

The Illawarra Greens Constitution

Revised November 2018

1 THE ILLAWARRA GREENS

1.1 This is the Constitution of the Illawarra Greens, a Green political organisation active in the Illawarra region. Its major role is to conduct campaigns in federal, state and local government elections. This Constitution is designed to support the operation of the Illawarra Greens through practices of goodwill and trust.

1.2 The coverage of the Illawarra Greens is the Wollongong and Shellharbour Local Government Areas, as gazetted in July 2011.

1.3 Definitions within this constitution include:

1.3.1 Any reference to “The Group” will mean the Illawarra Greens Group

1.3.2 “Elected Representative” will mean those members elected to positions of the group, members elected to Public Office or any member elected by the group to represent them in any way.

2 RELATIONSHIP TO THE AUSTRALIAN GREENS

2.1 The Illawarra Greens endorses the Charter of the Australian Greens.

2.2 This constitution is subordinate to the constitution of The Greens NSW, of which the Illawarra Greens is a member group, which is in turn subordinate to the constitution of the Australian Greens.

2.3 The Illawarra Greens shall promptly pay affiliation/membership fees as required by The Greens NSW.

3 AIMS AND PHILOSOPHY

The Illawarra Greens vision for the future is predicated on the Four Principles described below.

I ECOLOGICAL SUSTAINABILITY

- To maintain biodiversity, to preserve wilderness areas, to end degradation of natural ecosystems and to protect plant and animal species from extinction.
- To abandon the addiction to a perpetual growth in resource consumption and to end the pollution and degradation of land, water and air.
- To transform the nature of work and consumption so that they are safe, socially useful and environmentally benign.

II. SOCIAL EQUALITY

- To support every person's right to a life purpose and dignity and to the satisfaction of such needs as housing, clothing, food, community support, and personal development.
- To replace the hierarchical, competitive and oppressive values of our existing society with caring and needs oriented values.
- To abolish inequalities based on gender, sexual preference, age, disability, race, nationality, or belief systems.
- To recognise self-determination and land rights for Australia's original inhabitants.
- To respect and recognise the values of indigenous and ethnic cultures leading to a truly multicultural Australia.

III. GRASSROOTS DEMOCRACY

- To democratise society and the economy through the devolution of decision-making powers from private industrial interests and parliamentary institutions to workplaces and local communities.
- To create a democratically structured public sector, and small business and co-operative sectors of the economy which own and control resources to an extent which does not compromise ecological sustainability and social equality.
- To recognise the right of people in communities to assert control over all matters that affect their lives through processes that maximise community participation.
- To develop individual and community skills to the point where they can take – individually and collectively – their responsibilities in a democratic society.
- To support the diversity in culture and opinion that exists in our society and to promote a responsible and diverse media that informs and reflects this diversity.

IV. NON-VIOLENCE AND DISARMAMENT

- To develop a culture of non-violence, to remove the threat of war and social violence
- To promote a program of universal disarmament, both nuclear and conventional.
- To work towards the peaceful resolution of conflict and the development of tolerance, co-operation and mutual respect. To develop community capacity to do the same.
- To work towards an independent foreign policy for Australia and a defence orientation that is non-offensive and self-reliant.

4 MEANS

4.1 In the activities and functioning of the Illawarra Greens, our democracy is founded on the equal and inalienable rights of each member and there is no higher authority than the collective decisions of the members. Any representatives or delegates of The Illawarra Greens remain accountable to the group. We seek to extend membership of The Greens to all in the community who are in accord with our fundamental objectives outlined above.

4.2 We do not represent or reflect the broader community in all its aspects which include racism, sexism, rule of the dollar and short-term self interest, but instead seek to gather those with a concern for the planet and its future and who are prepared to work for change in a collective manner.

4.3 Our view of social change involves more than merely the substitution of one lot of decision-makers with another lot who will act more responsibly. We aim for changes that will empower all people and allow them to act in greater harmony with each other and with the rest of nature.

4.4 We stand candidates for election to all spheres of government in order to put forward the Green agenda and to utilise the advantages that come with public office to effect change and to further promote the Green agenda.

