



Leaving the European Chiropractors' Union

Understandably, the BCA's decision to give notice to the ECU has caused some discussion amongst members and I thought it would be helpful to give you some background information on the decision and its implications.

As you may know, the ECU charges the BCA €190 p.a. per member and we have typically passed on a charge of £150 to each Full member, with reductions in other categories. Additionally, the BCA has covered the shortfall and the exchange rate loss and the total annual cost is thus c£250k, payable in two tranches or 'dues' in Spring and Autumn each year. This is around a third of our total income as an association.

During 2020, under the enormous pressure of the pandemic and our 'lean running' plan to reduce your costs in 2020, we have had to lobby to have these dues waived and it has not been easy. In the future, we would have to continue to pay these dues, unless, for each tranche, we were successful in lobbying the ECU to waive its fees, again and again, every six months. This is simply unsustainable. For the reasons given in our President's notice letter (attached), the Board have decided to take this step now. Due to the constitutional arrangements with the ECU, unless we had given notice before 30 September this year, we would have been contractually obliged to pay another c£250k next year, and thereafter, unless and until we had brought a halt to the process by giving notice to resign within the annual timeframe. As you can imagine, because we only received notice of the waiver on 9 September and needed to communicate our decision to you as part of our fee proposal for 2021 on 17 September, timings have had to be compressed.

As you will have read, the Board is not satisfied that the governance arrangements within the ECU are sufficiently robust and transparent to justify this continued payment. The Board would be failing in its fiduciary duty if it were to continue to allow BCA funds (contributed by members) to be handed over to the ECU, when these arrangements have not been reformed in the way we have described. Indeed, it is only by resigning (and being its largest funder) that the BCA will be able to provide leverage for reform. The voting anomalies within the ECU would otherwise make it possible for those other ECU members, who wanted us to continue to pay over our funds for their favoured projects, to simply stall all change. This way, the ECU will have to face up to our challenge, if it wishes us to return to ECU membership. Rather than walking away from the ECU, we see this as the BCA exercising its influence to modernise the organisation and lead it towards a sustainable long-term future. We remain committed to our role as a major player on the international chiropractic stage, with a leading voice at world level through the World Federation of Chiropractic (we pay \$12Canadian per member to be in the WFC incidentally), and we will continue to retain strong personal and professional ties with our close colleagues and friends in Europe.

Although it is a Board decision (under our constitution) to decide which international bodies the BCA joins, the Board have indicated that they will not consider returning to ECU membership without consulting our membership, and only then if it is satisfied that our expectations for reform have been met. We will keep you informed of progress and invite your consideration of the issues at that time.

More widely, we now have an opportunity (albeit potentially for only a short period) to allocate some of the funds previously contributed to the ECU to internal BCA projects, to increase our development and growth as an association. Through careful planning and husbandry, we have been able to do this whilst also providing you with fee relief by reducing your BCA fees, as well as negotiating a reduction in the insurance premium. This will be a much-needed boost to our support capacity, which the pandemic has shown to be of great value to members, and will also bring you these other significant benefits.

For these reasons, the Board has decided to recommend this change as part of its fee proposal for 2021, which in every way, is in the interests of our members.

If anyone would like to talk this through with me, please do get in touch via enquiries@chiropractic-uk.co.uk

Tom Mullarkey MBE
CEO
18 September

Enc: President's letter of resignation from the ECU

Appendix 1 – Letter of Resignation from the ECU

To: Dr Vasileios Gkolfinopoulos
President
European Chiropractors' Union
(by email)

15 September 2020

Dear Dr Gkolfinopoulos

Notice to Leave the European Chiropractors' Union

1. It is with much regret that I am giving notice under Article 3 (h) of the ECU Constitution, on behalf of the BCA, to resign from the ECU. This is a source of much sadness to me as President of the BCA and this feeling is echoed by every member of our Board. Our Association was a founding member of the ECU and has been its principal funder for many decades. However, the events of the last 12 months have highlighted the particular deficiencies of ECU governance arrangements, which seem to have been degraded over time, and we simply do not feel that this can continue without root-and-branch-reform.

2. Below is the outline explanation for our decision. As you will see, many of our concerns came into sharp focus during the ECU General Council meeting in November 2019 in Madrid. We had considered raising these issues earlier but as we were contractually obliged to remain in the ECU for 2020, and with the interruption of the COVID-19 pandemic., now is the appropriate time.

Autumn Dues

3. In the past few weeks, we have had to undergo an intrusive and at times discourteous analysis of our financial situation, in order to provide justification for the retention of our own funds (and this means our members' funds) regarding the Autumn dues. We are simply not prepared to repeat this process, at the behest of the ECU and its member associations, in order to retain control of our own finances.

