EC – October 2014 – Bergamo

PROPOSAL FOR CHANGES TO BY-LAW

BY-LAWS

I. ORGANS OF FEANTSA

1. General Assembly

The General Assembly takes decisions by majority voting, but strives to reach a consensus.

The voting is organized as follows:

The votes are equally distributed per EU Member State. A total of 10 votes per EU Member State is given to all full member organizations of that State as a decisive whole.

It is up to the full member organizations to decide if and how they distribute the 10 votes among themselves. The members of the Administrative Council shall inform the Director of FEANTSA of this decision at least one week before the meeting of the General Assembly.

The distribution of votes in the different EU Member States must happen on the basis of a consensus amongst the full members. If the full member organisations do not agree on the distribution of votes, no vote from that country will be deemed valid.

The President of FEANTSA chairs the General Assembly.

The meetings of the General Assembly shall be conducted in both English and French. Simultaneous interpretation shall be provided. All important supporting documents for the meetings shall be available in English and French.

2. Administrative Council

The Administrative Council takes decision by majority voting, but strives to reach a consensus.

The President of FEANTSA chairs the meetings of the Administrative Council.

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The meetings of the Administrative Council shall normally be conducted in both English and French. Simultaneous interpretation shall be provided when necessary.

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The members of the Administrative Council represent all FEANTSA's members of their country. They are responsible for the implementation of the annual work programme of FEANTSA in and for their country.

3. Executive Committee

The Executive Committee takes decisions by majority voting, but strives to reach a consensus.

The members of the Executive Committee must represent as much as possible the different regions and welfare regimes of the European Union.

Members of the Executive Committee are the named individuals. They may not be substituted except by prior agreement of the Administrative Council.

The different members of the Executive Committee shall follow one of the following areas of work:

- supervising and monitoring of research of the European Observatory on Homelessness;
- development and implementation of the lobbying strategy;
- monitoring of the communication strategy;
- development and implementation of the networking strategy;
- promotion of transnational exchanges and projects.

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The respective members of the Executive Committee shall liaise with the responsible members of FEANTSA's staff and regularly report to the Administrative Council on the developments in these areas.

For areas not followed by individual members of the EC, the President will be the contact person.

The minutes of the meetings of the Executive Committee are made available to all members of the Administrative Council for information on FEANTSAs website (members only pages).

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The President of FEANTSA chairs the meetings of the Executive Committee.

If needed, the meetings of the Executive Committee are conducted in both English and French. The supporting documents for the meetings shall normally be available in English only, unless the Executive Committee decides otherwise.

4. Financial Committee

The Financial Committee is set up by the Administrative Council in order to improve the financial management and control of FEANTSA.

The Financial Committee consists of the President, the Treasurer, the Director and the Finance Officer.

The role of the Financial Committee consist of the following:

- Preparing financial decisions for the Administrative Council
- Monitoring the financial implementation of the annual work programme
- Preparing annual budgets
- Monitoring the financial audits

The Financial Committee is chaired by the President of FEANTSA.

The Financial Committee meets on the initiative of the President.

The Treasurer and the Finance Officer provide the Administrative Council at each meeting with a complete update of the work of the Financial Committee.

Normally the meetings of the Financial Committee are conducted in English and the supporting documents are produced in English, unless the Financial Committee decides otherwise.

II. ELECTIONS

1. Election of the members of the Administrative Council

The election of the members of the Administrative Council are chaired by the President of FEANTSA.

Every member organisation of FEANTSA established in an EU Member State shall be informed at least 3 months before the election about the next elections.

All candidates must be able to express themselves in English or French. All candidates must have a passive understanding of English.

The candidates must inform the FEANTSA office at least 2 weeks before the elections in writing about their candidature. FEANTSA shall inform all member organisations about the candidates at least 1 week before the elections.

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In countries with more than one full member organisation, there must be a prior agreement on one single candidate. If more than one person puts his/her candidature, the General Assembly will refrain from voting and the country seat will be deemed vacant.

2. Election of the President

The Administrative Council elects the President of FEANTSA. The election for the President is chaired by the oldest member of the newly established Administrative Council.

All member organisations of FEANTSA shall be informed about the election of a new President at least 3 months prior to the election.

The President needs to be a representative of a full member organization. The President must be elected amongst the members of the Administrative Council.

