

ST MARTIN'S SCHOOL PTA



Constitution of St Martin's School Parent Teacher Association

Name:

The name of the Association is the **St Martin's School Parent Teacher Association (PTA)** (hereinafter called the "Association")

Objects:

The Objects of the Association shall be:

- a) To foster cooperation between staff, parents and all others associated with St Martin's School (the "school") and to enhance the sense of community.
- b) To support the school in providing the best opportunities for the children by assisting in the provision of items and services that will enhance the children's learning and provide experiences above and beyond that of the usual school day.

The income and property of the Association shall be applied solely towards the promotion of the Objects.

Powers:

For the purpose of carrying out the Objects, the Association's Committee Members shall have the following powers:

- a) to raise funds, invite and accept donations, contributions, grants and legacies from third parties and organisations, whether on an unconditional basis or subject to any conditions imposed by the donor. In so doing the Committee Members must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
- b) to take such lawful steps including but not limited to public appeals, direct approaches to individuals or otherwise as may from time to time be deemed either by the Association to be necessary, expedient or desirable for the purpose of procuring contributions to the funds of the Association in the form of donations or otherwise;
- c) to borrow or raise money for the purposes of the Association on such terms and on such security as may be thought fit;
- d) to obtain and pay for such goods and services as are necessary for carrying out the work of the Association;

- e) to invest the moneys of the Association not immediately required for its purposes in or upon such investments, securities or property as may reasonably be thought fit subject nevertheless to such conditions (if any) and such consents (if any) as may for the time being be imposed or required by law and subject also as hereinafter provided;
- f) to print and publish or procure to be printed and published or to circulate or procure to be circulated (whether gratuitously or not) any newspapers, periodicals, magazines, books, pamphlets or other documents that may be deemed necessary or desirable for the promotion of the Objects;
- g) to form sub-committees to carry out such functions as the Committee deems appropriate in furtherance of the Objects;
- h) to open and operate such bank accounts and other accounts as the Committee considers necessary;
- i) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves; and
- j) to do all such other lawful things as are incidental or necessary to the achievement of any of the Objects.

Membership:

The Association's membership shall consist of all parents, guardians and grandparents of students currently attending the school, and all staff currently employed at the school.

Officers and Committee:

The affairs of the Association shall be managed by a Committee which shall consist of the Officers of the Association together with other Members, being no less than 2 and no more than 8 in number, appointed or elected in accordance with this constitution (the "Committee Members").

The Association shall have the following Officers:

President (the Headteacher or Deputy Headteacher in their absence)

Chair

Secretary

Treasurer

With the exception of the President, the Officers and Committee Members shall be elected at each Annual General Meeting ("AGM") and shall serve until the next Annual General Meeting, at which time they must stand down unless re-elected.

No person who is not a Member of the Association shall be eligible for election.

Occasional vacancies among the Officers and Committee Members may be filled by the Committee by co-option. Any person so co-opted may serve only until the following AGM, unless elected at that AGM.

Removal of Officers and Committee Members:

Any elected Officer or Committee Member will cease to be an Officer or Committee Member:

- a) if they cease to be a Member of the Association;
- b) if by notice in writing addressed to the Secretary they resign;
- c) if the Committee by a majority of two-thirds of such of the Committee Members as shall be present at a meeting duly convened for the purpose shall resolve that they be removed;
- d) if they are guilty of misconduct or otherwise act in a manner deemed to be detrimental to the Objects of the Association;
- e) if in the written opinion, given to the Association, of a registered medical practitioner treating that person, they have become physically or mentally incapable of holding their office and may remain so for more than three months; or
- f) if they suffer their goods to be declared "en désastre" or commit any act of bankruptcy or indicative of insolvency or make any arrangement or composition with their creditors or suffer any distress or execution to be levied on their goods.

Annual General Meetings:

An Annual General Meeting ("AGM") of the Members of the Association shall be held each year during the Autumn Term.

The AGM shall be called by at least 14 days notice in writing. The notice shall:

- a) specify the date, time and location of the meeting;
- b) name retiring Committee Members and call for nominations;
- c) call for nominations for a Chair, Treasurer and Secretary for the following year;
- d) detail any proposed amendments to this constitution, duly proposed and seconded; and
- e) include a copy of the annual report and accounts.

Nominations shall be proposed and seconded by Members and must have the consent of the nominee. Nominations may be made at any time prior to the commencement of voting.

AGMs will be presided over by the outgoing Chair or, in his/her absence, by the President, until the election for the Chair has been completed.

Extraordinary General Meetings:

All General Meetings other than Annual General Meetings shall be called Extraordinary General Meetings.

The Committee may at any time convene an Extraordinary General Meeting by giving 14 days notice in writing.

The Committee must call an Extraordinary General Meeting within four weeks if requested to do so by at least 25 Members, such request to be made in writing to the Chair and detailing the nature of the business that is to be discussed at such meeting.

Quorum:

No business shall be transacted at any General Meeting unless a quorum is present. A quorum shall consist of ten members.

