, (b) the threshold requirement for Associate was removed, and (c) the threshold requirement for Member (and hence for entry to the Professional Division) was greatly increased by adding the certification process.  One effect of those changes has been a reduced flow into Professional Division, and many different categories of people in the Associate level, and hence the present anomaly of more voters who are not professional members of the professional Society than there are professional members.

So:  A more substantial re-adjustment to the grades might be appropriate.

Paul:  Although it's challenging, the grading scheme needs to devised with an eye to future-proofing.  There's a risk of being stuck with terms and approaches that worked 30-50 years ago.

Anthony:   The constitutional document needs to contain some elements to underpin the grading arrangements, in particular some generic structuring, and definition of the various rights that can be made available to different grades.

**PAB – 16 March 2022:**

From a standards perspective, membership should be assessed on the basis of one set of criteria with different membership grades being defined by the degree of compliance with specified criteria. That is, there should not be membership grades based on other attributes of members (eg. student, retired, Senior Member, Fellow, Honorary Life Member, being a CIO, being at school, gender, etc – these might be used for determining dues, or as extra recognition, but should not be confused with membership grades), but on levels of ICT professionalism.

Note: For example, a simplified set of grades could be something like this:

The basic criteria for an ICT professional are well defined (See the ACS Professional Standards Platform and ACS Core Body of Knowledge (CBoK)). They include developed knowledge and skills at an expert level in an area of ICT, with breadth of ICT knowledge, and in-depth skills in professionalism (especially Ethics and project management).

The Member grade requires the professional criteria plus experience and CPD (ACS membership National Regulations (NR)).

The Associate grade has no professional criteria.

There is an issue that there are many people practising in ICT who do not meet the criteria for Member but are more professional than the Associate. The concept of 'practising' recognises that a member is practising in an ICT role. This concept could be deployed to recognise a:
- 'Practising Member' (currently MACS (CP))
- 'Practising Associate' (to be one who is practicing (with the equivalent of, say, diploma or an ICT major level knowledge) a paraprofessional

An example of membership grades could be:

| Grade | Criteria | | | Experience | CPD |
|---|---|---|---|---|---|
| | Level of Knowledge (from CBoK) | | | | |
| | Breadth | Expertise | Professional | | |
| PMACS | developed | developed | developed | 3 yr | ✓ |
| MACS | developed | developed | developed | 3 yr | - |
| PAACS | developing | developing | developing | 1 yr | - |
| AACS | - | - | - | - | - |

Standards would need to be developed for the PAACS (based perhaps in skilled migration which is assessed at PAACS level).

**Submissions**

**Sam Horwood – 3 March 2022**

To be honest, I like the idea of a simpler membership structure, you're either a professional member, and with that you have to jump the hurdles of stuff (like MACS) or you're not a professional member (like AACS). Stratifying our member base into different grades and groupings seem of little practical benefit to the society. I would suggest that if these members are looking for alternative groupings, then perhaps this is a need that can be met via new specialisations / certifications / special interest groups (SIG's)?

Name:   Roger

## 1.2.3a    A 'Provisional Member' Grade

**Summary**   (50-100 words)

Members consider that the current entry requirements to the Professional Division are not appropriate, and require changes in order to resume an orderly flow of graduates in ICT (and others with equivalent qualifications) into the first grade in the Professional Division.

The terminology used for an adapted set of grades needs to be descriptive and credible.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Provided that, as discussed in s.1.2.3, the constitutional document specifies that the definitions of grades and the entry requirements to them need at least Member Ratification and perhaps Member Approval, no further change is needed in the constitutional document.

However, the By-Laws need amendments:

- A grade is needed, within the Professional Division, for people who have satisfied the requirement to be on the pathway to full professionalism – roughly-speaking by being 'a graduate with an ICT-relevant degree', or  equivalent.  A working title for that grade (used for this purpose until a decade ago) is Provisional Member.  (At an earlier stage, 'Associate' was used for this grade);

- A second grade is needed to which a Provisional Member moves when they have completed a documented period working in roles that apply their educational background in ICT.  A working title for that grade is Practising Member.  Another alternative is to use MACS, by removing the requirement for certification in order to become an MACS;

- A further possibility is to change the MACS CP title to CMACS, for Certified Member.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**1.2.3a        A 'Provisional Member' Grade**

*We need to understand the multiple profiles of people in the Associate grade.  Membership data needs to be again published to members so we can help it grow substantially.  We need to encourage professional membership much more energetically than Associates.*

In Round 2, members were asked:

**Do you support a 'Provisional Member' grade within the Professional Division, for people with a qualification in ICT sufficient to support entry to the profession?**

**Event Reports**

**Staff Event #2 – 3 Mar 2022:**

Anthony:   Under the scheme prevailing until 2010, Provisional Associate and Provisional Member were for people who had a relevant educational qualification but at the time lacked the experience to become an Associate or a Member.

Anna:   If a grade such as **'Provisional member'** is created, it needs to appear good to the segment being targeted.

**Submissions**

**Sam Horwood  –  3 March 2022**

Are we saying that provisional are MACS? Or have the qualifications but haven't been through a regrade?

If they have to exist, then yes, I support it.

**Web-Form Votes**

Yes  –  10;   No  –  1.

**Forum Entries**

**Don Fraser   Feb 10   #249**

Choice:  Yes

Comment:  absolutely

**Rod Dilnutt    Feb 13   #284**

I'm not sure what this would mean.  Provisional on what criteria?

**Roger Clarke Feb 19   #315**

Sorry about the lack of clarity in the question.  The revised wording is 'Do you support a 'Provisional Member' grade within the Professional Division, for people with a qualification in ICT sufficient to support entry to the profession?'

At https://crwg.org/2/CRWG2-ConsDoc.html#1.2.3:

Additional possible grades within the Professional Division:

-   A 'Provisional Member' grade for people with relevant qualifications;

Currently, 'a graduate with an ICT-relevant degree' is an Associate, along with many other categories of people who are not (and in many cases never will be) professional members.  This grade would clearly identify the person as being on the professionalism pathway (with an appropriately significant challenge remaining in front of them before they achieve MACS CP).

**Rupert Grayston   Feb 21   #333**

I don't think it wise to propose listing and defining member grades in the constitution, or thinking up new membership grades while writing a new constitution. This is a very inflexible approach and

most unlikely to meet the changing needs of the profession over the years or decades until the next constitutional rewrite. The constitution should create powers to determine or change the membership grades. That is exactly what the ACS Rules creates at present. MC determines member grades through the ACS Regulations, subject to a period of member notification in which views can be raised. <mark>Don't let's lock it up in the constitution!</mark>

**Allan Baird   Mar 8   #379**

Choice:  No

Comment:  They either qualify for membership or not.  Don't fart around with this sort of nonsense.

**Jack Burton   Mar 9   #409**

Choice:  Yes

Comment:  Bringing back MACS(Prov)

<mark>Yes, that makes sense ... iff we first bring back meaningful entry criteria for MACS, e.g. like we used to have before open membership, which was [either accredited degree or equivalent professional experience] plus at least 4 years professional experience beyond that.</mark>

**Karl Reed   Mar 10   #460**

Choice:  No

Comment:  <mark>I prefer the term Grad</mark>, as was used by Inst Eng

These folks are exempt from our own exams (if they still exist) primarily <mark>by passing a course we accredit</mark>, so they should be called Graduate of the ACS", Grad ACS

Abolish the concept of member grades #1-2-3a

**Peter Hannay   Mar 10   #469**

Choice:  No

Comment:  Abolish the concept of member grades, they achieve nothing and only serve to encourage bureaucracy and elitism. They are by definition an exclusionary construct which adds no value to the organisation or its members.

**Adrian Porteous   Mar 12   #577**

Choice:  No

Comment:  I cannot see sufficient distinction between a new 'Provisional Member' grade and the existing 'Associate Member Grade' to warrant the inclusion of this proposed grade.

**Chris Radbone   Mar 15   #668**

Choice:  No

Comment:   Provisional Member grade versus empowering members to drive the future of ICT / IT / Digital Tech:

The term 'Provisional' is problematic, as it would appear to be temporal/limited and be judged as less than others. Therefore a new term should be devised that is inclusive, respectful and enables people to find a home in the ACS.

**Jack Burton   Mar 16   #692**

<mark>The temporary/limited nature strikes me as exactly why MACS(Prov) *is* a useful grade.</mark>

As I understand it, MACS(Prov) would be awarded to members who have completed an accredited degree (or can show equivalent professional experience), but <mark>have not yet completed the required (say, 4 years like it used to be) additional professional experience beyond that. [and/or certification]</mark>

So, nobody should be a MACS(Prov) for more than 4 years (or whatever the new number is). Showing the additional professional experience should be all that's required to regrade to MACS.  If by then the member is no longer working in the profession, why would he want to continue to be a member of ACS anyway?

Name:   Roger

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**1.2.3b     A 'Practitioner' Grade**

**Summary**   (50-100 words)

Members did not see sufficient clarity in this question.

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The intent of this grade would appear to be satisfied provided that:

•     the constitutional document reflects the discussion in s.1.2.3;  and

•     the By-Laws are amended to reflect the discussion in s.1.2.3a.

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**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**1.2.3b  A 'Practitioner' Grade**

*A person who has met the threshold for MACS, but never demonstrated that they've achieved the requirements of CP, could be designated a 'Practitioner' grade, and a voting member, but (future joiners) at the low-or-no-threshold-level of Associate would not get the vote.*

In Round 2, members were asked:

**Do you support a 'Practitioner' grade within the Professional Division for people who have satisfied the requirements for the level of Member other than achieving certification?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

So I'm a bit unclear about this. We're saying that professional membership could include practioners who aren't yet CT/CP, but are still MACS?

How is this different from the current MACS?

**Web-Form Votes**

Yes – 8;  No – 1;  Other – 1.

**Forum Entries**

**Shane Moore   Feb 3   #110**

Choice:  Other

Comment:  Perhaps a 'Uncertified' grade. However having lapsed to be CT due to the difficulty of attending many of the CPD events from my location in regional area, this would probably apply to me. (I teach IT at a university, so I don't quite work in the IT industry, but rather the Education and Research industry.)

**Allan Baird   Mar 8   #380**

Choice:  No

Comment:  This distinction is already available with the post-nominal of CP.  I think the MC has more important issues to be considering than this.  Get the governance right and make sure that it is abided by rather than fiddling around at this level.  Make the ACS fair and transparent - that's where this all started, and it is far from finished.

**Jack Burton   Mar 9   #410**

Choice:  No

Comment:  This proposed grade is redundant.  A better approach would be to remove the requirement to achieve CT/CP from the entry criteria for MACS and replace it with standalone entry criteria (like we used to have -- see my response to previous question).  Certification should be something members apply for separately *after* admission to MACS or above.

**Shane Porteous   Mar 12   #578**

Choice:  No

Comment:  I have not seen sufficient reason for such a new grade. The current MACS CP designation seems to achieve the same objective, without the need for a new grade. From prior BEC and MC experience, I don't think there is a need for this additional grade - we have enough of a span.

**Chris Radbone   Mar 15   #669**

Choice:  No

Comment:  Accreditation and Micro-credentialing:

I am unsure of the term 'Practioner grade and what this means in relation to other membership grades. I would expect that the ACS's existing skills, experience and expertise in accrediting migrants and other skilled professionals, can be positioned to address the ability to assess people's satisfaction of a higher level of membership.

---

Name:   Roger

## 1.2.3c     An 'Executive' Grade

**Summary**   (50-100 words)

There is considerable concern about the idea of executives who are not ICT professionals being given membership that implies ICT professionalism.

There is also widespread (although not universal) support for executives to be able to be members of the Society, using a grade-title that is not demeaning (as, say, 'Affiliate' would be).

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This would be addressed by means of:

- The constitutional document specifying, as per the discussion in s.1.2.3, that the definitions of grades and the entry requirements to them needs at least Member Ratification and perhaps Member Approval;  and

- Changes to the By-Laws to create a suitably-defined and suitably-named grade outside the Professional Division.  One example provided was 'Companion'.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**1.2.3c        An 'Executive' Grade**

In Round 2, members were asked:

**Do you support an 'Executive' grade for C-suite members in the ICT field, including a vote?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Do executive members still need to meet the requirements of MACS?

**Web-Form Votes**

Yes  –  3;   No  –  7.

**Forum Entries**

**Paul O'Brien   Feb 3   #23**

Choice:  Yes

Comment:  Yes but only if they also satisfy the criteria for professional membership, either by education or experience

**Shane Moore   Feb 3   #111**

Choice:  Yes

Comment:  Perhaps it could be reserved for people who were previously in one of the other grades.

**Ashley Goldsworthy   Feb 3   #177**

Choice:  No

Comment:  This is a definite NO/NO. They are professionals or they are not. Managing a group of engineers or accountants does not make you an engineer or an accountant

**John Thornborough   Feb 10   #252**

Choice:  No

Comment:  C grade members:

qualified C grade member will automatically qualify. unqualified C grade member do not add value to a professional association

**Jack Burton   Mar 9   #411**

Choice:  No

Comment:  Absolutely not.  One of the key attributed of a profession is self-determination, so it is totally unacceptable for anyone who is not himself a computing professional to have a vote in our professional society.  If those who merely manage computing professionals (without having ever been computing professionals themselves) want to join our Society, it should be at a grade named to make it clear that it is *not* part of the professional division (e.g. "affiliate" or "companion").  We fought long and hard to establish computing as a "real" profession -- ACS should help us entrench that status, not voluntarily relinquish it again.

**Prashant Hombal   Mar 11   #528**

Choice:  Yes

Comment:  However, the Executive grade shouldn't just be limited to C level execs like Directors or above. Rather, it should also be based on an individual's current work experience (20+ years) and contribution made towards ACS and the outcomes achieved by this Executive grade whilst being in ACS.

**Adrian Mortimer   Mar 11   #547**

Choice:  Other

Comment:  This is a more complex issue in that purely being a senior manager in an ICT area is not really adequate qualification for membership, but that said, there are clearly C Suite execs who have long and distinguished ICT management careers, and who would be of great benefit to the ACS as members.  The bottom line: I support an Executive Grade, subject to suitable published and agreed qualifying attributes of anyone nominated to this membership class.

**Adrian Porteous    Mar 13   #585**

Choice:  Yes

Comment:  The provision of an Executive Grade recognises the many C suite people who have responsibility for ICT in their organisation, but do not have formal ICT qualifications. Many do not have ICT experience.

There needs to be further consideration as to whether this is a grade that is include in the 'Professional Membership'. I do not support entry of an 'Executive Grade' into the Professional Membership, and hence do not support that level having voting rights.

**Chris Radbone    Mar 15   #670**

Choice:  Yes

Comment:  Ensure the ability for executives to find a home in the ACS.

**Paul Bailes Mar 15   #675**

What connection would these "executives" have to the ICT Profession?

(I can't help but think of Dilbert's boss, as an extreme boundary case of course!)

Name:   Roger

___

### 1.2.3d      A 'Technician' Grade

**Summary**   (50-100 words)

There is cautious support for the idea, on the basis that it would be a non-professional grade, but recognised as evidencing relevant technical capabilities.  It was suggested as a suitable application of the term 'Associate'.

___

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This would be addressed by means of:

- The constitutional document specifying, as per the discussion in s.1.2.3, that the definitions of grades and the entry requirements to them needs at least Member Ratification and perhaps Member Approval;  and
- Changes to the By-Laws to create a suitably-defined and suitably-named grade outside the Professional Division.  One example provided was 'Associate'.  Another possibility is that used by BCS, '{Registered} IT Technician'.

___

(Yellow highlight (or similar) on key / quotable expressions)

### 1.2.3d      A 'Technician' Grade

*I would also like to see a 'grade' for pc techs, esp in rural Australia.*

*Not only for PC techs, but the whole gamut of hardware service and support.*

In Round 2, members were asked:

**Do you support a 'Technician' grade within the Professional Division for hardware and software service and support specialists?**

**Event Reports**

**Submissions**

**Sam Horwood – 3 March 2022**

Aren't technicians just different specialisations rather than being separate grades of MACS?

**Web-Form Votes**

Yes – 5;  No – 3.

**Forum Entries**

**David Kong   Feb 19   #321**

Choice:  No

Comment:  Not required as those individuals would be part of the 'Practitioner' grade.

**Rupert Grayston   Feb 21   #332**

I don't think it wise to propose listing and defining member grades in the constitution, or thinking up new membership grades while writing a new constitution. This is a very inflexible approach and most unlikely to meet the changing needs of the profession over the years or decades until the next constitutional rewrite. The constitution should create powers to determine or change the membership grades. That is exactly what the ACS Rules creates at present. MC determines member grades through the ACS Regulations, subject to a period of member notification in which views can be raised. Don't let's lock it up in the constitution!

1 person liked this

**Ann Moffatt  Feb 7   #230**

Choice:  Yes

Comment:  I support a grade like the bcs rittech. especially if this applies to people supporting pcs

[ https://www.bcs.org/membership-and-registrations/get-registered/professional-registration-for-it-technicians-rittech/registered-it-technician-rittech-standard/

[ BCS RITTech is a registration scheme, and provides Associate / non-professional membership, (assessed against SFIA level 3 and 4).

**Helen McHugh   Mar 6   #376**

Absolutely. If we don't define clear definitions then the full Degree endorsed professional is getting rolled into a 'TECHY" thinking.. Current numbers are mixing up the actual number of professionals with Technicians. Both are really important but we need to be clear as with so many other professions.

**Jack Burton   Mar 9   #412**

Choice:  No

Comment:  No.  Potential members of such a grade fall into two categories, either:

1. Those who could be admitted as MACS [or potentially MACS(Prov) if it's brought back] by showing professional experience equivalent to an accredited degree [for MACS(Prov), or plus 4 years more for MACS], just as we used to do before open membership.

or

2. If they can't show that then they are not (yet?) members of the profession, so should not be admitted to the professional division.  However, this may be a more productive use of the term "Associate member", outside of the professional division.

**Adrian Mortimer    Mar 11   #548**

Choice:  Other

Comment:  I'm not sure that a lot of people who work in this area would rightly be regarded as professional grade members.  However, there are specialist engineers and others with hardware related qualifications which would not fall under the normal professional ACS member definitions, but who would be seen as otherwise meeting the Professional criteria.  I would support a membership grade for these people ... I wonder what the Inst of Engineers Aust does for this type of classification?

**Adrian Porteous Mar 12  #579**

Choice:  No

Comment:  Has there been any demand analysis for such a grade? What professional qualifications are required for such roles? Do we know what other organisations already support such skills (ie APESMA)? Has there been a mapping of these organisations and possible relationships/alliances with the ACS? I can't see any reference to such studies in the documentation, and for that reason do not support the proposal.

**Chris Radbone   Mar 15   #671**

Choice:  Yes

Comment:  A 'Technical versus Technician' grade - terminology needs to be clear, engaging and inclusive #1-2-3d

I like to idea, but the wording needs to be inclusive, respectful (building respect) and engaging for the technical people providing IT support and services.

**Allan Baird   Mar 8   #381**

Choice:  Yes

Comment:  Might be worth considering in line with their experience for TAFE and industry certified people.

**Karl Reed    Mar 15   #678**

I am ambivalent however, maybe we need to recognise some collection of industry certification plus some supplementary certification by ACS as enough?

Name:   Roger

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### 1.2.3e      A 'Cadet' Grade

**Summary**   (50-100 words)

Although there was support for engaging with young people, there was some scepticism as to whether this approach would serve the purpose, or the needs of students.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This would be addressed by means of:

•      The constitutional document specifying, as per the discussion in s.1.2.3, that the definitions of grades and the entry requirements to them needs at least Member Ratification and perhaps Member Approval;  and

•      Changes to the By-Laws to create a suitably-defined and suitably-named grade outside the Professional Division.  This should, however, be preceded by careful study of the need, and of the ability of ACS to address that need.

### 1.2.3e        A 'Cadet' Grade

*A 'Cadet' grade (or similar) should be considered to encourage young people in K-12, but particularly 10, 11, 12, when they are commencing study related to our body of knowledge.*

*We'd need to ascertain exactly what ACS can do for them, and in what way this membership might nurture their interests.*

In Round 2, members were asked:

**Do you support a 'Cadet' (or similar) grade for high-school students, as a special form of the Associate grade, designed both to enthuse them about ICT and to draw them into the Society's embrace?**

**Event Reports**

**Staff Event #2 – 3 Mar 2022:**

Anthony:   A risk to be managed with a 'Cadet' grade would be that some members may camp in the grade long term, to access ACS services without paying the appropriate membership fee.

**Submissions**

**Sam Horwood  –  3 March 2022**

Well yes, but again, isn't this just AACS? I don't favour overly complicating grades as it's just adding overhead for our admin staff.

**Web-Form Votes**

Yes – 4;  No – 5.

**Forum Entries**

**Rod Dilnutt Feb 4   #215**

I would support Cadet Grade as applicable to secondary, maybe primary school students. The current R&R restrict membership to over 16 years which could e restrictive in reaching into STEM cohorts.

**Shane.Moore.mailbox@gmail.com**

Choice:  No

Comment:  I don't think this would be able to attract many people, and I'm not sure what value they might get from such a membership.

**Karl Reed   Feb 19   #317**

I don't support the term "Cadet", however, I do support a grade for those who have not quite yet made the full professional grade.

A life time ago, one became a "Graduate of the Institution of Engineers" (Grad IE Aust) which you had either passed their exams for entrance, OR had an equivalent qualification. This was really nice, one needed Member.

Passing various under graduate qualifications accredited EA (IE Aust) as it was then), exempted you from their exams, a nice, clean arrangements as you'd expect from engineers. The amount of experience you needed to become a Member depended on the qualification.. As I recall, CAE Diploma's, 5 years, Uni degrees, 2 yrs.

Really nice and clean.

"Grad" or its equivalent is automatically available if you pass an accredited course. The external world now knows you have passed an accredited program.

Then after some years, of experience, you move up the ladder.

I like this approach.

**David Kong   Feb 19   #322**

Choice:  Yes

Comment:  Keeping the grades simple ( Associate, Practitioner and Executive). ==Associate would comprise of High-school, TAFE and Uni students. Also including those enthusiasts for emerging technologies without any ICT qualification/experience/certification.==

**Rupert Grayston   Feb 21   #331**

I don't think it wise to propose listing and defining member grades in the constitution, or thinking up new membership grades while writing a new constitution. This is a very inflexible approach and most unlikely to meet the changing needs of the profession over the years or decades until the next constitutional rewrite. The constitution should create powers to determine or change the membership grades. That is exactly what the ACS Rules creates at present. MC determines member grades through the ACS Regulations, subject to a period of member notification in which views can be raised. ==Don't let's lock it up in the constitution!==

**Jack Burton   Mar 9   #413**

Choice:  Other

Comment:  Not as such.

This is one area where the current category of "subscriber" is probably more appropriate.

==Yes, ACS should be engaging in some way with high school students, to promote careers in computing.  No problem with keeping interested students on ACS mailing lists and even granting them *some* of the privileges of membership (perhaps entry to ACS events at the student member rate?), but it does not make sense to make them members.  There may be potential legal issues too (e.g. capacity of minors to execute agreements).==

**Karl Reed   Mar 10   #461**

Choice:  Yes

Comment:  They should not be voting members

**Adrian Porteous   Mar 13   #587**

Choice:  No

Comment:  ==Is this proposal based on identification of an opportunity by teachers and curriculum specialists in the Digital Technologies Learning Area of the Australian Curriculum (which covers up to Year 10)? Do tertiary education ICT/Computer Science University faculties see this as an enabler to attract students to tertiary ICT courses? Has this been done elsewhere? I haven't seen any study to show that this would be valuable to students and their teachers==.

**Chris Radbone   Mar 15   #672**

Choice:  Yes

Comment:  Like the idea but the use of ==the word 'cadet' may be dated==

==Agree on the need to have students - even primary and secondary students able to find a home in the ACS.== The term Cadet needs work but I am unsure of the appropriate name.

Name:   Roger

## 1.2.4 Dispute Resolution

**Summary**   (50-100 words)

There was support for a requirement in the constitutional document for a suitable procedure for briskly, efficiently and equitably resolving disputes.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to specify that the Society must have in place a suitable procedure for briskly, efficiently and equitably resolving disputes.

The By-Laws need to be upgraded to include a a suitable procedure for briskly, efficiently and equitably resolving disputes.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

**1.2.4 Dispute Resolution**

From time to time, disputes arise between members of a professional society, and between one or more members and the Society itself.  Legislation generally includes a requirement that associations have a procedure in place for dealing with disputes, but this cannot be used by members to enforce the implementation of a suitable procedure, or even any procedure at all.  The absence of such a procedure was a material factor in a serious dispute during 2019-20, which festered rather than being promptly addressed and resolved.

To ensure that means are available for resolving disputes that arise within the Society, members may want a requirement embedded in the constitutional document for a procedure for briskly, efficiently and equitably resolving disputes.

In Round 2, members were asked:

**Do you want embedded in the constitutional document the statement that a suitable procedure is to exist for the brisk, efficient and equitable resolution of disputes?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, most definitely, but maybe the finer details are captured in a separate document?

**Web-Form Votes**

Yes  –  13;   No  –  1.

**Forum Entries**

**Ashley Goldsworthy   Feb 3   #179**

Choice:  Yes

Comment:  self-evident

**Roger Clarke   Feb 4   #226**

Edited Feb 5

Choice:  Other

Comment:  Why embed it if the law requires it?

Just to clarify the reason for this issue being raised:

There are laws sort-of requiring such a procedure.  But those laws proved impossible to enforce when the dysfunctional MC of 2020 ignored the requirement.

By having the requirement express in the constitutional document, a rogue governing committee could be ejected by the members.

**Allan Baird   Mar 8   #382**

Choice:  No

Comment:  This is standard for any professional society and does not need to be embedded in the Constitution

**Karl Reed   Mar 15   #679**

The question is..

What kind of disputes and between whom?

Within ACS?

Between members on a "personal" basis?

Commercial disputes?

OR Ethics.. the must be a defined process for ethical disputes, and, a process for disputes within ACS that could otherwise lead to litigation, otherwise, no.

[ Forum Manager: Disputes between one or members and the Society or one more other members, on a matter that arises in the context of the Society. ]

**Adrian Porteous   Mar 13   #588**

Choice:  Yes

Comment:  Good to ensure that a suitable procedure is developed and maintained (and used!).

Name:   Roger

___

### 1.2.5 Member Communications

**Summary**   (50-100 words)

This was strongly supported by participants.  Some concern was voiced about whether the organisation had the competence to deliver a suitable platform, having failed multiple times in the past.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration should be given to declaring as a function to be performed:

- enablement of access by members to profile information of all other members, subject to control by each member over what appears in their public profile;
- enablement of discovery by members of other members with particular profile characteristics;
- enablement of communications by members to sub-sets of other members, subject to volume constraints (and recognising that each member can choose whether their contact-points are visible);
- enablement of members to establish ad hoc online fora and invite enrolment in them by other members.

Consideration should be given to:

- embedding a requirement for these services in the constitutional document;  and
- establishing a By-Law that articulates the requirements of and control mechanisms within the platform(s) and services.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

**1.2.5 Member Communications**

ACS operates several channels for communications from the Society's staff out to members, and it provides some channels whereby members can make contact with the Society. However, among the important services that a professional society needs to provide to its members is means whereby members can communicate with one another.  ACS provided members with email-addresses in the acslink domain from 1994 until 2018, but then closed the service.

*Very little exists in the way **of online forums for the discovery of other members with similar interests, and for the discussion of topics relevant to the profession and the Society itself***.

*Considerable disappointment was expressed about the low standard of the Society's own application of ICT more generally, including its web-site, and its events-related services.  The view was that it should be seen to be a leader, and its systems should be exemplars, not embarrassments.*

Members may want this to be ensured by creating an obligation for the Society to provide means whereby members can discover other members with similar interests, and means whereby members can establish and run online forums on professional and Society matters.

In Round 2, members were asked:

**Do you want embedded in the constitutional document the requirement that the ACS provide effective communications channels among members?**

**Event Reports**

**Queensland BEC Mon 14 Feb 2022:**

**Paul**:  I want a vehicle to enable members to communicate with one another (The Privacy Act has been used as an excuse for suppressing that).

**Marilyn**:  I can provide my consent to disclosure of my professional contact-points

**Peter**: I too provide my consent to disclosure of my professional contact-points, and strongly support provision of a vehicle to enable members to communicate with one another

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**
Very strong support (some 4s, mainly 5s).

**Matthew**:  Chapters need to know who the current members are, so that the Chapter Committee can interact with them.

**Paul**:  Constraints has been placed on this due to staff misunderstanding/exaggeration of Privacy Act provisions;  and there are some tech-platform deficiencies that create challenges.  These are in the process of being addressed.

**Canberra Branch – Thu 24 Feb 2022:**

**Andrew**:  [Part of] This can be done by members having a 'public profile' segment of their membership data, showing their interests.

**Grant**:  Any member should be able to initiate contact with any other via that public profile (without necessarily having access to the targeted member's contact-points, because each member needs to be able to opt-in/opt-out on the visibility of each data-item).  A new SIG can then be formed by invitation to people with those interests (plus snowballing on to each individual's personal contacts). LinkedIn is one possible vehicle

**Amy**: In response to inter-member communications – I noticed that the Event App by EventsAir that was used at ACS Reimagination 2022 had a feature within the 'privacy & settings' that enabled users to switch on and off personal details individuals wished to share to other users of the app such as name, email, social media profiles and time zones. There is no messaging option and some free form options would be required. Other organisations are using Slack.

**Vic Branch – Tue 2 Mar 2022:**

**Rod, Karl, Jeff**:  Vital, at the 5 level, and must be enabled by suitable tools.

**SA BEC  –  15 Mar 2022**

**Mustafa**:  That would be a fantastic idea.  It's an age of collaboration.  We can play a crucial role in that.  Other associations are doing something like it.  But it needs to be implemented well, and with due diligence.

**Jo, Chris**:  During Brenda's Presidency, the expression was 'Partnering for Success'.

**Chris**:  Again under Brenda's Presidency [2014-15], there was an initiative to establish a digital platform for members.  Despite the investment, it proved to be too much of a challenge for the staff [and volunteers?], culturally, and technically.  We're currently in a situation where we're even having to undertake major renewal of the technology used internally.

**Jo**:  Yes, we must do this, and do it well.  Other organisations do it.  But it has to be administered.  Conversations don't necessarily just happen, but need to be seeded.  Content needs to be curated.  Some organisations have used role-titles to draw people in, such as 'explorer' (= lurker), via contributor, up to leadership level.

**Nick**:  Getting the ICT Educators forum implemented, using HiveBrite, has been a long, slow and arduous process, which lost some of the clientele (ICT school teachers).  It's primarily a resource-access facility, with content-curation by one key person;  but it has some platform facilities and 1500 are registered, with hundreds of active users.

**Roger**:   There are no 'good' platforms, but there are some least-worst, pretty-usable ones.  The groups.io service was used to set up an online forum for CRWG-1, from scratch, in the space of a weekend.  CRWG2 is costing $60 to run, incl. about 700 interactions over 6 weeks.

**Chris**:   In thinking further about this, we need engagement tools and entertaining processes for empowering ACS members to drive the future.

**Tas BEC and Branch – 9 Mar 2022:**

**Jonathan:**  That issue hasn't come up at all in my experience.  No platform has been available.  It would be handy.  Reimagination had a busy chat window, with many people in there (although the tech facilities could have been richer).  I have no feel for the likelihood of success if done well;  but then I haven't seen the need.  I can't immediately see what ACS could do to make it compelling.

**Vic Branch – 10 March 2022:**

Strong support.

**Snez**:   This enables discussion, and projection of the ACS's activities, and the scope to facilitate co-operative analysis and design to address socially-important problems.

**Adrian**:  Large organisations use fora to extract ideas, discover opportunities.

**Dan**:   ACS has a competitive advantage to leverage.  ACS is a quality assurer.  You know you're within a community of people who know about stuff, and who will conduct themselves professionally.  ACS can operate trusted spaces.  That's a rare capability.

**NSW Branch  –  11 Mar 2022:**

Strongly supported:   1x3, 7x4, 1x5.

**Helen**:  It's particularly important to enable this in relation to governance matters.

## Submissions

**Sam Horwood  –  3 March 2022**

Yes, it's a good point that it has been relatively opaque. Are we talking about communications to members? Or communications between members?

It would potentially be really good to have a way of communicating between members who could help each other, like a peer network. We get e-mails from national and branch people, but that's more of a broadcast than anything else.

## Web-Form Votes

Yes  –  16;   No  –  2.

## Forum Entries

**Bob Tisdall Feb 3  #125**

The idea that the ACS should provide effective communication with the members would be goal of a member-based organisation and a policy for the governing body to espouse.

I suspect it is not a concept that would be suitable to put in a constitution explicitly

The lack of focus on current professional members was/is a direct result of the cash flows that arise from immigration activities.

**Allan Baird  Mar 8  #383**

Choice:  No

Comment:  This is standard for any professional society and does not need to be embedded in the Constitution

**Jack Burton   Mar 9  #414**

Choice:  Other

Comment:  I do not see any benefit in bringing back free mail redirection (a la acslink).  Computing professionals should have little difficulty in setting up their own mail servers anyway.

However, I do agree that there needs to be more in the way of bringing members together, facilitating opportunities for members to communicate *directly* with each other, without going through any staff intermediary.

In days gone by, the real-world events (branch fora, SIGs, chapters, EdXN, branch/national conferences etc.) provided good opportunities for that.  A small number of SIGs still do (but most have fallen into abeyance).

Of course there are many online possibilities today too.  However, I think it would be a huge mistake to mandate any particular technology.  Or even to mandate a method of engagement.

Such things work far more effectively when they are grass-roots efforts, driven by the members themselves.

The current governing documents include a clause (required by the Act) that grants members the right to inspect the register of membership.  However, in the past the powers that be have employed every dirty trick (within the letter of the law, but clearly not the spirit) to render that right effectively unusable.

What we need is a version of that clause with more teeth -- i.e. one under which members can actually exercise their right.

Outside of the constitution, at an operational level, even something simple like the elected representatives of each branch / chapter / SIG operating a mailing list for members would be a good start, but again I don't think that belongs in our governing documents (instead what we need is a governance regime that *empowers* professional members and their directly-elected representatives to make those things happen locally.

**Adrian Porteous   Mar 12   #580**

Choice:  Yes

Comment:  Professional communication among members would provide a valuable service. The lack of forum faciltities and the ability to link with members having similar interests is embarrassing! The technology to provide such services is readily available.

**Peter Anon    Mar 14   #625**

We also need to consider the opportunity for national SIGs with newer technologies opening up the possibility for conversations (online both synchronous e.g. video-conferencing, and group-chat; and asynchronous e.g. discussion forums, shared document construction with version control, and e-voting) across the country with the supporting technologies provided by the ACS.  These panels and SIGs could, at times, have focus on specifically improving professional standards and practices, but otherwise be about sharing efforts and techniques.  This would help topics with small local interest groups and more distant locations of interested people.

The ACS could do a lot to remove the restrictions of physical distance between its members and open up the profession as a result.

==The same technologies could be used to support transparency of governance at all levels.==

**Peter        08:55  #699**

Why does the CEO need to control our mailing lists?

Name:    Roger

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### 2.1.1 The Society's Primary, Scope-Defining Term

**Summary**   (50-100 words)

The dominant view appears to be that, given the absence of any better alternative:

- ICT should continue as the, or at least the primary, scope-defining term, in particular for internal use, and should continue to be interpreted broadly;
- alternatives proposed included:
    - 'IT' (which for some is broader, for some narrower);
    - 'technology' (which for most members is far too broad);
    - 'digital' (which for many members is vague, and probably ephemeral);
    - 'information and digital technology/ies' (IDT);
    - 'information and computing technologies' (ICT);
    - 'information and computational technologies' (ICT);
    - 'information & c... technologies & systems' (ICTS), to clearly encompass not only the technical, but also the socio-technical & systems aspects of our field;
- ICT should be complemented by other expressions, particularly in external contexts;
- the complementary expressions can shift over time;
- the use of complementary expressions should emphasise these lacking elements:
    - ICT practice;
    - ICT applications;
    - ICT implications;
- 'computing' could and should figure more prominently, perhaps replacing 'computer' in the Society's title, in order to lean away from hardware and towards its use.

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to indicate the intention to retain the existing terms 'information and communications technologies' and 'ICT' within the Nature and Values of the Organisation.

However, consideration should be given to asking for votes on:

- one or more variants or replacements;  and/or
- a possible statement that enables the use of complementary tag-lines, or at least care in drafting to ensure that no impediment exists to the use of complementary tag-lines.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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## 2.    ACS Activities

Members see the Society's mission, purposes and key functions as underpinning all ACS activities, as needing to drive decision rationale, and as standards against which performance is measured.

### 2.1    Scope of the Society

### 2.1.1 The Society's Primary, Scope-Defining Term

*Many members commented on the use of 'information and communications technologies' (ICT) as the primary means of defining the Society's scope.  Some discomfort existed about whether it is sufficiently comprehensive technically (e.g. is it clearly inclusive of data analytics, robotics and AI?), and sufficiently comprehensive in relation to broader management expertise relevant to ICT (cf. SFIA, including the 'business capability' approach encompassing people / process / structure / technology, ICT's integration into organisations, and organisational change).  Members also noted that* 'ICT' is at risk of being dated,

 *and that it may need {explicit?, implicit?} extension to applications of ICT, and to implications of ICT, or to "enablement of society through appropriate use of technology".*

*On the other hand, there is broad agreement that a general and succinct expression is necessary,*

*that alternatives such as 'technology' and 'automation' are too broad,*

*that 'IT' is dated, but is descriptive and inclusive, and may be making a comeback,*

*that other terms such as 'digital' are too ephemeral, and*

*that fashions can be followed by adapting subsidiary tag-lines over time.*

*Concerns were expressed that the term 'ICT' is little-known to the public.  Some members saw value in the provision of diverse examples of particular technologies that fall within ICT.  Others commented that, since 2015, the home-page contains no visible reference to the 'Australian Computer Society' or even 'ICT Professionals';  and*

*that 'computing' (as a human act) is a more appropriate term than 'computer' (whose primary usage refers to an artefact).*

***There was a dominant feeling that, given the absence of any better alternative, ICT should continue as the, or at least the primary, scope-defining term, complemented as appropriate by other expressions.***

However, some concerns were expressed about whether the way in which the term is applied in the current 'Objects' risks excessively narrow interpretations being made of the Society's scope. That is addressed in the following sections.

In Round 2, members were asked:

**Do you agree that Information and Communication Technology should continue to be the Society's scope-defining term?**

**Event Reports**

**Staff Event #1 – 2 Mar 2022:**

| | 0 | 3 | 6 | 9 |
|---|---|---|---|---|
| Votes re the Society's Primary, Scope-Defining Term: | | | | |
| Info & Comms Tech'y (ICT) | 0 | 0 | 5 | 3 |
| Computers | 9 | 1 | 0 | 0 |
| Computing | | | | |
|     (similar) | | | | |

Theme:  Don't spend undue time arguing about 'ICT';  and 'computer' would be a retrograde move

**Staff Event #2 – 3 Mar 2022:**

Purva:  The term 'IT' aligns better to current interpretations of what the Society is about than the term 'ICT'.  It looks more specific.

Anna:  I've never heard 'ICT' used outside the ACS context.

Troy:  Corporate Affairs were instructed some years ago, when dealing with government, external stakeholders, and the media, to use only the term 'IT'.

Paul:  The thinking behind that was that Communications was big for a while, but has fallen away.

Jamie:  Following on from Paul's point about future-proofing, 'IT' could be soon superseded, so the more generic term 'technology' is safer.

Anthony:  The term 'technology' assists with future-proofing, and enables adjustments to a changing market, by using qualifying terms around it.

Helen:  We need to be awake to generational change.  What does each of Gen X, Gen Y and iGen use?  Where does 'digital' belong?  How about 'Information and Digital Technology/ies' (IDT)?

**PAB – 16 March 2022:**

The question is whether "Information and Communication Technology" should continue to be the Society's scope-defining term.  ICT (and its abbreviation 'IT') is an entrenched label;  the PAB has not seen a viable alternative proposed.

Note: Useful as ICT might be as a label, ICT is a poor acronym for us (a computer society without 'computer' in its scope?). A better acronym for the same label **is Information & Computational Technology**.

It keeps 'IT' and it includes the computer. **Or, better, Information & Computational Technology & Systems (ICTS) to clearly incorporate the socio-technical & systems aspects of our field. This is the approach taken in the recent revision of the ACS Core Body of Knowledge.**

### Submissions

**Sam Horwood – 3 March 2022**

Yes. Of all of the alternatives, 'ICT' is the one that seems less like it might stand another 10 years.

**Jerome Mcteigue – Fri, 11 Mar 2022 13:12:23 +1100**

From this doc: https://www.acs.org.au/content/dam/acs/rules-and-regulations/ACS_Objects.pdf

I like this very much:

1 Principal Object

To promote the development of Australian information and communications technology resources.

... because I believe that Australia should be:

1.      Self-sufficient in our ICT resources and people
2.      Able to produce a surplus of 1., such that we are net exporters; in fact that it is our primary export (yes even bigger than mineral resources)

In my opinion, Australia has failed in this respect; because, from my experience in the ICT workforce, resources and people is mostly imported from outside Australia.

I hope our constitution continues to headline this '1 Principal Object' and we write a constitution that will support this.

### Web-Form Votes

Yes – 4;  No – 1.

### Forum Entries

**David Abulafia   Feb 3   #71**

Choice:  Yes

Comment:  I like to use the following to define the scope of the ACS.

The advancement of computing, information and communications technology and practice, i.e. Information and Communications technologies and their applications and implications.

The ethical and positive use of computers and information technologies to improve society, i.e. The advancement of ICT technology and practice for the positive benefit of the people of the community

**Shane Moore   Feb 3   #103**

Choice:  Other

Comment:  If possible there should be some indication of it covering practices, such as analysis/design, as opposed to just technology which could be thought to focus only on specific solutions.

**Don Fraser   Feb 10   #250**

Choice:  Yes

Comment:  best choice - for now

**Paul Bailes   Feb 15   #291**

I just received [a marketing email] from ACS [staff]

Where did the "Inclusive. Moving beyond thinking about a traditional 'ICT sector', we aim to include anyone who may work with technology in their career" come from?

That seems to suggest that a lot of what we're discussing in CRWG is determined (for the worse in my view).

Is it already time for a new Society to be formed for ICT professionals specifically?

Bad news

**Craig McDonald   Mar 1   #367**

Choice:  No

Comment:  ICT is an entrenched label; it would be a bit pointless trying to change it. However, it is a poor acronym for us: a computer society without 'computer' in its scope??  A better acronym for the same label is Information & Computational Technology. It keeps 'IT', and it includes the computer. Or, better, Information & Computational Technology & Systems (ICTS) to clearly incorporate the socio-technical & systems aspects of our field. Apart from being fairly intuitive, it has a long history in philosophy (eg. Plato) and science (eg. Popper) so is a well grounded framework for contextualising what computers do and the systems they are a part of.

**Tom Worthington Mar 2   #368**

Okay, but terms for computing come and go: digital, EDP, ADP ... milling. ;-) Let's not get too hung up on whatever the latest term is.

**C Chung Mar 6   #375**

Agree with Tom on this one.

**Allan Baird   Mar 8   #385**

Choice:  No

Comment:  Needs to have included into some reference to Operational Technology because the lines between IT and OT are becoming very blurred and perhaps even the use of the term 'digital' too

**Jack Burton   Mar 9   #415**

Choice:  No

Comment:  No and I disagree with the premise of the question (that "ICT" may be too narrow).  On the contrary, I'm concerned that "ICT" may be too broad.

I think we'd be better off using the word "computing", for which our Society was named after all.

**Alex Reid   Mar 10   #524**

Comment:  Some might argue that the name "Australian Computer Society" should be changed in line with more "modern" views of our field, including reference to Information Technology, Communications, Data Processing, Information Management, etc.  I have no problem myself with the name (we could even say "we are the ACS" like NCR says NCR no longer stands for "National Cash Register").

We might even want to consider changing Australian to Australasian with a view to merging with the NZ Computer Society sometime in the future (like the Constitution of Australia). I think we should leave it as Australian Computer Society.

**Jack Burton Mar 11  #533**

Interesting thoughts.

I tend to agree with Alex that we should leave ACS as the name...

...but *if* we are going to change it, the only change that I think would be appropriate would be to replace the word "Computer" with "Computing".

Rationale:  at least in Australia, our profession is about the art & science of *computing*, not about the design & manufacture of *computers*.

I don't like "IT" as a name for the reasons mentioned previously in another answer (in brief, it's far too broad and far too nebulous).

"Data processing" would exclude those engaged in scientific & engineering computing and likewise "information management" sounds too specific.

I would not want to see "Australian" changed to "Australasian", firstly as that would no doubt be seen (by them) as a direct attack in the market, both on IITPNZ (formerly NZCS) and on other national computer societies in the Australasian region (e.g. MNCC in Malaysia).

Secondly, "Australian" is a key part of what makes ACS ACS.  If we suddenly decide that we want to operate & compete *outside* of Australia, we will lose that key point of differentiation ... and we will be absolutely trounced by the larger, more mature (e.g. ACM is celebrating its *75th* anniversary this year) and better run international computer societies which are far more closely aligned to the core constituency of the the computing profession than ACS is (and so they attract far greater interest from computing professionals around the world).

I for one already derive more value from my membership in ACM than from my membership in ACS (and I've heard other ACS members say the same thing about IEEE-CS versus ACS).  But I maintain my membership of ACS *as well* as my membership of ACM, because ACS is *Australian* and I live & work in Australia.

If we lost that differentiating factor (without *first* become a organisation capable of competing directly with the likes of ACM & IEEE-CS -- which would take *decades* of good work to achieve), then I (and I presume many others too) would have little if any reason left to maintain our ACS memberships.

**Adrian Porteous   Mar 13  #590**

Choice:  Yes

Comment:  Possibly narrow scope, but I haven't seen a convincing wider scope definition. The ACS is a professional society, and hence scope boundaries need to be defined clearly. We do not seem to have a problem with the current scope deinition.

**Chris Radbone   Mar 15  #673**

Choice:  No

Comment:  The use of a term to convey what digital technology professionals provide, versus digital tech professionals (my favourite) versus IT professionals (second favourite), versus ICT professionals, versus Information and Communication Technology (ICT) spelt out in full... is very difficult...

**DR Burt    Mar 10  #484**

Choice:  No

Comment:  In the current cyber world it is critical that ACS members start considering the impacts that Operational/SCADA technologies, and OT communication links, have on ICT and ICT vulnerabilities.

**Roger Clarke Mar 14  #634**

No dispute there at all.  But what aspects of these applications, and the (to some extent at least) specialised infrastructure supporting them, do you see as not being encompassed by variously the C, the T and the I in ICT?

**Jack Burton Mar 16  #686**

Regardless of whether ontologically correct or not (an open question), the terms "OT" and "IT" are widely used in the field today as if they were mutually exclusive.

This is yet another area which would be simplified if we went back to talking about "computing" instead of "IT" -- if it has a microprocessor, then programming it (or designing it in the first place) clearly *is* computing, regardless of whether it's used for industrial control systems ("OT") or for commercial data processing systems ("IT").

Name:   Roger

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## 2.2.1 Formulation of the Society's Mission

**Summary**   (50-100 words)

The current Principal Object is:

"to <u>promote</u> the <u>development</u> of Australian information and communications technology <u>resources</u>"

Members would like to see some refinements to that, in order to adjust its focus.

The primary areas of concern are:

• 'resources' is not sufficiently broad, and not sufficiently active;

• 'development' can be read as 'design and manufacture', whereas a broader notion is needed;

• 'technology' can be read as a general or a singular noun;

• 'technology' can be interpreted as only including artefacts;

• 'promote' is insufficiently aspirational;

• there is insufficient sense of applications, implications, ethicality, benefits to the community.

---

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Make the following adjustments to the current Principal Object:

• 'resources' is not sufficiently broad, and not sufficiently active;  so substitute 'capabilities';

• 'development' can be read as 'design and manufacture', whereas a broader notion is needed; so substitute 'advancement';

• 'technology' can be read as a general or a singular noun;  so substitute 'technologies';

• 'technology' can be interpreted as only including artefacts;  so append 'and practices';

• 'promote' is insufficiently aspirational, so substitute a more active word;

• there is insufficient sense of sense of applications, implications, ethicality, benefits to the community;  so ensure those notions are implied.

That results in the following draft statement of the Society's Mission:

> **"to advance capabilities in and applications of information and communications technologies and practices, for the benefit of the Australian public"**

Note that this change from the previous Rules may require negotiation with various regulatory agencies.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 2.2    The Mission of the Society

The Society's current 'Primary Object' (Mission) is "to promote the development of Australian information and communications technology resources".   The registration of ACS with various organisations is predicated on the definition of its Primary Object, and any changes that are contemplated may require negotiation, in particular with two or more government agencies (including ACNC and ATO).

Note, however, that the law has changed over the decades, and organisations are not limited by their stated 'Objects', as used to be the case.  The law provides members with no means to force the governing committee and staff to respect the Society's values.  If members want to be able to do so, it is necessary for the constitutional document to include effective provisions that are available for members to exercise.

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### 2.2.1 Formulation of the Society's Mission

Questions have been raised about the underlined terms in s.2.2 immediately above, viz.

