



Bexley Nepalese Community

Operating Policy & Procedure 2024 **(नियमावली in Nepali)**

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1. Introduction and Scope

Bexley Nepalese Community (the Charity) has been established in 2008, formally registered with the Companies House in 2016 and Charity Commission in 2020. Bexley Nepalese Community is a community based charitable organisation with an objective to promote social inclusion for the public benefit for Nepalese community including Gurkha ex-servicemen and their dependents in the London Borough of Bexley. In fulfilling its objectives, it will work towards integrating people of Nepalese origin with wider communities of various races, languages and origins. It has been governed by the Article of Association and its own operating manual called 'Bexley Nepalese Community Bidhan 2018'. This document will supersede the 2018 Bidhan in the process of aligning operation of the Charity with governance required by the Article of Association. However, the Charity can still refer to 2018 Bidhan in case of any doubt and not covered by this document.

1.1 Purpose of this Document

This document outlines the operating policy and procedures for Bexley Nepalese Community and

- i. It ensures that the charity's operations are consistent, efficient, and in line with legal requirements and best practices for charitable organisations within the UK and within the scope of an Article of Association of the Charity of the Charity.
- ii. It defines and guides the Executive Committee of the Charity on selection, appointment, roles and responsibilities of the executive team, and board of directors.

1.2 Governance

The Operating Policy & Procedure, generally referred to as 'नियमावली / Niyamawali' in Nepali, serves as a governing document for the Executive Committee and other members of the charity in the day-to-day management of the Charity. In the event of any confusion or conflict, the Articles of Association (hereinafter referred to as 'the Articles') shall prevail.

1.3 Scope

This document is a delegated power of the Board of Directors under section 22 of the Article even though approval is sought from the general meeting.

1.4 Logo

The Charity will have a logo that is used in the first page of this document.

1.5 Definitions and Interpretations

The definition of any terminology used are defined in section 2 of the Article.

1.6 Policies & Processes

The Charity shall have policies, as a delegated power of the Board to the Executive Committee, in order to regularise the standard of delivery, and compliance of the law of land.

The following are the minimum policies the charity will have:

- 1) Financial Regulation;
- 2) Data Protection Policy;
- 3) Health & Safety Policy includes safeguarding policy;

- 4) Operating Policy for BNC School of Language & Culture;
- 5) Equality & Diversity Policy;
- 6) Social Media & Communication Policy;
- 7) Other policies as the committee may deem necessary

2. Membership

2.1 Types of membership

- i. Under section 11.1 of the Article of Association, the Charity shall have following two types of membership to cater wider community:
 - a. Life members are those subscribed to the membership of the Charity also called as general members or members, with a voting right under this procedure and live in the London Borough of Bexley; and
 - b. Honorary members are those subscribed to the membership of the Charity who live outside of London Borough of Bexley with no voting right.

Both members shall be subscribed as a household living at the same address irrespective of age and entitled for voting under this procedure. If one of the spouses is of Nepalese origin, they are eligible for membership and considered as one household. Similarly, children of household are considered as member however, when they turn adult, requires subscribing for membership to exercise voting right. EC will consider any other circumstances on case by case basis.

2.2 Membership Fees

Membership fee for both type of membership shall be decided by the Executive Committee from time to time. For reference, current fee for membership is £51.00 (fifty one pound only) per household.

2.3 Change and suspension of membership.

- i. The membership shall be changed from Life membership to honorary membership when the member moved out of London Borough of Bexley
- ii. Membership can be suspended by a two third majority of the Executive Committee on the best interest of the Charity.

2.4 Termination of Membership

A member, both life and honorary, shall cease to be member if they:

- i. Die; or
- ii. Resign by giving a notice in writing; or
- iii. Any sum due to the charity is not paid within 8 weeks of it falling due; or
- iv. The Executive Committee may decide to terminate the membership, in exceptional circumstances, with a two third majority of the members attended at the meeting.

