

Constitution

What is a constitution?

When a group of people get together with a view to forming a community group or perhaps a charity they need a written document that will set out:

- What the group is planning to do (aims/objectives)
- What powers the group will have in working towards its aims
- Who can join the group and how people join
- How the group will be run (the committee)
- Procedures for selecting the committee and for meetings
- How the group will manage its money (finances)

Doing the work around preparing a constitution gives those people who have been interested enough to get involved in your organisation or group the chance to talk through all of these issues before you get started.

Why bother with a constitution?

There are several reasons why it is worthwhile spending time working on a constitution. If it is done properly it can:

- Strengthen your organisation, by setting out clear aims
- Help you to get funding, by showing that your group is organised
- Save any disagreements about how the organisation is run, by putting your procedures down on paper
- Help to prepare your group to apply for Charitable Status

For new organisations and groups, writing a constitution can be a useful way of getting members to work together and agree on how things will go forward.

Is there a quick way of putting a constitution together?

The short answer to this question is No! As mentioned above, it is worth while taking the time to get your constitution right. Here a few tips:

DO have a look at examples of constitutions from other organisations or groups to see how the document is laid out, and how certain things can be worded.

DON'T be tempted to take this further and try to simply lift another group's constitution - it will just cause you more problems in the long run. It's important that everyone involved with the setting up of the group understands what is in the constitution and why it is there.

DO seek advice from local Voluntary & Community support services if you need some help.

Usual headings

1. Name of organisation
2. Aims
3. Powers
4. Members
5. Equal Opportunities
6. Committee & Officers
7. AGM & other meetings
8. Rules of procedure
9. Finances
10. Amendments to constitution
11. Dissolution

1. Name of Organisation

Do you want a name that reflects the area you are based in, what you are doing, or both? Does it need to be 'catchy' so people easily remember it? Why not come up with some ideas and then go and ask other people who are not involved in the group what they think.

2. Aims

Your aims, sometimes called objectives or objects, are a statement of your long term goals: what you want to achieve and how you want to achieve it. This is probably the most important part of your constitution and needs to be very clear.

Discussing your aims and objectives will help you to make sure that everyone in the group agrees on the purpose of the group and what it will be doing. If your aims are clearly written, you can use them to let others know what your group is about.

Your aims should include information about the area you are working in, who will benefit from the activities of the group, and how they will benefit.

3. Powers

This section deals with the specific functions related to the group such as providing services or activities to further the aims and objectives. The Powers clause can also outline the group's ability to:

- Raise funds
- Employ staff
- Lease/hire or purchase property
- Take out insurance
- Liaise with other organisations

Most groups have a pretty comprehensive list of powers within their constitution even if they do not think that they will all be needed right at the beginning. It is best to think broadly rather than having to add things in at a later date (see Amendments to the Constitution)

4. Members

Any group will be composed of members. Who can be a member? You need to decide who will be entitled to be a member. This could be:

- everyone who pays a membership fee; or
- everyone who lives in a certain area; or
- all users and volunteers at the project; or
- anyone who supports the aims of the group and participates in its activities

Will there be a membership fee?

Whether you have a membership fee is entirely up to you. The advantages are that it makes it very clear who is a member (the people who have paid) and it raises a bit of money. The disadvantages are that it may put people off and that it can be fiddly to collect the money. If you choose to have a fee, will it be weekly, monthly or yearly? How much will it be? You could decide this each year at your AGM, but remember to put this in your constitution.

How can people join?

In some organisations people become members automatically when they move into an area, start volunteering or using the services that the group provides. Alternatively, you could have a membership form that people fill in when they want to join. You need to decide who they must give this to, and if they become a member when they hand in the form, or if their membership has to be approved by a meeting of the committee or the group.

Even if you plan to have a very open membership it is a good idea to have a membership list. It is then clear who you mail about meetings, who can come, and who can vote.

5. Equal Opportunities

A full equal opportunities policy is usually a separate document to the constitution. However, you may want to include a statement of your commitment to equal opportunities in your constitution as well, for example *“The group will not discriminate on the grounds of gender, race, colour, ethnic or national origin, sexuality, disability, religious or political belief, marital status or age.”*

6. Committee & Officers

Some groups have a committee which is elected once a year and is responsible for running the day to day affairs of the group. Other groups share or ‘rotate’ the jobs that need doing.

Running your group with an elected committee

If you choose to have a group of people to run your organisation they will usually be called the management committee.

It is up to you to decide how many committee members you will have and what officers you want.

The committee is usually made up of members of the group and elected once a year at the Annual General Meeting.

