

## Possible Voting Reform

### An Update including Results of Consultation

#### Introduction

1. This paper gives a brief update on the progress of the proposals for voting reform and then sets out the results of the consultation initiated by the January 2017 paper (the "Consultation Paper") on this topic, including details of the material views expressed by respondents. This paper should be read in conjunction with the Consultation Paper and words and expressions defined therein bear the same meaning in this paper.

#### Update

2. Perhaps unsurprisingly in light of the low level of response to the Consultation exercise (as to which see paragraph 4 below), neither the Board nor the Governance Committee has had cause to change their views as set out in paragraphs 10 to 13 of the Consultation Paper.
3. The one change to the proposals as set out in the Consultation Paper relates to the indicative votes to be undertaken at Finance Council (paragraph 8 of the Consultation Paper). It is now proposed to have a vote to determine, if Option 3 were adopted, whether it should be adopted on the basis of Enhanced Direct Members' Representatives being elected on the "category system" (as defined on page 6 of the Consultation Paper) or on the basis of the list system (as described in the first paragraph on page 5 of the Consultation Paper) or on the basis of a combination of the two. The final paragraph on page 6 of the Consultation Paper and paragraph 13 on page 8 of the Consultation Paper set out some views on the pros and cons that are relevant in this regard.

#### Results of the Consultation

4. As indicated above, the level of response to the consultation paper was low. The consultation paper was emailed to Full Members and Direct Members and made available on the ECF website but there were only 25 respondents who expressed views on the proposals and it is accordingly not sensible to draw any firm general conclusions from the views expressed. Of those 25 respondents, 20 expressed a view as to which, if any, of the options presented they preferred, with two expressing a preference for Option 1, two for Option 2, 12 for Option 3, two for either of Option 2 or Option 3 and two for maintaining the status quo.
5. As regards respondents' comments of a more discursive nature, there was no common pattern, with no individual topic being a particular area of focus. Three of the 22 submissions were expressly made on behalf of bodies who are Direct Members. The Manchester Chess Federation opined that all three options for reform are preferable to the status quo, but if pressed to choose would favour Option 3 as being the most likely to succeed. The lengthiest submissions were those made on behalf of the Southern

Counties Chess Union and the Surrey County Chess Association, both of whom are not in favour of the options for change. Both of these submissions are attached.

6. By way of summary, the Surrey County Chess Association expressed the following views:
  - (A) the ECF has not made a clear case for change, since Direct Members are already represented at ECF Council by representatives of leagues, county associations and congresses;
  - (B) an independent working group should be commissioned by the ECF to generate a properly articulated business case for change;
  - (C) Option 1 is not appropriate as it may allow a small minority of motivated activists to take control of ECF matters. This concern in relation to Option 1 was also expressed by other respondents.
  
7. By way of summary, the Southern Countries Chess Union expressed the following views:
  - (A) The Consultation Paper provides little or no substantive evidence of the shortcomings of the current system;
  - (B) questioning of the view (expressed in the Consultation Paper) that under the current arrangements there is not an adequate pattern of sufficient consultation taking place and doubts as to why the proposals for reform would help in this regard;
  - (C) as the Consultation Paper states, there is a risk, in relation to Option 1, of an activist minority taking control, but this risk also applies to Option 2, and to a lesser extent, Option 3;
  - (D) issues need to be addressed in relation to the travel costs of the increased number of Director Members' Representatives;
  - (E) each of the three options for change risks disenfranchising Member Organisations.
  
8. The other 22 submissions were expressed to be views of individuals and set out below are the relevant material points made:

Roger Emerson expressed the following views:

  - (A) change should be implemented over time, with an initial move to Option 3, but with a subsequent move to an acceptable long term model, probably more along the lines of Option 2. The two stage approach is on the basis that evolution is easier to manage than revolution since it has fewer unintended consequences. (This was echoed by another respondent who proposed that

any reform should be on the basis that there be a formal review in, say, 2021, so as to agree further improvements.)

