

# Constitution of the Bromley High Parents' Association

## 1. Name

The Association shall be known as the Bromley High Parents' Association (the "Association").

## 2. Objectives

- 2.1. To foster extended relationships between the staff, parents and others associated with Bromley High School (the "School").
- 2.2. To engage in activities or to provide facilities or equipment which supports the School and advances the experience and education of the pupils attending it.
- 2.3. To act as an additional channel of communication between the parents and the School by utilising the Class Representatives and school media channels.
- 2.4. To encourage the involvement of parents and other family members in school life.
- 2.5. To strengthen the links between the School and the local community.
- 2.6. To assist the School by raising funds and inviting and receiving contributions from any person or persons by way of donation and otherwise, provided that the Association shall not undertake any permanent trading activities in raising funds for its primary charitable objective nor hold any real property. Funds raised shall be devoted to such purposes as the Committee, as defined in Section 4, after consultation with the Headteacher and with the Headteacher's approval, determine would benefit the School.

## 3. Membership

Membership is open to all parents and guardians of present and past pupils of the School, **subject to the conditions outlined in Section 4.4**, and to any member of staff employed at the School; however, only one member of a family should serve as a Committee Member at one time. The Committee shall also have the power to grant membership to any person or persons qualifying, without formal application having been received.

## 4. Committee

- 4.1. The whole management and control of assets, funds and affairs of the Association shall be vested in a Committee consisting of Officers and ex officio (listed below), and not less than four other members, who shall be elected at the Annual General Meeting (the "AGM") of the Association.

The Officer **positions will be filled by parents of pupils currently attending the School and** shall comprise:

- a) Chair
- b) Two Deputy Chairs
- c) Honorary Secretary
- d) Honorary Treasurer

The Committee shall also include the following ex officio members:

- a) **Headmistress / Headmaster** of Bromley High School
- b) Head of Bromley High Junior School
- c) Director of Finance and Operations

- 4.2. The Officers shall act as the Trustees of the Association as defined in the Charities Act 2016. The Trustees will also be responsible for preparing and submitting the Annual Report to the Committee and to the Charity Commission.
- 4.3. The Trustees will make rules consistent with this constitution about the Committee and sub-committees, to govern proceedings at general meetings about the running of the Association, including the operation of bank accounts and the management of funds.
- 4.4. One Officer and one elected Committee Member shall retire every **two years**, and notice should be received by the Secretary at least 14 days before the date of the AGM. **Where the child of a Committee Member or Officer has left the School, that individual may continue to serve on the Committee, as a Committee Member, for a maximum of two years.**
- 4.5. **Any retiring Officers / Committee Members may offer themselves for re-election for a further two-year term. However, the roles of Chair and Treasurer shall be limited to serving two consecutive terms before they step down from the Committee for a period of not less than two years.**
- 4.6. Nominations for election to the Committee may be made by any member of the Association and seconded by another. Such nominations must have the consent of the nominee. Nominations should be made in writing to the Secretary at any time until the election process has been completed. If no nominations or an insufficient number are received before the AGM, any members present may nominate a person, with their consent, and that person may be appointed by a majority vote of those present.
- 4.7. If, at the AGM, an office should not be filled, or if the full number of the Committee should not be elected, or if a vacancy should occur in any Office / Committee during the year, the Committee may appoint any member to fill such vacancy. Any person so appointed, if seeking to stay on the Committee, must be nominated at the next AGM as per 4.1 above. Until an appointment to fill a vacancy is made, the proceedings of the Committee shall not be invalidated by reason of any defect in the appointment of any member or as a consequence of there being less than the prescribed number. A vacancy occurring in the office of Independent Financial Examiner during the year shall be filled by the Committee.
- 4.8. The Committee shall be at liberty to appoint sub-committees and/or other Officers or Committee Members as may be necessary.
- 4.9. Any sub-committee shall include two Committee Members and at least two others, either Committee Members or parent helpers. All sub-committee proceedings must be reported to the main Committee either before or at the next Committee meeting.
- 4.10. Members of the committee shall be required to complete safeguarding training in line with the policies set out by the School.

4.11. A Trustee or Committee Member automatically ceases to be a Trustee / Committee Member if he/she:

- Is disqualified under section 178 of the Charities Act 2011 or any substantial re-enactment from acting as a Charity Trustee.
- In the written opinion of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a Trustee / Committee Member and may remain so for more than three months.
- Is absent from two consecutive Committee meetings without prior notification to the Secretary and agreement of the Chair.
- Resigns by written notice to the Association.
- Is removed by a resolution passed by a majority of other Trustees / Committee Members.

Removal is not effective until the Trustee / Committee Member concerned has been notified in writing of the proposal and his/her right to respond within 14 clear days, and the matter has been considered in light of any representation made.

