

THEATRE AND DANCE ALLIANCE (TADA)

Constitution

Preamble

The THEATRE AND DANCE ALLIANCE is a coalition of organisations, institutions, festivals and companies that operate, and individuals who make a significant part of their livelihoods within the South African dance and theatre sector.

The purpose of the THEATRE AND DANCE ALLIANCE is to advance and defend the interests of the dance and theatre sector as a whole and of the individuals active within it.

1. Name

The organisation hereby constituted shall be called THEATRE AND DANCE ALLIANCE and shall also be known by its acronym TADA.

2. Vision

Our vision is of a just society in which all citizens enjoy the fundamental right 'to participate in the cultural life of the community and to enjoy the arts' (Article 27 of the Universal Declaration of Human Rights), and in which the dignity, value and rights of creative workers are recognized and upheld.

3. Aims

The aims of THEATRE AND DANCE ALLIANCE are

- 3.1 To mobilise, network and unite creative practitioners (dancers, actors, playwrights, choreographers, directors, designers, etc) and all those working in the dance and theatre sector (technicians, educators, publicists, arts managers, producers, etc) to identify, promote, advocate and defend the interests of theatre and dance as a whole, and of those who make their livings in the sector.
- 3.2 To provide a platform for information-sharing, exchange of ideas, criticism and debate about matters related to the dance and theatre sector.
- 3.3 To advocate for policies that both address historical imbalances and social and economic inequalities on the one hand and enhance the vibrance and sustainability of the dance and theatre sector on the other.
- 3.4 To help build capacity within our sector including creative and technical skills, entrepreneurial and management skills, policy, organizational, advocacy and leadership skills.
- 3.5 To promote and defend our Constitutional right to freedom of creative expression.
- 3.6 To hold accountable government officials, departments, publicly-funded institutions and funding agencies that are responsible for dance and theatre in our country.

- 3.7 To form strategic alliances and to partner with local, national and international agencies and organisations in support of our aims.
- 3.8 To secure our own sustainability in terms of organization, leadership and financing to ensure our resilience.
- 3.9 To advance ethical practices within the sector, including the paying of decent wages, and to establish mechanisms to monitor and challenge unethical and exploitative practices.
- 3.10 To advocate for, promote and defend the social benefits and intellectual property rights of creatives and other workers within the dance and theatre sector.
- 3.11 To ensure that the theatre and dance sector is represented in and participates actively in policy-making and the implementation of legislation that directly affects the sector.

4. Principles

THEATRE AND DANCE ALLIANCE is committed to the following principles and requires its members to subscribe to such principles:

- 4.1 Anti-discrimination: TADA will not discriminate against anyone on the basis of colour, ethnicity, gender, class, sexual orientation, age, disability and country of origin.
- 4.2 Non-partisanship and political independence: TADA will not affiliate or align with any political party, while it will engage with all parties that influence policy regarding theatre and dance in the pursuit of its aims.
- 4.3 Unity: TADA will seek to unify the dance and theatre sector across historical, racial, geographical, cultural and other divides, but not compromise its principles in doing so.
- 4.4 Ethical leadership: TADA will promote ethical leadership and will not tolerate corruption, dishonesty and behaviour that places individual self-enrichment above the interests of members or the broader sector, with leaders required to declare their interests and recusing themselves when decisions have to be made about issues in which they have a direct interest.
- 4.5 Anti-gender-based violence: TADA will actively promote gender equality and work towards the eradication of violence against women within the dance and theatre sector and within our society as a whole.
- 4.6 Transparency and accountability: TADA will conduct its affairs transparently, keeping its members informed and conducting itself in a manner that is

accountable to its members, even as it seeks to hold accountable those who are responsible for policy and funding of the dance and theatre sector.

- 4.7 Democratic: TADA will promote and act according to democratic principles, with the leadership accountable to the members who elected them and uphold transparency and accountability as above.

