

# St. Thomas More School

Highfield, Letchworth, Herts. SG6 3QA

## **PARENTS' ASSOCIATION**

### **THE 1985 CONSTITUTION**

(amended 2014)

#### **TITLE**

1. The Association shall be called "St. Thomas More School, Letchworth, Parents' Association".

#### **AIMS AND OBJECTS**

2. The objects of the Association are to advance the education of the pupils of the School by providing and assisting in the provision of facilities (not normally provided by the Local Education Authority).

#### **POWERS**

3. As an ancillary thereto and in furtherance of this object the Association may:-
  - a) foster 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;

#### **MEMBERSHIP**

4. Membership of the Association shall be automatic for all parents of children attending the School. Other persons who are interested in the aims of the Association may also become Members subject to the approval of the Committee.

#### **GENERAL MEETINGS**

5. The Association shall within two calendar months after the close of each Financial Year hold a General Meeting which shall be called the Annual General Meeting.
6. The functions of the Annual General Meeting shall be:
  - a) To receive the accounts of the closed Financial Year
  - b) To appoint the Honorary Auditor for the new Financial Year
  - c) To elect new Committee Members
  - d) To Co-Opt further Members

- e) To elect Officers, in order of Chairperson, Vice-Chairperson, Secretary and Treasurer.
  - f) To transact any other General Business of the Association included in the notice convening the meeting.
7. All General Meetings other than the Annual General Meetings shall be called Extraordinary General Meetings and shall be convened either upon order of the Committee or upon written requisition signed by no less than one tenth of the Members or 30 Members, whichever is less, stating the purpose for which the meeting is to be convened. If within 14 days after delivery of a requisition to the Association, a meeting is not convened, the Members who signed the requisition may convene a meeting in the manner provided in Rule 8.
  8. All General Meetings shall be convened by 14 clear day notice in writing to every Member specifying the nature, time, date and place thereof and the general nature of the business for which it is convened.
  9. No business shall be transacted at any General Meeting of the Association unless a quorum of Members is present at the time the meeting proceeds to business. Fifteen Members, of whom no less than three shall be Officers, shall form a quorum.
  10. At all General Meetings every member of the Association shall be entitled to be present and to give one vote and no more upon every question.
  11. Resolutions put to the vote at a General Meeting shall, except where a poll is demanded or directed, be decided upon a show of hands by a simple majority.
  12. Only those Members present at a General Meeting shall have the right to vote.
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#### THE COMMITTEE

19. The Committee shall manage the business of the Association.
20. The Committee shall comprise:

- a) At least five elected Members of the Association including the Officers
- b) Either the Head teacher of the School (ex officio) OR

A nominee of the Governors of the School (ex officio) and one member of the teaching staff (ex officio) nominated by the Head Teacher

The Committee is the governing body of the Charity and its members are the Trustees of the Charity as defined by the Charity Commission. Each Committee Member must ensure that he/she fulfils the Charity Commission's eligibility requirements for Trustees.

21. Members shall indicate their willingness to be elected to the Committee at the Annual General Meeting either in person or by written submission to the Secretary. Committee Members shall be elected either unopposed or by a simple majority vote.
22. A casual vacancy amongst the elected Committee Members caused by the retirement or the removal of a Committee Member may be filled by the Committee. Committee Members so appointed shall serve until the subsequent Annual General Meeting.

Members shall indicate their willingness to be appointed to the Committee at the first Committee Meeting directly after the vacancy arises. Candidate Members shall be appointed either unopposed or by a simple majority vote.

23. The Committee may at its discretion, and at any meeting, co-opt further Members to serve on the Committee until the subsequent Annual General Meeting. Co-opted Members have the same rights as Committee Members, but are not Trustees for Charity Commission purposes. There is no maximum number of Co-opted Members.

Members are invited to indicate their willingness to join the Committee as Co-opted Members at any General Meeting or Committee Meeting or by contacting any Committee Member. Members shall be Co-opted either unopposed or by a majority vote.

24. Year Representatives are Co-opted Members ex-officio.
25. The Committee shall meet at least three times every calendar year.

26. To be quorate meetings of the Committee shall require the attendance of no less than six Committee Members of whom no less than two shall be Officers.
27. Meetings of the Committee shall be convened by the Secretary who shall give no less than three days' notice in writing to all Members. Meetings shall be open to any Member of the Association who wishes to attend.
28. The order of business at the Committee Meeting shall be:-
- a) The appointment of Members to fill any casual Committee vacancy, as provided in Article 16
  - b) The appointment of further Co-opted Members, as provided in Article 17
  - c) Ordinary business
29. The Committee may delegate any of its powers and functions to a Sub-Committee consisting of such Committee and/or Co-opted Members and other Members, as it thinks fit. All decisions and actions of Sub-Committees shall be reported back to the Committee as soon as possible and updated at every Committee Meeting for as long as appropriate.
30. If any Committee or Co-opted member-fails to attend three consecutive Committee Meetings without an apology, he/she shall be deemed to have resigned.
31. Members may resign from the Committee at any time by notifying the Committee of their intention to do so.
32. Members may be removed from the Committee by vote at a General Meeting or by a 2/3 majority vote of Committee and Co-opted Members, provided that at least 10 or all such Members, whichever is less, participate in the vote.

#### THE OFFICERS OF THE ASSOCIATION

33. The Association shall have a minimum of three Officers – Chairperson, Secretary and Treasurer – but will ideally also have a Vice-Chairperson.
34. The Officers shall be elected at a General Meeting. Members shall indicate their willingness to become Officers at the Annual General Meeting. Candidate Members shall be elected either by being unopposed or by a majority vote.

