



CONSTITUTION

Charity Commissioners Model File Reference No. 25/4/121-R

1. NAME

The name of the Group shall be **Fareham Childminders Group** (hereinafter referred to as the Group).

2. OBJECT

The Group exists to promote the objects of the National Childminding Association in the locality namely:-

- (a) To promote the provision of facilities for the daily care, recreation and education of children and particularly children under the age of 8 years and promote the observance of good standards of childminding by the parents of such children and all persons and organisations providing such facilities.
- (b) To advance the education and training of childminders and other persons and organisations providing day care facilities for children, particularly children under the age of 8 years, to conduct research into all aspects of the care, recreation and education of such children, and publish the useful results of such research.

3. LOCALITY

The locality shall be **FAREHAM, HAMPSHIRE**

4. POWERS

In furtherance of the objects and purposes herein before defined but not further or otherwise the Group shall have the following specific powers:-

- (i) To encourage the recognition of childminding as a positive part of day care provision.
- (ii) To assist any person or charitable institution financially or otherwise in the furtherance of the above or any of them.
- (iii) To obtain, collect and receive money and funds by way of contributions, donations, subscriptions, legacies, grants, covenants or any other lawful method and to achieve and receive gifts of property of any description (whether subject to any trusts or not) for or towards the above purposes or any of them provided that the Group shall not undertake any permanent trading activities in the raising of funds for its primary object.
- (iv) To procure and provide information in furtherance of the above purposes or any of them.
- (v) To procure to be written and print, publish, issue and circulate gratuitously or otherwise any reports or periodicals, books, pamphlets, leaflets or other documents and audio-visual aids in furtherance of the above purposes or any of them.
- (vi) To arrange and provide for or join in arranging the providing for the holding of exhibitions, meetings, conferences, ventures and classes to further the above purposes or any of them.
- (vii) To promote, encourage or undertake any new work as and when necessary for the above objects or purposes or any of them.
- (viii) To do all such lawful things as are necessary for the attainment of the above objects or purposes or any of them.

5. MEMBERSHIP

- (a) All childminders, parents or childminded children and any well wishers in the locality shall be admitted to membership provided they agree to abide by this constitution and any conditions of membership properly imposed by the Group and on payment of an annual subscription as agreed by the members in General Meeting provided that a member shall automatically cease to be a member in the event of her/his failing to pay any subscription by the due date provided, however, that any such member shall be re-admitted to membership on payment by her/him of any arrears and the subscription due.
- (b) The committee may also admit to Honorary Life Membership persons who have displayed considerable support for, and interest in, the Group. Such Honorary Life members shall not have the right to vote at

any meetings of the Group (although they may attend and be heard thereat).

- (c) The committee shall have the right for good and sufficient reasons to terminate the membership of a member provided that the member shall have the right to be heard by the committee before a decision is made.

6. MANAGEMENT

- (a) The management of the Group shall be invested in a committee consisting of members whose duty it shall be to carry out its general policy and to provide for the administration, management and control of the affairs and property of the Group. The committee shall consist of the following:
 - (i) At least two and not more than six persons excluding those who are co-opted.
 - (ii) Not more than two members co-opted by the committee.
- (b) The election of members of the committee shall be held at the Annual General Meeting (AGM) of the Group. Nominations shall be in writing and delivered to the Secretary. Each nomination must be proposed and seconded by a voting member of the Group and accompanied by the written consent of the nominee. If there are insufficient nominations before the date of the AGM, valid nominations shall be accepted at the meeting. The members of the committee shall take office at the first meeting of the committee after the Annual General Meeting. No voting committee member may serve for more than 6 consecutive years (including a period in which an office is held).
- (c) Either A. The officers of the Group, that is the Chair, Secretary and Treasurer, shall be elected before the election of and in addition to the committee members referred to in clause 6(a)(i) by the members at the Annual General Meeting in the manner provided for in clause 6(b).

Or B. The members of the committee shall elect from among their number the officers of the Group, that is the Chair, Secretary and Treasurer, within 10 days after the election of the committee.

The officers of the Group shall take office at the first meeting of the committee after the AGM. No officer may serve for more than 3 consecutive years in any one office.

- (d) Any casual vacancy in the committee shall be filled by a member appointed by the committee.
- (e) The elected members of the committee, members co-opted by the

committee and any members appointed by the committee to fill casual vacancies, shall hold office until the first committee meeting following the next Annual General Meeting.

- (f) The proceedings of the committee shall not be invalidated by any defect in the appointment, election or co-option of any committee member.
- (g) The committee may appoint such sub-committees as may be thought fit and for such times and purposes as it may determine, provided that such sub-committees shall not act in any matter without the knowledge and sanction of the committee. All proceedings and recommendations of such sub-committees shall be reported back fully and promptly to the committee.
- (h) The committee may appoint a representative to attend and vote at general meetings of the National Childminding Association if the representative elected at the Annual General Meeting is unable to attend such general meetings.

