



Barlaston Community First Responder Constitution

1 February 2004

Constitution

1. Name

The name of the charity shall be “Barlaston Community First Responders”, or such other name as the trustees may from time to time decide with the approval of the Charity Commissioners.

2. Administration

Subject to the matters set out below the charity and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee (charity trustees), constituted by clause 7 of this constitution.

3. Objects

The objects of the charity shall be:

- ? To relieve sickness and injury by the provision of first aid and ambulance services to any person who has need of such treatment.
- ? To advance the education of the public in first aid in particular, but not exclusively, by the provision of training in the principles and practice of first aid.

4. Powers

In addition to any other powers which the trustees have, they may exercise the following powers in furtherance of their objects:

- ? Power to raise funds and to invite and receive contributions, provided that in raising funds the Trustees (Executive Committee) shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.
- ? Power to co-operate with other charities, voluntary bodies and statutory authorities in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them.
- ? Power to appoint and constitute such advisory committees as the Executive Committee may think fit.
- ? Power to do all such other lawful things as are necessary for the achievement of the objects.



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5. **Membership**

- ? Membership of the charity shall be open to any suitable person over the age of 16 years interested in furthering the objects.
- ? Every member over 18 years shall have one vote.
- ? The Executive Committee may by unanimous vote and for good reason terminate membership of any individual, provided that the individual concerned shall have the right to be heard by the Executive Committee accompanied by a friend before a final decision is made.

6. **Honorary Officers**

At the annual general meeting of the charity the members shall elect from amongst themselves a secretary and treasurer, who shall hold office from the conclusion of that meeting.

7. **Executive Committee (Charity Trustees)**

The Executive Committee shall consist of not less than three or more than five members being:

- ? The honorary officers specified in the preceding clause.
- ? A chair and a vice-chair.
- ? Not less than three or more than seven members elected at the annual general meeting who shall hold office from the conclusion of that meeting.
- ? The Executive Committee may in addition appoint not more than two co-opted members, but so that no-one may be appointed as a co-opted member if as a result more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause 10 and shall take effect from the end of that meeting unless the appointment is to fill a place which has not then been vacated in which case the appointment shall run from the date when the post becomes vacant.
- ? All the members of the Executive Committee shall retire from office together at the end of four years after the date on which they came in to office but they may be re-elected or re-appointed.
- ? The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in an appointment or qualification of a member.



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- ? Nobody shall be appointed as a member of the Executive Committee who is aged under 18 or who would if appointed be disqualified under the provisions of the following clause.
- ? No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration of acceptance and willingness to act in the trusts of the charity.

8. **Determination of membership of Executive Committee**

A member of the Executive Committee shall cease to hold office if he or she:

- ? Is disqualified from acting as a member of the Executive Committee by virtue of section 72 of the Charities Act 1993 (or statutory re-enactment or modification of that provision)
- ? Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs.
- ? Is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated.
- ? Notifies to the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect).

9. **Trustees not to have a personal interest**

Except with the prior written approval of the Charity Commissioners no trustee may:

- ? Receive any benefit in money or in kind from the charity.
- ? Have a financial interest in the supply of goods or services to the charity.
- ? Acquire or hold any interest in property of the charity (except in order to hold it as a trustee of the Charity).

However, trustees will be entitled to reasonable expenses that are refunds of amounts a trustee has needed to meet personally, or which have been met on his or her behalf, in order to carry out trustee duties.

The trustees will be entitled to indemnity insurance paid for by the charity. But the Insurers shall not be liable for loss arising from any act or omission which the trustee knew to be a breach of trust or breach of duty or which was committed by the trustee in reckless disregard of whether it was a breach of trust or breach of duty or not.



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10. Meetings and proceedings of the charity trustees

- ? The Executive Committee shall hold at least two ordinary meetings each year. A special meeting may be called at any time by the chair or by any two members of the Executive Committee upon not less than four days notice being given to the other members of the Executive Committee of matters to be discussed but if the members include an appointment of a co-opted member then not less than 21 days notice must be given.
- ? The chair (or vice-chair in the absence of the chair) shall act as chair at meetings of the Executive Committee.
- ? There shall be a quorum when at least two members of the Executive Committee are present at a meeting.
- ? Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the chair of the meeting shall have a second or casting vote.
- ? The Executive Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.
- ? The Executive Committee may from time to time make and alter rules for the conduct and the custody of documents. No rule may be made which is inconsistent with this constitution.
- ? The Executive Committee may appoint one or more sub-committees, consisting of two or more members of the Executive Committee, for the purpose of making an inquiry, or supervising, or performing any function, or duty which in the opinion of the Executive Committee would be more conveniently undertaken, or carried out by a sub-committee; provided that all acts and proceedings of any sub-committees shall be fully and promptly reported to the Executive Committee.

