

Model Constitution



National Confederation of Parent Teacher Associations

Please read the accompanying notes before using this model constitution and then complete this form in BLOCK CAPITALS and sign the declaration on the back page.

1. VARIABLES LIST

The following variables special to the Association shall be incorporated into the model constitution.

1.1 ASSOCIATION NAME:

BRETHERTON ENDOWED SCHOOL PTFA

CONTACT:

MRS KEELEY DUFFY

ADDRESS

[Empty address box]

1.2 TYPE OF ASSOCIATION: (tick where applicable)

Parent Teacher Association Home-School Association: Parents Association: Friends of the School:

Other

PARENT, TEACHER + FRIENDS ASSOCIATION

1.3 SCHOOL NAME:

BRETHERTON ENDOWED CE PRIMARY SCHOOL

ADDRESS:

SOUTH ROAD
BRETHERTON
LANCASHIRE
PR26 9AH

1.4 THE COMMITTEE

Officers: the Chair, the Secretary, the Treasurer

Other officers

Number of Ordinary Committee Members

Number of possible Co-opted Committee Members

No.

3

- VICE CHAIR
- UNLIMITED
- UNLIMITED

1.5 OTHER VARIATIONS

Clause No. (if appropriate)

New/ Amended Clause

5.3

There is a quorum at a general meeting if the number of members personally present is the number of Officers plus at least 4 (four) other members at the commencement of the meeting. 01/09/15

[Empty]

5.9

An EGM may be called at any time by the committee & must be called within 21 days after a written request to committee from at least three (3) committee members (not necessarily officers) 08/07/05

[Empty]

6.5.3 (addendum)

[...] unless apologies are received and the Committee accepts those apologies. Must be a minuted decision. 08/07/05.



2. OBJECTS

The object of the Association ("the Objects") is to advance the education of pupils in the School in particular by

- 2.1 developing effective relationships between the 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 the pupils;

3. POWERS

The Association has the following powers, which may be exercised only in promoting the Objects:

- 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 taxable trading)
 - 3.5 To acquire or hire property of any kind
 - 3.6 To make grants or loans of money and to give guarantees
 - 3.7 To set aside funds for special purposes or as reserves against future expenditure
 - 3.8 To deposit or invest funds in any lawful manner (but to invest only after obtaining advice from a financial expert and having regard to the suitability of investments and the need for diversification)
 - 3.9 To take out public liability and personal accident insurance to cover Association meetings, activities, Officers, and Committee Members, to insure the Association's property against any foreseeable risk and take out other insurance policies to protect the Association where required
 - 3.10 To insure members of the Committee against the costs of a successful defence to a criminal prosecution brought against them as charity trustees or against personal liability incurred in respect of any act or omission which is or is alleged to be a breach of trust or breach of duty (unless the member concerned knew that, or was reckless whether, the act or omission was a breach of trust or breach of duty)
 - 3.11 Subject to clause 9.2, to employ paid or unpaid agents, staff or advisers
 - 3.12 To enter into contracts to provide services to or on behalf of other bodies
 - 3.13 To pay the costs of forming the Association
 - 3.14 To do anything else within the law which promotes the Objects
- BUT the Committee shall not undertake any activity in the school premises without the consent of the Headteacher.*

4. MEMBERSHIP

Members of the Association are:

- 4.1 in a Parents Association the parents guardians or carers of a pupil currently attending the School
- 4.2 in a Parent-Teacher Association or Home-School Association the above plus the members of the teaching and non-teaching staff currently employed by the School.

- 4.3 in any other Association any person wishing to offer appropriate support or help to the School and who is accepted by the Committee as a member.

BUT the Committee may for good reason (whether or not at the request of the Governing Body or the Headteacher) exclude any person from membership 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 (but only after notifying the member concerned in writing and considering the matter in the light of any written representations which the member puts forward within 14 clear days after receiving notice).