7. COMMITTEE MEETINGS

- (a) There shall be at least three committee meetings a year. The Secretary shall give at least 14 clear days notice of the meetings and all matters to be discussed thereat. Special committee meetings may be called at any time by the Chair or by any two members of the committee, upon fourteen clear days notice being given to all other members of all the matters to be discussed.
- (b) At committee meetings matters shall be decided by a simple majority of votes of committee members present. In the case of equality of votes the Chair shall have a second and casting vote. The quorum for any committee meetings shall be 3 or one-third of the committee whichever is the greater, and shall be composed of voting members and include at least one officer of the Group.
- (c) The Secretary shall be responsible for ensuring that the minutes of the committee meetings are taken, kept and circulated.

8. GENERAL

- (a) The financial year of the Group shall end on the 31st March in each year and a General Meeting of members of the Group shall be convened as soon thereafter as possible for the purpose of receiving the annual report and the accounts of the group and to consider any other business as may be necessary. At least 21 clear days notice shall be given in writing by the Secretary to the members and such notice shall include the date, time and place of the meeting and the nature of the

business to be transacted. There shall be quorum when one-third of the members or 10 members whichever is the lesser are present.

- (b) A Special General Meeting of the Group may be convened at any time by a Resolution of the committee or upon a requisition signed by one quarter or more of the members of the Group stating the object of the meeting. A meeting held on such a requisition shall be called by the Secretary, and the Secretary shall give to the other members fourteen clear days notice of such a meeting. There shall be a quorum when one-third of the members or 10 members whichever is the lesser is present.
- (c) The Chair of the Group shall be Chair of any committee or General Meeting at which she/he is present. In the absence of the Chair of the Group, a Chair of the meeting shall be elected by those members present from among their number.
- (d) The accidental failure to receive notice by any members shall not invalidate the proceedings of any General Meeting.
- (e) All members shall be entitled to attend and speak at general meetings and each member shall have one vote. Decisions other than those relating to amendments to this constitution or dissolution shall be taken by a simple majority of those present and voting. The Chair of the meeting shall have a second and casting vote.
- (f) Proposals for consideration at a general meeting shall be submitted in writing to the Secretary at least 21 clear days before the meeting, proposed and seconded by members of the Group. Emergency proposals validly submitted on matters other than changes to the constitution may only be accepted on the agreement of the meeting.

9. FINANCE

- (a) All the income and property of the Group shall be applied solely towards its objects and no portion thereof shall be paid or transferred in any way to any committee member or members provided that nothing herein shall prevent the payment in good faith of reasonable and proper remuneration of any employee of the Group (other than a committee member) and repayment of out-of-pocket expenses to members or committee members incurred in the course of the work of the Group.
- (b) All proper costs, charges and expenses incidental to the management of the Group may be defrayed out of the funds of the Group.
- (c) The Treasurer shall keep accounts of all monies received and expended on account of the Group. She/he shall present details of income and expenditure at each meeting of the committee and

acceptance of these shall be recorded in the minutes. All cheques shall be signed by at least two voting members of the committee. Duplicate bank statements shall be sent to the Chair. The Treasurer shall prepare the accounts at the end financial year to be audited or independently examined accounts shall be submitted to members at the Annual General Meeting. A copy of such accounts shall be sent to the National Childminding Association each year if requested.

- (d) In the execution of the trusts hereof no committee member shall be liable for any loss to the property of the Group arising by reason of any improper investment made in good faith (so long as she/he shall have sought professional advice before making such investment) or for the negligence or fraud of any agent employed by him/her or by any other committee member hereof in good faith (provided reasonable supervision shall have been exercised) although the employment of such agent was strictly not necessary or by reason of any mistake or omission made in good faith by any committee member hereof or by reason of any other matter or thing other than wilful and individual fraud, wrongdoing or wrongful omission on the part of the committee member who is sought to be made liable.

10. POWERS OF THE COMMITTEE

All matters not provided for in this constitution relating to the Group or the provision of this constitution or involving an amendment to this constitution may be dealt with by the committee.

11. ALTERATIONS TO THE CONSTITUTION

Alteration of this constitution shall receive the assent of two-thirds of the members present and voting at an Annual General Meeting or a Special General Meeting. A resolution for the alteration of the constitution must be received by the Secretary of the Group at least 28 days before the meeting at which the resolution is to be brought forward. At least 14 days notice of such a meeting must be given by the Secretary to the membership and must include notice of the alteration proposed. Provided that no alteration shall be made to clause 2 (objects), clause 12 (dissolution) or this clause, until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained; and no alteration shall be made which would have the effect of causing the Group to cease to be a charity in law.

12. DISSOLUTION

The Group 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 28 days notice shall have been given to the members. Such resolution may give instructions for the disposal of any assets held by or in the

name of the Group, 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 Group but shall be given or transferred to such other charitable institution or institutions having objects similar to some or all of the objects of the Group as the Group may determine and if so far as effect cannot be given to this provision then to some other charitable purpose.

This constitution was agreed by members and adopted at a

General meeting on.....

Signed: Chair

Address:
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Signed: Secretary

Address:
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Signed: Treasurer

Address:
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Approved by NCMA Board 26 April 2008