



T3SC Factsheet 2

constitutions

What is a constitution?

A Constitution is the document that sets out the rules for governing an organisation. Some rules will be determined by an organisations legal structure and whether it wishes to become a registered charity; others will depend on how it wants to manage its affairs. For more information on legal structures and becoming a charity see factsheet 2

Some groups prefer to remain informal and not adopt a constitution. However, for many a constitution is an effective tool for running an organisation successfully and is often a necessity, for example to prove to funders you are a bona fide organisation.

It is important to take time to ensure your constitution fits your group and lets it do what you wish. It will need to be reviewed and may be changed as you grow and develop. A good Constitution helps you to

- ensure your groups aims are clear and agreed by members
- provide a mechanism for making decisions and resolving disputes
- gain credibility with banks, funders and others
- ensure accountability and clarify responsibility
- register as a charity or company if appropriate

A constitution must include the following

Name

Choose carefully! It might reflect the area or the field in which you work, and will be your first point of contact for the world

Aims or Objects

This section sets out what the group aims to do. It will include their

- main purposes (why you exist; what you want to achieve)
- beneficiaries (the people you will be working with or for)
- area of benefit (if applicable; this is the geographic area you will work in)
- If your group wants to register as a Charity then you will need to consider whether or not these objects will fit in with what the Charity Commission defines as Charitable.

Powers

This covers what a group can do to achieve its aims. These are things such as fundraising, Networking, hiring equipment/premises and employing staff

T3SC can help you ensure your constitution has all the powers you are likely to need so please contact us for help writing it.

Membership

All voluntary groups have a membership structure of some kind. Broadly speaking a group's membership is made up of people who were interested in working together to achieve the aims of the group. A group may have different categories of membership, for example voting and non voting or group membership. These will be defined in the constitution, along with the power to charge a membership fee and rules on who can not join, if applicable.

Management Committee

The committee has responsibility for management of the group. (see fact sheet 3) It is up to the group how many members it has although for most organisations the allowed minimum would be three. There is no maximum but it would make the group unwieldy and inefficient to have too many. There are different types of Committee member:

ELECTED - by and from the membership. Most Committee members will be appointed this way.

NOMINATED - by another group

CO-OPTED - by the Committee due to their skills/knowledge.

It is in the interests of the group, and is a legal requirement for charities, to ensure that the Committee don't benefit financially from being a Committee member.

Honoury Officers

A Committee has officers who carry out its main jobs. There are usually at least three:

- Chair, who ensures meetings run smoothly and decisions are made.
- Secretary, who informs everyone of meetings and takes minutes.
- Treasurer, who oversees the money of the group and any payments it makes.

Committee Meetings

Meetings of the committee are held to share information and make decisions and should be governed by the constitution, which can specify the minimum number of Committee members needed to make a decision (quorum) and the minimum number of meetings to be held over a year. All members of the Committee must be given at least 21 days notice of a meeting.

General Meetings

Every year the group will need to have an Annual General Meeting. The first one being within 15 months of the group setting up. The AGM is a chance for the Committee to tell members what's going on and a chance for the members to hold the Committee accountable. It is also when the annual accounts are presented. The constitution should also allow for other general meetings called special or extraordinary general meetings.

Finances

This will include details of accounting procedures and suchlike. For example is good practice to have a bank account with a minimum of two people who should sign the cheque book. These two people must not be related. See factsheet 12 for more details.

Changing the Constitution and Closing down the Group

There must be provision in the constitution to change the Constitution if necessary and also to close down the group. A meeting of the membership should be called and a specific majority vote in favour needed. The group must pay all its bills and if there is any money left then it should be given to a group which does similar work. The Charity Commission will need to be consulted about this by registered charities.

**for more info please contact T3SC
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