4. The COVID-19 pandemic has produced unprecedented effects on our members and it should be obvious to the ECU that 'business as usual' is not an option. We have greatly reduced our costs in order to help our members and this tightening of our finances should have been replicated by the ECU, without extensive debate and a voting process which we cannot control.

5. The Board of the BCA has a fiduciary duty to husband the contributions of our members and given the serious financial situation we face, and can anticipate in the future, we do not wish to put at risk our financial coherence, in order to retain membership of the ECU. It is very much in our interests as an organisation to remove this risk and ensure that it cannot re-emerge, unless under much more measured and controlled circumstances. We plan to be masters of our own destiny and not be beholden to an external body for our continued financial health.

Financial Contribution

6. Our financial contribution to the ECU is too great, representing 28% of our income (our membership fees). This is a very considerable sum of money (c£250,000 per annum) which as you will read below, we believe is not handled with the same care and precision with which we handle our internal funds. This cost places a very heavy burden on our members, which none of the other UK chiropractic association members have to bear and is magnified in our GCC-regulated environment where membership of an association is not mandatory. This burden has made us increasingly uncompetitive in the 'market' and for many years, we have not been able to invest sufficiently in BCA growth and development, because our contributions to the ECU are far too high. We believe our 'market share' in the UK would be much greater if we were able to direct our funds to our own ends.

7. As a result of our resignation, we believe the ECU should develop a fee structure more akin to that utilised by the World Federation of Chiropractic. This would require a re-modelling of structure and purpose and with much lower central costs than are currently applied.

How ECU funds are used

8. At the ECU General Council meeting in Madrid in September 2019, the process by which very considerable sums of money were dispensed were opaque and inconsistent. As an example, having had a lengthy debate on why funding bids for marketing projects should not be allowed, the very next project voted on was a marketing project, which received majority support.

9. It would appear to us that many ECU member associations do not take seriously the very heavy responsibilities they bear for the monies subscribed by hard-working chiropractors across Europe, including those from the BCA. The rules process and the level of due diligence which is carried out on proposals which involve large sums of money are simply inadequate. It seems to us that some ECU members are quick to spend others' money, when they have contributed little themselves.

10. As these funds are designed to develop the profession within Europe, we would expect to see much greater control over the utilisation of funds, including proper, formal measurement of impact and outcomes, as should be expected for an organisation of this size making such substantial grants. This implies wholesale reform of the grant-making function. However, as we would prefer to see a much leaner structural model, we believe grant-making should be largely absent, since it offers opportunity for inefficiency and lack of transparency.

Voting Anomalies

11. Although the BCA contributes approximately a third of the ECU funding programme, due to the voting structure which is currently in place, it receives just over a fifth of the ECU General Council vote. This is completely unacceptable to us and would need to be reformed.

12. Moreover, because the Danish Chiropractors' Association (DCA) does not contribute funding to the general ECU 'pot', the BCA contribution to the operating costs of the ECU is at a much greater percentage. We estimate this to be in the order of 60%+ of ECU non-ring-fenced funding. Regarding the DCA situation, it is unfair and undemocratic for an association which does not contribute funds to this 'pot' to have such influence over how the funds contributed by the BCA, and indeed others, are used. In the future, any voting structure which is developed would need to reflect the very

considerable contribution which the BCA makes, not some notional distribution of the votes which may suit other national associations which make minor contributions by comparison.

13. It was entirely obvious at the Madrid meeting that certain national associations manipulated the 'political' structure of the ECU to vote through projects which had been agreed between them in advance. In this way, they undermined the integrity of the voting system and the value and voting power which were brought independently to the table by other national associations which had not colluded. On two occasions, proposals which were supported by (and largely funded by) the BCA were out-voted by collective voting patterns and this simply cannot be allowed to continue.

14. The ECU must address these voting issues as a matter of priority, if it is to restore any faith in it, from the BCA.

Conditions for Re-joining the ECU

15. The BCA would be willing to consider re-joining the ECU if the following conditions were addressed to our satisfaction:

- a. A substantially reduced structure and cost base, akin to that utilised by the WFC, with a much lower membership fee.
- b. The cessation of the grant-making process which engenders and is open to collusion and 'behind the scenes' politicking. We also believe there are other ways to progress chiropractic in Europe that does not involve these large sums of money.
- c. A reform of the voting system such that the anomalies described above are permanently resolved, so that the BCA would be able to exercise its powers of influence in line with its membership numbers and financial contribution.

Summary

16. It is with much regret that we have decided to take this step. However, the governance failures described above simply cannot be allowed to continue and the Board of the BCA would be failing in its duties if it were not to resign from the ECU. We judge it essential to distance ourselves from the ECU until these matters are properly addressed.

Yours sincerely

Catherine Quinn
President
British Chiropractic Association