



Hospital Caterer's Association

Constitution and Rules

HCA Constitution and Rules

NAME

1. The name of The Association shall hereinafter be called The Hospital Caterers' Association.

AIMS AND OBJECTIVES

2. The aims and objectives of the Association shall be the promotion and improvement of the standards of Catering in Hospitals and Health Care in Great Britain and Northern Ireland and elsewhere; the education and training of persons engaged in Health Care Catering Services and the provision and improvement of the professional interests and status of those engaged in the Health Care Catering Services.

CODE OF PRACTICE

3. The Hospital Caterers' Association requires that members of the Association shall:
 - a. Seek to achieve excellence in the management and delivery of the catering services for which they are responsible and seek to encourage the pursuit of excellence by others
 - b. Accept that they have a duty to develop their own knowledge and understanding of their profession and actively seek opportunities to improve their competence, by participation in the educational programmes of the Association and those offered by other organisations and institutions
 - c. Share their professional knowledge and experience with other members of the Association, providing support and encouragement when this is likely to achieve beneficial change
 - d. Help all members of their staff to achieve their full potential by devoting time to coaching them and encouraging the acquisition of appropriate learning and qualifications
 - e. Take care to avoid bias, unfair discrimination including but not limited to gender, age, race, religion, disability and background or prejudice in the planning and delivery of services; in their recruitment practices and in the day-to-day management of their staff
 - f. Identify and seek to prevent the acceptance of any proposals that are likely to lead to the reduction of service quality or safety to a level where the quality of life or welfare of patients and other service users may be jeopardised
 - g. Strive to achieve the maximum efficiency possible in the management and use of resources, including active support for joint purchasing arrangements where these are shown to provide best value for money
 - h. Maintain staff training programmes and diligently operate food handling systems that ensure the food and beverage services, for which they are responsible, do not put the health, safety or well being of consumers at risk
 - i. Collaborate with other Health Care Staff, appropriate individuals and agencies in any enterprise that aims to improve the health and well being of those served and of the population at large.

CODE OF CONDUCT

4. The Hospital Caterers' Association further requires that members of the Association shall:
 - a. Conduct their professional and private life in a manner which avoids the risk of bringing themselves or the Association into disrepute
 - b. Not exploit their membership or position within the Association for improper personal gain or benefit
 - c. Accept the discipline of public accountability which requires that they meet and are seen to display the highest standards of probity and impartiality in all their dealings on behalf of their employer
 - d. Conduct their professional and personal relationships with other members of the Association in a manner which ensures that the work and standing of the Association is enhanced
 - e. Maintain the highest standards of professional conduct and integrity in all their dealings on behalf of the Association and as an individual with patients, staff, the public, and the media.

MEMBERSHIP

- 5a. Membership of the Association shall be restricted to persons actively employed in Health Care Catering Management, persons holding Senior Catering Supervisory positions, actively employed in Health Care Catering who in the opinion of Council are appropriately qualified, and other Health Care professionals with appropriate qualifications and/or expertise, who are actively

employed to manage food and nutrition for patients. In exceptional circumstances, persons with suitable experience may be admitted at Council's discretion. Persons elected to membership under this rule will be referred to as 'Full Members'

- 5b. Members may retain their full membership status if or when they change positions to another discipline provided they are still employed within Health Care and their membership is continuous.
- 5c. Associate membership of the Association shall be restricted to persons associated with providing goods and/or services to the Health Care Sectors. Persons elected to membership under this rule will be referred to as 'Associate Members' subject to the following conditions:
 - (i) At any one time one Associate Member (of the Association) per Branch may hold a Branch Officer position, either Branch Chairman, Branch Secretary or Branch Treasurer, but excluding the position of Council Representative. Associate Members of the Association may not hold a National Officer Position.
 - (ii) Associate Members of the Association elected to a Branch Officer post as in Rule 5c (i) shall be entitled to all rights and privileges at branch level of Full Membership while holding that position. All other Associate Members of the Association have no voting rights.
 - (iii) Each Branch of the Association may have up to, but not exceeding one third of its total membership (Full, Life, and Honorary) as Associate Members.
- 6a. Full Members of the Association, who on the grounds of age or ill health retire from active participation in the provision of goods and/or services to the Healthcare Sector, shall at the termination of the subscription year, current at the date of such retirement, on application to the Honorary National Treasurer of the Association and on payment of a fee equivalent to the highest level of subscription then current, be entitled to become Life Members of the Association. Such members (referred to as 'Life Members') shall be entitled to all the rights and privileges of Full Membership.
- 6b. Associate Members of the Association, who on the grounds of ill health retire from active participation in Health Care Catering Management, shall at the termination of the subscriptions year, current at the date of such retirement, on application to the Honorary National Treasurer of the Association and on payment of a fee equivalent to the highest level of subscription then current, be entitled to become Life Member of the Association. Such members (hereinafter referred to as 'Life Associate Members') shall be entitled to the privileges of Associate Membership but shall have no voting rights.
7. In addition to persons qualified to become Full Members, Associate Members, Life Members or Life Associate Members, within the immediately foregoing rule of the Association, At the General Meeting and on the recommendation of Council, a person may be elected to Honorary membership of the Association any person who in the opinion of the Association as expressed by resolution of the general meeting, has materially contributed to the achievement of the aims and objectives of the Association.
8. Every candidate for Membership of the Association shall be proposed and seconded by members of the Association. Applications for Membership shall be made to the Honorary Treasurer of the Branch of the Association and shall be forwarded by them with such information as may be required to the Honorary National Treasurer of the Association. The acceptance or rejection of applications for membership shall be processed by the Council or the Executive. Appeals will be at the sole and unfettered discretion of the Council, subject to the requirement of Rule 5 and 6.