The President needs to have a sufficient level of English or French to be able to chair meetings.

The candidates shall confirm their candidature in writing and include a CV to the FEANTSA office not later than 2 weeks before the election. The FEANTSA office shall inform all member organizations about the candidates at least 1 week before the elections.

In case there is more than one candidate, the Administrative Council shall take a decision with a simple majority after a presentation of the motivation of the candidates and a question and answer session. If there is no majority for any of the candidates after 3 rounds, the candidate will be appointed by random ballot.

3. Election of other statutory positions

All members of FEANTSA shall be informed at least 3 months before the elections about the election of the vice-presidents, treasurer and secretary.

The newly elected President shall inform the newly established Administrative Council at the first meeting about the candidates for the above statutory positions. The members of the newly elected Administrative Council can still decide to be a candidate for one of the above statutory positions at the inaugural meeting of the newly established Administrative Council. In the case there is more than one candidate for the same position, the Administrative Council will take a decision with a simple majority after a presentation of the motivation of the candidates, and if deemed necessary also a question and answer session. If none of the candidates gets a majority after 3 rounds of voting, he/she will be appointed by random ballot.

4. Appointment of the members of the Executive Committee

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The President, Vice-Presidents, Treasurer, and Secretary shall automatically be member of the Executive Committee.

The Administrative Council can decide with a simple majority to appoint up to two other members of the Administrative Council to become member of the Executive Committee.

The geographical and gender balance should be taken into account as a key criterion for the appointment of the two additional members of the Executive Committee by the members of the Admistrative Council during the vote.

A member of the Executive Committee who does not attend three consecutive meetings of the Executive Committee shall automatically cease to be a member of the Executive Committee. The Administrative Council can appoint a replacement to complete the mandate of the excluded member of the Executive Committee.

III. MEMBERSHIP FEES

The membership fees are calculated on the following basis:

• Full Membership:

200 € plus 1% of the organization's annual budget up to a maximum of 1500 €

• Associate Membership:

200 € + 0 .5% of the organization's annual budget up to a maximum of 500 €

• Corresponding Membership

50 €

The Administrative Council can award reduced fees for organisations which are unable to pay the full membership fee. Reductions can only be awarded on the basis of a written request from the member organisation explaining the reasons for the reduction and a proposal for a reduced amount. Reductions are only awarded for a limited time period and will be reviewed regularly.

The membership fees can be reviewed every year by the Administrative Council.

IV. WORKING GROUPS

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1. Membership

Each working group consists of maximum 8 members whose costs are covered by FEANTSA. The working group can be enlarged with persons who cover all costs themselves. The actual number of members for each working group is decided by the AC before the start of a new mandate.

Membership of the working groups is open to representatives or delegates of full and associate member organizations of FEANTSA.

The selection of members happens on the basis of the following criteria (in order of importance) : expertise, geographical balance, membership quality, and continuity.

At least one member of each working group should be a member of the Administrative Council of FEANTSA. This person should preferably be the chair of the working group. If there are no candidates from the Adminsitrative Council, the responsible policy officer will be responsible for the link between the working group and the AC.

Each member of the working group is appointed for a renewable period of 2 years.

2. Functioning

Each working group works under the authority of the Administrative Council of FEANTSA.

The role of each working group is to contribute to the implementation of the work programme of FEANTSA. Each working group shall act within the limits of the work programme and on the basis of guidelines provided by the Administrative Council.

The working groups shall submit each new policy position to the Administrative Council for adoption before making it public.

Each working group normally meets two times per year. The meetings are hosted as often as possible by the organisations represented in the working groups.

The AC representative or responsible policy officer of the working group reports on the activities and initiatives of the working group on a regular basis to the Administrative Council.

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The office of FEANTSA is responsible for co-ordinating the working groups. This implies among other things organising the meetings (in close co-operation with the hosting organisation), drafting the agenda (in close co-operation with the chair), providing information and discussion documents, making the minutes and ensuring follow up of decisions.

A representative of the office attends every meeting of the working groups.

Each working group shall make use of the FEANTSA web site to disseminate information on its activities and initiatives.

3. Financing

FEANTSA pays for all the costs related to the organization of the meetings of the working groups, i.e. travel, accommodation costs, subsistence costs and meeting costs.

