

PTA CONSTITUTION

1. ASSOCIATION DETAILS

Association name:

Chalkwell Hall Infant Junior PTA (Charity number 1094927) (“the association”)

School names and address

Chalkwell Hall Infant School
Chalkwell Hall Junior School
(together “the schools”)
London Road
Leigh on Sea
Essex SS93NL

2. CHARITABLE PURPOSE

The object of the association is:

- a) To promote close, positive co-operation and communication between parents and teachers;
- b) To raise funds in order to support and advance the education of all pupils attending the schools.

3. POWERS

The PTA Committee (“the committee”), which will be elected each year at the Annual General Meeting (“AGM”), shall have the power to do anything considered by them to be in furtherance of the objectives of the association, subject to the conduct, communication and financial restrictions set out in this constitution. Whilst also remembering that they are there to represent the views of the members.

4. MEMBERSHIP

Members of the association are:

The parents, guardians or carers of any pupil currently attending either school plus teaching and non-teaching staff currently employed by both schools.

Membership is terminated if:

- a) the member dies
- b) the member resigns by written notice to the association
- c) the committee members may for good reason, following approval from either schools headteacher and/or governing body, exclude any person from membership or from attending an event whose presence at or support of the

- school is deemed a danger to the school or its pupils or staff or might bring the association into disrepute. Removal is not effective until the member concerned has been notified in writing of the proposal and his/her right to respond within 14 days, and the matter has been considered in light of any representations made.
- d) All committee members when engaged in activities in connection with the association both inside and outside of the schools as well as on social media shall conduct themselves in a manner which accords with the ethos of the schools including, but not limited to, each schools policy with regards to behaviour, equality, anti-bullying, inclusion, safeguarding and data protection. Any member found to be in contravention of this approach will be subject to possible removal from the association. Removal is not effective until the member concerned has been notified in writing of the proposal and his/her right to respond within 14 days, and the matter has been considered in light of any representations made.

5. GENERAL MEETINGS (ANNUAL AND EXTRAORDINARY)

All members are entitled to attend any General Meeting of the association

All General Meetings are called by giving 14 days written notice of the meeting to the members. The notice should specify the date, time and location of the General Meeting as well as give an overview of the agenda.

There is a quorum at a General Meeting where there are present at least five members including at least three committee members (excluding co-opted committee members).

The Chair or (if the Chair is unable or unwilling to do so) another committee member elected by those present is in charge of a General Meeting.

Except where otherwise provided in this constitution, every issue at a General Meeting is decided by a simple majority of the votes cast by the members present at the meeting. Except for the Chair of the meeting, who has a second or casting vote where a vote is tied, every member present is entitled to one vote on every issue.

The association must hold a General Meeting within 12 months of the date of the adoption of this constitution. Thereafter, an AGM must be held in each subsequent year and not more than 15 months may elapse between successive AGM's. The committee will look to hold the AGM in September each year on a suitable date approved by the schools headteachers.

At an AGM the members:

- a) receive details of the results and cash flows for the previous financial year
- b) receive a brief summary on the activities from the previous year as well as an outline of the main activities and events planned for the forthcoming year.
- c) elect the committee members
- d) appoint an independent auditor for the association
- e) receive details from the Infant and Junior school headteachers as to how the funds raised in the previous year are to be spent as well as confirmation of their

wish list for the forthcoming year. For the avoidance of doubt, all members of the association can provide suggestions and / or recommendations as to how the profits raised by the association could be spent, but the final decision rests solely with the schools headteachers.

The committee shall have the power to call an Extraordinary General Meeting. Notice shall be sent to the members at least 14 days prior to the date of the meeting.

6. THE COMMITTEE

Committee members are appointed to control the association as well as its property and funds.

Committee members shall be elected at the AGM and, unless they cease to be a member in accordance with sections 6a) to 6d) below, shall hold office until the next AGM.

All committee members must be members of the association.

Committee members shall have the power to co-opt committee members at any time, and co-opted committee members shall serve, unless they cease to be a member in accordance with sections 6a) to 6d) below, until the date of the next AGM. Co-opted committee members will support the committee with amongst other things event planning, volunteer coordination and stock management.

The maximum number of co-opted committee members shall be three.

The committee will comprise the following:

- 1) The Chair
- 2) The Headteacher of the Chalkwell Hall Infant School (in their absence either the Deputy Headteacher or Assistant Headteacher)
- 3) The Headteacher of the Chalkwell Hall Junior School (in their absence either the Deputy Headteacher or Assistant Headteacher)
- 4) The Treasurer
- 5) The Secretary
- 6) The Co-opted Committee Members

Nominations for election to the committee should be received by the Chair two weeks in advance of the AGM. All nominations received two weeks in advance of the AGM can then be voted on at the AGM and appointments made by way of a simple majority of the votes cast by members present. If no nominations are received two weeks in advance of the AGM then appointments can be made on the day of the AGM by way of a simple majority of the votes cast by members present. Such nominations must have the consent of the nominee.

A committee member ceases to be a committee member if he or she:

- a) ceases to be a member of the association.
- b) resigns by written notice to the committee but only if at least two committee members remain in office.
- c) is absent from three consecutive meetings of the committee without prior notification to the Secretary.
- d) is removed by a resolution passed by a majority of other committee members. Removal is not effective until the committee member concerned has been notified in writing of the proposal and his/her right to respond within 14 days, and the matter has been considered in light of any representations made.