CESSATION OF MEMBERSHIP

9. Any Honorary Member may resign from the Association by informing the National Secretary in writing of their intention to do so.
- 9a. Life, Full, or Associate members may resign from the Association by informing their Branch Secretary in writing of their intention to do so. Full and Associate Members are liable to pay their subscriptions in full for the year in which this resignation is received.
10. The Council may in their absolute discretion cancel or re-instate the Membership of any Full or Associate Member of the Association. Provided a Member paid their subscription according to Rule 14 and 15 they may be re-instated on application with no financial penalty. Lapsed Members will be considered for re-instatement on completion of an application. Lapsed Members should be considered as new Members after a lapse of 2 years.
11. Without prejudice to the provisions of Rule 10 above, if, in the opinion of Council, the conduct of any Full or Associate Member of the Association is such as to render it undesirable in the interests of the Association that they should continue to be a member, the Council may determine their membership and expel them from the Association. However, first notice of a resolution to expel a Full or Associate Member, under the power hereby given, to the Honorary Secretary of the Council, at which such resolution is to be proposed. The Honorary Secretary shall then forthwith notify the Full Member or Associate Member, whose conduct is the subject of the resolution of the terms thereof and invite them to submit their observations there on. Any observations received from such as Full Member or Associate Member shall be reported to the Council by the Honorary Secretary before any vote is taken on the resolution and the Council, may if they so desire, defer voting on a resolution to expel a Full Member or Associate Member until they have appeared before them and shown cause why they should not be expelled.
12. The Membership of an Honorary Member of the Association shall not be determined under Rule 11 hereof, but the Association may by resolution in General Meeting and upon the recommendation of the Council, whose report shall include the purport of any observations received from the Honorary Member concerned, determine Honorary Membership granted to any person under Rule 7 hereof.

13. No person whose membership of the Association has been terminated under these rules, shall be re-admitted to the Association otherwise than in pursuance of a resolution of the Council, carried with not less than three quarters of the number of Members of the Council present voting in favour. No Honorary Membership shall be offered to any person whose previous membership has been determined by action under these rules, otherwise than by the Association in General Meeting on the recommendation of the Council, whose resolution to make such recommendations has been passed by a similar majority.

SUBSCRIPTIONS

14. The annual subscriptions payable by Full Members, Associate Members, and Patrons and or Corporate Patrons of the Association shall be due to be payable on the 1st day of November each year, the amount due being in accordance with the current rates, plus vat as determined at the Annual General Meeting in accordance with these Rules.

All reviews of subscription rates will be determined by Council and approved at the Annual General Meeting of the Association.

Branch Capitation on Subscriptions exclusive of vat received by the Honorary National Treasurer by:

The last day of January - 30% retention

The last day of February - 20% retention

After the last day of February - Nil retention

The first subscription paid by a new Member will qualify for 30% retention by the Branches.

15. Where a Member fails to pay a renewal subscription on or before the last day of February the Honorary Branch Treasurer shall write to the said Member giving notice therein that unless the required subscription is submitted to the Honorary Branch Treasurer within 30 days of the date of the communication the Member's name shall be removed from the Branch's and Association's membership roll.

