

BAWB Federation PTFA - Constitution January 2020

CONSTITUTION of Parents, Teachers and Friends Association for the Bainbridge, Askrigg and West Burton Schools Federation

1. Name of the Association

1.1 The name of the Association is Bainbridge, Askrigg and West Burton Primary Schools Federation - Parents, Teachers and Friends Association (B-A-WB Federation PTFA) and is referred to in the constitution as "the PTFA".

2. Schools Names

Bainbridge, Askrigg and West Burton Primary Schools (B-A-WB) Federation

Bainbridge C of E Primary and Nursery School	Askrigg VC Primary School, Yorebridge	West Burton Church of England Primary School
Bainbridge	Askrigg,	West Burton
Leyburn	Leyburn,	Leyburn
North Yorkshire	North Yorkshire.	North Yorkshire
DL8 3EL	DL8 3BJ	DL8 4JY

3. Aims

3.1 The aims of the PTFA are to enhance the development and education of children across the Federation and to encourage parents to understand and provide for the needs of their children by:

- (a) offering appropriate play, education and care facilities, and enrichment opportunities that broaden the children's outlook and experiences, together with the right of parents to take responsibility for and to become involved in the activities of the group, ensuring that the group offers opportunities for all children whatever their race, culture, religion, means or ability;
- (b) develop more extended relationships between the staff, parents, local community and others associated with the Federation;
- (c) engage in activities which support the Federation and advance the education of the pupils attending it; and
- (d) provide and assist in the provision of such facilities or items for education of the pupils at the Federation (not provided from statutory funds) as the Committee in consultation with the Governing Body shall from time to time determine.

4. Powers

4.1 To raise funds to achieve the aims of the PTFA

4.1 To take out public liability and personal accident insurance to cover association meetings, activities, committee members, to insure the association's property against any foreseeable risk and take out other insurance policies to protect the association where required.

4.2 To obtain and pay for goods and services as are necessary for carrying out the work of the PTFA

4.3 To consult parents on their views

4.4 To open and operate bank and other accounts as the committee members consider necessary

4.5 To do anything else within the law that promotes the aims of the PTFA BUT the committee shall not undertake any activity in the school premises without the consent of the head teacher.

5. Membership

5.1 Membership of the PTFA are:

(a) Family/Teacher Membership - Parents and/or guardians of pupils attending the schools within the Federation, plus Teaching and Non-teaching staff currently employed by the B-A-WB Federation wishing to support the aims of the Federation. Each family will count as one member of the PTFA and will be entitled to one vote at any General Meetings of the PTFA.

(b) Affiliate Membership – open to those individuals interested in supporting the aims of the PTFA. Affiliate members may join at any time with the agreement of the committee. An affiliate member will be entitled to one vote at any General Meeting of the PTFA.

5.2 Membership of the PTFA will cease if the member concerned:

(a) gives written notice of resignation

(b) the member dies

(c) in the case of a Family Member at the end of the last term in which any child or children of the Family member attended a School in the Federation

(d) is removed from membership by a resolution passed by a majority of the members of the committee on the grounds that they have acted in such a way which brings the PTFA and School Federation into disrepute or has failed to abide by the rules of the constitution. Before the committee decides whether to remove the member, the committee will give the member written notice of the misconduct alleged to have occurred. The member will have not less than 14 days to submit a written response

to the notice. The committee will have regard to this written response before making the final decision on whether or not to terminate their membership.

- (e) Individual membership status may change if the member's circumstances change during the year from a family member to an affiliate member.

6. The Committee

6.1 The overall management and control of the PTFA will rest with the individual members of the PTFA management committee ("the committee"). As well as being responsible for the management of the PTFA the committee members are also the charity trustees of the PTFA, its property and funds.

6.2 Committee members shall be elected at the AGM and shall hold office till the next AGM.

6.3 The minimum number of committee members will be 5 and the maximum will be 12, together with a further 3 co-opted members. The committee will consist of:

- (a) a Chair, a Vice Chair, a Treasurer and a Secretary ("the officers") and
- (b) not less than 1 nor more than 8 elected members and
- (c) if the committee decides it can co-opt up to 3 further members on to the committee at any time after the AGM.

