



Health Fenland – briefing Sheet 2

Your Constitution

Every community group needs a constitution to be formally recognised as an organisation (legally known as an association). We can offer you help and advice in creating one.

What is a constitution?

A constitution is an important document which is formally adopted (agreed) at the first public meeting of your association. It states what your association intends to do (your objectives), how it will be organised, who can be members and who will take responsibility for the running of the group. It is a legal document which, once adopted, requires a formal procedure to alter it. This is explained in it.

The constitution states the intentions of your association to work for the benefit of the community, members or clients it represents or seeks to help. It indicates to statutory and voluntary bodies that the association is open, is acting in good faith and intends to work in a clear and business-like way.

Why do you need a constitution?

Once the decision has been made to form a community association you need a constitution:

- To state how your association is to be structured
- To detail the safeguards needed to ensure that it operates fairly on behalf of the whole community
- As a basic requirement to apply for funding. Public bodies or grant making trusts will require the submission of the constitution to confirm that the association is genuine.

How do you draw up a constitution?

You can use and adapt a model constitution. We can supply a model constitution which we can help you to adapt to meet your particular needs and requirements.

Alternatively, your group may wish to put together its own unique constitution. Whichever way you decide, your constitution should include:

- **The name** of the group:
- **Purpose:** often called the Aims or Objects. These set out clearly what your group exists to do.
- **Management of the Group:** it is likely that there will be a management committee which makes the decisions about how the group works. If it is a membership group, you need to consider how, the members will appoint the committee.

- **Powers given to the Committee:** you may need to think about the things you will need in order to achieve the purpose of the group.
- **Holding Meetings:** when will meetings be held? For annual general meetings how many members need to be in attendance to make the meeting official, referred to as being quorate.
- **Membership:** if you are a membership group who can join your group?
- **Payments or benefits:** although committee members can be reimbursed for expenses you will probably need to create a rule which states that your committee members will not be paid by the group.
- **Changing the rules:** as a group develops you may need to change the way it runs. So when and how will that happen and how will members be notified?
- **Closing down the group:** if the group ends, how this will be managed?

Adopting a Constitution

To set yourself up formally, the constitution that you have drafted now needs to be officially adopted by the members at a General Meeting and minutes of the meeting taken.

You need to vote to agree your constitution and to elect a Management Committee. The Annual General Meeting (AGM), which is held annually, is the meeting at which the management committee is accountable and the place where elections are normally held. Occasionally a Special General Meeting may be called to deal with urgent matters that cannot wait until the AGM.

Once the constitution has been agreed and signed, it is a legal document and the committee will be personally responsible for making sure the rules are followed.

You may be a charity!

If you are supporting more than just your members and your objectives are of public benefit you may automatically be considered a charity and not a club, but you do not have to register with charity commission if your annual income is under £5000. However you do have to be aware of charity law and your committee will have the responsibilities of trustees. If you think this may apply to you do contact CCVS to find out more.

A Model Constitution

Can be down loaded from the CCVS website at:
<http://www.cambridgecvs.org.uk/group-support>



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