

Alban City School Parent Teacher Association

Constitution

(Updated January 2015)

1. VARIABLES

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| 1.1 | Type of Association: | Parent Teacher Association |
| 1.2 | Association name in full: | Alban City School Parent Teacher Association |
| 1.3 | School name in full, with address: | Alban City School, 7 Hatfield Road
St Albans, AL1 3RR |

2. DEFINITIONS

In this Constitution—

“AGM” means an Annual General Meeting of the Association (see clause 7)

“the Association” means the Alban City School Parent Teacher Association;

“the Committee” means the Members of the Association who are also Committee Members (see clause 8);

“EGM” means a General Meeting of the Association which is not an AGM;

“General Meeting” means a meeting to which all Members are invited (see clause 7);

“the Members” means the Members of the Association (see clause 6);

“the Officers” mean the Chair, the Secretary, the Treasurer and the Staff Representative (see clause 5);

“the school” means Alban City School;

“the Trustees” means the Chair, Secretary, Communications Officer and Treasurer, who are trustees of the Association within the meaning of section 177 of the Charities Act 2011 (see clause 5.3).

3. OBJECT OF ASSOCIATION

The object of the Association is to advance the education and wellbeing of pupils in the school in particular by—

- 3.1 developing effective relationships between the staff, parents and others associated with the school;
- 3.2 engaging in activities, or providing facilities or equipment, which support the school and advance the education or wellbeing of the pupils.

4. POWERS

The Committee has the following powers, which may be exercised only in promoting the object of the Association:

- 4.1 to provide advice;
- 4.2 to publish or distribute information;
- 4.3 to co-operate with other bodies;
- 4.4 to raise funds (but not by means of permanent trading);
- 4.5 to acquire or hire property of any kind;

- 4.6 to make grants or loans of money and to give guarantees;
- 4.7 to set aside funds for special purposes or as reserves against future expenditure;
- 4.8 to deposit or invest funds;
- 4.9 to take out public liability and personal accident insurance;
- 4.10 to employ paid or unpaid agents, staff or advisers;
- 4.7 to enter into contracts to provide services to or on behalf of other bodies;
- 4.8 to pay the costs of forming the Association;
- 4.9 to obtain and pay for goods and services as are necessary for carrying out the work of the Association;
- 4.10 to open and operate bank and other accounts ;
- 4.11 to do anything else that promotes the object of the Association.

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However the Committee shall not undertake any activity in the school premises without the consent of the head teacher.

5. OFFICERS

- 5.1 The Officers of the Association are—
 - 5.1.1 the Chair;
 - 5.1.2 the Secretary;
 - 5.1.3 the Treasurer
 - 5.1.4 the Communications Officer; and
 - 5.1.5 the Staff Representative.
- 5.2 The Staff Representative is the head teacher of the school, or such other member of staff as is nominated by the head teacher.
- 5.3 The Chair, Secretary, Communications Officer and Treasurer are the Trustees of the Association and are charity trustees within the meaning of the Charities Act 2011 (see section 177).
- 5.4 The Chair, Secretary, Communications Officer and Treasurer are to be elected at each AGM and hold office until the following AGM, unless clause 5.5 applies.
- 5.5 A person ceases to be an Officer if—
 - 5.5.1 in the case of the Chair, Secretary, Communications Officer or Treasurer, the person is disqualified from acting as a Trustee under section 178 of the Charities Act 2011;
 - 5.5.2 the person becomes incapable of managing their own affairs;
 - 5.5.3 the person is absent from three consecutive Committee Meetings without giving prior notification to the Secretary (or, if the person in question is the Secretary, to the Chair);
 - 5.5.4 the person resigns by giving written notice to the Committee; or
 - 5.5.5 the person ceases to be a Member of the Association.
- 5.6 If the role of an Officer becomes vacant more than 14 days before the next AGM, a new Officer may be elected at an EGM of the Association (see clause 7).

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- 5.7 A retiring Officer is entitled to an indemnity from the continuing Officers at the expense of the Association in respect of any liabilities properly incurred while he or she held office.
- 5.8 The roles of the Chair, Secretary, Communications Officer and Treasurer are set out in Clause 14.

6. MEMBERSHIP

- 6.1 The Members of the Association are—
- 6.1.1 the parents, guardians or carers of all pupils currently attending the school;
 - 6.1.2 the teaching and non-teaching staff currently employed or engaged at the school; and
 - 6.1.3 any person over the age of 18 who is accepted by the Officers as a member (a “co-opted member”).
- 6.2 A person’s membership of the Association is terminated if—
- 6.2.1 the person gives written notice to the Association that they do not wish to be a Member;
 - 6.2.2 the person’s membership is terminated by the Committee in accordance with clause 6.3.
- 6.3 The Committee may terminate a person’s membership if they consider that the person’s presence or support of the school may be a danger to the school or its pupils or staff or may bring the Association into disrepute. In order to terminate a person’s membership in this way—
- 6.3.1 an Officer must inform the person in writing of the proposed termination of their membership, giving reasons;
 - 6.3.2 the person must be given an opportunity to make representations to the Committee within 14 days of receiving the written notice;
 - 6.3.3 the Committee must consider the representations before making a final decision on whether to terminate the person’s membership.
- 6.3.4 Membership of a co-opted member is terminated at the following AGM (but may be renewed).

