

CONSTITUTION

1. Name

The name of the Association is

“The Kesgrave and District Youth Forum”
(“The Charity”)

2. Vision

The Kesgrave and District Youth Forum is an organisation which is working to provide somewhere safe for young adults to go, creating opportunities to access facilities and activities, and involving young people in decisions so their voice can be heard. It is working to develop young people’s potential and create a safer community for everybody.

3. Aims

- 1. To help make a safer community for everyone.*
- 2. To value young people as an important and integral part of the community.*
- 3. To help young people become more involved in their local community, and take an active part in decision-making.*
- 4. To help young people have a bigger say in things that affect them.*
- 5. To help raise the self-esteem of young people.*
- 6. To provide social meeting places for young people.*
- 7. To provide more for young people to do – activities, information, advice and guidance.*
- 8. To work in partnership with people from all groups in the community*
- 9. To break down barriers between all sections of the community.*

4. Administration

Subject to matters set out below the Charity and its property shall be administered and managed in accordance with this constitution by the members of the Management Committee, constituted by Clause 9 of this constitution (“the Management Committee”).

5. Objects

The Charity’s Objects (“the objects”) are:-

For the benefit of the public in Kesgrave, Martlesham and Rushmere St. Andrew and the surrounding area (“the area of benefit”) and in particular those members of the public who are young persons up to 21 years of age by associating the local authorities, other statutory bodies, voluntary bodies and other groups and individuals in the area of benefit in a common effort to advance education, to protect and preserve health, and to provide and assist in the provision of facilities for recreation and other leisure time occupation in the interests of social welfare and with the objects of improving the conditions and quality of life of the public in the area of benefit and helping young persons in the area of benefit to grow to full maturity as individuals and as members of society.

6. Powers

In furtherance of the objects but not otherwise the Management Committee may exercise the following powers:

- a) Power to raise funds and to invite and receive contributions provided that in raising funds the Management Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- b) Power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use;
- c) Power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity;
- d) Power subject to any consents required by law to borrow, lend or grant money and to charge all or any part of the property of the Charity with repayment of the money so borrowed;
- e) Power to employ such staff (who shall not be members of the Management Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants;
- f) Power to co-operate with other charities, voluntary bodies and statutory authorities in furtherance of the objects of similar charitable purposes and to exchange information and advice with them;

- g) Power to establish and support any charitable trust, associations or institutions formed for all or any of the objects;
- h) Power to appoint and constitute such advisory committees as the Management Committee may think fit;
- i) Power to do all such other lawful things as are necessary for the achievement of the objects.

7. Membership

- a) Membership is open to any person
 - 1. *aged 11 years or over who is interested in supporting the aims and objectives of the Kesgrave and District Youth Forum.*
 - 2. *the Town Council, Parish councils, voluntary organisations, sports organisations and any clubs or organisations interested in furthering the work of the charity, existing or newly formed.*
- b) *Each member organisation shall appoint one individual to represent it and vote on its behalf at General Meetings of the charity. In the event of that member resigning or leaving that organisation he or she shall cease to be a member of the charity.*
- c) *Each member organisation may elect a deputy to replace its appointed member if the latter is unable to attend any particular meeting of the charity.*
- d) *Persons wishing to enter into membership of the association are required to register their name and contact details with the secretary.*
- e) *Persons wishing to vote at the annual general meeting must register as members 7 days or more before an annual general meeting.*
- f) *Every member shall have one vote, subject to those under the age of 18 not being able to vote on matters relating to the formation, amendment or dissolution of the constitution and/or of the Association, and all legal matters relating to “the charity” (the legal requirements in respect of registration as a charity and it’s ongoing legal responsibilities), in accordance with the terms of this constitution.*
- g) The Management Committee may unanimously and for good reason terminate the membership of any individual provided that the individual concerned shall have the right to be heard by the Management Committee, accompanied by a person of their choice before a final decision is made.

8. Honorary Officers

At the Annual General Meeting of the Charity the members shall elect from amongst themselves a chairperson, a secretary and a treasurer who shall hold office from the conclusion of the meeting.

9. Management Committee

- a) *The Management Committee shall consist of up to 19 members (excluding Honorary Officers) being 9 elected members and 10 representative members, of which up to three places are for young people.*
- b) *One representative member shall be appointed by each organisation provided that an organisation that fails to appoint such a member before the meeting does so as soon as is practicable thereafter. Each organisation shall notify the secretary of the committee the name of the representative.*
- c) *Election of the committee shall be for a period of one year.*
- d) The Management Committee may in addition appoint not more than 4 co-opted members but so that no-one may be appointed as a co-opted member if, as a result, more than one third of the members of the Management Committee would be co-opted members.
- e) *All Management Committee members, with the exception those under the age of 18, will be the Charity Trustees. Management Committee members under the age of 18 will not serve as charity trustees, and their voting rights will be restricted in accordance with the criteria specified in paragraph 7(f) above.*
- f) All members of the Management Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.
- g) The procedures of the Management Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
- h) No person shall be entitled to act as a member of the Management Committee whether on the first or any subsequent entry into office until after signing in the minute book of the Management Committee a declaration of Acceptance and of willingness to *act as a Trustee of the Charity. This requirement does not apply to members of the Management Committee who will not serve as charity trustees.*

10. Determination of Membership of the Management Committee

A member of the Management Committee shall cease to hold office if he or she:

- a) Is disqualified from acting as a member of the Management Committee by virtue of Section 45 Charities Act 1992 (or any statutory re-enactment or modification of that provision);
- b) Becomes incapable, by reason of mental disorder, illness or injury of managing his or her own affairs;

- c) Is absent without permission of the Management Committee from all their meetings held within a period of six months and the Management Committee resolve that his or her office be vacated or
- d) Notifies to the Management Committee of a wish to resign (but only if at least three members of the Management Committee will remain in office when the notification of resignation is to take effect).