5. Body Corporate

- 5.1 THEATRE AND DANCE ALLIANCE is a legal entity in its own right and shall continue to exist even if the members change, and it may own property, open bank accounts, borrow money, enter into contracts, and sue or be sued in its own name.
- 5.2 TADA is a civil society organisation, independent of any government or government agency and while it may accept funding from governments or provide paid or voluntary services to governments, it will do so as a politically independent, non-partisan organisation.
- 5.3 THEATRE AND DANCE ALLIANCE is a voluntary organization, and members may join and disaffiliate as they wish.
- 5.4 TADA is a non-profit organization.
- 5.5 The income and property of THEATRE AND DANCE ALLIANCE shall be used solely for the promotion of its stated aims and the members, staff and office-bearers shall have no rights to the property or other assets of TADA solely by virtue of them being members, staff or office-bearers.
- 5.6 No portion of the income or property of THEATRE AND DANCE ALLIANCE shall be paid or distributed directly or indirectly to any person or to any of its members except as reasonable compensation for services actually rendered to or on behalf of the Association or as reimbursement of actual costs or expenses reasonably incurred on behalf of the Association.

6. Membership

THEATRE AND DANCE ALLIANCE is a voluntary organization where members join at their own free will. It is a hybrid organization, conducting its affairs mainly online to facilitate national communication and engagement, with physical expressions according to needs, circumstances and appropriate events.

- 6.1 TADA is constituted as follows:
- 6.1.1 National, provincial and local membership-based organisations, representing some aspect of the dance and theatre sector.

- 6.1.2 Institutions such as theatres, festivals, for profit companies, non-profit NGOs, educational institutions, community arts centres, etc that operate in the dance and theatre sector
- 6.1.3 Any individual South African or resident of South Africa who works, or is a student, in the dance and theatre sector
- 6.2 Membership applications
 - 6.2.1 Membership-based organisations, institutions and individuals may apply for membership by completing a membership form, and by providing supporting documentation as may be required.
 - 6.2.2 Membership forms may be completed online or physically, and the National Steering Committee shall have the discretion in confirming or rejecting membership applications according to criteria agreed upon by the National Steering Committee
- 6.3 Membership benefits
 - 6.3.1 Members may participate fully in all TADA working groups, subcommittees and events
 - 6.3.2 Members may stand for elections and vote on matters requiring decisions.
 - 6.3.3 Members will receive a regular newsletter and may advertise their events and post news about their activities in the newsletter and on TADA's website and other social media, subject to the approval of the editorial committee
 - 6.3.4 Members will have preferential treatment with regard to TADA's professional development workshops, events and conferences, as well as discounts to these where fees apply
 - 6.3.5 Members may use the TADA logo and state that they are members of TADA on their letterheads and branding, without this necessarily being an endorsement by TADA, and according to TADA's corporate identity guidelines
 - 6.3.6 Members may be designated to represent TADA at local, national, regional and international events depending on their expertise
 - 6.3.7 Members will be given priority when TADA receives invitations to recommend participation in festivals, exchanges, workshops, etc
 - 6.3.8 Members will be given priority for remunerated work within or for TADA with the proviso that conflicts of interest are declared and appropriately addressed
 - 6.3.9 Members may recommend activities for TADA to be engaged in
 - 6.3.10 Members will be invited to exclusive networking events both within the organisation and between the organisation and various potential partners
- 6.4 The National Steering Committee may set membership fees and the terms of payment thereof.
- 6.5 Membership may be suspended or terminated by the National Steering Committee for reasons of bringing TADA into disrepute, abuse or misappropriation of financial resources, criminal activity, contravention of the Constitution and its fundamental principles. In such cases, the National

Steering Committee will establish a mechanism to investigate and make recommendations regarding charges of misconduct against a member.

- 6.6 Appeals against denial or loss or suspension of membership and/or loss of membership benefits may be brought to the National Steering Committee for due attention. Arguments for inclusion or re-inclusion in TADA may be made by or on behalf of the person or organisation concerned, and the National Steering Committee shall decide the issue based on the merits of the case, and according to its decision-making processes.
- 6.7 Membership will not be open to government officials or politicians including individuals who may have a practice within dance and theatre but are employed within government or have a party-political position.
- 6.8 Individuals, institutions and membership-based structures that are funded by public funding may be members of TADA.
- 6.9 Membership shall be renewed automatically each year unless a member resigns from the TADA in writing.
- 6.10 All members shall be recorded in the THEATRE AND DANCE ALLIANCE database.
- 6.11 Any member in good standing, and who has been a member for at least fourteen days, shall be eligible to vote and to stand for election in any structure of TADA.