6.4 Not less than 60 per cent of the committee members, including co-opted members will at the time of election be family members. In the event that this figure cannot be met, the PTFA may elect affiliate members to make up the balance of the committee.

6.5 The committee members in 5.1 (a) and 5.1 (b) shall be elected for one year at the AGM. Retiring committee members are eligible for re-election unless they have served for ten consecutive years.

6.6 Co-opted members may join at any time on the invitation of the committee but shall retire at the next AGM.

6.7 In the event of the resignation or death of an elected committee member, the vacancy shall be filled until the next AGM by a family or affiliate member appointed by the committee.

6.8 All committee members have one vote at committee meetings. In the event of a tie, the chair has a second vote.

6.9 A quorum for committee meetings is not less than half the committee and two of the officers.

6.10 All members shall be eligible to stand for election to the committee, except ordinarily a member who is a paid employee of the Federation. Exceptionally, a member who is a paid employee of the Federation may be eligible for election to the committee subject to the following conditions being satisfied:

(a) no committee member may be paid for services provided to the PTFA that form part of their duties as a committee member or trustee of the PTFA;

(b) not more than a minority of committee members may at any time be the subject of such arrangements with the PTFA.

6.11 Not less than two weeks before the date of the next AGM of the PTFA at which the election of the elected committee members will take place, members wishing to stand as a candidate for election to the committee must put their names forward to the secretary to indicate their willingness to act as a member of the committee if elected.

6.12 At the AGM at which the newly elected members of the committee are elected they shall choose from amongst their number the members who will act as Chair, Vice Chair, Treasurer and Secretary. (Roles can be held by two people as a job share if required)

6.13 The term of office of any committee member will automatically cease

(a) if they are disqualified under section 178 of the Charities Act 2011 from acting as a charity trustee

(b) if they are incapable whether mentally or physically of managing his or her own affairs

(c) if they resign

(d) if they are removed from membership by a resolution passed by a majority of the members of the committee on the grounds that they have acted in such a way which brings the PTFA and School Federation into disrepute or has failed to abide by the rules of the constitution. Before the committee decides whether to remove the member, the committee will give the member written notice of the misconduct alleged to have occurred. The member will have not less than 14 days to submit a written response to the notice. The committee will have regard to this written response before making the final decision on whether or not to terminate their membership.

7 General Meetings

7.1 Notice of meetings may be sent by hand, post, email or via the school newsletter at least 14 days before the meeting stating the date, time and location of meetings.

7.2 Ordinary general Meetings shall be held at least once per term. The Vice-Chair will chair the meeting in the absence of the Chair. In the absence of both, the Secretary or treasurer will chair the meeting.

7.3 The PTFA shall in each calendar year hold a general meeting as its Annual General Meeting ("the AGM"). The AGM shall be held at such a time and place as the committee shall decide. All general meetings other than the AGM shall be called Extraordinary General Meetings ("EGM").

- 7.4 A meeting of the new Committee shall be held within one month of the AGM.
- 7.5 Nominations shall be proposed and seconded by members and should have the consent of the nominee. Nominations may be made at any time both prior to and at the AGM.
- 7.6 The Committee may fill casual vacancies by co-option until the next AGM.
- 7.7 Each AGM will be chaired by the chair or in his/her absence by another member of the committee (see 7.2) and which shall:

- (a) receive the accounts of the PTFA for the previous financial year;
- (b) receive an annual report from the committee
- (c) elect the new members of the committee
- (d) Appoint an independent examiner
- (e) transact any other business properly put to the meeting.

- 7.8 An Extraordinary General Meeting may be called at any time at the request of the committee or not less than one quarter of the members

- (a) the secretary or chair will send notice of the date, time and place of each AGM and EGM, with a list of items to be discussed, to all members at least two weeks before the meeting.
- (b) If the committee do not call an EGM within two months' notice of a proper request to do so, any member may call the meeting by putting up a notice in a visible place or via the school newsletter or website at least two weeks before the meeting.

