



BERA Governance and Council

British Educational Research Association

Company Limited by Guarantee

Company Number 08284220, Registered Charity Number 1150237

Updated September 2018

BERA Governance

BERA Constitution and legal status

1. The British Educational Research Association (BERA) is an autonomous learned society distinct from other national institutions and is a company limited by guarantee (08284220) and registered charity (Number 1150237). The charitable objective, as defined in BERA's constitution is "to encourage the pursuit of educational research and its application for both the improvement of educational practice and for the public benefit."
2. BERA is subject to Articles of Association that can be amended at the Annual General Meeting subject to approval of 75% of those present and voting. (Only fully paid up members at the time of the AGM are eligible to vote).
3. A copy of the current Articles of Association is available on the BERA website.

Governance Year and Elections

4. BERA's Governance year runs from 1st September. This represents the start of BERA's governance year. Elections for Council and individual posts will take place in spring before the Annual General Meeting with the results taking effect from the 1st September. The three Officers are the exception to this. The Annual General Meeting (AGM) normally takes place during the Annual Conference in September.
5. Elections are conducted by ballot among individual members of the Association with nominations for election to the Council requiring the support of two members of the Association And subject to the procedures set out below. The nomination process and election will be run by the BERA office during the spring with the results reported to the Annual General Meeting.

Annual General Meeting

6. The agenda of the AGM can be amended but key standing items are:
 - Minutes of the previous AGM and any matters arising;
 - President's Report (which consists of one of the following):
 - Retiring President's report on the work of the year;
 - Incoming President's statement on plans for the coming year;
 - President's report on the work of the year and plans for the coming year;
 - Treasurer's report and presentation of the audited annual accounts;
 - Executive Director's Report;
 - Motions of which notice has been given;
 - General discussion of issues which members wish to raise.

BERA Council

7. The Council is the governing body of the Association and the members of the Council are the Trustees of the Association as a registered Charity. They are also the Company Directors.
8. The Council has ultimate authority and decision-making over all business including policy, planning and resources. As specified in the Articles of Association the Council may delegate its authority and decision-making to other committees or groups but this must be explicit and defined at the time of their creation. All committees and working groups therefore ultimately report to Council.
9. The Council comprises:
 - President;
 - Vice President;
 - Treasurer; (these three posts are the Officers of the Association)
 - The chairs of the three standing committees (Engagement, Publications and Conference & Events)
 - An ECR representative
 - Up to eight other Elected Members
 - Up to six co-opted members of the Association
10. Apart from the office holders mentioned above, the term of office for a Council member is four years with the possibility of re-election. Co-opted members may be co-opted for 1-4 years depending on the focus of the co-option. The remaining elected positions are elected on a rotation basis with a balance of places available for election in any one year.
11. Where specific roles have been identified on Council and there is a clearly defined role description, individuals will be directly elected to those positions. There is a two-stage election process for these roles. Applications are invited from members for the roles as they are outlined and to state how they meet the criteria and possess the skills needed to fill that role. There will then be a shortlisting process by a panel comprised of members of Council (normally from GPC) with a member of the professional office, including an interview if felt necessary. After that, suitable candidates will be able to be elected by the wider membership. If there is only one candidate but they are deemed suitable by the panel, then they are elected unopposed.
12. The ECR representative role will be filled by one of the Convenors of the ECR Network who have been directly elected by the ECR network.
13. Council needs to have due regard to representing the four nations and, as such should ensure that it has representation from all four countries amongst its membership.

14. There is a priority order by which co-options are filled. These are:

- Roles such as vacant committee chairs;
- The four nations;
- A combination of professional demographics and equalities;
- User groups and specific gaps within the field - e.g. quantitative researchers.

15. Co-opted members are encouraged to stand for election upon completion of their first term.

16. The Council meets at least three times a year with one of those meetings normally taking the form of an overnight two-day Awayday to look at strategic issues.

Authority

17. Ultimate authority for all Association business remains with the Council.

18. The Council delegates authority to GPC to act on behalf of the Association as required. The GPC may also delegate authority to Officers between Council meetings to carry out specific tasks in addition to the responsibilities that come with their specific role.

19. Only the Officers and the Executive Director have the authority to sign contracts upon BERA's behalf. Other BERA Staff members can be delegated to sign contracts only with the express permission from the Executive Director.