OFFICERS OF THE ASSOCIATION

16. The Association shall at the Annual General Meeting elect the following officers on the nomination of Council:
 - a. A President and Vice President(s) to hold office for one year only, but eligible, for re-election.
 - b. A National Chairman and A National Vice Chairman to hold office for one year only, but eligible, for re-election, subject to the provisions of Rule 17 and 18.
 - c. An Honorary National Secretary, Honorary National Treasurer, Assistant National Secretary/ies to hold office for one year only, but eligible for re-election.
17. The National Chairman and Vice Chairman shall be nominated by Council for their year of office from among its own Members. The National Chairman so nominated may be re-nominated as National Chairman for a further year, but shall not thereafter be eligible for re-nomination as National Chairman until a period of two years shall have elapsed from the expiration of their last term of office.
18. No member shall be eligible for election as National Chairman from a Branch of which their immediate predecessor in office was also a Member.
19. The Association shall also at the Annual General Meeting appoint:
 - a. Auditor(s) for one year who may be appointed in an honorary capacity or at fees agreed at the Annual General Meeting at the time of appointment.
 - b. An Editor to hold office for one year only, but who will be eligible for re-election.

COUNCIL OF THE ASSOCIATION

20. The business of the Association shall be managed by the Council of which the President, Vice President(s), Honorary Secretary, Honorary Treasurer and Assistant Secretary/ies, shall be ex-officio Members. The remaining Members of the Council shall be Full Members nominated by the Branches of the Association. Each Branch of the Association shall, before the first day of February in each year, forward to the Honorary National Secretary its nomination(s) of one year, form the next Annual General Meeting, and according to the number of members at the 31 October preceding the submission of its nomination(s).
 - a. A Branch with 75 or less Full, Associate, Life, or Honorary Members may nominate one member to the Council.
 - b. A Branch with more than 75 but less than 151 Full, Associate, Life, or Honorary Members may nominate two members to the Council.
 - c. A Branch with 151 or more Full, Associate, Life or Honorary Members may nominate three members to the Council
 - d. The Branch whose sole Council Representative is also National Chairman shall nominate another Council Representative. The expense of this Representative being paid for by the Council as provided for in Rule 27.
21. In the event of a Casual Vacancy occurring among members of the Council (other than ex-officio Members), the Council shall, if the vacancy arises through resignation, retirement or death of a Member nominated by a Branch, invite such Branch to nominate a person qualified to be a Member of the Council to fill the vacancy.

22. The Council shall have power to appoint for the period until the Annual General Meeting, a person to fill any casual vacancy in the office of Honorary National Secretary or Honorary National Treasurer of the Association.
23. The Council shall receive from the Honorary National Treasurer of the Association, information as to the income and expenditure, assets and liabilities of the Association and shall satisfy themselves that proper books of account are kept. They shall submit an audited statement of accounts and balance sheet to the Annual General Meeting in each year.
24. The Council shall appoint such Committees as they may think fit. They may also co-opt onto any Committee so appointed, persons who are not members of the Association. In particular the Council shall each year appoint an Executive Committee to be responsible to the Council for the day to day administration of the affairs of the Association. This Executive Committee, of which the National Chairman, Honorary National Secretary and the Honorary National Treasurer of the Association shall be ex-officio Members, shall comprise only Members of the Association as outlined under Membership (2.1) in the Standing Orders for the Executive Committee. The Council shall also appoint members to the General Purpose Committee as outlined under membership (2.1) in standing orders for the General Purposes Committee.
25. It shall be the duty of the Council to take all such steps as may seem to them appropriate, to further the aims, objectives and interests of the Association. Without prejudice to the generality of this power, they may, in the name of the Association:
 - a. By publications, meetings, lectures, demonstrations, or other similar means, promote the exchange and dissemination of information relating to health care catering or the activities of the Association.
 - b. Arrange studies, hold examinations, competitions and award prizes, certificates and other awards related to any aspect of health care catering
 - c. By joining with, maintaining liaison with, or securing representation on other bodies or organisations, seek to improve the status, rewards, and proficiency of Health Care Caterers.
 - d. Propose amendments to the constitution and rules, to the Annual General Meeting and prepare such standing orders as deemed necessary.
26. The Council shall meet not less than three times in each year and shall cause proper minutes to be made of their meetings and the attendances thereat. The quorum for any meeting shall be 12 members present.
27. The travelling, subsistence and other expenses of Officers of the Association, members of Council and other members of the Association, properly incurred in the business of the Association, shall be reimbursed by the Honorary National Treasurer, subject to the approval of Council. If a Branch nominates more than one member to Council, it shall pay the expenses incurred by its additional nominees.
28. The income of the Association shall be allocated as the Council may decide between the funds held by the Honorary National Treasurer for the purposes of the Association. The Treasurer shall supply to the Council such information as to estimated or incurred expenditure as may be required.
29. Any funds remitted to a Branch of the Association and remaining in custody of the Branch, shall be the property of the Association and, subject only to the satisfaction of liabilities incurred by the Branch, be returnable to the Association on demand by the Honorary National Treasurer.
30. The Council may make and adopt such standing orders for the conduct of their business, as they may think proper within the provisions of these rules. In particular such standing orders shall provide, that a special meeting of the Council may be convened by any three Members of the Council, nominated by three different Branches, giving notice to the Honorary National Secretary of the Association, requiring them to call a meeting of the Council and specifying the subject of the meeting. Such standing orders shall further provide that the Chairman or other person presiding at any meeting of the Council, shall in the event of equality of voting on any issue, have a second casting vote.