11. Receipts and expenditure

- ? The funds of the charity, including all donations, contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the charity at such bank, as the Executive Committee shall from time to time decide.
- ? The funds belonging to the charity shall be applied only in furthering the objects.



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12. **Accounts**

Charity trustees shall comply with the accounting requirements of the Charities Act 1993, relevant to the income/expenditure level of the charity with regard to:

- ? Keeping of accounting records of the charity.
- ? Preparation of annual statements of account for the charity.
- ? Auditing, or independent examination of the statements of account of the charity.
- ? Preparation of an annual report and the sending of it, together with the statements of account to the Charity Commission.

13. **Bank account**

Any bank account in which any assets of the charity are deposited shall be opened by the trustees and shall be held in the name of the charity. All cheques and orders for the payment of money from such account shall be signed by at least two trustees.

14. **Annual report**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that act) with regard to the preparation of an annual report and its transmission to the commission.

15. **Annual Return**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that act) with regard to the preparation of an annual return and its transmission to the commission.

16. **Annual General Meeting**

- ? There shall be an annual general meeting of the charity, which shall be held in the month of November in each year or as soon as is practicable thereafter.
- ? Every annual general meeting shall be called by the Executive Committee. The secretary shall give at least 21 days notice of the annual general meeting to all members of the charity. All the members of the charity (over 18 years) shall be entitled to attend and vote at the meeting.
- ? Before any other business is transacted at the first annual general meeting the persons present shall appoint a chair of the meeting. The chair shall be the chair of subsequent annual general meetings, but if they are not present



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before any other business is transacted the persons present shall appoint a chair of the meeting.

- ? The Executive Committee shall present to each annual general meeting their report and accounts of the charity for the preceding year.
- ? Nominations for election to the Executive Committee must be made by members of the charity in writing and must be in the hands of the secretary of the Executive Committee at least 14 days before the annual general meeting. Should nominations exceed vacancies elections shall be by ballot.

17. **Special General Meetings**

The Executive Committee may call a special general meeting of the charity at any time. If at least three members or one tenth of the number of members, which ever is the greater, request such a meeting in writing, stating the business to be considered, the secretary shall call such a meeting. At least 21 days notice must be given. The notice must state the business to be discussed.

18. **Procedure at General meetings**

- ? The secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the charity.
- ? There shall be a quorum when at least one tenth of the number of members of the charity for the time being or three members of the charity; which ever is the greater are present at any general meeting.

19. **Notices**

Any notice required to be served on any member of the charity shall be in writing and shall be served by the secretary or the Executive Committee on any member either personally or by sending it through the post as a prepaid letter addressed to such member at his or her last known address in the United Kingdom and any letter so sent shall be deemed to have been received within 10 days of posting.

20. **Alterations to the constitution**

Subject to the following provisions of this clause the constitution may be amended by a resolution passed by not less than two-thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution setting out the terms of the amendment proposed.



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- ? No amendment may be made to clause 3, clause 9, clause 21, this clause or the trustees' power of investment without the prior written approval of the Commissioners.
- ? No amendment may be made which would have the effect of making the charity cease to be a charity at law.
- ? The trustees must promptly send to the Commissioners a copy of any amendment made, and keep a copy of any such amendment with this constitution.

21. **Dissolution**

If the charity trustees decide that it is necessary or advisable to dissolve the charity, they shall call a meeting of all members of the charity of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting, the charity trustees shall have power to realise any assets held by or on behalf of the charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the object of this charity as the members of the charity may determine, or, if that cannot be done, shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the charity must be sent to the commission.

22. **General**

Other matters affecting the conduct of the society are determined by the Bye-Laws.

23. This constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of this document.

Signature

Signature

Signature

Signature