<div align="center">promote, development, resources</div>

In addition, alternative expressions have been suggested by members, which may better capture the intention.  See in particular the alternative expressions in italics:

- 'The *advancement* of *computing*, information and communications technology *and practice*'
- 'Information and Communications *technologies and their applications and implications*'
- 'The *ethical and positive* use of computers and information technologies *to improve society*'
- 'The advancement of ICT technology and practice *for the benefit of the community*'

*Serious concern was expressed about the absence from the ACS home-page, since 2015, of 'computer', 'computing', 'IT' and 'Society', and the at best casual mentions of 'ICT' and 'professional'.  This was seen as exacerbating the failure of the web-site's appearance and facilities to be anywhere near contemporary expectations of quality.*

Note that care is needed with any amendments, in order to remain compliant with the law and public policy.

In Round 2, members were asked:

**Do you want any adaptation in the expression of the Society's Mission ('Primary Object')?**

**Event Reports**

**SA BEC  –  15 Mar 2022**

**Mustafa**:   I generally like the existing Principal Object, but whether it would benefit from refinement depends on the Society's core focus.  Is it the ICT industry?  people?  technology?

**Response**:    The people who apply ICT technology, in all industries.

**Mustafa**:   I'm attracted to the 'advancement' notion, because it's relevant (in slightly different ways of course) to members, to recent graduates, to students, and to society.

**Mustafa**:   The word 'practice' speaks to members and non-member professionals.

**Mustafa**:   Also attractive is 'ethical and positive uses' to achieve 'benefits for society'

**Chris**:   How different is 'advancement' from the existing 'promote development?
Would 'capability' be a better word to use than 'resources'?
I find any additional emphasis on 'computers/ing' disturbing, given the ubiquity of diverse ICT(s).

**Mustafa**:   'Resources' is a little awkward, with 'human resources' less-used these days.

**Jo**:   Computing is too old-fashioned.  BCS uses 'BCS:  the chartered institute for IT'.
The second tag-line matters, and can gradually shift.

### PAB – 16 March 2022:

The PAB strongly supports the inclusion (retention) of the existing points 1, 4 and 7 in the purposes of the society:

2.1 To advance professional excellence in information and communications technology.

2.4 To define and promote the maintenance of standards of knowledge of information and communications technology for members.

2.7 To maintain and promote the observance of a code of ethics for members of the Society.

Note: The PAB suggests that the "Mission" statement in this part of the document is redundant as it is covered in the declaration of the ACS being a professional society, its scope and its objective.

### Submissions

### Web-Form Votes

Yes – 1;  No – 4.

### Forum Entries

### David Abulafia   Feb 3   #72

Choice:  No

Comment:  I like to use the following to define the scope of the ACS.

The advancement of computing, information and communications technology and practice, i.e. Information and Communications technologies and their applications and implications.

The ethical and positive use of computers and information technologies to improve society, i.e. The advancement of ICT technology and practice for the positive benefit of the people of the community

### Karl Reed    Feb 3   #165

I like this suggestion, however, I have one that goes further.

The current rules and Regs are unworkable because there too many omissions of the "obvious", and, was know if its not written down it may not exist.

My version is a bit more detailed, but, that shouldn't biug peopletoo much.

"to promote the development of Australian information and communications technology resources ensuring that Australia has the capability to guarantee its safe, ethical, socially beneficial  and effective application, and, production of the technology in Australia .

 The  "Secondary Objects" altered to read [material changes in yellow]:

1      advancement of professional excellence in ICT;

2      furthering ICT study, science and application;

3      promotion, development and monitoring of competence in the practice of ICT;

4      definition and promotion of the maintenance of standards of knowledge in ICT;

5      support for the formulation of effective policies on ICT and related matters, aimed at ensuring the safe, ethical, socially beneficial and effective application, and, production of the technology in Australia;

6      extension of the knowledge and understanding of ICT;

7      promotion of the code of ethics;

8      promoting gender balance and social diversity.

There seems to be some confusion between the "Secondary Objects" and the "Purposes"

I would add to Purpose (8) so that it reads..

(8)      The provision of information and advice to community leaders and decision makers in relation to effective policies on the science, practice, application and implications of ICT, information infrastructure resources, promotion of Australian owned creation of ICT products and services, and related matters

1 person liked this

**Paul O'Brien   Feb 3   #29**

Choice:  Yes

Comment:  Replace development with advancement. Replace resources with professionalism

**Shane Moore   Feb 3   #115**

Choice:  Yes

Comment:  I feel it should be focused on ensuring its members are kept up to date with (worldwide) developments in ICT and should promote professionalism in the conduct of its members (so as to lead to the broader Australian community having trust towards members of the society (perhaps more so than to a non-member)) in regards to their capacity to provide ICT solutions/services of the highest degree - as we would expect of accountants, lawyers, etc..

**Don Fraser Feb 10   #253**

Choice:  Yes

Comment:  Resources or People?

I think the primary object must focus on people.  Including "resources" allows the scope to include physical items like factories, incubators, research labs, machines - which are way off track for professional society

**Rimas Skeivys   Feb 10   #255**

Choice:  Yes

Comment:  Define Purpose and Value Generation in line with ISO 37000.  Drop terms such as Mission, Vision, Objectives

**Karl Reed   Feb 16   #301**

INCLUDE: ethical and positive uses, and benefits for society

here is my mission statement

https://groups.io/g/CRWG-2/message/165?p=%2C%2C%2C20%2C0%2C0%2C0%3A%3Arecentpostdate%2Fsticky%2C%2Cmission%2C20%2C%2C2%2C0%2C88878280

**Ann Moffatt Feb 16   #302**

It wouldn't be hard to do better than myGov.

**David Abulafia Feb 16   #303**

The covid surveillance app was a very expensive joke, someone made a fortune out of that app. When I was infected by covid19 they did not ask me to download my surveillance data.

**Karl Reed   Feb 16   #304**

Paul, I see your comment:

"IMHO including in the Society's mission/goals/whatever any kind of brief to comment on benefits for society/public policy matters/etc leads inevitably to the pursuit of a variety of what I would call "political" sidelines depending upon the interests of whoever is in charge of the Society from time to time. So for example while ACS is spending time endorsing the COVIDSafe App, it does not seem to be spending time getting to the bottom of the lapses in professionalism that might be responsible for costly (in $ and social terms) failures in ICT system development/procurement. (The foregoing applies irrespective of whether or not the position apparently taken by ACS on COVIDSafe was correct or not.)"

As you would expect from my almost 50 year record, I don't agree.

If you are saying ACS should not engage in general political campaigning I agree, except, there could be exceptional circumstances where ACS may have the courage to speak out.

However, I cannot agree if this mean that ACS did not speak out on issues relating to, for example,

- COVIDsafe  the basic idea was flawed and obviously so, and, someone needed to tell Australia that it was.
- Funding for ICT education, research and adoption in small business
- Imploring Govt to take a stand on SW Quality
- Dealing with the maintenance of professional standards. This is a political issue.

- The killer robot issue
- Poor very large investment choices by both government and industry..surely the issues associated with poor systems development practice are worth commenting on.
- The impact of poor culturally naive public facing systems.
- Even the bitcoin-blockchain problem..
- Impact of social media

I can, as you'd imagine, go on almost indefinitely.

So, I don't agree.

Also, professional standards will become a political issue, and should be!

**Paul Bailes Feb 17   #305**

Thanks Karl for frank response.

To be brief:

I agree 100% that the list of social benefit/public policy matters/etc goes on, as you say "almost indefinitely"

But that's one of the main reasons I fear ACS taking this sort of thing on: where will ACS find the time to give "professionalism" priority? (BTW some of your list are what I would call "professional" issues, but some not and probably many more re the "almost indefinitely" list)

Also critically: who is going to decide the ACS view on these (social/public) issues? It's naïve to think that there won't be many of these about which ACS members will disagree. To have ACS leadership pushing for things that I abhor would make me feel exploited.

ACS also needs to tread warily in spaces with technical significance – to endorse e.g. some software development method over another would be fraught (let alone endorsing any specific piece of technology).

To summarise, ACS should stand for the things that characterise "ICT professionalism" and nothing else, and leave the remainder to bodies with charters for specific kinds of activism in whatever social (or even technical) space(s) they choose to position themselves.

Thanks for the opportunity to reiterate (and hopefully clarify) my position.

**Paul Bailes Feb 17   #306**

Thanks to ACS for supplying an interesting example of what I fear  … arrived in our inboxes today (mine in the last twenty minutes) – Subject: Information Age.

We read that "Two years ago, the Prime Minister urged us all to download the COVIDSafe app … A new study has now shown the $10m COVIDSafe app to have been next to useless."

My takeaway from this is "Bad ScoMo".

Highly regrettable to see ACS taking inherently political potshot at the PM without anything in the email intro or the article about ACS's role in commending COVIDSafe.

**Karl Reed    Feb 17   #307**

Paul, I don't think I agree. I would make such statement (as you well know) no matter which side the PM was on. Actually, I might be more critical of my own side!

BTW, I am not a member of a political party and never was since 1971.

As a senior ACS spokes person from 1974 to 12006, I considered it in appropriate..

The question for ACS is why was this project attempted in the first place?

The idea that you could reliably determine the distance between two BT devices from the signal strengths was always flawed.

There needs to be some kind of technical evaluation of proposed projects.

I am also worried about plans to re-do mygov..

**Paul Bailes Feb 17   #308**

Karl, Thanks for not agreeing – sincerely.

Because that it is *exactly* my point – by ACS engaging with anything other than issues strictly pertaining to ICT professionalism, we end up with dissension (in this case between you and me).

I don't doubt that that there are "professionalism" issues related to COVIDSafe, but if ACS were taking an appropriate ICT-professionalism position on this question, it would

avoid casting the issue in a political light (personal reference to PM Morrison)

rather it would be interested in the role of the ICT professionals involved in the procurement and roll-out, and the appropriateness of their behaviours

and (consequent to 2. above), not spare ACS from scrutiny in this exercise for its at least prima facie endorsement of COVIDSafe.

**Karl Reed   Feb 17   #309**

Paul, I am less concerned about ACS having a consistent voice. I agree its highly desirable, but, the only major political party that seems to managing this in the last few months are the Greens, that is only because they have shed some dissenting voices. The ALP's consistency on climate change, six months ago, was non-existent, for example.

If Governments can deal with inconsistent voices, then so can ACS.

However, you are most likely right see YYY  and I don't agree see DDD

**Roger Clarke Feb 17   #310**

I've taken the liberty of adding Tags 2.4.2 and 1.2.5 to this thread.

2.4.2's about 'Do you want engagement on the question of how members can contribute to the Society's national strategy and policy?'

1.2.5:

'Do you want embedded in the constitutional document the requirement that the ACS provide effective communications channels among members?'

The meta-question (which Paul asked in Round 1) is 'What mechanisms can exist to enable Karl, Paul and others concerned about a particular matter of policy and/or strategy to (a) discover there's an opportunity to engage, (b) discover one another's points-of-view, (c) discuss it, and (d) feed the insights into the policy/strategy formation process?'.

See https://crwg.org/2/CRWG2-ConsDoc.html#2.4.2

and https://crwg.org/2/CRWG2-ConsDoc.html#1.2.5

**th0ughtr0c@gmail.com   Feb 15   #286**

Choice:  Yes

Comment:  INCLUDE: ethical and positive uses, and benefits for society.

**Paul Bailes Feb 15   #290**

TL;DR ...

Anything that distracts the Society from pursuit of what should be its primary goal (of developing the professionalism of ICT practitioners) should be avoided.

In detail ... please read on

...

IMHO including in the Society's mission/goals/whatever any kind of brief to comment on benefits for society/public policy matters/etc leads inevitably to the pursuit of a variety of what I would call "political" sidelines depending upon the interests of whoever is in charge of the Society from time to time. So for example while ACS is spending time endorsing the COVIDSafe App, it does not seem to be spending time getting to the bottom of the lapses in professionalism that might be responsible for costly (in $ and social terms) failures in ICT system development/procurement. (The foregoing applies irrespective of whether or not the position apparently taken by ACS on COVIDSafe was correct or not.)

Noone besides ACS is going to worry about ICT professionalism, but plenty of people are going to want to have something to say about public policy matters (outside "professionalism" issues) so let them find their own platforms while we in ACS maintain our own focus. I firmly believe (based on my perception of ACS to date) that if the Society has legitimate foci outside/additional to "professional" issues, these additions will dominate at the expense of the "professional" focus.

You might say that ACS puts a lot of effort into "professionalism":

E.g. 1. the accreditation of ICT degrees. To that specific example, I respond that the substance doesn't quite match the image:

*   yes, Universities put huge effort into compliance with ACS accreditation requirements (speaking here from experience)
*   BUT, ACS doesn't require an ACS-accredited ICT degree for professional membership (so what's the point of accreditation?)
*   ALSO (part of a bigger problem I concede), the ACS accreditation requirements had (still have, I presume) to cover without discrimination the entire spectrum of ICT, which means that it's evidently impossible to write degree requirements with meaningful "teeth" (e.g. last time I looked, impossible to require that a Computer Science degree included Discrete Maths!!!)

E.g. 2. professional development sessions of various kinds. Again I question the substantial effect:

*   yes, lots of activity and unarguably interesting
*   BUT does participation engage with any kind of required structure for content/outcomes, and not just counting hours?

IMNSHO the solution will include the following.

A. Agreed that "ethics" is the foundation of professionalism, but benefits for society/public policy matters are a distraction from ACS core business of developing the professionalism of ICT practitioners.

B. ACS support for "professionalism" will be improved only when the differences (at the strictly professional level) between widely diverse kinds of "ICT professionals" are acknowledged and recognised in ACS's provisions for professional recognition and development, etc.

C. ACS needs to be prepared to work with other organisations in the ICT space, primarily those with impact on "professionalism". But also, partners with interests in benefits for society/public policy matters could be engaged with to ensure that "ICT professionalism" issues were addressed in their various pronouncements/activities (perhaps with endorsement from ACS).

PS If (big IF) the Society were to take positions on broader benefits for society/public policy matters/etc., that should be with the authority of MC (or its successor under any new constitution) and any delegation made to professional/technical Boards and Committees (and not e.g. staff).

PPS of course, if ACS would rather engage in broad public policy matters, then maybe it's time for a new ICT professional organisation with a genuine "professional" focus, while ACS …

### Ann Moffatt Feb 15  #292

Well said paul.

### David Abulafia Feb 15  #293

Except for one point, as a person with 40 years ACS membership I agree completely with the comments of Paul.

The one point, the ACS should have ethics which includes making sure all ICT projects will have a positive affect on society at all level, and not a destructive affect on society. The just because we can do it, does not mean we should do it, without knowing the impact on society. We should not be a ivory tower, on social implications, and not worry about the effects on people down at ground level.

### Paul Bailes Feb 15  #294

Thanks David! Basically agreed. Now for the tricky bit …

I fear that our social context is currently seriously polarised, in multiple dimensions. E.g. some ICT applications that some of us might think of as a social necessity might to others of us be abhorrent.

What would be the ACS ethical position?

(Not to sidestep the question, but to highlight that the answer is not simple.)

### David Abulafia Feb 15  #296

Paul, It is the "some of us" that live in an ivory tower, that say some ICT applications that some of us might think of as a social necessity might to others of us be abhorrent. This is what I am worry about. Particularly after attending an ACS talk about the future of the work, the lady who gave the talk, after my questions openly admitted she did not care about society, she only cared about if it

can be done, it should be done, and I do not care about the effect on society because she will be okay.

**David Abulafia Feb 15   #297**

ACS's ethical opinion should be a ground level, social wide, analysis and not an ivory tower, let them eat cake response.

**Paul Bailes Feb 15   #298**

I'm sorry David, I can't parse your "It is the "some of us" that live in an ivory tower, that say some ICT applications that some of us might think of as a social necessity might to others of us be abhorrent."

Could I trouble you to re-word please?

**David Abulafia Feb 15   #299**

I am worry about the ICT managers who say a project should be done because it will save money, and who cares about the social impact, for example the ACS speaker who talk about the future of work. I am an ACS member for 40 years and I am no laddite, but this new industrial revolution is very different to the past industrial revolution, there will be no new jobs types for redundant workers to go to, because not everyone can work at the higher level required by these new jobs, and the government or employers will not put the resources in to help the redundant workers to try and reach the capability level of the new job types.

**Karl Reed    Feb 16   #300**

Well, I am an ICT professional of some 56 years standing.

I consider myself a highly informed Luddite.

I am not interested in seeing the continued deployment of public facing systems that do not deliver.

An example is the 000 service in Victoria.

It is NOT socially responsible for labour efficiency to be pursued via ICT to the point where so-called labour intensive jobs are removed with no plan for alternatives.

I submit that the main benefit of 5G is not economic, its political amd anti-social. One needs this technology for mass surveillance.

At the same time, Boehm's Law (https://rnjn.in/glossary/boehms-law/ is hitting us in spades.. (the cost of finding and fixing a defect grows exponentially with time). The cost of repairing some systems is uneconomic.

As we speak, there multiple $0.5B projects around .. what is their justification, and, what quality control will they use?

Will these projects do better than mygov?

**Ann Moffatt Feb 18   #312**

I like the BCS 'slogan'. Make IT good for society.

**David Abulafia Feb 19   #314**

I like BCS slogan

**Jack Burton    Mar 9   #416**

Choice:  Other

Comment:  I'm still confused as to why ACNC registration is seen as necessary for ACS -- do we really derive that much of our income from donations?

On the other hand the point re non-profit status with ATO is well made.  Originally ACS did that under the category of "scientific institution", but it would be quite hard to justify that now that we no longer publish any journals nor run any conferences.  It is difficult to answer this question fairly without knowing the requirements for our current class of registration, nor those for the alternative classes available to us.

However, from your examples given in the discussion paper:

* I support reintroducing the word "computing" in the first example ... and in fact I'd go further and use "computing" *instead* of "ICT" (see also my answer to the previous question)

* I thought the reference to computer *ethics* in the third example was a nice touch, although I didn't like the example it was in -- too wishy-washy.  A good mission statement needs to be punchy / memorable *in addition* to being an accurate description of why we exist.

* I think the word "advancement" (in the first & fourth examples) is better than "development" (in the current mission statement).  I seem to recall that the original mission was something like "advancing the art & science of computing in Australia" (I might have the wording a little wrong though), which I think is both punchier and more aspirational than any of the current examples.

**Karl Reed    Mar 10   #462**

Choice:  Yes

Comment:  AS bit long, but..

"to promote the development of Australian information and communications technology ensuring that Australia has the capability to guarantee its safe, ethical, socially beneficial  and effective application, and, production of the technology in Australia.

This is to be achieved through the development, dissemination and  maintenance of professional standards within the Australian ICT  domain.

**Adrian Mortimer    Mar 11   #550**

Choice:  Yes

Comment:  I think the  current object doesn't really capture what the ACS should be about.

Something like "The Advancement of Computer, Information and Communications Technology and Practice for the benefit of the community" appeals to me more ...

**Adrian Porteous     Mar 13   #592**

Choice:  Yes

Comment:  The current Mission is at odds with the Principal Object of a Professional Society. The underlined term 'resources' is not an attractor to the society, at least for this member!

**Chris Radbone    15 Mar**

Remove 'resources' and add advancement and capability - picking up 'Empowering members to drive the future' = good tag line!

Name:   Roger

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### 2.2.2 Embedment in the Constitution

**Summary**   (50-100 words)

Most members want the Mission embedded in the constitutional document.
Some are concerned about that making it too difficult to adapt over time.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs
to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs
to be inter-related with particular other elements in order to make full sense, ...)

Express the revised Mission statement in the constitutional document.

Ensure that amendments to the constitutional document are no more slow and cumbersome than is
necessary to ensure that members are ensured of the opportunity to make an informed decision.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**2.2.2 Embedment in the Constitution**

*The Society's* <mark>Mission</mark> *is seen* <mark>as a key element in the expression of ACS values, which should drive decision rationale</mark>.

Members may wish the Society's Mission to underpin all ACS activities, to drive decision rationale, and to be used as a standard against which performance is measured.

In Round 2, members were asked:

**Do you want the Society's Mission embedded in the constitutional document?**

**Event Reports**

**NSW Branch Focus Group  –  14 Mar 2022:**

**Simon**:   A constitution can only go so far.  There's a natural hesitancy on the part of members to 'break the emergency glass' and sack governing committee members.  Will the members be able to get a future errant governing committee (<u>and</u> errant Branch Committees) back into line with Society values?  Will there be features that ensure the power will not be confined to a few in the centre?

**Roger**:   Agreed that features are needed (and a further part of the problem is that the statutes, and the regulators, and even the courts, are of little use in hauling back on inappropriate behaviour by governing committees).  We very much need member input on this series of points.

**Submissions**

**Sam Horwood  –  3 March 2022**

I feel <mark>the use of the word "development" and "resource" in the existing mission / primary object are potentially ambiguous, whether by design or not</mark>. Development is obviously a term with dual meaning in ICT, and resource could mean hardware, software or liveware (people). Of those three, the ACS should really only be focused on the development of ICT professionals within Australia.

<mark>I also strongly encourage maintaining the reference to our geographic boundary of Australia</mark>. While it has been argued that technology transcends national boundaries, etc, I strongly want my professional society to focus on our own, and in my mind, that means developing professionals within Australia.

**Web-Form Votes**

<mark>Yes  –  14;   No  –  1</mark>.

**Forum Entries**

**Rimas Skeivys  Feb 10   #256**

Choice:  No

Comment:  <mark>Replace Mission by Purpose in line with ISO 37000.</mark>

**Jack Burton   Mar 9   #417**

Choice:  Other

Comment:  I applaud the sentiment behind this proposal, but <mark>the wording still needs a lot of work</mark>.

**Alex Reid    Mar 9   #422**

Choice:  Yes

Comment:  <mark>Something about the purpose or objects or mission of the Society has to be in the Constitution, as a fundamental platform for its existence (raison d'etre).</mark>

**Karl Reed   Mar 10   #463**

Choice:  Yes

Comment:  It should be inspiring and be something people want to be part of

**Ann Moffatt Mar 14   #630**

I've always been told that a good mission statement is one that a member can quote verbatim at 3am.

**Keith Besgrove   Mar 15   #644**

Choice:  No

Comment:  Beware of ossification

if you embed it in the constitution you make it so much more difficult to change in the future. I am unconvinced that the mission should be immutable.

**Paul Bailes Mar 15   #657**

Whom do you propose to be empowered to change the Society's Mission, if not the broad (professional) membership that would need to be consulted in a constitutional change?

**Allan Baird    Mar 8   #384**

Choice:  No

Comment:  There will be a need to update the mission as a part of the ACS Strategic Planning processes and to embed it in the Constitution adds an unnecessary layer of complexity.

**Karl Reed    Mar 15   #680**

I think it should be.

The strategic planning should be providing guidance on HOW to achieve the mission.

The other way around would be a disaster, and, has already lead to the problems we now have.

Name: _____Don_____

---

### 2.3.1 Alignment with the Professional Membership

**Summary**   (50-100 words)

It is clear from comments of contributors, that there is concern about past actions of ACS and a desire that the organisation become more member centric.

Member-centric activities include professional publications, development and promulgation of technical standards, facilitation of peer groups (SIGS, National Forum), training and assistance in career avancement.  Some members hoped that a stricter threshold for professional membership might enhance their own employability reputation.

A number of members wished the Society to better express member perspectives in published policy and opinion pieces – rather than rely upon staff alone to prepare such matters.

---

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

However, there is no expressed confidence in member responses to this question that changing wording of purposes or phrases in the constitution would guarantee change / alignment.

---

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

During the first round of consultation, some members expressed concern that ==the Society had not been aligning its additional activities with the interests of the professional membership, and as a result was drifting away both from its members and from its commitment to the public good.==

*One important example of drift away from alignment is* ==***the heavy bias in priorities regarding skills assessment and ICT career-entry towards intending and very recent immigrants***==. *This is perceived as being motivated by revenue-generation, and as representing a service to Australian industry, and to be failing the needs of people within Australia entering the ICT field. Specific 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.*

==*The list of Purposes, and performance against them, are seen as the basic underpinning of all ACS activities which should drive decision rationale.*==

*An additional Principle was proposed as 'Strategic Alignment of Society activities with the ACS Professional Division Membership'.  It is argued that this forces the resetting and resizing of ACS, consistent with its Mission and Purposes.*

Members may wish to propose adaptations to the existing Purposes, in order to reflect the behaviour of the professional members as the means whereby the Society serves the public good.

In Round 2, members were asked:

**Do you want the Society's Purposes to be adapted to better align them with the intentions of the Professional Membership?**

**Event Reports**

<What participants said in Round 2 Events>

**Queensland BEC Mon 14 Feb 2022:**

Beau:  The strength of the organisation is its members, so we have to understand what they want – and how those needs change over time – and be agile enough to service those needs.  Over-governance is the enemy of agility


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes, in principle I strongly support our purposes be reworded to better align with the intentions of professional membership. With respect to specific changes to the existing secondary objects, while I can't dispute any of them at a general level, my concern is that the deliberately general wording has been used (and is being used in the case of the current draft strategic plan) a number of actions and initiatives that are counter to what I would assume the professional membership want from their society. ==Perhaps more specificity or defining actions as in and out of scope to better guide for the leadership in the direction that we need to head==.

**Jerome Mcteigue  –  Fri, 11 Mar 2022 13:12:23 +1100**

From this doc: https://www.acs.org.au/content/dam/acs/rules-and-regulations/ACS_Objects.pdf

I like this very much:

1 Principal Object

To promote the development of Australian information and communications technology resources.

... because I believe that Australia should be:

1.     Self-sufficient in our ICT resources and people

2.     Able to produce a surplus of 1., such that we are net exporters; in fact that it is our primary export (yes even bigger than mineral resources)

In my opinion, Australia has failed in this respect; because, from my experience in the ICT workforce, resources and people is mostly imported from outside Australia.

<mark>I hope our constitution continues to headline this '1 Principal Object' and we write a constitution that will support this.</mark>

**Web-Form Votes**

Yes – 12;  No – 2.

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Roger Clarke Feb 3   #10**

A Starter Question

Some members are concerned that the Society's orientation has drifted away from its members.

They argue that <mark>the constitutional document needs to formally oblige the governing committee to keep the organisation's focus on the interests of the members, thereby fulfilling its obligation to serve the interests of the general public.</mark>

But how do you see it?

1 person liked this

**Justin Pierce   Feb 3   #100**

Yep, 100%.

ACS ought not be a commercial enterprise.

**Lawrie Dalman Feb 3   #124**

Since joining only recently (2020), it has been interesting, but slightly disconcerting to read during the discussions about change, improvement and the constitution, <mark>how far ACS has sometimes drifted from its mission and the code-of-conduct</mark>. I welcome the willingness for review of ACS by members, along with intention for improvement of ACS constitution, conduct and governance.

When I joined, it was strongly influenced by the view put forward, that ACS existed to sever the members and the public interest around use, support and development of ICT.

It feels important for the ACS to focus on serving members, while observing the code-of-conduct at all times, at all levels.

**Kirsten Wahlstrom Feb 3   #144**

<mark>I agree that the governing committee should be obliged to keep the focus of The ACS on the interests of members, but I'm not sure the constitutional document is best vehicle for this obligation.</mark>

**David Abulafia Feb 4   #209**

I agree with this

**Rod Dilnutt Feb 4   #213**

I joined ACS in 1990 to belong to a professional society that provided career support services to its members for them to prosper in their chosen ICT careers.  <mark>The ACS focus MUST remain member centric which, in turn, contributes to the development of the ICT industry and the greater good of the Australian economy and community.  Our constitution must reflect this</mark>.

**Ashley Maher Feb 5   #228**

yes it does

**Zac Isaac   Feb 3   #166**

Choice:  Yes

Comment:  Engage, encourage and empower young people!

As a young person myself that has been supported and encouraged as part of the ACS, I'd like to see more initiatives that engage and attract young talented, and aspiring individuals. We may lack the wealth of knowledge and experience that senior members have, however, we're energetic,

passionate, and constantly looking to learn, with that we can bring fresh perspectives to various topics.

I'd like to be a voice for students and recent graduates who may be too focused on their studies or searching for a job to participate in this constitutional reform, whereby the changes made here will be in place for years to come.

**Rod Dilnutt Feb 4   #216**

Yes,  ==The young generation as the future leaders and need support and encouragement as they develop their careers==

1 person liked this

**Rimas Skeivys   Feb 10   #258**

Choice:  No

Comment:  The ACS meaning of Purpose is better related to Value Generation in ISO 37000

**th0ughtr0c@gmail.com    Feb 15   #287**

Choice:  Yes

Comment:  Should the Society become a trade union for ICT professionals, with the Society setting pay and conditions for its professional members?

A similar arrangement exists for medical doctors (Australian Medical Association) and dentists (Australian Dental Association).

**Karl Reed    Feb 15   #288**

I do not think that ACS should become a Union. The idea has been discussed since the 1970's at Council.

Ashley Goldsworthy proposed and got the ACS to start a Union type organisation on, I think two occasions.

These failed.

The interesting thing is that the current IR legislation has quite stiff governance and election process requirements.

Union officials are required by law to undertake formal training in governance, including reading accounts statements.

As an incoming member of the NTEU National Council, I was required to sit these.. I am not sure what happened if you failed them, but, you had to sit them.

Being a Union would create a lot of problems, although it would also have benefits in addition to governance requirements that I have mentioned above.

I don't know exactly how the AMA stands, but, it really does a great job for it's profssion and society at large.

**Roger Clarke    Feb 15   #289**

On Tue, Feb 15, 2022 at 04:00 PM, <th0ughtr0c@gmail.com> wrote:

> A similar arrangement exists for medical doctors (Australian Medical Association) and dentists (Australian Dental Association).

ACS has always positioned itself as the equivalent of the Royal Aust. Colleges (RACGP, RACS, etc.), rather than as a union / AMA-like organisation.

I'm not familiar with the ADA, but my impression is that they're a professional society.  If so, they're required by law to be pretty gentle about how they go about lobbying in relation to pay and conditions for employed dentists, or government / health fund payments to self-employed dentists and the companies they operate through.  (Although more general policy work in relation to the job-market, the effectiveness of regulatory arrangements, etc., *are* within-scope of a professional society).

That doesn't in any way detract from your question as to whether "the Society become a trade union for ICT professionals".

My purpose in this reply is just to suggest that it would be a very significant change.

**Paul Bailes Feb 15   #295**

Dear Roger

For once I am not sure I agree with you; indeed sure I disagree in one important respect.

Compared to the Royal Aust. Colleges (RACGP, RACS, etc.), the ACS is quite different:

* each of these colleges addresses a specialisation, whereas the ACS addresses the entire "ICT profession" (whatever that is, see comparison with AMA below)

* each of these colleges is quite good at defining what qualifications and ongoing CPD is required for membership (sorry, fellowship), whereas while ACS professes to accredit university qualifications in ICT, they remain optional.

Compared to the AMA, the ACS is also different:

* whereas the AMA addresses one professional group (medical practitioners) in an industry (Health), ACS likes to portray itself as the professional society for the entire ICT industry.

* ditto for the ADA (which addresses the specific profession of dentists, not dental nurses, nor other health professionals).

I might add that the Colleges, AMA and ADA seem to be successful in promoting the professional interests of their members. ACS?

Agreed we don't want to become a trade union; but from the point of view of member benefits we want to be like the RACGP, RACS, AMA, ADA etc. that have so much clout that a union is superfluous.

The continued "fascination" that the ACS has in being an industry-wide professional society is so obviously pointless (from a member's benefit angle) and contrary to just about every other professional association (eg as cited above) that you have to wonder why it persists.

And now (today) ACS tells us that "Moving beyond thinking about a traditional 'ICT sector', we aim to include ANYONE [my emphasis] who may work with technology in their career" ... good grief! I would really like to hear from our office-bearers (hear in this forum) how things have come to this.

### Ann Moffatt Feb 18   #313

Excellent points Paul.

### Tony Errington Feb 21   #329

I agree that the ACS should not become a Trade Union.

It is not however correct to say Ashley Goldsworthy's attempt to establish a Union (I am only aware of one attempt) was a failure. In the mid to late 1970's he established a union (ACPA?) in response to a campaign by the (then) Federated Clerks Union to persuade people in the IT industry to join them. I was appointed the Chair in WA, reporting to Ashley and from memory we gained around 100 members in WA alone. After a year or two, the Federated Clerks Union lost interest, and once the threat was removed, people simply did not renew their subs and the union faded into nothing.

### Karl Reed    Feb 21   #330

Thanks Tony

### Karl Reed    Mar 10   #464

Choice:  Yes

Comment:

A Set of Purposes:
• advancement of professional excellence in ICT;
• furthering ICT study, science and application;
• promotion, development and monitoring of competence in the practice of ICT;
• definition and promotion of the maintenance of standards of knowledge in ICT;
• support for the formulation of effective policies on ICT and related matters, aimed at ensuring the safe, ethical, socially beneficial  and effective application, and, production of the technology in Australia  ;
• extension of the knowledge and understanding of ICT; and
• promotion of the code of ethics
• promoting gender balance and social diversity

- <mark>The provision of information and advice to community leaders and decision makers in relation to effective policies on the science, practice, application and implications of ICT, information infrastructure resources, promotion of Australian owned creation of ICT products and services, and related matters</mark>

**Adrian Porteous   Mar 13   #593**

Choice:  No

Comment:  The Secondary Objects of the Society define well the intentions of Professional Membership of the ACS. My view is that governance of the ACS has not adhered to the Objects. This is where focus needs to be applied.

**Jeroen Vendrig   Mar 2   #369**

Choice:  Yes

Comment:  Facilitate the sharing of knowledge and experience of members

**Karl Reed   Mar 15   #676**

Agreed

**Chris Radbone   15 Mar**

No.  The ACS needs to be outwardly focussed, rather than only focused on 'professional membership' ie outcomes focused for society (small 's')

Name: _____Don_____

### 2.3.2 Adaptation to encompass all Key Functions

**Summary**   (50-100 words)

From responses to this question, there is no clear indication of a desire to change purposes to encompass all of the Society's Key Functions

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

Members may wish to propose adaptations to the existing Purposes, in order to ensure that they encompass the Society's Key Functions. A list of Key Functions was provided as Appendix A of the Round 1 Consultation Document 1 (p.9), at https://crwg.org/1/CRWG1-Report.pdf. See also element 2.4 below.

*This question of what activities represent Key Functions attracted many comments from members during Round 1.  A summary is provided in* <u>*Appendix 1*</u> *to the present document.*

*Interest was expressed in there being clarity about what those Key Functions are. However, there was also concern that they be adaptable, and actually adapted.* *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.*

In Round 2, members were asked:

**Do you want the Society's Purposes to be adapted to encompass all of the Society's Key Functions, as discussed in s.2.4 immediately below?**

**Event Reports**

<What participants said in Round 2 Events>

nil

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

I've reread Appendix A of the consultation document (page 9), and they all seem really appropriate. I'm not sure where these are written or maintained, but I feel that if the ACS could do what's on that page, then we're knocking it out of the park.


**Web-Form Votes**

Yes  –  6;   No  –  5.

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Alex Reid   Mar 9   #426**

Choice:  No

Comment:  If the Purpose (or Mission, or Objects) are carefully enough worded, then adding details of key functions would be too cumbersome for a Constitution.

**Adrian Porteous   Mar 13   #594**

Choice:  No

Comment:  I don't see any clash or ommissions.

**Ann Moffatt    Feb 11   #279**

Choice:  No

Comment:  does anyone else feel the same as i do about the current acs publications?

i cringe when i read the current rag is our 'flagship publication'. i get the BCS publications and the ACM both are excellent. i understand that publications are expensive but we now have a significant surplus. please join me in asking that we spend some money on decent publications.

**David Abulafia Feb 14   #285**

I agree with Ann, about the publication  being needed to be improved.

Name:    _____Don_____

### 2.3.3 Embedment in the Constitution

**Summary**   (50-100 words)

Member responses were strongly supporting that the Purposes should be embedded in the constitution.

There was continued debate about specific terminology and scope (computing, analytics, ICT etc). And also as to the range of ICT users and professionals that should be considered.

There were several suggestions of specific clauses reflecting professional standard, ethics and benefits to members and society as well as a few more subtle debates on wording.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

There is some view that constitution clauses will establish a legal limit upon management committee behavior.  Refer to Ultra Vires Beyond power.  Note however, that Ultra vires is virtually obsolete in relation to a company as a whole, as there is no longer any mandatory limitation to a company's powers.

**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*The list of Purposes, and performance against them, are seen as the basic underpinning of all ACS activities which should drive decision rationale.  Members argue that the behaviour of the governing committee needs to be directed at and constrained by the Society's declared Purposes.*

Members may want the Society's Purposes:

- embedded in the constitution;
- declared as underpinning all ACS activities;
- declared as the driver of decision rationale; and
- declared as the standards against which performance is measured.

In Round 2, members were asked:

**Do you want the Society's Purposes embedded in the constitutional document?**

**Event Reports**

<What participants said in Round 2 Events>

**SA BEC  –  15 Mar 2022**

**Mustafa**:  I generally like the existing Principal Object, but whether it would benefit from refinement depends on the Society's core focus.  Is it the ICT industry?  people?  technology?

**Response**:   The people who apply ICT technology, in all industries.

**Mustafa**:  I'm attracted to the 'advancement' notion, because it's relevant (in slightly different ways of course) to members, to recent graduates, to students, and to society.

**Mustafa**:  The word 'practice' speaks to members and non-member professionals.

**Mustafa**:  Also attractive is 'ethical and positive uses' to achieve 'benefits for society'

**Chris**:  How different is 'advancement' from the existing 'promote development?
Would 'capability' be a better word to use than 'resources'?
I find any additional emphasis on 'computers/ing' disturbing, given the ubiquity of diverse ICT(s).

**Mustafa**:  'Resources' is a little awkward, with 'human resources' less-used these days.

**Jo**:   Computing is too old-fashioned.  BCS uses 'BCS:  the chartered institute for IT'.
The second tag-line matters, and can gradually shift.

**PAB  –  16 March 2022:**

The PAB strongly supports the inclusion of points 1, 4 and 7 in the purposes of the society:

2.1 To advance professional excellence in information and communications technology.

2.2 To further the study, science and application of information and communications technology.

2.3 To promote, develop and monitor competence in the practice of information and communications technology by persons and organisations.

2.4 To define and promote the maintenance of standards of knowledge of information and communications technology for members.

2.5 To promote the formulation of effective policies on information and communications technology and related matters.

2.6 To extend the knowledge and understanding of information and communications technology in the community.

2.7 To maintain and promote the observance of a code of ethics for members of the Society.

Note: The PAB suggests that the "Mission" statement in this part of the document is redundant as it is covered in the declaration of the ACS being a professional society, its scope and its objective.

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood – 3 March 2022**

I think the answer is yes, but I'm a bit unclear to be honest. Why isn't our purpose aligned with our constitution and vice versa? It would seem to me that this would be a highly desirable characteristic.

Dumb question: <mark>Would constraining decision rationale be</mark> legal?


**Web-Form Votes**

Yes – 12;  No – 1.

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Rimas Skeivys   Feb 10   #259**

Choice:  Yes

Comment:  Align with ISO 37000 terminology

<mark>The re-defined Purpose must be included</mark>

**Shane Moore   Feb 3   #119**

Choice:  Yes

Comment:  This is probably a requirement of ACNC registration.

**Rupert Grayston   Feb 21   #336**

That is indeed a key purpose of a constitution. Not much choice there!

[ **Forum Manager's Note**:  No dispute with Rupert here, but just to clarify:  The current Purposes, termed 'Secondary Objects', are not in the Rules, but in a subsidiary document and hence under the control of the Management Committee, not the members:
https://www.acs.org.au/docs/acs_objects.html (but actually a pdf file). ]

**Adrian Porteous    Mar 13   #599**

Choice:  Yes

Comment:  <mark>This will stop/reduce activity 'creep' away from the key Purpose of the ACS</mark>

Name: _____Don_____


### 2.4.1a    Embedment of Key Functions

**Summary**   (50-100 words)

Whilst there was consistent support for key functions to be embedded in governance documents, there was some concern that embedding them in the constitution itself may limit ability to respond to changing environment.

ICT was recognized as a rapidly changing environment and functions that would be "unchanging over decades .. should go into the constitution document, but if we want to make tweaks or changes to our key functions then it should be embedded in some other document."

Alternative suggestions considered supplementary documents such as by-laws could be more flexibly altered - but with comments indicating that such documents could not be changed (by a management committee/ board) without member involvement.


**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Again, detailing functions in the constitution itself or a supplementary document does not guarantee that management committee will be constrained to such functions. It does, however, provide guidance and give a measure against which members can assess performance.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*This area attracted many comments from members during Round 1.  Reflecting the Society's nature and values, as discussed in section 1.1, members drew attention to these key functions that they perceive as being performed in the public interest:*

- *professional standards and course accreditation;*
- *contributions to technical standards;*
- *policy advice;*
- *public information;  and*
- *mentoring.*

*Many further activities were referred to as being of sufficient significance to be Key Functions.  A summary of that input is provided in* <u>*Appendix 1*</u> *to the present document. Areas in which members expressed the desire for adaptation are:*

- **eligibility criteria for entry to all grades***;*
- **thresholds for promotion through the levels of membership***;*
- **attractiveness to the (mostly young) entrants to the field***;*
- **pathways to, and support for achieving, certification***;  and*
- **activism on key issues, and hence exposure to target audiences***.*

*Some members argued that a Key Function that is entirely missing at present is* **support for  ICT-professional voluntarism,** *in particular through the provision of communication channels, coordination and facilitation, e.g. through insurance.*

Members may wish to see an agreed set of Key Functions embedded in:

- the constitutional document;  or
- some other policy document, such as a formal statement of Key Functions.

Members may wish to see such a set emerge from refining the list of Key Functions in Consultation Document 1, or for an alternative expression of Key Functions to be developed.

In Round 2, members were asked:

**In relation to the Society's Key Functions, do you want to see them:**
- **Embedded in the constitutional document?**
- **Embedded in some other document?**
- **Assured in some other way?**
- **Not Assured?**

**Event Reports**

<What participants said in Round 2 Events>

**Canberra Branch – Thu 24 Feb 2022:**

**Bruce**: <mark>One does not want Key Functions to end up being 'walls' or to stop the organisation moving on to the next generation of activities - so am reluctant to define within the constitution and its bureaucratic mechanisms required to update it</mark>.  There need to be efficient and quick processes for new initiatives, incl. initiation by SIGs.

**NSW Branch Focus Group  –  14 Mar 2022:**

**Dorotea**:   Where does ACS stand re its relationships with bodies such as the Tech Council?

**Roger**: The supporting material for 4.1.5 includes mention of relationships with other professional societies, but omits mention of relationships with other bodies (such as Pearcey).

The 2.4.1 discussion included industry associations.  In all discussions, there have been strong leanings towards 'appropriate and active engagement' with industry associations [ incl. at least interactions and occasional co-signing, maybe MoUs ].

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

<mark>I'm not sure what would work best. In principle if it's permanent and unchanging over decades then it should go into the constitution document, but if we want to make tweaks or changes to our key functions then it should be embedded in some other document.</mark>

**Web-Form Votes**

<mark>In the constitutional document:  5;  In some other document:  8</mark>
(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Shane Moore  Feb 3  #122**

Choice:  Embedded in the constitutional document

Comment:  <mark>Like a statement of purposes, the key functions ought to be in the constitution to define scope.</mark>

**Ann Moffatt  Feb 11  #279**

Comment:  does anyone else feel the same as i do about the current acs publications?

i cringe when i read the current rag is our 'flagship publication'. i get the BCS publications and the ACM both are excellent. i understand that publications are expensive but we now have a significant surplus. please join me in asking that we spend some money on decent publications.

**David Abulafia Feb 14  #285**

I agree with Ann, about the publication  being needed to be improved.

**Peter Hannay   Mar 10  #473**

Choice:  Other

Comment:  I have a number of colleagues who have had their path to residency delayed due to a requirement for the ACS to endorse them as a qualified professional.

From what I have observed this process involves nothing other than a checkbox exercise and an extortion of fees. The ACS should exclude themselves from this process and make it clear to government that membership status does not suggest or endorse any individual in a way that should impact their eligibility for residency or any other immigration related matter.

**Adrian Mortimer   Mar 11  #551**

Choice:  Embedded in some other document

Comment:  <mark>While many of the Key Functions will remain stable in the face of advancing technologies and societal change, some will not, and there is no doubt that the ACS will need to adapt and change over time, so in the interests of reducing the need for changes to the Constitution, and keeping it as simple as possible, I'd be inclined to reference the key functions to a separate document which the Constitution requires be approved by the membership, and adhered to by the governing body.</mark>

**Karl Reed    Mar 10  #465**

Choice:  Embedded in the constitutional document

Comment:  <mark>I agree with then statement above, EXCEPT that the Exclusion on R&D should not mean ACS cannot conduct academic style surveys, and, undertake the R&D needed for policy and other positions.</mark>

Doesn't ACS foundation have the capacity to make grants?

**Ann Moffatt Mar 14  #631**

Yes Karl the foundation can hand out grants.

**Paul Bailes Mar 14  #633**

What is the relevance however of "ACS Foundation" to the Australian Computer Society"?

**Ann Moffatt Mar 15  #641**

Being a founder director of the acs foundation I should know the exact link but I've forgotten (cos I'm old).

John ridge is the current director. John can you answer this question.

**Paul Bailes Mar 15  #642**

From my time on MC the only link is the name. Utterly amazingly to my mind, ACS has no say in ACS Foundation governance or operations.

**John Ridge Mar 15  #653**

Just to clarify – that was one of the ATO requirements at the time when it was established.

**Paul Bailes Mar 15  #655**

Thanks John for the clarification.

Dear all, I don't think the ACS Foundation arrangements set the precedent we'd want to repeat:

ACS has no control over the Foundation (not even nominations to Board, at least as I was told on MC) but it uses our name.

NB not blaming the Foundation, being able to use ACS name evidently a good thing from its perspective.

But I would be interested in hearing from those representing the ACS interest at the time (MC?) and why they decided it was a good idea to let this happen.

**John Ridge Mar 15  #659**

It was felt at the time that it was appropriate for the Foundation to have the "ACS" as a part of the name to recognise the support the ACS had provided (for the first 5 years) and that without that support the Foundation would never have become a reality.

And there were 3 or 4 Presidents before me who had wanted to establish a similar entity but had not been able to do so during their presidency.

I think the ACS has benefitted as much if not more from the ACS Foundation and having ACS as a part of the name, with the brand confusion in certain circles (especially political ones) and the good things the Foundation has achieved.  We have assisted more than 7,500 students transition from their studies into their careers and in doing so provided them with a positive experience from interaction with the "ACS" which they  would not otherwise have had.

One of my (and my colleagues) objectives when setting up the ACS Foundation was exactly this – to try to establish a good "pipeline" of members and younger professionals into the professional body.  It was recognised at the time as being a big issue for ACS.

In the days when there was a Young IT group (YIT) a good number of the people involved in that group were ex ACS Foundation beneficiaries.

**Paul Bailes Mar 15  #661**

Thanks again John. I am sure I am not the only one grateful for the details you've supplied. And congrats ACS Foundation on its achievements.

I continue to think that ACS needs to be very sparing in how it lets its name get used/employed.

**John Ridge Mar 15  #662**

That may well be the correct decision for the future which will be up to others to make – I was commenting on the background of why it happened in 2000.

**Paul Bailes Mar 15  #663**

Quite understood, thx John

**Ann Moffatt Mar 15  #664**

The foundation is fabulous. It brings great kudos to the acs. I think its just the sort of thing the acs should be doing.

**Paul Bailes Mar 15  #665**

Thx Anne – no argument from me (see further with John).

PS strictly speaking, the work of the Foundation is not actually something that ACS is doing (present tense, even if we get kudos).

Name:  _____Don_____

### 2.4.1b    Innovation as a Key Function

**Summary**   (50-100 words)

Most contributors expressed the view that ACS should support / encourage innovation.  Two distinct categories of innovation were described – that related to professional standards and practices etc., and the other related to R&D of commercial products.

A few members supported close involvement with innovation, but most asserted that ACS should neither be the innovator itself, nor through direct participation (such as the exiting Labs).  Support for innovation included forums, encouragement, providing liaison, lobbying etc.

However, a few voices did argue for active measures – especially if there was a supporting business case and no financial loss or risk.  However, that members argued that any such direct involvement should have advance and ongoing member consultation and support.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*Members agreed that* ==*ACS should support innovation.  The issue is how this should be done*==.

==*Few members voiced support for the operation of incubators, and many argued specifically against spending any material amount of money on it*==.

==*Multiple members argued that innovation should be supported instead by direct grants and by education and standards activities, undertaken in conjunction with universities, governments and industry*==.

*Although most argue against the operation of an incubator or an accelerator as a Key Function, it is seen as being tenable as an Additional Activity, but subject to the stringent criteria discussed in the multiple sections of section 3.1.*

Members may wish to consider whether Innovation is a Key Function, in particular:

• Inclusion of cooperation with government, business and universities, including contributions such as awards, targeted grants, professional development events, standards and certification pathways;  <u>but</u>

• Exclusion of direct involvement in the IR&D and commercialisation pipeline

In Round 2, members were asked:

**<u>Do you want innovation generally to be included as a Key Function?</u>**

**<u>Event Reports</u>**

<What participants said in Round 2 Events>

nil

**<u>Submissions</u>**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

==No. I don't believe that is consistent with a professional society==

**<u>Web-Form Votes</u>**

==Yes, include:  5;  No, do not include:  2==

(i.e. uses of Web-Form Choices, without any Comments)

**<u>Forum Entries</u>**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Shane Moore    Feb 3   #121**

Choice:  Other

Comment:  Perhaps say something like, the society "==Encourages members to engage in innovation and provides supporting courses/resources to aid them [to be in a position to to innovate]"==, but not ==directly oversee the innovating.==

**Ann Moffatt    Feb 7   #231**

Choice:  Other

Comment:  that's difficult. we would have to agree what innovation is. there are so many innovations in ict. there seems to be something new each week!! we would have to keep this up to date or include it in some nebulous way or we would have to update the constitution each week. then some innovations look good initially then fade away.

