

**Friends of Egerton Church of England Primary School Constitution**  
**Charity Number:- 1012648**

**As At 10 January 2018**

**1. Name**

The Association shall be called 'Friends of Egerton Church of England Primary School'.

**2. Objects**

The objective of the Association is to work in partnership with the school to enhance the education of all pupils in the school by:

1. Developing effective relationships between the staff, parents, carers and others associated with the school.
2. Engage in activities /events for the school which advance the education of pupils or provide key learning experiences for pupils.
3. Raising money which will be used to fund facilities, equipment or additional learning experiences for pupils at the school.

The Friends of Egerton will work in partnership with the school and will reflect school values at all times.

**3. Powers**

1. To raise funds by organising events and activities.
2. To set aside funds for specific purposes or anticipated future expenditure.
3. To acquire and hire out property for the purposes of fund raising.
4. To take out public liability and personal accident insurance to cover all Friends of Egerton activities and events. To take out additional insurance policies to protect the Association whenever this is required.
5. To deposit or invest funds on behalf of the Association.
6. To consider funding requests from Egerton Church of England Primary School.
7. To make donations to the Egerton Church of England Primary School where these meet the objectives of the Association.
8. To advertise and promote activities and events.
9. To provide information to Members.
10. To co-operate with other organisations as and when required, particularly if there is a lawful requirement or the co-operation meets the objectives of the Friends of Egerton.
11. To open and operate a bank account and deposit account (as the trustees may deem necessary).
12. To do anything else that promotes the objectives of the Association.

#### **4. Membership**

All parents / carers of pupils of Egerton Church of England Primary School, teaching staff, non-teaching staff and school governors are automatically members of the Association. There is no membership fee. All members are entitled to one vote.

The Committee members/trustees may for good reason regardless of whether or not the request has come from the head teacher or governing body exclude someone from attending an event whose presence at or support of the school is deemed a danger to the school, its pupils or staff or might bring the Association into disrepute. Removal is not effective until the member concerned has been notified in writing and his/her right to respond within 14 clear days, and the matter has been considered in terms of any representations made.

Membership will automatically cease upon the Member no longer having children at the school or, in terms of school staff, when they cease working for the school. These individuals may continue to support the Association if they wish to do so but will no longer be entitled to vote on any matters or be a trustee.

#### **5. Charity Trustees**

There are 4 elected trustee posts (otherwise referred to as officer positions):-

Chair  
Vice-Chair  
Treasurer  
Secretary

In addition, the head teacher is also a trustee (*ex-officio*).

The 4 officer posts are elected at the Association's Annual General Meeting.

Additional co-opted posts may be created by the Committee following an AGM for specific tasks or roles. These post holders can remain in their role until the following AGM. These roles are reviewed on an annual basis.

All trustees are responsible for the Association, its property and funds and for personally ensuring that the Association is run properly, meets its legal requirements and to protect the Association from harm by mitigating any risks.

All trustees are required to undertake a DBS check.

An issue (technical defect) with the appointment of a Committee Member/Trustee of which the Committee are unaware at the time does not invalidate decisions taken at a meeting.

All trustees will be given a copy of the constitution upon election to post to ensure they are aware of their role and responsibilities.

## 6. Charity Meetings

### Annual General Meeting (AGM)

All AGMs are called giving at least 21 days' notice. All Members are entitled to attend. The AGM will take place at the beginning of term 2 (normally in November).

The quorum for the AGM is for at least 3 trustees/officers to be in attendance and at least 7 general members of which the majority must be parents/carers (for the purposes of voting). The Chair will be responsible for the running of this meeting. If the Chair is unavailable, the Vice-Chair or another elected officer will run the meeting. Where possible, the AGM will be combined with another Association or school event to maximise attendance.

Nominations for the election of the Committee can be made by any member of the Association and must be seconded by another. Any nomination must be agreed by the nominee. Ideally any nominations must be received by the Chair prior to the Annual General Meeting.