## 5. Committee Meetings

- 5.1. The Committee will aim to meet on a half termly basis but will hold a minimum of three meetings each academic year. Members will be given at least twenty-one days' notice of such meetings.
- 5.2. A quorum at a Committee meeting is 50%, rounded to the nearest whole number, of the total number of Committee Members present (including Trustees).
- 5.3. The Chair or one of the Deputy Chairs is responsible for running the Committee meetings.
- 5.4. Every decision may be made by a simple majority of the votes cast at a Committee meeting. A resolution which is in writing (including e-mail) and signed by all Trustees / Committee Members is equally valid. The resolution may be contained in more than one document and will be treated as passed on the date of the last signature.
- 5.5. Apart from the Chair of the meeting, who has a second or casting vote, every Trustee / Committee Member has one vote on each issue.
- 5.6. The minutes of each meeting will be kept by the Secretary and agreed at the next meeting.
- 5.7. In addition to the Committee meetings, the Association will hold an AGM annually in September and not more than fifteen months shall elapse between successive AGMs.
- 5.8. At an AGM the members:
  - Receive accounts of the Association for the previous financial year.
  - Receive the Chair's report on the Association's activities since the previous AGM.

- Elect Trustees and Committee Members.
  - Appoint an Independent Examiner or Auditor for the Association.
  - Discuss and determine any issues of policy or deal with any other business put before them.
- 5.9. An Extraordinary General Meeting (EGM) may be called by any member of the Association provided it is supported by 50% of the Committees members. As such, the Committee must give notice of an EGM within twenty-one days of the request, to take place within three months of the written request being received.

## 6. Property and Funds

- 6.1. The property and funds of the Association must only be used to fulfil the objectives as defined in Section 2.
- 6.2. Whenever a Trustee / Committee Member has a personal interest in a matter to be discussed at a meeting, the Trustee / Committee Member must:
- Declare an interest before discussion begins on the matter.
  - Withdraw from that part of the meeting unless expressly invited to remain in order to provide information.
  - Not be counted in the quorum for that part of the meeting and have no vote on the matter.
- 6.3. The administrative expenses of the Association shall be met by:
- A Voluntary Sponsorship paid by parents or guardians and/or
  - Other funds raised or received by the Association at various events, or by voluntary donations
  - Gift Aid (where the Association holds a valid Gift Aid form from the donor)
- 6.4. The Association will keep a bank account in its name. Each payment will require two signatories from the Officers assigned to the posts outlined in Section 4.1.
- 6.5. Trustees / Committee Members will be reimbursed for any expenses incurred on behalf of the Association, which have been agreed with the Chair or Deputy Chair, upon presentation of valid receipts and expense claims.
- 6.6. None of the income of the Association may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the Association.
- 6.7. All monies raised from an event should be recorded, passed to the Treasurer and paid into the Association's bank account.

- 6.8. Ideas for how the money raised by the Association could be spent shall be presented to the Committee by an ex officio member, whereby it shall be discussed and voted upon as per Sections 5.4 and 5.5.

## **7. Records and Accounts**

- 7.1. The Committee must comply with the requirements of The Charities Act 2011 or any substantial re-enactment as to the keeping of financial records, the independent examination of accounts and the preparation and submission to the Charity Commission of:
- Annual Reports
  - Annual Returns
  - Annual Statement of Account
- 7.2. The Committee must keep at least six years of accounting records.
- 7.3. The Committee must keep records of:
- All proceedings at general meetings
  - All proceedings at Committee meetings
  - All reports of sub-committees
- 7.4. The Association's financial year shall run from 1<sup>st</sup> August to 31<sup>st</sup> July each year.
- 7.5. The accounts shall be reviewed annually by an Independent Examiner appointed at the previous AGM by the members.
- 7.6. Annual Reports and Statements of Account relating to the Association must be made available for inspection by any member of the Association at the Annual General Meeting.
- 7.7. The Committee must notify the Charity Commission promptly of any changes to the Association's entry on the Register of Charities.

## **8. Confidentiality and GDPR**

- 8.1. Confidentiality must be maintained at all times. Breach of confidentiality may lead to a vote of no confidence in a member and dismissal from the Committee.
- 8.2. The Association will only hold details of parents and guardians to facilitate contact regarding news and events.

## **9. Amendments**

- 9.1. No alteration to the constitution and/or rules shall be made except by a resolution approved by a majority of at least two thirds of the members present at the AGM, the notice of which shall have contained particulars of the proposed alteration or addition.

- 9.2. Members must be given twenty-one days' notice of the proposed amendments.
- 9.3. No alteration or amendment shall be made to the objectives or dissolution clause which would cause the Association to cease to be a charity at law.

## 10. Dissolution

- 10.1. The Association may be dissolved by a resolution carried by a majority of at least two thirds at an AGM or EGM where it has been included in the notice of the meeting.
- 10.2. After all debts and liabilities have been satisfied, any remaining assets will be given to the School, for the benefit of the pupils, in any manner which is exclusively charitable.
- 10.3. The Trustees / Committee Members must notify the Charity Commission promptly that the Association has been dissolved and provide them with a copy of the final accounts.

## Note not forming part of the Constitution and Rules

The Founding Committee wishes to place on record that the Headteacher and staff shall have entire responsibility and jurisdiction for the organisation of discipline, curriculum and teaching methods in the School, and the Association will not concern itself with individual pupils or with members of staff and their teaching.

## Adopted at a meeting held

*(to be completed by the Chair)*

AT (place) \_\_\_\_\_

ON (date) \_\_\_\_\_

NAME \_\_\_\_\_

OCCUPATION \_\_\_\_\_

SIGNATURE \_\_\_\_\_

## Witnessed by

*(to be completed by a Witness)*

WITNESS NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

OCCUPATION \_\_\_\_\_

SIGNATURE \_\_\_\_\_