4.5 We will be involved in grassroots campaigns which are essential if destructive and undemocratic values in the community are going to be seriously challenged. These campaigns will include:

- a) Resistance to oppressive and destructive practices through non-violent direct action.
- b) Education of ourselves and the community which allows us and others to analyse more rigorously, act more effectively and envision the future with more compassion and understanding.
- c) Cooperation with progressive social movements both in Australia and overseas so that the complementary struggles for environmental protection and human emancipation are seen as a multi-faceted and global project.

The following sections are designed to provide guidance on the prevention of abuse of these aims and values.

5 DECISION-MAKING

5.1 All decisions of the Illawarra Greens will proceed according to principles of participatory democracy. Meetings will be conducted using the “Safe Meeting Practice” of The Greens NSW as contained in Annexure 2 to this Constitution.

5.2 All members shall be made aware by the Secretary or Convenor of meeting times and venues, and of significant proposals to be discussed. Meetings of the group shall be held at least six times in each twelve months’ period.

5.3 The members of the Illawarra Group shall decide how many financial members, above three, that will constitute a quorum for meetings. If a quorum is not present after 30 minutes from the advertised starting time, the meeting shall stand adjourned, although those present may determine the date, time and venue of a subsequent meeting.

5.4 All people attending any meeting of the group have the right to participate in discussion. However, the meeting can decide to censure or to expel or suspend from the meeting, participants responsible for disruptive or offensive language or behaviour. Safe meeting procedure is described in appendix 2 of this Constitution.

5.5 When possible, the group's decisions shall be made according to consensus decision-making processes. When consensus cannot be reached and the decision should not be deferred, a ratio of three or more votes in favour to one vote against shall be required for the motion and/or amendments to be carried. Abstentions may be recorded but shall not count as votes for or against. Proxy or absentee votes are not admissible.

5.6 Members must have attended at least two meetings within the previous 12 months in order to be able to vote in meetings. Observers and non-voting members present at a meeting can participate in discussion but cannot have a role in taking the decision-making process to the voting phase (i.e. to block consensus).

5.7 Election of office bearers and candidates shall be achieved by a compulsory preferential secret ballot.

6 MEMBERSHIP

6.1 Membership of the Illawarra Greens is open to any person who:

6.1.1 Agrees to abide by this constitution, including the Charter of the Australian Greens;

6.1.2 Pays an annual membership fee, as determined annually by The Greens NSW;

6.1.3 Is not a member of another political party;

6.1.4 Is not a member of an organisation that has been proscribed by the Australian Greens or The Greens NSW.

6.1.5 The Illawarra Greens may accept into membership a member of The NSW Greens who applies for exclusive membership of the Illawarra Greens but lives outside the area defined in section 1.2 of this Constitution by the normal decision making process of the Group.

6.1.6 The first three months membership of an individual shall be considered provisional and may be revoked during that time by decision of the Group.

6.2 Membership fees shall fall due on the 1st July each year. The fee structure will be in accordance with the policies of The Greens NSW.

6.3 Details of the membership list shall not be used for any purpose other than the business of the organisation, except where the members concerned have given clear consent.

6.4 The membership of any member shall cease in any of the following circumstances:

6.4.1 Failure to pay the membership fee within three months of the due date;

6.4.2 The member contests an election against the group's endorsed candidate(s), without the group's approval;

6.4.3 The group decides by the usual decision making processes that the member has placed herself or himself outside of the group by one or more of the following actions:

6.4.3.1 Activities contrary to the group's membership criteria;

6.4.3.2 Repeated disruptive behaviour within the group or behaviour which brings the group into disrepute.

6.5 Action to terminate membership under clause 6.4.3 above shall not proceed until:

6.5.1 A notice of motion to terminate the membership, moved by three members, is forwarded to the Convenor;

6.5.2 The notice of motion is circulated to all members prior to the meeting which will decide the motion; the person affected by such motion shall receive notice of the time and place of the meeting and will have the opportunity for a right of reply.

7 ORGANISATION

7.1 GENDER EQUITY

7.1.1 In all the activities and appointments of the Illawarra Greens, efforts shall be made to actively ensure equitable and appropriate gender representation and participation. Efforts shall also be made to ensure equitable and appropriate representation and participation by minority and disadvantaged people.

7.1.2 In line with the NSW Greens policies on Affirmative Action and Political and Public Participation, Illawarra Greens will work towards ensuring at least 50 per cent representation by women in all decision-making processes and leadership positions of the Group, as well as in all delegations, public speaking events and candidature for public office.