Officers have responsibility for specific jobs. These are usually:

- Chair
- Secretary
- Treasurer

You can choose to have people who are responsible for other tasks such as:-

- Press Officer
- Fundraiser
- Membership secretary

Decide whether your officers will be elected by the full membership at the AGM or by the committee at its first meeting.

The committee may also invite other people to serve on the committee (known as co-opting). They may be members of the group but can come from outside, and are generally co-opted because they have particular skills or knowledge (such as fundraising or accountancy).

Running your group without a committee

Many groups with modest aims and activities run very successfully without an elected committee. In this instance, the entire group is the 'management committee' and everyone is responsible for the groups affairs.

You will still need to have members that take responsibility for long term tasks such as managing the money. It is useful to decide in advance of each meeting who will be the Chair or Facilitator and who will take minutes. When you make decisions (such as running a press campaign or organising a fundraising event) you will also need to decide who will be responsible for carrying them out.

7. AGM & other meetings:

Annual General Meeting

You will need to hold an Annual General Meeting (AGM) once a year. At the meeting you will have reports of your work for the last year and discuss your plans for the coming year. Many groups use this as an opportunity to involve their members in a celebration of their achievements. You will also elect your committee (if you have one) and can make changes to the constitution.

Your constitution should state:

- How members will be notified of the date, time and venue of the AGM. How many weeks' notice must they be given?

- The maximum time there can be between AGMs. This is usually 15 months to allow some flexibility.
- How many days/weeks in advance members can submit items for
- discussion
- Whether nominations for the committee must be made in advance or taken on the day of the meeting
- What the quorum will be. The quorum is the minimum number of members that must attend the meeting for it to elect officers or make decisions on behalf of the group. Take care not to make the quorum so high that you can never have a proper meeting. On the other hand, a quorum can prevent the organisation being taken in an unwanted direction by two or three people.

Committee Meetings

How often will the committee meet? Do you want to specify a minimum number of meetings?
Who will be entitled to attend – just the committee or will it be open to all members?
Will there be a quorum for committee meetings?

General Meeting

These are meetings that all members can attend. You will need to state:

- How often you will have a general meeting
- What the quorum will be

Special General Meeting

A Special General Meeting is used to discuss important matters that need to be put before the whole membership, such as an amendment to the constitution. They can usually be called by the committee or requested by members. Your constitution should state:

- How members will be notified of the date, time and venue of the meeting.
- How many weeks notice must they be given?
- What the quorum will be.

8. Rules of Procedure

When somebody makes a suggestion you will want to have a discussion. You can then make a decision by consensus, or by voting. Consensus decision making means that you will discuss an idea and try to find a solution that is satisfactory to everybody present by working it through together. If you want to make decisions by voting, it is usual to state that a simple majority is required, and that if there are an equal number of votes on each side, the chair will have an additional casting vote. You could choose to have a combination of both, where you aim to make decisions by consensus but can have a vote if consensus cannot be reached.

How will you run your meetings?

You don't have to have the details of how you run your meetings in your constitution. However, it is useful to think about how your meetings will work. We suggest discussing this in the group and drawing up a set of meeting rules – e.g. raise hands/don't interrupt/start and finish on time/stick to the item on the

agenda/be respectful to each other. This is a working tool for the group and can be separate from the constitution.

9. Finances:

You need to spell out how you will deal with any money.

You will probably want to state that:

- a bank account will be maintained on behalf of the group at a bank agreed by the committee
- signatories to the account will be the officers of the association.
- each cheque will require two signatures one of whom will normally be the Treasurer
- records of income and expenditure will be maintained by the Treasurer and a financial statement given to each meeting
- An annual statement of account will be presented to the Annual General Meeting
- all money raised by the Association will be spent solely on the objects laid out in the constitution

10. Changes to Constitution

Once you have agreed your constitution you should not need to change it without good reason. You need to decide:

- what meetings can decide to make changes to the constitution
- how much notice has to be given to members of the proposed changes
- if you will require a vote, and if it will have to be a simple majority
- or a 2/3 majority

11. Dissolution

At some stage you may decide you want to close the group down, and you need to have an agreed procedure by which this can happen.

You need to decide:

- who is entitled to make this decision
- how much notice is needed
- what would happen to any money and assets still held by the group

Your constitution should be agreed at a meeting of the group, and then dated and signed by the Chair, Secretary, or a representative of those present at meeting. This shows that the constitution has been agreed by the whole group. This is useful if the status of the constitution is called into doubt at a future date.

Now you are ready to draft your constitution