

**CONSTITUTION**

**OF**

**CATHOLIC SOCIAL SERVICES**

**WESTERN AUSTRALIA**

# CATHOLIC SOCIAL SERVICES WESTERN AUSTRALIA

## A Catholic Association Operating in Western Australia Under the Sponsorship of the Archdiocese of Perth

### 1.0 Preamble

*While Catholic lay persons and clergy have the right to establish and direct associations for charitable or pious purposes, which foster the Christian vocation (Code of Canon Law 215), no organisation can legitimately claim the name 'Catholic' without the consent of the lawful Church authority (Vatican II, Lumen Gentium 37; Apostolicam Actuositatem 24, 25; Code of Canon Law 216).*

*Associations are not ends unto themselves; rather they should serve the mission of the Church to the world. Their apostolic dynamism depends on their conformity with the goals of the Church as well as on the Christian witness and evangelical spirit of every member and of the whole association (Vatican II, Apostolicam Actuositatem 19).*

*Accordingly, all agencies and organisations that operate within a Diocese must have the approval of the Bishop of that Diocese to operate as a Catholic agency and this Constitution provides the basis for that approval and the parameters of that approval.*

### 2.0 Principles

In supporting and enhancing the work of its members Catholic Social Services Western Australia seeks to serve the poor, the marginalised and the disadvantaged by drawing upon the gospel values enshrined in Catholic Social Teaching:

#### 2.1 The Dignity of the Human Person

Human beings are created in the image of God and, therefore, are endowed with dignity. This inherent dignity carries with it certain basic rights and responsibilities, which are exercised within a social framework.

#### 2.2 The Common Good

While the dignity of the human person is affirmed, individuals live in common with others and the rights of individuals must be balanced with the wider common good of all. The rights and needs of others must be always respected.

#### 2.3 Solidarity

Human beings are social by nature and do not exist merely as individuals. When considering the human community it must be remembered that it consists of individual and social elements.

#### 2.4 Subsidiarity

This principle recognises that society is based on organisations or communities of people ranging from small groups or families right

through to national and international institutions. As a rule of social organisation, subsidiarity affirms the right of individuals and social groups to make their own decisions and accomplish what they can by their own initiative and industry. A higher level community should not interfere in the life of a community at a lower level of social organisation unless it is to support and enable.

2.5 The Purpose of the Social Order

The social order must uphold the dignity of the human person.

2.6 The Purpose of Government

The purpose of government is the promotion of the common good. Governments are required to actively participate in society to promote and ensure social justice and equity.

2.7 Participation

Individuals and groups must be enabled to participate in society.

2.8 The Universal Purpose of Goods

The world's goods are meant for all. Although the Church upholds the right to private property this is subordinate to the right to common use and the overall common good. There is a social mortgage on private property.

2.9 Option for the Poor

This refers to seeing the world through the eyes of the poor and standing with the poor in solidarity. This should lead to action for justice with and on behalf of those who are poor and marginalised.

2.10 The Care of Creation

The Earth is God's gift and all species have a rightful place in it. Humans share this habitat with other kind and have a special duty to be stewards and trustees of the Earth.

Social Action Office, Conference of Leaders of Religious Institutes, Queensland, [www.sao.clriq.org.au](http://www.sao.clriq.org.au).

### 3.0 Name

3.1 The name of the Association shall be Catholic Social Services Western Australia.

3.2 Catholic Social Services Western Australia is an association of Catholic social service providers operating in Western Australia established by the Bishops of Western Australia.

3.3 The legal entity for all matters is The Roman Catholic Archbishop of Perth, a Corporation Sole.

- 3.4 The Bishops of Broome, Bunbury and Geraldton agree for the Archbishop of Perth to act on their behalf in matters pertaining to the operation of the Council and Association in accordance with this constitution with the exception of 14.2 (c).

#### 4.0 Definitions

In this Constitution, unless the contrary intention appears:

<b>“Archdiocese”</b>	means the Roman Catholic Archdiocese of Perth.
<b>“Association”</b>	means Catholic Social Services Western Australia.
<b>“Archbishop”</b>	means The Roman Catholic Archbishop of Perth.
<b>“Associate member”</b>	means an individual who has been approved by the Council under Clauses 7(2) and 9.
<b>“Bishop”</b>	means the Bishops of the provincial Western Australian Catholic Dioceses.
<b>“Catholic Archdiocese of Perth Administration Centre”</b>	means the organisation established by the Roman Catholic Archbishop of Perth to administer the property and finances of the Archdiocese which includes the monitoring of the finances and governance of Archdiocesan agencies.
<b>“Council”</b>	means the Council of Catholic Social Services Western Australia as identified in Clauses 13 and 14 of this Constitution.
<b>“Council member”</b>	means a person identified in Clause 14.
<b>“Council meeting”</b>	means a meeting referred to in sub clause 18.1.
<b>“Chairperson”</b>	means the Vicar for Social Outreach of the Archdiocese of Perth as outlined in Clause 14 (2) (a), 15 and 19.4.
<b>“CSSA”</b>	means Catholic Social Services Australia.
<b>“CSSWA”</b>	means Catholic Social Services Western Australia.
<b>“Deputy Chairperson”</b>	means the person appointed as such in accordance with Clause 16.
<b>“Diocese”</b>	means the Roman Catholic Diocese of Bunbury, Broome or Geraldton.
<b>“Full member”</b>	means Catholic social service provider that has been approved by the Council under Clauses 7(1) and 8.
<b>“Sponsorship”</b>	means providing financial and in kind resources for the operation of the Association and Council.
<b>“Treasurer”</b>	means the person appointed as such in accordance with Clause 16.
<b>“Vicar”</b>	means the Vicar for Social Outreach of the Archdiocese of Perth.

## **5.0 Purpose of the Association**

The purpose of the Association is to:

- 5.1 Assist the Catholic Church in Western Australia to:
  - (a) Stand with and serve those who are disadvantaged and marginalized;
  - (b) Work for a just, equitable and compassionate society;
  - (c) Promote liaison and collaboration between Catholic social service providers operating in Western Australia;
  - (d) Support CSSA in their work with particular reference to Western Australia;
  - (e) Provide training opportunities for staff and volunteers working with Catholic social service providers to develop a deeper understanding of Catholic mission, values and ethos;
  - (f) Be a conduit for Catholic organisations and agencies to access or provide training;
  - (g) Work with key stakeholders to provide information on issues such as homelessness, indigenous issues, domestic violence and the minimum wage;
  - (h) Provide a consensus approach to competitive tendering to avoid duplication of services whilst recognising the niche services that exist in the Catholic welfare system and
  - (i) Represent the concerns of members of CSSWA to the relevant State Members of Parliament.
- 5.2 In fulfilling its purpose, the Association shall act in accordance with this Constitution.

## **6.0 Objects of the Association**

CSSWA is auspiced by the Archbishop, Bishops and its members to act as a liaison body for Catholic service providers operating in Western Australia by:

- 6.1 Discerning and promoting within the Church and its agencies and ministries a contemporary vision and focus of the Church's social mission;
- 6.2 Representing its members and the Church in responding to social welfare issues so as to bring about social change in accordance with Catholic Social Teaching;
- 6.3 Resourcing the Bishops, Religious Institutes, Church agencies, ministries and other Church-based groups with regard to their social welfare pastoral responsibilities and ministries;
- 6.4 Encouraging collaboration in the promotion of opportunities for service delivery and mission development; and,
- 6.5 Giving effective voice to the experiences and struggles of people who are disadvantaged and marginalised through researching, publishing and speaking on issues of justice and equity.

## **7.0 Categories of Membership**

- 7.1 Full membership is available to any Catholic social service providers operating in Western Australia upon application and approval by the Council.
- 7.2 Associate membership is available to individuals who subscribe to the CSSWA Purpose and Objects upon application and approval by the Council.

## **8.0 Full Members**

- 8.1 A Full member is required to nominate a representative who shall attend meetings and vote on behalf of that member.
- 8.2 The Full member nominated representative may, at their discretion, appoint a proxy for any meeting of CSSWA.
- 8.3 The Auxiliary Bishop of the Archdiocese of Perth shall be deemed to be the proxy of the Archbishop of Perth.
- 8.4 The Council of CSSWA will be the arbitrator of eligibility for membership of the association.
- 8.5 Full members of CSSWA are obliged to:
  - (a) Subscribe to and promote the purpose and objects of CSSWA;
  - (b) Pay membership and other fees as determined by the Council; and
  - (c) Nominate in writing their representative and provide that person's contact details at the time of paying annual membership fees.

## **9.0 Associate Members**

Associate members of CSSWA are obliged to:

- 9.1 Subscribe to and promote the mission and objects of CSSWA; and
- 9.2 Pay membership and other fees as determined by the Council.

## **10.0 End of Membership of CSSWA**

- 10.1 A member of CSSWA may resign or withdraw from membership at any time by notice in writing to the Council.
- 10.2 A member of CSSWA which is wound up according its own rules or constitution automatically ceases to be a member of CSSWA.
- 10.3 The Council may revoke the membership of a Full member by resolution if two thirds of members of the Council decide that the member is not performing Catholic social service work.