AGMs are held on an annual basis in ~~May~~ **November**. In exceptional circumstances the date of the meeting may be delayed, however an AGM must always take place within 15 months of the previous AGM.

All meeting papers must be approved by all trustees prior to being formally tabled at the AGM. Once approved by the trustees, these papers may be circulated to all members.

The agenda for the AGM includes:

1. Attendance and apologies.
2. Minutes of the previous meeting and approval of these.
3. Chair's Report – to include a review the events that have taken place over the previous year and to advise Members of the Association's plans for the forthcoming year. To be formally approved.
4. The audited treasurer's report for the preceding year. This must have been audited prior to the meeting by someone who is independent of the Committee and approved by all Trustees.
5. Election of an independent examiner for the accounts for the following year (proposed and seconded).
6. Head teacher's report / submission of school wish list for the following year.
7. Election of Committee Members (proposed and seconded).
8. Any special business, ie a review of the constitution.
9. Any other business (an opportunity for Members to ask questions).

\*The constitution must be available at all AGMs and Committee meetings.



## **7. Extraordinary General Meeting**

In the event of an urgent matter which cannot wait until the next Annual General Meeting, an Extraordinary General Meeting may be called. This meeting may be called at any time by any members (there must be a minimum of 10). A notice period of 30 days is required before the meeting can be held.

## **8. Committee**

There will be at least one Committee meeting per term (ie six times a year). All members are invited to attend and vote at these meetings. The quorum is that at least 2 elected officers, a school representative and at least 2 additional members are present.

A period of 2 weeks' notice is required. Paper will be circulated at least 5 working days (school days) days prior to the meeting.

The objectives of these meetings are to:

1. Review the day to day running of the Association including recent events, any lessons learnt and any issues or concerns.
2. Plan future events.
3. Consider funding requests made by the school.
4. To make rules that are consistent with the constitution. In particular setting out detailed financial arrangements for the management of the Association.
5. To receive finance updates (cash and bank balances, monies raised (net and gross) for recent activities and monies owed at each meeting.
6. Anything else which meets the objectives of the Association.

The Chair will run this meeting. If the Chair is unavailable, the Vice-Chair or another elected officer will run the meeting.

A Committee Member will cease to be a member if they are

1. Disqualified under section 72 of the Charities Act 1993 as amended by the Charities Act 2006 from acting as a charity trustee.
2. Is incapable, whether mentally or physically of managing his or her own affairs.
3. Is absent from three consecutive meetings without prior notification to the Secretary.
4. Children have left the school
5. Resigns by written notice to the Committee but only if at least two committee members/trustees remain in office.
6. Is removed by a resolution passed by a majority of other committee members/trustees. Removal is not effective until the committee member/trustee 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.

All Committee members are entitled to any out of pocket expenses incurred whilst in post.

Any member wishing to discuss an item at a meeting, should notify either the Chair or Secretary so that this can be included on the agenda.

## **9. Sub-committee Meetings**

The Committee may delegate some of its roles or responsibilities to a sub-committee (ie to organise a specific event). Sub-committee updates must then be provided to the Committee.

## **10. Voting**

All members (AGM or Committee) are entitled to one vote. In the event of a split vote, the Chair may have a casting vote. For a decision to be carried a simple majority is required.

Votes at all meetings will be made by a show of hands. The Chair may agree on occasion for a paper ballot. In the event of a paper ballot, the Chair will be responsible for overseeing the counting of votes together with a neutral representative if required.

## **11. Conflicts of Interest**

Any conflicts of interest must be declared at the beginning of any meeting. The Chair will then decide whether the member should withdraw from the discussion and any subsequent voting. In the event of the Chair having a conflict of interest, another officer will chair the discussion and decide on the most appropriate action.