7. Organisational structure

- 7.1 THEATRE AND DANCE ALLIANCE is a coalition of existing and independent organisations, institutions and individuals with all members maintaining their respective identities, branding and programmes of activity.
- 7.2 TADA is a national organization that conducts its business mainly as an online entity, but has physical expressions, events and activities.
- 7.3 THEATRE AND DANCE ALLIANCE is governed by a National Steering Committee which is elected by the membership every two (2) years.
- 7.4 Members of the NSC may serve two consecutive terms before having to step down for at least one term before being eligible for election again.
- 7.5 The National Steering Committee comprises up to 40 (forty), but not less than 15 (fifteen) members.
- 7.6 The National Steering Committee shall meet online and/or physically if possible, at least four (4) times a year.

- 7.7 The National Steering Committee will elect from among itself an Executive Committee of no more than ten (10) members – including the Chairperson and Deputy Chairperson - to run the day-to-day affairs of the organisation. The Executive Committee shall meet at least monthly, except that it is not obliged to meet in the months that the National Steering Committee meets.
- 7.8 TADA may have cross-sectoral working groups engaged in issues such as capacity-building and advocacy, as well as sectoral working groups for individuals and others not affiliated to membership-based structures that are affiliates of TADA.
- 7.9 Individual and institutional members shall be encouraged to join relevant membership-based organisations that are affiliated to TADA; TADA shall not establish working groups that conflict or compete with its membership-based affiliates. TADA may nurture the development of membership-based organisations with a view to such organisations representing its members within TADA as an umbrella organization.
- 7.10 TADA shall have provincial representatives to grow the presence of TADA nationally and to ensure that provincial interests are considered in decision-making.

8. Composition of the National Steering Committee (NSC)

- 8.1 National officials
 - 8.1.1 A national chairperson and deputy chairperson shall be elected by the members, with each deriving from a different province and at least one of whom shall be a woman.
 - 8.1.2 Nationally-elected NSC members
 - Not less than 4 and not more than 10 individuals are to be elected by members to serve on the NSC on the basis of their expertise, experience and/or contributions that they may make to the leadership of TADA
- 8.2 Membership-based organisations shall have
 - 8.2.1 two representatives if they are national organisations i.e. with a minimum of ten individual members in at least five provinces – or institutional/organizational members in at least six provinces - and are in good standing (i.e. have legal founding documents such as a constitution or Memorandum of Incorporation; have a leadership elected within the previous 24 months; have a proven membership and have had a meeting of its leadership within two months of TADA’s consideration of their credentials for membership)
 - 8.2.2 one representative if they are not national i.e. they have fewer than the minimum numbers outlined in 8.2.1 and are in good standing
 - 8.2.3 Should membership-based entities not be in good standing, they may have non-voting representation on the NSC at the discretion of the NSC.
- 8.3 Provincial Representatives

- 8.3.1 Each province shall be represented by one member, elected by the members in that province (including members belonging to national organisations, institutional members based in that province and individuals)
- 8.3.2 The mandate of provincial representatives is to ensure that the interests of their respective province are represented at national level, that national programmes and projects are implemented provincially, and that provinces devise and implement projects and programmes that are appropriate to their conditions
- 8.3.3 Provincial representatives may convene provincial steering committees initially by appointment, and then by election, once a province has achieved the minimum number of members outlined in 8.3.5
- 8.3.4 The mandate of provincial committees is to coordinate TADA activities in their respective province
- 8.3.5 Provinces will elect a representative to the National Steering Committee when they have at least 30 members in good standing in Gauteng and Western Cape, 20 members in good standing in KwaZulu Natal and 15 members in good standing in each of Eastern Cape, Free State, Limpopo, Northern Cape, North West and Mpumalanga
- 8.3.6 Where provinces do not have sufficient members to have a representative, the National Steering Committee may recruit and appoint a representative from such provinces to serve on the NSC and assist in recruiting the minimum number of members for the province to hold an election. In such cases, the provincial representatives shall serve on the NSC but may not vote.

- 8.4 **Sectoral Working Groups**
Sectoral Working Groups will be established to accommodate the interests and to facilitate communication and networking within sectors where no membership-based organization for such sectors exist

- 8.5 **Transversal Working Groups**
- 8.5.1 Transversal Working Groups shall be established to strategise, organize and implement activities that cut across different sectors e.g. capacity-building, advocacy, fundraising, etc.

- 8.6 Sectoral and Transversal Working Groups shall be established as per needs and priorities and are to be agreed to by the NSC. They can be of any size appropriate to the task. Each Working Group shall elect a Convenor to drive the Working Group and to represent the Working Group on the National Steering Committee, should the NSC determine that such working groups need to be represented on the NSC.