If such a quorum is not present within 15 minutes from the time appointed for the meeting or if, during a meeting, such a quorum ceases to be present, the meeting shall be adjourned to such time and place as the Committee shall determine. Members must receive at least 7 clear days' notice of the re-convened meeting stating the date, time and place of the meeting.

If at such adjourned meeting, a quorum is not present within 15 minutes from the time appointed for the holding of the meeting, those Members present shall be a quorum for that meeting.

Votes:

Each Member is entitled to one vote. In the event of an equality of votes the Chair shall be entitled to a casting vote in addition to any other vote they may have.

Proceedings of Committee:

The Committee Members may regulate their proceedings as they think fit, subject to the provisions of this constitution.

Committee meetings will be convened whenever the Chair or, in the Chair's absence, the Secretary, considers it necessary, or within 14 days of receipt of a requisition by not less than 2 Committee Members.

At least one Committee meeting shall be held every term.

With direction from the Chair, the Secretary will produce the Committee meeting agenda, stating the general nature of the business to be dealt with at the meeting and the place and time of the meeting and circulate to every Committee Member not less than 4 days before the date of the meeting at which the agenda is to be discussed and considered.

No business shall be transacted at any Committee meeting unless a quorum is present. Four Committee Members shall constitute a quorum.

Questions arising at a Committee meeting shall be decided by a majority of votes.

Minutes shall be taken by the Secretary, including the names of the Committee Members present at the meeting, the decisions made at the meeting and where appropriate the reasons for the decisions. Such minutes will be circulated to all Committee Members, and kept as a record of decisions made by the Committee.

All Members of the Association may attend Committee meetings, although they will only be eligible to vote at the Chair's discretion.

Conflicts of interests and conflicts of loyalties:

A Committee Member must:

- (a) declare the nature and extent of any interest, direct or indirect, which they have in a proposed transaction or arrangement with the Association or in any transaction or arrangement entered into by the Association which has not been previously declared; and

- (b) absent themselves from any discussions of the Committee Members in which it is possible that a conflict will arise between their duty to act solely in the interests of the Association and any personal interest (including but not limited to any personal financial interest).

Any Committee Member absenting themselves from any discussions in accordance with this clause must not vote or be counted as part of the quorum in any decision of the Committee Members on the matter.

Finance:

The Association's financial year shall end on the 31st day of July in each year.

The Treasurer shall present the previous year's Accounts, in writing, at each AGM.

The Treasurer shall cause proper books of account to be kept with respect to:

- a) all sums of money received and expended by the Association and the matters in respect of which such receipts and expenditure take place;
- b) all sales and purchases of goods by the Association; and
- c) the assets, credits and liabilities of the Association.

Proper books shall be kept to give a true and fair view of the affairs of the Association and to explain the transactions.

All funds of the Association shall as soon as possible after receipt be paid into the Bank Accounts to be opened and maintained in its name. Such Accounts shall be under the control of the Committee, which shall from time to time provide for their method of operation. All bank transactions on these accounts will require two signatures.

The Committee shall make adequate arrangements for the security and safe custody of all monies and books belonging to the Association.

All payments of money to be made on behalf of the Association shall be applied towards the Objects as set out in this Constitution and shall be approved by the Committee except that when it is not practicable to obtain the Committee's prior approval payment may be made on the written authority of two of the Officers and the payment so made shall be submitted for approval at the next meeting of the Committee.

The accounts relating to the Association's affairs shall be audited if the Members at an Annual General Meeting pass a resolution requiring an audit. In such event the auditor shall be such firm or persons as are appointed by the Members of the Association at the Annual General Meeting.

Indemnity:

The Officers and Committee Members of the Association shall be indemnified by the Association for any liabilities incurred by them in good faith as a result of acting as the representatives of the Association.

The Committee Members may authorise from the general funds of the Association the purchase or maintenance by the Association for any Committee Member or former Committee Member of any such insurance as is permitted by law in respect of any liability which would otherwise attach to such Committee Member or former Committee Member.

Data protection:

The Committee shall make adequate arrangements to ensure that all personal data is held in a secure manner and that all legal requirements in relation to data protection are adhered to.

Right to examine:

The Members of the Association shall have the right at all times to examine all books, documents and accounts of the Association, save those containing personal data, provided that this right is exercised by at least three Members. Applicable documents shall be made available by the Committee within 14 days of receipt of such request.

Dissolution:

If the Association resolves by a simple majority of those present and voting that the Association shall be dissolved any assets remaining after the satisfaction of all proper debts and liabilities shall be given to the school.

Alteration to this Constitution:

This Constitution may be altered by a resolution passed by a simple majority of those present and voting at a General Meeting of the Members of the Association, provided that no such resolution shall be considered unless notice in writing setting out the terms of the resolution shall have been sent to every Member of the Association not less than 14 days before the date of the meeting at which it is to be considered.

This Constitution was adopted by Members at the General Meeting held on 19 March 2019 and replaces all previous Constitutions of the St Martin's School Parent Teacher Association.