5. GENERAL MEETINGS

- 5.1 All members are entitled to attend any AGM or EGM of the Association
- 5.2 General meetings are called by 21 clear days' written notice to the members specifying the business to be transacted
- 5.3 There is a quorum at a general meeting if the number of members personally present is a least three times the number of Committee Members in office at the commencement of the meeting
- 5.4 The Chair or (if the Chair is unable or unwilling to do so) some other member elected by those present presides at a general meeting
- 5.5 Except where otherwise provided in this Constitution, every issue at a general meeting is determined by a simple majority of the votes cast by the members present in person
- 5.6 Except for the chair of the meeting, who has a second or casting vote, every member present in person is entitled to one vote on every issue
- 5.7 An AGM must be held in every year (except that the first AGM may be held at any time within 18 months after the formation of the Association)
- 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 on the Association's activities since the previous AGM
 - 5.8.3 elect the Committee
 - 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 EGM may be called at any time by the Committee and must be called within 21 days after a written request to the Committee from at least 10 members

6. THE COMMITTEE

- 6.1 The Committee as charity trustees have control of the Association and its property and funds
 - 6.2.1 The Committee when complete shall comprise the officers and the other persons set out in clause 1.4 all of whom



11. NOTICES

- 11.1 Notices under this Constitution may be sent by hand, or by post or by suitable electronic means or in any newsletter distributed by the Association. Notification by hand may include distribution to parents guardians and carers via their children with or without other communications from the School
11.2 The address at which a member is entitled to receive notices (if sent by post) is the last known address of the member
11.3 A technical defect in the giving of notice of which the members or the Committee members are unaware at the time does not invalidate decisions taken at a meeting

12. AMENDMENTS

This Constitution may be amended at a general meeting by a two-thirds majority of the votes cast, but

- 12.1 The members must be given 21 clear days' notice of the proposed amendments
12.2 No amendment is valid if it would make a fundamental change to the Objects or to this clause or destroy the charitable status of the Association

13. DISSOLUTION

- 13.1 The Association may be dissolved by a resolution presented at an EGM called for this purpose. The resolution must have the assent of two thirds of those present and voting. Such resolution may give instructions for the disposal of any assets remaining after satisfying any outstanding debts and liabilities.
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, or in the event of the School closing to such other neighbouring school or schools the Committee shall decide
13.3 If effect cannot be given to this provision then the assets can be given to some other charitable purpose.

14. INTERPRETATION

In this Constitution:

- 14.1 'AGM' means an annual general meeting of the members of the Association
'the Association' means the charity comprised in this constitution
'the Chair' means the chair of the Association elected at the AGM
'charity trustees' has the meaning prescribed by section 97(1) of the Charities Act 1993
'clear day' means 24 hours from midnight following the triggering event
'the Commission' means the Charity Commissioners for England and Wales
'the Committee' is the governing body of the Association
'co-opted Committee member' means a member of the Committee appointed by the members of the Committee in accordance with clause 6
'EGM' means a general meeting of the members of the Association which is not an AGM

'fundamental change' means such a change as would not have been within the reasonable contemplation of a person making a donation to the Association

'general meetings' means any AGM or EGM

'Governing Body' means the governing body of the School

'Headteacher' means the Headteacher or Principal of the School

'independent examiner' has the meaning prescribed by section 43(3)(a) of the Charities Act 1993

'material benefit' means a benefit which may not be financial but has a monetary value

'member' and 'membership' refer to members of the Association

'months' means calendar months

'the Objects' means the charitable objects of the Association set out in clause 2

'taxable trading' means carrying on a trade or business on a continuing basis for the principal purpose of raising funds and not for the purpose of actually carrying out the Objects

'written' or 'in writing' refers to a legible document on paper including a fax message

'year' means calendar year

- 14.2 References to an Act of Parliament are references to the Act as amended or re-enacted from time to time and to any subordinate legislation made under it.

ADOPTED AT A MEETING HELD

AT (Place) Bretherton School

ON (Date) 8th November 16

NAME K Hudson

SIGNATURE [Signature]

(Name and signature of chair of meeting)

WITNESSED 08/11/16

NAME VANESSA GLEW

ADDRESS 20 LONSDALE DRIVE CROSTON PR26 9SB

OCCUPATION PERSONAL TRAINER

SIGNATURE [Signature]

(Name, address, occupation and signature of witness)