- 8.7 **Proxies**
- 8.7.1 Representatives of membership-based organisations that are part of the National Steering Committee may appoint proxies to attend meetings in their absence, and such proxies are to have the same rights as such representatives.

- 8.7.2 In such cases, representatives or their organisations are to inform the Chairperson or secretariat of the NSC in writing of the name of the proxies prior to the meeting.

9. Roles and Powers of The National Steering Committee

- 9.1 Chairperson: to chair the National Steering Committee and other national decision-making meetings, represent TADA at major events, provide guidance to the Secretariat/ Coordinator on a day-to-day basis as required, ensure that the decisions of the National Steering Committee are implemented, liaise with organisational and funding partners, assist in fundraising, and generally drive and oversee the well-being of TADA.
- 9.2 Deputy Chairperson: to play the roles of the Chairperson in her/his absence, to take on various roles of the Chairperson and other roles as assigned by the Chairperson and/or National Steering Committee.
- 9.3 Powers of the National Steering Committee
- 9.3.1 To initiate, approve and amend the policies, strategies and projects and to guide the affairs of THEATRE AND DANCE ALLIANCE
- 9.3.2 To raise funds for TADA
- 9.3.3 To monitor the progress of TADA and to take action where necessary to ensure that its vision, strategic priorities, projects and constitution are complied with
- 9.3.4 To oversee the finances of the TADA including approving budgets, monitoring expenditure and income and approving the financial statements.
- 9.3.5 To administer the funds and assets in terms of the constitution and acquire by purchase, lease or otherwise any movable or immovable property and to sell, mortgage, let or otherwise deal with or dispose of any such property, and to open bank accounts as deemed necessary
- 9.3.6 To determine how TADA should be administered and to recruit and appoint staff, a secretariat and/or other service providers as necessary.
- 9.3.7 To establish provincial structures and working groups including the interim appointment of provincial representatives and working group convenors until such time that these may be elected by their respective constituencies.
- 9.3.8 To co-opt individuals to serve on the National Steering Committee where their expertise is required
- 9.3.9 To investigate or cause to be investigated allegations of impropriety, misconduct, financial or organisational mismanagement, and to take appropriate corrective action, which could include the suspension or termination of membership and/or the withdrawal of membership benefits
- 9.3.10 To consult and enter into agreements on behalf of TADA with any institutions or persons in pursuance of its objectives.
- 9.4 The National Steering Committee and its members shall not be personally liable for any loss of TADA funds, or destruction or loss of its assets or property or dereliction of duty by any employee or agent of the organisation unless the same is proved in a court of the law, and can be attributable to the

fraud, connivance or culpable neglect of the National Steering Committee and/or any of its members.

10. Decision-making and voting

10.1 Meetings

Decisions may be made at meetings that are held physically with all attendees present at the time, online with all participants present at the same time, or in hybrid form with some members present physically and others online, or in meetings that may take place over a period of time on social media or an online platform.

10.2 Consensus decision-making

10.2.1 Decisions at all levels of THEATRE AND DANCE ALLIANCE shall be pursued through consensus.

10.2.2 If decisions are not reached by consensus after sufficient time for debate has elapsed, decisions by a simple majority (50% plus one) in a quorate structure shall prevail, subject to Clause 10.8

10.2.3 This principle shall apply to all meetings whether the meetings take place face-to-face in a physical space, through an online meeting platform or through email or other social media.

10.3 Quorum

10.3.1 A quorum shall be 50% plus one of the members of the particular TADA structure (National Steering Committee, Working Group, subcommittee, etc).

10.3.2 An e-mail/social media/web-based meeting (other than a face-to-face meeting with all physically present or on an online platform) shall be considered to be between 12 hours and 48 hours maximum, with the chairperson or secretariat of the meeting setting the time period for that meeting, calculated from the time that the agenda and supporting documentation or the document/s requiring decisions, are distributed to members.

10.3.3 On receipt of the agenda and/or documentation requiring decisions, members are to mark themselves "Present" by hitting the "reply all" button and writing "Present"; the chairperson or secretariat of the meeting shall then note the number of "present" members over the course of the meeting, to deem it quorate or not.

10.4 Meetings that take place over an extended period

10.4.1 Meetings that take place via email or other social media for between 12-48 hours may reach decisions prior to the meeting's deadline i.e. where the majority in such a quorate meeting decide in favour of, or against a particular recommendation.