FEANTSA reimburses the travel of the members on the standard basis (see below)

FEANTSA normally pays for a maximum of two nights hotel accommodation, unless travel arrangements require otherwise.

V. RESEARCH

1. General

The European Observatory on Homelessness was set up to conduct, commission and publish transnational research for FEANTSA. The European Observatory is an integral part of FEANTSA.

The recurring research work of the Observatory is a part of FEANTSA's annual work programme funded by the European Commission. Additional research is possible with the prior agreement of the Executive Committee on the condition additional external funding is secured.

2. Contracts and payments

The Executive Committee selects a team of researchers to conduct, commission and publish the research of the Observatory as described in FEANTSA's annual work plan following a public tender.

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The Executive Committee drafts and the Director signs a contract with the coordinator of the research team for the coordination of the research as described in the annual work programme. The period covered by the contract is normally not longer than 1 year and coincides with the period covered by FEANTSA's work programme funded by the European Commission. The Director shall automatically renew the contract with the research coordinator unless the Executive Committee decides to replace the coordinator.

The Director drafts and signs contracts with the members of the research team and external researchers individually. The period covered by the contract is normally not longer than one year and coincides with the period covered by FEANTSA's work programme funded by the European Commission. The Director shall automatically renew the contracts with the members of the research team unless the research coordinator advises and the Executive Committee decides otherwise.

The contracts with the research coordinator and with the members of the research team include a clause about sanctions in case of not respecting the deadlines.

The members of the research team must ensure an adequate quality of the research output. In case a team member is not the (only) person doing the research, he/she shall clearly mention in the contract who is involved in doing the research and what is his/her role.

The payment of the research team and the coordinator happen in maximum two installments and the last installment is always paid after the satisfactory completion of the work. Exceptions to this rule can only be allowed after approval of the Executive Committee.

The total budget reserved for fees of the researchers is determined by the Executive Committee. There must be an objective basis for calculating the fee for the members of the research team.

3. Research programme

The Administrative Council adopts the research programme on the basis of a proposal of the research coordinator. The research coordinator must liaise closely with the Director and the Executive Committee during the drafting of the research programme and must make sure that the research is relevant and valuable for FEANTSA and its member organizations and pertinent in the EU context. The Administrative Council adopts the research programme for one year at a time.

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The European Journal of Homelessness and the comparative research are established parts of the research work, and their continuation shall be assured by the Administrative Council.
There shall be a meeting at least two times per year between the Director and the research coordinator of the Observatory to monitor the implementation of the research programme.

The research coordinator and/or lead editor shall attend all meetings of the Administrative Council as an observer and provide the Administrative Council regularly with an update on the implementation of the research programme.

In order to ensure the quality of the research of the members of the research team, the research coordinator shall inform the Director immediately about problems when they arise.

4. Publication and dissemination of research

After consulting the research coordinator, the Administrative Council decides on the format in which the research is published.

The copyright of the research is with FEANTSA. The Administrative Council can decide to assign the copyright when necessary for publication purposes. The holder of the copyright must mention FEANTSA and the authors of the research on all research publications.

The research coordinators and the Administrative Council are responsible for the wide distribution of the research results.

FEANTSA has the right to sell the research publications and develop a marketing strategy.

FEANTSA commits to publish the research conducted and edited by the Observatory in the framework of FEANTSAs work plan in line with contractual obligations vav the European Commission and also when the results of the research do not reflect the position of (part of) the membership. Only in case of serious lack of quality which is confirmed by the research coordinator and an external academic expert on homelessness (to be appointed by the Executive Committee), can the Administrative Council decide not to publish or require a revision of the research output (or part of it).

V. FINANCES

1. Financial objective

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The main financial objective is to ensure the financial stability of FEANTSA. To do this it is necessary to:

.. To sustain the funding that FEANTSA receives from the European Commission
Anticipate changes in the European Commission's funding by finding new funding resources both internally and externally.
.. Build up a reserve in order to be more financially secure and to avoid the necessity for a bank overdraft with all the associated costs.

2. Funding of FEANTSA

Current Situation

FEANTSA receives on an annual basis app. 80% of its core funding from the European Commission . The other app. 20 % (co-financing) comes from contributions of FEANTSA's member organisations (membership fees) and partners, and income linked to the implementation of FEANTSA's work programme (conference fees, co-funding of events…) and other sources of income.