GENERAL MEETINGS OF THE ASSOCIATION

31. An Annual General Meeting of the Association shall be held at a place, time and date to be decided by the Council, normally not earlier than the second Saturday in April, nor later than the first Saturday in May in any year.
32. The Council, a Full, Life Member or Branch of the Association may, not later than 1st March in any year, give notice in writing to the Honorary National Secretary, of intention to move a resolution in the terms set out in such notice at the Annual General Meeting. The Honorary National Secretary, shall include the resolution to be moved in the notice of the business to be transacted at the Annual General Meeting, to be given to each member of the Association.
33. Not less than 14 days before the date fixed by the Council for the Annual General Meeting of the Association, the Honorary National Secretary or Administration Services Provider shall give notice to Members of the Association, of the date, time and place of such meeting and of the business to be transacted thereat. Such notice shall be sent by prepaid post or electronically to the last known address of each member. Notice may on the direction of Council, also be given by publication in the official journal of the Association, which is published not less than 14 days prior to the date fixed for such meeting and which is generally circulated amongst Members of the Association.

34. The business to be taken at the Annual General Meeting shall be as follows:
- a. To receive, and if thought fit, confirm the minutes of the last Annual General Meeting and of any general meeting since held.
 - b. To receive a report from Council of action taken during their year of office and of such other matters as the Council may deem appropriate
 - c. To receive the annual report of the Honorary National Treasurer and the auditors' report on the accounts of the Association.
 - d. To receive the nominations of the Council for the following officers and, if thought fit, to elect or appoint the persons concerned:
 - (i) President
 - (ii) Vice President(s)
 - (iii) National Chairman
 - (iv) National Vice Chairman
 - (v) Honorary National Treasurer
 - (vi) Honorary National Secretary
 - (vii) Assistant National Secretary/ies
 - e. To receive nominations of the Council for Honorary Members of the Association and, if thought fit, to elect the persons concerned.
 - f. To elect an editor to attend Council meetings and present an annual report at the Annual general meeting.
 - g. To elect auditors of the Association's accounts for the ensuing year.
 - h. To determine subscription fees paid by Life, Full, Associate Members and Patrons of the Association.
 - i. To receive nominations of Branches to the Council.
 - j. To consider resolutions proposed under Rules 25 and 32 hereof.
 - k. Such other business relevant to the affairs of the Association, as the President, or other person presiding at the meeting, shall permit, either as a matter of emergency or otherwise, at their direction. In such cases, the use of proxy votes shall not be allowed.
35. General Meetings of the Association, may be called upon notice being given, as prescribed in Rule 31 hereof, by direction of the Council and a General Meeting shall be similarly called by the Honorary National Secretary of the Association, on receipt of a requisition in writing, signed by 25% of Full Members of the Association, specifying the business which such General Meeting is to consider. It must be accompanied by a deposit of £1500.00 towards the expenses of such meeting, which amount, or any part thereof shall be returned if the General Meeting so called decides.
36. Fifty Full Members, present in person, shall form a quorum for any General Meeting.
37. At any General Meeting the President, or in his absence a Vice President, shall preside and in the event of neither the President nor a Vice President of the Association being present, the Members attending shall appoint one of their Members to take the chair.
38. Voting on resolutions put to a General Meeting shall be by show of hands, but a ballot may be required by not less than 10% of the persons present. In any event, the vote of any Full Member may be registered by a proxy appointed by them, from among the Full Members present, using a prescribed form signed by them and lodged with the Honorary National Secretary of the Association not less than seven days prior to the meeting.