10.4.2 However, should such agreement be reached prior to the deadline, the decision will not carry until all participating members who have marked

themselves present have indicated their voting preference (in favour, against, or abstention).

10.4.3 Should additional input be provided after the majority favours a particular course of action before the expiry of the meeting, members who have already voted may change their vote, provided that this be done within the time period set for the meeting.

10.5 One-off decisions

10.5.1 From time to time, rather than formal meetings, one-off decisions need to be made. Some decisions might require urgent responses, in which case a shorter (than 12-48 hours) time limit may be set.

10.5.2 The chairperson or secretariat shall alert the members of the structure by WhatsApp that a decision needs to be made, that the relevant documents have been sent via email, or are located in an accessible online storage and the deadline for responses.

10.5.3 In such cases, members are to mark themselves "Present" as soon as they have received the email and/or documentation outlining the decision that needs to be made so that the chairperson/secretariat/coordinator may determine whether a meeting is quorate or not.

10.5.4 One-off decisions may also be made over WhatsApp or similar appropriate social media forms closed to the members of that structure, and within the same parameters as above.

10.6 Absenteeism/non-participation

10.6.1 Members of a structure are required actively to participate in the discussions and decision-making processes of that structure.

10.6.2 Members are required explicitly to write that they agree, disagree or abstain, and indicate their reasons or agreement in principle, but propose amendments with regard to matters requiring decisions.

10.6.3 Failure to attend two meetings in succession without an apology will automatically lead to one's membership of the structure being terminated.

10.6.4 Marking oneself present in a meeting but not participating in the discussions and particularly the decision-making in two successive meetings – which may impact on whether decisions are quorate or not – may result in one's membership of that structure being terminated by a majority decision of the members of that structure.

10.6.5 Failure to attend three consecutive meetings even when submitting apologies each time, may result in one's membership of the structure being terminated by a majority decision of the members of that structure.

10.7 Voting

- 10.7.1 All members of a structure in which decisions are made will have one vote, noting that membership-based structures shall have more than one representative on decision-making structures as per Clause 8.2.1; representatives of membership-based structures that have two votes are required to be present (physically or online) in order to exercise their votes
- 10.7.2 The chairperson of any TADA structure has one vote like all other members of such a structure and shall not have a casting vote.

10.8 Veto

- 10.8.1 Membership-based structures in good standing that are affiliates of TADA, and whose proven membership is at least 50% of TADA's individual membership have the right of veto with regard to National Steering Committee decisions
- 10.8.2 In such cases – where a membership-based structure exercises their veto at National Steering Committee level on a particular course of action – that action may not be pursued as a THEATRE AND DANCE ALLIANCE action.
- 10.8.3 However, should at least two-thirds of the National Steering Committee agree on the course of action, it may be pursued by an agreeable TADA member in association with other TADA members, and/or via an ad hoc committee comprising representatives of TADA affiliates/members who support this course of action.

11. Finances and financial management

- 11.1 The financial year of THEATRE AND DANCE ALLIANCE shall run from 1 January to 31 December.
- 11.2 The National Steering Committee shall appoint auditors to audit the organization's financial affairs on an annual basis.
- 11.3 The financial statements of TADA shall be open to scrutiny by members and shall be posted on the organisation's website.

12. Adoption

- 12.1 This constitution is to be adopted by the members who have submitted membership forms and who agree to the Vision, Aims and Principles of TADA as outlined in this document.
- 12.2 The Constitution may be adopted by the members when
 - 12.2.1 There are at least 250 signed-up members spread over all nine provinces, with Gauteng and Western Cape each having at least 50 signed up members and four other provinces having at least 5 members each
 - 12.2.2 at least two-thirds of the members who participate in voting for the adoption of the Constitution in the period provided to do so, vote to agree to the Constitution

- 12.3 Changes to the Constitution may be made by agreement of two-thirds of the members who vote in a forum – including an online platform - where the adoption or such changes are being considered - and provided that all members have been given 14 days' notice of the proposed changes and the date of vote.

13. Dissolution

- 13.1 THEATRE AND DANCE ALLIANCE may be dissolved by a decision of at least two-thirds of the members who vote in a forum where the dissolution will be considered, and provided that all members have been given 14 days' notice of the proposed dissolution and the date of vote.
- 13.2 Upon its dissolution, and after all debts and commitments have been paid, any remaining assets shall not be paid to or distributed amongst members, but shall be transferred by donation to some other non-profit organisation which the National Steering Committee considers appropriate.