- (B) at some point the ECF should review the votes given to categories of Full Members such as current or former executives; the votes given to Unions should be standardised; the London League should be treated as a league; league voting entitlements should be standardised; congress voting rights should be standardised and limited to matters affecting congresses, e.g. game fees but not membership fees.

One respondent expressed these views:

- (A) whatever system is adopted, if the majority of relevant members are in favour of a proposal then the relevant direct member votes should be cast accordingly, so not a system of elected representatives under no obligation to vote in a specific way;
- (B) since Direct Members will be electing representatives they could equally well elect board members directly;
- (C) as regards Option 1, giving Direct members a vote on every proposal is not a good model but there is no reason why the board and other officials should not be elected by One Member One Vote;
- (D) if Option 3 is adopted, different interest groups should not be allowed to vote on issues that do not affect them.

One of the two respondents in favour of Option 1 explained that adopting Option 1 would go a long way to “killing the dissatisfaction currently prevalent and most based around the notion that there is an unaccountable “they” running a dictatorship”. The other supported Option 1 as it gives the paying members a transparent way of being directly involved in the ECF.

One of the respondents in favour of Option 2 supported the idea of electoral colleges to reflect current involvement, “e.g. larger geographical constituencies but also representation for school chess. The most likely candidates for Council will be those already involved (in leagues for example) and will therefore be known to a larger proportion of members which will make the voting more informed than simply ticking a name on a list”.

In relation to the question, applicable to Option 3, of whether Voting parity or One-third of Voting Parity should apply, one respondent favoured Voting Parity, one favoured pitching the level between the two and three favoured One-Third of Voting Parity.

In relation to the further question, applicable to Option 3, of whether Direct Members’ Representatives should be elected on the category (or “metallic”) system, on the one hand, or on the other, elected on the basis of a “list system”, three respondents favoured the “list system” and one favoured the “metallic” basis.

One of the respondents in favour of Option 3 expressed the reservation that it would be necessary to have a better idea of the increase in travel costs and the consequent impact on members' subscriptions.

One respondent expressed the view that chess administrators play a very important role in English Chess and it is right that they are well represented at Council. However, Direct Members are currently unrepresented, which leads to the conclusion that Option 3 is to be preferred.

A further respondent felt more time should have been devoted in the consultation paper on examining the need to move from the present system.

One respondent found the proposals "virtually indecipherable" and believed the changes needed to be massively simplified.

One respondent expressed the view that the composition of Council matters little if the executive directors are to continue "to avoid submitting almost all decisions to any form of democratic review, on the grounds that the matters to which they relate are "operational"." The respondent also regards it as most unsatisfactory that the Board and the Governance Committee have not considered it appropriate to convene an extraordinary Council meeting to consider the proposal as it must be apparent that the financial business on the agenda would consume the bulk of the time available for the meeting. The respondent stated that he intended to suggest to those who represent him at the meeting that a procedural motion be put to defer consideration of voting reform to a further meeting to be held at a later date.

One respondent expressed happiness that the consultation paper did not disenfranchise anyone on the basis of age or junior discount.

### Responses

9. Whilst many of the comments raised in submissions do not require a response, since they merely express preferences in relation to matters raised by the Consultation Paper, there are a number of points in respect of which it may be appropriate to respond, as follows:
- (A) the Governance Committee and the Board are not averse to proposals that the operation of any reform that is implemented be reviewed after a period of operation;
  - (B) whilst it is accepted that the Consultation Paper does not contain any kind of detailed analysis of the strengths and weaknesses of the current constitutional arrangements for the composition of Council, it needs to be recognised that the impetus to consider voting reform related less to any failings (actual or perceived) of the current arrangements but rather to the suggestion that Direct Members are not given a proper voice under the current arrangements. It is likely that a detailed attempt to compare the operation of the current system

with how any replacement system will operate is unlikely to lead to the drawing of any firm conclusions;

- (C) the Governance Committee and the Board believe that it might be appropriate, at a future point, to review the votes given to existing categories of Full Members;
- (D) neither the Governance Committee nor the Board is in favour of proposals that certain members of Council will be entitled to vote on some issues but not others. Any such proposals would be over complex and there would, no doubt, be occasions when there would be a lack of clarity as to whether a member should, or should not be, permitted to vote;
- (E) equally, the Governance Committee and the Board are generally not in favour of having geographical constituencies for electing Direct Members Representatives, again on grounds of complexity;
- (F) the Governance Committee agrees that cost (including travel cost) implications of the proposals need to be taken into account (see paragraph 7.2(C) of the Consultation Paper).