Finances and Budgets

20. The Council is responsible for ensuring that financial statements are prepared for each financial year which give a true and fair view of the state of affairs of the organisation and of its results for that period. In preparing these financial statements, the Council is required to:

- select suitable accounting policies and then apply them consistently;
- make judgments and estimates that are reasonable and prudent;
- ensure that sufficient resources are available to make BERA a going concern;

21. The management of this is delegated to the Treasurer who oversees BERA's finances in association with the Executive Director. The Finance and Operations committee has formal responsibility for BERA finances and the BERA Office conducts oversight of the financial arrangements of the Association and the day-to-day administration of finance.

22. BERA's financial year runs from 1st January-31st December. A Budget should be approved by Council prior to the start of the financial year or as soon as practicable afterwards. End of year accounts will be reported to Council following the end of the financial audit as well as to each year's AGM.

Public Interventions¹

Why?

23. As the main body representing educational researchers across institutions, and the four countries of the UK, it is reasonable to expect that BERA should formulate and express a view on policy developments that affect its members, those they work with, and those whose interests they are concerned to protect or advance.
24. In some circumstances, to stay silent conveys an impression that BERA is weak or uninterested. This risks reputational damage and might discourage new members. However, we need to recognise that it is often difficult to establish a consensual view on certain policy issues, especially given the very limited time allowed for some consultations.
25. However, BERA is also a membership organisation with a wide range of interests and views. That diversity must be respected and should be a factor in any policy response or public intervention.
26. BERA is also a charity and as such is subject to regulation. This is specifically but not exclusively the Charity Commission guidance on 'Campaigning and political activity guidance for charities'². This is explicit that any activity which may be viewed as political or campaigning must be undertaken by a charity only in the context of supporting the delivery of its charitable purposes. Trustees must not allow the charity to be used as a vehicle for the expression of the political views of any individual trustee or staff member.

What?

27. Priority should be given to those policy initiatives or proposals that are concerned directly with educational research. For example, proposals on Open Access and the DfE Review of Evidence in Education have direct implications for the work of educational researchers.
28. However, there are other areas that require a response because they either claim to be based on evidence, or they have neglected to pay adequate attention to the research base. The consultations on teacher education, the new national curriculum in England, and on assessment and accountability in primary schools, fall into this category.

¹ This is based on paper presented by then Vice-President Mary James and agreed by Council in January 2014.

² <https://www.gov.uk/government/publications/speaking-out-guidance-on-campaigning-and-political-activity-by-charities-cc9/speaking-out-guidance-on-campaigning-and-political-activity-by-charities>

29. Although it is likely that other associations and groups will respond to these policy proposals, BERA might be expected, and wish, to make a response drawing particular attention to research evidence.

When?

30. One of the difficulties for BERA is that it is a large, diverse and dispersed organisation; it is therefore challenging to mobilise its human resources in the limited time available. It therefore needs to develop a mechanism for rapid response. Several tactics are available.

Who and How?

31. One tactic is to see responding to policy developments on behalf of BERA as a central part of the President's role. The President has been democratically elected from the membership to represent BERA, so it would be reasonable to expect this. However, in doing so, the President needs to take careful account of possible consequences of what they might say for BERA members, especially early career researchers who aspire to build their reputations in following years.

32. This suggests that any written statement that the President wishes to make on behalf of BERA should be approved by GPC with delegated authority from Council. Oral statements cannot have the same approvals and we must trust our Presidents to represent our interests fairly.

33. A second tactic is to identify small task groups, perhaps recruited from SIGs with relevant interests. The initiative might come from Council or it might be 'bottom up', as it were, from SIGs or other groups who see an urgent need for a BERA response.

34. A third tactic is for BERA to join forces with other relevant associations or groups in order to add weight, and share the effort, through joint response. This was the approach adopted in response to the HEFCE on Open Access when BERA worked with the AcSS on a joint statement.

35. A fourth tactic would be to endorse responses and statements generated elsewhere. We have publicised such statements through our website although there have been two recent occasions when our Presidents have declined to add their signature to letters because they were concerned with possible reputational risks to BERA if they had no control over the final version of the statement, or no knowledge of who they would be associated with.

36. In all these examples, the key criteria are:

- Whoever responds to policy proposals/initiatives on behalf of BERA should pay due regard to the likely consequences for all BERA members, in the knowledge that it will be impossible to consult widely in the time available;
- Approval for final versions of responses should be secured from Council, if there is time, or from GPC with delegated authority;
- All responses from BERA should be publicly available on the BERA website.