3. Board of Directors

3.1 General Provision

- i. The Charity adheres to *the UK Corporate Governance Code* issued by the Financial Reporting Council (FRC) from time to time. For good governance, the charity shall have minimum numbers of representation from the Executive Committee to the Board. In order to maintain the independence of the Board and ensure the fair link between the Executive Committee and the Board, there shall be three ex-officio directors representing President, General Secretary and Treasurer.
- ii. The Charity will have a set number of Directors (currently 11) as defined at section 21 of the Article of Association.
- iii. The directors and trustees shall have the same meaning.
- iv. Appointment of directors shall be ratified at the annual general meeting, when they are appointed between the annual general meeting.
- v. Any retiring director will be eligible for re-election.
- vi. In the event of doubt, section 19 to 24 of the Article shall apply.
- vii. The Directors shall not be entitled to any remuneration. However, the Charity may pay the fees for specific service provided by the directors and approved by Board of Directors. In such event, as a good governance, such payments shall be disclosed in the Annual Report.

3.2 Eligibility Criteria

- i. Any individual member of the Charity who have served at least one term in the Executive Committee in the position of Deputy Treasurer or above as defined in clause 4.3 of this document.
- ii. Minimum eligibility criteria for the directors are set out in section 19 of the Article.

3.3 Retirement of Directors

Under section 23.1 of the Article, at each annual general meeting one-third of the directors or, if their number is not three or a multiple of three, the number nearest to one-third, must retire from office. Based on this, at least 3 directors will retire at the annual general meeting.

The following order of retirement shall be followed:

- i. Directors may retire voluntarily.
- ii. Any Directors who served for at least 4 years and absent in the Annual General Meeting will retire automatically under the power delegated under section 21.2 of the Article.
- iii. Section 23.2 of the Article states 'The directors to retire by rotation shall be those who have been longest in office since their last appointment. If any directors became or were appointed directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot (*gola pratha in Nepali*).'

4. Executive Committee

Executive Committee (hereinafter called as the Committee) is an effective management team of the Charity, though voluntary, shall be responsible for the operation of the Charity under section

22.1 of the Article of Association. Under the same provision, the charity may have subcommittees as deemed appropriate by the Executive Committee.

4.1 Term

- i. The Committee shall have term of two years, however due to practical and logistical reason, it can extend or shortened the term by maximum of two calendar months.
- ii. In special circumstances, the tenure may be extended up to thirty months in consultation with the Board of Directors.

4.2 Handover to new Committee

The tenure of the outgoing Executive Committee shall cease immediately after the election of new committee.

For practical reason, members of the previous committee shall support new committee, however in consultation of new committee and its executive responsible for a specific task. For example, retiring Treasurer may still process the payment on authorisation of new Treasurer until the bank mandates are updated.

4.3 Committee Members

The Executive Committee shall be composed of:

- 1) President - 1
- 2) Senior Vice president – 1,
- 3) Vice presidents - 4 including at least one woman.
- 4) General Secretary – 1
- 5) Secretary – 1
- 6) Treasurer – 1
- 7) Deputy Treasurer – 1
- 8) Area co-ordinator – 4 representing
 - i. Belvedere & Abbey Wood,
 - ii. Erith & Barnhurst,
 - iii. Sidcup & Blackfen, and
 - iv. Bexleyheath & Crayford
- 9) Members elected – 5
- 10) Members nominated by president – 4

Immediate past president will be an ex-officio senior advisor to the Committee.

The same individual shall not be reappointed to the same position, either nomination or election, for more than two times.

4.4 Power

The Executive Committee shall have all the operational powers delegated under the section 22.1 of the Article to carry out day to day activities of the Charity. Furthermore, the Committee:

- i. May set up subcommittees for specific purpose with a defined scope to support the Committee; and
- ii. Appoint advisors as it deemed necessary.
- iii. Use of the logo as necessary.

- iv. Design and use of letterhead.
- v. All the forms and other process as deemed necessary.

4.5 Remuneration

- i. The members of the Executive Committee shall volunteer their time, knowledge, experience and skill to the Charity.
- ii. Any members of the Committee shall not be entitled for the remuneration. However, the Charity may pay the fees for specific service provided by the Committee members with the approval of the Executive Committee.

