



**PATCH**

# **PATCH Constitution, 2019**

June 2019

## **Introduction**

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This replaces the Constitution that was included in the **PATCH Handbook 2016**.

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We have done this because the legal language of the original Constitution was sometimes difficult to understand, even for those of us who speak English as a first language.

We also agreed that a few points needed to be brought up to date, since our situation has changed from when the original Constitution was written, including how we work and our relationship with the school.

**It must be stressed that the MEANING of the Constitution has NOT changed.**

**PATCH Committee, June 2019**

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You can find out more about these changes in the document:  
**2019 Changes to the Constitution.**

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## **Important updates**

Clause 6      Membership: updates to who makes up the membership.

Clause 18     Bank accounts: updates to the arrangements for making withdrawals.

Clause 19     Accounts and books: update to the number of auditors we need.

# The Constitution

## About the Association

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|-------------------------------------|---|
| Name of the Association             | 1. The name of the Association shall be PATCH: Parent and Teachers Carers and Helpers.  |
| Why the Association has been set up | 2. The Association has been set up to improve the education and holistic wellbeing of the children at the school.<br>3. To achieve the above the Association may:<br>a) strengthen relationships between staff, parents, carers and helpers, and others connected with the school;<br>b) take on fundraising events and activities that will help the school improve the education and holistic wellbeing of its children;<br>c) from time-to-time agree with the school's Governors and Senior Leadership Team how these funds will be used towards the cost of educational facilities or items at the school that are not provided by funding from the local authority or central government. |
| Politics and religion               | 4. The Association shall not support any political or religious group.  |
| Covering ourselves                  | 5. The Association shall take out Public Liability and Personal Accident Insurance to cover its meetings, events and activities. This insurance will also cover Officers, Committee members and other helpers whilst on Association business.   |
| Membership                          | 6. Membership of the Association shall be all parents/guardians, carers and helpers of children at the school and the teaching staff.<br>a) Here, teaching staff includes teachers and teaching assistants.<br>b) Office and premises staff may also included in the membership.  |

## How the Association is managed

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| The Committee               | 7. The Association shall be managed by a committee, which may be made up of: <ul style="list-style-type: none"><li>a) <b>Officers of the Association:</b><br/>Chair<br/>Vice-chair<br/>Secretary<br/>Treasurer<br/>Events Co-ordinator<br/>Newsletter Editor;</li><li>b) <b>Other Committee Members:</b><br/>those members of the Association that would like to be involved in running the charity without the extra responsibility of an Officer post as listed above;</li><li>c) <b>Co-opted Committee Members:</b><br/>up to TWO people, invited by the Committee to serve until the next Annual General Meeting, who have special knowledge or skills that help the Committee to run as a charity.</li></ul> |
| How the Committee is formed | 8. The Committee shall be elected at an Annual General Meeting and shall serve until the beginning of the next Annual General Meeting.  |
| Committee meetings          | 9. Committee meetings shall be held at least once a term.   |
| Quorum                      | 10. At least FOUR Committee members shall be needed to hold ANY meeting.  |
| Sub-committees              | 11. The Committee may set up Sub-committees as necessary and shall set out their purpose, <b>as long as:</b> <ul style="list-style-type: none"><li>a) what happens and the actions taken by the Sub-committee are reported back to the Committee as soon as possible;</li><li>b) the Sub-committee shall not use the funds of the Association, other than what has already been agreed upon by the Committee.</li></ul>   |

## About the Annual General Meeting and Special General Meetings

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- When the AGM will take place
12. The Annual General Meeting will be held in the summer term.
- a) 30 days notice shall be given of the Annual General Meeting.
  - b) Notice shall be counted when the date, time and place of the meeting are posted on the Association's noticeboard(s) at school.
    - i. As soon as possible, members may also be made aware of this notice by other means, such as social media, email and being displayed in other places around the school.
  - c) The Annual General Meeting shall be chaired by the Chair or in his/her absence the Vice-chair of the Committee.
- What needs to happen to be seen as giving notice
- Nominations
13. Nominations for Officer and other Committee members can be made at any time up until the beginning of the Annual General Meeting.
- a) Nominations can be accepted from:
    - i. the person being nominated (the nominee) OR
    - ii. someone else on their behalf.
  - b) Nominations can only be made with the agreement of the person being nominated.
  - c) Nominations shall be proposed and seconded by any member of the Association.
- Committee roles that have not been filled or become vacant
14. Any vacant Committee role may be filled by invitation from the Committee until the next Annual General Meeting.
- Special General Meetings
15. Special General Meetings may be called at the written request of at least 10 members.
- a) 30 days notice shall be given of the Special General Meeting.
  - b) Notice shall be counted when the date, time and place of the meeting are posted on the Association's noticeboard(s) at school.
    - i. As soon as possible, members may also be made aware of this notice by other means, such as social media, email and being displayed in other places around the school.

## **Looking after the Association's finances**

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- The role of Treasurer
16. The Treasurer shall be responsible for keeping account of all income and expenditure.
- a) The Treasurer shall give a financial report to all committee meetings AND
  - b) shall give the audited accounts for approval by the members at the Annual General Meeting.
- Our financial year
17. The Association's financial year shall begin on 1st April.
- Bank accounts
18. Bank accounts shall only be held in the name of the Association.
- a) The signature of ONE Officer of the Association shall be needed to make a withdrawal from any of the Association's bank accounts **as long as**:
    - i. a note is made in the minutes to cover the amount of the withdrawal.
- Accounts and books
19. The accounts and books of the Association shall be audited by ONE auditor who:
- a) is not a member of the Committee;
  - b) shall be elected at the AGM.

## **About the Constitution**

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- Anything that happens which is not covered by the Constitution
20. Anything not covered by the Constitution that concerns how the Association is organised and what it does shall be dealt with by the Committee, whose decision shall be final.
- Changes to the Constitution
21. a) This Constitution may NOT be changed
- i. except at:
    - the Annual General Meeting OR
    - a Special General Meeting that has been called for this purpose;
  - ii. if the proposed changes mean that the Association cannot continue as a charity in law.
- b) Any changes to the constitution shall need the agreement of at least TWO THIRDS of the members who are present and able to vote at an Annual General Meeting or Special General Meeting.

- c) Clauses 2, 21 and 22 shall NOT be changed without the prior written permission of The Charities Commission.

### **Dissolving the Association**

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What happens if we can no longer carry on our work as a charity

- 22. The Association may be dissolved at a Special General Meeting that has been called for this purpose.
  - a) The Association shall only be dissolved with the agreement of at least TWO THIRDS of those present and able to vote.
  - b) The meeting may include instructions as what to do with the Association's assets after any outstanding debts and liabilities have been settled.
  - c) These assets shall NOT be distributed among the members.
  - d) These assets shall be given:
    - i. to the school for the benefit of the children at the school  
OR
    - ii. should the school be closed, to the school to which most of the children will go, providing that this is done only as an act of charity in law OR
    - iii. if neither of these options can be met, to some other charitable purpose.