

FRIENDS OF BEAFORD SCHOOL CONSTITUTION

1. ASSOCIATION DETAILS:

Name: Friends of Beaford School

Address: Beaford Community Primary & Nursery School

Beaford,

Winkeigh,

Devon,

EX19 8LJ

Committee: The minimum number of committee members: 2

2. CHARITABLE PURPOSE:

The object of the association is to advance the education of pupils in the school in particular by,

- 2.1. Developing effective relationships between the Governing Board, Staff, parents and others associated with the school
- 2.2. Engaging in activities or providing facilities or equipment which support the school and advance the education of pupils

3. POWERS

The committee members have the following powers, which may be exercised only in promoting the charity's purpose:

- 3.1. To provide advice
- 3.2. To publish or distribute information
- 3.3. To co-operate with other bodies
- 3.4. To raise funds (but not by means of permanent trading)
- 3.5. To acquire or hire property of any kind
- 3.6. To make grants of money
- 3.7. To set aside funds for special purposes or as reserves against future expenditure
- 3.8. To take out public liability and personal accident insurance to cover association meetings, activities, committee members, to insure the association's property against any foreseeable risk and take out other insurance policies to protect the association where required
- 3.9. To pay the costs of forming the association
- 3.10. To obtain and pay for goods and services as are necessary for carrying out the work of the charity
- 3.11. To consult parents on their views
- 3.12. To open and operate bank and other accounts as the committee members consider necessary
- 3.13. To do anything else within the law that promotes the objects BUT the committee shall not undertake any activity on the school premises without the consent of the headteacher.

4. MEMBERSHIP

Members of the association are:

- 4.1. The parents, guardians or carers of any pupil currently attending the school. Teaching and non-teaching staff currently employed by the school or any person over the age of 18 wishing to offer appropriate support or help to the school and who is accepted by the committee as a member.
- 4.2. Membership is terminated if:
 - 4.2.1. the member dies
 - 4.2.2. the committee members may for good reason, regardless of whether or not this is at the request of the governing body or the headteacher, exclude any person from membership or from attending an event whose presence at or support of the school is deemed a danger to the school or its pupils or staff or might bring the association into disrepute. Removal is not effective until the member concerned has been notified in writing of the proposal and his/her right to respond within 14 clear days, and the matter has been considered in light of any representations made.

5. GENERAL MEETINGS

- 5.1. All members are entitled to attend any General meeting of the association
- 5.2. All General Meetings are called by giving 14 days written notice of the meeting to the members. The notice should specify the date, time and location of the General Meeting as well as give an overview of the agenda.
- 5.3. There is a quorum at a General Meeting when the total number of members present (including committee members) is at least 4.
- 5.4. The Chair of each meeting will be a Committee Member chosen by the Members ahead of the meeting and will be in charge of a General Meeting.
- 5.5. Every issue at a General Meeting is decided by a simple majority of the votes cast by the members present at the meeting.
- 5.6. Except for the Chair of the meeting, who has a second or casting vote where a vote is equally divided (tied), every member present is entitled to one vote on every issue.
- 5.7. The association must hold a General Meeting within 12 months of the date of the adoption of this constitution. Thereafter, an AGM must be held in each subsequent year and not more than 15 months may elapse between successive Annual General Meetings.
- 5.8. At an AGM the members:
 - 5.8.1. receive the accounts of the association for the previous financial year
 - 5.8.2. receive the report of the committee members on the association's activities since the previous AGM
 - 5.8.3. elect the committee members
 - 5.8.4. appoint an independent examiner or auditor for the association if this is needed
 - 5.8.5. discuss and determine any issues of policy or deal with any other business put before them

6. THE COMMITTEE

- 6.1. All members of the committee are trustees of the charity and have control of the association, its property and funds.
- 6.2. Committee members shall be elected at the AGM and shall hold office until the next AGM.
- 6.3. Nominations for election to the committee may be made by any member of the association and seconded by another. Such nominations must have the consent of the nominee. Nominations should be submitted to the Committee a day before the AGM. If no nominations or an insufficient number are received before the AGM, any members present may nominate a person, with their consent, and that person may be appointed by a majority vote of those present.
- 6.4. All committee members shall be entitled to reimbursement of reasonable out-of-pocket expenses actually incurred in the administration of the association.
- 6.5. A retiring committee member is entitled to an indemnity from the continuing committee members at the expense of the association in respect of any liabilities properly incurred while he or she held office.