4.6 Roles and Responsibilities

The Executive Committee will be jointly and severally responsible to work towards furtherance and advancement of the objective of the Charity and ultimately held responsible to the Board of Directors.

The following are the broad responsibilities of the various Executive Committee members:

Position	Responsibilities
President	<ul style="list-style-type: none"> Chair the meeting of the Committee. The president of the Committee shall be responsible for overall running of the charity. S/he can allocate the roles and responsibilities to individual within the Committee or any members in the interest of the charity. President may fulfil, if deemed necessary, the Committee members in the event it was not fully fulfilled at the annual general meeting of life members. Responsible to ensure the charity is in compliance of applicable law and regulations.
	All the committee members shall help and support the president towards fulfilment of the objective of the Charity and discharge the responsibilities allocated by the Committee and the president.
Senior Vice president and Vice presidents	<ul style="list-style-type: none"> Shall help and support president on the course of discharging his / her responsibility. Deputise President when needed and nominated by the President.
General Secretary	<ul style="list-style-type: none"> General Secretary shall be responsible for secretarial task of the charity. General secretary maintains the records of directors. Ensure DBS and other checks are in place for the volunteers and others appointed to carry out the activity of the charity where required.
Secretary	<ul style="list-style-type: none"> Secretary shall support General Secretary on secretarial task of the charity. Secretary shall maintain and update the membership records and publish ahead of general meeting specifying category and eligibility to vote in consultation with other committee members.
Treasurer	<p>Treasurer shall be responsible for an overall financial and tax matter of charity and includes:</p> <ul style="list-style-type: none"> Maintenance of books of accounts. Preparation and reporting of annual report. Liaise with auditor or accountant of the charity.

	<ul style="list-style-type: none"> • Ensure the Charity is in compliance of applicable law in relation to accounting, finance, tax, Company House and Charity Commission. • Ensure the Charity has membership of Information Commission office and appropriate public liability insurance in place including renewals.
Deputy Treasurer	Deputy Treasurer shall support Treasurer on the financial matter of the charity.
Area Co-ordinator	Area co-ordinators shall be responsible for engagement and enhancement of the reach of the charity with local members and potential members
Members	Member shall be working towards the furtherance of the objective of the Charity and discharge responsibilities assigned by the Executive Committee and the president from time to time.

4.9 Eligibility Criteria

The following are the minimum eligibility criteria of the executive members:

Position	Responsibilities
All	<p>In order to be a member of Executive Committee, individual should be a life member of the Charity.</p> <p>Furthermore, a person may <u>not be eligible</u> to become a member of the Executive Committee:</p> <ul style="list-style-type: none"> • they have been adjudged bankrupt or their estate has been sequestrated and in either case they have not been discharged; or • they have within the preceding five years been convicted anywhere in the world of any offence, and a sentence of imprisonment (whether suspended or not) for a period of one month or more (without the option of a fine) was imposed on them; or • they are the subject of a Sex Offenders Order and /or their name is included in the Sex Offenders Register; or • they have failed to repay (without good cause) any amount of monies properly owed to the Charity; or • they are a person who is the subject of a disqualification order made under the Company Directors' Disqualification Act 1986; or
President, Senior Vice President and Vice President	<p>The individual should have served for the Charity in either of following capacity for at least two years in past:</p> <ul style="list-style-type: none"> • as a member of the Executive Committee; or • board of director;

4.10 Termination of membership of the Executive Committee

Any members of the Committee shall be removed by two third majority of the Executive Committee and will automatically be removed from the Executive Committee in the event he or she become ineligible during the tenure of the office.

5. Election of Executive Committee

The election of the Executive Committee shall be held on the day of the general meeting and one candidate can stand for only one position.

The passing Executive Committee will appoint an election committee, which consists of three individuals. Election committee may appoint volunteers to assist in election process.

5.1 Election Committee & its responsibilities

Election committee shall:

- i. be responsible for the fair election of the Executive Committee and Directors.
- ii. publish an election programme and communicate to the members using the most appropriate communication method.
- iii. Design and use of application form and other documents as necessary for the election.