## **11.0 Voting and Nomination Rights**

- 11.1 Full members of CSSWA have the right to:
- (a) Nominate their representative for election to the Council;
  - (b) Nominate other Full members for election to the Council; and
  - (c) Participate in General and Special meetings of CSSWA.
- 11.2 Each Full member has one voting right in ballots for Council positions and for other resolutions of General and Special Meetings of CSSWA.
- 11.3 Only Full members can vote on these matters.
- 11.4 Associate members:
- (a) Do not have voting rights in ballots for Council; and
  - (b) May participate in general and special meetings of the association.
- 11.5 Any Full or Associate member that has not paid fees for the last two consecutive CSSWA financial years will automatically have their membership revoked.

## **12.0 Membership Fees**

- 12.1 The Council will determine the membership fee schedule (Schedule A) prior to the commencement of each financial year and advise the membership at the annual general meeting.
- 12.2 Where there is demonstrated inability of a member to pay because of hardship, the Council may waive or reduce fees.

## **13.0 Council Functions and Activities**

- 13.1 The Council will:
- (a) Act as the governing body for CSSWA; and
  - (b) Advise the Archbishop, Bishops, Public Juridic Persons and Religious Institutes on matters of social welfare and such other matters as may be referred to the Council by the Archbishop and Bishops from time to time.
- 13.2 The Council will fulfil the Purpose and Objects of CSSWA and further the interests of members by:
- (a) Facilitating the development of CSSWA and its membership;
  - (b) Responding, in appropriate forums, to member views and concerns;
  - (c) Oversighting the overall functions of CSSWA;
  - (d) Determining the annual membership fee;
  - (e) Approving the annual CSSWA budget;

- (f) Providing general direction for the Secretariat in carrying out its functions; and
  - (g) Promoting and facilitating interest groups as a means to monitoring necessary service developments.
- 13.3 The Council may collaborate and form working relationships in different ways with other organisations that share similar objectives to CSSWA.
- 13.4 The Council may appoint personnel to form a secretariat for the Council.

#### **14.0 Council Membership**

- 14.1 The Council shall be the governing body of CSSWA.
- 14.2 Membership of the Council shall comprise nine (9) members:
- (a) The Vicar for Social Outreach of the Archdiocese of Perth who shall also act as Chairperson;
  - (b) Four (4) members elected by the Nominated Representatives of the Full members of CSSWA;
  - (c) One member nominated by the Archbishop and by each of the Bishops of the provincial dioceses for their expertise.
- 14.3 The Council may co-opt one additional member with expertise to the council as and when required.

#### **15.0 Chairperson**

The Chairperson's duties include:

- (a) Chair Council meetings; and
- (b) Determine Council meeting agendas in conjunction with Council members and the Secretariat.

#### **16.0 Deputy Chairperson and Treasurer**

The Council will elect at its first meeting each year a Deputy Chairperson and a Treasurer.

#### **17.0 Secretariat**

- 17.1 The role of the Secretariat is to provide administrative support to the Council.
- 17.2 The composition of the Secretariat will be determined by the Council.

#### **18.0 Proceedings of the Council**

- 18.1 The Council must meet together for the dispatch of business not less than two (2) times each year.



- 18.2 Special meetings of the Council shall be held when called by the Chairperson or by any three members of the Council. No less than three days' notice is required.
- 18.3 Each Council member has a deliberative vote and the Council member occupying the chair has a casting vote in the event of a tie. Business shall be decided by a simple majority of deliberate votes and, if necessary, a casting vote.
- 18.4 A quorum shall be fifty percent of current Council members less those on leave of absence approved by the Council, but shall not be less than four members including the Chairperson. No meeting may be held without a quorum. In the absence of the Chairperson, members shall elect an acting Chairperson to preside over the meeting.
- 18.5 The procedure and order of business to be followed at a Council meeting shall be determined at that meeting by the Council members present. An agenda and relevant papers shall be available to all members at their nominated address at least two working days prior to the scheduled meeting.
- 18.6 A Council member having any direct or indirect pecuniary or other interest in an item of business shall declare interest and not take part in any deliberations or decision of the Council with respect to that item of business. Any question of whether an interest exists shall be decided by the Committee, excluding that member. Every disclosure of interest must be recorded in the minutes.

## **19.0 Terms of Office of Council Members**

- 19.1 The term of office of elected Council members shall be for three years from the date of the Annual General Meeting at which their election was announced.
- 19.2 Nominated Council members shall be appointed biennially by their designated authority generally within four weeks of or by the CSSWA Annual General Meeting.
- 19.3 Elected Council members shall be eligible for re-election. There is no limit to tenure on the Council.
- 19.4 The designated authority may change their nominee at their absolute discretion.
- 19.5 The Vicar for Social Outreach of the Archdiocese of Perth shall be an ex-officio member and Chairperson of the Council.

## **20.0 Casual Vacancies**

- 20.1 In the event of a casual vacancy occurring for an elected Council member the Council may appoint any Full member representative to the balance of the term of the vacant position.

- 20.2 In the event of a casual vacancy occurring for a nominated Council member, the appropriate nominating authority shall be invited to nominate a replacement.