7. GENERAL MEETINGS (ANNUAL AND EXTRAORDINARY)

- 7.1 All Members are entitled to attend a General Meeting of the Association.
- 7.2 A General Meeting must be called by the Chair by giving 14 clear days written notice of the meeting to the Members. The notice must specify the date, time and location of the General Meeting and give an overview of the agenda.
- 7.3 There is a quorum at a General Meeting when there are present at the meeting—
- 7.3.1 at least two Officers; and
 - 7.3.2 at least four other Members.
- 7.4 Every issue at a General Meeting, other than amendment of this Constitution (see clause 12) or dissolution of the Association (see clause 13), is decided by a simple majority of the votes cast by the Members present at the meeting.

- 7.5 Except for the Chair of the meeting, who has a casting vote where a vote is tied, every Member present is entitled to one vote on every issue.
- 7.6 The Association must hold a General meeting within twelve months of the date of the adoption of this Constitution. Thereafter, an AGM must be held in each subsequent year and not more than 15 months may elapse between successive AGMs.
- 7.7 At an AGM the Members—
 - 7.7.1 receive the accounts of the Association for the previous financial year;
 - 7.7.2 receive the report of the Committee on the Association's activities since the previous AGM;
 - 7.7.3 elect the Chair, Secretary, [Communications Officer](#) and Treasurer;
 - 7.7.4 appoint an independent examiner (within the meaning of the Charities Act 2011) or auditor for the Association;
 - 7.7.5 may confer on any individual (with his or her consent) the honorary title of Patron, President or Vice-President of the Association;
 - 7.7.6 discuss and determine any issues of policy or deal with any other business put before them.
- 7.8 An EGM may be called at any time by the Chair or any other Officer.
- 7.9 An EGM must be called by the Chair if the Chair receives a written request for an EGM from at least 10 Members. Such an EGM—
 - 7.9.1 must be called within 21 days of receipt of the 10th written request;
 - 7.9.2 must take place within three months of the 10th written request .

8. THE COMMITTEE, AND COMMITTEE MEETINGS

- 8.1 Every Officer is a Committee Member.
- 8.2 Any Member of the Association may also be a Committee Member.
- 8.3 A person becomes a Committee Member by—
 - 8.3.1 attending a Committee Meeting, or
 - 8.3.2 notifying an Officer that they wish to be a Committee Member.
- 8.4 A Committee Member may resign by notifying an Officer that they no longer wish to be a Committee Member.
- 8.5 The Committee must hold at least three meetings every academic year.
- 8.6 The quorum at a Committee Meeting is five.
- 8.7 Committee Meetings are to be run by the Acting Chair.
- 8.8 Minutes of, and agendas for, Committee meetings are to be produced by the Acting Secretary.
- 8.9 The Acting Chair and the Acting Secretary are to be selected in advance by the Committee Members, and continue to hold that role until they resign from it.
- 8.10 The roles of the Acting Chair and Acting Secretary are set out at clause 14.
- 8.11 Decisions at Committee Meetings are to be made by a simple majority of the votes cast at a Committee meeting.
- 8.12 At a Committee Meeting, every Committee Member has a single vote on each issue, but in the event of a tied vote, the Acting Chair has a casting vote.

- 8.13 A resolution which is in writing and signed by all Committee Members is equally valid. The resolution may be contained in more than one document and will be treated as passed on the date of the last signature.
- 8.14 The Committee may delegate any function to a sub-committee. A sub-committee must consist of—
- 8.14.1 two or more persons appointed by the Committee Members;
 - 8.14.2 at least one Committee Member.
- Sub-committee proceedings must be promptly reported to the Committee.
- 8.15 The Committee may make rules for the following purposes—
- 8.15.1 to govern proceedings at Committee meetings, sub-committee meetings and General Meetings;
 - 8.15.2 to govern proceedings generally about the running of the Association, including the operation of bank accounts and the handling of money.
- 8.16 If a Committee Member has a personal interest in a matter to be discussed at a meeting, the Committee Member must—
- 8.16.1 declare their interest before discussion on the matter begins;
 - 8.16.2 withdraw from that part of the meeting unless invited to remain in order to provide further information;
 - 8.16.3 not be counted in the quorum for that part of the meeting;
 - 8.16.4 not vote on the matter.

9. PROPERTY & FUNDS

- 9.1 The property and funds of the Association must only be used to fulfil the object of the Association (see clause 3).
- 9.2 Committee Members must not receive payment either directly or indirectly for their services, but may be reimbursed for expenses incurred on behalf of the Association.
- 9.3 Committee Members may not enter into contracts with the Association for the provision of goods and services to the Association.
- 9.4 The Association must open a bank account in its own name. The authorised signatories for the account are to be the Officers.
- 9.5 Funds of the Association may only be deposited into a bank account in the name of the Association.
- 9.6 Withdrawals from the Association's bank account may only be made on the signature of two of the authorised signatories.
- 9.4 Association money may only be spent with consideration for the greatest needs of the school as advised by the head teacher in consultation with the Committee.