**Donald Fraser   Feb 10   #254**

Choice:  No

Comment:  ==innovation is the role of members.==  ACS involvement in innovation should include encouragement, training, awards, etc for an innovation culture - but it is over to the members to DO the innovation.

**Donald Fraser Feb 27   #365**

There are many ways in which ACS could encourage innovation.

- Supporting relevant content in school and university courses
- joint activities with small business development bodies
- training, awareness sessions in intellectual property protection, licencing etc
- Lobbying government for direct concessions, business incentives
- Case studies, mentoring, sessions with VC organsiations.

But I think ACS should remain technology neutral / agnostic. I strongly believe ACS should NOT take any direct involvement in innovation through investment in, or hosting of, any individual startup(s).

**Fellow Enthusiast Feb 27   #366**

If ACS "DO" innovation, by themselves or by supporting one innovator - then ACS has taken a favorite - is in competition with any alternative innovation in the same space - and no longer represents the whole community.

But ENCOURAGING innovation is a good public interest activity and is highly appropriate.

**Allan Baird    Mar 8   #386**

Choice:  Yes

Comment:  If this means that the ACS as a facilitator of innovation then fine but we are not the source of innovation - we don't invent or do things we provide a professional setting for members who are engaged in this activity.

**Karl Reed    Mar 10   #466**

Q:  Do you want Innovation generally to be included as a Key Function?

Choice:  No

Comment:  Nor disruption

**Adrian Mortimer   Mar 11   #552**

Choice:  Yes

Comment:  The ICT world has always been one of rapid technological and organisational change, so I think it's appropriate that a key function of the ACS include innovation in its role, its offerings to members, and its organisation structure where the primary purpose of innovation is to better deliver on its purpose.

**Adrian Porteous   Mar 13   #612**

Choice:  No

Comment:  Beyond Policy, Innovation requires commercial investment and risk. This is not part of the Purpose of the ACS.

**Karl Reed       Mar 15   #681**

The current emphasis on innovation is often shallow and social and even technical impact agnostic.

"Disruption" as a goal ie even worse.

**Jack Burton    Mar 16   #693**

On innovation generally:  what if innovation on the scale we see today becomes socially unproductive?

On Tue, 2022-03-15 at 22:25 +1100, karl wrote:

> The current emphasis on innovation is often shallow and social and even technical impact agnostic..

> "disruption" as a goal ie even worse.

Agreed.  I prefer the term "advancement", for professional purposes.  "Innovation" and "disruption" seem better bedfellows for an industry body than for a professional society.

After all, maintenance programming (which requires no innovation at all) is one of the most valuable things that computing people do (without it, most large or complex systems, including the Internet

itself, would long ago have simply collapsed).  Why should we value such things less than "innovation" or "disruption"?

<mark>Advancing the art and science (and practice?) of computing, on the other hand, is something from which all of us in the profession can benefit, regardless of whether what we work on is "innovative" or "boring".</mark>

**Peter <petermills@homemail.com.au>   17 Mar   #698**

<mark>Innovation in the context of the ACS as a professional society would only be in our professional standards and practices.</mark>  Any other innovation we contribute to would be through change of (from our perspective) third party business processes/practices where we are paid to make a difference, or R&D to advance the field.

Name:  _____Don_____


## 2.4.1c    Direct involvement in the IR&D and commercialisation pipeline

**Summary**  (50-100 words)

The majority of contributors wished for ACS to not have direct involvement in the IR&D and commercialisation pipeline

As discussed in the prior section, only a minority of responding members supported direct involvement in innovation and that was strongly linked to prerequisite of prior consultation with members, low risk, and profitability ( or at least no loss)


**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Agreement to this position would preclude expanding the ACS labs.  There were mixed views as to actual disposing of the labs – but all concerns against disposal related to direct financial implications – not whether it was an ACS role.

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

In Round 2, members were asked:

**Do you want direct involvement in the IR&D and commercialisation pipeline, such as in incubators and accelerators, to be EXcluded?**

**Event Reports**

<What participants said in Round 2 Events>

**Canberra Branch – Thu 24 Feb 2022:**

**Amy**: At ACS Reimagination 2022 in Sydney, I asked an interstate Brisbane attendee whether they were an ACS member and if there were any intentions for attending the event that I could assist with. It turned out the attendee was a Digital Disruptor Award's finalist that wasn't an ACS member and was curious about ACS offerings for incubators. I physically introduced the attendee to the QLD Branch Chair to discuss his queries, they also arranged to further meet and discuss in Brisbane at a later date. This one instance seems to support that entrepreneurs/ startups see ACS incubators as something of interest/value.

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood – 3 March 2022**

Yes, I don't believe that it is consistent with a professional society.

**Web-Form Votes**

Yes, exclude: 9; No, do not exclude: 4

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Ann Moffatt    Feb 7   #232**

Choice: Other

Comment: Choice: No

Comment: again, my comment would be similar to my answer on innovation:

that's difficult. we would have to agree what innovation is. there are so many innovations in ict. there seems to be something new each week!! we would have to keep this up to date or include it in some nebulous way or we would have to update the constitution each week. then some innovations look good initially then fade away.

**Alex Reid    Mar 9   #430**

Choice: No

Comment: But I do not believe that IR&D and commercialisation should be part of ACS's function, other than to support members who may wish to do this.

**Allan Baird    Mar 8   #387**

Choice: No

Comment: we don't invent or do things we provide a professional setting for members who are engaged in this activity.  The risk is too high from a professional society and I do not see this type of activity in Engineers Australia or similar organisations.  It is out of our scope.

**Karl Mar 15   #682**

Allan, I think you meant "Yes", it should not be included.

Having said that, it is sometimes helpful if ACS conducts surveys and policy research, and, produces position papers that should be properly based.

An appropriate form of words needs to be found.

**Adrian Mortimer   Mar 11   #553**

Choice:  Other

Comment:  I don't think the ACS should be funding or executing IR&D or commercialisation of products or technology, however there is an argument that supporting IR&D into relevant professional standards and education and perhaps even commercialisation of these is an appropriate activity of the ACS. So: I'm against direct involvement in IR(D and Commercialisation unless it's for the restricted purposes I've mentioned above.

**Keith Besgrove    Mar 15   #645**

Choice:  No

Comment:  If we just dump the labs now we have to accept write off of a lot of sunk costs. This may not be prudent or sensible. We should at the very least explore options for self funding the activity. It could make a considerable contribution to future surpluses

Name: _____Don_____

### 2.4.1d     Engagement with Industry Associations as a Key Function

**Summary**  (50-100 words)

Members expressed the opinion that engagement with industry associations is relevant  - but that any such engagement is limited to such matters as professional standard, professional development, future technologies.

Many contributors opined that ACS and industry bodies have different goals and priorities. Also membership by organisations and businesses is quite different from a society of individual members.

Any such "engagement" should be on only limited aspects as appropriate.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The expressed activities with industry bodies are for liaison functions such as professional standards which are expressed elsewhere in the purposes.  There was expressed support that here would NOT be closer ties or ownership.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*==Members argued that the acquisition of a set of data marketing and analytics associations is not aligned with either Society values or membership value.==*

Members may wish to consider whether industry associations are a Key Function, and in particular may want to argue for:

• <u>Inclusion of engagement</u> with industry associations and constructive relationships with them; but

• <u>Exclusion of ownership relationships</u> by either with the other, because of:

  • the conflict between the nature of the ACS as a society of individuals and that of industry associations as collaborations among organisations

  • the possibility of conflict between the Society's obligations to the public good and the obligations of industry associations to their corporate members

**Engagement with Industry Associations**

*There was widespread agreement that ACS should engage with industry associations and build relationships with them.  However, members' views were strongly that ACS is a professional membership-based society of people, and is not an organisation-serving industry association.*

*ACS should be able to work with such bodies as a trusted voice or in some collaborations:  "Industry associations are very different from a professional society.  The functions need to be separated – and then work together as and when appropriate".*

In Round 2, members were asked:

**Do you want engagement with industry associations to be INcluded as a Key Function?**

**Event Reports**

<What participants said in Round 2 Events>

==Yes, include:  6;  No, do not include:  3==


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

No, I don't believe this is a key function of a professional society, except in cases where it is required for advocacy on behalf of professional members

**Web-Form Votes**

Yes, include:  9;  No, do not include:  4

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Shane Moore   Feb 3   #123**

Choice:  No

Comment:  Our focus should be on forwarding/promoting professionalism/currency of knowledge/practices amongst practitioners working in ICT (trascending any industry-corporations' views)

**Ann Moffatt   Feb 7   #233**

Choice:  No

Comment:  some, yes but again they change. a difficult one.

**Donald Fraser   Feb 10   #257**

Choice: Other

Comment: Good to communicate and have an involvement with some overlapping domains of interest - but lets not "get engaged"

**Adrian Mortimer   Mar 11   #554**

Choice: Yes

Comment: The ACS clearly has a role in coordinating with Industry Associations on issues like professional standards, future technologies and new and existing requirements for professional development for particular industry areas.

**Adrian Porteous   Mar 13   #613**

Choice: No

Comment: Engagement with Industry Associations does occur, but it is not a Key Function. The ACS has diverted from its core mission, in my opinion, by attempting to take on some of the functions of an Indusry Association. The ACS is a Professional Society.

Name: _____Don_____

### 2.4.1e  Ownership Relationships with Industry Associations

**Summary**  (50-100 words)

Almost all member expression's opposed ownership relationship with industry associations. It was commented that industry bodies do not have a mission congruent with a professional society. Ownership prevents expressing different policies.

Many members expressed concern that the recent acquisitions were highly inappropriate. But some members suggested that lack of consultation with members - in advance – was the key failure.

A few suggested that any such relationship should be contained within and arm-length subsidiary.

**Implications**  (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Agreeing to preclude ownership relationships does not prevent having a lesser relationship / engagement. Precluding an ownership relationship may lead to divesting recent acquisitions.

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*As discussed in section 1.2.1, many members considered that companies could not be members of ACS, and had serious problems with the idea of industry associations being embedded within the Society.*

*Hosting of industry associations was seen by many members as a further instance of failure to embody the Society's values in its behaviour. This creates conflict within the organisation because, whereas industry associations can, and even must, prioritise the interests of profit-making companies over the interests of consumers, a professional society cannot and must not.*

*One member raised the question as to whether, when acquiring an industry association, the Society can require them to adhere to the Society's values, and whether this was done so as part of the process of acquisition of the ADMA group. Others argue that ACS must be a voice in the ethical and positive use of ICT to improve society, and that having Divisions that recognise other purposes such as the interests of its corporate members is in direct conflict with the Society's obligations.*

*Some members might accept industry associations within ACS if the associations were required to, and did, 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 majority of members' contributions involve:*

- *active opposition to the acquisition or operation of industry associations within ACS; and*
- *a strong desire for divestment of those that it currently has, but in a responsible and orderly manner, ensuring transitional arrangements are made to sustain value of all kinds for all participants.*

*However, a minority of the contributions would accept industry associations within ACS, provided that they are maintained at arm's length (but by what means that can be achieved was not discussed), and that they provide benefits to ACS members, such as professional development included within membership fees or available to members at low cost.*

*The dominant view was that ACS should host members and not industry associations: "Industry associations are incompatible with a professional society". There was a strong view to not add any more such bodies. In relation to the existing bodies, suggestions included:*

- *Sell them ASAP. Do not be constrained by acquired mistakes;*
- *Find a way to maintain "arms-length relationship", perhaps with an umbrella subsidiary arrangement.*

*One responder would like to see these entities benefit members and advertise these possibilities to members. "Business-lines can assist Member upskilling". Our "constitution/structure should have the capacity to address this" and adhere to our values by future amalgamations. "As a principle, I think we should have the capability to do this and look to successful integration in other societies constitutions".*

In Round 2, members were asked:

**Do you want ownership relationships with industry associations EXcluded?**

**Event Reports**

<What participants said in Round 2 Events>

**Canberra Branch – Thu 24 Feb 2022:**

**Andrew**: The crucial thing is member consent to any such relationship. If it controversial, then a lot of consultation is essential. The example used is 'AIIA takeover of ACS' or 'ACS takeover of AIIA' could take 3-4 years before the discussion led to a consensus.

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes, I don't feel it's appropriate to be owning industry associations.


**Web-Form Votes**

Yes, exclude:  5;  No, do not exclude:  3 (i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Shane Moore   Feb 3   #126**

Choice:  Other

Comment:  It doesn't make sense to "buy" another association. However, if the ACS sees an opportunity for new members in new fields of IT (e.g. Data Scientists, Artificial Intelligence design experts), it should reexamine its own practices to see how it might better accommodate workers of those fields (e.g. by offering appropriate CPD/SIGs).

**Roger Clarke Feb 19   #318**

The issue is:  Can ACS own industry associations like AIIA, Comms Alliance, ADMA, etc.?

(And, the other way around, can AIIA own the ACS?).

This is a lot more than 'engagement' in #2-4-1d.

Engagement means each organisation can choose to agree or disagree with the other.  And, on various topics, the two organisations can (a) adopt a common policy and co-sign submissions, or (b) adopt very different policy positions and submit independent documents to government agencies and parliamentary committees.

If one owns the other, the subsidiary organisation doesn't have the same freedom, and can be precluded from uttering policy statements that the owning organisation doesn't like.

**Ann Moffatt Feb 25   #362**

I'd prefer that acs was neither owned by or owns other entities.

Ie. I don't think acs should own adma. I'd hate the acs to be owned by aiia.

**Allan Baird   Mar 8   #388**

Choice:  Yes

Comment:  BUT Only where there is a clear defendable business case.

**Jack Burton   Mar 9   #424**

Choice:  No

Comment:  No.  We have done most of the things listed in the examples before and have never needed such provisions in our governing documents (except in the case of National SIGs, for which I believe they continue to be appropriate).

What is much more pressing is that ACS should stop attempting to absorb things *other than* professional societies, as happened with the aquisition of ADMA (an industry body for, of all thing, marketing companies!) and all of its related entities (with the sole exception of IAPA, which was originally founded as a professional society).

Don't get me wrong, industry bodies can be very useful organs too, but an industry body's mission is not congruent with that of a professional society even when the industry & the profession are related (and certainly never when they are unrelated, e.g. computing profession + marketing industry, as was the case with the ADMA acquisition)

**Alex Reid   Mar 9   #432**

Choice:  Yes

Comment:  this is an operational matter

**Karl Reed   Mar 10   #468**

Choice:  No

Comment: <mark>ACS could assist in establishing one, but, should not "own" it.</mark>  In 1985, I set up the ACS-Software Industry Association as a National SIG. It was needed at the time, and the SIG relationship worked well.

I am not sure I would advocate it again.

May be as a National SIG, but, even then, we woild have problems

**Adrian Mortimer   Mar 11   #555**

Choice:  Yes

Comment: <mark>There's too much of a risk of conflicts of interest and creation of confusion about what the ACS stands for if the ACS owns industry associations.</mark>

**Adrian Porteous   Mar 13   #614**

Choice:  Yes

Comment: <mark>The ACS is a professional society for ICT professionals. Its purpose should specifically excluded ownership of industry associations</mark>. Not sure if covered elsewhere, but membership of the ACS by commercial or government organisations, or industry associations, needs to be specifically excluded. They should have no role in a professional society; the potential for mission conflict or, worse, member conflict, is ever present if these membership categories are provided.

**C Chung   Mar 6   #374**

Has the boat already sailed past for this question since the governing body entrusted by the membership had made a decision to own another body?

I also would not want ACS be owned by any other body.

**Roger Clarke Mar 14   #624**

Cindy asked:

> Has the boat already sailed past for this question since the governing body entrusted by the membership had made a decision to own another body?

One of the nice things about a boat is that it can sail back to the same port it left from  (:-)}

<mark>In the event that the Society decides against ownership relationships, we have a moral/fiduciary and practical obligation to ensure that divestment is undertaken in an orderly, win-win manner. Industry associations have important roles to play.</mark>

We can sensibly support (including to some degree financially) the return of the acquired associations to their independent roles, or their transfer to a group of industry associations.

**Keith Besgrove   Mar 15**

No<mark>.  I support the concept of an arms-length subsidiary</mark> for these purposes.

Name: _____Don_____

## 2.4.2 Member Involvement

**Summary**   (50-100 words)

The respondents expressed strong support for member involvement in the society's national strategy and policy.  They expressed concern that too much of the strategy/policy is prepared by staff without member contribution or consolation.  The historic involvement of member / volunteer SIG's and committees was missed.

Involvement in national strategy and policy was seen as an example of "member centric" behaviour.

National Committees and/or SIGs and/or Branch SIGs should be the primary source of strategy and policy documents, supported by staff.  Professionalizing the presentation [and perhaps getting the publication out through the right channels?] may be more appropriately done by staff and contractors who have the requisite expertise and connections.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

For any and every particular ICT topic there will probably be more expertise within the professional membership than can be found amongst staff.  Establishing an ACS policy without using the best skills is deficient.  If we want standing in the community, we need to show such expertise and leadership.  However, achieving this in a timely fashion and presenting it professionally is likely to require staff involvement

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*ACS should be seen as a voice in the ethical and positive use of computers and information technology. But before ACS can make any public commentary or undertake any lobbying, it needs to be able to formulate **a policy position that represents the Society's view, and is widely acceptable to the membership.***

*There are challenges involved in doing so – particularly for time-critical issues. The endorsement in 2020 of the poorly-conceived and highly ineffective COVIDSAFE app was commented on as having failed this test. **Members are looking for improvements to the mechanisms for achieving membership consensus.***

Members may wish to see improvements in the processes whereby members can contribute to the performance of Key Functions. Examples of topics that members may wish to see reflected in the constitution or other policy documents include:

• Improvements in the processes by which members can contribute to:
    • the development of the Society's public policy positions;
    • the achievement of consensus on public policy positions;
    • the development of publications on ICT matters that are intended to communicate information to the public generally; and
• Improvements in the processes by which members can contribute to national strategy.

In Round 2, members were asked:

**Do you want engagement on the question of how members can contribute to the Society's national strategy and policy?**

**Event Reports**

<What participants said in Round 2 Events>

**Canberra Branch – Thu 24 Feb 2022:**

**Rob?**: Using Blockchain as an example, National Committees and/or SIGs and/or Branch SIGs should be the primary source of strategy and policy documents, supported by staff. We're the people in the profession; we should be driving it.

**Andrew**: This was done very effectively for several decades, with the Economic, Legal & Social Implications Committee as one important vehicle for it. That Committee's disappeared.

**Andrew**: It's important to achieve sufficient inclusiveness of contribution.

[ Cross-refer to Paul Bailes' comments on the need for an institutionalised process for achieving consensus, and avoiding a couple of people with energy railroading the ACS into a view that may be narrow or inadequately researched, cf. the embarrassment of the COVIDsafe policy. ]

**SA BEC – 15 Mar 2022**

**Jo**: Members should be involved, but volunteers shouldn't do all of it. They need to work in concert with staff-members.

**Chris**: Yes, volunteers can write papers, but professionalising the presentation [and perhaps getting the publication out through the right channels?] may be more appropriately done by staff and contractors who have the requisite expertise and connections.

**Mustafa**: It's a generational thing. GenY and iGens want to have a say and be part of it. We need to empower members to drive change. And that's a more attractive offering to members than a closed, staff-led approach to policy-making and strategy formulation.

**Jo**: But they have to put their hands up – and then do things. And few do. 'Young IT' was a big success, but Yohan da Silva 'aged out' and no effective succession was achieved.

**Jo**: What does incentive look like for younger people?

**Mustafa**: Again, it's a generational thing. Young members aren't interested in being unpaid contractors, but they value seeing their opinions taken notice of. Maybe being listed as a co-author, committee-member or contributor?

**Chris**:   Looking at how the ACS Technical Committees work, the recruitment process has its focus on demonstrated experience and expertise;  so it's a challenge to involve early-career people.

## Submissions

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes please, most definitely!

## Web-Form Votes

Yes  –  7;   No  –  1.

 (i.e. uses of Web-Form Choices, without any Comments)

## Forum Entries

<What participants said in Round 2 Web-Forms and in posts directly to the Forum>

**Roger Clarke Feb 3   #11**

A Starter Question

In recent years, individual members have been largely excluded from the formation of ACS strategy, and from the drafting of the Society's positions on public policy matters.

Even national Boards and Committees are currently limited to 'advisory' roles.  Staff and consultants draft the documents, not members.

Do you think that's how it should work?

**Justin Pierce   Feb 3   #99**

Consultation needs to be as it is here.

The approach taken in recent years has been insulting to the members.

**Rod Dilnutt Feb 4   #221**

Members should be given the opportunity to be briefed during strategy formulated and comment invited.

1 person liked this

**Shane Moore   Feb 3   #127**

Choice:  Yes

Comment:  If we consider how the ACM (in US) operates, I believe there are a large number of SIGs/ Technical working groups, which run under the auspice of the ACM, and there needs to be such similar structure added to the ACS, so that people with shared interests can meet/interact/share on a more frequent basis. These groups should be able to propose presentations that are open to the wider ACS membership whereas currently I guess it is the state branches that decide what will be presented at the Member Forums which can be a bit limiting in scope of what is available to attend.

**Allan Baird   Mar 8   #389**

Choice:  Yes

Comment:  The ACS has issued many position statements - but I have never been asked as a member if I agree/disagree.  We need to be more consultative.  Yes, it may take time and effort, but you cant have taxation (i.e. members fees) without representation.

**Jack Burton   Mar 9   #418**

Choice:  Yes

Comment:  Yes.

"The Society", by definition, means the Members of the Professional Division.

Therefore, it is totally inaccurate to describe a position as "the Society's public policy position", *unless* it was developed by the Members of the Professional Division.

We used to have an elected Board for just that purpose (the EIP Board).  Restoring some such organ could be a useful start.  Alternatively, we could try to foster *grass roots* collaboration of

professional members on such things (again, that's an approach that some of our competitors have used very effectively in the past).

**Karl Reed   Mar 10   #470**

Choice:  Yes

Comment:  bring back SIGs more national committees

No-one can point to the decisions of either Congress or MC that killed SIGs

**Adrian Mortimer   Mar 11   #556**

Choice:  Yes

Comment:  There's a bit of a two edged sword in this area - lack of member involvement and awareness has over the last couple of years been a contributor to the messy situation faced by the ACS last year, but on the other hand, member involvement takes time and effort and may delay or even prevent necessary actions or changes.  I believe member consultation and contribution must be strengthened, but some balance is necessary.

**Adrian Porteous    Mar 13   #615**

Choice:  Yes

Comment:  All members should have the opportunity to contribute their expertise and time to the development of national strategy and policy through open and transparent consultation with the membership.

Name:   Roger, Jo

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### 3.    ACS Additional Activities

### 3.1    The Principles

### 3.1.1 Embedment of Criteria in the Constitution

**Summary**   (50-100 words)

There was very strong support for a requirement that additional activities be consistent with ACS values, mission and purposes.  Almost all members saw embedment in the constitutional document as being necessary.  Votes were 92% in favour

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs
      to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs
      to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to include a provision that requires additional activities be consistent with ACS values, mission and purposes.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 3.   ACS Additional Activities

By 'additional activity' is meant an activity that is not a Key Function of the Society.

### 3.1   The Principles

### 3.1.1 Embedment of Criteria in the Constitution

*Members see the point of ACS activities as being the public good;  and, in order to facilitate professionalism, the interests of members need to be addressed.*

*Any additional activities that ACS engages in should be strictly and transparently aligned with its professional society values, mission and purposes.  Additional activities need to have 'line of sight' relevance to members.*

*Instead, members perceive that the professional society aspects have been lost along the way, with other orientations coming in.  They want ACS to go back to its roots and core principles and build from that.  One member argued that applying the principle of 'strategic alignment with the ACS professional membership' would bring a tighter focus on the key purpose of the Society.*

*More specifically, commercial undertakings such as ACS Labs are seen by many members as being not congruent with ACS objectives. Members want additional activities to be consistent with ACS values, and to generate surplus and/or provide material benefits to members more directly.   If the aim is to support fledgling ICT endeavour, then other sources of sponsorship could be found.  Running a real estate business does little to create sustainable revenue and carries unwelcome risk.*

*Similarly, members argued that the acquisition of a set of data marketing and analytics associations does not appear to be aligned with Society values or membership value.*

*Some members are accepting of substantial delegations to the governing committee, but subject to the proviso that the operation of additional activities is subject to constraints within the constitutional document (rather than members exercising some power in order to keep the governing committee's activities consistent with the mission and purposes).  One member, however, argued that "business strategy and priorities of ACS are completely operational, and members should have no involvement in their development".*

Members may want the constitutional document to make clear how decisions are to be made about additional activities that the Society can undertake.

In Round 2, members were asked:

**Do you want embedded in the constitution the requirement that additional activities be consistent with ACS values, mission and purposes?**

**Event Reports**

**Vic Branch – Tue 2 Mar 2022:**

Discussion:  3.1.1, 3.1.2 and 3.1.3 are all are vital elements.

**NT Branch – 4 Mar 2022:**

Strong support

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, this would be a very reasonable guiding principle

**Web-Form Votes**

Yes – 11;  No – 1.

**Forum Entries**

**Karl Reed    Mar 10   #471**

Choice: Yes

Comment:  and Code of Ethics (COE)

**Adrian Mortimer    Mar 11   #557**

Choice: Yes

Comment:  It seems self evident that the ACS shouldn't be carrying out or supporting activities which aren't consistent with its values, mission and purposes!

**Adrian Porteous   Mar 13   #595**

Choice: Yes

Comment:  The boundary of the activities of the ACS as a professional society should be clearly defined and governed. This does not appear to be the case currently, so additional clarity is warranted.

**Alex Reid    Mar 9   #433**

Choice:  No

Comment:  It seems to me that *all* activities in which ACS engages should be consistent with the stated Purposes of ACS, so shouldn't need spelling out piecemeal in the Constitution.  That is what the Constitution is for!

**Roger Clarke Mar 14   #629**

Alex wrote:

> It seems to me that *all* activities in which ACS engages should be consistent with the stated Purposes of ACS, so shouldn't need spelling out piecemeal in the Constitution ...

I'm not sure that anything in the current Rules prevents MC from buying a brewery, casino or arms manufacturer, particularly if the investment returns handsomely and the surplus is used to serve members and the public.

(Caveat:  I've not actually checked what Rules apply to those hypotheticals!).

Name:    Roger, Jo

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### 3.1.2 Requirement to Support Professional Activities

**Summary**   (50-100 words)

There was very strong support for additional activities beyond the performance of Key Functions to be required to support 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 and/or the ACS membership.

However, 2 contributors (of about 25-30 in total) argued for <u>no</u> investment in additional activities, no matter what they do, because of the inevitability of conflicts of interest.

The following qualifications were expressed:

- Key Functions need to be carefully defined, in order to make sure this is handled properly;
- Use as test-cases the PY scheme, and the use of ACS's infrastructure to develop a new revenue-stream of fee-for-service support for other associations.

Votes were 89% in favour.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

If Key Functions are to be part of the By-Laws, embed in the constitutional document a requirement that additional activities beyond the performance of Key Functions:

- support the professional activities of the ACS by generating surplus that can be applied to ACS's Key Functions;  or
- provide material benefits to society and/or the ACS membership in some other way.

If, however, Key Functions are <u>not</u> to be part of the By-Laws (and hence the reference-point is the Purposes), carefully draft a provision whereby the constitutional document requires that <u>all</u> activities must either:

- contribute directly to the achievement of the Society's Purposes;  or
- support the professional activities of the ACS by generating surplus to fund them.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

### 3.1.2 Requirement to Support Professional Activities

*Members were far from satisfied that any governing committee with substantial power can be trusted to make major decisions about major additional activities in the absence of* **clarity about the evaluation criteria** *being applied, assurance that those criteria are actually being applied, and adequate information, in advance, about the nature of the activity being considered.*

*Members expect that additional activities are 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**. *Their function is not to prop up loss-making business ventures.*

*Activities that need to be avoided, because they are inconsistent with the Society's values, mission or purposes or conflict with Key Functions, include those that compete with ACS's own members (e.g. by performing consultancy or contracting within the ICT field), and those that conflict with ACS's obligations to serve the public interest.*

*Members suggest that some forms of additional activity that might generate surplus are natural for ACS.  Forms of additional activity that are natural for ACS include:*

* *ongoing education programs;*
* *training for transition into the workplace;*
* *indexes to ICT expertise and bodies of knowledge;  and*
* *guidance to professionals on career pathways.*

*Other activities are consistent with professional society values, or at least neutral.  On the one hand, innovation falls into that category.  On the other, the Labs Division is a somewhat-value-added form of real estate management and is best left to universities, business organisations and government organisations that can share their resources and, importantly, can capitalise on the interaction with start-up innovators.  One member with expertise in the area argued that support for start-ups in Australia has matured, and ACS has little to contribute to, and little to gain from, running either accelerators or incubators.  Hence the mainstream view among members is that* **incubators or accelerators are a legitimate ACS additional activity if and only if they generate surplus for application to Key Functions, or possibly if they were a reliably breakeven undertaking;  but certainly not if loss-making**.

*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 – subject to the requirements for consistency with values and generation of surplus.*

Additional activities are by definition not Key Functions, so members may want some specific criteria to be applied, such as:

* Additional activities are to be entered into for the primary 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 and/or the ACS membership; and
* Additional activities are <u>not</u> to be entered into or continued where significant risk exists of material losses.

In Round 2, members were asked:

**Do you want the additional activities to be required to support 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 and/or the ACS membership?**

**Event Reports**

**Vic Branch – Tue 2 Mar 2022:**

Discussion:   3.1.1, <mark>3.1.2</mark> and 3.1.3 <mark>are all are vital elements</mark>.

**Staff Event #1 – 2 Mar 2022:**

Is this a reasonable constraint?

**John**:  <mark>The devil's in the detail.  Key Functions may need to be carefully defined, in order to make sure this is handled properly</mark>.  One example is:  Does 'society' mean 'Australian society' or 'society'?

**Elizabeth**:  Is PY a Key Function or an Additional Activity?  More generally, what types of members are regarded as central (services to whom are by definition 'Key'), and what types are not?
And how does this relate to the 'journey mapping' / 'pathways' for the various categories?

**John**:  Are ICT Educators, being secondary school teachers, a Key Function or Additional Activity?

**Nick / Roger**:  Social responsibility is an ACS obligation, hence some kinds of somewhat adjacent-looking activities are nonetheless Key (i.e. <mark>ACCE is a shoo-in</mark>, and very probably recognised as such very widely across the membership).  <mark>Genuine feed-in channels to the profession are Key, so the more effective PY is in feeding people into the profession, and particularly into the Australian profession (and preferably of course, but not necessarily, into ACS), the more Key PY is.</mark>

**Staff Event #2 – 3 Mar 2022:**

•       Partner Organisations (MoUs)?
•       Hosted Orgs (Terms/Svces)?
•       Home-Grown / Self-Organising Groups within ACS (Service-bundles) ?

Anthony:   <mark>It's feasible to use ACS's infrastucture to develop a new revenue-stream of fee-for-service support for other associations.  In the constitution, this would need to be enabled and not precluded</mark>.  An example that arose some years ago was an approach from the PNG Computer Society, which was attracted to the ACS certification scheme, but lacked the scale to implement such a scheme itself.

**NT Branch – 4 Mar 2022:**

<mark>Very strong support (5s and 1x4)</mark>

**Submissions**

**Sam Horwood  –  3 March 2022**

<mark>Yes, these are very reasonable principles.</mark>

**Web-Form Votes**

<mark>Yes  –  8;   No  –  1.</mark>

**Forum Entries**

**Shane Moore   Feb 3   #129**

Choice: <mark>Yes</mark>

Comment:  Every activity the society does, should focus on meeting the needs of the members. For example, If a conference or presentation is held, it should be for the improvement of the members daily practices or knowledge.

**John Thornborough   Feb 10   #277**

Choice: <mark>Yes</mark>

Comment:  yes to charging fees for examinations, etc

<mark>no to running / investing in businesses, no matter what they do</mark>

**Ann Moffatt    Feb 7   #235**

Choice: <mark>Yes</mark>

Comment:  Provided it's valuable for the profession, the society or society in general.

**Allan Baird    Mar 8   #390**

Choice: <mark>Yes</mark>

Comment:  Only where they are consistent with what we stand for

**Alex Reid    Mar 9   #435**

Choice:  Other

Comment:  While surpluses that subsidise member activities or costs are great, they are also problematical - it is too easy to become dependent on them, and so have the tail wagging the dog. All activities that ACS undertakes should be consistent with the stated Purposes of ACS, whether they generate a surplus or not.  The fact alone that they may generate a surplus should not be sufficient grounds to undertake them.

**Jack Burton Mar 9   #455**

Well said Alex -- couldn't agree more.

**Karl Reed   Mar 10   #472**

Choice:  No

Comment:  No additional activities to generate a surplus.

We will end up with a Conflict of Interest (COI) with ourselves. E.G. skills assessment an professional year.. if we make other activities dependent on these, then we need to have the Govt policies that frete them continue. COI

**Adrian Porteous   Mar 13   #596**

Choice:  Yes

Comment:  Additional activities should only be used to support the professional activities. It is not clear that this is currently the case.

Name:   Roger, Jo

### 3.1.3 Embedment of Transparency, Engagement and Accountability

**Summary**   (50-100 words)

In relation to significant additional activities:

- members want the Society's decision-making process to be transparent to the membership; and
- members want effective engagement processes to support transparency

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Embed requirements in the constitution or other policy documents, for:

- Transparency about the principles applying to business-lines and surplus allocation;
- Assurance those principles are applied;
- Transparency about major initiatives in advance of the decision being made;
- Engagement processes that have effective impact on the decision-making process;  and
- Effective Accountability.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

### 3.1.3 Embedment of Transparency, Engagement and Accountability

*Members want additional activities to be the subject **of rigorous decision-making based on pre-defined criteria**, to be **transparent to the membership**, and to members being able to influence decisions at least through **meaningful engagement processes**.*

***Effective accountability mechanisms*** *are essential, so that safeguards exist to prevent the Society being run away with.*

*Members communicated the view that surplus funds should be directed to member benefits and the public good.  The **surpluses arising from successful additional activities must be invested in the ACS's Key Functions, not in loss-making business ventures**.*

*Examples of appropriate allocation that were provided include:*

- *events and initiatives to improve education and professional standing;*
- *lobbying efforts to improve the IT business environment;*
- *grants and scholarships to help support diversity and access in IT;  and*
- *discretionary financial resources for branches together with the devolved authority to spend them.*

***Where the Society's surplus is allocated should be far more transparent to members than has been the case*** *in recent years.*

*One member proposed a particular reserve be specified in the constitutional document along the lines of a 'fighting fund', requiring the membership's approval for use.*

Members may wish to see some or all of these matters reflected in the constitution or other policy documents.  Examples include:

- Transparency to the membership about the evaluation criteria to be applied to decisions about the creation, adaptation or continuation of additional activities;
- Assurance to the membership that those criteria are actually being applied;
- Adequate transparency about the initiatives being considered, in advance of the decision;
- Meaningful engagement processes;
- Effective accountability mechanisms, so that safeguards exist against inappropriate initiatives. (See also the elements in section 5.4);  and
- Transparency in the allocation of surplus gained from additional activities.

In Round 2, members were asked:

**Do you want requirements embedded in the constitution or other policy documents, for Transparency about the principles applying to business-lines and surplus allocation, Assurance they're applied, Transparency about major initiatives in advance of the decision, meaningful Engagement processes, and/or effective Accountability?**

### Event Reports

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

(During several discussions, the centrality of transparency to and engagement with the membership were intrinsic requirements)

**Canberra Branch – Thu 24 Feb 2022:**

**Andrew**:  Where power is centralised, it's essential that we all know who in the organisation does what, so that we can contact them, get relevant information and views from them, and provide relevant information and views to them

**Vic Branch – Tue 2 Mar 2022:**

Discussion:   3.1.1, 3.1.2 and 3.1.3 are all are vital elements.

**NT Branch – 4 Mar 2022:**

Very strong support (5s)

**Tas BEC and Branch – 9 Mar 2022:**

**Jonathan:** <mark>This matters. Values must be more stongly embodied in the constitution. Get the right set, be clear, achieve alignment of activities with values.</mark> The current set isn't dreadful, so refine them. The Code of Ethics is really important, and is too hidden away.

## Submissions

**Judy Carter  -  19/2/22 3:47 pm**

My membership number was : 1041972. I worked in IT from Nov 1967 & was a member of ACS until June 2019 - finally as FACS CP. I resigned end of June 2019 from my last role as Skills Assessor for ACS.

I am not sure how much you know about the ACS' role as IT Skills Assessor for the Federal Gov. I simply would like to suggest that <mark>the new ACS Constitution should include details of the Skills Assessor group - its role within ACS, its impact on ACS, how ACS management deals with the group, the significant income generated by the group, etc</mark>. .....

**Sam Horwood  –  3 March 2022**

At a general level, yes. But <mark>I guess I'm keen to understand what this would effectively prescribe</mark>? Is this just mandating audit registers for decisions? Or a requirement for more trust between the membership and the business lines? <mark>How do members get the data to assess whether business units are aligning to our purpose and constitution?</mark>

I would like to suggest an open book policy where voting members are shared financial reports with breakdowns by business lines, along with any appropriate supporting documentation to be able to show that the business lines are living these values.

## Web-Form Votes

<mark>Yes – 15;  No – 1.</mark>

## Forum Entries

**Allan Baird   Mar 8   #391**

Choice:  Yes

Comment:  <mark>The track record of the ACS on this front has not been good and it needs to be enshrined in the Constitution. Sad but true.</mark>

**Adrian Porteous   Mar 13   #597**

Choice:  Yes

Comment:  <mark>I would normally argue against including this requirement in a constitution document. Sadly, it may be required for the ACS</mark>. I will defer to governance specialists on the specifics.

Name:   Roger, Jo

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### 3.1.4 Functional Separation of Additional Activities from the Society

**Summary**   (50-100 words)

Although fewer contributed on this topic compared to other topics, responses indicated a preference for strong separation of activities of greater scale and/or too distant from the Society's primary functions, with some responses requesting such activities be avoided, or divested.

Most responses viewed additional activities as potentially diverting attention and resources away from what the Society is really about.  Votes were 100% in favour

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

In respect of activities of significant scale that are distant from the Society's Key Functions:

(1)   in the case of existing activities, in particular the ACS Labs and ADMA Divisions:

- consider adaptation to bring them into line with the criteria for additional activities discussed in s.3.1.2;  failing which:
- consider divestment in an orderly manner;

(2)   in the case of any such existing activities as may be retained, and any that are subsequently developed or acquired:

- consider establishing a business structure within which it or they are separately-managed, under ethical investment principles.

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### 3.1.4 Functional Separation of Additional Activities from the Society

*A number of members argued that additional activities have loomed too large in recent years, and need to be clearly separated from the Society, e.g. in a separately-managed subsidiary subject to governance under ethical investment principles. They must not become the raison détre for the Society's existence, and must not expose the Society to reputational damage or monetary loss.*

*In the case of incubators or accelerators, if they are not divested in an orderly manner, or converted into a form consistent withthe Society's Nature and Values, they need to be functionally separated from the Society, including:*

- *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.*

Examples of approaches that members may wish to consider are:

- Embedment of requirements that:
  - additional activities be placed in one or more separately-managed subsidiaries; and
  - that or those subsidiaries subjected to governance under ethical investment principles;
- Facilitation by the constitution of such an internal structure.

In Round 2, members were asked:

**Do you think additional activities should be placed in one or more separately-managed subsidiaries, to be managed under ethical investment principles?**

**Event Reports**

**Submissions**

**Sam Horwood – 3 March 2022**

This could be useful from accounting or management purposes, but does that add significant overhead or degrade efficiency?

**Web-Form Votes**

Yes – 7; No – 0.

**Forum Entries**

**Shane Moore   Feb 3   #131**

Choice: Other

Comment: Certainly the Innovation Labs should be/remain separate subsidiaries and not be considered "the ACS". They are not our core purpose/business. Other activities may be able to be managed "in-house" as long as it doesn't detract from the focus of meeting members development needs.

**Ann Moffatt  Feb 7   #236**

Choice: Other

Comment: I am generally against this even if managed under ethical principles.

**John Thornborough   Feb 10   #278**

Choice: Yes

Comment: Yes, if the decision is to continue with separately managed businesses. [ But really ] they should be discontinued

**Allan Baird   Mar 8   #392**

Choice:  ==Yes==

Comment:  ==This will ensure that appropriately skilled people are able to be recruited and deliver the outcomes specified by the ACS BUT that the ACS stays focused on being a member based organisation. The separate managed subsidiaries are the icing not the cake.==

**Alex Reid   Mar 9   #441**

Choice:  Yes

Comment:  If the ACS Board at some stage wishes to embark on some "additional activity", and provided it aligns with the stated purposes of the ACS, then such activity should be allowed but ==kept separate from the mainstream activity of the ACS, and managed in a businesslike and ethical fashion==.

**Adrian Mortimer   Mar 11   #558**

Choice:  Other

Comment:  I think this depends on the scope and nature of the additional activities - ==in some cases, an additional activity may be short term, low risk, and not warrant a separately managed subsidiary, in other cases a separately manged subsidiary or organisation may be the only sensible way to manage risk and outcomes.  There is also a risk that the separately managed entity will turn into model for hiding activities and funds from proper scrutiny==.  I suspect that the key issue here is to establish an appropriate set of policies which must be adhered to, and which address these issues. A final question: should the separately managed entity always be a subsidiary?  ==Partnerships and shared ownership entities may be appropriate in some cases ...==

**Adrian Porteous   Mar 13   #598**

Choice:  ==Yes==

Comment:  ==Strongly support. This seems necessary to provide a return to the Key Functions.==

**Keith Besgrove   Mar 15   #651**

Choice:  ==Yes==

Comment:  ==The advantages of doing this are self-evident and would take a lot of heat out of the discussion around the future of these activities==

**Paul Bailes Mar 15   #654**

But what "additional activities"?

And more importantly, why? i.e. who benefits from these?

Name:   Roger

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### 4.   ACS Internal Structures

**Summary**   (50-100 words)

There was consistent and very strong support for the following:

- Embed in the constitutional document that Panels have delegations;
- Subject those delegations to appropriate accountability and control;  and
- Embed the specific powers of Panels in a document that is not subject to absolute power by the governing committee.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This is an important requirement, recovering powers for members, and enabling increased visibility of the Society, to members and to potential members.

This has implications for s.5.4.5-6 and s.5.5.1-2 (Member Ratification and Approval).

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

## 4.     ACS Internal Structures

The term 'groups of members' is used in this document to encompass:

- national organs, including:
  - standing panels, committees and SIGs;
  - time-bound or task-specific task forces, working groups and SIGs;  and
- Branch committees, sub-committees, task forces, working groups and SIGs.

The term 'panel' is used in this document to refer to an intermediate-level organ through which national committees and task forces communicate with the governing committee.  The current ACS Rules use the term 'Board' in the same manner as this document uses 'panel'. Conventionally, however, the term 'Board' is used specifically for the governing committee;  so the current ACS Rules usage is not adopted in this document.

### 4.1     National Structures

*Members saw 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.*

In particular, the existing Panels ('Boards') have no more than advisory and guidance roles, with all of the power held by the governing committee, and then delegated to staff.  This section relates to such groups of members at national level.

### 4.1.1 Powers and Funding for Panels

*Members noted* **the need for far more delegation of powers and funding to groups of members**, *and associated accountability measures.  It was argued* that there need to be **more Panels**, *each of which has much* **more focussed scope**, *is* **a working group**, *and has* **the authority to act independently within defined delegations**, *and within the Society's policy framework, rather than being a mere advisory group.*

Examples of elements that members may wish to be embedded include:

- Sufficiently specific scope for each Panel to enable it to achieve focus;
- Authority for each Panel to act within its defined area, as a Committee of the governing committee with defined delegations, rather than to have a merely advisory role;
- Requirement of each Panel to operate as a working group of members supported by staff resources.

In Round 2, members were asked:

**Do you want Panels to have sufficient focus, authority and resources to play an active role in the Society's activities?**

**Event Reports**

**Technical Advisory Board – Tue 22 February 2022:**

Concern was expressed that the ACS has previously failed to utilise Position Papers in the manner intended by the Technical Committee that produced them.  The TAB, or the individual Committees, therefore need sufficient delegation to enable the document to be exploited for submissions, meetings and media releases.

The primary focus was on the need for appropriate delegations to the TAB and to the Technical Committees.  Possible implementations of a delegation discussed were:

- Documents submitted by TAB or a Technical Committee are not subject to 'approval' by any policy review committee, but may be subject to negotiation, or to **dis**approval within some short timeframe;
- Documents submitted by TAB or a Technical Committee are not subject to disallowance by any policy review committee on grounds relating to the technical position adopted, but may be subject to negotiation, or to **dis**approval within some short timeframe, but only based on a criterion of benefits to the Society or the membership.

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**Geoff**:  If load can be taken off leadership roles, and individuals can be trusted to remain aligned with established policy positions, delegation of the power to speak on behalf of ACS is a good thing.

**Bevin**:  But care's needed to ensure adequate control over statements made in the Society's name.

**Vic Branch – Tue 2 Mar 2022:**

**Advisory-Only OR With Delegations? Advisory-Only OR With Delegations?**

Multiple people at the 3 and 4 level, not 5.

**Cynthia**, **Karl**:   "Both definitely with delegations, but with guardrails"

**NT Branch – 4 Mar 2022:**

**Advisory-Only OR With Delegations? Advisory-Only OR With Delegations?**

**Edwin**:   Advisory.  Recommendations must be given due importance, but not too many delegations.

**Damien**:   The question is framed in too binary a manner.  It should be neither staff-only nor volunteer-group-only.  The considered recommendations of subcommittees of the governing committee must carry weight;  but on many matters proposals need to be brought forward by, or at least articulated by, staff.

**Vic Branch – 10 March 2022:**

**Advisory-Only OR With Delegations? Advisory-Only OR With Delegations?**

Political parties survive despite some members shooting from the hip, because, when they go beyond party policy, plausible deniability exists.  We need more confidence and more visibility.

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, I do. But shouldn't this be an establishment / funding / collapsing mechanism in the constitution (or other appropriate document) to be able to evolve over time? Maybe a regular 1 to 3 year funding / delegation cycle after which point there would be some kind of review to determine value / renewal etc?

Who would ultimately approve such a structure? The Management Committee?

**Web-Form Votes**

Yes – 9;   No – 1.

Forum entries:   Yes – 0;   No – 0.

**Forum Entries**

**Jack Burton   Mar 9   #421**

Choice:  Yes

Comment:  Yes, "panels" should have granted the authority to transact the business for which they were established -- that should be obvious.

Yes, it is completely wrong for an elected member ever to "report to" a member of staff -- the national secretariat and the branch secretariats exist to support the Society, not vice-versa.

Yes, "panels" should not be merely advisory in nature -- rather, they should be what we used to call "working Boards" or "effective  BECs" (let's not forget what the "E" in BEC stands for...).

Yes, these things all *MUST* be embedded in the Rules of the Society.

In fact, they already are (at least as far as the BECs are concerned, not so much for the Boards) enshrined in *mandatory* delegations in the current Rules.  However, for many years now the

powers that be have abused another provision of the current Rules (the one that annoints any interpretation made by MC as gospel, even when it's clearly wrong at law), by claiming that an optional clause ("may") trumps a mandatory clause ("must"), when any lawyer, any engineer or even any student of logic knows that the opposite is the case.

Meaningful governance reform can only be achieved once that thy-word-is-law clause is removed. In addition, the existing mandatory delegations to the BECs should be given more teeth (and extended also to the Boards).

**Alex Reid   Mar 9   #439**

Choice:  Yes

Comment:  Panels have and should in the future play an important role in enabling members to contribute to the direction and functioning of ACS. You might say that for a "professional society" this is mandatory.

**Karl Reed   Mar 10   #474**

Choice:  Yes

Comment:  I speak with experience I had this in 1974 and later as a Board Director.  I achieved a great deal, but, I could not/would not have done so in today's ACS. See for examplehttp://homepage.cs.latrobe.edu.au/kreed/Adj_Assoc_Prof_Karl_Reeds_Home_Page.html

http://homepage.cs.latrobe.edu.au/kreed/Industry_Policy,_Decentralisation_and_Other_Things_files/acs.sic.trade.mission.brochure.1982.pdf

**Adrian Mortimer   Mar 11   #559**

Choice:  Yes

Comment:  Appropriate delegation of authority to Panels makes good sense, but needs to be subject to some kind of oversight from the national governance group ...

**Adrian Porteous   Mar 13   #600**

Choice:  Yes

Comment:  I might be misreading the question, but the Panels need to have an integral role in determining the Society's activities. If not the Professionals elected by the Membership to represent their interest on the Society's highest structures, then who?

This response is a very definite 'Yes"!

Name:   Roger

## 4.1.2 The Set of Panels

**Summary**   (50-100 words)

The Boards, and the scope of each, needs review and adjustment.

Members want much-improved capability to provide input to policy.

Wholesale changes to Boards (such as their dramatic shrinkage some years ago, from 11 to 3) require engagement with and endorsement by the members.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This has implications for 5.4.5 and 5.5.2 (Member Ratification).