Co-financing

The AC develops and adopts every year a co-financing plan, which sets out in detail the different sources of expected income. The AC shall anticipate in its co-financing strategy the potential increase of co-financing levels required in the future.

3. Budget

The annual budget is prepared based on the activities outlined in the work programme and approved by the AC and the GA. Any major additions or changes to the budget of the work programme during its implementation have to be approved by the Administrative Council.

Additional funding for new FEANTSA activities (not included in the annual work programme for which FEANTSA receives core-funding from the European Commission) have to be approved by the AC. If approval by the AC is not possible because of time constraints, the additional funding can be accepted by the President and the Treasurer, but only on the condition that it does not draw on the core-funding which FEANTSA receives from the European Commission

4. Reporting

A financial report shall be presented at all meetings of the Administrative Council. The budget should be split by month or quarter. The financial report should include the following information (annex 2):

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5. Auditing

External auditors

The Administrative Council appoints the external auditor. The external auditor shall perform at least one audit per year.

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Internal auditor

An internal auditor, who is an employee of one of FEANTSA's member organisations, can be appointed by the Administrative Council. The internal auditor can review the implementation of the work programme in terms of spending. This ensures that the budget is adequately spent as outlined in the work programme. The internal auditor provides the Administrative Council with a short written report. The internal auditor is only reimbursed for travel and accommodation expenses.

6. Budget control

The Director has final responsibility for budget control. Other staff members are involved in budget control for the areas where they have responsibility.

Any major variations have to be notified to the Director and the Finance Officer and discussed with the President and the Treasurer.

A budget control sheet (annex 3) shall be prepared for each major relevant event/activity showing the budget and the amounts already paid or committed. After each budgeted event/activity is completed a final financial report for that activity should be prepared.

The Director and the Finance Officer meet regularly to discuss relevant financial issues.

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The Finance Officer reports on a regular basis to the Treasurer about current financial situation.

7. Reimbursement of Expenses

Administrative Council/Working Groups

Members of the Administrative Council and the Working Groups are reimbursed for their expenses on the following basis:

• Travel expenses will be reimbursed after the event and upon receipt of a completed standard reimbursement form on the basis of a second class air fare or rail ticket. The Director and Finance Officer can decide not to pay the entire flight fare if they deem it exceptionally expensive and have proof that cheaper fares were available. Taxi costs will not be reimbursed by FEANTSA, unless public transport is not available.

• Hotel rooms and breakfasts will be paid directly by FEANTSA. All extra costs including telephone and mini-bar will not be reimbursed by FEANTSA.

• A reimbursement form (annex 4) should be completed with all receipts and original tickets attached. This should be returned to the office within one month of the event.

Staff

Members of staff will be reimbursed for all reasonable expenses incurred while performing their duties. An expense report (see annex 5) should be prepared detailing these expenses and with supporting documents attached. In cases it is not possible to obtain a receipt an explanation should be attached. The Director and Finance Officer can decide not to pay the all the expenses if they deem they are exceptionally expensive and/or unneccesary.

When members of staff are required to travel abroad the same guidelines, as detailed above for members of the Administrative Council apply. Normally when staff are required to travel arrangements are made in advance. When there are no prior arrangements, hotel expenses (including breakfast) of up to 150 EURO per day will be reimbursed on production of receipts.

Representation

Members of the Administrative Council or any other person delegated by the Administrative Council or Executive Committee who represent FEANTSA abroad, will be reimbursed for all reasonable expenses incurred while performing their duties. An expense report should be prepared detailing these expenses and with supporting documents attached. In cases where it is not possible to obtain a receipt an explanation should be attached. Travel expenses and other expenses will be reimbursed on the basis of the above criteria.

8. Issue of Credit Cards

Credit cards (VISA) are issued to:

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.. Finance Officer

An expense report shall be prepared for all credit card expenditure with the credit card slip and invoice attached.

9. Payments

Before payment all invoices:

.. Shall be checked against any estimate, purchase request or delivery note.
.. The person with responsibility for the event/activity and the Director and/or Finance officer should approve the payment.
.. Shall be given the appropriate accounting code.

After payment all invoices:

.. Shall be stamped "Paid" and the date and bank statement number shall be marked on the invoice.

All bank transfers shall be signed jointly by two of the following:

.. Director
.. Finance Officer

VI. STAFF REGULATIONS

1. Employment

Recruitment

The Director and Policy Coordinator are selected by a selection committee, which consist of members of the Executive Committee and includes the President.