- 7.9 The quorum for a General Meeting shall be eight members. If fewer attend, a new meeting must be called at a time and place determined by the committee. If at the adjourned meeting a quorum is again not present 1 hour after the time appointed for the meeting then the members present shall constitute a quorum.

- 7.10 Proposals put to the vote at general meetings shall be decided by a simple majority of votes cast, except proposals to amend this constitution or to dissolve the PTFA which shall require not less than two thirds of the members present at the meeting to vote in favour.

- 7.11 Proposals may be put to a General Meeting by the committee or any member.

8 Finance and Accounts

- 8.1 Property and funds of the PTFA must only be used to fulfil the aims of the PTFA (Point 3)

8.2 The committee will ensure that the PTFA complies with the requirements of the Charities Act 2011 as to the keeping of financial records, the auditing of accounts and the preparation and transmission to the Charity Commission of:

- (a) annual reports
- (b) annual returns
- (c) annual statement of account.

8.3 The accounting records shall, in particular, concern:

(a) A record of all income and expenditure and shall present a financial report to all Committee meetings and shall present the accounts duly audited or examined for approval by members at the AGM.

8.4 At each meeting of the committee the Treasurer shall normally present an up to date written statement of accounts to the committee.

8.5 All accounting records relating to the PTFA shall be available for inspection by any member of the committee at any reasonable time during normal office hours and may be available for the inspection of members at the discretion of the committee.

8.6 The bank account shall be in the name of the PTFA.

8.7 Cheques, online bank payments and orders for payment of money from the account shall normally be signed by two designated persons, one of whom shall be the Treasurer. A duplicate of all bank statements should normally be sent to the chair, or access to the online bank account given.

8.8 The financial year shall commence on the first day of September.

9 Minutes

9.1 The committee will keep minutes of all proceedings at all meetings of the PTFA and of the committee. The minutes shall record:

- (a) the names of everyone present
- (b) the decisions made at the meeting
- (c) where appropriate, the reasons for and any actions arising from the decisions and
- (d) any other material details regarding the meeting.

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

10. Amendments

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

10.1 The members must be given 21 clear days' notice of the proposed amendments

10.2 No amendment is valid if it would make a fundamental change to the charitable purpose (objects)/clause 2 or destroy the charitable status of the association and no amendment may be made to clause 9 without the prior written consent of the Charity Commission

10.3 A copy of any resolution amending the constitution must be sent to the Charity Commission within 21 days of it being passed.

11. Dissolution

11.1 If the committee resolves that the aims of the PTFA can no longer be fulfilled, the committee will convene an EGM to consider the winding up and dissolution of the PTFA.

11.2 If the EGM decides by a two thirds vote of the members present that the PTFA should be wound up the committee shall (subject to the satisfaction of all debts and liabilities of the PTFA) transfer all of the assets of the PTFA in accordance with paragraph 11.3.

11.3 If the PTFA is wound up or dissolved and after all the debts and liabilities have been satisfied there remains any property or assets these shall not be paid or distributed amongst the members of the committee but shall be applied in the following ways:

(a) transferred to the BAWB Federation for the benefit of the pupils, or in the event of a School closure, to the school to which the majority of the pupils will go, in any manner which is exclusively charitable in law. If effect cannot be given to this provision, then the assets can be given to another charitable purpose determined by the Committee.

(b) established as a charity whose governing instrument prohibits the distribution of income and property to an extent at least as great as is imposed on the PTFA and whose aims are similar to those of the PTFA

(c) in such other manner consistent with the charitable status of the PTFA as the Charity Commission have approved in writing.

11.4 The committee must notify the Charity Commission promptly that the association has dissolved. The committee must comply with any requests from the Commission including providing the PTFA's final accounts.

This constitution was approved by the members of B-A-WB Federation PTFA at a General Meeting held

On:

Signed (Chair):

Signed (Head teacher):

Dated:

Headteacher: headteacher@b-a-wb.co.uk or by calling one of the schools: Askrigg: 01969 650331, Bainbridge: 01969 650336, West Burton: 01969 663230.