



Fact Sheet 2: Constitutions

1: What is a constitution?

Many voluntary groups are relatively small in terms of the amounts of money and staff they have. These organisations are called **Unincorporated Associations** – because they are not incorporated (i.e. they aren't a registered company) and they are a group of people working together to mutually agreed aims. This type of group has a particular kind of agreement governing how it is run – a Constitution, a set of agreed rules governing how an organisation will be run, how the members will work together and what they are working towards.

Some groups prefer to remain informal and not adopt a constitution. For others however a constitution is not only an effective tool for running an organisation but actually a requirement because of the activities they are undertaking. For example a group that wishes to register as a charity, or undertake to provide services in a community, or apply for funding will face problems if they do not have a constitution.

A constitution is also a way of ensuring that the public and funding bodies feel confident that a group is being run properly and its money managed properly.

2: A constitution must have...

Name

Choose your own. It might reflect the area or the field in which you work.

Objects

This section sets out what the group aims to do. If your group wants to register as a charity you will need to consider whether or not these objects will fit in with what the Charity Commission defines as Charitable. They have four general headings: The furtherance of Education, the Furtherance of Religion, the Relief of Poverty and anything else that is of benefit to a large proportion of the population.

Powers

This covers what a group can do to achieve its aims. These are things such as:

- Fundraising
- Networking
- Hiring equipment/premises

Membership

A group's membership will be made up of people who are interested in working together to achieve the aims of the group. To become a member a person will have to sign a membership agreement and, if the group wishes, pay a membership fee.

Management Committee

This committee has responsibility for management of the group. It is up to the group how many members it has although for most organisations the minimum will be three. There is no maximum but it would make the group unwieldy and inefficient to have too many. There are different types of Committee member:

- Elected by and from the membership; most Committee members will be appointed in this way.
- Nominated by another group
- Co-opted by the Committee due to particular skills/ knowledge.

It is in the interests of the group to ensure that no-one benefits financially from being a Committee member.

Officers

A Committee has officers who carry out its main jobs. There are usually at least three:

- A Chair, who ensures meetings run smoothly and decisions are made.
- A Secretary, who informs everyone of meetings and takes minutes.
- A Treasurer, who oversees the money of the group and any payments it makes. The treasurer will report to the Committee regularly about this.

Committee Meetings

Meetings of the committee are held to share information and make decisions and should be governed by the constitution, which can specify the minimum number of Committee members needed to make a decision (quorum) and the minimum number of meetings to be held over a year.

General Meetings

Every year the group will need to have an Annual General Meeting, the first within 15 months of the group setting up. The AGM is a chance for the Committee to tell members what's going on and a chance for the members to hold the Committee accountable. It is also when the annual accounts are presented.

The constitution should also allow for other general meetings called special or extraordinary general meetings.

Finances

The arrangements relating to bank account and other financial matters should be clearly described in the Constitution.

Closing down the Group

There must be provision in the constitution to close down the group. A meeting of the membership should be called and a specific majority vote in favour needed. The group must pay all its bills and if there is any money left then it should be specified in the Constitution that it be given to a group that does similar work.

VASA can provide a personalised service to assist you with designing a constitution. Please contact Dominic Momcilovic for advice on 01789 298102 or by email dominic.momcilovic@vasa.org.uk