7. COMMITTEE MEETINGS

- 7.1. The committee must hold at least three meetings every academic year.
- 7.2. A quorum at a committee meeting is 50% per cent of the committee, rounded up to the nearest whole number. This applies where there are three or more committee members in post. Where there are only two, 100% attendance is required to be quorate to prevent a single individual having the power to make decisions on behalf of the association.
- 7.3. The Chair of each meeting will be a committee member chosen by the members ahead of the meeting
- 7.4. Every decision may be made by a simple majority of the votes cast at a committee meeting. A resolution which is in writing (including by email) and signed by all committee members is equally valid.
- 7.5. Except for the Chair of the meeting, who has a second or casting vote, every committee member has one vote on each issue.

8. POWERS OF COMMITTEE

The following powers are available to the committee to help run the association:

- 8.1. to govern proceedings at General Meetings and generally about the running of the association including the operation of bank accounts and the management of funds.

9. PROPERTY & FUNDS

- 9.1. The property and funds of the association must only be used to fulfil the objects
- 9.2. Whenever a committee member has a personal interest in a matter to be discussed at a meeting, the committee member must:
 - 9.2.1. declare an interest before discussion begins on the matter
 - 9.2.2. withdraw from that part of the meeting unless expressly invited to remain in order to provide information
 - 9.2.3. not be counted in the quorum for that part of the meeting

9.2.4. withdraw during the vote and have no vote on the matter.

10. RECORDS & ACCOUNTS

10.1. The committee must comply with the requirements of The Charities Act 2011 (if a registered charity) or any substantial re-enactment as to the keeping of financial records, the audit or independent examination of accounts and the preparation and transmission to the Charity Commission of:

10.1.1. annual reports

10.1.2. annual returns

10.1.3. annual statements of account.

10.2. The committee must keep proper records of:

10.2.1. all proceedings at General Meetings

10.2.2. all proceedings at committee meetings

10.3. Annual reports and statements of account relating to the association must be made available for inspection by any member of the association.

10.4. The committee must notify the Charity Commission promptly of any changes to the association's entry on the Register of Charities (if a registered charity at the time)

11. AMENDMENTS

This Constitution may be amended at a General Meeting of the association by a two-thirds majority of the votes cast but:

11.1. The members must be given 14 clear days' notice of the proposed amendments

11.2. No amendment is valid if it would make a fundamental change to the charitable purpose or destroy the charitable status of the association.

11.3. A copy of any resolution amending the constitution must be sent to the Charity Commission within 21 days of it being passed (if a registered charity at the time).

12. SUSPENSION

The association may be suspended if there are not enough committee members to make it quorate.

12.1. The association will be deactivated and preserved

12.2. It may restart as soon as enough committee members are in place to make it quorate

12.3. New committee members can be nominated and seconded by members of the association at a meeting

12.4. Any insurances in place will continue to be paid

12.5. The Chair and Treasurer will not be relieved of their duty to distribute assets to the school for the benefit of the pupils until all funds have been allocated

13. DISSOLUTION

13.1. The association may be dissolved by a resolution presented at an AGM where this is included in the notice of the meeting. The resolution must have the agreement of two-thirds of those voting and must give instructions for the disposal of any assets remaining after paying the outstanding debts and liabilities of the association.

- 13.2. The net assets shall not be distributed among the members of the association but will be given to the school for the benefit of the pupils of the school.
- 13.3. The committee members must notify the Charity Commission promptly that the association has been dissolved. The committee members must comply with any request from the commission including providing the association's final accounts (if a registered charity)