The Governance Committee

24 March 2017

## SCCU Response to ECF Consultation Paper on Possible Voting Reform

The Southern Counties Chess Union (SCCU) welcomes the opportunity to comment on this Paper ahead of its presentation to Council in April 2017.

We believe the fundamental objective is that there be a means by which the Board of the ECF can be monitored, and held to account, by ECF Members and this means should reflect the views of the Members democratically, effectively and to the greatest practical extent. We doubt that either the Board or the Governance Committee have any significant disagreements with us on this.

However, the underlying premise of the Paper is that the current Council arrangement does not meet this objective, and that one or more of the suggested options would improve upon this. The SCCU does not concur with this. The Paper provides little or no substantive evidence of the supposed shortcomings, whilst it does itself highlight a number of possible risks implicit in, and arguments against, each of the options put forward. We share these contrarian concerns.

It is recognised that only a small minority of Members take an active interest in ECF matters or seek to express views on them. We attribute this not to a fundamental problem with the Council arrangements, but due to the fact that chess is almost entirely an amateur pastime and its participants, in the main, have little time or interest in getting involved in chess administration. This is an issue even at local level, let alone regionally or nationally. We believe that any proposals for voting reform that fail to recognise this reality, and include a realistic means of addressing it, are fundamentally flawed.

It would be of merit for the ECF to include in the Paper data from past polling of Members, for example, for the Player of the Year Award or for the election of the current Direct Member representatives on Council. What proportion of the Membership has taken up this voting opportunity and how representative of the overall Membership has the voting appeared to be?

The Paper implies that the need to consider voting reform has been accentuated by the adoption of the Direct Membership scheme. We do not see this as having been significant in this regard. The ECF has always been dependent to a significant extent on financial contributions from graded chess players. All the introduction of the Direct Membership scheme did was to change the way these contributions were levied to being directly from individual players rather than indirectly through club subscriptions and entry fees for the various events they played in.

We concur with the Board (and the clear recommendation of the Pearce Review) that a pure "OMOV" system (Option 1) is not supported.

Referring to the extent to which representatives of Member Organisations, under the current arrangements, consult with the Direct Members in their areas, paragraph 10 of the Paper states "... there is not an adequate pattern of sufficient consultation actually taking place". In the absence of evidence to back it up, we consider this a highly contentious statement. What evidence does the ECF have of this being so? With Council being retained but made up either entirely (Option 2) or to a much greater extent than at present (Option 3) by Direct Member representatives elected by polling conducted centrally by the ECF, the rationale must be that such representatives would consult more energetically or effectively than do Council Members at present. The Paper provides no grounds to be confident this would be so. Rather, it recognises this as being unclear (see section 7.2(C), first bullet point).

The Paper recognises a risk of there not being a sufficient number of candidates to become Direct Member representatives to make Options 2 or 3 viable. This tends to be borne out by the fact that the ECF has struggled to fill even the 8 such posts that currently exist, and over the past 2 years only around 50% of those in post have actually attended Council meetings. The Paper suggests this might be mitigated, at least for a period of time after any such change took effect, by people currently attending Council as a Member Organisation representative standing instead, or in addition to, as a Direct Members representative. Even if this became true, it begs the question that if they were deemed not to be consulting adequately before, why should they be expected to in the future, particularly if they no longer represented a clearly defined constituency of Members.

We do not recognise that there is (or should be!) a distinction for current Council Members between representing their Member Organisation and representing the individual chess players (be they Direct Members or Game Fee payers) within those Organisations. We would certainly support the ECF in emphasising to Member Organisations their responsibility in sending representatives who do seek to reflect the views of their members. However, it is difficult to see how the ECF can effectively police and enforce this. It relies upon local memberships seeking to exercise their democratic rights at the organisation level.