## **12. Financial**

The Committee must comply with the requirements of the Charities Act 1993 as amended by the Charities Act 2006 as to the keeping of financial records, the audit or independent examination of accounts and the preparation and transmission to the Charity Commission of:

- Annual Reports (Chair's Report)
- Annual Returns (Treasurer's Report)

The Committee will keep proper records of

- All proceedings at General Meetings
- All proceedings at Committee Meetings
- Updates of sub-committee meetings must be provided upon request to the Committee (ideally in the form of a written update).

The latest annual reports and returns will be available via the Egerton school website. The constitution will also be available. Any Member has the right to request

additional information and the Committee will ensure that, where possible, this information is made available.

All Association documentation will be stored electronically in a central storage area which is accessible to all Trustees.

All records and supporting documentation must be kept for 7 years after which time they can be destroyed. The exception being the Constitution and any supporting policy documents.

The Committee must notify the Charity Commission promptly of any changes to the Associations' entry on the Register of Charities.

All Trustees are responsible for ensuring that funds are managed appropriately. The Treasurer is responsible for the day to day management of the Association's finances. A finance update will be provided for all Committee meetings and AGMs.

### **School Requests for Funding**

The school should, whenever possible, formally make funding requests at a Friends' Committee meetings or AGMs. These are scheduled regularly over the course of the academic year. It is understood that this is not always possible and in these exceptional circumstances, the school can make funding requests outside of Committee meetings. Any request must be circulated to all elected officers and be unanimously agreed. All funding requests approved in this way, must then be endorsed at the next formal Friends committee meeting. The maximum value for a request will be agreed annually by the Friends' Committee and the agreed value formally documented in the minutes.'

### **Payments**

- One trustee's signature is required for any cheque under £100 in value. Two trustee's signatures are required for any cheque over £100.
- One trustee's signature is required for any BACS payment under £100 in value. Two trustee's signatures are required for any BACS payment over £100.

### **Floats**

The Treasurer will be responsible for providing floats for events, however, at least a week's notice is required.

### **Expenses**

No monies should be taken directly from cash income for an event. All expenses should be submitted promptly to the Treasurer together with receipts and a completed expense form. Expense forms must be counter-signed by a Trustee (not to include the claimant).

All trustees are responsible for ensuring that the Association complies with the rules laid out by the Charity Commission.

The Friends of Egerton financial year runs from 1 September to 31 August.



### 13. Trustee benefit

No trustee should benefit from the charity (excluding reasonable expenses) without the approval of the Charity Commission.

### 14. Amendments

The Friends of Egerton constitution cannot be changed without the approval of the majority of members at an Annual General Meeting or an Extraordinary General Meeting. If there are any proposed changes, these must be available to all members to view at least 21 days prior to the meeting to enable all members to have the opportunity to review the proposed changes. A two-thirds majority of the members present and voting must be obtained for any changes to be formally approved.

Any amendments will be recorded in the minutes of the meeting. The constitution will be available via the Egerton School website and any updated versions will also be sent to the Charity Commission within 21 days of being formally passed at AGM.

No amendments or alterations shall be made without the prior written permission of the Charity Commission to Clauses 2, 14 or 15. No alteration shall be made which could cause the Association to cease to be a charity in law.

### 15. Dissolution

The Association may be dissolved by a resolution carried out at an Extraordinary General meeting or an Annual General Meeting. The resolution must have the agreement of two thirds of those present and voting and must give direction as to how any assets will be managed once any outstanding debits and liabilities have been met.

Any net assets will be given to the school for the benefit of the pupils of the school. In the event of the school closing, any remaining funds could be distributed to a neighbouring school or schools as selected by the Committee or another charitable cause.

The Trustees must notify the Charity Commission promptly that the Association has been dissolved. The Trustees must comply with any request from the Commission including providing the Association's final accounts.

Signed ..... *B.M. Boyd* .....

Name ..... *BONITA BOYD* .....

Position:- ..... *CHAIR* .....