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 4.1.2 The Set of Panels

There are currently 3 Panels:  for Membership, the Profession and Technical matters.  Members may want to contribute to discussions about the set of Panels and the Key Functions for which each has responsibility for strategic decision-making.

A list of Key Functions was provided as Appendix A of the Round 1 Consultation Document (p.9), at https://crwg.org/1/CRWG-Constn-Doc1.pdf.  Members may want discussions to be conducted with the membership in relation to the appropriate set of Panels that should exist following the changeover, and how responsibilities for the Key Functions should be distributed across them.

For example, members may prefer Panels whose focal-points are in these areas:
•      Professional Standards;
•      Professional Development;
•      Member Services;  and
•      Policy Development.

See also elements 2.4.1 and 2.4.2 above.

In Round 2, members were asked:

**Do you want engagement with the membership about what Panels should be responsible for which Key Functions?**
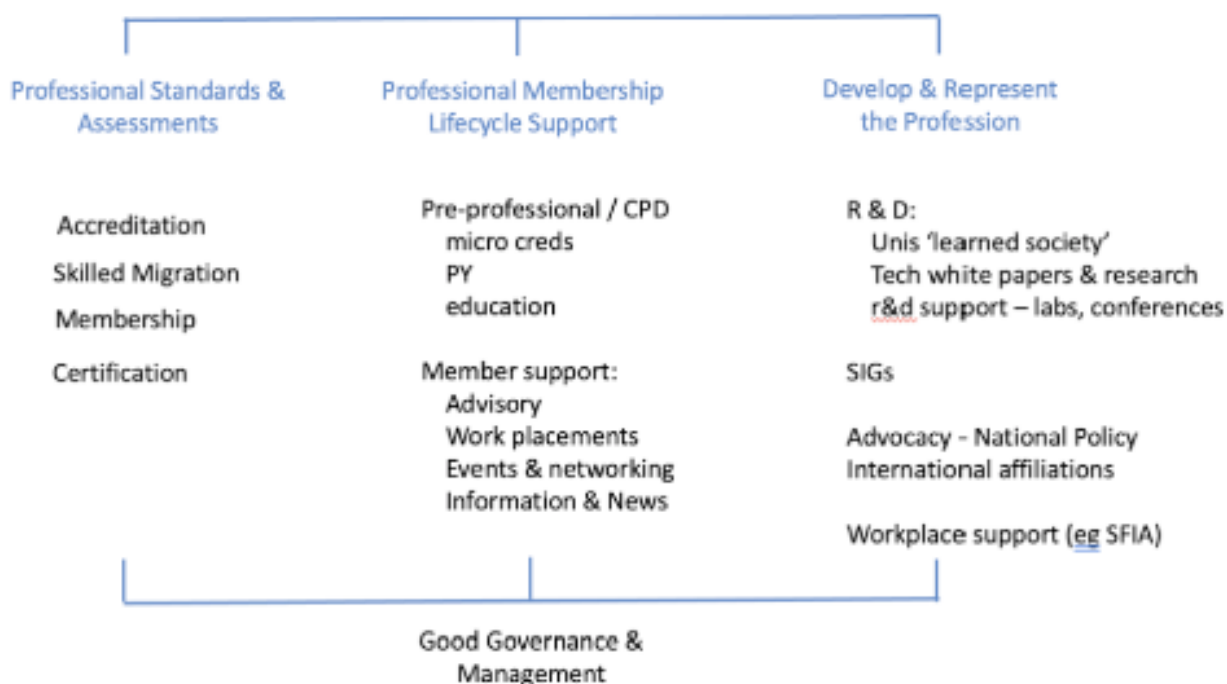
**Event Reports**

**PAB – 16 March 2022:**

"There are currently three panels for membership, the profession and technical matters" (4.1.2). The PAB is the panel responsible for setting and assessing standards and must be the source of that expertise so our responsibilities to enable our responsibilities under ISO17024 to be met.

Note: For example, the responsibility for membership standards and assessment is not part of the current panel but is an activity under the ISO standard so should be part of it.

Education is part of the current panel but is incompatible with the ISO standard which requires separation of development and assessment activity (no 'marking your own homework').

A sample possible restructure might be:

| Professional Standards & Assessments | Professional Membership Lifecycle Support | Develop & Represent the Profession |
|---|---|---|
| Accreditation | Pre-professional / CPD<br>micro creds | R & D:<br>Unis 'learned society'<br>Tech white papers & research |
| Skilled Migration | PY | r&d support – labs, conferences |
| Membership | education | |
| Certification | Member support:<br>Advisory<br>Work placements<br>Events & networking<br>Information & News | SIGs<br><br>Advocacy - National Policy<br>International affiliations<br><br>Workplace support (eg SFIA) |

Good Governance & Management

**Submissions**

**Sam Horwood – 3 March 2022**

Yes, I believe that would be constructive, on the understanding that each panel does not need to completely meet all functions, as ==panels need to be more focused on a narrower outcome==. While consultation is a good thing, I'd suggest that ultimate authority for that would need to rest with the Management Committee / Board.

**Web-Form Votes**

==Yes – 10;  No – 1.==

==Forum entries:  Yes – 5;  No – 0.==

**Forum Entries**

**Jack Burton   Mar 9   #418**

Choice:  Yes

Comment:  Yes.

"The Society", by definition, means the Members of the Professional Division.

Therefore, ==it is totally inaccurate to describe a position as "the Society's public policy position", *unless* it was developed by the Members of the Professional Division==.

We used to have an elected Board for just that purpose (the EIP Board).  Restoring some such organ could be a useful start.  Alternatively, we could try to foster *grass roots* collaboration of professional members on such things (again, that's an approach that some of our competitors have used very effectively in the past).

**Jack Burton   Mar 9   #423**

Choice:  Yes

Comment:

Yes, definitely.  It is difficult to see how the current three Boards could accomplish much meaningful, with their ridiculously broad remits.  When we had 11 boards, most of them were "working Boards", who got things done.  Time has moved on since then, so those 11 might not be the exact set which ACS needs today (and that's where the suggested broad consultation comes in), but that's approximately the right number to have and approximately the right breadth of scope for each to have.

Once we have re-established a useful portfolio of Boards in line with the will of the members, we should also ==reform our governing documents to ensure that from thereon in a Board cannot be abolished without *again* seeking the endorsement of the members== (ideally in General Meeting).

**Karl Reed   Mar 10   #475**

Choice:  Yes, but

Comment:  There are natural groupings

**Adrian Porteous    Mar 13   #601**

Choice:  Yes

Comment:  There has to be strong input from the membership on the structure and responsibility of the Panels. Rhetorical question maybe: If input not from the membership, then from who?

The current broad structure of the Panels has been workable, and should continue to be workable. Many policy matters may cross Panels; that is normal organisational practice and should present no issues to a professional society.

**Alex Reid   Mar 10   #492**

Choice:  Yes

Comment:  Isn't this what this consultation process is all about, to agree what panels should be set up and what their Terms-of-Reference should be.  Once they have been agreed and set up, there should be very little need to vary their ToR in the future, except for tweaking every now and then - for which some form of consultation with the membership is proper.

**Roger Clarke Mar 14   #635**

On Thu, Mar 10, 2022 at 06:00 PM, Alex wrote:

> Isn't this what this consultation process is all about ... ?

The CRWG has a set of delegations from Congress relating to the design of a constitution.

We're asking questions that are sufficiently broad in scope to make sure we get the constitution right.

But we have no delegation to recommend anything to Congress or anyone else about the Panels.

(Unless of course the membership actually wanted to embed Panel-scope in the constitution).

That doesn't make this discussion a waste of time, because everyone in Congress, MC and the strategic planning Project Dovetail is supposed to be reading this!!  (Well, maybe just the summary we produce at the end).

And ==we've referred a few things to particular organs, and may refer some more==.

(Caveat:  These are my personal comments as Forum Manager, not an 'official' CRWG position).

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Name:   Roger

## 4.1.3 Powers and Funding for Other National Groups

**Summary**   (50-100 words)

Members want more scope for Committees, and more SIGs and some scope for them;  but they are also concerned that the delegations be managed.  They perceive the Panels as being the primary venue that's appropriate for that control to be exercised.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This is of significance, because members perceive Panels as being a suitable control-point, but not the right place to harness the energy and expertise of members.  Hence a way needs to be found to delegate to a level below panels, but with adequate overview to avoid serious (as distinct from minor) mis-fires of Committee-members' energy.

This requires some deft handling in the constitutional document, to embed just enough to normalise delegations, while protecting the Socieyt's reputation.

**Appendix:    Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 4.1.3 Powers and Funding for Other National Groups

*Members saw 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.*

National Committees, Task Forces and Working Groups, and National SIGs need sufficient powers to perform their functions.

In Round 2, members were asked:

**Do you want other national groups to have sufficient authority and resources to play an active role in the Society's activities?**

**Technical Advisory Board – Tue 22 February 2022:**

Concern was expressed that the ACS has previously failed to utilise Position Papers in the manner intended by the Technical Committee that produced them.  The TAB, or the individual Committees, therefore need sufficient delegation to enable the document to be exploited for submissions, meetings and media releases.

The primary focus was on the need for appropriate delegations to the TAB and to the Technical Committees.  Possible implementations of a delegation discussed were:

•    Documents submitted by TAB or a Technical Committee are not subject to 'approval' by any policy review committee, but may be subject to negotiation, or to **dis**approval within some short timeframe;

•    Documents submitted by TAB or a Technical Committee are not subject to disallowance by any policy review committee on grounds relating to the technical position adopted, but may be subject to negotiation, or to **dis**approval within some short timeframe, but only based on a criterion of benefits to the Society or the membership.

### Event Reports

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**Geoff**:  If load can be taken off leadership roles, and individuals can be trusted to remain aligned with established policy positions, delegation of the power to speak on behalf of ACS is a good thing.

**Bevin**:  But care's needed to ensure adequate control over statements made in the Society's name.

**Vic Branch – Tue 2 Mar 2022:**

**Advisory-Only OR With Delegations?**

Multiple people at the 3 and 4 level, not 5.

**Cynthia**, **Karl**:  "Both definitely with delegations, but with guardrails"

**NT Branch – 4 Mar 2022:**

**Advisory-Only OR With Delegations?**

**Edwin**:  Advisory.  Recommendations must be given due importance, but not too many delegations.

**Damien**:  The question is framed in too binary a manner.  It should be neither staff-only nor volunteer-group-only.  The considered recommendations of subcommittees of the governing committee must carry weight;  but on many matters proposals need to be brought forward by, or at least articulated by, staff.

**Vic Branch – 10 March 2022:**

**Advisory-Only OR With Delegations?**

**Karl**:   Political parties survive despite some members shooting from the hip, because, when they go beyond party policy, plausible deniability exists.  We need more confidence and more visibility.

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, I believe that would be more vibrant, but appropriate mechanisms would need to be established to fund / delegate around a scope.

**Web-Form Votes**

Yes  –  7;   No  –  2.

Forum entries:  Yes  –  4;   No  –  0.

**Forum Entries**

**Shane Moore   Feb 3   #127**

Choice:  Yes

Comment:  If we consider how the ACM (in US) operates, I believe there are a large number of SIGs/ Technical working groups, which run under the auspice of the ACM, and there needs to be such similar structure added to the ACS, so that people with shared interests can meet/interact/share on a more frequent basis. These groups should be able to propose presentations that are open to the wider ACS membership whereas currently I guess it is the state branches that decide what will be presented at the Member Forums which can be a bit limiting in scope of what is available to attend.

**Allan Baird   Mar 8   #393**

Choice:  Yes

Comment:  And more powers to the BECs.  ACS has raped and pillaged these ground root organisations and it is time to restore greater autonomy and discretionary spending to them

**Alex Reid   Mar 10   #493**

Choice:  Yes

Comment:  Of course!  They shouldn't be merely Advisory (though that may be part of their role), but the areas over which they have responsibility should be very carefully and clearly set out.

**Adrian Porteous   Mar 13   #602**

Choice:  Yes

Comment:  Yes, but in the context of a governance structure where these groups report through to one of the Panels (and maybe dotted line reporting to one or both of the other Panels).

Name:   Roger

___

### 4.1.4 Accountability by All National Groups

**Summary**   (50-100 words)

The members perceive accountability requirements to simply travel with delegations.

___

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

There may be value in expressing in the constitutional document:

- the 'no delegation without accountability' principle;  and/or
- that the the By-Laws / Regulations are required to document the accountability requirements of each category of organisational unit (Panel, Committee, SIG, etc.) and role to which delegations are given;  and or
- that Panels have a delegation to determine, document and administer the accountability requirements of each category of organisational  unit that reports to it.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**4.1.4 Accountability by All National Groups**

Members may wish to ensure that effective accountability by national Committees and (project-specific, time-bounded) Task Forces and Working Groups, and National Special Interest Groups (SIGs), is embedded in the constitution, or assured in some other way.  This may be through formation processes, rules or guidance in relation to the composition of the group, obligations in relation to transparency and engagement, and responsibilities in relation to budgets, supporting staff and volunteer effort.

Examples of elements that members may wish to be embedded include:

- sufficiently specific scope for each group to enable it to achieve focus;
- authority to act for each group within its defined area, as a Committee of the governing committee with defined delegations, not merely an advisory role, but subject to review and approval by any Panel to which the group is assigned;
- requirement of each group to operate as a working group of members supported by staff resources.

*During Round 1, members saw accountability of all national groups as a given.*

In Round 2, members were asked:

**Do you want effective accountability by national groups to be embedded, or assured in some other way, through transparency, engagement and responsibilities in relation to budgets, supporting staff and volunteer effort?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes please.

**Web-Form Votes**

Yes  –  10;   No  –  1.

Forum entries:  Yes  –  3;   No  –  1.

**Forum Entries**

**Ann Moffatt  Feb 7   #238**

Choice:  Yes

Comment:  thru transparency.

**Karl Reed    Mar 10   #476**

Choice:  Yes

Comment:  There needs to be a mention of delegations.

A small point, the use of "interim leader" appointments when starting things up is a good idea.

**Alex Reid   Mar 10   #494**

Choice:  Yes

Comment:  Yes, though the extent to which this should be embedded in the Constitution should be limited.  There should be some flexibility for the parent Panels to adjust their Terms-of-Reference, etc.

**Adrian Porteous    Mar 13   #603**

Choice:  No

Comment:  <mark>Think too cumbersome for the Constitution, and better included in Regulations</mark> which can be amended more easily under the umbrella of the constitution.

Name:   Roger

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### 4.1.5 ACS as an Umbrella Organisation

**Summary**   (50-100 words)

There is widespread and strong support for the Society to:

- constructively partner with compatible professional societies;
- constructively partner with other relevant organisations that share the Society's values;
- host compatible professional organisations;  and
- enable the organic emergence and growth of self-organising groups within the Society.

ACS should be taking the lead to ensure effective linkages within the IT professional eco-system.

This depends on the provision of convenient and effective technical platforms and service-bundles for National SIGs, Branch SIGs and virtual communities-of-interest.  However, to deliver those service-bundles, members say that the ACS has to be organisationally vastly more agile, and must overcome the current, massive deficit in its internal ICT.

Support for such activities in the smaller Branches will require resourcing.

This is seen as a vital and to date under-emphasised feature of the Society's strategy.

The constitutional document needs to enable an umbrella strategy, but also to ensure that it is conducted in a manner consistent with the Society's values.

---

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to enable an umbrella strategy, but also to ensure that it is conducted in a manner consistent with the Society's values.

The contents of this section need to be clearly communicated to the strategy formation process, which has to date appears not to have been paying attention to the views that members have been voicing during this consultation process.

### 4.1.5 ACS as an Umbrella Organisation

The Society is a large organisation in the highly diverse and dynamic ICT arena;  but it is far from the only organisation.  The governing committee has been considering a move in the direction of operating the ACS as an umbrella organisation, with collaborative and supportive arrangements in place for both appropriate external organisations and internal groups.

*Widespread support exists for the notion of ACS being an umbrella organisation.  However, two qualifications were evident:*

- **sub-organisations must be professional and serve individuals, not organisations**; *and*

- *the risk of drifting away from the nucleus of ICT must be carefully managed.*

*One area of discussion was the Society's own identity.*  **The breadth of scope is enormous and growing, and specialisations are continually changing.**  *This makes it challenging to establish and retain effective coverage of all areas.*

*Concern was expressed by some that, although the extension of ACS scope beyond technology and its applications into organisational aspects is relevant, it has been associated with a reduction in the quality and depth of technical offerings, with* **many events with technical titles being heavily-imbued with marketing-speak.**

*The risk arises of becoming too diffuse and hence too superficial.  To address that risk, the core must be identified and* **focus on the core must be sustained**.  *This includes, for example, specification and maintenance of Body Of Knowledge (BOK) documents, course accreditation requirements, CT/CP specialisation recognition, the offering of market-leading events and courseware, and active participation in industry Standards.*

*Ways to support non-core areas include:*

- **constructively 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;*

- [ADDED DURING EVENTS: ] **constructively partnering with other categories of organisation, such as Pearcey, CORE and AAIS**, *e.g. by means of MoUs, collaborative awards arrangements, publications, channels to teaching-and-research staff, students, etc.;*

- **hosting compatible professional organisations**, *e.g. as National SIGs;  and*

- **enabling organic, self-organising groups within ACS**, *especially as Branch SIGs and virtual communities-of-interest or practice.*

Examples of elements that members may wish to be embedded, or assured through some other means, include:

- Specification of **compatibility requirements of an associated organisation**, such as:
  - its membership must be only of individuals;
  - its mission must have professionalism central to it;
  - it must be not-for-profit;
  - its scope and mission must be sufficiently related to ICT; and
  - its values, mission and code of ethics must be compatible with those of the ACS
- Constructive **partnering with compatible professional societies**, e.g. by means of:
  - Memoranda of Understanding (MoUs);
  - cross-accreditation of professional education offerings;
  - discounted joint memberships of two or more professional societies; and

- •      co-branding of events;
- •      The **hosting of compatible professional organisations**, e.g. as National SIGs;
- •      Enablement of the **organic proliferation of national self-organising groups within ACS**, especially as SIGs and virtual communities-of-interest or -practice;
- •      Provision of convenient and effective **service-bundles** designed to meet the needs of hosted National SIGs and virtual communities, including a self-managed Web-presence, membership management, communications services, and event support; and
- •      Provision of such services to associated organisations, but on a fee-for service basis.

*To achieve this, however, the ACS has to be **organisationally vastly more agile**, and must overcome the current, massive deficit in its internal ICT, so as to efficiently provide convenient and effective **service-bundles for National SIGs, Branch SIGs and virtual communities-of-interest***.

In Round 2, members were asked:

**Do you want features in the constitution to enable ACS to operate as an umbrella organisation?**

**Event Reports**

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**
**• Partner Organisations (MoUs)?**
Significant support (3s, a 4 and a 5, some abstentions)
**• Hosted Orgs (Terms/Svces)?**
Significant support (3s, a 4 and a 5, some abstentions)
**• Home-Grown NatSIGs / Communities?**
Very strong support (4s and 5s, some abstentions)

**Canberra Branch – Thu 24 Feb 2022:**
**• Partner Organisations (MoUs)?**

**Grant**: Across the whole digital technology sector, ACS should be leading that discussion, with boilerplate MoUs ready-to-go. This is key to the strategy.

**Rob**: Fully support Grant's point.
**• Hosted Orgs (Terms/Svces)?**

**Rob**: Shared services is a good idea. Whether smaller organisations think in a similar fashion to ACS is a separate question, but we should be able to service and draw in a proportion of them

**Kristina**: Across the diverse health care professions, there are many specialised groups. One tended to provide admin and related services for the others, at a cost-plus fee, which is much less expensive then relying on commercial offerings.
**• Home-Grown NatSIGs / Communities?**

**Bruce**: Definitely support national management of Aust-wide 'SIGs', Communities of Interest ...

**Vic Branch – Tue 2 Mar 2022:**
**• Partner Organisations (MoUs)?**

Generally strong importance weightings, mostly at 5.
Rod qualified with 'provided it's MoUs not ownership', and Karl scoring this lower, at 3.

**• Hosted Orgs (Terms/Svces)?**

Generally very strong importance weightings, almost all at 5.
**Karl**: Prefers only our own SIGs etc., except in special circumstances.

**• Home-Grown NatSIGs / Communities?**

Generally very strong importance weightings, almost all at 5.
**Karl**: But very hard to do, but much easier with usable electronic conferencing and other support

**Staff Event #1 – 2 Mar 2022:**
- •      Partner Organisations (MoUs)?
- •      Hosted Orgs (Terms/Svces)?
- •      Home-Grown / Self-Organising Groups within ACS (Service-bundles) ?

**John**:   (Particularly in relation to the first category), I'm all for it, but win-win is necessary, and we need to avoid conflict.  That will occur where ACS and the other organisation is directly competitive, particularly where the overlap is more than at the margin.

**Staff Event #2 – 3 Mar 2022:**
•      Partner Organisations (MoUs)?
•      Hosted Orgs (Terms/Svces)?
•      Home-Grown / Self-Organising Groups within ACS (Service-bundles) ?

Paul:    The formation of the Technology Council in late 2021 was indicative of the industry not being able to talk to government with a single voice.

Answer:  It was certainly indicative of a feeling among I(C)T companies that existing industry associations, particularly AIIA, had fallen off the pace and represented old providers not the new breed.

However, ACS is (a) not an industry association, and (b) not just concerned with the ICT/IT/digital industry.  Its members are active in all industry sectors, because ICT is now embedded.  ACS is a significant player in a complex eco-system involving ICT technology-developers and providers, and ICT service-providers, but even larger numbers of ICT users – both organisational and individual, but also teachers, researchers, and associations of many different kinds.

Further, much as it makes it easier for politicians and their advisers if all of the negotiations have been done before the problem reaches the Minister's desk, an industry does not and cannot speak with a single voice.  The balancing of many different interests is the politicians' job, not the job of a peak body that inevitably over-represents powerful interests and under-represents weaker ones.

Vicki:    What approach we take to each external organisation needs to reflect the degree of alignment of the two organisations' purposes and directions.  It also needs to be decided what belongs in the constitutional document and what delegations are provided to whom.

Anthony:   It's feasible to use ACS's infrastucture to develop a new revenue-stream of fee-for-service support for other associations.  In the constitution, this would need to be enabled and not precluded.  An example that arose some years ago was an approach from the PNG Computer Society, which was attracted to the ACS certification scheme, but lacked the scale to implement such a scheme itself.

**NT Branch – 4 Mar 2022:**
**• Partner Organisations (MoUs)?**
**• Hosted Orgs (Terms/Svces)?**
**• Home-Grown NatSIGs / Communities?**

**Damien**:   This perplexes me – how important is this for a constitution, as distinct from a matter to be considered in strategic planning contexts?

I support ensuring that the constitution provides the flexibility to do all such things, maybe enables, but certainly doesn't preclude them.

**Tas BEC and Branch – 9 Mar 2022:**
**• Partner Organisations (MoUs)?**
Strongly supported.

**• Hosted Orgs (Terms/Svces)?**

**Jonathan:**   That's challenging in Tassie, because ACS, while the brand's standing is okay, is seen as being too rigid and structured.  Informal tech communities have been dismissive of ACS as a place to associate with, except at the level of co-operative events.  They make their own way, using services they can pick up off the net.  But if an ACS bundle of services hit the right spot in the market, they might flock to it.

**Vic Branch – 10 March 2022:**
**• Partner Organisations (MoUs)?**

**Dan:**   It's vital.  Vic BEC and Manager have failed to capitalise on my approaches.

**• Home-Grown NatSIGs / Communities?**
Supported.

**SA BEC  –  15 Mar 2022:**

**Mustafa**:   The idea sounds great, but with due respect <mark>this comes down to a question of organisational capability and resourcing.  Branch staff are stretched as it is.  It can be to some extent member-led, but we need good technology, and skilled people to provide related services.</mark>

**Chris**:   Recently, a data analytics organisation established nationwide, with its own IP.  And the IT Service Management Forum mixes individual and corporate membership. Partnering with such organisations can be challenging for a professional society.  But, <mark>providing care is taken to sustain ACS values</mark>, it could be made to work.

### aSCSa  –  16 March 2022

The National SIG in Safety-Critical Systems reiterated the aspects of ACS support that they receive, and value;  but also the <mark>many aspects of ACS support that are deficient or non-existent</mark>.

They gave two examples of malperformance by ACS that had occurred since the meeting as part of the Round 1 consultation on 13 October 2021.

### CORE  –  7 March 2022

1.     Accreditation

Basically a per-institution thing, without CORE doint anything. Michael Johnson's spoken on ACSW Panels about it.

2.     Dealing with Governments

Little interest was shown in any coordination with ACS.

3.     Means for ACS to Reach out to and Serving Interests of CS staff

No CORE role, no clues offered

4.     Means for ACS to Reach out to and Serve CS graduates

No CORE role, no clues offered

5.     Publications

CORE used ACS services in the past, particularly CRPIT.  When ACS lost interest, CORE switched from ACS to ACM, some years back now.

6.     The Notion of a Service-Bundle for Associated Organisations

They would have been interested in incorporation support last year.  It could be good for accounting, tax, web-sites, etc.  If ACS got it right, a service could be of some interest.

The President said:  Include the capability to do MOUs, etc. in the constitution.

### NSW Branch  –  11 Mar 2022:

**• Hosted Orgs (Terms/Svces)?**

Supported:  6x3, 1x4, 3x5.

### NSW Branch Focus Group  –  14 Mar 2022:

**Dorotea**:   Where does ACS stand re its relationships with bodies such as the Tech Council?

**Roger**: The supporting material for 4.1.5 includes mention of relationships with other professional societies, but omits mention of relationships with other bodies (such as Pearcey).

The 2.4.1 discussion included industry associations.  In all discussions, there have been strong leanings towards 'appropriate and active engagement' with industry associations [ incl. at least interactions and occasional co-signing, maybe MoUs ].

### Submissions

### Sam Horwood  –  3 March 2022

This is probably a practical function inclusion into the constitution to cater for future needs, but my opinion is that we should be avoiding taking on ownership for industry associations or incubation hubs, etc.

### Wayne Fitzsimmons, Pearcey Foundation  –  Mon, 28 Feb 2022 14:34:13 +1100

I met with Nick last Wed at REIMAGINATION but did not discuss this directly. I did invite Nick to attend our Pearcey Medal event in late November in Hobart. Subject to precise date being communicated soon, he did agree to attend. I'm not holding him to that but rather to demonstrate we are working collaboratively.

I will discuss your email with my board asap and come back to you. It makes eminent sense to collaborate and not compete.

**John Lamp  –  Fri, 4 Mar 2022 16:19:01 +1100**

Roger asked John Lamp, immediate Past Editor, AJIS:

> I notice that AJIS, unlike ACIS, is hosted within the ACS domain.
> Is that something you organised?  Or Karlheinz?
> I need to work out who within ACS is/are, or has in recent times been, a contact-point for the AAIS, ACIS, AJIS, ACPHIS communities.

John replied :

> ... the thing with ACS is a remnant of an arrangement, a very convenient arrangement we have with ACS. When ACS was still running the Journal of Research and Practice in Information Technology, and its companion Communications on Research and Practice in Information Technology (I think the latter was directed at conference papers) they were going online at the same time as AJIS was going online, well before I came along.

> Adding another journal to an existing OJS system is simple, and so we ended up using their system and acknowledging their support accordingly.  Since then, I believe JRPIT and CRPIT have closed, and we are still there. For AJIS, it's a stable site, at no cost. For ACS, I think most are blissfully unaware. In these days of DOIs, most people wouldn't even notice the target URL.

> Over time, various people in ACS have been more or less interested in AJIS' activities, and supportive. At one time Craig Horne was trying to get something off the ground (attached). There is an opportunity there.  Apart from their IT people assisting with software upgrades etc, that's the most active consultation we've had, unless Karl has kicked anything off.

**Rodney Clarke, President AAIS  –  2 Mar 2022 12:39:47 +0000**

> ... there is an unfilled position on the AAIS Executive for an ACS representative. It has been unfilled for a while. I am aware of some of the issues that have faced ACS and so have been reluctant to initiate any formal request to ACS to consider finding an interested representative, given the volatility of recent circumstances. I am also aware of the discontent amongst rank and file as I have friends who are ACS members.

> ... [ ACPHIS has not been functional in recent times ] ...

> There will no doubt be other issues to consider regarding AAIS and ACS. I have CCed Marta Indulska and Glenn Stewart into this email- they may well be unavailable for a meeting time called at short notice, but I value their considerable IS institutional memories.

**Wayne Fitzsimmons, President of Pearcey  –  23 Mar 2022 13:09:15 +1100**

Essentially, I felt being an umbrella organisation is a double edged sword.

When we (Pearcey, ACS (Anthony Wong) and AIIA (John Grant ) go together for Australia 3.0 2013-16 we worked collaboratively.  Then egos got in the way, personnel moved on and it all collapsed.

However, how can the industry come together on the one or two key issues each year and not remain a fragmented 'hotch potch' of special interest groups. If the ACS could perform an 'Umbrella' role in this context that would be great.  Likewise, it would need to be humble and be prepared to join other initiatives from other organisations and not feel slighted that it is not 'dominating'.

Creating some ICT 'peak body' has been tried in the past and it failed miserably ... AIIA especially decided to hold a competing press conference on the same topic as was being debated at a national meeting of heads of ICT associations.

I know it I difficult but there are successful models that work here in Australia.  In my case, I organised a Computer Science Futures conference in February at Sydney Uni.  Our "Riding the Digital Wave" summit had about the same number of attendees as the ACS REIMAGINATION event the day before (which I attended).  We were celebrating 70 years of Computer Science remembering the first computer conference held at Sydney Uni in August 1951 ...... as a Fellow I observed there were many ACS members/ fellows attending/speaking at the Pearcey event. Really ACS should have marked the occasion.

To be honest Roger, the Pearcey Foundation only exists because the ACS in 1988 refused to consider establishing a Pearcey Medal award, for whatever reason!!

If, after your review is completed, there are sub-committees established to look at various activities, I would put my hand up to look at this sort of matter.

While on my soapbox, I approached then President Yohan R in 2018 about collaborating about writing the definitive history of Australian ICT industry building on the History of the ACS" that Anthony commissioned. Johan delighted in telling me that they had done a survey of ACS members and there was no interest in history inside the organisation and he had shut down the Heritage Committee there in Canberra.

Hence we chose to celebrate the 70th Anniv of the Syd Uni computer conference ... By the way, Ian O gave the closing keynote. We have captured the whole event on YouTube (Genevieve Bell gave the opening Keynote).

Keep up the good work.

## Web-Form Votes

Yes – 7;  No – 1.

Event entries:  Yes – 8;  No – 0;  Other – 2.

Forum entries:  Yes – 4;  No – 1;  Other – 5.

## Forum Entries

**Roger Clarke    Feb 3   #13**

Choice:  Other

Comment:  The 'umbrella' approach could serve everyone's interests by ensuring effective linkages within the IT professional eco-system.

Are there particular organisations you think ACS should prioritise for a good working relationship?

1 person liked this

**Justin Pierce   Feb 3   #101**

Not sure we can answer this before understanding what would be in scope of 'under umbrella' organisation(s).

**Roger Clarke Feb 3   #102**

Justin asked:

> ... what would be in scope of 'under umbrella' organisation(s).

In one sense, this is a fishing question, to find out what members think the scope should be. However, some guidance is provided as follows:

From the Question at https://crwg.org/2/CRWG2-QnList.html#4.1.5, there's a link under the words "further information on this element in the Consultation Document", to ...

https://crwg.org/2/CRWG2-ConsDoc.html#4.1.5

**Jacky Hartnett   Feb 22   #350**

Choice:  Other

Comment:  So much depends on the understanding of 'umbrella' and 'appropriate'. We have ample examples of the meaning of such terms changing over time; some of which some like and some of which changes make us uncomfortable. I am beginning to think that what we really need is a way to make sure that the governing structure has the trust of its members, otherwise our constitution could become a straight jacket.

**Karl Reed    Feb 22   #351**

I think that anything that cannot be operated as an SIG or National Committee under ACS constitution is not acceptable.

I think also that Engineers Australia structure of a Technical Society is also worth looking at.

See https://www.engineersaustralia.org.au/Communities-And-Groups/Technical-Societies

"Engineers Australia's technical societies provide a vital link between the profession and specific areas of technical practice.

These societies serve many functions related to the establishment and maintenance of engineering qualifications. They also provide a forum for engineers, teams and industry practitioners to participate in professional technical development and networking opportunities.

Technical societies that are operating units of Engineers Australia are bound by the Royal Charter and By-Laws (PDF), regulations, policies and relevant management instructions of Engineers Australia as they exist from time to time.

There are some separately incorporated organisations that, under agreement, perform the functions of an Engineers Australia technical society, however they remain separate legal entities."

ACS did this with the Safety Critical Systems people, which operate as an SIG: https://www.ascsa.org.au/

**C Chung Mar 6   #373**

Agree with Jacky that more discussion is needed on understanding the concept of 'umbrella'.

Some thoughts I have are on how longer term considerations relate to this over arching structure, such as

•     if CLG is the direction,

•     if status would be retained at ACNC,

•     the fit of the component entities to the overall mission and objective,

•     the obligations and care to the entities within this structure.

And coming back to Jacky's comments about a straight jacket, out of the considerations that we could have, are there any aspects that makes good corporate governance and can have a purpose to be in the constitution?

What's the advantage for it to be in the constitution?

**Jack Burton   Mar 9   #424**

Choice:  No

Comment:  No.  We have done most of the things listed in the examples before and have never needed such provisions in our governing documents (except in the case of National SIGs, for which I believe they continue to be appropriate).

What is much more pressing is that ACS should stop attempting to absorb things *other than* professional societies, as happened with the aquisition of ADMA (an industry body for, of all thing, marketing companies!) and all of its related entities (with the sole exception of IAPA, which was originally founded as a professional society).

Don't get me wrong, industry bodies can be very useful organs too, but an industry body's mission is not congruent with that of a professional society even when the industry & the profession are related (and certainly never when they are unrelated, e.g. computing profession + marketing industry, as was the case with the ADMA acquisition)

**Karl Reed   Mar 10   #477**

Choice:  Yes

Comment:  Joint Membership is not really a good idea.  Also, MOU's can undermine our interests as did the one with EA on Software Engineering

**Alex Reid   Mar 10   #495**

Choice:  Yes

Comment:  The Constitution should make provision for the Board (suitably advised, and with proper transparency and accountability, etc) to undertake whatever activities it determines are needed to further the Objects of ACS, as long as these activities are consistent with the Objects of ACS.

**Adrian Mortimer   Mar 11   #560**

Choice:  Yes

Comment:  It makes sense for the ACS to be able to act as an umbrella organisation where the relationship fits the ACS mission and purpose.  There's a further debate needed in this area to address shared accreditation - for instance, appropriate membership accreditation in the British Computer Society allows a professional to become a Chartered Engineer, which is an accreditation of considerable standing ...

**Adrian Porteous   Mar 13   #604**

Choice:  Yes

Comment:  Yes, with some reservations: the suggested terms for associated organisations are good, as well as those for partnering. The intent for hosting other organisations needs to be carefully considered, especially for issues of ongoing funding requirements and liability.

The ACS is a professional society, and needs to restrict its business to the Purpose and Key Functions. Separate and unaligned Business Lines, whilst potentially financially attractive, should be left to other organisations.

**Peter         Mar 14   #625**

We also need to consider the opportunity for national SIGs with newer technologies opening up the possibility for conversations (online both synchronous e.g. video-conferencing, and group-chat; and asynchronous e.g. discussion forums, shared document construction with version control, and e-voting) across the country with the supporting technologies provided by the ACS.  These panels and SIGs could, at times, have focus on specifically improving professional standards and practices, but otherwise be about sharing efforts and techniques.  This would help topics with small local interest groups and more distant locations of interested people.

The ACS could do a lot to remove the restrictions of physical distance between its members and open up the profession as a result.

The same technologies could be used to support transparency of governance at all levels.

**Keith Besgrove    15 March 2022**

Yes.  This gives us a lot of structural flexibility for the future.

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Name:   Roger

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### 4.2.1 Branches and Branch Committee Powers

**Summary**   (50-100 words)

There were very strong votes for each of:

- the existence of Branches to be embedded in the constitutional document;
- the existence of Branch Committees to be embedded in the constitutional document;
- assured powers and resourcing for Branch Committees;
- sufficient budget flexibility to enable agile operation by Branch Committees, subject to reasonable degrees of budgettary control;  and
- an effective mechanism whereby Branch staff relate to the Branch and Branch Committee, as well as to national office.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The existence and roles of Branches and Branch Committees need to be clearly articulated in the constitution.

The specifics need to be in By-Laws, and to be subject to either Member Approval or Ratification, including:

- which Branches and their boundaries;
- Branch Committee functions, powers and resourcing;  and
- Branch Committee electoral arrangements.

This accordingly intersects with s.5.4.5-6 and s.5.5.1-2.

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## 4.2    Regional Structures

Members perceive that the appropriate channel for them to make contributions to national activities is through national organs.  Branches are their local and direct connection with the Society, however. Members want locally-relevant, value-added activities, and grass-roots agility and innovation within their own Branch.

### 4.2.1 Branches and Branch Committee Powers

*There was substantial support for* **devolved responsibility to Branch committees, and to Chapters and Branch SIGs, within a national framework**. *The reasoning underlying this was that Branches know their local community, have the agility to respond to local needs, and are close to State and Territory governments, and to other professional societies and industry associations within the particular jurisdiction.  As a result,* **the Branch was seen by most as the part of the organisation that members relate to, and as the key link in the chain from a member to the ACS**.

*A minority view was voiced to the effect that all elements of federalism should be purged, and that all power should be centralised in the national office.*

*Many members perceived that a substantial decline in services has occurred in recent years, and that this has been a key reason in the drastic rate of churn among members.  They saw the more significant factors in the decline in services as being:*

- *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.*

*Because local needs in each Branch and Chapter are different, flexibility is needed to support, engage and empower local members.* *The ACS structure needs to foster* **grass-roots agility, innovation and value-added activities at Branch level**.

*The key role for Branch committees is engagement with and support for the local members through* **events, activities, primary contact with regional PPPs, mentoring schemes, other service delivery, and liaison with regional government and industry**. *Members want decisions delegated to the lowest level at which those decisions are sensibly made.*

*Members 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*.

*Several responses stated, and others implied, that the Branch (and the BEC in particular) was the conduit for member voice.  A number of members felt that this capability had declined:  "The current influence by the CEO and staff is problematic".* **National office must honour the Society's federated model including a substantive role for Branch Executive Committees, and comply with its Rules.**

*There was also* substantial support for **financial and other delegations to Branches**, *to enable fulfilment of those functions.  Members saw it as essential that decisions can be made by Branch committees.  Iron-fisted management-by-budget was seen as dysfunctional.  Although it was acknowledged that Branch committees must be accountable for their actions and their use of funds,*

*the pretence that all activities and all expenditure can be predicted 3-15 months ahead is harmful.* ==**Discretionary funds must be available within Branches for them to serve their members effectively.**==

*The circumstance in most Branches in recent years has been denial of the power to make decisions, and denial of any flexibility in relation to access to funds. Members perceive that situation to have been not only seriously dysfunctional, but also a breach of at least the spirit of the Society and arguably even of the constitutional document.*

==*Members were all the more disenchanted because of the vast revenue the Society has been generating, the perceived wastage of much of it on expenditure of little or no apparent relevance to the membership, and the salting away of millions into reserves while Branches are denied funding.*==

==*Members saw* **budget creation as a joint exercise and not something imposed from above.**== *They expect adequate discretionary funds to exist, to enable opportunities that emerge during a budget period to be addressed, without the delay of time-wasting approval processes.*

*Another member argued that election by Branch members of representatives in an electoral college for choosing governing committee members disenfranchises members, and that this is a more serious problem than the dominance of elections by Sydney and Melbourne members.*

==**Most wished to preserve a Branch Committee role in the future constitution:** *"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 (or State) Manager".*== *Branches should perform to the budget approved at MC level, but developed as a joint exercise rather than imposed. Branches need access to limited additional funds for small unplanned projects that are professional member focused.*

Examples of elements that members may wish to be embedded in the constitution, or assured in some other way, include the following:

- Branches and Branch Committees as committees of the governing committee;
- Overseas Division, with characteristics distinct from Branches
- the Branch Committee having leadership responsibility and authority in relation to matters within their region, in a manner consistent with relevant national policies and activities, and reflecting the size and resourcing of each particular Branch, in particular in relation to:
  - local events;
  - local services to members;
  - convenient access to communication channels to their Branch members. See also s.1.2.5 and s.5.4.7 re Communications Channels Among ACS Members;
  - strategy and policy aspects of local activities and programs;
  - relationships with their State or Territory government;
  - relationships with professional groups, industry associations and educational institutions within the relevant jurisdiction;
  - management of regional PPP partners; and
  - some direction of local staff, consistent with national policies and workplace law.

In Round 2, members were asked:

**Do you want to see Branches and Branch Committees embedded in the constitution, or assured in some other way, endowed with local leadership responsibility and authority for regional events, services and relationships, and with some capacity to direct local staff in a manner consistent with national policies and workplace law?**

**Event Reports**

**Queensland BEC Mon 14 Feb 2022:**

Beau: Chapters should be much more powerful, because they're close, and closer than Branches, so they should be filling upwards.

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

Strong support from a modest majority of participants.

(On the scale of 0 to 5, scores of 3s to 5s, with some abstentions).

Strong support from a majority of participants for substantial Branch Committee powers in the local area, some abstentions (3s, mostly 4s and 5s)

**Congress – Tue 22 February 2022:**

(1) **A Very Strong Yes Straw-Vote for 'Branches guaranteed'**
We had to first clarify that as meaning:

- 'That the notion of Branches be embedded in the const'l document' &
- 'That the existing Branches remain' unless any decision is made to change regional definitions &
- 'That the specifics of Branches be guaranteed <u>in some manner</u>, e.g.:
  - in constitution (risks ossification)
  - in ByLaws under governing ctee authority (risks impetuous, undesired acts by a future GC)
  - in ByLaws subject to membership <u>approval</u> (e.g. min. 50% in an online referendum)
  - in Bylaws subject to membership <u>disallowance</u>, or membership <u>endorsement</u> through a plebiscite'.

**(2) A Very Strong Vote for Branch Powers in Its Local Area**
On a 0-5 scale, 25% x 3, 50% x 4, 25% x 5.
We had to first clarify that this related in particular to:

- events
- local PPPs and
- direct communications with local-jurisdiction (State/Territory) government agencies and Ministers.

Several Chairs stressed that the power had to (and did) include sustaining political contacts.

Several stressed the current Rules and ByLaws include such authority.

A later Motion by Jo Dalvean (as MC member rather than as CRWG member) was carried unanimously, advising MC to rescind an *ultra vires* decision in 2018-19 that purported to prevent BECs exercising their powers in relation to events, local PPPs and communications with politicians.

**Canberra Branch – Thu 24 Feb 2022:**

Generally strong support for guarantee of Branch existence.

**Andrew**: In addition to meetings on professional topics, the 'social meet-up' element is both attractive to and important to members

**Bruce**: Re 'Fellows Dinner' as an example: these less formal opportunities for members to interact and 'chew the fat' seems to indicate the need for Branches to be around to empower members and enable/enhance their interactions.

Generally support for the upper end of Branch powers, but not universal:

**Andrew**: I'm nervous about <u>too</u> much delegation because of defamation risk

**Andrew**: On the other hand, where power is centralised, it's essential that we all know who in the organisation does what, so that we can contact them, get relevant information and views from them, and provide relevant information and views to them

**Vic Branch – Tue 2 Mar 2022:**

**Branches guaranteed?**

Strongly Yes

**Karl**: Add "speak for ACS Branch publicly".

**Branch Ctee powers in local area?**

Strongly supportive, at the 4-5 level on the 0-5 scale.

**Josef**: Apply the principle of subsidiarity – which pushes a lot of regional decisions to Branches.

**NT Branch – 4 Mar 2022:**

**David**: This consultation process is why I rejoined BEC. The documentation from the initial Round was very good, and clearly outlines a strong role for Branches in the new Constitution. I strongly

support that because Branches are closest to the coalface, and can work with local members, industry, government and the public.

The National Office needs to have responsibility for national matters and national bodies.

BECs must deliver what members want, else why would a member renew each year?

The PY program has delivered 'rivers of gold', and, like ads in newspapers, it will end. We need motivated members, wanting to pay. Money is hiding issues, especially the steep falls in membership numbers. If we lose revenue-flows before we regain membership numbers, the financial over-commitments would break the Society.

**Branches guaranteed?**

Strong support.

**Branch Ctee powers in local area?**

Strong support (4x4s, 1x5)

**Tas BEC and Branch – 9 Mar 2022:**

**Jonathan:** I'm interested in the theme of greater Branch involvement and responsibility, as the conduit to members. And in what breadth of responsibilities; and what the vibe is on this.

**Answer**: Strong support from many people. Events, Regional PPPs, contact with Ministers in the local jurisdiction, negotiation of Branch budget and inclusion of discretion / flexibility.

**Jonathan:** I'm supportive.

**Ray**: Branches are crucial and should be entrenched. The roles of Branches should be more in the By-Laws, because there will be changes in functions over time.

**Branches guaranteed?**

Strongly supported.

**Branch Ctee powers in local area?**

Supported.

**Vic Branch – 10 Mar 2022:**

**Branches guaranteed?**

Supported.

**Branch Ctee powers in local area?**

3x3, 4x4, 2x5

**Adrian**: Key factors in voting 5: Decision-making power re events, ability to address local politics.

**Karl**: Branches need scope to speak with confidence, and to create local visibility. Branches need delegations to make decisions, and to make sure they're carried out.

**Snez**: The reason I voted only 3 is that COVID opened up events run by other Branches to other-Branch members. This was highly valuable then, and will be on an ongoing basis.

Supported by Adrian and Helen.

**NSW Branch – 11 Mar 2022:**

**Branches guaranteed?**

Supported.

**Branch Ctee powers in local area?**

Strongly supported: 2x3, 3x4, 1x5.

**NSW Branch Focus Group – 14 Mar 2022:**

**Dorotea**: This is an important matter that needs to be carried through into the constitution.

**Submissions**

**Sam Horwood – 3 March 2022**

Honestly, I'm not sure. We need to go one way or the other. If we do this, then there is little point centralising into the national office. I accept the my fellow member probably have stronger opinions as I'm not actively involved in the local branch level. The alternative is that we collapse most of the function back to the national level and look for economies of scale. I feel they both have some merits, but on balance, losing a local presence would probably be more harmful to the society as a

whole. I would like to think that there would / should be some consistency of services / functions / events / training at a branch level across the nation, but perhaps the branches are a way of keeping variation between branch locations as they are specifically meeting a local need? I've waffled a lot there, as I'm not sure. It's probably not a bad thing to include some assurances in the constitution for branches.

**Ashley Maher – Mon, 14 Mar 2022 10:34:07 +1100**

Having SIG convenors gather at the Branch level annually or biannually for a meeting or dinner allows the Branch BEC and Branch Office to communicate directly with a sample of members involved in running events and talk to a wide variety of members. Though not perfect, it allows an alternate communication channel to dedicated members.

**Web-Form Votes**

Yes – 10;  No – 0.

Events entries:  Yes – 7;  No – 0.

Forum entries:  Yes – 7;  No – 0.

**Forum Entries**

**Roger Clarke Feb 3  #12**

Branch Committees were greatly weakened during the term of the previous CEO.

The Constitution proposed in 2018-19 would have actually removed Branch Committees.  The power would have been exercised entirely by staff-members, and highly-centralised.

Do members want Branches to exist, to have powers in relation to local matters, and to have resources that they can apply to support members in ways appropriate to local needs?

If so, what measures are needed to ensure that happens?

**Michael Driver Feb 3  #207**

Branch (BEC's) and Chapters should remain with enough autonomy to service their demographic. The role of the Branches and Chapters needs to be clearly articulated in the constitution.

**Paul O'Brien  Feb 3  #44**

Choice:  Yes

Comment:  This is ESSENTIAL!!!!!!!

**Shane Moore  Feb 3  #136**

Choice:  Other

Comment:  Maybe not have specific branches in the constitution, but rather describe in the constitution a capacity for branches to be created and dissolved, with some sort of mandated procedures around how they are able to be created, dissolved, (and a process for arguing a case why not to be dissolved if higher authority wants to dissolve a branch).

**Jack Burton  Mar 9  #427**

Choice:  Yes

Comment:  Branch powers

Yes, absolutely.  The BECs need to continue to exist and they need to be restored all the authority (both operational and financial) that has wrongfully been stripped from them over the last 15 years or so.

The branches *are* the Society (with the exception of the Overseas Group).

Speaking of the Overseas Group, it was *intended* to be for Australian computing professionals working overseas (expats), in order to give them a discount on their ACS membership whilst they were living outside Australia so were unable to derive the benefit of local branch events etc.  It now has vastly more members than all the branches put together, which strongly suggests that it is being used for purposes other than its intended purpose.  That need to be fixed too (although that's an operational matter -- the Rules were already sufficient; the problem was that the power that be simply chose not to follow them).

Likewise, it is essential that branch staff (in particular branch managers) resume reporting to their respective BECs (as was the case for almost all of ACS' history).  The branch managers today are

in an impossible position: their roles exist to support the branches, but they report to the CEO and have been deemed by fiat to be part of the national secretariat -- which for the most part seems to be have anything but the branches' best interests at heart.

Likewise the BECs exist to control & manage their branches, yet they are not "allowed" to manage their own staff, nor even to control their own funds!  The situation is ludicrous and clearly requires a complete reversal.