11. Management Committee Members not to be personally interested.

No member of the Management Committee shall acquire any interest in the property belonging to the Charity (otherwise than as a trustee for the Charity) or receive remuneration or interest (otherwise than as a member of the Management Committee) in any contract entered into by the Management Committee.

12. Meetings and proceedings of the Management Committee

- a) The Management Committee shall hold at least two ordinary meetings each year. A special meeting may be called at any time by the chairperson or by any two members of the Management Committee upon not less than 4 days notice being given to the other members of the Management Committee of the matters to be discussed but if the matters include an appointment of a co-opted member then not less than 21 days notice must be given.
- b) The chairperson shall act as Chairperson at meetings of the Management Committee. If the Chairperson is absent from any meetings, the members of the Management Committee present shall choose one of their number to be chairperson of the meeting before any other business is transacted.
- c) There shall be a quorum when at least one third of the number of members of the Management Committee for the time being or three members of the Management Committee which ever is greater, are present at a meeting.
- d) Every matter shall be determined by a majority of votes of the members of the Management Committee present and voting on the question but in the case of equality of votes the chairperson shall have a second and casting vote.
- e) The Management Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Management Committee and any sub-committee.
- f) The Management Committee may from time to time make and alter the rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule change may be made which is inconsistent with this constitution.
- g) The Management Committee may appoint one or more sub-committees consisting of three or more members of the Management Committee for the purpose of making any inquiry or supervising or performing any function or

duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by a sub-committee shall be fully and promptly reported to the Management Committee.

13. Receipts and Expenditure

- a) The funds of the Charity, including all donations contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the Charity at such bank as the Management Committee shall decide from time to time. All cheques drawn on the account must be signed by at least two members of the Management Committee.
- b) The funds belonging to the Charity shall be applied only in furthering the objects.

14. Property

- a) *The Management Committee will be responsible for the safe keeping and management of land, property or financial assets of the trust.*
- b) *Trustees may act as guarantors in respect of legal agreements made by the trust. If a guarantor ceases to be a trustee they will be entitled to relinquish their status as guarantor.*

15. Accounts

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any other Statutory re-enactment or modification) with regard to:

- a) The keeping of accounting records for the Charity.
- b) The preparation of annual statements of account for the charity.
- c) The auditing or independent examination of the statements of account of the charity.
- d) The transmission of the statements of account of the Charity to the Commissioners.

16. Annual Report

The Management Committee shall comply with the obligations under the Charities Act 1992 (or any other statutory enactment or modification of that Act) with regard to the preparations of an annual report and its transmission to the Commissioners.

17. Annual Return

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparations of an annual return and its transmission to the Commissioners.

18. Annual General Meeting

- a) There shall be an annual general meeting of the Charity, which will be held in the month of October in each year or as soon as is practicable thereafter.
- b) Every annual general meeting shall be called by the Management Committee not less than nine months and not more than fifteen months apart.
- c) The secretary shall give at least 21 days notice of the annual general meeting to all members of the Charity. All the members of the Charity shall be entitled to attend and vote at the meeting.
- d) Before any other business is transacted at the first annual general meeting the persons present shall appoint a chairperson for the meeting. The Chairperson shall be the chairperson of subsequent annual general meetings, but if he or she is not present, before any other business is transacted, the persons shall appoint a chairperson for the meeting.
- e) The Management Committee shall present to each annual general meeting the reports and accounts of the Charity for the preceding year.
- f) Nominations for election to the Management Committee must be made by the members of the Charity in writing and must be in the hands of the secretary of the Management Committee at least 14 days before the annual general meeting. Should nominations exceed vacancies, election shall be by ballot.

18. Special General Meetings

The Management Committee may call a special general meeting of the Charity at any time. If at least ten members request such a meeting in writing stating the business to be considered the secretary shall call such a meeting. At least 21 days notice must be given. The notice shall state the business to be discussed.

20. Procedure at General Meetings.

- a) The secretary or other person specially appointed by the Management Committee shall keep a full record of the proceedings at every general meeting of the charity.
- b) Ordinary business at the annual general meeting shall be decided by a simple majority of those members present and voting. Rule changes require a two third majority of those members present and voting.
- c) There shall be a quorum when at least one tenth of the number of members of the Charity for the time being, or ten members of the Charity, whichever is the greater are present at any general meeting.

21. Notices

Any notice required to be served on any member of the Charity shall be in writing and be served by the secretary or the Executive Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such person at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

22. Alterations to the Constitution

- a) Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- b) No amendment may be made to clause 1 (the name of the Charity clause), clause 5 (the objects clause), clause 11 (the Executive Committee members not to be personally interested clause), clause 23 (the dissolution clause) or this clause without prior consent of the Commissioners.
- c) No amendment may be made which would have effect of making the Charity cease to a charity at law.
- d) The Management Committee should promptly send to the Commissioners a copy of any amendment made under this clause.

23. Dissolution

If the Management Committee decides that it is necessary or advisable to dissolve the Charity it shall call a meeting of all members of the Charity of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by two-thirds majority of those present and voting the Management Committee shall have the power to realise any assets held by or on behalf of the charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Charity as the members of the Charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement for the final accounting period of the Charity must be sent to the Commissioners.

24. Arrangements until the first annual general meeting

Until the first annual general meeting takes place the constitution shall take effect as if references in it to the Management Committee were references to the persons whose signatures appear at the bottom of the document.

Dated this day

This constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of the document.

Signed.

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