### **21.0 Minutes of Meetings and Correspondence of the Council**

- 21.1 The Council shall cause proper minutes of its proceedings to be kept.
- 21.2 The Council shall consider the draft minutes of each of its meetings for approval at the next Council meeting and approved minutes shall be signed by the Chairperson or his or her deputy.
- 21.3 Draft minutes of each Council meeting shall be provided to the Council at least two working days prior to the Council meeting at which the draft minutes will be considered.
- 21.4 A copy of the approved Council minutes shall be forwarded to the Archbishop.
- 21.5 All correspondence to and from the Council shall be tabled at the following Council meeting.

### **22.0 Variation of the Constitution**

- 22.1 This constitution may only be varied by the Archbishop and Bishops
- (i) after receiving a recommendation of 80% of Full members at an Annual General Meeting; or
  - (ii) by the Archbishops and Bishops of their own volition.
- 22.2 Any variation approved by the Archbishop and Bishops shall have effect from the date determined by them.

### **23.0 Establishment of Sub-Committees by the Council**

- 23.1 The Council may at any time appoint sub-committees accountable to it and comprising at least one Council member in addition to other persons. The Council shall prescribe the functions of each such sub-committee.
- 23.2 An employee of the Association may be invited to serve on a sub-committee.
- 23.3 Specific terms of reference and a conclusion date shall be set for the completion of the tasks assigned to the sub-committee. The Council has the right to dissolve any sub-committee prior to the date set for completion of the tasks assigned to it.

### **24.0 Accounting Procedures**

- 24.1 Financial records shall be maintained by the Council to a professional standard and be subject to inspection annually by a qualified,

independent auditor. Where the financial records are maintained by the Catholic Archdiocese of Perth Administration Centre, their Internal Auditor shall conduct this inspection.

- 24.2 The financial year of the Council shall be the year ending on the 31 December each year.
- 24.3 The audit shall be conducted within three months of the close of the financial year.
- 24.4 The Council shall maintain one bank account for operating purposes. There shall be at least two signatories approved in writing by the Council for all Association bank accounts. All payments shall be authorised.
- 24.5 Financial returns or reports, as required by the Archbishop or by funding bodies, must be submitted by the Council on or before the relevant due dates. Budget year to date statements shall be provided to the Council at all regular Council meetings.

## **25.0 Annual General Meetings**

- 25.1 The annual general meeting of the members of CSSWA will be held by 30th November each calendar year.
- 25.2 The annual general meeting will receive the Council's report of activities of the past year including its financial performance, elect Councillors and address any other business agreed by the meeting.
- 25.3 Where an annual general meeting is to consider a change in membership fees or an amendment to the constitution, then this can only be voted on where at least 25% of Full members are in attendance in person or by proxy.
- 25.4 Conflicts or potential conflicts of interest are to be declared by members as pertinent matters arise.
- 25.5 A member with a conflict of interest should absent themselves from the meeting for the vote on that issue.

## **26.0 Annual Report**

- 26.1 The Council shall provide an Annual Report on the operations of the Association.

That report shall contain:

- (a) How the Association has fulfilled its purpose in the preceding year;
- (b) The names of all members of the Council;
- (c) The number of times and dates on which the Council met in the preceding year;
- (d) The audited Annual Financial Statement of the Association;
- (e) Any significant change of assets under the control of the Association; and

- (f) A listing of any written submissions made to government authorities and/or instrumentalities in the preceding year.


### **27.0 Dismissal of the Council**

- 27.1 The Council is required to work within the spirit and letter of this Constitution.
- 27.2 If for any reason the Council does not function satisfactorily, the advice and assistance of the Archbishop shall be sought without delay. If, after receiving assistance, the Council is still unable to operate successfully, the matter shall be referred to the Archbishop by the Vicar for Social Outreach of the Archdiocese of Perth.
- 27.3 If any elected Council member fails to work within the spirit and letter of this Constitution, that member may be dismissed from the Council by a simple majority of Association members at a special meeting or Annual General Meeting.
- 27.4 In the event that the Association is dissolved, the Council shall automatically be deemed to have ceased operation.

### **28.0 Dissolution of the Association**

- 28.1 The Association is required to work within the spirit and letter of this Constitution.
- 28.2 If for any reason the Association does not function satisfactorily, the advice and assistance of the Archbishop shall be sought without delay. If, after receiving assistance, the Association is still unable to operate successfully, the Association may be dissolved by the Archbishop after consultation with the provincial Bishops.
- 28.3 Upon the dissolution of the Association, any assets remaining after satisfaction of all outstanding debts and liabilities shall revert to the sole control of the Archbishop.

Signed:

  
**Most Rev Timothy Costelloe SDB**  
Archbishop of Perth

Dated:

14 March 2019