

## CONSTITUTION

### Elmtree Infant School and Nursery Parent Teacher Association

#### 1. Association

- 1.1 The name of the Association shall be: Elmtree Infant School and Nursery Parent Teacher Association.
- 1.2 The Association may be referred to as 'Elmtree Friends and Family'.
- 1.3 School name and address: Elmtree Infant School and Nursery  
Elm Tree Hill, Chesham  
Buckinghamshire, HP5 2PA  
United Kingdom
- 1.4 The minimum number of committee officers / trustees: 5
- 1.5 The Association will be non-party political and non-sectarian.

#### 2. Objects

- 2.1 The object of the Association is to advance the education of pupils in the school.
- 2.2 In furtherance of this object the Association may:-
  - a) Develop more extended relationships between the staff, parents and others associated with the school.
  - b) Engage in activities which support the school and advance the education of the pupils attending it.
  - c) Provide and assist in the provision of such facilities or items for education at the school (not provided from statutory funds) as the committee in consultation with the school representative (headteacher or other) shall from time to time determine.

#### 3. Powers

- 3.1 The committee shall not undertake any activity in the school premises without the consent of the headteacher.  
The committee members have the following powers, which may be exercised only in promoting the *Objects*:
  - 3.2 To publish or distribute information.
  - 3.3 To raise funds (but not by means of permanent trading).
  - 3.4 To set aside funds for special purposes or as reserves against future expenditure.
  - 3.5 To take out public liability and personal accident insurance to cover Association meetings, activities, committee members/trustees, to insure the Association's property against any foreseeable risk and take out other insurance policies to protect the Association where required.
- 3.6 To obtain and pay for goods and services as are necessary for carrying out the work of the charity.

- 3.7 To open and operate bank and other accounts as the committee members/trustees consider necessary.
- 3.8 To do anything else within the law that promotes the Objects.

#### **4. Membership**

- 4.1 Membership shall consist of all parents, guardians and carers of pupils attending the school and all teaching and non-teaching staff.
- 4.2 Membership is terminated if:
  - 4.2.1 the Member resigns by written notice to the Association
  - 4.2.2 the committee members/trustees 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 days, and the matter has been considered in light of any representations made.
  - 4.2.3 the Member dies.

#### **5. General Meetings (Annual and Extraordinary)**

- 5.1 The Annual General Meeting shall be held in the first half-term of the school year.
- 5.2 All Members are entitled to attend any General Meeting of the Association.
- 5.3 All General meetings are called by giving 14 clear 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.
- 5.4 There is a quorum at a General meeting when the number of Members present is at least twice the number of committee members/trustees in office at the start of the meeting. The only exception would be at a General meeting where the Association is being dissolved: please see Clause 9.2.
- 5.5 The Chair or (if the Chair is unable to do so) some other committee member/trustee elected by those present is in charge of a General meeting.
- 5.6 Except where otherwise provided in this Constitution, every issue at a General meeting is decided by a simple majority of the votes cast by the Members present at the meeting.
- 5.7 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.
- 5.8 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/trustees on the Association's activities since the previous AGM
  - 5.8.3 elect the committee members/trustees
  - 5.8.4 appoint an independent examiner or auditor for the Association
  - 5.8.5 may confer on any individual (with his or her consent) the honorary title of Patron, President or Vice-President of the Association
  - 5.8.6 discuss and determine any issues of policy or deal with any other business put before them.

5.9 An Extraordinary General Meeting (EGM) may be called at any time by the Committee and at the written request of a minimum of at least 10 Members. Seven days notice shall be given of any EGM to all Members of the Association. It must be called within 21 days to happen within three months of receipt of the written request.

## **6. Committee**

6.1 The management of the Association shall be vested in a Committee consisting of the following Officers: Chair, Vice Chair, Secretary, Treasurer and Headteacher of the School.

6.2 The Officers of the Committee shall be elected at the Annual General Meeting and thereby become trustees of the charity. They shall serve until the commencement of the next Annual General Meeting.

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. Nominees should state that they are eligible to become a trustee of the charity. Nominations should be made in writing to the Chair at any time until the election process has been completed. 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 The Committee may appoint sub-committees, as it deems necessary and at least one member of every sub-committee must be a committee member /trustee. The Committee shall prescribe their function provided that all acts and proceedings of any such sub-committee shall be reported to the Committee as soon as possible and provided further that no such sub-committee shall expend funds of the Association otherwise than in accordance with a budget agreed by the Committee.

6.5 The Committee shall have the power to co-opt a maximum of 5 others (not more than 50% of the total number of Committee members). Co-opted members should normally be a representative from each of: Elmtree Nursery; each year of Elmtree School; Carnival sub-committee.

6.6 The Committee may fill Officer vacancies by co-option until the next Annual General Meeting.

## **7. Committee Meetings**

7.1 Committee meetings shall be held at least once each term.

7.2 Five (5) members of the Committee (elected officers and co-opted members) shall constitute a quorum.

7.3 The Chair or, if the Chair is unable to do so, some other committee member/trustee chosen by the members present is in charge at each Committee meeting.

7.4 Every decision may be made by a simple majority of the votes cast at a Committee meeting. Except for the Chair of the meeting, who has a second or casting vote, every committee member/trustee has one vote on each issue.

7.5 Any matter not provided for in the Constitution and concerning the organisation and activities of the Association shall be dealt with by the Committee whose decision shall be final.

## **8. Records and Accounts**

- 8.1. The Treasurer shall be responsible for keeping account of all Income and Expenditure and shall present a Financial report to all Committee meetings, and shall present the accounts for approval by the members at the Annual General Meeting.
- 8.2 Bank accounts shall be operated in the name of the Association and withdrawals shall be made on the signature of any two of the Officers of the Association.
- 8.3 The Financial Year shall commence on 1st September each year.
- 8.4 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:
  - 8.4.1 annual reports
  - 8.4.2 annual returns
  - 8.4.3 annual statements of account.
- 8.5 The Committee must keep proper records of:
  - 8.5.1 all proceedings at General meetings
  - 8.5.2 all proceedings at Committee meetings
  - 8.5.3 all reports of sub-committees.
- 8.6 Annual reports and statements of account relating to the Association must be made available for inspection by any member of the Association.
- 8.7 The Committee must notify the Charity Commission promptly of any changes to the Association's entry on the Register of Charities.

## **9. Amendments and Dissolution**

- 9.1 No alteration to this Constitution may be made except at the Annual General Meeting or an Extraordinary General Meeting called for this purpose. No amendments or alterations shall be made without the prior written permission of The Charity Commission to Clauses 2, 7.5 and 9.1 and no alteration shall be made which could cause the Association to cease to be a charity in law. Alterations to the Constitution shall receive the assent of two thirds of the members present and voting at an Annual General Meeting or Extraordinary General Meeting.
- 9.2 The Association may be dissolved by a resolution presented at an Extraordinary General Meeting called for this purpose. The resolution must have the assent of two thirds of those present and voting. Such resolution may give instructions of the disposal of any assets remaining after satisfying any outstanding debts and liabilities. These assets shall not be distributed among the members of the Association but will be given to the school for the benefit of the children of the school, or in the event of a school closure to the school to which the majority of children of the closing school will go, in any manner which is exclusively charitable in law. If effect cannot be given to this provision then the assets can be given to some other charitable purpose.