**Alex Reid    Mar 10   #496**

Choice:  Yes

Comment:  I do believe in a Professional Society it is very important to anchor activities at a local level, to foster member interactions, etc and the Branches need to be given sufficient resources and autonomy to undertake a wide range of activities (consistent, of course, with the Objects of ACS). The issue of accountability is hard, because you need Branches to be accountable to the local membership, but also to some degree constrained by National objectives, etc.

**Adrian Mortimer   Mar 11   #561**

Choice:  Yes

Comment:  I believe that some kind of local entity with a reasonable level of delegated authority is crucial tor maintaining and growing membership at state level.  Conversion of state BECs into a purely advisory function was a recipe for failure ...

**Adrian Porteous   Mar 13   #605**

Choice:  Yes

Comment:  Members are, generally, located in a physical location. Each jurisdiction is best placed to manage the local business of the Society, specifically its relation to members, in a manner consistent with a nationally agreed set of policies. This includes direction of local staff.

The examples provided in the Consultation Document are well thought through; I have nothing to add.

Name:   Roger

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### 4.2.2 Branch Chapters and Branch SIGs

**Summary**   (50-100 words)

There were strong votes on each of:

- the existence of Branch Chapters and Branch SIGs to be embedded in the constitutional document;
- Branch Committee powers in relation to Branch Chapters to be embedded in the constitutional document;
- assured devolution of responsibility from Branch committees to Branch Chapters and Branch SIGs, subject to appropriate supervision;
- availability to Branch Chapters and Branch SIGs of the identities and contact-points of their members;
- assured support for Branch Chapters;
- assured support for Branch SIGs, including a digital platform providing self-managed Web-presence, membership management, and communications services and services.

---

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The following need to be clearly articulated in the constitution:

- the existence and roles of Branch Chapters and Branch SIGs;  and
- the powers of Branch Committees in relation to the formation, management and dissolution of Branch Chapters and Branch SIGs.

The specifics need to be in By-Laws, and to be subject to either Member Approval or Ratification, including:

- guidance in relation to the formation and management of Branch Chapters and Branch SIGs; and
- processes that ensure the availability to Branch Chapters and Branch SIGs of the identities and contact-points of their members.

This accordingly intersects with s.5.4.5-6 and s.5.5.1-2.

## 4.2.2 Branch Chapters and Branch SIGs

### Branch Chapters

*Members recognised that each Branch and each Chapter is different, and flexibility is needed to support each of them appropriately.  The importance of Chapters in serving at least regional, rural and remote areas was generally recognised.*

*It was perceived that* ==**well-established Chapters need funding, with a budget and power to initiate projects and activities, with oversight**==.  *North Queensland Chapter deplored the expropriation by national office of its earned reserve of $10,400.*

*A minority view was that Branches should be replaced with (national) communities of interest, which by their nature would be primarily national in nature rather than regional.  Another minority view was that Branches should advise and contribute to strategic opportunities for ACS [ in line with policies promulgated from national office in recent years ], rather than serving their regional members.  [ N.B.  The motion approving those policies was ultra vires, and Congress passed a motion in February 2022 requesting MC to rescind the relevant motion. ]*

### Branch SIGs

==*ACS needs to provide for specialisations within the ICT sector, variously in collaboration with other compatible organisations and by itself.  Special Interest Groups (SIGs) are one well-established way of doing this.  Alternative, perhaps broader terms are 'community of interest (CoI)' and 'community of practice (CoP)'.  These may emphasise electronic channels more strongly than the conduct of events in a single location.*==

*SIGs are relatively informal organisational units that support professional and social networking, and information access and interchange, in a specialised area.  The topic-area is in some cases of an established nature, and in others of a topical, leading-edge or speculative kind.  Some are long-lived, many are short-term and some are ephemeral.*

*They are a flexible tool, well-suited to a topic-area whose boundaries are as yet unclear, and whose longevity is in doubt.  They are generally very inexpensive, because they harness the energy of members who commit considerable effort and time to stimulate and coordinate professionally-relevant activities. Many are fragile, because of their dependence on one or two individuals.*

*Members noted that SIGs offer benefits not only to members, but also to the Society as a whole.  They can act as seeds of structures within ACS that reflect new specialisations.  They can spawn additional pathways to CP, provide a basis for the establishment of a National SIG, or represent a vehicle for the formalisation of collaborative relationships with other compatible organisations.  The limited recent activity from, and focus on SIGs, has been one of the factors undermining agility.*

*Many members* ==**deplored the abolition of most SIGs in 2016-17**, *by withdrawing such funding as they had available to them.  One member documented 65 that were active in different Branches in 2016, generating considerable activity.  In 2021, not a single Branch web-page mentions SIGs.*==

*The destruction of SIGs is associated by many members 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.*

==*Multiple members were adamant* **SIGs need to again become a key feature of Branch activities**, *supported by modest in-kind and financial budgets, welcoming prospective as well as current members, and working collaboratively with other organisations.  One member underlined the need for ACS to provide SIGs with a digital platform including self-managed Web-presence, membership management, and communications services.*==

*There is substantial support for **devolved responsibility by Branch committees to Chapters and Branch SIGs,** subject to appropriate supervision.*

Examples of elements that members may wish to be embedded, or assured in some other way, include the following:

- Branch Chapters and SIGs as committees of the Branch Committee;
- Branch Chapter and SIG responsibilities and authority for local events;
- Provision by ACS of resources to assist with Chapter and SIG operations;  and
- Provision by ACS of convenient and effective service-bundles designed to meet the needs of Branch Chapters, SIGs and virtual communities, including a self-managed Web-presence, membership management, and communications services.

In all cases, Branch Chapter and Branch SIG actions need to be consistent with relevant national and Branch policies and activities.

In Round 2, members were asked:

**Do you want to see Branch Chapters and SIGs embedded in the constitution, or assured in some other way, with delegated responsibility for relevant activities, and with funding and services support?**

**Event Reports**

**Queensland BEC Mon 14 Feb 2022:**

Beau:  Chapters should be much more powerful, because they're close [to regional members], and closer than Branches, so they should be filling upwards.

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

Strong support for Chapter support from most participants, some abstentions (3s, 4s, 5s)

Strong support for Branch SIGs from most participants, some abstentions (3s, 4s, 5s)

**Geoff**:   It's important to have accountability through goals, to ensure that people who are effectively exercising delegations are aligned with the organisation's vision and values

**Holly**:   The Chapter Guidelines are reasonably light-touch, to provide scope for local differences.

**Matthew**:   Chapters need to know who the current members are, so that the Chapter Committee can interact with them.

**Paul**:  Constraints has been placed on this due to staff misunderstanding / exaggeration of Privacy Act provisions;  and there are some tech-platform deficiencies that create challenges.  These are in the process of being addressed.

**Congress – Tue 22 February 2022:**

There was too little time for straw-voting, but the mood of the meeting was similarly **very positive for support for activities in sub-regions** through Chapters and specialisations via Communities/SIGs.  Chris Radbone (MC and SA) argued some Branches don't appreciate the significance of Chapters in the States with widely dispersed populations (esp. Qld, + NSW, Vic).

**Canberra Branch – Thu 24 Feb 2022:**

**Rob**:  It's essential that the constitution enable Branches to have (retain) the opportunity to create and maintain SIGs and Chapters

**Andrew**:  The membership generally may not realise the importance of this, because Branch SIGs have not been active in recent years, so many members may not be aware of them and how they operated and how much life they gave rise to

**Bruce**:  Definitely support ... State based (sub-)organisations

**Vic Branch – Tue 2 Mar 2022:**

**Chapter support?**

Very strongly supportive, at the 5 level on the 0-5 scale.

**Branch SIGs support?**

Very strongly supportive, at the 5 level on the 0-5 scale.

**NT Branch – 4 Mar 2022:**

**Chapter support?**

Strong support (straight 4s)

**Branch SIGs support?**

Strong support (straight 4s)

**Tas BEC and Branch – 9 Mar 2022:**

**Chapter support?**

Tenable for Launceston/Devonport/Burnie, but scale is an issue.

**Branch SIGs support?**

Limited and mixed experience in Tassie (none bad), but tenable if they can live and die.

**Vic Branch – 10 Mar 2022:**

**Chapter support?**

Supported.

**Branch SIGs support?**

**Dan**: People in the industry ask 'What the relevance of ACS is to the community? Who the heck are they? (Apart from the skilled migration scheme racket/scam they run). Why would I go to them? I can go to any number of LinkedIn groups and other societies'.

SIGs are vital to generate relevance; and so is partnering. But BEC has no powers to support local linkages, and no budget, and no agility to react quickly when opportunities arise.

**NSW Branch – 11 Mar 2022:**

**Branch SIGs support?**

Strongly supported: 2x3, 5x4, 1x5.

**Submissions**

**Sam Horwood – 3 March 2022**

Dumb question from me, how is this different to a panel? And aren't SIG's national? Or can they also be at branch level?

[A Panel is at national level, a Chapter at Branch level. SIGs can be formed at national or at Branch level]

**Ashley Maher – Mon, 14 Mar 2022 10:34:07 +1100**

The period of COVID has reinforced the value of face to face gatherings.

The South Australian Curry SIG is the oldest SIG in Australia.

(https://www.acs.org.au/cpd-education/event-detail.html?eventId=70190000001aCOoAAM)

Face to face is essential; special interest groups provide a grassroots meeting focus.

Face to face is part of the value proposition of the organisation. The Curry SIG provides evidence that the focus need not be technical. For example, the NSW South Coast Chapter has for 18 years had a meeting after the meeting, a meal. The discussion at the meeting after the meeting has been viewed as very valuable.

The ACS has areas of speciality. To elicit the highest quality presenters, State-based SIGs provide a space to cast a wide net to source presenters. The presentations with the highest feedback rating can then be identified and sorted for a National presentation. Though not perfect, it does provide an avenue to offer a comprehensive source of the presentation pool.

State Branches will run SIGS as they see fit. The curry SIG, for example, would not have a National Office equivalent. However, it is expected that Branches will endeavour to run similar SIGs to National Office.

A State Branch may wish to run no SIGs. A State will likely run more SIGs than National Office.

Having SIG convenors gather at the Branch level annually or biannually for a meeting or dinner allows the Branch BEC and Branch Office to communicate directly with a sample of members involved in running events and talk to a wide variety of members. Though not perfect, it allows an alternate communication channel to dedicated members.

**Web-Form Votes**

Yes – 8; No – 0.

**Forum Entries**

**Paul O'Brien   Feb 3   #45**

Choice: Yes

Comment: Also essential!!!!!

**Shane Moore   Feb 3   #137**

Choice: Other

Comment: Maybe in the constitution describe a capacity for how chapters and SIGs are to be created and dissolved, with some sort of mandated procedures around how they are able to be proposed (and requirements such as achieved minimum level of support for it), instituted, dissolved, (and a process for arguing a case why not to be dissolved if higher authority wants to dissolve an entity).

**Rupert Grayston   Feb 21   #339**

The constitution should grant powers to create branches, chapters or other groups but should leave it to the Regulations (as at present) to define these.

**Karl Reed   Mar 10   #470**

Choice: Yes

Comment: Bring back SIGs

No-one can point to the decisions of either Congress or MC that killed SIGs

**Alex Reid   Mar 10   #497**

Choice: Yes

Comment: The ability to establish chapters and SIGs should be embedded in the Constitution, along with some indication of how they might operate and be resourced, but specific chapters and SIGs should not be spelt out in the Constitution.

**Adrian Mortimer   Mar 13   #606**

Choice: Yes

Comment: Branch Chapters should be embedded in the Constitution as the core membership structure of the AS.

The ability to create, and eliminate, Branch SIGs should be embedded in the Constitution, but not further detail is needed.

**Peter Mar 14   #625**

We also need to consider the opportunity for national SIGs with newer technologies opening up the possibility for [electronic] conversations (online both synchronous e.g. video-conferencing, and group-chat; and asynchronous e.g. discussion forums, shared document construction with version control, and e-voting) across the country with the supporting technologies provided by the ACS. These panels and SIGs could, at times, have focus on specifically improving professional standards and practices, but otherwise be about sharing efforts and techniques. This would help topics with small local interest groups and more distant locations of interested people.

The ACS could do a lot to remove the restrictions of physical distance between its members and open up the profession as a result.

The same technologies could be used to support transparency of governance at all levels.

Name:   Roger

### 4.2.3 Accountability within Branches

**Summary**   (50-100 words)

The members perceive accountability requirements to simply travel with delegations.

However, members were very concerned about the denial of agility within Branches, and called for:

•       an end to the current, inflexible budget model;

•       the inclusion in budgets of discretionary amounts for projects that focus on professional members, and take advantage of opportunities emerging during the budget year;  and

•       provisions for support for Branch Chapters and SIGs.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

There may be value in expressing in the constitutional document:

•       the 'no delegation without accountability' principle;  and/or

•       that the the By-Laws / Regulations are to require that guidelines for Branch Chapters and Branch SIGs include guidance in relation to accountability;  and

•       that Branches have a delegation to determine, document and administer the accountability requirements of Branch Chapters and Branch SIGs.

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

**4.2.3 Accountability within Branches**

*Members acknowledged as a given that Branch committees must be accountable for their actions and their use of funds. However, those familiar with BEC operations were concerned about Branch funding arrangements, and sought:*

- *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.*

Members may wish to ensure that effective accountability by Branch groups is embedded in the constitution, or assured in some other way, through transparency, engagement and responsibilities in relation to budgets, supporting staff and volunteer effort.

Examples of elements that members may wish to address include the following:

- Transparency, engagement and accountability elements in relation to actions and use of funds;
- A flexible budget model that is negotiated, not imposed; and
- Inclusion in budgets of discretionary amounts for projects that focus on professional members, and that take advantage of opportunities emerging during the budget year.

In Round 2, members were asked:

**Do you want effective accountability by Branch groups to be assured in some way, through transparency, engagement and responsibilities in relation to budgets, supporting staff and volunteer effort?**

**Event Reports**

**Submissions**

**Sam Horwood – 3 March 2022**

Yes, please.

**Web-Form Votes**

Yes – 12;  No – 0.

**Forum Entries**

**Rupert Grayston   Feb 21   #340**

Yes but the constitution isn't the place to capture organisational matters like this. If this were in the current ACS Rules we would be limited to provisions though of prior to 2010.

**Alex Reid   Mar 10   #500**

Choice:  Yes

Comment:  Note that dual lines of accountability are necessary (see my response to 4.2.1), and this might prove hard to define...

Name:   Roger

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### 4.2.4 Branch Management

**Summary**   (50-100 words)

There was strong support by members for Branch Managers and staff to work for the Branch within a national context, and not controlling the Branch Committee.  Members argue that a matrix management approach needs to be adopted, and reflected in re-worked job descriptions and KPIs.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to require that the By-Laws include provisions that ensure that Branch Managers and staff work for the Branch within a national context, and do not control the Branch Committee.

By-Laws need to established, subject to either Member Ratification or Approval, which articulate the means whereby Branch Managers and staff work for the Branch within a national context, and do not control the Branch Committee.

This intersects with s.5.4.5-6 and s.5.5.1-2.

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**4.2.4 Branch Management**

*There was strong support for clear definition of responsibilities between Branch committees, Branch Managers and National Office, with far more devolution of power to Branches, and Branch Managers working for the Branch within a national context, not controlling the Branch committee:*
*"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".*

*A commonly-held view was that there is a disconnect between the needs of Branches and the orientation of ACS staff.  An example cited a number of times was the prevention of BECs contacting their local members directly.  **Members want Branch managers and staff to be there to work with Branch committees, not to direct Branch members.***

A qualification to that arises in circumstances, common in smaller Branches and regional areas, where staff need additional support, and volunteer members of the Branch, often including BEC members, contribute time and effort under the leadership of the Branch Manager.  This arises particularly with on-site, face-to-face activities.

*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.*

Members may wish to see an appropriate relationship between Branch Committee and Branch staff reflected in the constitution or other policy documents.

Members may wish to see reflected in the constitution or other policy documents:

•      Clear definition of responsibilities among Branch committees, Branch Managers and National Office;

•      Matrix management arrangements, based on trust, collaboration and communication;

•      Job descriptions and KPIs that involve the Branch Manager and staff working in support of Branch committees, within a national context, and directing Branch Committee members only in respect of operational matters.

**Do you want to see an engagement process in order to achieve substantial improvements regarding the relationship between Branch Committees and Branch staff?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, that sounds really positive, although I'm not sure what specifics would facilitate that in a constitution document.

**Web-Form Votes**

Yes  –  9;   No  –  0.

Forum entries:   Yes  –  4;   No  –  0.

**Forum Entries**

**Jack Burton   Mar 9   #427**

Choice:  Yes

Comment:

... it is essential that branch staff (in particular branch managers) resume reporting to their respective BECs (as was the case for almost all of ACS' history).  The branch managers today are in an impossible position: their roles exist to support the branches, but they report to the CEO and have been deemed by fiat to be part of the national secretariat -- which for the most part seems to be have anything but the branches' best interests at heart.

Likewise the BECs exist to control & manage their branches, yet they are not "allowed" to manage their own staff, nor even to control their own funds!  The situation is ludicrous and clearly requires a complete reversal.

**Alex Reid   Mar 10   #501**

Choice:  Yes

Comment:  Branch staff are staff (or will be staff) of the national ACS, but Branch Committees need a degree of control over how these staff spend their time, what their priorities are.  This could be tricky to spell out in any detailed way other than to rely on the goodwill of all concerned.

**Tony Errington   Mar 11   #549**

Choice:  Yes

Comment:  It does not need to be in the constitution, but the relationship should be clearly spelt out in a policy document

**Adrian Porteous   Mar 13   #607**

Choice:  Yes

Comment:  In Regulations, but not required in the Constitution.

Name:   Roger

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### 4.2.5 A Minimum Level of Member Services

**Summary**   (50-100 words)

There is some support for a declaration relating to a minimum level of service nationwide.

There is also some lack of clarity in members' minds about how that could be sensibly articulated.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Consideration needs to be given to :

- including within the constitutional document a declaration of the requirement that services be provided to members;
- expressing the declaration in such a manner as to imply that services are to be made available to members irrespective of their location within Australia, but in a manner that is economic and practicable in the circumstances;  and
- expressly referring to the need for cross-subsidisies to regions in which low population, low membership and/or large distance place significant limits on economies of scale.

This intersects with s. 2.3 Purposes and s.2.4 Key Functions.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 4.2.5 A Minimum Level of Member Services

*Some members argued for a clear declaration relating to a minimum level of service nationwide, irrespective of Branch and Chapter sizes, and of the degree of physical distance separating members from population centres where ACS is active.*

Examples of elements that members may wish to be embedded in the constitution, or assured in some other way, include:

• A minimum level of service nationwide, despite the small size of some Branches and Chapters, and the varying degrees of physical distance separating members from population centres where ACS is active;  and

• Budgettary cross-subsidies to Branches that operate at small scale and/or across large, sparsely-populated regions.

In Round 2, members were asked:

**Do you want to see a declaration of a minimum level of service to members nationwide?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, I do like the idea. I am however a little unclear on the specifics, how would a minimum level of service be achieved, and have we even agreed on what services we should be providing to all members?

Is this a branch level related SLA?

Or does this refer to the provision of services from the national level ACS (like online training courses, online PD) must be accessible to all members nation wide?

**Web-Form Votes**

Yes – 5;  No – 1.

Forum entries:  Yes – 2;  No – 1;  Other – 1.

**Forum Entries**

**Shane Moore   Feb 3   #140**

Choice:  Other

Comment:  I think at least for Branch level. If a lower-level than branch, then perhaps it has a separate "minimum level of service" than what a branch does.

**Ann Moffatt   Feb 7   #239**

Comment:  too complex to manage

**Alex Reid   Mar 10   #502**

Choice:  Yes

Comment:  In our vast nation, as spread out as it is, there does need to be a degree of cross-subsidising regional/remote branches/chapters.  On the other hand, ours is actually one of the most urbanised countries in the world, so our vast distances don't necessarily equate to significantly more costly regional/remote services.

**Adrian Porteous   Mar 13   #608**

Choice:  Yes

Comment:  The ACS is a national Society; as such there needs to be a minimal level of service provided. The alternative is a concentration of focus in the three large states.

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**Australian Computer Society**
**Constitutional Reform Working Group (CRWG)**
<u>**Analysis of Members' Input Following Round 2**</u>

Name:    Paul, Roger

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### 5.    The ACS Governing Committee

### 5.1    The Model

### 5.1.1 The Choice of Model

**Summary**   (50-100 words)

Participants have a clear preference for a two-tiered structure;  however there was little discussion of the comparative merits of the alternative (B & C) two-tiered models.

Support for a single-tiered structure centred on its efficiency and lack of duplication of governance.

Many of the respondents clearly wanted Branch and special interest representation guaranteed in the management structure.

Most respondents also supported the representative tier (i.e. Congress) having clear powers to direct, elect and remove the executive.

The strong preferences shown here in part are a response to the recent instability within the ACS and support for the governance structure respondents are familiar with.  Nevertheless there was widespread recognition and awareness of the potential risks of a small executive with absolute management control making decisions that were not in the best interest of members.

**In greater detail:**

Model A – a single Governing Committee with no Congress – was of interest to only a few members.  Most were wary and even dismissive, on the grounds that it is perceived to preclude measures to impose effective accountability on the Governing Committee.

Variants of Model B attracted considerable support, featuring:
•      a large Congress, made up mostly of Branch representatives, meeting about quarterly;  and
•      a small Governing Committee, elected by the large committee, meeting about monthly.

This is predicated on Governing Committee being subject to measures in the hands of Congress, Branch Committees and the membership which ensure effective accountability.

Many members were happy with once-removed representational democracy (viz. Branch members vote for Reps on the large committee, and Reps vote for the members of the small committee).

However, some preferred direct voting for at least some members of the small committee.  That may make the election more of an image-based popularity contest and less deliberative as to the candidates' appropriateness to the role.  It also removes, or at least reduces, the protection of smaller Branches against domination by the 2 large Branches (which typically have 50%-60% of the voting membership).

Model C was little-discussed.  It is a variant of Model B, with refinements to achieve members' aims. It involves a large, representative committee (c.30), which elects a smaller committee (c.9).  The key feature is that any person elected to the small committee ceases to be eligible to serve on the large committee.  Avoidance of dominance by the small committee and CEO comes from the absence of small committee influence within Congress, and effective accountability mechanisms for Congress, Branches and the membership.

Model B can be adapted to include the feature of non-overlapping membership between the two committees.  Under this adaptation (Model D), the large 'Congress' is the Governing Committee.

The Governing Committee elects a small Executive Committee.  Any person elected to the Executive Committee ceases to be eligible to serve on the Governing Committee.  The inherent conflict of interest, and tendency of the insiders to dominate the larger group, are avoided. Executive Committee members and the CEO come to Governing Committee meetings to inform, to clarify, and to argue for proposals.

**Implications** (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Offer a small set of variants of Models B / C / D, with the design of each alternative sufficiently articulated that members can visualise how each would work.

## 5.    The ACS Governing Committee

This section addresses members' concerns about governance, and in particular:

- the accountability of the governing committee to the membership;  and
- practical mechanisms whereby the memberhip can ensure that the governing committee's behaviour is consistent with the Society's values, mission and purposes.

Associations, and particularly the special category of association that is professional societies, have primarily been member-driven, and powers in relation to their detailed planning and operations have primarily been highly dispersed.  Those that have gained access to sufficient resources or revenue have hired staff to support members in both the more centralised and the more dispersed activities.

In the case of 'joint stock companies', it has long been conventional for the governing committee (the Board) to be granted power over all aspects of a company's strategy, planning and operations. The larger the corporation and its staff-count, the greater the delegations have been to the CEO.

In recent decades, there has been a tendency for the norms in the for-profit corporate sector (applicable to companies limited by shares) to be assumed to be appropriate also for the not-for-profit sector (i.e. to be also applicable to companies limited by guarantee).  This thinking is common not only in relation to those not-for-profits that operate at very large scale, but also to quite modestly-sized organisations.

This tendency has been exacerbated by the endeavours of State and Territory governments to avoid responsibility for regulating associations, and especially associations larger than a few million in turnover or assets.
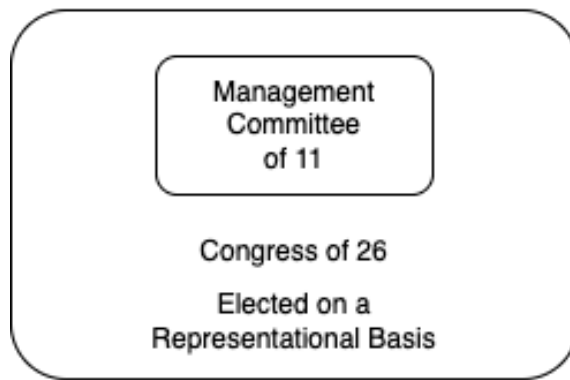
### 5.1   The Model

*Many members perceive a root cause of the problems confronting the ACS has been the extent to which the previous CEO, supported by a majority of the Management Committee, applied corporate thinking to the Society, and bent the orientation away from a member-controlled and member-servicing association towards a commercial operation.  Members are seeking ways to prevent a future governing committee and CEO from mis-directing the Society in such ways.*
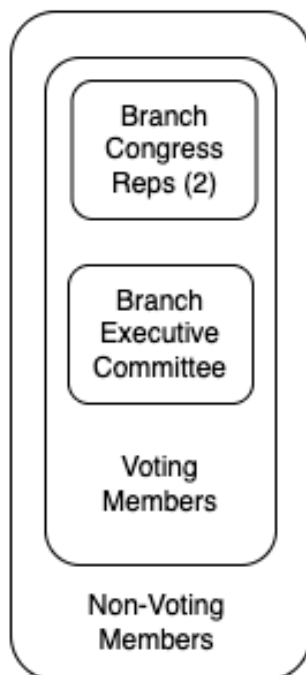
During this Consultation Round, understanding needs to be developed of the requirements members have of the Society's governing committee.  Suggestions have been made that are designed to increase accountability by the committee, and control either by a second level committee like Congress or by the membership as a whole.

Some of the options might turn out to require careful expression in order to achieve compliance and/or consistency with the laws governing the various forms of incorporation.  However, the implementation of any such requirements is a challenge to be addressed at the time of the third Consultation Round, not during the current, second Round.

During Round 2, some members asked about the Model under the existing Rules.  The following diagram provides an informal depiction of the current structure.

Management
Committee
of 11

Congress of 26

Elected on a
Representational Basis

Boards

Committees

Task Forces

Working Groups

SIGs &
Communities
of Interest
or Practice



Branch
Congress
Reps (2)

Branch
Executive
Committee

Voting
Members

Non-Voting
Members

8 such
Branches

SubCommittees

Task Forces

Working Groups

SIGs &
Communities
of Interest
or Practice

### 5.1.1 The Choice of Model

Various models can be adopted for a governing committee.  Members may wish to argue for or against, or express concerns or caveats concerning:

A.    A single group, typically of 7-11, indicative size 9, with an indicative meeting-frequency of monthly or bi-monthly, such as a conventional company Board;  or

B.    A two-tier structure comprising:

- a large and representive group, indicative size 25, with an indicative meeting-frequency quarterly (such as the current ACS Congress), which is designated as the governing committee;

- a small Executive Committee, within the larger group, to which substantial but reasonably specific delegations are provided, and on which suitable accountability constraints are imposed, indicative size 9, indicative meeting-frequency monthly;

C.    A two-tier structure, but with the two groups having little or no overlap, such that the Executive Committee cannot dominate the agenda or the decisions of the larger group.

These three alternatives are depicted graphically below.
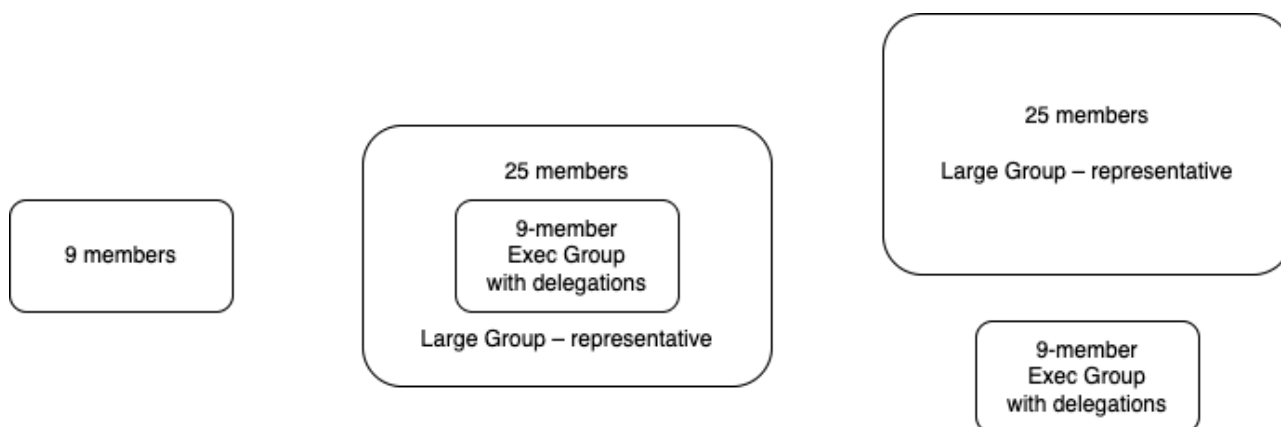
*Model A is perceived by members to be a recipe for centralisation, corporatisation and commercialisation, which would inevitably give rise to a loss of control by the members over their Society.*

*Model B is perceived as having been subverted over the last few years, resulting in a considerable degree of centralisation, corporatisation and commercialisation being achieved, and the Society's form of incorporation and governance arrangements almost converted to Model A. The current electoral college system is perceived by many members as having helped isolate the membership from exerting direct power. Its narrow eligibility rules have enabled the emergence of a small, self-perpetuating elite buffered from the membership as a whole.*

Model B may provide an appropriate basis for the new constitutional arrangements, but great care is necessary to ensure that the governing committee does not drift the organisation away from its values.

Model C offers an alternative, and one in which constructive tension exists between the larger, 'representative Congress' and the smaller Executive Group.

The choice among these Models is also influenced by the choice in relation to the functions and powers of the 'representative Congress' and the powers of and delegations to the smaller Executive Group.

In Round 2, members were asked:

**Do you consider that ACS should have a single governing committee or a two-tiered model (whether along the lines of the current Congress and Management Committee, or otherwise)?**

**Event Reports**

**Congress – Tue 22 February 2022:**

In a straw-vote, very few were prepared to commit to cast a vote.

All c. 6 of the 24 opted for [ Model B ], which is the most similar to the current Congress, with an embedded (and dominating) executive committee.

**Vic Branch – Tue 2 Mar 2022:**

Model A was generally seen as unattractive / inappropriate.
Model B was supported by Rod, Matt, Jeff, assuming protections for smaller Branches.
Model C was supported by Karl, assuming that a power to direct was available.

**Rod**: I am drawn to Model B. 9 elected by members with some model to provide for representation from all 8 Branches to avoid the smaller branches being disadvantaged by geographical bias.

**Karl**: Model C is fine. BUT it must be capable of Directing GC. This works in my Union, the national council is about 120 people, and directs a National Exec.

**Cynthia**: In the Model C approach in particular, I like the suggestion that ICT Specialisation reps have a role, though that can be via other structures too.

**Karl**: Yes, but ICT Specialisation reps should be not franchised, i.e. cannot vote or move motions (i.e. Observers, and can speak).

**Staff Event #2 – 3 Mar 2022:**

Helen: In deliberating on the three models, is diversity being given consideration?

Answer: It's been considered in some of the discussions, and will be considered by CRWG, but it's challenging to identify effective ways to go about it. So we welcome concrete examples of mechanisms that work.

Anthony: How do you balance diversity against the egos? One approach is to designate one or more positions as having a specific focus on one or more aspects of diversity, and require each candidate to address the relevant issues in their platform, and require the successful candidate to focus on the relevant issues as they perform the role.

Anna: Are there too many chefs in the kitchen in some of these models? My experience was positive in an association that changed to a company limited by guarantee, with an [all-powerful?] Board of 7 Directors, with [advisory-only?] committees.

Answer: ACS members are particularly concerned about the scope for a conventional corporate Board approach to enable a future Board and CEO to run away with the organisation and do whatever it liked. The ACS is specifically a professional society. It was formed by and for the members, and with a substantial public interest obligation. Members are unlikely to vote for a new constitution that gives the governing commitee unfettered powers.

**NT Branch – 4 Mar 2022:**

Strong support for Model B (all of the active participants at the time)

**GC / Exec All-Powerful & Others Advisory? Or Other Body/ies Capable of Directing GC?**

**Damien**: I'm wary about risk exposure of (for example) Congress members if any bodies have direction powers over the governing committee.

**Nick and Roger**: Provided clarifications about the 'shadow director' provisions applying only in the event that the form of incorporation is a CLG; and is not known to have been applied to members of constituted groups as distinct from individuals with personal power in relation to Boards or at least particular Board members.

**Damien**: Doesn't a motion of no confidence remove a governing committee and/or particular members of it? If not, can't there be a provision whereby a majority vote to remove a governing committee has that effect?

**Tas BEC and Branch – 9 Mar 2022:**

**Jonathan:** I don't have clear in my mind what an appropriate governing committee structure would be. The current one is muddy; and we could do better.

**Anthony**: [ As regards Model B, i.e. large-group as governing committee, small executive with delegations ] This sounds like the Council structure of the 1990-2010 era. It was dominated by NSW, Vic and any one other Branch, because of the voting system. Council was just a talkfest, and the politics and power-plays happened elsewhere, with Officers' monthly meetings central to it.

**Answer**: That was the last hurrah of the old Branch-dominated federation. ACS is, and has to be, a national organisation, but with a much more even playing-field at governing and national committee levels – and with Branches with sufficient powers and resources within their own regions.

**NSW Branch – 11 Mar 2022:**

**Ali**: Favours Model B, because Model C needs even longer meetings to brief the outer group, which (from his prior experience as a staff-member) he knows gets very expensive.

**Glenn**: Model C is his preference – governing committee separate from congress.

**Jabel**: Model B, because it's more powerful.

**Nizam**: Model B.

**Submissions**

**Sam Horwood – 3 March 2022**

I'm really only familiar with single group "Board" style management committees [ i.e. Model A ], so that is what I'm most familiar with. That doesn't mean it's the best or only option.

I am okay with either, as long as members get to vote the people in power in and out. I am not supportive of an electoral college system that removes the voice of members from direct influence at the top. That is precisely how I felt disenfranchised as a member. I was denied the right to vote on a motion of no confidence in the CEO and the Chairman, and I believe that enfranchisement of the member base would have brought about a swifter outcome rather than languishing in the unpleasant years.

## Web-Form Votes

Single-committee – 5;  Two-tier – 5.

## Forum Entries

**Rimas Skeivys   Feb 10   #260**

Choice:  A single committee [ Model A ]

Comment:  In line with ISO 37000 terminology

**Paul Campbell Feb 20   #326**

A single governance tier [ Model A] is agnostic and can be applied to all Not-For-Profit legal structures, including an Incorporated Association (IA) and a Company Limited by Guarantee (CLG).

A two tiered governance structure cannot be universally applied.

Under the Corporations Act 2001, the Board of a CLG has absolute authority and while it can delegate any part of this authority, it cannot abrogate it.   [Which clause(s) of the Corporations Act?]

So a Board may set up various advisory bodies, member forums, national conferences to determine policy but ultimately the Board is not lawfully obligated to abide by any direction made by these bodies.  A constitution cannot override this legal responsibility.

Both the Australian Medical Association Limited and CPA Australia are registered as Companies Limited by Guarantee and have contemporary constitutions that reflect the limitations of  setting up advisory bodies under CLG provisions in the Corporations Act 2001.

Their constitutions can be found at:

https://www.ama.com.au/sites/default/files/2020-11/ama-constitution-amended-may-2018.pdf

https://www.cpaaustralia.com.au/about-cpa-australia/governance/constitution-and-by-laws/constitution

Any attempt for a constitution to give absolute governance powers to a body other than the Board potentially falls under the 'shadow director' provisions of the Corporations Act 2001 which creates a breach (requires a court judgement), if a person or group acts as a 'shadow director' in that they perform the functions of a director and/or actively influence or instruct the board of directors.

[ 'creates a breach' is disputed.  All that happens is that the court can treat the 'sdhadow director' as a 'director', and subject to the same obligations at law. ]

A shadow director has the same legal responsibilities as a registered director. The consequences for breaching these duties are also the same.  [ Agreed on that. ]

https://openlegal.com.au/what-is-a-shadow-director/

The one exception to this power is the obvious one in that an organisation can determine how Board members are appointed.

**Karl Reed   Feb 20   #327**

So, this makes it clear that ACS should NOT be a CLG!

This is because the CLG from what you have written, cannot deliver the necessary constituent based structure that professional societies really need. The fact that a number seem to make it work does not alter the fact that they have the problem I allude to and, their structure could bite them in the back.

**Paul Campbell Feb 20   #328**

Effective governance requires that the rules (constitution & by-laws) governing any organisation must:

• be considered

• be unequivocal

- be transparent,
- give accountability to stakeholders
- have tangible consequence for non-compliance.
- be fair and equitable
- allow for natural justice
- be lawful

Depending on the final legal structure adopted by the ACS, its Board will have absolute decision making authority and while it can delegate any part of this authority, it cannot abrogate it.

A constitution cannot override this legal responsibility however there are ways to hold a governing committee accountable to members include the following:

- All ACS bodies ( MC, Congress, BECs, committees, boards, staff committees etc) annually publish their key Performance Indicators (KPIs) and then report against those KPIs at the end of that year.

     KPI's for the CEO and senior managers be made available to all of the Governing Committee and and relevant advisory bodies with these managers reporting against these KPIs annually.

- Rather than hard wire all accountable measures into the constitution, add a clause which lists the governance areas that require formal endorsement from members before the Governing Committee can modify, remove or extend their power in those areas. An obvious example is that member endorsement must be gained before membership classes can be modified. [See s.5.4.6 and s.5.5.]

     The type of member endorsement sought must also be specified. Examples include: simple member poll, support from the majority of branches, support from any relevant advisory committee, or a two step approach where the Governing Committee votes first and if supported, then endorsement sought from members.

     Using a catchall clause to list the areas that must be changed at an AGM or by another form of member endorsement allows for change without resorting to having to change the constitution whenever circumstances dictate that the scope of accountability needs updating.

- Accountability can also be extended to mandate that the Governing Committee must respond meaningfully to lawful resolutions passed by branches, advisory bodies or General meetings within a mandated timeframe.
[ See s.5.4.4. ]

     There must also be mandated consequences if the Governing Committee does not comply. Note that censure is insufficient if the Governing Committee can choose to ignore it. A better system may involve a constitutional process where repeated non-compliance leads to an automatic spill of the Governing Committee and a new election of board members.

- Another option is a constitutional clause that guarantees that the Governing Committee must fund any legal challenge to serious Board non-compliance once a defined number of members ( must set a high bar to prevent frivolous action) petition for the legal action to proceed.

     This type of clause puts a Governing Committee on notice that any serious non compliance by them can be challenged in court without the fear of imposing crippling costs on the plaintiffs.

**Rupert Grayston   Feb 21   #341**

It is possible under a CLG model for ACS to have Board members elected by a Congress of branch representatives (similar to current arrangements). It is also possible for the Congress to provide strategic advice, to expect to be kept informed and to call the Board to account and remove board members if necessary.

It isn't feasible under a CLG model to have two governing bodies or to split up powers and accountabilities, but that isn't necessarily a bad thing. We are accustomed at ACS to governance ambiguities and duplications of power but we have much member and staff confusion around roles and responsibilities and we spend a lot of time debating this. If we don't have the stomach for leaner governance then maybe a CLG isn't for us. We should however be wary of armour-plated governance, or we will continue to move like a turtle!

**Paul Campbell   Feb 23   #355**

(Edited Feb 23)

A CLG structure will allow company members to be segregated into categories with different privileges, including voting rights. However, it is less clear how members voted on to Branch committees or advisory bodies can be given specific voting rights.

To my knowledge the ACS has not commissioned legal advice on CLG issues so until this legal advice is available, all comments, including mine should be treated as speculative.

During my long association with the ACS, the organisation has been guided by strong personalities rather than strong governance.

The consequence of this personal influence has been inconsistency in focus, priorities and interpretation of rules and regulations.

Strong governance can moderate personalities by providing points of reference to assess performance, compliance and accountability.

Clear governance can also be an important enabler of 'corporate memory' by smoothing out management drift that can occur when governing committees and senior management change.

Strong governance processes entrench accountability to counter the natural tendencies of Boards and senior managers to unreasonably invoke confidentially provisions to excuse themselves from disclosing and explaining their decisions and plans.

Strong governance does not inherently slow down management decision making. The governance options outlined in my previous post do not impose additional management hurdles. Instead, they either support disclosure or only come into play in exceptional cases of non-compliance.

At worst, some of my governance options will impose a discipline in management process that will improve 'corporate memory' and desensitise the ACS from undue influence from vested interests and personal agendas.

**Karl Reed   Mar 10   #478**

Choice:  A two-tier arrangement [ i.e. Model B, or Model C. ]

Comment:  The size of the larger group should not be a problem, 30-40 will work fine

The old ACS constitution had a wonderful voting strength formulation which did not allow the larger branches to dominate at Council. Each Branch had the same number of delegates to Council, but the votes each had were dependant on the no of members. The formula was 2*Upperbound(SQR(No.Members)/5). In NSW with 3794 members had 26 votes, NT with 66 members had 4.  You can't do this easily, I don't think, with a CLG (Council papers October 2006).

**Alex Reid   Mar 10   #503**

Choice:  A two-tier arrangement

Comment:  I believe that a 2-tiered governance structure (akin to what we have now) [ i.e. Model B ] would be best at providing both Representation (ensuring all parts of the ACS have input) and Efficiency/Effectiveness in management.

**Alex Reid   Mar 10   #505**

Comment:  The larger (representative) body should elect members of the executive body [Model B], but maybe not all (certainly a majority). Some (few) members of the executive body maybe should be elected by the members at large; I don't think any should be appointed/elected by the smaller body.

**Alex Reid Mar 10   #526**

Comment:  I'm not sure I'm in favour of necessarily requiring member ratification for various categories of decision, but there should be a requirement for *consultation* with members on the sorts of topics listed here.

All the topics listed are appropriate for this consultation requirement.

**Tony Errington   Mar 11   #538**

Choice:  A two-tier arrangement

Comment:  This needs further consideration. In the event we can't come up with a solution, the two-tier arrangement [ Model B, C ] is the fall-back, but if we can come up with a single committee [ Model A] while giving the members adequate control, then I think that would be the best solution.

**Tony Errington   Mar 11   #539**

Choice:  Power to Direct

Comment:  The only value in having a two-tier model [Model B, C ] is if the second tier has the ability to check, direct and over-ride the top level committee in the event they are seen to be diverging from the ACS purpose etc.

**Adrian Mortimer   Mar 11   #563**

Choice:  A two-tier arrangement

Comment:  While the two tier structure can be somewhat unwieldy, it's hard to see a better  way of providing checks and balances and critical review for the decisions of the management committee, so on balance, I favour this model [i.e. Model B, or C. ]

**Adrian Porteous   Mar 13   #609**

Choice:  A two-tier arrangement

Comment:  The current model provides for a broad breadth of input, including from all branches, whilst maintaining a workable Executive Committee [ Model B ]. We have operated with a single tier structure before [ Model A ], and for the purposes of the Society this was found to be unworkable.

**Jack Burton   Mar 9   #428**

Choice:  A two-tier arrangement

Comment:  Bicameral governance

The description of the two-tier structure in section 5.1.1 reads more like a description of Council (as the Committee under the Act) plus [the old-style] MC (a sub-committee of Council, elected by Council) than a description of the current system of [the new-style] MC (as the Committee under the Act) plus Congress (as a mostly irrelevant body who, despite many promises, still have almost no say in the control & management of the Society).

That's perhaps just as well, as indeed the pre-2007-AGM model (MC as a sub-committee reporting to Council as the Committee under the Act) was far more effective than the 2008-present model, partly because Council had the ability to hold [old-style] MC to account and partly because Council was required to meet regularly and held the real power to make decisions.

In a federated society like ACS, it is ridiculous that any Branch should not be represented on the governing body.  It is also undesirable (but not quite as bad) that any Board not be represented on the governing body.

So yes, a return to something along the lines of the pre-2007-AGM model would make good sense. It wasn't perfect -- for example one-man-one-vote is a far more equitable approach than the unusual voting strength formula used in those days at Council -- but it was vastly preferable to the governance model which we have had since the 2008 (which has served mostly to disempower the members).

**Roger Clarke Mar 14   #628**

Jack wrote:

> The description of the two-tier structure in section 5.1.1 reads more like ...

We've (intentionally) not been very specific / prescriptive in the Round 2 Consultation Document.

That includes remaining vague about which of a two-level model [ Model B, or C ] is the governing committee required by statute.

But we'll have to put solid options out there in the Round 3 document.

CRWG has no 'policy' on any of these things at this stage, because we're still fishing for members' views.

But I'd be surprised if a 'voting strength formula' got any traction at all (and no-one's proposed it).

And members from large as well as small Branches have supported protection of the smaller Branches.

A two tiered model is inferior from a governance perspective  #5-1-1

**Keith Besgrove   Mar 15   #649**

Choice:  A single committee [ Model A ]

Comment:  [The two-tier approach, i.e. Model B or C ] also creates a lot of duplication of effort in an organisation which is already noteworthy for cumbersome processes

[ **Forum Manager Comment**:  The notion of 'governance' needs to be unpacked.

[ Seen from above, as a Board Chair, for example, a single, very powerful governing committee – Model A – is certainly 'easier', 'more-efficient', 'less cumbersome';  so governance naturally feels like a top-down idea.

[ Unfortunately, that easiness and efficiency typically has the corollary of powerlessness on the part of the 'members' of the company (be they shareholders or members of a not-for-profit organisation). When you're a member, governance has a bottom-up perspective, and is about having enough countervailing power to 'keep the (potential) bastards honest'. ]

Name:   _____Don_____

## 5.1 The Model

### 5.1.2 The Functions of a Congress

**Summary**   (50-100 words)

While there were not many contributors to this subset question:  The overwhelming view expressed in comments was for a two tier model to have the full power, responsibility and accountability in a large "congress" which selects/appoints a subset and delegates to a smaller executive.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

This would mean that the congress compares legally to a board but most operational performance lies with the delegated executive.

The congress, in such an arrangement, has the power to direct the executive and remove / replace members of the executive.

This approach is independent of other decisions about branch representation, skills, eligibility diversity etc of the congress but does not dictate how those matters apply to the executive.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

If the two-tier model is adopted, the functions of the larger group group may be purely advisory, or it may have the power to make determinations that bind the governing committee.  Among those professional societies that use a two-tier model, most seem to limit the larger one to being a purely advisory body, such that the governing committee is free to adopt or ignore the outcomes of Congress meetings.

The ACS Congress, on the other hand, has the power to "determine policy and directions". On occasions it has found it necessary to do so.  If that hadn't been the case, the impasse during 2020 could not have been overcome.

*==Members have expressed concern about the risk of a powerful governing committee again drifting, or driving, down the road of centralisation, corporatisation and commercialisation.==*

Members may wish to express a view on whether:

- a two-tier scheme with a powerless upper layer is capable of protecting the interests of members and the public;  or
- a two-tier scheme is only viable for the ACS if the constitution vests the powers in the upper layer, and enables it to delegate some of those powers subject to appropriate and effective forms of accountability.

In Round 2, members were asked:

**If a two-tier model is used, do you want the larger Congress to have the power to direct the smaller executive committee, or do you want Congress to be limited the providing advice to it?**

**Web-Form Votes**

==Yes – 4;  No – 5.==

==Forum Entries:  Yes – 5;  No – 0.==

**Jack Burton   Mar 9   #429**

Yes, it must have the power to act.

==I would go further and make the larger, representative body the actual governing bo==dy (i.e. the Committee under the Act, just as Council was) and the smaller body ("MC") a subcommittee of, elected by and \*reporting to\* the larger representative body.

That's the most likely way to achieve accountability of MC.

**Alex Reid   Mar 10   #504**

One way to achieve this without it becoming unwieldy would be to have ==the larger body elect members of the smaller/executive body== (along ==with the power to dismiss those elected==, like a Board appointing and then holding accountable the CEO). In addition, maybe some extraordinary power to overrule the Executive committee might be necessary.

**Tony Errington   Mar 11   #539**

==The only value in having a two-tier model is if the second tier has the ability to check, direct and over-ride the top level committee== in the event they are seen to be diverging from the ACS purpose etc.

**Adrian Mortimer   Mar 11   #563**

While the two tier structure can be somewhat unwieldy, it's hard to see a better  way of providing checks and balances and critical review for the decisions of the management committee, so on balance, I favour this model.

**Adrian Porteous   Mar 13   #610**

I strongly support the second tier body (Congress or similar) having the power to direct the Executive Committee on matters of strategy and policy. This provides a broader base of input from the members of the professional society.

**Event Reports**

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**:**

**Canberra Branch – Thu 24 Feb 2022:**

**Andrew, Rob**:  The principle of separation of powers, embodied in national constitutions, is important to the ACS as well:  so that no one person or group runs the show.  The middle of the two models (Exec Ctee within a representative Congress) is the most appropriate.

**Grant**:  The left-side model and right-side models are not appropriate.  The middle one aligns much better with the Society's needs

**Rob, Kristina**:  The governing committee needs the Executive Group to have a suitable cross-section of skills for governance, but to be sufficiently representative to reflect the diversity of the membership.