BRANCHES OF THE ASSOCIATION

39. Each Branch of the Association shall appoint a Chairman, Honorary Treasurer and Honorary Secretary. Branches may elect one Associate Member to hold one Branch Officer post (excluding the Council Representative position), and membership rule 5c (iii) must be applied. Full or Life Members of the Association must fill remaining Branch Officer posts.
40. In addition to the appointments required to be made under Rule 39 hereof, each Branch may appoint a Committee from amongst its Members of which the Chairman, Honorary Treasurer and Honorary Secretary, shall be ex-officio Members. Any such Committee shall in the name of the Branch, be responsible for the management and administration of the affairs of the Branch, subject only to the general direction, issued by the Council of the Association.
41. The Honorary Treasurer of a Branch, shall submit to the Committee of that Branch, or to such Sub-Committee as may be appointed for that purpose by the Branch Committee, details of all applications for membership, whether Full or Associate members or Patronage of the branch received by them in pursuant to Rule 8 hereof. In addition to the information required to be submitted by them to the Honorary National Treasurer of the Association, they may also submit observations made by the Branch.
42. The Honorary Treasurer of each Branch, shall forward to the Honorary National Treasurer of the Association, not later than 14 December in each year, two copies of the audited accounts of the Branch, made up to 31 October of that year.
43. Each Branch of the Association, shall hold an Annual General Meeting, between the end of the financial year and 14 January in each year. A copy of the minutes of such Annual General Meeting, shall be submitted to the Honorary National Secretary of the Association, no later than the first day of February following the meeting.

44. A Branch of the Association may make rules or standing orders for the regulation of their business. Such rules should not make any provision which, in the opinion of the Council, is contrary or inimical to the provisions of these rules. In particular, they shall not require the payment of a Member of the Branch of any sum additional to the subscription and entrance fee required by these rules.
45. If any rules are made by a Branch, a copy thereof shall be sent the Honorary National Secretary of the Association.
46. No new Branch of the Association, shall be formed without the consent of the Council, on the application in writing of not less than ten full members of the Association and with the following provisions:
 - a. All existing branches affected by the proposed formation of the new branch should be informed in writing at the same time as the National Secretary on behalf of Council.
 - b. After consideration of all the relevant matters, the Council shall only give approval to the formation of a new branch, if it agrees that it is in the best interests of the association.
 - c. At least 5 Full Members who are in support of the formation of a new branch must transfer to form the new branch.
 - d. The 5 Full members transferring to the new branch should also have support from at least 10 eligible new-members Full and Associate, who will become members of that branch. Subject to rule 5c (iii)
47. If, in the opinion of the Council, the activities of a Branch are such as to be prejudicial to the standing, reputation or interests of the Association, the Council may after making such enquiry and receiving such representations as they may think proper, formally require from such Branch an assurance in writing, under the hand of the Chairman specified by Council, an assurance that such activities shall cease. In the event of a report to the next General Meeting of the Association they may, on the recommendation of Council and by a majority of three quarters of the number of persons present and voting, resolve that recognition of the Branch be withdrawn, if prejudicial activities have not ceased.
48. In the event of the withdrawal of recognition of a Branch, pursuant to Rule 47 the Honorary National Treasurer shall demand the immediate return of funds in the Branch Accounts to the National Account. As provided in Rule 29 no further allocations of funds shall be made to such Branch, until the resolution passed in pursuance of Rule 47 shall be rescinded by a resolution at an Annual General Meeting of the Association.

CONSTITUTION AND RULES, ALTERATIONS AND AMENDMENTS

49. In these rules the word 'Member' shall, where the context so allows, include Life, Full, Honorary and Associate Members of the Association.
50. In the event of any questions arising on the interpretation of these rules, the question shall be decided by the person presiding at the meeting, where the question is raised and their decision will be final and binding on all Members of the Association.
51. Any alteration or addition to these rules, shall be made by the Association in General Meeting, on the recommendation of the Council. Any resolution proposed by a member of a Branch of the Association, in accordance with Rule 35 hereof requiring such alteration or addition, shall be referred to the Council for report and recommendations. The rules that have been agreed shall be applicable at the beginning of the financial year following any such decision.

PATRONAGE OF THE ASSOCIATION

52. Being a Patron of the HCA allows companies to have contact with and support activities at branch level. It is the company that becomes the Patron of a specified branch for one year and the company can send any company representative to the branch activity. While a different person from the company can attend each meeting only one person can attend on any one occasion. One representative can attend a branch meeting of which the company is a Patron, (apart from any closed sessions that are restricted to members). Each branch will determine what is a closed session.
53. Honorary Patronage. Any person who in the opinion of Council is appropriately qualified, or has suitable experience be admitted at Council's discretion as an Honorary Patron of the Association for one year. Persons awarded Honorary Patronage can attend branch events but have no voting rights.

This edition of the Constitution and Rules of the Hospital Caterers Association, the revised 2005 edition approved by the members of the Association at the Annual General Meeting 22nd April 2005 will replace and cancel all previous editions.