The Chairperson and the Treasurer shall be elected Committee Members. Secretary and Vice-Chairperson may be Co-opted Members.

35. The Officers of the Association shall act under the superintendence, control and direction of the Committee and without prejudice thereto:-

- a) The Chairperson shall chair all General Meetings and meetings of the Committee of the Association.
- b) The Vice-Chairperson shall carry out the duties of the Chairperson during his/her absence.
- c) The Secretary shall:
  - c.i) Summon all meetings
  - c.ii) Keep proper Minutes of all proceedings and conduct all correspondence on behalf of the Committee
  - c.iii) Keep the Register of Members
- d) The Treasurer shall keep the accounts of the Association.

The detailed roles of each Officer shall be documented separately and updated when Officers deem it necessary. The Secretary shall keep a copy of the most recent update of each Officer's role documentation. Candidate Members need to ensure that they understand the requirements of the Officer's role.

36. The Officers shall have the joined responsibility to ensure that:-

- a) The Association operates in accordance with this Constitution, applicable rules and regulations and the applicable law.
- b) This Constitution is revised and updated as necessary and published as required by the Charity Commission or other relevant legal authority
- c) The Association complies with any legal, filing or statutory requirements, as required by the Charity Commission or other relevant legal authority

37. Officers shall produce or give up all books, documents and property of the Association in their possession, whenever required to do so by resolution of the Committee or at a General Meetings, or when handing over their position upon the end of their office.

38. No Officer shall at any one time hold two offices, unless as a temporary measure following the resignation or removal of another Officer while awaiting the appointment of a new Officer. Such double office should under no circumstance span more than two Committee Meetings or two months, whichever is longer.

39. No Member shall hold the same office for more than three consecutive years. Should circumstances require an Officer to remain in office for more than three years, or should an Officer wish to do so, this Officer shall be re-appointed on an annual basis at the Annual General Meeting, with this re-appointment being approved ahead of time and in writing by the Governors of the School.

40. Any Officer may resign from office at any time by requesting a General Meeting for this purpose. Officers are expected to give sufficient notice of their resignation to allow the Committee sufficient time to find a suitable candidate for the office.
41. Any Officer may be removed from office by vote at a General Meeting or by a 2/3 majority vote of Committee and Co-opted Members, provided that at least 10 or all such Members, whichever is less, participate in the vote.

### INDEMNITY

42. Every Officer or Committee Member shall be indemnified by the Association against all costs, losses and expenses which he/she may reasonably incur in discharge of his/her duties and the amount for which such indemnity is provided shall immediately attach as a charge on the property of the Association.
43. No Officer or Committee Member shall be liable for any losses happening to the Association through the execution of the duties of his/her office/membership, unless the loss be the consequence of his/her own dishonesty or negligence.

### FINANCIAL MATTERS

44. The financial year of the Association shall end on the 31<sup>st</sup> August each year.
45. The Association shall keep proper books of account with respect to its transactions and to its assets and liabilities.
46. The Association shall establish and maintain a satisfactory system of control of its books of account, its cash holdings and all its receipts and remittances.
47. An independent accountant shall audit the accounts of the Association each year, by such time that a copy of the certified accounts may be distributed to each Member with a notice of the Annual General Meeting.

The Treasurer shall provide a copy of the audited accounts (with supporting evidence and additional information as requested) to the Governors of the School.

48. The Association shall maintain a reserve fund for following sums:
  - a) An operating fund of £1,000 to be indexed each year from August 2002 by the annual Retail Price. (RPI in August 2002 was 176.4).  
This fund may include a mix of Cash and Inventory items.
  - b) Any reserve for larger projects as deemed necessary by the School representatives and agreed by the Committee at the Annual General Meeting or the first Committee Meeting following the Annual General Meeting.

All calls on the reserve fund to be replenished at the earliest opportunity or as determined by the Committee.

49. The Treasurer shall receive, bank, disburse (with the approval of the Committee where necessary) and keep an account of all monies. All such monies shall be kept in a banking account which shall be in the name of the Association, and withdrawals and other financial transactions shall be made in the name of the Association.

Cheques and other documents effecting withdrawals and other financial transactions shall be valid only if signed in accordance with the bank mandate as approved by the Committee

50. The Funds of the Association shall be applied solely for the development of its stated objects.

#### MINUTES AND REGISTER

51. Minutes of every General Meeting and of every meeting of the Committee shall be kept and such Minutes shall be agreed at the next such meeting.

#### BYE-LAWS

52. The General Committee may from time to time make and revoke byelaws not inconsistent with these rules for regulation of the internal affairs of the Association and the conduct of the Members. All byelaws shall, until revoked by the Committee, be binding on the Members.

#### AMENDMENTS TO THE RULES

53. These rules or any part of them, may from time to time be rescinded or amended with the consent of the School Governors, by a resolution passed at a General Meeting of the Members of the Association by a majority of at least two thirds of the Members present and entitled to vote. No alteration or amendments shall be made to this Constitution which would cause the Association to cease to be a charity by law. No amendments should be made to this clause, clause 2 or clause 47 without the prior consent in writing of the Charity Commissioners.

#### DISSOLUTION

54. The Association may be dissolved by a Resolution passed by a two-thirds majority of those present and voting at a Special General Meeting convened for the purpose of which 21 days' notice shall have been given to the Members. Such Resolution may give instructions for the disposal of the assets held by or in the name of the Association, provided that if any property remains after the satisfaction of all debts and liabilities such property shall not be paid to or distributed among the Members of the Association but shall be given to the Governing Body of the School for the benefit of the children at the School in any manner which is exclusively charitable at law.