The Paper raises as a possible argument against Option 1 that it might give rise to "allowing an activist minority to exercise an undue amount of control". We concur with this risk. Furthermore, unlike the Paper, we believe the same risk would exist under Option 2 and, to a lesser extent, under Option 3.

The Paper acknowledges that the ECF might be expected to meet the costs of the greatly increased number of Direct Member representatives under either Option 2 or 3, as is the case presently for such representatives. Alternatively, those willing to stand as candidates might well be limited to those prepared to meet their own travelling expenses to attend Council meetings. This in turn would discourage candidates from those areas remote from the traditional meeting venues. The outcome would be a poorer spread of representation from across the country.

The BCF originally came into being as a Federation of a small number of Member Organisations. Whilst the number and range of those admitted as Member Organisations has expanded greatly over the years, we continue to see this as the fundamental basis of the ECF. These Member Organisations are, principally, the Unions, County Associations, Leagues and Congresses that are the bedrock of competitive chess playing in this country. The Paper recognises the risk of disenfranchising these Member Organisations, either completely or partially, under each of the suggested Options. We endorse this risk and cannot support embarking on major changes in the absence of substantive arguments in favour of such changes and clear evidence to believe the changes would bring about benefits in meeting the objective set out at the top of this response. We regret to conclude that we do not find such arguments or evidence in this Consultation Paper. We do not believe that ECF Members would be better represented by individuals elected from a national list system, very possibly with limited voting participation, than by representatives properly elected within their Member Organisations.

Finally, the ECF is to be commended for initiating this consultation. To be consistent with the objective of openness and membership participation, the paper that actually goes to Council should be accompanied by a summary of the comments received during the consultation and how they have been responded to.

Julie Denning  
President, SCCU

**Sent:** 07 February 2017 10:10  
**To:** Gary Willson  
**Cc:** Mike Gunn; Paul Shepherd; Daniel Rosen; Russell Granat; John Foley; Nigel White  
**Subject:** Re: Possible Voting Reform of ECF Council - Consultation

Dear Gary,

Thank you for the opportunity to respond to the ECF's consultation on voting reform. Regardless of the final outcome in terms of how ECF matters are determined by voting in the future it is good practice for ECF to consult on substantive matters ahead of formal proposals. SCCA appreciates this ECF initiative. The lead time given to SCCA was also sufficient for us to consult our own members on this topic.

Our overall observation on this issue is that the ECF have not made a clear case for change.

The initial statement "The Directors acknowledge the concern that existing constitutional arrangements do not adequately reflect the interests of Direct Members" is not substantiated by facts or arguments in the consultation paper. Currently Direct Members are represented at ECF Council by representatives of leagues, county associations and congress organisers. We understand (and this is the case for SCCA as an example) that those Council representatives are elected by or on behalf of Direct Members within their constituencies. If Direct Members are not content with those that represent them on Council then their recourse would surely be to elect different representatives? If there is a group or class of Direct Members that does not have this recourse or is not represented at all then they should be identified as part of building a case for change.

Anecdotally the SCCA understands that the ECF Board is frustrated that Council does not always support ECF Board proposals. Frustration with Council voting does not, of itself, indicate that Council is not representative of Direct Members. Voting reform should be entirely driven by improving representation and not by other motives.

SCCA suggests that ECF commissions an independent working group to generate a properly articulated business case for change. By doing so, the appropriate solution, if change is needed, ought to become more apparent.

Regardless of whether or not a business case for change can be generated the SCCA does not believe option 1 (OMOV) is an appropriate model. Our observation is that the vast majority of chess players appear to be uninterested in chess administration matters and so we would be very concerned that OMOV would amount to an opportunity for a very small minority of motivated activists to take control of ECF matters. That would not be a representative outcome. As an illustration of the apathy point, our own consultation of our members on this matter yielded one response, even with two weeks clear notice. That is one less response than we usually get when canvassing opinion on ECF topics!

Peter Lawrence  
Administrative Director

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