7.1.3 In line with the NSW Greens policies on Political and Public Participation, Illawarra Greens will work to develop programs and strategies to provide women with the skills to be effective candidates and members of parliament and to actively promote women to stand as candidates for election to federal, state, local government and other public bodies.

7.2 ANNUAL GENERAL MEETING

7.2.1 The Annual General Meeting of the Group may be held in the months of July, August or September. At each year's Annual General Meeting, the Group shall elect the following office bearers:

7.2.1.1 **Convenor**: responsible for organising the meeting venues, ensuring that members are informed of the meeting time, place and the proposed agenda at least one week before the meeting, ensuring meetings are well facilitated, and liaison with other organisations and Greens groups. The Convenor will act as public spokesperson for the group in the absence of an elected nominated spokesperson. To share the workload and skills required, there should be two Illawarra Greens Convenors whenever possible.

7.2.1.2 **Secretary**: responsible for making sure minutes of group meetings are taken and circulated to members. This involves recording the names of members present, apologies, recording votes, decisions made and the person(s) delegated to carry out each decision. The secretary is also responsible for bringing a copy of this Constitution to Group meetings and for maintaining an up-to-date minute book.

7.2.1.3 **Treasurer**: responsible for payment and receipt of monies for the group and maintenance of the Group's financial books, ensure that all financial returns required by the Greens NSW and Government authorities will be filled out accurately and submitted on time. Delete:

7.2.1.4 **Membership Officer**: responsible for the membership list, liaising with the Greens NSW regarding membership, contacting lapsed members, tabling new members names at Group meetings and maintaining contact lists of supporters. Delete: a general mailing list of supporters. Also responsible for ensuring each new member receives an induction package which includes a copy of the Illawarra Greens constitution, together with an explanation of the consensus decision making process and meeting procedures – see Appendices 2 and 3.

7.2.1.5 Other positions of an ongoing nature, such as spokesperson(s) and convenors of working groups such as the Council Reference group (see below).

7.2.1.6 A member cannot hold the position of Convenor, Secretary, Treasurer or Membership Officer continuously for longer than three years. A member who has served in an official position for the maximum period may be re-elected to the same position after a break of at least one year.

7.3 REGULAR MEETINGS

7.3.1 Meeting facilitators shall be decided at the start of each meeting.

7.3.2 From time to time, the group may choose to delegate a member to convene a working group to undertake certain activities. Such member(s) or working groups are accountable to the Illawarra Greens and their duties, authority and procedures shall be determined by meetings of the Illawarra Greens.

7.3.3 Office bearers, elected representatives and other delegated individuals shall present regular reports to the group on their activities.

7.3.4 Any appointment made by the group can be revoked and the position be declared vacant should a motion of “no confidence” gain the support of at least 50 percent of members present at a meeting. Any motion of “no confidence” shall be put to a meeting following circulation of notice of the motion consistent with clause 6.5 above. If it is passed, the meeting will then elect a replacement officer.

8 ACCOUNTABILITY

8.1 Members shall be accountable to the group for any actions they take on its behalf.

8.2 Any elected representative of the Group shall attend regular meetings with the Group, to discuss issues pertaining to their responsibilities

8.3 The group shall provide both moral and material support to its representatives, and shall consider the representative’s responsibilities to their electorate.

8.4 The actions and public statements of all elected representatives of the Group shall be consistent with the Charter, Principles and Constitution of the Group and the policies of the Greens NSW and the Australian Greens.

8.5 The Group may elect members to form a local council reference group which shall be a focus for activities around council issues and assist councillors in planning, decision-making and dispute resolution provided that:

8.5.1 All members of the Illawarra Greens are eligible to participate

8.5.2 Decisions of the council reference group shall be consistent with decisions of, and if necessary, subject to ratification by the Illawarra Greens.

8.5.3 Elected councillors shall attend regular meetings of the local council reference group to discuss issues pertaining to their responsibilities.

8.6 COUNCILLOR TITHES: Any member of the Illawarra Greens elected as a local councillor shall be required to contribute a tithe of 10% of the allowance payable to councillors to the Illawarra Greens where that allowance is \$85,000 per annum or greater.