**Bruce**: The Governing committee needs an executive group with a suitable cross-section of skills required for appropriate governance so having/insisting on reps from each state may not enable this

**Submissions**

**Sam Horwood  –  3 March 2022**

Power to direct, with the membership being involved in some way contributing to setting the agenda for Congress.

Name:   Roger

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### 5.1.3 Composition and Electoral Arrangements for the Two-Tier Model

**Summary**   (50-100 words)

The discussions were closely related to those reported in s.5.1.1, and largely consistent with them.

The larger Congress (under Model B) or Governing Committee (under Models C and D) comprises mostly Branch Reps, who are elected by members of their Branch.

The small Governing Committee under (Model B) or Executive Committee (Models C and D) is elected by the larger committee acting as an electoral college.

Suggestions were also made relating to the possibilities of:

- some positions representing particular grades, or particular specialisations;
- some positions on the smaller committee being directly-elected by the membership as a whole, with particular reference to the President or Chair;  and
- retention of some role-related positions on either or both committees (such as Vice-Presidents, Treasurer).

---

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Offer a small set of variants of Models B / C / D, with the design of each alternative sufficiently articulated that members can visualise how each would work.

---

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

### 5.1.3 Composition and Electoral Arrangements for the Two-Tier Model

If a two-tier arrangement is adopted, decisions are needed regarding:

- the composition of each of the two layers;  and
- the mechanisms whereby members of each of the outer and inner groups are elected, including who has a vote in those elections.

In Round 2, members were asked:

**If a two-tier model is used, what committee membership do you suggest for each of the two layers, and what electoral arrangements?**

**Event Reports**

**Canberra Branch – Thu 24 Feb 2022:**

**Kristina**:  Based on experience with each of those models, the governing committee is best elected by members through Branches [i.e. through an electoral college mechanism, of which the current Congress is one example?], but a few added in from the outside to ensure access to relevant expertise, esp. financial audit / risk management.

**Rob, Kristina**:  The governing committee needs the Executive Group to have a suitable cross-section of skills for governance, but to be sufficiently representative to reflect the diversity of the membership.

**Bruce**: The Governing committee needs an executive group with a suitable cross-section of skills required for appropriate governance so having/insisting on reps from each state may not enable this

**Submissions**

**Sam Horwood  –  3 March 2022**

Members need to elect the committee, and then members elect the executives from candidates proposed by the committee?

I feel strongly that members should be directly voting in and out the people who we, the members, empower.

**Web-Form Votes**

Not invited.

**Forum Entries**

**Shane Moore   Feb 3   #143**

Comment:  Depending on the various grades of membership, I feel that there should be some positions which are elected only by members in the same grade (e.g. if we introduce a "Technical" member, or "C-Suite" member, and we retain "Student" grade, each of these groups should be able to elect maybe 2 or 3 specific), in addition to some more-overall positions (e.g. President, Treasurer, "General" positions, and maybe some "Branch representative" positions that are a nominee of each branch.

**Ann Moffatt   Feb 7   #240**

Comment:  elect the top level - all professional members enabled to elect and/or stand for election if/when supported by sufficient prof members.

next level to be appointed and endorsed by top level

**Rimas Skeivys    Feb 10   #261**

Comment:  Governing body elected by all members in all branches.  "Congress" elected by members in each branch.

**David Kong   Feb 19   #323**

Comment:  8 representing each state and territory in addition to 2 independent. Apart from diversity, we can have 50/50 as gender equality.

**Alex Reid   Mar 10   #508**

Comment:  The larger (representative) body should elect members of the executive body, but maybe not all (certainly a majority). Some (few) members of the executive body maybe should be elected by the members at large; I don't think any should be appointed/elected by the smaller body.

**Tony Errington   Mar 11   #539**

Choice:  Power to Direct

Comment:  The only value in having a two-tier model is if the second tier has the ability to check, direct and over-ride the top level committee in the event they are seen to be diverging from the ACS purpose etc.

**Adrian Mortimer   Mar 11   #564**

Comment:  Exec Committee 5-8 appointed by Congress

Congress no more than 20, based on some kind of regional representation model (via branches?)

President directly elected by membership

**Adrian Porteous   Mar 13   #611**

Comment:  I was party to the 2006 restructure of ACS Governance. The definition of the membership and electoral arrangements needs consideration by a formal working group. I do not think it appropriate to provide individual specific input to this forum at this stage.

**Jack Burton Mar 9   #431**

Comment:  Ideally, the new Council should have approximately 25 members as follows:

*      8 Branch Councillors (one representing each Branch)
    --    I am in two minds as to whether they should be elected by their respective BECs or elected directly by the members of the professional division within their respective branches; there is merit to both options, but we should only have one person representing each branch
    --    Any member of the professional division within that branch should be eligible to stand
*      All the Board Directors (approximately 11, but that number may go up or down *slightly* over time)
    --    However, they should *definitely* be elected directly by the members of the professional division nationwide (the old arrangement of having Council [and today Congress] elect the majority of its own members was incestuous and should be abolished.
    --    It seems reasonable to require that the Director of the Professional Standards Board be a Fellow of the Society, but for all other Boards any member of the professional division should be eligible to stand *other than* a member of the Overseas Group (it is not reasonable to grant someone who doesn't even live in Australia the right to make decisions about the future of an Australian professional society)
    --    The potential objection that the Boards being specialised precludes general election of their directors (or indeed of the rest of their members, e.g. one drawn from each branch) is nonsense, as it implies that the Members are less trustworthy as electors than the Council is (which makes no sense, since the Members will elect most of Council). Rather, we should address this by collectively, as professional members, deciding only ever to cast our votes on the basis of the actual policies the candidates espouse (from which it should be abundantly clear who is or isn't qualified to direct each Board)
*      1 President
*      1 National Treasurer
*      2 or 3 Vice-Presidents (how many we need will depend on how many Boards we have at the time)
    --    these should be elected by Council itself (since it is Council who will be delegating some of its powers to MC), but any member of the professional division (again, other than members of the Overseas Group) should be eligible to stand for election

- -- if Council elects one of its own number to one of those roles, the original position (Branch Councillor or Board Director) should then be filled by a fresh election (on the same basis as the original one)
* 1 National Councillor (to serve on MC)
  - -- again, elected by Council (for the same reason as above)
  - -- I am in two minds as to whether only Branch Councillors should be eligible to stand (the old system) or whether, in addition, all members of all 8 BECs (so long as they are members of the professional division) should also be eligible to stand.
  - -- Unlike the other members of MC, if a Branch Councillor is elected National Councillor, he or she should *not* have to relinquish the Branch Councillor role
* I am in two minds as to whether retaining the Immediate Past President role makes sense
  - -- on the plus side, it does provide some continuity
  - -- on the minus side, in recent years much of that continuity has been problematic

Note that the CEO should *absolutely not* be a voting member of Council under any circumstances. This is partly because the CEO (if we have one) should *report to* Council (never ever vice-versa) and partly because the idea of an unelected member having a vote on Council is complete anathema to the core principles of democracy. However, the CEO should have the right to attend and speak at (just not vote at) all Council meetings.

MC would then have 5 to 7 voting members: the President, Vice-Presidents (2 or 3), National Treasurer and National Councillor (and possibly the IPP, if we are to have one).

Again the CEO must *absolutely not* be a voting member of MC. I'm not convinced that the CEO should even have a right to attend/speak at all MC meetings (unlike Council meetings), but in most circumstances the President will probably have good cause to invite the CEO to attend & speak at MC meetings anyway. It makes little difference whether this is a right or a courtesy, given that under a well-constructed bicameral system MC will only ever be doing what Council has instructed it to do anyway, but not making it a right makes it clearer that MC exists solely to do the will of Council.

### Roger Clarke Mar 14   #632

1. Under the current Rules, all MC members are also members of Congress.

MC members are closely involved in ACS activities, with 11 meetings p.a. and a lot of reading material to which Congress members, who meet 2-4 times p.a., are not privy.

So, on current numbers, 11 of the 26 voters in Congress are 'insiders'. This creates the risk that a misguided sense of caucus-style loyalty by MC members could mean that any 3 friends-of-MC among the 15 'outsiders' would ensure all MC wishes are also Congress wishes.

On that basis, an alliance of 5 or 6 strong personalities on MC can run the show, especially if a strong CEO is involved.

On one reading of history (and I stress that I don't have enough inside information to actually know), such a situation may have arisen in the past.

2. Jack wrote:

> Ideally, the new Council should have approximately 25 members as follows: ...

> -- if Council elects one of its own number to one of those roles, the original position (Branch Councillor or Board Director) should then be filled by a fresh election (on the same basis as the original one) ...

If I understand this replacement rule correctly, you're saying that the two bodies have disjunct membership:

A current member of Congress could stand for an Executive Committee position; but, as soon as they're successful, they relinquish their Congress role.

This means that there are 20 or so 'outsiders' on Congress and no 'insiders'.

And that means there's constructive tension between Congress and the Executive.

And hence there's a much better chance that Congress will reflect the members' interests.

The Executive needs to earn the trust of Congress, make its case to Congress on each item of business, and be accountable to Congress.

3.  So this represents ==a third model.==
==The idea also emerged during some of the events held during the last month==.

In the linked diagram, this is Model #3 on the right, not Model #2 in the centre.
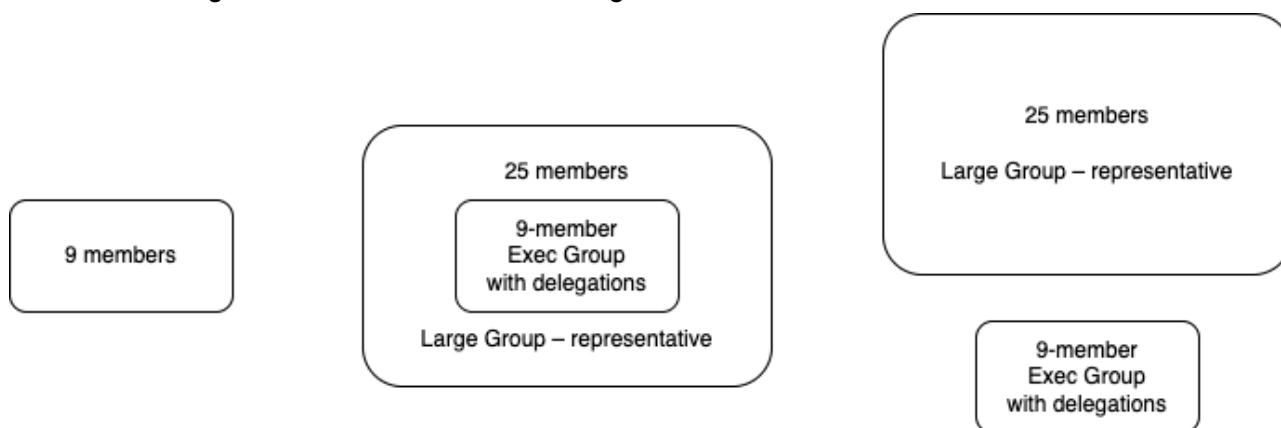


**Jack Burton Mar 16   #685**

Sorry Roger, that's not what I meant.

I intended MC to be a sub-committee of Council (just as the original MC was, until 2007), with all members of MC also being members of Council.

What I meant was that if a member of Council (cf. someone else from the professional division -- which under my proposed model should be possible too) is elected to MC (and therefore also to Council), then we should have a fresh by-election to fill that person's *original* (prior to being elected to MC) position on Council.

I said that because:

1. Nobody should ever have more than 1 vote on Council

and

2. There is a clear conflict of interest between holding certain (non-MC) Council roles and holding certain roles on MC (which also carry a seat on Council), even if we have a rule to enforce 1-man-1-vote at Council in such scenarios, i.e.:

{Branch Councillor} versus {anything on MC, except *perhaps* National Councillor, since the purpose of that role is to represent all 8 Branches}

{Board Director} versus {anything on MC, except *perhaps* the VP role which represents the group of boards that includes the one from which the candidate came, since the role of each VP is to represent the boards in his portfolio}

{President or National Treasurer} versus {any other role on Council}

Of the two "perhaps" items above, the only one I thought *potentially* safe to allow was for the National Councillor to continue as a Branch Councillor (but still with only 1 vote on Council), but even that one I'm in two minds about.

==I see a well-functioning MC as being a *representative* body (cf. the current arrangement),== ==reporting *to* Council== (as it used to do until 2007, ==with Council (not MC) being the Committee under== ==the Act==.  The current arrangement strikes me as rather inside-out and upside-down -- all, it appears, in the name of *removing* the former representative nature of MC.  [why not instead embrace it as a key aspect of democracy?]

It is not possible to represent multiple *disjoint* constituencies without conflicts of interest arising (and it can be very difficult even when they're conjoint).

Roger wrote:

> 3.  So this represents a third model. ...

==Yes it's worth including your model 3 in the mix for consideration (as almost anything would be== ==preferable to the current arrangement),== but I just wanted to be clear that that's not what I was proposing.

Name:   Roger

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### 5.2   Composition of the Governing Committee

### 5.2.1 Eligibility to Nominate

**Summary**   (50-100 words)

Members showed very strong leanings away from tight eligibility criteria for candidates for the Governing Committee.

Members showed strong leanings towards all Professional Division members being able to nominate.

Various qualifications to that position were expressed.  These included:

• Senior Member or higher;
• a member of ACS in good standing for at least 4 or some other number of years (i.e. not just a new member);
• has shown some sort of involvement (e.g. by attending some kind of activities such as member forums);
• the candidate's claimed background supported by appropriate documentation;
• can demonstrate governance experience (doesn't have to be with ACS);
• has served the ACS for some time in other capacities, such as on a Branch or national Committee, SIG Chair, etc.;
• the pool of governance expertise within ACS is too limited to limit Governance Committee membership only to ACS members.

The only one of these points that was made by multiple people was 'has served the ACS for some time in a governance-related capacity, such as Branch Management Committee, SIG Chair'.

On the other hand, multiple contributors regarded the demonstration of capabilities, particularly in relation to governance, to be a matter for declaration by the candidate, and evaluation by voters.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Include in the constitutional document only one eligibility criterion for any position on any committee:  be a member in a grade in the Professional Division;  but cross-refer between this item and s.5.2.2 and 5.2.5.

**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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**5.2   Composition of the Governing Committee**

Some of the following Attributes in this section of the Consultation Document will vary depending on which of the above two governing committee models is being considered.  Such variations are noted where appropriate in the discussions below.

**5.2.1 Eligibility to Nominate**

*Serious concern was expressed about the current, complex eligibility rules, which, as part of the process of ensuring representation of smaller Branches, restrict nominees to a narrow elite. Members see those rules as having enabled the emergence of a small, self-perpetuating elite buffered from the membership as a whole.*

*Tension exists between*

- *a minority view that being a multi-million dollar operation meant that the organisation has to be run on a commercial basis;  and*

- *the majority view that ACS is a professional society first and foremost, and conventional corporate governance is a constraint not the objective.*

*There was a distinct preference that any member in the professional division be able to stand for the governing committee and/or for a representative Congress:  "Roles on board should be restricted to professional members, as should voting rights".*

*Although members acknowledge the importance of members of governing committee having recognised skills and relevant experience, the restriction of nominees to a narrow elite is strongly opposed, whether that is done through constitutional provisions or a nomination committee.*

*Arguments were put for ACS to have a programme for developing future leaders, with Branch Committee experience used in part as a training-ground.*

*Similarly, although there was some sympathy for director diversity, across Branches, and across gender, age and race, there was considerable opposition to the use of a nomination committee as a means of engineering diversity.*

Given that members see the Society as being run by its professional members, they may wish to embed the provision that professional members generally are able to stand for positions on the governing committee.

Members may wish to embed some elements in the constitutional document or elsewhere. Important examples are:

- Limitation of the eligibility to nominate for <u>election to the governing committee</u> to members of the Professional Division;

- If a two-tier structure is used, limitation of the eligibility to nominate for <u>election to the executive committee</u> to members of the Professional Division;

- Preclusion of any further qualifying conditions, beyond being a financial member at the time of taking up the role – but see also element <u>5.2.2</u> immediately below;

- Preclusion of the governing committee from managing or even influencing nominations, e.g. through the establishment of a nomination committee, or the endorsement of candidates.

In Round 2, members were asked:

**Do you consider that all Professional Division members should be able to nominate for the Governing Committee, or should some additional eligibility criteria be specified?**

**Event Reports**

**NSW Branch Focus Group  –  14 Mar 2022:**

**Robert**:  One of the constitutional deficiencies that led to the recent problems was the very tight constraints on electoral eligibility.  [ Each year, only about 40-50 of 5,000 Professional Division members are eligible to stand for GC, and only 5-10 for President ].  Are we addressing that?  Are we setting term limits to prevent a few people from dominating for long periods.

**Roger**:  The above topic-areas comprise questions about who are eligible to stand [all 10,000?], a requirement that candidates declare their background in committee and GC work, and term limits.

**Ashley**:  Care is needed not to put ourselves in a straitjacket.  Every volunteer organisation, from time to time, depends on a small group of contributors.  Term limits can leave the organisation short of hands, and especially of experienced hands.

**Roger**:   Agreed that's a risk that has to be managed.  Retention of corporate memory can be served by overlapping terms, some retirements each year, and not having terms limits too tight, risking the permanent staff becoming much more powerful than the governing committee.

**Simon**:  I don't think there will be a shortage of candidates whilever there's money around.

**Robert**:  Agreed with Simon.  This issue is more with GC and office-bearers than at Branch level.

## Submissions

**Sam Horwood  –  3 March 2022**

Some kind of relevant experience might be useful or helpful.

## Web-Form Votes

Any Professional Division member –  3;   Additional Eligibility Criteria  –  2.

## Forum Entries

**Paul O'Brien  Feb 3  #49**

Choice:  Additional Eligibility Criteria

Comment:  Senior member or higher

**Shane Moore   Feb 3  #145**

Choice:  Additional Eligibility Criteria

Comment:  Perhaps a requirement that they must have been a member of ACS in good standing for at least 4 or some other number of years (i.e. not just a new member), and have shown some sort of involvement (e.g. by attending some kind of activities such as member forums, which can be verified by attendance records).

**Ann Moffatt   Feb 7  #241**

Choice:  Any Professional Division Member

Comment:  but support by appropriate doc. eg a candidate cannot be supported by their self only

**Don Fraser   Feb 10  #262**

Choice:  Any Professional Division Member

Comment:  let any prof member stand - but with clear visibility of their relevant experience and skills

**Jack Burton   Mar 9  #434**

Choice:  Other

Comment:  Yes, only members of the professional division should be eligible for election (to any elected ACS office, at any level).

Further, members of the Overseas Group should *not* be eligible for election to any elected ACS office, at any level.

Yes, nobody in any elected position, *nor any member of staff* should have any power to manage or influence nominations whatsoever (i.e. no nominations committees and no anointing of successors either).  Furthermore, the practice of using staff members as returning officers for elections should be abandoned immediately (we should return to having a returning officer elected by the same people who can vote in the actual election).

If we return to having a Professional Standards Board, it may be reasonable to reinstate the requirement that its Director be a Fellow of the Society.

If we return to having a National Councillor, it may be reasonable to limit eligibility to stand either just to all Branch Councillors or possibly to all Branch Councillors plus all members of all 8 BECs, simply because it is the role of the National Councillor to represent the 8 branches on MC.

There should be no other eligibility rules.

In particular, there should never be any rule limiting eligibility on the basis of length of service on other committees (other than in the case of the National Councillor) and in particular every member of the professional division should be eligible to stand for President, Vice-President or National Treasurer.

**Alex Reid   Mar 10   #506**

Choice:  Any Professional Division Member

Comment:  I don't agree with the present arrangement whereby only those who have been on other committees can nominate for governing body places.  If the intention is to ensure only those who are "knowledgeable" are able to be appointed, then this should be accomplished by members taking candidates' experience into account when electing (as for most other organisations, like local government, National Trust, etc)..

**Tony Errington   Mar 11   #540**

Choice:  Additional Eligibility Criteria

Comment:  The top level governing committee should include a qualified lawyer and qualified accountant. Ideally they would also be ACS members. All other positions on this top level committee should be open to ACS professional members who can demonstrate governance experience (doesn't have to be with ACS).

**Adrian Mortimer   Mar 11   #565**

Choice:  Additional Eligibility Criteria

Comment:  Apart from the given of Professional Membership, nominees should be required to have served the ACS for some time in other capacities: Branch Management Committee, SIG Chair, etc ...

**Adrian Porteous   Mar 13   #616**

Choice:  Any Professional Division Member

Comment:  Subject to 5.2.2 below.

**Keith Besgrove   Mar 15   #648**

Choice:  Other

Comment:  This doesn't matter if the Professional Division is the repository of all the wisdom (particularly governance wisdom) the ACS will require for its future challenges. I do not believe that this is true.

Name:   Roger

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### 5.2.2 Candidate Qualifications and Experience

**Summary**   (50-100 words)

Members were generally supportive of the proposition that a candidate should provide a declaration of governance expertise and experience, such that voters can make an informed decision – provided that it is not a condition of candidature.

Members were generally supportive of a successful candidate making good any shortfall in their governance background, and being supported by the Society to do so (e.g. through discounted access to relevant courses);  but as a matter of good practice rather than an rule or undertaking.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The By-Laws need to be reviewed, and adapted to the extent necessary, to ensure that:

•   candidates are requested to provide a declaration of governance expertise and experience, such that voters can make an informed decision – but not in such a manner that it could be interpreted as a condition of candidature;

•   neither candidates nor electees are required to submit to exhortations of secrecy or loyalty to any committee decision (such as a 'caucus', 'solidarity' or 'unity' rule);  and

•   such acknowledgement of the laws of confidence and data protection as candidates and/or electees are required to provide is phrased in accordance with the law, and not excessive.

---

**5.2.2 Candidate Qualifications and Experience**

*Members generally agreed that prior experience on committees in organisations of some substance was desirable. A few supported that as an eligibility criterion, but most argued it should be left to voters to take into account.*

*The majority of responders thought that each nominee should be required to communicate to electors their qualifications and/or experience relevant to governing committee work. Some added the qualification that this must not detract from the obligation on each candidate to declare the platform on which they sought to be elected, and in particular their commitment to reflect members' interests and views.*

Examples of elements that members may wish to be embedded in the constitution, or assured in some other way, include:

•   A requirement that, in their candidacy statements, candidates declare their qualifications and experience relevant to the functions of a governing committee;

•   A requirement of nominees to have previously acquired experience through service on one or more ACS groups of members;

•   A requirement that ACS provide nominees or successful candidates with ready access to appropriate training courses;

•   A requirement of nominees, or of successful candidates, who have limited qualifications and experience relevant to the functions of a governing committee, to undertake an appropriate course of training.

In Round 2, members were asked:

**Do you consider that some requirements are necessary, such as that a candidate provide a declaration of governance expertise and experience, or that a successful candidate commits to make good any shortfall in their governance background?**

**Event Reports**

**NSW Branch Focus Group – 14 Mar 2022:**

**Robert**: One of the constitutional deficiencies that led to the recent problems was the very tight constraints on electoral eligibility. [ Each year, only about 40-50 of 5,000 Professional Division members are eligible to stand for GC, and only 5-10 for President ]. Are we addressing that? Are we setting term limits to prevent a few people from dominating for long periods.

**Roger**: The above topic-areas comprise questions about who are eligible to stand [all 10,000?], a requirement that candidates declare their background in committee and GC work, and term limits.

**Ashley**: Care is needed not to put ourselves in a straitjacket. Every volunteer organisation, from time to time, depends on a small group of contributors. Term limits can leave the organisation short of hands, and especially of experienced hands.

**Roger**: Agreed that's a risk that has to be managed. Retention of corporate memory can be served by overlapping terms, some retirements each year, and not having terms limits <u>too</u> tight, risking the permanent staff becoming much more powerful than the governing committee.

**Simon**: I don't think there will be a shortage of candidates whilever there's money around.

**Robert**: Agreed with Simon. This issue is more with GC and office-bearers than at Branch level.

**Submissions**

**Sam Horwood – 3 March 2022**

Declaration of experience should be sufficient, with a commitment to make good any short fall.

**Web-Form Votes**

Yes – 8; No – 1.

**Forum Entries**

**Paul O'Brien   Feb 3   #50**

Choice:  ==Yes==

Comment:  But ==training should be provided at ACS cost==

**Jeanene Williams Feb 3   #70**

Whilst governance experience is important it should not be an overriding factor on all committee members selection. Whilst it is important that the OVERALL committee has good governance experience ==there should be room for some members to at least start with limited experience in the area provided they have other attributes to bring to the committee==. This will ensure good overall diversity and proper representation of members whilst still maintaining governance requirements. ==Training as well as mentorship from existing committee members from the current or other committees can assist where shortfalls exist in individual members==.

**Shane  Moore   Feb 3   #146**

Choice:  Other

Comment:  I think for some positions, such as Treasurer, President, Secretary, these should possibly require some sort of experience at least as a member of some sort of governing board (accepting any serving in a different capacity such as elected to a general position for the ACS's governing body, but also anything such as a local community sport-group's committee).

**Jack Burton   Mar 9   #436**

Choice:  No

Comment:  ==There should not be anything on this embedded in the governing document, except perhaps to *prohibit* any ACS elected body or staff organ from ever imposing such a requirement on candidates for election.==

In general, such requirements are undesirable, as ==they can easily be used to manipulate elections. The key question is "who gets to set the requirements?" and unfortunately there are serious flaws in all possible answers to that question.==

I can think of only one *potential* exception: it is desirable for the National Treasurer (and indeed Branch Treasurers) to have at least *some* level of background in accounting & finance.  However, I would *not* want to see eligibility for those roles ever limited only to individuals with formal qualifications in those fields.  The necessary skills can be acquired in many different ways -- most often (at least for computing professionals) through professional experience *without* any formal qualifications in A&F.

Rather, the best way to ensure that candidates are suitable is to hold *live* elections, at which (after delivering the platform statement speech) ==each candidate is given the opportunity to answer any & all questions without notice put from the floor.  If an elector has doubts about a candidate's capability for the role, he should ask the candidate a technical question directly relevant to that role. If the candidate gets it wrong (or avoids the question), simply don't vote for that candidate==.

One last note on elections (not sure if it belongs in this section or not): no candidate should ever be "elected unopposed", as that practice effectively turns the (secret) nominations process into a lottery of sorts.  Rather, electors should be asked to vote FOR or AGAINST each candidate -- the candidate with the most FOR votes being elected (and in the event of a tie, the tied candidate with the fewest AGAINST votes is elected [noting that there may have been some abstentions]; if there's still a tie, hold a fresh election just for the candidates tied in first place).  If there is only one candidate, he or she can then only be elected by gaining FOR votes totalling 50% or more of the votes cast; otherwise, there's a fresh call for nominations (without prejudice -- the jilted candidate can always re-nominate).

**Karl Reed   Mar 10   #481**

Choice:  Other

Comment:  I think the governance requirement is to strict

Bullet points 1 and 3 are fine

Not 2. Congress sometimes you want people who do not meet point 2, Congress can simply not elect them.

4. is a mandatory legal requirement in Unions

**Alex Reid   Mar 10   #509**

Choice:  Other

Comment:  As per my response to #5.2.1, there should be no requirement for nominees to have gained prior experience, though candidates should be encouraged (ie not a formal requirement) to indicate their relevant experience in their candidate statement.  There should be no *requirement* that appropriate training be provided, but provision should be made as per "best practice" of any organisation.

**Jack Burton   Mar 11   #531**

I agree with Alex on this (see also my earlier comment on this question).

But I'd just like to add another dimension that I don't think has been considered yet (not sure if this belongs in #5-2-2 or in #6-1, but reading Alex's post on #5-2-2 reminded me of it, so I'm posting it here):

Currently, the "returning officers" (see also my other comment re abandoning the inappropriate practice of having staff as ROs) are requiring that candidates for election (first for national roles; now I understand even for branch roles) sign some sort of document agreeing to all sorts of policies & practices before being "allowed" to stand for election.

That practice must be abandoned immediately, for two reasons:

1. The document is question is *not* required by the current Rules or National Regulations, so those imposing it had no right to do so in the first place (and by doing so they are denying any would-be candidates who are in every other way qualified to stand, their right to stand).

2. More importantly, it is anti-democratic in the extreme: a process carefully crafted to ensure that only those who agree with the incumbents' way of doing things will be "allowed" to stand for election.  That would be the case even if the nefarious constraining document(s) were to be enshrined in the Rules.

[ Forum Manager Comment:  Such a document does exist.  However, it does not require agreement with "all sorts of policies & practices".  It is an acknowledgement that the role may involve receiving some information that is subject to in-confidence constraints, and that these constraints must be respected, as a matter of law.  The key words are:  "you must maintain the privacy of personal information, keep confidential information confidential and ensure that personal and confidential information are kept secure ... I understand that my obligations concerning the privacy of personal information and the confidentiality of confidential information continue after my employment, consultancy, volunteering or observing has ceased".

[ That said, the document could be improved, in particular to make clear that the law of confidence includes various forms of wiggle-room (e.g. where the hitherto confidential information becomes public other than because of breach by the signatory), and to point to aspects of the Society's constitutional document and Regulations that preclude unjustifiable imposition of confidentiality constraints.

[ And the constitutional document and Regulations should contain more, and clearer such preclusions! ]

 [2] above has almost the same highly deleterious effect that a nominations committee would -- it drastically reduces the pool of pro-reform candidates available for the electorate to choose from.

Related to that is the concept of "unity" of MC -- a requirement that all members of MC support all decisions of MC once made, regardless of their own views.

That requirement has caused several of our best leaders to resign from MC (rather than be forced to lie to the rest of the Society about their own views) over the years, which is not a good outcome for ACS at all.

[ Forum Manager Comment:  I'm not aware of any such document, and would very much like a copy if anyone has one.  There has doubtless been pressure from the previous CEO and members of the clique to be loyal to the powerful.  But such blatantly inappropriate behaviour has to be met with refusal and whistle-blowing, not with resignation. ]

Rather than instituting yet more such measures to discourage (or even stifle) dissent, we should be *fostering* it.

==Dissent, after all, is the root cause of all innovation.==  Homogeneity of opinion, on the other hand, often leads to worse decisions being made and almost always prevents (or at least delays) the worst of them from being reversed when such reversal is necessary.

==Don't be afraid of dissent; embrace it!== Along with the robust debate it brings to organs such as Council/MC/BECs/Boards, that is democracy's greatest strength.

**Karl Reed   Mar 11   #534**

I agree with this!

==The confidentiality agreement ['acknowledgement'] that people are required to sign is awful.==

==I modified mine and managed to get ACS to agree to that.==

However, my preference is that such a document should not exist!

There are other things that I do think are worthwhile, including the ethics and COI disclosure.

But, the blanket non disclosure agreement is really unacceptable.

Also, training is interesting..

There is a statutory requirement that elected union officials take some training on governance,and, it includes reading financial reports.,Having completed it, I think it was worthwhile.  However, there should be NO prequalification for elections.

One exception in the past has been that the position in charge of Membership Standards needed to be a Fellow.

Name:   Roger

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### 5.2.3 Term Limits

**Summary**   (50-100 words)

A large majority of contributors want some form of term limits, particularly in relation to positions on the governing committee, but perhaps also in some other positions, such as Branch Chair.

Many also want the limits not to be so tight as to deny the Society access to the efforts of important contributors, or to result in abrupt loss of corporate memory, not least because that risks permanent staff becoming more powerful than the governing committee.  Retention of corporate memory can be served by overlapping terms, some retirements each year, and not having terms limits <u>too</u> tight.

Generally, limits were on continuous service, with return after a break re-starting the clock.

For governing committee roles, the mainstream limits of 6-9 years appear to be both appropriate and generally acceptable.

For positions such as Panel Chairs and Committee Chairs, a possibility would be to impose term limits, but permit override by a 2/3rds majority of Congress.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

A carefully-framed provision needs to be included in the constitutional document, applying at least to all positions on the Governing Committee, and possibly some other key roles, such as Branch Chairs.

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**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 5.2.3 Term Limits

Members may want to ensure that individuals can only spend a limited number of years on the governing committee.  Examples of elements that members may wish to be embedded include:

- A requirement that an individual's eligibility for election to the governing committee (and the executive committee, if a two-tier model is used) is subject to a limitation as regards the period of service.  Examples of such constraints are:
    - a member may not be elected to more than three successive terms;
    - a member may not be elected if, at the time of commencement of their new term, they have served for more than 7 years in the previous 10 years;
    - a variation in the case of a current Chair, providing for a further extension of 1, 2 or 3 years.

**Do you want limits to the period of time over which members can serve on the governing committee?**

**Event Reports**

**NSW Branch Focus Group  –  14 Mar 2022:**

**Robert**:   One of the constitutional deficiencies that led to the recent problems was the very tight constraints on electoral eligibility.  [ Each year, only about 40-50 of 5,000 Professional Division members are eligible to stand for GC, and only 5-10 for President ].  Are we addressing that?  Are we setting term limits to prevent a few people from dominating for long periods.

**Roger**:   The above topic-areas comprise questions about who are eligible to stand [all 10,000?], a requirement that candidates declare their background in committee and GC work, and term limits.

**Ashley**:   Care is needed not to put ourselves in a straitjacket.  Every volunteer organisation, from time to time, depends on a small group of contributors.  Term limits can leave the organisation short of hands, and especially of experienced hands.

**Roger**:    Agreed that's a risk that has to be managed.  Retention of corporate memory can be served by overlapping terms, some retirements each year, and not having terms limits too tight, risking the permanent staff becoming much more powerful than the governing committee.

**Simon**:   I don't think there will be a shortage of candidates whilever there's money around.

**Robert**:   Agreed with Simon.  This issue is more with GC and office-bearers than at Branch level.

**Submissions**

**Sam Horwood  –  3 March 2022**

Yes, but these would need to be fairly generous limits as there might be valuable people that we want to retain in those positions.

**Web-Form Votes**

Yes  –  7;   No  –  1.

**Forum Entries**

**Paul O'Brien   Feb 3   #51**

Choice: Yes

Comment: 5 year max

**Shan Moore   Feb 3   #147**

Choice: Yes

Comment:  I think that there should be a limit of the number of consecutive years that a person can be on the governing committee (regardless of any change to position on that committee), but perhaps be a little longer than the current 2 year period that seems to be in place;  And also to have

a requirement for at least 1 year off after this period is reached. If there is a past-president sort of position, maybe limit it to 1 year.

**Jon Fraser   Feb 10   #263**

Choice:  Yes

Comment:  9 years is common in commercial businesses and NFP in my experience

**Ann Moffatt Feb 10   #271**

Too long IMHO.

**Jack Burton   Mar 9   #437**

Choice:  Yes

Comment:  There should definitely be limits set for *consecutive* terms for all positions on Council and all positions on MC, as well as for all Branch Chairmen (but probably not for any other BEC positions).  I am not certain what the optimal limit is to set, but it should probably be no more than 2 consecutive terms for each national role and no more than 4 for branch chairmen -- however, perhaps those are both too generous ... e.g. perhaps the existing rule of no consecutive terms for presidents is worth keeping.

There should however not be any limits on cumulative, *non-consecutive* terms (e.g. if a President who retires on reaching his term limit wants to stand again decades later, there should be no prohibition on that).

**Karl Reed   Mar 10   #482**

Choice:  Other

Comment:  Office bearers should be limited to 2 terms, Board Directors to Three

Other delegates should not be limited

**Alex Reid   Mar 10   #510**

Choice:  No

Comment:  I don't believe that any limits on terms of service should be imposed;  it should be left to the normal election process to weed out any that have become stale, or otherwise are less suitable for office.

**Adrian Porteous   Mar 13   #617**

Choice:  Yes

Comment:  Good governance practice.

**Keith Besgrove   Mar 15   #647**

Choice:  Yes

Comment:  6-9 years is generally regarded as the maximum time within which board members can add value to any organisation

Name:   Roger

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### 5.2.4 The Size of the Governing Committee

**Summary**   (50-100 words)

Generally, members had the expectation that governing committee would be large enough to achieve sufficient spread of expertise, and to achieve requisite turnover in membership without loss of corporate memory, but small enough to avoid having so many directors that the governing committee becomes unworkably large.

For an efficient Governing Committee, most envisaged about 9.

For a large ('quarterly') Governing Committee and small Executive Committee, 25-30 and 5-9.

There were a couple of expressions of concern about how diversity along dimensions other than geography would be addressed, including gender, sexual preference, age, physical disadvantage, and ICT specialisation.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Design a careful set of provisions, reflecting the considerations raised here, and in other relevant sections within s.5

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(Yellow highlight (or similar) on key / quotable expressions)

**5.2.4 The Size of the Governing Committee**

*Generally, members had the expectation that governing committee would be large enough to achieve sufficient spread of expertise, and to achieve requisite turnover in membership without loss of corporate memory, but small enough to avoid having so many directors that the governing committee becomes unworkably large.*

Examples of elements that members may wish to be embedded include, in respect of the governing committee (and/or of the executive committee, if a two-tier model is used):

•     The committee's size is to be sufficient to achieve a spread of expertise, and to enable turnover without losing corporate memory;

•     The committee's size is to be not unworkably large.

In Round 2, members were asked:

**What factors should be considered in deciding the size of the governing committee?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

Maybe 9 or more? >7 and <15? I've got no real practical experience to back that up so take that with a grain of salt.

**Forum Entries**

**Ann Moffatt  Feb 7   #242**

Choice:  Other

Comment:  it is imortant that all members can feel supported or represented by the governing cttee. in the past women have felt that their issues are not 'heard' as governing cttee is 'old white male academics'. similarly, if the cttee were to be all female male members might feel not represented.

a similar argument can be mounted for other groups-eg young v old, disabled v able bodied people, black vs white etc.

care needs to be taken that the governing cttee truly reflects the profession. yes the profession rather than the society cos we want to epresent the profession.

**David Abulafia Feb 8   #247**

To get women on the committees, women have to nominate for committees, and then these woman need to campaign to get members to vote for them. You forgot to mention alphabet people.

**Rimas Skeivys   Feb 10   #265**

Choice:  Yes

Comment:  Chairperson has the deciding vote

**Don Fraser   Feb 10   #264**

Comment:  Enough members to cover major governance skills and experience but not so many that voices are smothered or meeting become too long / inefficient.  range 7-12 ~> 9 members

**David Kong   Feb 19   #323**

Choice:  Yes

Comment:  8 representing each state and territory in addition to 2 independent. Apart from diversity, we can have 50/50 as gender equality.

**Paul O'Brien   Feb 3   #52**

Choice:  No

Comment:  7 to 9

**Jeanene Williams   Feb 3   #68**

Committee size needs to take into account diversity as well as governance requirements. This is particularly important where a committee is deemed to require high levels of skills or experience to ensure that an adequate mix of skills versus diversity can be achieved while still maintaining good governance and decision making.

**Michael Driver Feb 3   #208**

My preference would be 9. However, more importantly is what number makes a quorum for any meeting. I don't believe that 50%+1 is adequate. Maybe 85%.

**Karl Reed   Feb 20   #325**

I am not concerned about the size of committees.

I generally find that organisations that have small committees are prone to manipulation in the name of efficiency.

The old Council had about 24 people and functioned wuite well, if you took the view that it should hold the readership to account, and, debate issues.

The largest committees I have been on are:-

1. La Trobe Academic Board some 80-100.. Meets Monthly

2. NTEU National Council about 100 and meets annually for about 3 days.

The problems with the LTU Academic Board have nothing to do with ts size, rather, its lack of courage as body.  The leadership group gets away with a lot because no-one will challenge them.

The NTEU National Council Meetings actually work quite well and a lot of real business is dealt with.

One has to sacrifice some nimbleness for accountability.

Jan Kornweibel   Mar 6   #370

Choice:  Yes

Comment:  I agree with the points in the Consultation Document

**Jack Burton   Mar 9   #442**

Choice:  Other

Comment:  ["other" because the answers "yes" and "no" make no sense in response to this question]

These are elected governing bodies, not ad hoc committees.

Their size should be determined by the *representation* they must comprise, not by any management theories about the optimal size of committees.

See also my answer re composition of the governing bodies (approx. 25 for Council; approx 5 to 7 for MC -- but those number should change if the necessary representation ever changes, e.g. if a new branch or a new board is created).

**Karl Reed   Mar 10   #483**

Choice:  Yes

Comment:  I have worked on a National body of 100+, there were no problems

**Alex Reid   Mar 10   #511**

Comment:  The executive committee (Board) should be of manageable size, ie not more than about 12.  the larger body could be 25-30 or more.

**Adrian Mortimer   Mar 11   #566**

Choice:  Yes

Comment:  This needs to be large enough to have a sufficient body of expertise and effort, while not being unwieldy.  I'd have thought no more than 8 or 9 members ...

**Keith Besgrove   15 Mar**

Efficiency of operation is critical.

Name:   Roger

### 5.2.5 Supplementary Appointments to the Governing Committee

**Summary**   (50-100 words)

Diversity of opinion was evident as to whether the governing committee should have power to appoint a small number of external members to address any shortage of specific expertise among the elected members.

Where is was supported, members saw it as being:

•      solely for the purposes of addressing any weaknesses in the committee's expertise matrix (in particular financial audit and/or risk management), or possibly to overcome any serious issue of profile diversity (particularly gender, but possibly addressing other factors);

•      a maximum of 2 such people in addition to at least 9 elected positions;  and

•      for a limited term, and then subject to being re-elected by voting members.

The alternative view expressed by several contributors was that:

•      missing expertise should be hired through consultancy contracts, or by making specialised training available to an elected member, not by giving non-ICT-professionals a vote on the governing committee.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

In Round 3, members needs to be presented with a pair of alternatives, one providing a controlled power by governing committee, and the other denying it, in favour of hiring the necessary expertise.

**5.2.5 Supplementary Appointments to the Governing Committee**

*The view was strongly expressed that* <mark>*either all, or at least the predominant majority of, members of the governing committee must be from among the professional members – specifically excluding associates or guest members.*</mark>

Some organisations' constitutional documents enable the governing committee to appoint a small number of additional members, to ensure that it has access to sufficient breadth of expertise and perspective.

*There was a distinct preference for any member in the professional division being able to stand for the board,* <mark>*but the need was recognised for qualifications and experience, if necessary by supplementing the elected board members with a small number of qualified external directors. However, members perceived this to be solely for the purposes of addressing any weaknesses in the committee's expertise matrix, or possibly to overcome any serious issue of profile diversity.*</mark>

Examples of elements that members may wish to be embedded in the constitution include:

- Authority for the governing committee to supplement the elected members of the governing committee (and/or of the executive committee, if a two-tier model is used) by the appointment of a small number of suitably qualified external members of the committee;

- A qualification on that authority in that it can only be exercised in order to address specific, identified weaknesses in the committee's expertise matrix;

- A possible extension beyond the expertise matrix is to give consideration also to diversity and inclusiveness, particularly in relation to gender, race and disability;

- A qualification on any such authority, such that it can only be exercised in such a manner as to ensure that there is at all times a substantial majority of elected members;

- A relatively short term of 1 or 2 years, with re-appointment subject to the same qualifications as apply to an initial appointment.

In Round 2, members were asked:

**Should the governing committee have power to appoint a small number of external members to address any shortage of specific expertise among the elected members?**

**Event Reports**

**Canberra Branch – Thu 24 Feb 2022:**

**Kristina**:  Based on experience with each of those models, the governing committee is best elected by members through Branches [i.e. through an electoral college mechanism, of which the current Congress is one example?], but <mark>a few added in from the outside to ensure access to relevant expertise, esp. financial audit / risk management</mark>.

**Rob, Kristina**:  <mark>The governing committee needs the Executive Group to have a suitable cross-section of skills for governance</mark>, but to be sufficiently representative to reflect the diversity of the membership.

**Bruce**:  <mark>The Governing committee needs an executive group with a suitable cross-section of skills required for appropriate governance</mark> so having/insisting on reps from each state may not enable this

**Staff Event #2 – 3 Mar 2022:**

Helen:  In deliberating on the three models, <mark>is diversity being given consideration?</mark>

Answer:   It's been considered in some of the discussions, and will be considered by CRWG, but it's challenging to identify effective ways to go about it.  So we welcome concrete examples of mechanisms that work.

Anthony:   How do you balance diversity against the egos?  <mark>One approach is to designate one or more positions as having a specific focus on one or more aspects of diversity, and require each</mark>

==candidate to address the relevant issues in their platform, and require the successful candidate to focus on the relevant issues as they perform the role.==

**NSW Branch Focus Group – 14 Mar 2022:**

**Ashley**: ==There may be a need for specialist knowledge that elected members lack.==

**Roger**: We're looking for input on this question.

**Simon**: ==Supports this approach, and for all areas in which diversity may be needed (particularly Board and governance expertise; but also male-female balance, disability, gender diversity, etc.)==

**Robert**: ==Supports co-opting, but with a requirement for technological background, not just anyone (and avoidance of lawyer-overload).==

**Helen**: ==There's a need for a mix, e.g. practitioners and academics.==

## Submissions

**Sam Horwood – 3 March 2022**

Maybe, but ==how do we prevent "jobs for the boys" appointing mates to pad out voting numbers?==

## Web-Form Votes

Yes – 3; No – 4.

## Forum Entries

**Shane Moore   Feb 3   #148**

Choice: Other

Comment: ==Maybe up to 2 people==

**Don Fraser   Feb 10   #266**

Choice: Yes

Comment: ==must be limited term (and then subject to being elected by members for extension)==

**Jack Burton   Mar 9   #440**

Choice: No

Comment: It is totally inappropriate for any person outside of the profession division to be elected to any ACS office.

==Likewise it is totally inappropriate for any voting position on any governing body of ACS to be filled by anyone who not elected in the same manner as his peers.== That applies both to the mooted practice of appointing non-members of the Society for their specific expertise (==why on earth should anyone from outside our profession have a vote? just hire them as consultants if there really isn't anybody in the entire ACS membership with the necessary skill== ... which seems very difficult to believe) and also to the current practice of governing bodies *appointing* replacements to fill casual vacancies (just call a by-election instead).

**Alex Reid   Mar 10   #512**

Choice: No

Comment: ==The Governing body should not have the power to coopt others onto that body.== Membership should primarily be determined by an election process. ==If there is a perceived lack of special expertise, this should be acquired through the normal process of engaging consultants (or maybe commissioning special training for one or more existing members).==

**Adrian Mortimer   Mar 11   #567**

Choice: Yes

Comment: ==To address breadth of expertise and perspective, it makes sense for the management committee to be able to co-opt additional members, but there should be policy controls on how many, and there's an argument that Congress should approve the purpose and number of co-opted members ...==

**Adrian Porteous   Mar 13   #618**

Choice: Yes

Comment: ==Subject to defined and agreed need and a short term appointment.==

**Keith Besgrove   Mar 15   #646**

Choice:  Yes

Comment:  ACS faces a critical choice for its future here. <mark>An obsessive focus on providing all power to the professional division members, to the exclusion of outside talent, is in my estimation a dangerous move towards the organisational ossification</mark> which I think is the greatest challenge confronting ACS

**Paul Bailes   Mar 15   #656**

I would have thought it axiomatic that the professionals in the field have the ultimate power over their professional society.

<mark>Sure we would be wise to take advice from outsiders, but not to empower them.</mark>

**Jack Burton Mar 16   #689**

Well said Paul -- couldn't agree more.

**Roger Clarke Mar 14   #636**

A suggestion was made by one member in Round 1 that we should consider paying office bearers. (I don't think the suggestion was for anything resembling 'commercial rates').

<mark>The possibility of payment could also arise in the event that Supplementary Appointments were made</mark>:   https://crwg.org/2/CRWG2-ConsDoc.html#5.2.5

Name:   Roger

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### 5.2.6 The CEO as a Member of the Governing Committee

**Summary**   (50-100 words)

There were near-unanimous views that:

- the CEO should <u>not</u> be a member of the governing committee;  and
- the CEO should have full rights of attendance at and active participation in the activities of the governing committee (and of the executive committee if a two-tiered model is used), but no right to move, second or vote on motions.

Where the matters were discussed, there was considerable support for:

- the CEO being required to be present and speak at meetings;  and
- the CEO being absent for some periods of all meetings.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The constitutional document needs to contain the provisions supported by the members.

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### 5.2.6 The CEO as a Member of the Governing Committee

*Members were clear that the CEO needs to be present at meetings of the governing committee, and to have the right to speak, and perhaps even the right to move motions.  However, the roles of CEO and membership of the governing committee of a member-based and member-serving organisation are distinct, and to some extent in inevitable conflict.  The risk arises of dominance, by the full-time and well-resourced CEO, over the part-time and poorly-resourced members of the governing committee.  Arguments were presented that the CEO should not be a member of the governing committee of the Society, because it is a member-based and member-serving organisation.*

Examples of elements that members may wish to be embedded include:

- The CEO should not be a member of the governing committee (nor of the executive committee if a two-tiered model is used);
- The CEO should have full rights of attendance at and participation in the activities of the governing committee (and of the executive committee if a two-tiered model is used), but no right to vote on motions, and perhaps no right to move or second motions.

In Round 2, members were asked:

**Do you want the CEO to be a member of the governing committee or should the CEO instead be an active participant in its meetings, but not a member?**

**Event Reports**

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**Bevin**:   The CEO must serve the Board and answer to it, and be present and speak at governing committee meetings, but be non-voting.

**Submissions**

**Sam Horwood  –  3 March 2022**

Honestly, I'm not sure what the right thing to do here is. I don't want a knee jerk reaction that has us trusting no one because we've been burnt before. I want something that's going to be workable in the future. Ultimately the membership have lost trust, and we need to find the balance between control mechanisms, guiding principles (not hard constraints) and trust in the personalities that we empower to act on our behalf. If our constitution is overly prescriptive or dictatorial we will not rebuild the trust lost because we don't give the new CEO a chance to prove themselves worthy of our trust.