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10. RECORDS & ACCOUNTS

- 10.1 The Trustees must comply with the requirements of Part 8 of the Charities Act 2011 as to the keeping of accounts, reports and returns.
- 10.2 The Secretary must keep proper records of—
- 10.2.1 all proceedings at General Meetings;
 - 10.2.2 all proceedings at Committee Meetings (as reported to the Secretary by the Acting Secretary);

10.2.3 all reports of sub-committees.

- 10.3 Annual reports and statements of account relating to the Association must be made available for inspection by any Member of the Association
- 10.4 Once registered with the Charity Commission, the Trustees must notify the Charity Commission promptly of any changes to the Association's entry on the Register of Charities.

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11. NOTICES

- 11.1 Notice of any General Meeting of the Association may be sent by hand, by post, by suitable electronic communication (email) or in any newsletter distributed by the Association to its Members. 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, which the Committee Members are unaware of at the time, does not invalidate decisions taken at a General Meeting.

12. AMENDMENTS TO CONSTITUTION

- 12.1 This Constitution may be amended at a General Meeting of the Association by a two-thirds majority of votes cast.
- 12.2 Notice of any proposed amendment must be given to Members at least 14 days in advance of the meeting at which the amendment is to be considered.
- 12.3 An amendment may not be made if it would—
- 12.3.1 make a fundamental change to the object of the Association (see clause 3); or
- 12.3.2 destroy the charitable status of the Association.
- 12.4 Once registered with the Charity Commission, the Trustees must comply with the provisions of the Charities Act 2011 as to the notification to the Charity Commission of changes to this Constitution.

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13. DISSOLUTION

- 13.1 The Association may be dissolved by a resolution presented at an EGM or an AGM where this is included in the notice of the meeting. The resolution must have the agreement of two-thirds of those voting and must give instructions for the disposal of any assets remaining after paying the outstanding debts and liabilities of the Association.
- 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. In the event of the school closing any remaining funds are to be distributed to a neighbouring school or schools as selected by the Committee.
- 13.3 If it is not possible to dispose of assets as described in clause 13.2 then the assets may be given to another charitable cause related to education.
- 13.4 Subject to having registered with the Charity Commission, the Trustees must notify the Charity Commission promptly that the Association has been

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dissolved. The Trustees must comply with any request from the Commission including providing the Association's final accounts.

14. OFFICER ROLES, and Acting Chair and Acting Secretary Roles:

Acting Chair shall: Set and send out the agenda prior to Committee Meetings
Open Committee Meetings and welcome new members
Note apologies for absences
Follow the agenda, pace the meeting
Acknowledge the minutes of the last meeting
Agree date for next Committee Meeting
Close

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Chair shall: Do all of the Acting Chair Role for General Meetings
Ensure this Constitution is observed
Be a Trustee
Write the annual report in cooperation with the Secretary
Assist the Treasurer to prepare the annual accounts as required
Sign cheques for the PTA, with the Treasurer/Head Teacher
Ensure arrangements are in place for any insurance requirements for any PTA event or activity.
Keep all records, alongside the Secretary
Review all Communications. (eg newsletters and flyers etc).

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Communications Officer: Update the PTA page on the school website alongside the Secretary
Draft all Communications (eg: Newsletters, event flyers etc)

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Acting Secretary shall: Keep a record of attendance at Committee Meetings
Take notes during Committee Meetings
Write up the minutes of Committee Meetings
Distribute the minutes (within approximately 2 weeks)
Make meeting arrangements

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Secretary shall: Do all of the Acting Secretary Role for General Meetings
Update the PTA page on the school website alongside the Communications Officer
Deal with correspondence
Diarise meetings and events
Co-sign cheques as required
Write the annual report with the Chair
Be a Trustee
Keep records of General Meetings and Committee Meetings

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Treasurer shall: Maintain the financial records
Report income and expenditure at meeting
Liaise with the bank
Make regular and other payments
Prepare and co-sign cheques as required
Receive and lodge income as soon as possible
Draw up the annual accounts and update Trustees
Both the accounts and report require to be independently checked in advance of submitting
Be a Trustee

Once registered with the Charity Commission, prepare and submit the Charity Commission end of year report **and** **accounts.**

Depending on the Treasurer candidates standing for election at any AGM, the Treasurer function may be split into two, each being an Officer and Trustee:

Treasurer (grants, records and oversight)

Treasurer (event cash management)

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ADOPTED AT A MEETING HELD AT:

Alban City School PTA Annual General Meeting

Date: _____

NAME:
Chair
Alban City School Parent Teachers Association

NAME:
Secretary

WITNESS NAME:
Mrs Janet Goddard
Head Teacher
Alban City School