The committee will seek to appoint one representative ("class rep") per school class from the parents, guardians or carers of the children in each class to help increase participation in the activities of the association and better achieve its objectives. Each class rep will report to and be supported by an appointed member of the committee and the activities of each class rep shall include the following:

- to request volunteers at fundraising events
- to encourage attendance at and/or participation in fundraising events
- to encourage donations for stalls / raffles at fundraising events
- to advise the committee of any suggestions from members for new fundraising ideas

7. COMMITTEE MEETINGS

The committee must hold at least four meetings every academic year. Additional meetings will be held as required when planning for large events.

A quorum at a committee meeting is 75 per cent, rounded up to the nearest whole number, of the total number of committee members. This applies where there are three or more committee members in post. Where there are only two, 100 per cent attendance is required to be quorate to prevent a single individual having the power to make decisions on behalf of the association.

The Chair or, if the Chair is unable or unwilling to do so, some other committee member chosen by the members present is in charge at each committee meeting.

Every decision may be made by a simple majority of the votes cast at a committee meeting.

Except for the Chair of the meeting, who has a second or casting vote, every committee member has one vote on each issue.

The business of committee meetings shall include:

- a) agreeing a timetable of events and activities to be held each year and confirmation of each events coordinator.
- b) pricing strategy, stock requirements, expenditure budgets, volunteer numbers and composition of planned events and activities

- c) a review of recent fundraising events to gauge the success, or otherwise, from each event
- d) discussions of other association activities including new fundraising ideas
- e) an overview of financial matters including profits, losses and cash flows for the year to date
- f) any other business, with agenda items to be submitted to the association's secretary at least five days prior to each meeting.

Informal meetings or online communication via social media (including WhatsApp groups) are not to be used as a basis for making decisions on behalf of the committee in connection with the items for consideration at committee meetings as set out above.

The Secretary shall be responsible for keeping accurate minutes of all meetings and shall make these available upon request to any member.

The committee will prepare an "association bible", to be retained by the Chair, which sets out full details of all fundraising activities planned for the year as well as the administrative arrangements currently adopted by the committee. The bible, which will be used as a guide when planning and allocating tasks at future events, shall be reviewed at the committee meeting following each event to ensure the details stated therein are accurate and up to date. The bible will include such items as:

- a) A timetable of all association events / activities planned for the forthcoming year
- b) Details of administrative procedures, including banking arrangements, website maintenance, arrangements for theatre and other ticket sales, 500 Club lottery operations and Charities Commission filing requirements.
- c) For each event / activity the following information should be included:
 - Designated committee event coordinator
 - Volunteer numbers
 - Arrangements for setting up / packing away at each event
 - Association / school's stalls to be included at each event
 - Third party stalls to be included at each event, including contact details
 - Pricing strategy
 - Stock requirements
 - Expenditure budget
 - Provision of event licences
 - Health and safety compliance
 - First aid requirements.

8. COMMITTEE MEETING ETIQUETTE

It is the Chair's responsibility to facilitate meetings that are conducted in accordance with the constitution and where all members should have the opportunity to speak and be heard.

The Chair or either Headteacher reserve the right to ask anyone to leave meetings, if they determine that behaviour in the meeting is inappropriate.

Members of the association must remember that committee meetings are solely for discussing matters in connection with the objectives of the association. Any other business pertaining to the schools, should not be addressed at this forum.

9. PROPERTY & FUNDS

The property and funds of the association must only be used to fulfil the objects as set out in section 2 of this constitution.

The cash of the association shall be lodged in one or more bank, building society or other accounts in the name of the association. Cheques shall be drawn or withdrawals made against the signatures of at least two committee members.

Committee members can, either individually or via the association or schools, enter into contracts for the provision of goods and services to fulfil the objects of the association provided that the placing of orders or the purchase of goods and services has been approved by the committee at committee meetings.

Proposals for the sale of any surplus stock owned by the association are to be advised to and approved by at least 50 per cent of the committee, including the Treasurer and Chair, in advance of any sale. Furthermore, the committee shall not undertake any sale or event in either school's premises without the consent of either the Chair or a Headteacher.

10. RECORDS & ACCOUNTS

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 audit or independent examination of accounts and the preparation and transmission to the Charity Commission of:

- a) annual reports
- b) annual returns
- c) annual statements of account.

The committee must keep proper records of:

- a) all proceedings at General Meetings
- b) all proceedings at committee meetings

Annual reports and statements of account relating to the association must be made available for inspection by any member of the association.

The committee must notify the Charity Commission promptly of any changes to the association's entry on the Register of Charities.

11. NOTICES

Notice of any General Meeting of the association may be sent by hand, by post, by suitable electronic communication (email / Facebook) or in any newsletter distributed by the association or schools to its members. Notification by hand may include distribution to parents, guardians and carers via their children with or without other communications from the schools.

15. AMENDMENTS

This Constitution may be amended at a General Meeting of the association by a two-thirds majority of the votes cast but:

- a) The members must be given 5 days' notice of the proposed amendments
- b) No amendment is valid if it would make a fundamental change to the charitable purpose (objects) set out in section 2 or destroy the charitable status of the association.
- c) A copy of the resolution amending the constitution must be sent to the Charity Commission within 21 days of it being passed.

16. DISSOLUTION

In the event that the PTA ceases to exist any remaining funds should be distributed for the benefit of the children at the school and/or Local Authority as necessary.

17. GLOSSARY OF TERMS

- **The association:** means the charity comprised in this constitution
- **The Charity Commission:** means the Charity Commission for England and Wales
- **The committee:** is the governing body of the association and includes all elected and co-opted committee members
- **Committee member:** means a member of the committee elected at the AGM by the membership
- **Co-opted committee member:** means a member of the committee appointed by the committee members in accordance with section 6
- **General Meetings:** means AGM or EGM
- **The objects:** means the charitable objects of the association set out in section 2