9 QUICK DECISIONS

9.1 At the first meeting after election of office bearers the Group will elect a Quick Decision Making Group (QDMG) who may act for the Group between regular meetings of the Group or where an urgent decision is required.

9.2 QDMG process

9.2.1 The QDMG will consist of five members chosen from the office bearers and if necessary, one or two ordinary members.

9.2.2 Decisions of the QDMG will normally be made by email.

9.2.3 Notice of any QDMG meeting must be provided to all members of the QDMG at least 24 hours prior to the meeting, unless all members agree to meet earlier.

9.2.4 All decisions of the QDMG will be by consensus or if necessary by a majority.

9.2.4 All decisions of the QDMG must be ratified at the next meeting of the Group.

10 ELECTIONS AND ELECTED REPRESENTATIVES

10.1 PRESELECTION OF CANDIDATES

10.1.1 Any member of The Greens NSW may nominate as an Illawarra Greens candidate for local, state or federal elections provided that they have been a member of The Greens NSW for a minimum of three months at the date of the preselection ballot.

10.1.2 The three month membership qualification contained in 10.1 may be set aside by a consensus decision of a full Group meeting.

10.1.3 All members of the Illawarra Greens may participate in the selection of candidates for elections provided that they have been a member of the Illawarra Greens for a minimum of three months at the date of the preselection ballot.

10.1.4 The returning officer will ask all members to consider the equal representation of women in the selection process. Consideration will also be given to the representation of other groups that have been under represented in the electoral system including members of the LGBTI communities.

10.2 ACCOUNTABILITY OF CANDIDATES AND ELECTED REPRESENTATIVES

10.2.1 Candidates and elected representatives agree to abide by Greens principles and policies and act in accordance with this constitution and the decisions of the Group.

11 CONFLICT RESOLUTION

11.1 Because the main activity of the group is conducting election campaigns and these have the potential to be demanding and stressful, conflict must be expected and prepared for.

11.2 Conflict within the Illawarra Greens will be addressed under the terms of the Conflict Resolution appendix to this Constitution.

12 CONSTITUTIONAL CHANGES

Notice of motions to amend this constitution must be circulated to all members at least fourteen days before the meeting at which the motion is to be presented. The usual decision making process shall be followed.

Appendix No 1: Illawarra Greens Conflict Resolution Process

1. If a dispute arises as a result of a breach of The Greens NSW safe meeting procedures (Appendix 2) or the Greens NSW Code of Ethics, or arises from any other meeting, activity or social event involving the members, staff or volunteers of the Illawarra Greens, whether verbal or in writing, including, but not limited to, claims of bullying, intimidation or any form of discrimination defined by law, then the disputing parties may undertake the following steps:

1.1 Either party may, if practicable, raise the matter with the other party setting out the background and the issues in dispute, and the outcome desired.

1.2. If the dispute is not resolved in accordance with clause 1.1, then a complainant may raise the matter with an office bearer of the Illawarra Greens of their choice with a view to mediating the conflict. The nominated office bearer shall, within 72 hours, propose an appropriate complaint resolution procedure and should endeavour to commence the resolution process within 7 days and complete the process within 30 days, or a longer period where appropriate. It shall be made clear to all parties involved that relevant details of the matter may be discussed with any or all of the other office bearers.

1.3 If the dispute is not resolved in accordance with clause 1.2, then either party may request that an internal mediator or Conflict Resolution Committee be nominated which will consist of up to three members endorsed by the Group's office bearers. The mediator or Committee will commit to resolving the matter within the time frame set out in 1.2 above.

1.4 The parties shall make every effort to assist in the resolution of the dispute and clearly communicate the background facts leading to or causing the dispute.

1.5 At all times, the mediator or Conflict Resolution Committee agree to use their best endeavours to:

- ensure that all parties know what to expect during the complaint handling process,
- maintain respect, sensitivity, and confidentiality,
- set out clearly what action is required for a fair resolution of the dispute, and
- Discuss specific means of avoiding such disputes arising in the future.

1.6 If the conflict remains unresolved, then a party or the Group may seek assistance with resolving the dispute from appropriate Greens NSW staff or the NSW Convenor.

Sexual Harassment Conflict Resolution Process

2. In any matter involving a claim of sexual harassment (as defined by law or the NSW Greens Sexual Harassment Policy), a complainant or an observer of the harassment may inform an office bearer of the Illawarra Greens of the harassment as soon as possible.