**Web-Form Votes**

Member  –  1;   Active Participant Only  –  5;   Other – 1.

**Forum Entries**

**Shane Moore   Feb 3   #149**

Choice:  An active participant but not a member

Comment:  Should not have any vote.

**Don Fraser   Feb 10   #267**

Choice:  An active participant but not a member

Comment:  CEO should NOT be a director and some part of each meeting should be without CEO or other staff.

**Rupert Grayston [The CEO]  Feb 21   #335**

I'm not in favour of the CEO being a member of the governing body. I think this is uncommon in organisations like ours in Australia, although I understand that it isn't necessarily considered bad governance. The CEO should of course be an active participant in board meetings.

**Karl Reed   Feb 21   #342**

The CEO should be ex-officio, that is, have ==rights to speak but not to move motions or to vote.==

Last time I looked, the CEO of EA was not a member of its Board.

Neither its the CEO a voting member of the board of IEEE-CS.

I actually do consider it bad governance.

**Chris Radbone   Feb 22   #354**

Thank you Karl and Rupert for your comment on this matter, which I strongly agree!

==A clearer executive officer responsibility has the CEO responsible under the Management Committee (organisation's senior peak governance body or Board) for carrying out the work delivering on the Management Committee 'agreed' and directed strategies, policies and the proposed and approved plans, with the CE) working with the executive team and staff of the Society to prepare the business and project plans for delivering on the agreed directions.==

Many thanks all for this constitutional review and reform work

**Jack Burton   Mar 9   #438**

Choice:  An active participant but not a member

Comment:  The CEO should report to Council.  He should also have ==a right to attend & speak at any Council meeting (but not a vote)==.  Likewise he should not have vote on MC (and I'm in two minds as to whether he should have right to attend & speak there -- see also my answer to an earlier question).

**Alex Reid   Mar 10   #513**

Choice:  Other

Comment:  I don't feel strongly about whether the CEO should have a vote on the governing committee(s), I've seen it work well either way.  But I do feel strongly that ==he/she should otherwise be a full member of both committees (except for discussions about CEO's remuneration, etc)==. The CEO should not be allowed to chair the executive committee.

**Tony Errington   Mar 11   #541**

Choice:  An active participant but not a member

Comment:  ==Definitely not a voting member==

**Adrian Mortimer   Mar 11   #568**

Choice:  An active participant but not a member

Comment:  The CEO should be ==an active participant but not a voting member, but more to the point, the CEO or the CEO's delegate should be required to attend meetings of the executive committee / congress ...==

**Adrian Porteous   Mar 13   #619**

Choice:  An active participant but not a member

Comment:  As proposed: ==The CEO should have full rights of attendance at and participation in the activities of the governing committee (and of the executive committee if a two-tiered model is used), but no right to move, second or vote on motions.==

**Donald Fraser Mar 14   #622**

And also - ==the board ( or what ever the governing committee is called) should always hold part of each meeting without the CEO and other staff present.  This allows free and frank discussion of performance.==

1 person liked this

**Keith Besgrove   Mar 15   #650**

Choice:  An active participant but not a member

Comment:  ==It is not desirable for the CEO to be a member of the committee.==

Name:   Roger

### 5.2.7 Obligations of a Member of the Governing Committee

**Summary**   (50-100 words)

There was limited discussion of this element.

A couple of contributors were lukewarm, feeling that it could be of benefit for some positions.

The counter-argument was that it was too much 'red tape', and redundant if members had the capacity to remove en electee.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Give consideration as to whether such a measure has benefits, or it is redundant in the context of the full design of the constititional document.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 5.2.7 Obligations of a Member of the Governing Committee

*Some members wanted clarity about the obligations of a member of the governing committee, sufficient to provide a basis on which non-performance and mal-performance can be judged.  This would ensure a degree of personal accountability to the membership by each such member.*

In Round 2, members were asked:

**Do you want consideration to be given to a formal Charter of Rights and Responsibilities for members of the governing committee?**

**Event Reports**

**Submissions**

**Sam Horwood  –  3 March 2022**

I think this is a good idea, but it would probably need to be a document separate from the constitution?

**Web-Form Votes**

Yes  –  6;   No  –  2.

**Forum Entries**

**Shane Moore   Feb 3   #150**

Choice:  Other

Comment:  I think perhaps some positions may need this; or that different responsibilities may exist for the different roles.  (some responsibilities would be common for all)

**Jack Burton   Mar 9   #443**

Choice:  No

Comment:  This sounds like too much red tape to me.  Why not just remove all impediments to democracy instead?

As a general principle, if a group of people can elect a person, they ought also to have the power to remove that person from office.

So, e.g. if under the new system most members of Council are elected directly by the members of the professional division, we should have a rule that if any (say) 20 members of the professional division petition Council to remove a particular member of Council, a vote must be held on that question (with the petitioners given an opportunity to speak and the Council member in question given a right of reply first, naturally) with the same people eligible to vote as would be eligible to elect someone to that role.

Likewise, if the electors for a certain office are Council, then any (say) 2 members of Council should be able to bring such a petition; and if the electors for a certain office are members of the professional division within a particular branch, then any (say) 10 professional members of that branch could bring such a petition (to Council if it's a national role or to the relevant BEC if it's a branch role).

The actual numbers of members required for petitions mooted above are just rough guesses (they'll no doubt need some further work -- should be large enough to avoid frivolous petitions, but small enough to be easily achievable whenever needed), but the general principle is a sound one: candidates should only be elected on their policy platforms and if they deviate from those platforms without good cause their electors should be able remove them promptly.

Accountability tends to be something that happens after the fact.  We will tie ourselves up in knots if we try to achieve it before the fact.

**Alex Reid   Mar 10   #509**

Choice:  Other

Comment:  As per my response to #5.2.1, there should be no requirement for nominees to have gained prior experience, though candidates should be encouraged (ie not a formal requirement) to indicate their relevant experience in their candidate statement.  There should be no *requirement* that appropriate training be provided, but provision should be made as per "best practice" of any organisation.

**Jack Burton Mar 11   #531**

I agree with Alex on this (see also my earlier comment on this question).

I'd just like to add another dimension that I don't think has been considered yet (not sure if it belongs in #5-2-2 or #6-1, but Alex's post on #5-2-2 reminded me of it, so I'm posting it here):

Currently, the "returning officers" (see also my other comment re abandoning the inappropriate practice of having staff as ROs) are requiring that candidates for election (first for national roles; now I understand even for branch roles) sign some sort of document agreeing to all sorts of policies & practices before being "allowed" to stand for election.

That practice must be abandoned immediately, for two reasons:

1. The document is question is *not* required by the current Rules or National Regulations, so those imposing it had no right to do so in the first place (and by doing so they are denying any would-be candidates who are in every other way qualified to stand, their right to stand).

2. More importantly, it is anti-democratic in the extreme: a process carefully crafted to ensure that only those who agree with the incumbents' way of doing things will be "allowed" to stand for election.  That would be the case even if the nefarious constraining document(s) were to be enshrined in the Rules.

[2] above has almost the same highly deleterious effect that a nominations committee would -- it drastically reduces the pool of pro-reform candidates available for the electorate to choose from.

Related to that is the concept of "unity" of MC -- a requirement that all members of MC support all decisions of MC once made, regardless of their own views.

That requirement has caused several of our best leaders to resign from MC (rather than be forced to lie to the rest of the Society about their own views) over the years, which is not a good outcome for ACS at all.

Rather than instituting yet more such measures to discourage (or even stifle) dissent, we should be *fostering* it.

Dissent, after all, is the root cause of all innovation.  Homogeneity of opinion, on the other hand, often leads to worse decisions being made and almost always prevents (or at least delays) the worst of them from being reversed when such reversal is necessary.

Don't be afraid of dissent; embrace it! Along with the robust debate it brings to organs such as Council/MC/BECs/Boards, that is democracy's greatest strength.

**Karl Reed   Mar 11   #534**

I agree with this!

The confidentiality agreement that people are required to sign is awful.

I modified mine and managed to get ACS to agree to that.

However, my preference is that such a document should not exist!

There are other things that I do think are worthwhile, including the ethics and COI disclosure.

But, the blanket non disclosure agreement is really unacceptable.

Also, training is interesting..

There is a statutory requirement that elected union officials take some training on governance,and, it includes reading financial reports.,Having completed it, I think it was worthwhile.However, there should be NO prequalification for elections.

One exception in the past has been that the position in charge of Membership Standards needed to be a Fellow.

Name: Roger

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### 5.3 The Electoral Scheme

### 5.3.1 Elements of the Scheme

**Summary** (50-100 words)

The twin aims of members were:

• achieve governing committee arrangements that are both workable and subject to sufficient control by the membership over inappropriate behaviour; and

• protect against domination by the two largest Branches.

There were arguments for at least some direct election of governing committee members, but also acceptance that an electoral college approach is more effective in enabling both of the twin aims to be achieved.

Various features were floated that might contribute, including the 'majority of Branches as well as majority of members' rule; the vote-options for each candidate as For, Against, or Abstain with 50% For votes required; and various formulae for weighting Branch votes by size.

On the whole, members' leanings were summed up by this statement: "an electoral college, attracting enough voters in each region, and delegating the national vote to people who are more strongly committed to representing the region's interests".

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**Implications** (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Ensure that the designs of the committee structures and compositions, and of the electoral scheme, deliver a coherent and integrated whole, and together ensure that workability but also effective accountability of the governing committee are achieved, and the smaller Branches are protected.

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## 5.3   The Electoral Scheme

*There is a view among many members that there is a large gap between members and the governing committee. As a result, there is a desire among the membership for more direct participation in and influence over the election of governing committee members.*

*On the other hand, there continues to be concern, particularly among members in the smaller Branches, about the risk of dominance by the largest Branches and the largest capital cities.*

### 5.3.1 Elements of the Scheme

An electoral process involving one vote for each member is straightforward and conventional. However, a large proportion of the membership, like the Australian population, lives in the south-eastern crescent of the continent, and the Rules, like the Australian parliamentary election arrangements, have always included ways to avoid the large Branches dominating the rest of the membership.

The members may therefore want to vary the one-member-one-vote approach, to take account of the power that grants to the two largest Branches.

*Multiple 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.*

The Society's Rules have always contained elements designed to provide such protections. Under the current Rules, NSW (with 29% of the voting members), and Victoria (with 25%) are effectively guaranteed 1 seat each of 11 on MC, but the other 7 elected positions are voted on by 26 electors of whom as few as 4 are from NSW and Vic – and as many as, in theory 11, but in practice about 5-6.

*One participant argued for a wholly 'electoral college' model, with its substantial bias towards smaller Branches. Other participants were attracted to a hybrid voting model, partly the conventional single-electorate, one-member/one-vote, and partly an 'electoral college' model along the lines of the current Congress.*

*On the other hand, the current electoral college system was perceived by many members as having helped isolate the membership from exerting direct power.*

*They see the narrow eligibility rules as having enabled the emergence of a small, self-perpetuating elite buffered from the membership as a whole. If an electoral college approach is adopted, it needs to avoid that trap.*

Examples of elements that members may wish to be embedded include:

• A simple scheme of one-professional-member / one-vote;  and/or
• A wholly 'electoral college' model, featuring:
    • direct election by Branch members of their Branch's college members;  and
    • something like the present purposeful bias in favour of smaller Branches;  and/or
• A hybrid voting model, partly the conventional single-electorate, one-member / one-vote arrangement, and partly an 'electoral college' model.

A mix of different elements may be appropriate, particularly if the two-tier model is used.

In Round 2, members were asked:

**When electing members of the governing committee, do members want direct elections by all Society members, or a scheme that provides some protection against dominance by members in the largest Branches?**

**Event Reports**

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

Strong preference for an electoral college or other mechanism to achieve balance between simple-majority-rule and reflection of diversity across regions and varying population-sizes:

**Matthew:** It's possible to apply the 'majority of Branches as well as majority of members' rule.

**Paul:** But that does bring with it greater difficulty in getting even apparently 'no-brainer' initiatives passed.

**Geoff:** A majority-vote does have a kind of legitimacy about it.

**Paul:** However, low proportions of members voting (e.g. 2%-6%) compromises that legitimacy.

**Paul, Bevin:** That speaks for an electoral college, attracting enough voters in each region, and delegating the national vote to people who are more strongly committed to representing the region's interests.

**Roger:** Is direct democracy, using online voting, much more practicable now than in the past?

**Bevin:** It's used at Branch level. But it may need care at larger scale?

**Vic Branch – Tue 2 Mar 2022:**

Seen by multiple participants to be a given.

**Submissions**

**Sam Horwood – 3 March 2022**

Direct elections by all professional members. I feel the electoral college system disenfranchises members for direct action at the top.

**Forum Entries**

**Shane Moore   Feb 3   #151**

Choice: Other

Comment: Some sort of hybrid, but not necessarily a uniform scheme for every position.

**Jack Burton  Mar 9   #436**

In general, [requirements such as a declaration of governance expertise and experience] are undesirable, as they can easily be used to manipulate elections. The key question is "who gets to set the requirements?" and unfortunately there are serious flaws in all possible answers to that question.

... no candidate should ever be "elected unopposed", as that practice effectively turns the (secret) nominations process into a lottery of sorts. Rather, electors should be asked to vote FOR or AGAINST each candidate -- the candidate with the most FOR votes being elected (and in the event of a tie, the tied candidate with the fewest AGAINST votes is elected [noting that there may have been some abstentions]; if there's still a tie, hold a fresh election just for the candidates tied in first place). If there is only one candidate, he or she can then only be elected by gaining FOR votes totalling 50% or more of the votes cast; otherwise, there's a fresh call for nominations (without prejudice -- the jilted candidate can always re-nominate).

**Jack Burton  Mar 9   #444**

Choice: Other

Comment: A hybrid model seems necessary -- see my answer to the question on composition of governing bodies for one example of how that could work (with the electorate being determined by the role).

Another option -- only necessary if we move to direct election of the national office-bearers, which I think would *not* be optimal (again, see my comments earlier on what a "new Council" should look like) -- would be to balance the two competing ideals in much the same way as Australian referenda work: "the majority of votes in the majority of States" (but substitute Branches for States here, as we don't want to disenfranchise NT & Canberra branches) -- i.e. for a candidate to win the Presidency,

he must gain a majority of votes in *at least 5* of the 8 branches (or 5/9, 6/10, etc. if we ever gain more branches).

However, I prefer the hybrid model (direct election of BECs and of all Board directors (who should be the largest potion of Council); either direct or BEC election of Branch Councillors (the next largest contingent); whole-of-Council election of most of MC; and the National Councillor elected by the Branch Councillors ... and in each case the *same* groups of electors also have the power to remove those who they elected if need be).

Nevertheless, even at a long second, the referendum model is vastly preferable to 100% direct election (which would surely disenfranchise most branches) and vastly preferable to current incestuous election of most [much?] of Congress by Congress and preferable even to the former formula for calculating voting strengths on Council (until 2007).

**Karl Reed   Mar 10   #485**

Choice:  Protection against large-branch dominance

Comment:  The 2006 Council Voting strength formula protected smaller branches:

The voting strength formula  was 2*Upperbound(SQR(No.Members)/5). NSW with 3794 members had 26 votes, NT with 66 members had 4. You can't do this easily, I don't think, with a CLG (Council papers October 2006)

My in my Union, branches have a minimum number of National Council delegates + more based on size, I think up to a limit. These are voted on by members directly.  National Exec

a)      The President, General Secretary and National Assistant Secretary,

b)      The Division Secretaries,

c)      Ten Ordinary Members elected by and from National Council,

d)      The Chair of the Aboriginal and Torres Strait Islander Policy Committee elected in accordance with provision of Rule 18.3 D.

There is a well established precedent for ensuring that smaller State Divisions always have two people on National Exec

For an organisation like ACS, the 2006 method is, in my view better.

Voting strengths are complex, I am not recommending them.

But, it works well

**Alex Reid   Mar 10   #514**

Choice:  Protection against large-branch dominance

Comment:  In my preferred 2-Tier system, the larger body would operate something like the national Senate, with more or less equal representation by all States (maybe branches).

**Tony Errington   Mar 11   #543**

Choice:  Protection against large-branch dominance

Comment:  This is an essential requirement, but I don't believe the current approach is that good. This will need to be thought through carefully depending on whether the one or two tier goverance model is chosen. At least the principle needs to be stated in the constitution.

**Adrian Mortimer   Mar 11   #569**

Choice:  Protection against large-branch dominance

Comment:  I think there should be some level of protection for smaller branches.  The hybrid model mentioned in the Further Information may be appropriate.

Name:   Roger

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### 5.3.2 Voting Rights

**Summary**   (50-100 words)

Overwhelmingly, contributors expressed the opinion that only professional members should have voting rights.  This applies to all contexts in which voting occurs, including in elections and in relation to constitutional changes.  This is seen as an essential feature of a professional society.

Contributors also expressed the strong opinion that future entrants to grades outside the Professional Division should not be granted the right to vote.  For ethical reasons and because of likely legal constraints, the scope of this topic is limited to <u>future</u> entrants.

It is widely recognised that both the numbers and the proportion of members who are in the Professional Division have fallen away, that non-professionals with the vote now marginally outnumber professionals, and that positive action is needed to address the situation.

It is also widely recognised that the removal of voting rights should not, and cannot, be applied retrospectively to existing non-professional members.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Limiting the right to vote to members in the Professional Division is a necessary feature;  but one that must be carefully drafted.

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**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 5.3.2 Voting Rights

ACS is a society of professionals, governed by professionals, for professionals and the public. Other individuals are very welcome to join the Society, even if they are not intending to become ICT professionals, provided that they have in interest in having an involvement with the organisation and agree to the Code of Ethics. Categories of people who have joined in this capacity, and are in the 'Associate' grade, include professionals in other fields, managers of ICT staff or facilities, skilled ICT users and unqualified enthusiasts.

*There is no requirement for Associate members to be qualified to be ICT professionals, oir to be preparing to be so. Since a rule change a decade ago, they have nonetheless had the right to vote at General Meetings. There is considerable concern about this among some members, particularly with Professional Division voting members being currently outnumbered by Associate-grade members. They perceive that the values of the Society might be undermined, the directions of the Society warped, and the credibility of ACS as a professional society undermined.*

*Overwhelmingly, respondents expressed the opinion that only professional members have voting rights, with voting being one of the motivations for members to achieve a professional grade.*

Reflecting the above, there have been calls for future entrants to the Associate grade to not be granted the right to vote. Note that both for ethical reasons and because of likely legal constraints, the scope of this topic is limited to <u>future</u> entrants to the Associate grade.

In Round 2, members were asked:

**Do you want the right to vote on Society matters to extend to unqualified Associates, or be limited to members in professional grades?**

**Event Reports**

**Vic Branch – Tue 2 Mar 2022:**

Strong support.

**Rod**: A qualification: We should look at the hurdle criteria for becoming a professional member.

**Submissions**

**Sam Horwood – 3 March 2022**

Limited to professional grades of members. I can appreciate that these changes would only be prospectively applied. Ultimately this is a skin in the game moment. Professional members have skin in the game of a professional society.

**Forum Entries**

**Don Fraser   Feb 10   #268**

Choice: Professional grades only

Comment: absolutely consistent with being a society of professionals!

**Shane Moore   Feb 3   #152**

Choice: Other

Comment: This does sound concerning. I assume you are asking in regards to resolutions that might be proposed at a General Meeting of the Association - and not too many matters generally come up for such a vote other than adopting minutes or financial reports, etc. - if they are a member, they ethically are entitled to a vote. But I note that some state Model Rules for Incorporated Associations do often state that associate member categories are not entitled to vote. In terms of voting of people to a governance body, I have said I think it needs to be nuanced to what position the vote is being cast for. I personally am a MACS, but not CT nor CP because the

busyness of being an IT academic at a rural university prevents me from attending a large number of the events in the city that attract the hour-points that would allow me to retain the CT or CP standing - So I assume I am a Professional Grade rather than Associate grade. [ Correct ]

I guess my understanding was that most Associate members were currently students. Though if there are so many Associate members, they must see some sort of value in retaining their membership, but not (yet) see a reason to seek to go to a professional grade so maybe we need to address that, and maybe those unwilling to progress to professional grade will decide to leave. Maybe just place more requirements on Associates, and that might filter some out.

### Rod Dilnutt Feb 4 #219

No. Voting and decision making must be the domain of professional members.

### Rupert Grayston Feb 21 #346

This presents a dilemma for ACS in writing a new constitution, on account of current circumstances with our membership grades and voting rights. I assume that voting rights here refers to voting in elections for positions of office, voting in membership ballots for constitutional change and other matters that may be determined by membership vote or ballot. [ Yes, that's the intention. ]

For legitimacy and recognition, a professional association should in principle be governed by an elected board of members of the profession (or at least by a board with a majority of members of the profession). Full-fee paying members of an association may reasonably expect to have voting rights but if non-professional members are in the majority this may be problematic. So what happens if you can't readily distinguish who the professional members are? Is a professional a CP member or somebody with a degree or who once had a CBoK assessment? [ Someone who has attained a grade in the Professional Division. Currently that requires the CP/CT hurdle to be jumped. ]

At ACS, professionally qualified members who are not certified are classified as professional grade members if they joined ACS before a cut-off date but Associate members if they joined later. There are of course other Associate members who would not be considered to be IT professionals. If we were to allow only professional grade members to vote, the numbers of eligible voters would drop from over 10,000 to under 4,500, and voting would favour older generations who were 'grandfathered in'. [ Yes, that is the natural corollary of the proposal. ]

If we were to limit voting rights to CP members, this would be down to an elite of less than 1500 members. [ No that, is not the intention. Further, measures are needed, in parallel with reform of the constitution, to (a) achieve conversion of Associates who have been unwilling to go through certification in order to enter the Professional Division, (b) attract more new Professional Division members, and (c) greatly improve retention-rates of Professional Division members. See Rupert's final para. below. ]

To remove voting rights from Associate members, thousands of professionally qualified members would have to be content to have their voting rights removed by membership ballot. This is unlikely to be supported and would expose an otherwise sound constitution to disrepute and failure at the ballot box.

ACS membership structures and eligibility need some attention. In 2021, a working group of the Profession Advisory Board made a range of recommendations to Management Committee to strengthen to professional membership grades over time. We may need transitionary provisions in a new constitution to allow us to maintain current member voting rights while transitioning to new membership structures.

### Ann Moffatt Feb 24 #360

I think the matter of 'grading' the current membership needs to be reviewed.

At the fellows lunch in 2019 I asked how the membership that used to be around 10k suddenly became 44k. Nick Tate promised to clarify the situation. I have still not had a clarification even though I've asked for one on several occasions. We are still stating we have 44k members.

### Paul Bailes Mar 8 #404

The worst idea I've seen in this discussion (not referring to yours below Ann!) was the one for three grades:
• technician (or some such ?)
• professional

- executive

The root problem with 1. is that it reflects what I've detected as the ACS impetus to be the ONE SOCIETY for the entire ICT (or whatever you call it) Sector/Industry. Instead, it would be much better for ACS to be

- reflective of a cohesive "professional" group with common interests.
- imbued with a spirit of collaboration with complementary groups in the ICT Sector.

In whose interest is it for ACS to be, or to strive to be, the ONE SOCIETY?

The problem with 3. is that it seems to suggest that people who have come to attain executive positions in the ICT Industry but who don't qualify as ICT "professionals" can have their lack of qualifications (academic and other) overlooked. Would the medical colleges (etc etc etc) do this? I don't think so.

More generally, I fear that we have moved into discussion of "how" the ACS should do business without the right answer to "what" kind of organisation ACS should be

**Jack Burton   Mar 9   #445**

Choice:  Professional grades only

Comment:  Yes, voting at ACS general meetings (branch or national), including voting in all elections, should be limited only to members of the professional division.

Notwithstanding any legal issues, some way must be found to ensure that *only* members of the professional division (regardless of when they joined) may vote.  With the majority of votes currently controlled by persons who are not members of the Australian computing profession, it is quite simply no longer credible to claim that ACS represents the Australian computing profession at all -- we don't; the well has been poisoned and there can be no way forward without first curing it.

**Alex Reid   Mar 10   #515**

Choice:  Professional grades only

Comment:  We can't be a Professional Society and let the society be governed (as maybe could/would happen) by non-professionals.

Name:   Roger

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### 5.3.3 Staff-Members' Voting Rights

**Summary**   (50-100 words)

Members are concerned about:

- the unavoidable conflict of interest that arises from 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.

The concern is primarily about staff who are members essentially because they were given automatic (and gratis?) membership when they became ACS staff-members.  If the vote is limited to staff-members who are qualified as members in a grade in the Professional Division, members' concern is far lower, because they are professionals, and there are smaller numbers of people involved anyway.

The proposal is limited to full-time and part-time employees. The issue was raised about other categories, including contractors, and casuals.  Casuals include professional members of ACS who work on accreditation and skills assessment tasks.

The point was made that staff-members who have no vote on Society matters must have means available to them of conveying their views on relevant matters.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

In Round 3, present members with the following options:

(a)   suspend the right to vote for ACS members in a grade in the Professional Division who are, at the time, staff-members of the Society;  or

(b)   suspend the right to vote for ACS members in a grade in the Professional Division, but only if they receive a gratis membership by virtue of being a staff-member;  or

(c)   retain the right to vote for staff-members who are ACS members in a grade in the Professional Division, but provide no right to vote to staff-members who are non-professional members.  (Note that this measure would be redundant in the event that the right to vote were denied to all non-professional members, as per s.5.3.2).

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 5.3.3 Staff-Members' Voting Rights

Staff have an unavoidable conflict of interest as a result of being both an employee and a member. There is also scope for staff to be influenced by the CEO and governing committee members, and mobilised in favour of or against particular motions.

*The risk of dominance by NSW and Vic Branches is exacerbated in Sydney's case by it being the seat of the national office, hence not only affording ready access to general meetings for Sydney members, but also enabling the active exercise of the right to vote by Sydney-based staff-members, who have a conflict of interest and can be, or feel to be, subject to pressure from their employer and/or members of the governing committee.*

Members may want to address the risk of staff having a disproportionate impact on election results, for example by embedding, in the constitutional document, the suspension of the right to vote of any member who, at the time of the vote, is an employee of the Society.

In Round 2, members were asked:

**Where a member of the Society is also employed as a member of staff, do you want them to be able to exercise their right to vote on Society matters?**

**Event Reports**

**Vic Branch – Tue 2 Mar 2022:**

**Karl**:  Yes;  but this must be mitigated by a mechanism for understanding staff views.

**Jeff, Cynthia**:  Voting should be by Members and above, not requiring CP/CT;  just not AACS [i.e. staff who are members in a grade in the Professional Division should retain their voting right.]

**Staff Event #2 – 3 Mar 2022:**

Helen:  Do those staff [who are **Associate members of ACS] get to vote** equally with members?

Answer:  As regards the future, that depends on the outcome of the consultation and the resulting design of the relevant provisions of the constitutional document.  All members' views are being sought.  As regards the present, including the vote on the new constitution, that depends on the (complicated) Rules:  All members of the Professional Division and all Associates have the vote, provided that they are Australian citizens or permanent residents, are in a Branch (rather than in Overseas Group), and are not Students.

**Submissions**

**Sam Horwood  –  3 March 2022**

I feel it is fair and reasonable that members of staff be excluded from voting on the basis of conflict of interest.

**Web-Form Votes**

Yes  –  2;   No  –  5.

**Forum Entries**

**Shane Moore   Feb 3   #153**

Choice:  Other

Comment:  If the matter does not involve a conflict of interest between their role as a staff member, then they should be allowed to vote as a member of the organisation (assuming their membership is on the basis of being an IT professional).  [ Given the lack of information available, it's difficult to establish in any particular case whether an actual conflict exists. ]

**Don Fraser   Feb 10   #270**

Choice:  Other

Comment: If a member has gained professional membership by criteria OTHER than being a staff member, then they should be allowed to vote. But no voting rights packaged automatically for staff

**David Kong   Feb 19   #324**

Choice: No

Comment: Conflict of interest and possibility of influence.

**Rupert Grayston   Feb 21   #334**

I can understand the concern behind this with some of our recent history but I'm not sure that it would a good idea to discourage members to work for ACS, or the inference that ACS members who take up staff or contract opportunities are no longer trustworthy, or that member distrust in ACS management should be enshrined in the constitution. I think there are other ways to have staff and members manage conflicts of interest.

**Jack Burton   Mar 9   #446**

Choice: Other

Comment: I agree in principle with the proposition that staff members should not vote in ACS elections. I am somewhat less convinced about the dangers of staff members (so long as they are members of the professional division) voting on motions other than elections at ACS General Meetings.

However, the question is not as simple as it seems. What constitutes a staff member? Clearly a permanent employee of ACS is a staff member (whether full-time or part-time), but what about someone on a fixed-term contract? (does the duration matter?) Or a casual employee -- does it make a difference if the ACS work is their main job or merely a second or third to supplement their income (as I believe was common in ACS Education)? What about employees of ACS subsidiaries? Or employees of tenants in ACS-owned business incubators (something we should never have bought by the way, but we have them now so we need to think about such things)? Or employees of ACS contractors? (does the term of value of the contract matter?) etc. etc.

I'm sure there *is* an optimal answer to those questions of definition, but I'm not sure what it is (on each question above, I can see merit in arguments both ways)

Perhaps a simpler way of looking at this is that we should all have an *ethical* obligation to avoid conflicts of interest ... including the one identified here. But the problem then comes back to one of enforcement.

It's an interesting question and I suspect one that needs more work before a clear answer can be reached.

**Alex Reid   Mar 10   #516**

Choice: No

Comment: But if they qualify as professional members of ACS then they should be allowed to vote on elections to Branch Committees and Central Committees.

**Tony Errington   Mar 11   #544**

Choice: Other

Comment: If the staff member has qualified as a professional member in his/her own right and not because they are a member of staff, then they should have the same voting rights as other professional members

**Adrian Mortimer   Mar 11   #570**

Choice: Other

Comment: Where a staff member is also a Professional Member of the ACS, they should have their normal voting rights as a Professional Member, with the exception that they should not be allowed to vote where the decision involves a conflict of interest with their role as a staff member ...

Name:  _____Don_____

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## 5.4   Effective Accountability Measures
### 5.4.1 Criteria for Governing Committee Decision-Making

**Summary**   (50-100 words)

Members expressed the view that specification of <u>Mission, Purposes, Code of Ethics</u> etc are useful measures for "board" performance. A few also suggested the development and publication of KPI's and associated assessment.

There was associated concern as to how to achieve the transparency to assess such performance, and how to respond to / or address "going off the rails". And of course, what avenues would exist to address any visible deviation from the specified Mission, Purposes, Code of Ethics.  "In at least some Branches, a generation of BEC members was lost, frustrated at the direction that the clique was taking, and their inability to prevent it happening"

A number of members expressed uncertainty as to whether using the constitution for such constraint might be too inflexible to address changing needs.

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**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Is the constitutional declaration of Mission, Purposes, Code of Ethics, etc an appropriate measure of "board" decisions and would that be sufficient to satisfy members about "board" actions?  There are implications for accountability and control measures.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

## 5.4   Effective Accountability Measures

*Inadequacies in accountability measures were a serious concern to members, and a major factor in the shortfall in the membership's view of the trustworthiness of the governing committee of several years ago.*

*The desire was clear for ways in which members are able to stop the board potentially abusing its power and dragging the Society somewhere the members don't want it to go.  This conflicts with the currently expressed vogue for a 'lean' constitution that empowers the board to make almost all decisions, because that implies the need for a high level of trust in all future boards – which is probably unattainable.  Members want influence well beyond just voting for board-members.*

*The majority view of contributors was that conventional corporate governance norms (which grant substantial power to a Board, which then delegates most of that power to the CEO) are not consistent with the needs of the Society.*

*A key requirement of ACS's 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 far more effective accountability to the membership than the arrangements under the current Rules provide, and influence well beyond merely voting for members of the governing committee.*

*The proposal was put that trust depends on a series of layers of regulatory measures.*

*As a starting-point, the governing committee needs to be required to **make decisions using criteria that respect the Society's values**, as expressed in its fundamental documents. See section 5.4.1. These needs to be supplemented by the requirement of respect for the established principles for the allocation of surplus. See section 3.1.3.*

*Transparency is essential, as demonstrated by its absence having led to the collapse in trust over recent years. Beyond communication, Explanation of the reasons for decisions is essential, and, in the case of major decisions, this must be provided in advance. See section 5.4.2.*

*The next level is Engagement. This requirement is not satisfied by talking at members, and issuing structured surveys. Members must have meaningful opportunities to provide input, and must be able to see that their input is reflected in the decision-making process. As a guarantor of effective engagement, the proposal was put that each BEC must have the capacity to pass a motion of concern, or a motion of serious concern – the second of those categories being communicated to the membership. See section 5.4.3.*

*Some categories of decision are 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, by means of a plebiscite. Some categories of decision, with particular reference to membership grades and the Code of Ethics, were seen by some members as requiring Approval by the membership (by electronic vote), equivalent to a referendum. See sections 5.4.5 and 5.4.6.*

*The uppermost-layer regulatory measure includes the well-established mechanism of **a Motion of No Confidence in the governing committee**. A consequence of the passage of such a motion may be a spill of positions and the entering of caretaker mode pending the completion of the election process; but this is not directly enforceable at law. It may therefore be necessary to either declare that passage of a Motion of No Confidence has that effect, or ensure that the members have the power to remove each individual member of the governing committee or of the representative Congress if one exists.*

*The threshold of membership numbers needed to force a General Meeting to consider such Motions must be practicably achievable. In addition, a proposal was put that any two Branch Committees be able to trigger a General Meeting. See section 5.4.4.*

**These uppermost-layer regulatory features are expressly intended as the mechanism of last resort, with the lower layers expected to be sufficient to achieve the resolution of issues.**

**Multiple members were aware that a variety of measures need to be considered, and that measures that afford greater power to members require clear and sufficiently strong justification, because of the need for the governing committee to have sufficient powers to perform its functions, and the risk of ungovernability.**

The elements in this section apply in both the one-tiered and two-tiered models that are the subject-matter of section 5.1.1.

### 5.4.1 Criteria for Governing Committee Decision-Making

*Multiple members supported 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 perhaps also the key functions; the Code of Ethics; and the principles for determining the allocation of surplus.*

Examples of elements that members may wish to be embedded include:

- Declaration of the criteria against which the appropriateness of decisions of the governing committee is assessed to include the following:
  - the Society's Mission;
  - the Society's Purposes;
  - the Society's Key Functions;
  - the principles for determining the allocation of surplus;  and
  - the Code of Ethics;

- Inclusion in the constitution of the expression of all of those criteria.

In Round 2, members were asked:

**Do you want the the appropriateness of decisions of the governing committee to be formally declared to be assessable against the Society's values, as expressed in its declarations of Mission, Purposes, Code of Ethics, etc.?**


## Event Reports

<What participants said in Round 2 Events>

**Queensland BEC Mon 14 Feb 2022:**

Paul:  A key decision is to have a lean constitution, but with checks and balances.

Paul: another way to tackle accountability if the GC wanders off into their own thought bubble:  The constitution could contain a clause that guarrantees that the ACS will fund any legal challenge to serious Board non-compliance with the constitution once a set number of members ( must set a high bar to prevent frivolous action) petition for the legal action to proceed. This type of clause puts a GC on notice that any serious deviation by them can be challenged without the fear of imposing crippling costs on the plaintiff.

**Vic Branch – Tue 2 Mar 2022:**

**Rod:**   Must be aligned.
**Cynthia**:   Values aligned yes.

**Karl**:  GC decisions need to conform to ACS constitution and ACS decisions (including deciding NOT to do something, that is failing to pass a motion).

**Roger**:   This question intersects with the series of questions about what should be embedded in the constitution in order to institutionalise ACS values:
https://crwg.org./2/CRWG2-ConsDoc.html#1.1.1

**Staff Event #1 – 2 Mar 2022:**

**Helen**: Is the constitutional review process taking future-proofing into account?  And is there a mechanism envisaged to ensure constant review?

**John**:   In reviewing the Questions, I struggled with the question of whether I wanted a lot of these things in the constitution or elsewhere.  Things in the constitution are locked-in, and hence slow and challenging to change.

**Roger**:  Agreed, and we very much want to hear about which items are particularly problematical if they're baked into the constitutional document.

Members are saying they want a lot more assurance of protection against what they see as MC and staff running away with their Society.  One way they see to achieve that is by locking key things into the constitutional document, and assessing MC's performance against those requirements.

But members (generally) recognise that baked-in provisions directly conflict with their desire for more agility.

The more that the members have the power to haul in excesses, through more effective forms of accountability (see ss. 5.1, 5.4 and 5.5), the less they will logically demand be baked into the constitution.

**Staff Event #2 – 3 Mar 2022:**

Anna:   If the consultation topics are an open book to the members, how do we marry that up with them having a Board of Directors?

Answer:   This is an association of members.  We first need to understand what the members want. We then need to design a constitutional document that's acceptable to them.

Vicki:    The definition of the powers of members as distinct from the powers of the governing committee will need to be clear.

**Staff Event #2 – 3 Mar 2022:**

Anna:    Are there too many chefs in the kitchen in some of these models?  My experience was positive in an association that changed to a company limited by guarantee, with an [all-powerful?] Board of 7 Directors, with [advisory-only?] committees.

Answer:  ==ACS members are particularly concerned about the scope for a conventional corporate Board approach to enable a future Board and CEO to run away with the organisation and do whatever it liked==.  The ACS is specifically a professional society.  It was formed by and for the members, and with a substantial public interest obligation.  ==Members are unlikely to vote for a new constitution that gives the governing commitee unfettered powers.==

**NT Branch – 4 Mar 2022:**

**Damien**:   I'm wary, because that's a complicated matter, and could be unwieldy.

**Tas BEC and Branch – 9 Mar 2022:**

**Jonathan:**  ==I'm interested in how balance is to be achieved between embedment in a constitutional document that's slow to change, and how to use By-Laws or similar to achieve flexibility and agility==.

**Answer**:   The more confidence there is amongst the membership in the _effective_ accountability of the governing committee, the more that can be kept outside the constitution, and in By-Laws.  ==The confidence can be achieved with the right mix of embedment in the constitution of values that the GC must respect (section 1), plus the right mix of accountability mechanisms (section 5).  We need input on those.==  Jonathan supportive.

**Ray**:    I support a not-too-large constitution, to embed values, and deliver legal structures and governance;  plus the structure for reporting to members;  but with a lot in the By-Laws for agility / flexibility, e.g. in relation to the strategic plan and other documents that are necessary at that level.

**NSW Branch Focus Group  –  14 Mar 2022:**

**Simon**:   ==A constitution can only go so far==.  There's a natural hesitancy on the part of members to 'break the emergency glass' and sack governing committee members.  Will the members be able to get a future errant governing committee (_and_ errant Branch Committees) back into line with Society values?  Will there be features that ensure the power will not be confined to a few in the centre?

**Roger**:   Agreed that features are needed (and a further part of the problem is that the statutes, and the regulators, and even the courts, are of little use in hauling back on inappropriate behaviour by governing committees).  We very much need member input on this series of points.


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes, I believe that is reasonable.


**Web-Form Votes**

Yes  –  5;   No  –  1.

(i.e. uses of Web-Form Choices, without any Comments)


**Forum Entries**

**Shane Moore  Feb 3   #154**

Choice:  Other

Comment:  Maybe.

**Rod Dilnutt Feb 4   #220**

Yes this is a visible indicator of decision appropriateness and rationale

**Jack Burton   Mar 9   #447**

Choice:  Other

Comment:  Accountability through democracy

What we need is less red tape; and more democracy.

SImple rule of thumb: he who elects a candidate should have a right -- and indeed a duty -- to unseat him if dissatisfied with his performance (yes, even in mid term).  Make that process easy

enough that it can (and will) be used whenever necessary; but balance it with the requirement of sufficient support to discourage frivolous claims.

**Karl Reed   Mar 10   #486**

Choice:  Yes

Comment:  Like a environmental impact statement

**Adrian Mortimer   Mar 12   #571**

Choice:  Yes

Comment:  ==The documentation of decisions should record the assessment of that decision against the values etc ..==

**Rupert.Grayston@... Feb 18   #311**

... I don't think that such a declaration would have any effect in a constitution. We have the design the elements of a professional society into the constitution and then it becomes so.

**Roger Clarke Mar 14   #623**

In #5.4.1, at https://crwg.org/2/CRWG2-QnList.html#5.4.1, the question is asked:

Do you want the the appropriateness of decisions of the governing committee to be formally declared to be assessable against the Society's values, as expressed in its declarations of Mission, Purposes, Code of Ethics, etc.?

If the "etc." in that list includes the declaration that the ACS is a professional society, it becomes a criterion for evaluating the governing committee's behaviour.

**Alex Reid   Mar 10   #517**

Choice:  No

Comment:  ==It goes without saying that decisions of the governing body should be consistent with the Objects of ACS, Code of Ethics, etc.  Transparency in decision-making should be sufficient to ensure that this happens (or action is taken if it doesn't happen==).

**Roger Clarke Mar 14   #637**

==That leaves a gap.  In recent times, decisions of MC have been not consistent with the Society's values, and at least a modest number of people (particularly ex-Congress members, and other BEC members) knew that was the case.==

==But no-one could work out how to do something about it.==

In at least some Branches, a generation of BEC members was lost, frustrated at the direction that the clique was taking, and their inability to prevent it happening.

The gap has to be filled.  And that means transparency, plus powers.  Forget the 'regulators', because they're useless.  Forget the courts, because they're close to useless, and it costs 6 figures to even play the game.  (The case in 2019 was won only because of a big puddle of procedural blunders by a group of people lost in their own hubris;  and, despite being a 1-day court-case, it still involved costs of c. $0.75m).  The powers have to be in the hands of the members.

The logic of this particular proposal is that *the constitutional document* would declare that the GC has to be assessed against the expression in the constitution of the Society's values.  If a GC goes sufficiently far off the rails, numbers can be mobilised, a motion can declare that the GC (or particular members of it) are out, and any further attempt by the ejected GC members to exercise power would be clearly ultra vires and earn them an ASIC ban.

It's a blunt weapon, and no-one wishes it were so;  but the temptation of $50m p.a. revenue is so great, and the legal system is so mediocre, that such a weapon has to be put in the hands of the members.

**Alex Reid Mar 14   #640**

Thanks for the explanation.  ==It's still hard for me to grasp that even putting something rigorous into the Constitution would actually help.  At the end of the day, we have to rely of people of integrity to blow the whistle, and have a whistle that can't be muted - possibly having *none* of MC on Congress (or what the new equivalent will be) might help==, but at what cost (in terms of the 2 bodies not being sufficiently in synch to get on with the business)?

PS thanks for all your input and work on this process!!!!

**Adrian Mortimer   Mar 12   #572**

Choice:  Yes

Comment:  Part of the communication to members on major decisions should include the assessment against ACS values etc ...

Name:     _____Don_____

### 5.4.2 Transparency and Explanation

**Summary**   (50-100 words)

Members expressed the view that the transparency of governing committee decisions is essential for accountability:  "where power is centralised, it's essential that we all know who in the organisation does what, so that we can contact them, get relevant information and views from them, and provide relevant information and views to them".

Financial reporting and actions of staff as well as volunteers is embraced in the matters requiring disclosure.  "So, whilst it pains me to say so, ... I support embedding absolute requirements for transparency in our governing documents".

There has been the counter argument – that consultation with members limits the ability for commercial agility – but with one counter view, that ACS should NOT be involved in commercial activities anyway!

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Without transparency of decisions ( and financial reporting) and awareness of the issues regarding the matters, members ( or congress etc)  cannot assess the performance of the governing committee. Relevant information and assessing performance are prerequisite to any of the measures regarding constraining or responding to any "board" excesses.

**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*==Transparency is seen as the most basic requirement underlying accountability==, and its absence as being a major reason for the recent collapse in trust.  ==It was argued that the culture of information suppression must change==, and the perceived norm of providing vague and late response to questions or no response at all must be replaced by sensible answers to sensible questions. Beyond communication, explanation of the reasons for decisions is essential.*

*Specific examples of initiatives that lacked transparency, lacked engagement and/or were considered seriously inappropriate were identified as "the most expensive office space in Australia", "buying a book on Menzies, being a member of WEF, attending meetings in Davos", halting the publication of detailed membership data, the acquisition of ADMA, and the acquisition and development of incubators.*

*==In addition, members not only want to know in advance about changes in membership arrangements and major new business-lines, but also to be able to influence impending decisions that they see as inappropriate.==*

Specific examples of initiatives that lacked transparency, lacked engagement and/or were considered seriously inappropriate were identified as "the most expensive office space in Australia", "buying a book on Menzies, being a member of WEF, attending meetings in Davos", halting the publication of detailed membership data, the acquisition of ADMA, and the acquisition and development of incubators.

Examples of elements that members may wish to be embedded include:

- Transparency to the membership, avoiding a culture of information suppression, and ensuring that sensible questions receive sensible responses;
- Inclusion in communications to members of sufficient explanation of the reasons for major decisions that members can understand the rationale, and its relationship to the criteria;
- A requirement that the Key Performance Indicators (KPIs) of the most senior committees of the Society be published to the membership at the commencement of each reporting period;
- A requirement that reports by the most senior committees of the Society against their Key Performance Indicators (KPIs) be published to the membership after the end of each reporting period;
- A requirement that the Key Performance Indicators (KPIs) of the CEO and other senior staff-members be published to the governing committee at the commencement of each reporting period;
- A requirement that reports by the CEO and other senior staff-members against their Key Performance Indicators (KPIs) be published to the governing committee after the end of each reporting period.

In Round 2, members were asked:

**Do you want the governing committee to be required to be transparent to the membership about its activities, and provide explanations of the reasons for its major decisions?**


**Event Reports**

<What participants said in Round 2 Events>

**Queensland BEC Mon 14 Feb 2022:**

Marilyn:  My Personal Hot Issue:   Transparency and openness to Branches and beyond, and enforceability of it

**Canberra Branch – Thu 24 Feb 2022:**

**Andrew**:  ... , where power is centralised, it's essential that we all know who in the organisation does what, so that we can contact them, get relevant information and views from them, and provide relevant information and views to them

**Vic Branch – Tue 2 Mar 2022:**

**Rod**: Critical, subject to confidentiality consideration by exception and not by routine practice. This is not a secret society.

**NT Branch – 4 Mar 2022:**

**Damien**: A definite Yes

**NSW Branch – 11 Mar 2022:**

**Glenn**: That's important.

**Helen**: And it's important members have the capability to interact with one another, to discuss information provided to them by the governing committee.

**NSW Branch Focus Group – 14 Mar 2022:**

**Robert**: There are also open questions about financial reporting to the membership.

**Dorotea**: Reporting to members needs to be not just financial. It needs to cover policy matters, such as Modern Slavery Act 2018, sustainability, data governance.

**Roger**: Noted. The focus during 2021-22 has been on upgrading financial reporting. Congress now receives quite usable reports. Congress requested upgrade of reporting to members in 2021, but conservatism won the day and the draft report was withheld. It went beyond financial matters to mention relevant strategic and risk matters; but it didn't extend to other policy matters of that kind.

**NSW Branch Focus Group – 14 Mar 2022:**

**Robert**: We've lacked a culture of openness. Are we taking steps to address that?

**Roger**: We very much need member input on these two points.


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood – 3 March 2022**

Yes, but we need this to be brief to minimise overheads. We don't want to overly burden the governing committee otherwise we won't be able to retain good people.


**Web-Form Votes**

Yes – 5; No – 0 (i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

**Shane Moore   Feb 3   #155**

Choice: Other

Comment: I think some level is required. I note that I wrote a letter to the board on the day they announced the first of the Innovation Labs being bought, asking them for some of the explanations and how this fitted against the legislation that the ACS is registered under, and to this date have not received a reply nor even acknowledgement of the message.

**Rod Dilnutt Feb 4   #218**

Yes  Transparency is a key requirement.

**Karl Reed   Mar 10   #487**

Choice: Yes

Comment: I don't like KPI's much, however, they should be known

Needs to be considered in terms of the q5.3.3  Congreess/mc might make a decison that has a negative impact on staff kpi's

**Alex Reid   Mar 10   #518**

Choice: Yes

Comment: This is important for accountability and to ensure members feel involved and not powerless. I doubt if there ever should be situations where some decisions are "commercial in

confidence" - if so, it suggests ACS is engaging in commercial activity that it shouldn't be. Of course matters like CEO remuneration may be need to be treated sensitively.

**Jack Burton   Mar 9   #448**

Choice:  Yes

Comment:  All the example suggestions in this section sound like good ideas.  It is a tragedy that we have come to have to think about including such things in our governing documents -- a clear indication of a dysfunctional, anti-Member culture within our Society.

Whilst I would prefer that we fix the culture at its root causes, rather than regulate to force the issue, genuine cultural change takes a long time -- probably more time than ACS has left (at least as a professional society) if we don't fix this in short order.

So, whilst it pains me to say so, yes I support embedding absolute requirements for transparency in our governing documents.

The only thing I'll add is that these transparency requirements, if introduced, *MUST* apply to staff to *AT LEAST* the same degree to which they will apply to elected members (otherwise the things we need to know will simply get delegated to staff and disappear from view in short order).

**Tony Errington   Mar 11   #545**

Choice:  Yes

Comment:  The principle should be stated in the constitution. The mechanism can be included in the supporting documentation

**Adrian Mortimer   Mar 12   #572**

Choice:  Yes

Comment:  Part of the communication to members on major decisions should include the assessment against ACS values etc ...