5.2 Filing Nomination and fees

- i. The candidates shall file the nomination on the prescribed format recommended and supported by at one member each of the Charity. For clearance of doubt, one member can only either recommend or support only one candidate.
- ii. The fee for the nomination of candidacy will be as follows.

Position	Nomination fee
President	£200.00
Senior Vice Presidents	£150.00
Vice Presidents	£100.00
General Secretary and Treasurer	£75.00
Secretary and Deputy Treasurer	£50.00
Area Co-ordinator and Members	£25.00

- iii. For any reason, if there is not enough nomination for the position, the president may appoint the vacant positions at later date, however the appointee is liable to pay the prescribed nomination fee.

6. General Meetings

- i. Under the section 13 of the Article of Association, the Charity must hold an annual general meeting in each year and not more than eighteen months may elapse between successive annual general meetings.
- ii. The same general meeting can be used for appointments (including reappointments) of directors, members of the Executive Committee, approval of annual reports.
- iii. For maximum participation, it is recommended to call the meeting in September so that approved accounts can be filed to the Company house on time.
- iv. Proceeding of the meetings shall follow the procedure prescribed in the Article.
- v. A general meeting for the purpose of election of the Executive Committee and any other matters will require a quorum of 25 life members.

- a. If a quorum is not present within half an hour from the time appointed for the meeting or a quorum ceases to be present during a meeting, the meeting shall be adjourned to such time and place as the directors shall determine.
- b. In such event, the Executive Committee must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
- c. If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the members present in person at that time shall constitute the quorum for that meeting.
- d. For the avoidance of doubt, there is no provision of proxy representation.
- vi. General Secretary shall maintain the record of the general meetings and hand over to the new general secretary in the event of change of personnel.

7. Executive Committee and Subcommittee meetings

7.1 Meetings

The Executive Committee shall meet at least four times per year for the purpose of collective decisions.

Subcommittees shall meet as decided by the lead or co-ordinator of such committees.

7.2 Notice of meetings

A clear seven days' notice period shall be served to the Executive Committee members and advisors.

7.3 Proceedings at the Committee meetings

The Committee meeting will be chaired by the president of the Committee and require an attendance of at least five members of the Committee.

- i. If a quorum is not present within half an hour from the time appointed for the meeting or a quorum ceases to be present during a meeting, the meeting shall be adjourned to such time and place as the president shall determine.
- ii. In such event, the President must reconvene the meeting and must give at least two clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
- iii. If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the members present in person at that time shall constitute the quorum for that meeting.

For the avoidance of doubt, there is no provision of proxy representation.

7.4 Minutes

General Secretary shall maintain the record of the meetings of the Executive Committee. Coordinator of subcommittees shall be responsible to maintain the record of subcommittees and report back to the Executive Committee.

8. Financial Management, Accounts and Audit

Treasurer will be responsible for the overall financial management of the Charity along with maintenance of accounting records, production of annual reports.

9. Conflict of Interest

Any conflict of Interest shall be disclosed by the members of the Executive Committee and subcommittees. When such situation arises, member/s with conflict of interest will not participate in decision making process.

10. DISPUTE RESOLUTION PROCEDURES

10.1 Dispute in relation to Election

In the event of a dispute in relation to matters of eligibility and disqualification, such individual shall be invited to discuss the grounds of dispute with the member/s of election committee. If not resolved, the dispute shall be discussed at the election committee whose decision shall be final.

10.2 Dispute in relation to any other matters

- i. In the event of a dispute in relation to any matters, such individual shall be invited to discuss the grounds of dispute with the nominated members or subcommittee appointed by the Executive Committee.
- ii. If not resolved, the dispute shall then be referred for the decision to the Executive Committee, whose decision shall be final.
- iii. If the individual is not satisfied with the decision of the Executive Committee, can appeal to the Board of Directors on the matter of principle and not the specific details. The Board of directors will review, and the board shall decide on the matter of principle and refer back to the Executive Committee for final decision, if decision require an amendment.

11. Amendments to the Operating Policy & Procedure (नियमावली)

The Operating Policy & Procedures is a dynamic document however, any amendments shall be considered carefully.

The amendments to this document shall be through the special resolution at the annual general meeting of the Charity.