Other members of staff are selected by the Director through an appropriate and transparent process, and approved by the EC.

Dismissal

The decision to dismiss the Director shall be taken by the Administrative Council.

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The dismissal of other members of staff shall be decided by the Executive Committee.

Approval of new positions

All new permanent positions have to be approved by the EC

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2. Tasks

Job Descriptions

The Executive Committee is responsible for approving the job description drafted by the Director.

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The Director is responsible for drafting job descriptions for all members of staff. These shall be discussed with each member of staff individually and shall be reviewed on a regular basis.

3. Contracts

A contract of employment shall be concluded for each member of staff according to Belgian legal requirements. Special formats shall be used for stagiairs.

Permanent contracts shall include a trial period of 6 months.

4. Salaries

The salary of the Director is determined by the Executive Committee.

Other salaries are determined by the Director after consultation of the Executive Committee and on the basis of the salary system approved by the Administrative Council.

Salary increases shall be in line with Belgian legislation.

VII. AMENDMENT OF THE BY-LAWS

The by-laws can be amended by the Administrative Council.

ANNEX 1

JOB DESCRIPTION FOR MEMBERS OF THE AC

The nature and the amount of work for an AC member depend on individual and country circumstances. Most of the members of the AC are professionals working on a voluntary basis for FEANTSA and therefore have to find on an individual basis an adequate balance between their commitments in their national organisation and what they can do for FEANTSA. Below is the minimum package of concrete tasks of every AC member. AC members should try to develop their role further on the basis of their individual capacities.

1. The AC of FEANTSA consists of one representative of every Member State of the EU in which FEANTSA has full members. AC members are expected to represent the whole FEANTSA membership in their country.

In several countries this does not pose any major problem, because there is only one member organisation which represents an important part of the sector or because there exist already a framework for co-ordination at national level in which all FEANTSA members take part. In some other countries, however, there exists no formal co-operation and there is no direct need to set up a framework for co-operation at national level (for instance, because policies dealing with housing and homelessness have beenregionalised). In these countries the role of the AC member as national representative will be more difficult and time-consuming.

Every member of the AC should maintain regular contact with all member organisations of FEANTSA in his/her country and involve them as much as possible in the implementation of the annual work programmes of FEANTSA. The nature of this contact will depend on the situation in every individual country. AC members will be encouraged to try and share the work related to the implementation of the FEANTSA work programme with representatives from other member organisations. Also in countries where there is only one major umbrella organisation, AC members are encouraged to share the work with other people in their organisation.

Every AC member should organise at least one meeting per year with all FEANTSA member organisations in his/her country to co-ordinate their input in the FEANTSA work programme. This could be organised as part of another national event (working group at a national seminar, general assembly etc.). Also

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AC members, who represent the only FEANTSA member in their country should organise such a meeting involving all people from their organisation involved in FEANTSA work.

In countries where there is only one major national umbrella for the sector which is a member of FEANTSA, FEANTSA encourages the setting up of small EU working groups in order to ensure regular input into the work of FEANTSA.

2. FEANTSA expects every delegate to attend the meetings of the AC (normally 3 meetings per year). These meetings will take place as much as possible during the WE and will be linked to other FEANTSA events, such as European seminars. All the expenses for attending FEANTSA meetings and seminars will be reimbursed by the FEANTSA. The expenses for the implementation of the work programme at national level (organizing national meeting, writing short reports etc.) however will not be reimbursed by FEANTSA. The working hours for national as well as transnational activities in the framework of the FEANTSA work programme will not be reimbursed either.

3. AC members are responsible for the drafting of or coordinating the drafting of the national input for European reports/papersproduced by FEANTSA's office. The AC members have to involve all other members of FEANTSA in their country in the drafting process. Every year the AC members will update the country fiches on homelessness in English or French. Other national input might be required.

5. AC members would occasionally be asked to co-ordinate lobbying and media campaigns at national, regional level on a specific issue in the framework of FEANTSA's work programme.

6. AC members will be encouraged to ensure the provision of adequate information on homelessness in their country to the FEANTSA office (sending newspaper articles, important policy documents, etc.)

7. AC members are expected to carefully follow up all decisions taken at GA and AC meetings.

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