Name: _____Don_____

### 5.4.3 Engagement with the Membership

**Summary**   (50-100 words)

With regard to major decisions, the member commentary was strongly in favour of consultation being required – before commitment.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

There has been the counter argument – that consultation with members limits the ability for commercial agility.

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*A further element of accountability is the need for the governing committee to take steps to be aware of the views of members, through consultation processes designed to elicit comments, not just to project the views of the governing committee and staff.*

*Members want engagement to feature meaningful opportunities to provide input, and to see that it is reflected in the decision-making process.  The activity was not seen to be engagement unless the process involved actively seeking, and embracing, feedback from members*

*In the case of significant initiatives, explanation and engagement are seen as being essential prior to the governing committee entering into commitments.  Significant initiatives were seen as including membership and major new business-lines.  Both the acquisition of ADMA, and the acquisition and development of incubators, were argued to be so significant as to demand prior engagement.*

*It was acknowledged that there are hard choices to be made about which things are to be delegated to the board by the membership, versus published-to-members-in-advance, versus hard-consultative-with-plebiscite, versus put to determinative-member-vote / referendum.*

*A key issue was seen as being which matters and/or which documents are the ones that members most need to be strongly influenced by members rather than delegated to the governing committee.*

Examples of elements that members may wish to be embedded include:

- Engagement with members, by which is meant meaningful opportunities to provide input, and to see that it is reflected in the decision-making process;
- In the case of significant initiatives, engagement prior to the governing committee entering into commitments.

In Round 2, members were asked:

**Do you want the governing committee to be required to engage with the membership about its activities, and in the case of major decisions to do so prior to entering into commitments?**


**Event Reports**

<What participants said in Round 2 Events>

**Canberra Branch – Thu 24 Feb 2022:**

**Andrew**:  ... , where power is centralised, it's essential that we all know who in the organisation does what, so that we can contact them, get relevant information and views from them, and provide relevant information and views to them

**Vic Branch – Tue 2 Mar 2022:**

**Rod**:  Critical.

**NT Branch – 4 Mar 2022:**

**Damien**:  I'm wary, because that's a complicated matter, and could be unwieldy.

**NSW Branch  –  11 Mar 2022:**

**Glenn**:   It's important that members be able to easily deliver ideas to the governing committee, but the final decision remains with the governing committee.

**NSW Branch Focus Group  –  14 Mar 2022:**

**Robert**:   We've lacked a culture of openness.  Are we taking steps to address that?

**Roger**:   We very much need member input on these two points.

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood – 3 March 2022**

I guess this depends on the scale of the activity / decision. If it was something like buying yet another industry association, then yes, I would want the membership consulted, but if it's about how to drive budgets or set objectives for a panel, then engagement and consultation may not be required if the governance and transparency is sufficient.

**Web-Form Votes**

Yes – 7;  No – 2.

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

**Allan Baird   Mar 8   #403**

Choice:  Yes

Comment:  Definitely when it is major

**Alex Reid   Mar 10   #519**

Choice:  Yes

Comment:  Development and publication of a multi-year Strategic Plan should be sufficient for most purposes, but a few major decisions should require engagement with members before action is taken.  Electronic media should enable this to be accomplished without introducing inordinate delays.

Name:   _____Don_____

### 5.4.4 Branch Committee Motions

**Summary**   (50-100 words)

Members supported the expectation that the governing committee would accept motions from BEC and other panels as well as petitions from members.  This was seen as a significant channel for accepting feedback from members.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs
      to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs
      to be inter-related with particular other elements in order to make full sense, ...)

This element of member consultation did not include the extent to which the governing committee would accept or follow such contributions from BEC etc. but a timely response was expected.

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*An element within governance proposed by one member was the capacity of each Branch committee to pass* **a motion of concern,** *or* **a motion of serious concern.** *The first category is a gentle, 'behind closed doors' communication to the governing committee. The second category is for communication to the membership generally, i.e. is a firmer, 'open letter' approach.*

Examples of circumstances in which such approaches might be used are where Branch Committees perceive actions of the governing committee or staff to be inconsistent with the Society's values, mission, purposes and key functions, and where the governing committee has failed to respond reasonably and/or within a reasonable timeframe to lawful resolutions passed by Branch or other Committees of the Society.

Examples of elements that members may wish to be embedded in the constitution, or assured in some other way, include:

•    The capacity of each Branch Committee to pass <u>a Motion of Concern</u>, for communication to the governing committee;

•    The capacity of each Branch Committee to pass <u>a Motion of Serious Concern</u>, for communication to the governing committee and to the membership.

In Round 2, members were asked:

**<u>Do you want Branch Committees to have the power to communicate to the governing committee the dissatisfaction of members in relation to particular matters through formal Motions of Concern and of Serious Concern?</u>**


**<u>Event Reports</u>**

<What participants said in Round 2 Events>

**Vic Branch – Tue 2 Mar 2022:**

**Karl, Jeff**:   YES ... this really matters from a feedback point of view.

**Rod**:   Yes, needed.

**NSW Branch Focus Group  –  14 Mar 2022:**

**Robert**:   What about disallowance motions at General Meetings?

**Roger**:   Input is sought.


**<u>Submissions</u>**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes, this sounds like reasonable safe guards, and let's hope we never have to use it.


**<u>Web-Form Votes</u>**

Yes – 8;   No – 1 (i.e. uses of Web-Form Choices, without any Comments)

**<u>Forum Entries</u>**

**Shane Moore   Feb 3   #157**

Choice:  Other

Comment:  I don't know that it needs to be explicitly stated in the constitution. A more general power of being able to adopt positions/motions (not necessarily just dissention motions) might be useful to include.

**Allan Baird   Mar 8   #395**

Choice:  Yes

Comment:  <mark>BECs need a greater voice.  Congress and MC have shown that they are out of touch with the members.</mark>

**Jack Burton   Mar 9   #449**

Motions of Concern and of Serious Concern?

Choice:  Other

Comment:  Not just members, the BEC or Panel's concern about an action or decision:

<mark>Yes, definitely, but it should not be only the BECs who can do so.  See my comments on petitions to Council (and to BECs) in previous answers.</mark>

**Karl Reed   Mar 10   #488**

Choice:  Yes

Comment:  <mark>Committees, Boards, SIG's etc. should NOT be excluded from doing this</mark>

**Tony Errington  Mar 11   #546**

Choice:  Yes

Comment:  <mark>The key here is to ensure the top tier committee read and take note of a Branch Committees motions and views within an acceptable timeframe.</mark>

Name:   _____Don_____

## 5.4.5 Member Ratification of Proposed Decisions

**Summary**   (50-100 words)

There was support for embracing a constitutional provision of utilization of a member voting system for identifying member views on major decisions.

There was not unanimity in regard to this matter and some members expressed simple trust in the system of elected members.  However most opinions expressed "that the Management Committee and executive needs to share information about strategic initiatives, particularly those relating to membership and major new business-lines, and to seek and embrace feedback from members".

Discussions expanded upon whether such feedback would be only formally advisory (but highly persuasive) or actually binding upon the management committee.  But see s.5.4.6.

**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

An obvious implication is to determine what are decisions make such a provision relevant?

**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*Some categories of decision were seen by members as being sufficiently important that they warrant Endorsement or Ratification by the membership, by (electronic) vote of the Professional Division members.  A 'plebiscite' enables strong advice to be communicated to the governing committee.  The result of **a plebiscite is not binding on the governing committee, but it sends a strong message about members' views**.*

This approach has long been onerous and slow in organisations with a highly dispersed membership. Online voting mechanisms have changed that, however, enabling its practical implementation.

Examples of matters that members might want addressed in this way are listed in sections 5.5.1 and 5.5.2 below.

In Round 2, members were asked:

**Do you want some categories of governing committee decisions to require ratification by members by electronic voting?**


**Event Reports**

<What participants said in Round 2 Events>

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**Discussion**:   Careful decisions are needed about the kinds of topics that should be subject to direct member voting, e.g. only where they satisfy criteria such as:

• 	substantial investment or expense implications (e.g. multi-million-dollar investments)

• 	adjacency to or distance from Key Functions (e.g. inherent cf. additional activities)

• 	closeness to or conflict with key member interests (e.g. rules for membership grades)

**Bevin**:   Don't the three Boards do this on behalf of members already?

**Roger**:   In principle perhaps, but they are advisory not directive, and MC can ignore/vary/override.

**Paul**:   In principle perhaps, but Board-members are free agents rather than representing a constituency, so there is no requirement for them to canvass or represent member views.

**Vic Branch – Tue 2 Mar 2022:**

**Karl**:   In some cases.  Having said that, the Swiss do it successfully.

**Rod**:   Yes under certain conditions

**Roger**:   CRWG needs members' thoughts on what those conditions are.

**NSW Branch  –  11 Mar 2022:**

**Glenn**:  Care needs to be taken in the evaluation of such votes, because of the risk of lobby groups and biasses.


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

I want an electronic plebiscite function written into the constitution but only important / large decisions would need to go to that level, like say wanting to purchase another industry association.


**Web-Form Votes**

Yes – 6;  No – 2.

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

**Don Fraser   Feb 10   #273**

Choice:  Yes

Comment:  member rights, voting systems, major investments or divestments, formal accords

**Allan Baird   Mar 8   #396**

Choice:  Yes

Comment:  Members need more say over decisions that are taken in their name.

**Jack Burton   Mar 9   #450**

Choice:  No

Comment:  I see no value in a non-binding vote.

However, yes, by all means put such important matters to the Members in General Meeting.

**Alex Reid   Mar 10   #520**

Choice:  Yes

Comment:  For example, changes to the Constitution, but very few other categories of decision, I think.  This is the whole point of electing representatives.

Name:      _____Don_____

### 5.4.6 Member Approval for Proposed Decisions

**Summary**   (50-100 words)

Members expressed the opinion that certain categories of decisions require decision by wide member approval.  That is, that member approval be sought and that would be binding upon the management committee and ACS.

Some examples of the categories of such decisions were:

- substantial investment or expense implications (e.g. multi-million-dollar investments)
- adjacency to or distance from Key Functions (e.g. inherent cf. additional activities)
- closeness to or conflict with key member interests (e.g. rules for membership grades)

A secondary discussion arose about confirming the integrity of online voting systems.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

It was not clear that members distinguished between the approval and ratification nature of seeking member feedback.  In both categories, membership views were considered important. It remains a challenge to determine what decisions need to be referred to members.

**Appendix: Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*For some other categories of decision (such as membership grades, the Code of Ethics, internal structures, processes, member representation, Branch powers, norms and priorities), a mechanism is needed to stop unpalatable changes of direction by those to whom members have delegated authority. This is seen by some members as requiring* **Approval by the membership (by electronic vote), equivalent to a referendum***.*

*The mechanism needs to include:*

*   ***transparency**, including easy discovery of and access to documents;*
*   *efficient and rapid **engagement** with the membership using electronic communications and Branch involvement;*
*   *efficient and rapid **endorsement** using secure online voting facilities;  and*
*   *protection against dominance by small, energetic minorities, through the setting of* ***a minimum-participation threshold**.*

*No single formulation emerged of what the key aspects are, but membership and particularly membership grades and eligibility requirements were frequently raised, with mentions also of Branches, Chapters, ACS objectives, the Code of Ethics, and major activities and initiatives.*

*One member, however, argued that the most involvement that members should have in governance is to vote for which director they want to fill a vacancy.*

A referendum process:

*   enables the governing committee to seek prior approval by the membership for an initiative; but also
*   prevents the governing committee taking action without members' approval.

This would be a second tier of approval mechanism, additional to those elements that are subject to approval by the members in General Meeting.

Examples of elements that members may wish to be embedded include:

*   Provisions requiring some categories of decision to be approved by the membership, by online / electronic ballot;
*   Such a decision might be specified as requiring a simple majority of 50%, or 67%, or even 75%, of those voting;
*   Such a decision might be specified as requiring that votes be cast by some minimum number or proportion of the members who are eligible to vote on the day that the ballot is held;
*   Such a decision might be specified as requiring a majority not only among the membership as a whole, but also in a majority of Branches.

In the case of corporations, so-called 'ordinary resolutions' in a General Meeting only require a 50% majority (e.g. election/re-election of directors, appointment of an auditor, acceptance of reports at the general meeting, strategic or commercial decisions, increasing or reducing number of directors), whereas 'special' resolutions require a 75% majority (e.g. changing an organisation's name or making changes to its constitution.

**The provision for a referendum capability runs contrary to the objective of an agile organisation, because it interposes a delay of weeks and even months between a decision by the governing committee and the membership's approval to proceed with it.  So it would be inadvisable for this to be applied broadly.**  Examples of matters that might be regarded as being important enough for this approach to be applied might include:

*   modification of the grades of membership;
*   material modification to the qualifications for entry to and retention of grades.

Examples of matters that members might want addressed in this way are listed in sections 5.5.1 and 5.5.2 below.

In Round 2, members were asked:

**Do you want some categories of governing committee decisions to require approval by members by electronic voting?**

## Event Reports

<What participants said in Round 2 Events>

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**Discussion**:   Careful decisions are needed about the kinds of topics that should be subject to direct member voting, e.g. only where they satisfy criteria such as:

- substantial investment or expense implications (e.g. multi-million-dollar investments)
- adjacency to or distance from Key Functions (e.g. inherent cf. additional activities)
- closeness to or conflict with key member interests (e.g. rules for membership grades)

**Bevin**:   Don't the three Boards do this on behalf of members already?

**Roger**:   In principle perhaps, but they are advisory not directive, and MC can ignore/vary/override.

**Paul**:   In principle perhaps, but Board-members are free agents rather than representing a constituency, so there is no requirement for them to canvass or represent member views.

**Vic Branch – Tue 2 Mar 2022:**

**Karl**:   In some cases.  Having said that, the Swiss do it successfully.

**Rod**:   Yes under certain conditions.

**Roger**:   CRWG needs members' thoughts on what those conditions are.

## Submissions

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes. Happy to use the corporations as a guide here for the 50% majority for ordinary and 75% majority for special resolutions. The two examples of modifications to grades listed are good examples of what should be put to a member vote.

## Web-Form Votes

Yes – 4;   No – 2.

(i.e. uses of Web-Form Choices, without any Comments)

## Forum Entries

**Rod Dilnutt Feb 4   #217**

Yes this is important

**Ann Moffatt   Feb 7   #243**

Choice:  Yes

Comment: like acquiring subsidiaries or paying for membership of the WEF or buying an expensive book on Menzies.

**All Baird   Mar 8   #397**

Choice:  No

Comment:  They should be accountable to MC - but they should be able to demonstrate that they have consulted members and the members views have been taken into account.

[ Forum Manager's Comment:  This may not have been expressed clearly enough.  The question is about how the governing committee, under our present Rules called Management Committee (MC), is to be accountable to the members. ]

**Jack Burton   Mar 9   #451**

Choice:  Yes

Comment:  <mark>Yes, this makes sense for both of the examples given.</mark>

Now, if you're going to hold referenda, why not *run* them like real referenda -- to pass, motion requires the majority of the votes in the majority of the branches?

**Alex Reid   Mar 10   #521**

Choice:  Yes

Comment:  But very few.

**Jack Burton Mar 11   #532**

Again I tend to agree with Alex, but I'd like to add one further qualification:

Whenever automated electronic means are used for receiving, collating or counting votes or for deciding / reporting the outcome of a vote, it is essential that the source code for the voting system be available for inspection, review & public comment (including submitting patches for review, if any fault is uncovered) by anyone eligible to vote. It is difficult, perhaps even impossible to see how Members could reasonably be expected to *trust* a system without the opportunity to see for ourselves exactly how it works.  This is particularly true in a Society for *computing* professionals. Whilst most Members probably will not exercise that right, it is sufficient for that right to be *available* to all electors (even if only a small proportion exercise it).

Such a requirement is the logical equivalent of having scrutineers in traditional manual tally rooms (and indeed we used to have scrutineers at Council & Board elections up until the end of 2007).

**Karl Reed   Mar 11   #535**

Jack, This is increasingly important when the Robson method, of randomising ballot papers is used.

This makes the system hard to test.

But, yes, I agree.

Paper does have its advantages

Name:  _____Don_____

### 5.4.7 Removal of a Member of the Governing Committee

**Summary**   (50-100 words)

A key suggestion was that if a group can elect someone, then they should also be able to remove that person. It was an interesting comment that accountability – after the fact – is simpler than trying to control behavior by restrictions.

Comments raised considered which body could force such a removal and the different minimum thresholds for participants to trigger a removal or spill.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The mechanism for removal – how many voters – avoiding triviality – making efficient - would all need to be decided.  Each governing model and electoral system would need its own removal method/criteria.

**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*Members discussed, as an uppermost-layer regulatory measure, the well-established mechanism of **a Motion of No Confidence in the governing committee**.  There is widespread recognition that this is **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.*

Removal of one or more members of a governing committee is theoretically possible;  but the default process is very difficult for members to exercise.  Members may want to embed in the constitutional document a practical mechanism whereby the membership can remove any member of the governing committee.  The convention of a 'motion of no confidence' in a committee or a member of a committee is symbolic, but does not directly remove any of the committee-members.  So a motion to remove a named person from the committee may be more appropriate.

Mechanisms currently exist whereby the c.25-member ACS Congress can remove 9 of the 11 governing committee members (ACS Rules 8.6.1 and 10.6.1). The importance of this capability was demonstrated when the provisions had to be used in late 2020 to overcome an impasse on the Management Committee.

Members may want such a power to be available to the membership, particularly if the new constitution does not feature a Congress with that power.  Examples of elements that members may wish to be embedded include:

- A motion to remove a named person from the governing committee;
- A Motion of No Confidence in the governing committee, which must be put to a vote at a General Meeting;
- Express mention that the consequence of passage of a Motion of No Confidence in the governing committee is a spill of all positions and, the entering of the Society into caretaker mode pending the completion of a new election process;
- A provision to the effect that either or both of such motions:
    - requires a specific threshold proportion of those voting;  or
    - is an ordinary resolution (requiring 50%) or a special resolution (75%);
- A requirement that Society members who are sponsoring such a motion be provided with a practical mechanism whereby they can communicate with all voting members (see also section 1.2.5 in relation to Communications Channels Among ACS Members):
    - when seeking sufficient numbers to force the motion to be put before a General Meeting;  and
    - during the period leading up to the vote;
- Express mention of such motions as being mechanisms of last resort, with the previously discussed governance elements intended to be sufficient to achieve the resolution of issues.

A further possibility is that members may want to embed in the constitutional document a practical mechanism whereby non-compliance with suitably-expressed conditions results in an automatic spill of the governing committee, and an election process to fill the vacancies.

In Round 2, members were asked:

**Do you want express provisions in the constitutional document that enable the membership to remove a member of the governing committee, as a mechanism of last resort?**


**Event Reports**

<What participants said in Round 2 Events>

**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood – 3 March 2022**

YES PLEASE!!!! I want a vote!


**Web-Form Votes**

Yes – 8; No – 0.     (i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

**Allan Baird   Mar 8   #398**

Choice: ==Yes==

==Comment: Past and recent behavior has shown that this is necessary==

**Jack Burton   Mar 9   #443**

==... As a general principle, if a group of people can elect a person, they ought also to have the power to remove that person from office.==

So, e.g. if under the new system most members of Council are elected directly by the members of the professional division, we should have a rule that if any (say) 20 members of the professional division petition Council to remove a particular member of Council, a vote must be held on that question (with the petitioners given an opportunity to speak and the Council member in question given a right of reply first, naturally) with the same people eligible to vote as would be eligible to elect someone to that role.

Likewise, if the electors for a certain office are Council, then any (say) 2 members of Council should be able to bring such a petition; and if the electors for a certain office are members of the professional division within a particular branch, then any (say) 10 professional members of that branch could bring such a petition (to Council if it's a national role or to the relevant BEC if it's a branch role).

The actual numbers of members required for petitions mooted above are just rough guesses (they'll no doubt need some further work -- should be large enough to avoid frivolous petitions, but small enough to be easily achievable whenever needed), but the general principle is a sound one: candidates should only be elected on their policy platforms and if they deviate from those platforms without good cause their electors should be able remove them promptly.

==Accountability tends to be something that happens after the fact.  We will tie ourselves up in knots if we try to achieve it before the fact.==

**Jack Burton   Mar 9   #452**

Choice: Yes

Comment:  I've covered this mostly in [the preceding] answer -- see my comments there -- basic principle is that he who elected a candidate should have the right to remove him (subject to reasonable minimum numbers of subscribers to the petition).

The idea of Members having a right to put a *general* motion of no confidence in the governing committee as whole is quite a good one, to *supplement* the petitions system I suggested earlier. Such a motion is an extremely blunt instrument and no doubt would only be used in the more dire of circumstances ... but we have *seen* such circumstances multiple times in the last few years, which for me is proof enough that having such a safeguard in place would be a good idea.

**Alex Reid   Mar 10   #522**

Choice: No

Comment:  ==I favour the 2-Tier governing body arrangement, and the larger (elected) body should have the power to remove members from the smaller executive body. Vesting this power in the members at large would be very cumbersome.==

**Keith Besgrove   Mar 15   #652**

Choice: No

Comment:  this is very poor practice and should be avoided

If you have effective, fair and transparent nomination and voting procedures, why do you need this provision?

**Jack Burton   Mar 16   #690**

In an ideal world where every candidate always tells the truth, always stands on a platform consisting solely of policy and never succumbs post-election to any form of temptation, you don't.

But such a utopia does not exist (at least in this world): human nature precludes it.

As a Society, we need a *workable* and *expeditious* system of redress when one or more members of our governing body act in bad faith or in any other way against the interests of the Society.  That *has* happened relatively recently and the Rules as they stood at the time were woefully insufficient to address it before it got out of hand.

Name:   _____Don_____

## 5.4.8 Triggering Thresholds for a General Meeting

**Summary**   (50-100 words)

Although the legal framework for associations or GLBG imposes a provision for members to call general meetings, respondents to this question supported this.

Particular support was given to a fixed number ( not proportion) or members and/or the supplementary motion from BEC.

**Implications**    (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs
to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs
to be inter-related with particular other elements in order to make full sense, ...)

There is no fundamental implications here since the legal framework will require it.  But careful identification of the membership or BEC threshold to trigger the meeting is needed to be big enough to avoid frivolous actions whilst not being too large to create an impractical constraint.

**Appendix:  Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

Members of the governing committee can cause a General Meeting to be convened, and can put motions.  It is a conventional accountability arrangement for members to also have such powers.  Given the centrality of Branches in the Society, the current constitutional document also provides such powers to Branch Committees and to Branch Congress Representatives.

Examples of elements that members may wish to be embedded include:

•  Provisions declaring a number and/or proportion of the membership needed to trigger a General Meeting and/or consideration of a Motion at a General Meeting;

•  Provisions declaring a number and/or proportion of the membership that is readily achievable, taking into account the extent to which sponsors of such a motion have or do not have the opportunity to convey the request for support to the membership as a whole;

•  Provisions declaring that passage of a materially similar Motion by any two Branch Committees triggers consideration of a Motion at a General Meeting.

In Round 2, members were asked:

**Do you want express provisions in the constitutional document that:**
**(a)    enable a nominated number or proportion of members;  and/or**
**(b)    enable a nominated number and/or proportion of Branch Committees;**
**to trigger a General Meeting, and to force a motion to be put to such a meeting?**


**Event Reports**

<What participants said in Round 2 Events>

**NSW Branch Focus Group  –  14 Mar 2022:**

**Robert**:   What about disallowance motions at General Meetings?

**Roger**:  Input is sought.


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes, I believe this is a powerful deterrent that I hope we never need to use.


**Web-Form Votes**

Yes – 6;  No – 0.

**Forum Entries**


**Shane Moore   Feb 3   #161**

Choice:  Yes

Comment:  The current Model rules of most states' incorporated associations requires this anyway.

**Allan Baird   Mar 8   #399**

Choice:  Yes

Comment:  Past and recent behavior has shown that this is necessary

**Jack Burton   Mar 9   #453**

Choice:  Yes

Comment:  Yes, such provisions are necessary.

Absolute numbers of members make a better threshold mechanism than proportions of the members (as the latter makes it harder to get rid of a bad governing body when the organisation has a large number of members -- which is exactly *when* the governing body is *most* likely to attract candidates with less altruistic motivations).

The motion of 2 BECs idea is also useful, but should *supplement* (not replace) a petition by a given number of members.

The number of members at which to set the threshold needs to be considered carefully -- must be small enough to be achievable when needed, but large enough to discourage frivolous motions.

**Karl Reed   Mar 10   #489**

Choice:  Yes

Comment:  I like the last point

Name: _____Don_____

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### 5.4.9 Publication of Governing Committee Minutes

**Summary**   (50-100 words)

Members supported publication of minutes. They also supported publication of associated accounts, scorecards and KPI's. Examples were given of other bodies that either had open meetings or published minutes.

Minor discussions were raised about timeliness, selective redaction, and level of detail to be published.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

Publication of minutes is a key component of transparency and any accountability mechanism. Member comments included allowance for summary rather than details and for certain matters of sensitivity to be precluded.

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

*The argument was put that governing committee Minutes should be published, including information about initiatives under discussion, such as new business-lines.  The need was acknowledged for a small minority of the details to be recorded in an unpublished section of the Minutes.*

A particular contribution towards transparency is the open availability of the Minutes of meetings of the governing committee to the membership.  Such rights may or may not be established by law, and members may wish to have the right established by the constitutional document, whether or not the law in force at the time provides for it.

Examples of elements that members may wish to be embedded include:

•  Provisions requiring that the Minutes of governing committee meetings be published in a manner that makes them available to all members, including information about initiatives under discussion, such as new business-lines;

•  Provisions enabling a small minority of details to be recorded in an unpublished section of the Minutes, but subject to strict limitations as to the circumstances in which this provision can be invoked.

In Round 2, members were asked:

**Do you want express provisions in the constitutional document that require publication of the Minutes of meetings of the governing committee?**


**Event Reports**

<What participants said in Round 2 Events>

**Vic Branch – Tue 2 Mar 2022:**

**Karl**:   IEEE-CS Board meetings are open to all


**Submissions**

<What participants said in Round 2 Submissions>

**Sam Horwood  –  3 March 2022**

Yes. Minutes and financial accounts, annual reports, management scorecards, and KPI's should be electronically published to all voting members. Happy for the minutes to be a high level summary rather than a full transcript of every meeting

**Web-Form Votes**

Yes – 6;  No – 1.

(i.e. uses of Web-Form Choices, without any Comments)

**Forum Entries**

**Ann Moffatt   Feb 7   #244**

Choice: Yes

Comment:  excluding particularly sensitive items.

**Don Fraser   Feb 10   #274**

Choice:  Yes

Comment:  may need to exclude some "business" details.

**Allan Baird   Mar 8   #400**

Choice:  Yes

Comment:  if it is good enough for the RBA - then what has the ACS got to hide?

**Alex Reid   Mar 10   #523**

Choice:  Yes

Comment:  But provision should be made for small sensitive items to be redacted (provided this is limited).

In addition, consideration will need to be given as to whether unconfirmed minutes be made available, or be withheld until confirmed at the next meeting, or some hybrid arrangement.

Name:   Roger

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### 5.5   The Matters of Greatest Importance to Members

**Summary**   (50-100 words)

The two questions about member ratification and member approval have been combined.
The items most frequently raised during open-ended discussions were:

*       Mission;
*       Purposes;
*       Code of Ethics;
*       Membership grades;
*       Membership eligibility requirements;
*       Major Initiatives, particularly those relating to additional activities beyond Key Functions;  and
*       Branch and Chapter powers and resourcing.

Also mentioned were:

*       Principles for determining the allocation of surplus;
*       National group Terms of Reference;
*       National group Procedures for Elections and Operations;
*       Branch Committee Terms of Reference and Procedures;

Principles offered during discussions were:

*       Substantial investment or expense implications
        (e.g. multi-million-dollar investments whether in IP, acquisitions, lease commitments, or even
        office fit-out);
*       Adjacency to or distance from Key Functions (e.g. inherent cf. additional activities);
*       Closeness to or conflict with key member interests (e.g. rules for membership grades).

Arguments were put for the following to be subject to ratification rather than approval:

*       Dispute Resolution Procedures;
*       Principles underlying the Fee Schedule, including gratis memberships;
*       Standing Orders for Meetings.

However, responses ranged between outliers arguing for all matters, and no matters, to be subject
to member involvement.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs
        to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs
        to be inter-related with particular other elements in order to make full sense, ...)

Include in the options all of:

*       embedment in the constitutional document, requiring 75% approval in general meeting;
*       member approval in an online referendum, requiring 50% approval;  and
*       member ratification in an online plebiscite, enabling communication of member attitudes.

Indicate the current allocations of matters to each category, and invite submissions that explain
contributors' reasons for opposing or varying those allocations.

## 5.5 The Matters of Greatest Importance to Members

If either or both of referendum and 5.4.6 approval, and plebiscite and 5.4.5 ratification, are to be adopted, it is necessary to determine which matters and/or documents are to be subject to them.

### 5.5.1 Matters Subject to Member Approval

*Members acknowledged that there are hard choices to be made about which things are to be:*

• *delegated to the governing committee by the membership;*

• *published-to-members-in-advance, enabling feedback to be provided;*

• *subject to consultative decisions by means of a plebiscite; and*

• *subject to to determinative member vote, by means of a 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.*

This approach intersects with the approach of 'embedment in By-Laws' discussed at the beginning of section 5. It is possible to specify in the constitutional document that member approval is necessary for all aspects of the By-Laws (equivalent to the current National Regulations), or for By-Laws that deal with particular matters. Care is needed, however, because delay, effort and expense are involved in online voting processes across a large electorate, and the approach conflicts with the desire for the Society to be agile.

Members may want to consider embedding 5.4.6 Approval in relation to decisions about such mattters as the following:

• To the extent that the following are not embedded in the constitution (and hence not subject to approval by the members in General Meeting):
  • the Society's Mission;
  • the Society's Purposes;
  • the Society's Key Functions;
  • the principles for determining the allocation of surplus; and
  • Code of Ethics - National Regulations 4;
• Membership Grades - National Regulations 2.1, 2.5;
• Qualifications for Admission - National Regulations 2.2;
• Terms of Reference and Procedures for Elections and Operations, including:
  • Panels (currently called Boards);
  • National Committees;
  • Task Forces, Working Groups and similar time-limited groups with a project focus and a limited timeframe;
  • National Special Interest Group Terms of Reference and Procedures - NatRegs 9;
  • Branch Committee Terms of Reference and Procedures - National Regulations 8;
• Major initiatives, particularly those relating to business-lines;
• Dispute Resolution Procedures;
• Principles underlying the Fee Schedule, including gratis memberships.

Further, if members want embedment of element 5.4.6 Approval, then decisions need to be made about **the mechanics of the approval process**, including:

- How notice is to be given;
- How long before the time of the vote that notice is to be given;
- By what means the vote is to be conducted, in particular:
  - in General Meeting;  and/or
  - by online / electronic ballot;
- What majority is needed for the vote to be carried, most likely:
  - a simple majority of those who vote;  or
  - a majority greater than 50%, e.g. 67% or 75%;
- Whether some threshold proportion of the eligible voting membership must cast a vote for the decision to be valid, e.g. 3%, 5%, 10%.

In Round 2, members were asked:

**What matters and/or documents do you want to be subject to approval by the members?**

**Event Reports**

**Queensland BEC Mon 14 Feb 2022:**

Marilyn:   My personal 'hot issue':  Fairness and equity in membership aspects

**Queensland Branch 'Chapters and Emerging Pros' 25 Feb 2022:**

**Discussion**:   Careful decisions are needed about the kinds of topics that should be subject to direct member voting, e.g. only where they satisfy criteria such as:
- substantial investment or expense implications (e.g. multi-million-dollar investments)
- adjacency to or distance from Key Functions (e.g. inherent cf. additional activities)
- closeness to or conflict with key member interests (e.g. rules for membership grades)

**Bevin**:   Don't the three Boards do this on behalf of members already?

**Roger**:  In principle perhaps, but they are advisory not directive, and MC can ignore/vary/override.

**Paul**:   In principle perhaps, but Board-members are free agents rather than representing a constituency, so there is no requirement for them to canvass or represent member views.

**Vic Branch – Tue 2 Mar 2022:**

**Cynthia**:  Consultation / ratification / referendum dependent on category.

**Karl**:  Interesting questions.

**Roger**:   **CRWG needs specific thoughts on:**
- members' priorities;
- the trade-off between this source of member control over a wayward GC and the other measures floated in s.5.4;  and
- the trade-off between the inevitable slowness and uncertainty involved in these processes and the ability of GC, CEO and staff (a) to ensure ongoing operations, and (b) to be agile in relation to external factors, threats and opportunities.

**Submissions**

**Sam Horwood  –  3 March 2022**

I think the following examples ought be subject to approval by members. Sure the specifics can be drafted separately by some other review group, but if we're changing the society we need buy in from the members in the form of a simple majority of voting members via electronic ballot.
- To the extent that the following are not embedded in the constitution (and hence not subject to approval by the members in General Meeting):
  - the Society's Mission;
  - the Society's Purposes;
  - the Society's Key Functions;
  - the principles for determining the allocation of surplus; and
  - Code of Ethics - National Regulations 4;
- Membership Grades - National Regulations 2.1, 2.5;
- Qualifications for Admission - National Regulations 2.2;

**Forum Entries**

**Shane Moore   Feb 3   #163**

Comment:  The 'takeover' of any other organisation; the decision to purchase/build any large expensive property over some set threshold; investment/spend above a particular set threshold in a given year; and those matters listed in the "further information on this element"

**Shreyas Devarajan   Feb 6   #229**

Comment:  If there is some way to generalize the different 'types of topics' which are at hand, a survey could be established to understand the members' opinion as to what they would like to review and which are not.

This could give us a baseline on the general consensus and provide an the idea as to how to work around the issue.

**Ann Moffat   Feb 7   #245**

Comment:  large, out of budget expenditures. buying subsidiaries.

**Rimas Skeivys   Feb 10   #275**

Comment:  None

**Jan Kornweibel   Mar 6   #371**

Comment:  I agree with the list in the Consultation Document

**Justin Pierce   Feb 3   #98**

No, but refer to it.

It will change from time to time, the constitution should not.

**Rupert Grayston   Feb 21   #337**

The ACS Code of Ethics is currently embedded in the Regulations, where they can be updated from time to time as professional practice evolves.  Changes to the Regulations are subject to member notification and Management Committee approval.  The ACS Ethics Committee (under the oversight of the Profession Advisory Board) has indeed undertaken member surveys and done much work in recent times to review the Code of Ethics and to make recommendations to the MC.  I think this has taken 2-3 years.  If the CoE were embedded in the ACS Rules (constitution) an update could wait a very long time for the next membership ballot.  The current ACS Rules haven't been updated since 2010.  The constitution should create powers for creation of a Code of Ethics to which members are bound.  The Code of Ethics can be a stand-alone document (which can be more convenient) or embedded within the Regulations as at present.

**Karl Reed   Feb 21   #343**

I don't agree here.

The basic requirements of a Code of Ethics stem from whether ACS is a professional society or a body for anyone in IT.

Leaving the CoE to regulations means it can easily be changed in a manner that reduces the Society's commitment to professionalism

**Alex Reid   Feb 22   #348**

I do believe that the Code of Ethics needs to be referenced in the Constitution, but not fully spelt out there.  It is paramount that as a Professional Body we have a Code of Ethics, so this should be firmly established in the Constitution.  However, work over the past 3 years trying to revise the CoE has led me to believe that the *detail* should be in a form that can be updated without huge effort.  The proposed new CoE as currently drafted is based on 4 key values, and it may be sensible to embody them in the Constitution, with the greater detail of how that works out in practice in a more readily modifiable document, so that we can adapt quickly to changing challenges that advances in IT present (eg AI/ML).  The Constitution should clearly state that there should be a CoE, and that all members are expected to abide by it, maybe also that failure to do so may/will result in disciplinary measures;  it should perhaps also set out the 4 key values (honesty, trustworthiness, respect for others, and respect for the profession) on which the CoE is based.  Embedding these key values in the Constitution should also serve to ensure (if we haven't done so already) that we've really thought them through properly.

1 person liked this

**Tony Errington Mar 9  #420**

I agree with Alex here, and mostly with Rupert. The Code of Ethics will need to change over time and putting it into the constitution would make that difficult if not impossible. However, the basic key values do need to be in the constitution, and the constitution should reference the CoE.

**Jack Burton   Mar 9  #454**

Comment:  Changes to ANY AND ALL governing documents should be subject to member approval, as should ANY AND ALL mergers and acquisitions.

Of the list of examples given, almost all of them should be subject to member approval.

The only exception I can see in there is the setting of membership fees -- which in my view should *only* be subject to member approval if the proposed fee increase exceeds the (Australia-wide) CPI for the period since the last change to membership fees (it is quite reasonable to expect Council to decide on fee increases in line with inflation when necessary, without having to ask the members for permission to do so).

Having said that, I do not regard giving away gratis membership to entire classes of person (cf. just specific individuals for HM/HF/HLM, which of course BECs/Councils/MCs should be able to do, subject to the guidelines, without asking anyone's permission), such as was done with the overseas skills assessment applicants, to be a mere fee schedule matter. IT WAS A MAJOR CHANGE OF POLICY (clearly designed to dilute the professional membership and falsify membership statistics to fake reports of growth at a time when the membership was seriously *declining*) about which we the Members were never consulted and that sort of thing should never ever be allowed to happen again.

So, if making routine fee increases less convenient than they ought to be to approve is the price we have to pay to prevent any possibility of a repeat of such a travesty, then so be it.

**Karl Reed  Mar 10  #490**

Comment:  bp1.1,bp1.2,bp1.3,bp1.4, bp2, bp3, bp3.1 bp3.2 a generic set of Terms of Reference only, the details will vary for each committee bp5, bp6, bp7:

bp1.1  Mission

bp1.2  Purposes

bp1.3  Key Functions

bp1.4  principles for determining the allocation of surplus

bp2    Membership Grades - National Regulations 2.1, 2.5;

bp3    Qualifications for Admission - National Regulations 2.2;

bp4    National group Terms of Reference and Procs for Elections and Operations, incl.:

bp4.1  Branch Committee Terms of Reference and Procedures - National Regulations 8;

bp4.2  National Special Interest Group Terms of Reference and Procedures

**Adrian Mortimer   Mar 11  #551**

Choice:  Embedded in some other document

Comment:  While many of the Key Functions will remain stable in the face of advancing technologies and societal change, some will not, and there is no doubt that the ACS will need to adapt and change over time, so in the interests of reducing the need for changes to the Constitution, and keeping it as simple as possible, I'd be inclined to reference the key functions to a separate document which the Constitution requires be approved by the membership, and adhered to by the governing body.

**Adrian Mortimer   Mar 12  #573**

Comment:  The list given in the Consultation Document would appear appropriate.  A basic principle should be that any decision which has a significant impact on the society or on members should be subject to approval by members, as should decisions which imply significant risk to members funds or are likely to require a significant part of the Society's resources.

### 5.5.2 Matters Subject to Member Ratification

In addition to the possibility of requiring membership approval of some matters, members may want to consider embedment of 5.4.5 Ratification of some other matters or documents.

Note that this is a 'softer' form of member power than Member Approval, in that the results of a plebiscite are of the nature of advice to the governing committee on the acceptability of a proposal, not a direction to the governing committee.

On the other hand, the delay, effort and cost involved in a plebiscite is much the same as for a referendum.

Members may want to consider embedding 5.4.5 Ratification in relation to decisions about such mattters as the following:

- Any of the elements listed in section 5.5.1 that are not made subject to the membership approval process;
- Schedule of Fees;
- Code of Ethics Supporting Materials;
- Code of Professional Conduct;
- Course Accreditation - National Regulations 2.4;
- Procedures for Admission of Members - National Regulations 2.3;
- Definitions and Procedures for Special Categories of Membership - National Regulations 2.6-2.8;
- Disciplinary Procedures - Rules 6-7, National Regulations 5;
- Standing Orders for Meetings;
- Procedures for Membership Administration - National Regulations 2.9-2.12, 2.14;
- Membership Fee Administration - National Regulations 3;
- Procedures for Online Voting.

Further, if members want embedment of element 5.4.5 Ratification, then decisions need to be made about the mechanics of the approval process, including those listed immediately above at the end of section 5.5.1.

In Round 2, members were asked:

**What matters and/or documents do you want to be subject to ratification by the members?**

**Event Reports**

**Submissions**

**Sam Horwood – 3 March 2022**

I think the following examples ought be subject to ratification by members:

- National group Terms of Reference and Procedures for Elections and Operations, including:
    - Branch Committee Terms of Reference and Procedures - National Regulations 8;
    - National Special Interest Group Terms of Reference and Procedures - NatRegs 9;
- Major initiatives, particularly those relating to business-lines;
- Dispute Resolution Procedures;
- Principles underlying the Fee Schedule, including gratis memberships.

**Forum Entries**

**Shane Moore    Feb 3    #164**

Comment:  Yes, I think By-laws, or at least "Standing Orders for Meetings" should be subject to ratification before being altered. I guess which things should be for ratification and which for approval, I don't have strong views about which category things should be placed into.

**Ann Moffatt    Feb 7    #246**

Comment:  joining/amalgamating with other societies. committing the ACS to out of budget expenditures.

**Rimas Skeivys    Feb 10    #276**

Comment:  None

From: rimas@ugovern.com.au

**Jan Kornweibel   Mar 6   #372**

Comment:  I agree with the list in the Consultation Document

**Allan Baird   Mar 8   #401**

Comment:  All of the above

**Adrian Mortimer   Mar 12   #574**

Comment:  Again the list given in the consultation document seems like a good starting point, but otherwise as per s.5.5.1 response, the basic principle is that decisions with significant impacts should be ratified.

Name:   Roger

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## 6.     Possibly Non-Controversial Elements

**Summary**   (50-100 words)

Members noted several aspects that are already in the list for inclusion in the new document, but also highlighted several that had not been expressly declared, or whose intent was unclear.

It was re-affirmed that many members want the constitutional document to preclude payment to members of the Society for the performance of governance roles on committees.

Procedural aspects were also discussed, such as the process for ensuring both legal compliance and effective but efficient governance processes.

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**Implications**   (The 'So what?' factor, e.g. important, low relevance to the constitution itself, needs to be noted as a pre-condition for particular design choices, needs referral elsewhere, needs to be inter-related with particular other elements in order to make full sense, ...)

The design will need to ensure that all meetings can be any and all of physical, video-only and hybrid.  However, consideration needs to be given to a provision that prohibits the use of technology for General Meetings and meetings of governance committees in such a manner that some members are denied their right to hear, speak and vote.

Some features of the existing Rules will need to be carried over into the new constitutional document, particularly important rights in relation to Notices of General Meetings, and procedures during GMs

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**Appendix:   Text Extracted from the Members' Input File, with Highlighting**

(Yellow highlight (or similar) on key / quotable expressions)

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### 6.      Possibly Non-Controversial Elements

A constitutional document variously must contain, conventionally does contain, or may contain, a considerable variety of elements.  A Checklist is provided below, developed from a variety of published sources and exemplars of constitutional documents.

The CRWG included in the second round Question List and Consultation Document all of the elements that it considered to be of consequence at this stage of the process, and perceived the other elements as largely uncontroversial.  Many of the additional elements will be implied by decisions made on the important elements above.  Others will be addressed in the final stages of the development of the new constitutional document.

*Recurrent confusions arise from the highly unusual usages of some terms in the current ACS Rules. Specifically, the following terms need to be used in the replacement constitutional document in ways consistent with normal organisational practice:  board, director, executive committee, branch committee, branch executive committee.*

In Round 2, members were asked:

**Are there any further features, or indeed any unlisted features, that you believe require discussion in this Round?**

**Event Reports**

**Tas BEC and Branch – 9 Mar 2022:**

**Ray**:    Are lawyers with relevant expertise to be involved in reviewing the clauses?  It's important to avoid the kinds of contradictions that the current Rules contain.

**Answer**:   Yes, once members' views on the elements are clearer (only a few weeks away), and clause drafting is under way.  And yes, the lawyers will need both associations and corporations constitutional expertise, familiarity with ACNC, etc.  ACS staff, in particular the Governance Officer, will also be asked to review the clauses, to identify procedural issues that need to be avoided.

**NSW Branch  –  11 Mar 2022:**

Ali:    It's important that the constitutional document enable meetings of governing committee and congress to be any and all of physical, video-only and hybrid.  COVID has provided experience of the benefits of all variants, and both ACS and individual committee members will want to take advantage of them.

**NSW Branch Focus Group  –  14 Mar 2022:**

**Nick**:   What approach is being taken to ACNC, and ACS's charitable institution status?

**Roger**:   We have to confront that shortly, in Round 3.  Once we have a clear formulation of the issues, this might be a topic to bring back to this Focus Group!

**Robert**:   When is the shift to a company limited by guarantee (CLG) to be discussed?

**Roger**:  In Round 3, along with our standing with ACNC.  There's no federal Associations Incorporation statute, and CLG flexibility for large associations has yet to be clarified.

**Submissions**

**Sam Horwood  –  3 March 2022**

Out of interest, is there a separate document that provides guidance on how a surplus is governed and what discretion executives / committees have? Or will that be embedded in the constitution?

**Forum Entries**

**Roger Clarke   Mar 10   #457**

Comment: One thing that perhaps should have been said is that, in drafting the clauses for the 'non-controversial elements', we'll generally need to be careful to carry over from the existing Rules, a number of important rights. An example is Notices of General Meetings, and procedures during GMs.

**Karl Reed   Mar 10   #491**

Comment: Omit items BP2 and BP9. The latter may need to be varied quite a bit from time to time:

BP2   Schedule of Fees;

NP9   Standing Orders for Meetings;

**Jack Burton Mar 10   #498**

Comment: Bizarre as it might sound, I think we need a provision that prohibits arbitrary choice of technology (or its configuration) with which to run General Meetings being used as an excuse to deny any Member the right to speak at General Meetings.

This is not a hypothetical problem -- it actually happened to me: at the 2020 AGM I was denied my right to address the meeting, and I suspect others were too (questions were called for from the Chair multiple times, but none were ever forthcoming, save from those who were present in person) -- when I tried to use the "features" of the platform (I had dialled in by phone, because the proprietary software platform chosen for the meeting was incompatible with all of my computers) they didn't work, so I requested an operator and the operator told me that "interaction has been disabled for this meeting" at the request of the convenor. My subsequent requests for an explanation from the powers that be at ACS (at that time -- not the people in those roles today) predictably elicited no response at all.

**Jack Burton Mar 10   #499**

Comment: I am curious as to why the item "Members of the Governing Committee // Payments" has been listed as non-controversial.

This is a topic that came up multiple times in discussions of the previous (failed) attempt to restructure. At the time many of us were very concerned at the prospect of members of the ACS' governing committee attracting financial gain from their elected office (something which is clearly prohibited under our current structure and governing documents).

If it is non-controversial because *everyone* now agrees that MC/Council/Board members deriving financial gain from their elected office can never be acceptable, then yes I agree too...

...but if there is any possibility of that being back on the table, then clearly it needs to be subject to open debate first (based on the level of objection to it last time).

**Karl Reed   Mar 10   #507**

I agree with Jack on this..

In a volunteer organisation such as ACS, office bearers should NOT be remunerated.

**Alex Reid   Mar 10   #525**

Comment: Indemnity and insurance also for volunteer members of the Society's various committees, bodies should also be included.

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## Checklist of Elements of a Constitutional Document

Underlined Elements below are at least in part addressed above;  but the others are not.

Definitions and Interpretation

- Name of the Organisation
- Objects / Mission, Purposes, Powers
- Application of Income / Not-for-Profit provision
- Membership
  [ of the Society and/or of the Entity, depending on the structure chosen ]
  - Liability of Members / Winding-Up (Contribution, Distribution)
  - Categories (Member of Organisation cf. Professional Member cf. associate grades)
  - Transferability
  - Obligations of a Member

- Rights of a Member (Speaking, <u>Voting in General Meetings</u>, Voting in Online Votes, Notices of Meetings and of Fees, Access to Information and the Register of Members, Calling of Meetings, Proposing Resolutions)
  - <u>Determination of Fees</u>
  - Application, Assessment, Admission, Cessation
  - Register
  - Proxies and Attorneys for Members
  - Late Payment, Reinstatement, Deregistration through Non-Payment
  - Disciplinary Process for a Member
- <u>Dispute Resolution Process</u>
- General Meetings
  - <u>Powers to Convene</u>
  - Notice
  - Proceedings (Online and Hybrid Meetings, Notice, Business, Chair, Quorum, Adjournment, Technology, Voting, Minutes)
  - Procedures for Amendments to the Constitutional Document
  - <u>By-Laws / Regulations</u>
- Members of the Governing Committee
  - <u>Number</u>
  - <u>Qualifications</u>
  - Term
  - <u>Maximum Term</u>
  - Payments
  - <u>Election / Appointment of Directors</u>, Election of Chair
  - Cessation, Casual Vacancies
- The Governing Committee
  - <u>Powers, Duties</u>
  - Proceedings (Online and Hybrid Meetings, Notice, Business, Chair, Quorum, Adjournment, Technology, Voting, <u>Minutes</u>, Circular Resolutions, Delegations)
  - <u>Delegation of Powers</u>
  - Seal
- <u>Chief Executive Officer</u>
- Secretary
- Accounts, Auditor, Records
- Indemnity, Insurance for Officers
- Transitional Provisions (governing committee members, the first election, existing internal committees, existing policy documents)