2.1 A complainant or respondent may appoint a support person within the Group to assist them in the management and resolution of the complaint. Alternatively, a support person can be appointed by the office bearers of the Group.

2.2 A support person may endeavour to resolve the matter with the parties if the parties agree, within the timeframe outlined in 1.2 above and the support person may seek the assistance of the office bearers of the Group if required.

2.3 If the matter cannot be resolved according to 2.2, then either party may request that a Conflict Resolution Committee be nominated which will consist of up to three members endorsed by the Group's office bearers. The Committee will use the guidelines for resolution laid down in the Greens NSW Sexual Harassment Policy as far as is practicable, and may take into account any recommendations for resolution provided by a support person. Resolution of the matter should take place within a further time period as described in 1.2 above.

2.4 If a complainant or respondent wishes to seek resolution at the State rather than local Group level, then the office bearers of the Illawarra Greens will refer the matter to the Greens NSW to be dealt with according to the procedures outlined in their Sexual Harassment Policy.

2.5 Where a complaint relates to sexual harassment which may be a criminal offence, or where the complaint involves actual or alleged physical assault and the complainant wishes to refer the matter to the local police, then the complainant will be assisted to do so by the nominated support person and the complaint will be referred by the Group for resolution to the Greens NSW. This clause does not remove an obligation under the New South Wales Crimes Act by any person to report an alleged serious offence to police.

2.6 A complainant will also be given support to attend appropriate medical and/or other relevant agencies, including counselling services, if requested by them.

2.7 The support person shall continue to support a party during any of the above processes and keep them informed of the progress in the matter.

3. The Group may take action regarding a complaint including suspension of membership from the Group during the period of resolution of a complaint and may adopt any other disciplinary action available to it.

4. No person shall be appointed to assist in the resolution between the parties under sections 1 and 2 above if they have any conflict of interest.

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Appendix No 2: Safe Meeting Procedure of The Greens NSW

1. Be here in good faith with the goal of what is in the best interests of the Greens
2. Come with good intentions
3. Have the intention of reaching consensus and a commitment to consensus decision making
4. Extend goodwill to all participants
5. Try not to bring previous differences, difficulties and problems to this meeting
6. Be honest
7. Follow procedures laid down in the past which are known to be positive and successful
8. Try to listen without preconceptions, be open to new ideas
9. Show respect for others opinions
10. Address the issue not the person
11. No aggressive verbal or non-verbal interaction
12. No interjections or asides
13. Endeavour to express yourself clearly, so others can understand your point of view.
14. If you don't want to listen leave the room
15. If you want to have a conversation, have it far enough away from the room for it not to disturb the participants.

Appendix No 3: Consensus Decision Making

a) Steps

Step 1: Introduce and clarify the issue(s) to be decided

- Share relevant info.
- What are the key questions?

Step 2: Explore the issue and look for ideas.

- Gather initial thoughts and reactions. What are the issues and people's concerns?
- Collect ideas for solving the problem – write them down.
- Have a broad ranging discussion and debate the ideas. What are the pros and cons?
- Start thinking about solutions to people's concerns. Eliminate some ideas, shortlist others.

Step 3: Look for emerging proposals

- Look for a proposal that weaves together the best elements of the ideas discussed.
- Look for a solution that addresses people's key concerns.

Step 4: Discuss, clarify and amend your proposal

- Ensure that any remaining concerns are heard and that everyone has a chance to contribute.
- Look for amendments that make the proposal even more acceptable to the group.

Step 5: Test for agreement Do you have agreement? Check for the following:

- **Blocks:** I have a fundamental disagreement with the core of the proposal that has not been resolved. We need to look for a new proposal.
- **Stand asides:** I can't support this proposal because ... But I don't want to stop the group, so I'll let the decision happen without me.
- **Reservations:** I have some reservations but am willing to let the proposal pass.
- **Agreement:** I support the proposal and am willing to implement it.
- **Consensus:** No blocks, not too many stand asides or reservations?
- **Active agreement?** Then we have a decision!

Step 6: Implement the decision

- Who, when, how?
- Action-point the tasks and set deadlines.

b) Consensus Decision Making Flow Chart

