

Factsheet

2: Constitutions

A **constitution** (or governing document) contains the aims and rules that your group will use. It explains what your group is going to do and how you are going to do it. A constitution is important because:

- It ensures that your group's work is conducted in a responsible way and in accordance with the law
- It makes your group accountable and ensures your group makes decisions in a democratic way
- It tells potential funders how you conduct your business and what your group hopes to achieve. Many funders will ask to see your constitution before awarding funding

Which constitution is right for our group?

The type of constitution that you adopt will depend upon the legal structure your group takes. This means that you can only write your constitution once you have agreed the structure of your group. Please see our factsheet 'Legal Structures' for further information.

A constitution will usually contain the following:

Name of your group

Aims (or objects) are a statement of your long term goals - what you want to achieve and how you want to achieve it. This is probably the most important part of your constitution and needs to be very clear including information about the area you are working in, who will benefit from the activities of the group, and how they will benefit.

Membership – You need to decide who will be entitled to be a member of your group. For example, everyone who lives in a certain area, everyone who attends your activities or anyone who supports the aims of the group.

Equal Opportunities – An equal opportunities policy is usually a separate document to the constitution. However, you may want to include a statement of your commitment to equal opportunities in your constitution as well. Please see Policies and Procedures factsheet for more information.

Management committee/Board of Trustees/Directors – All voluntary and community organisations have a group of people which manages its affairs – a **governing body**. This may be called a management committee, a board of trustees or directors or an executive committee. The governing body have overall legal responsibility for the organisation. It is up to you to decide how many committee members / trustees / directors you have, however a minimum of three is recommended. You may also choose to set the maximum number. The governing body is usually made up of members of the group elected once a year at the Annual General Meeting. These are usually the Chair, Secretary and Treasurer. The

governing body may also invite other people to serve on the committee (known as co-opting) because they have particular skills or knowledge (e.g. fundraising).

Annual General Meeting (AGM) – Your group will need to hold an AGM once a year. This is when you inform your group’s members about the work the group has done and its achievements, share financial information, and approve your annual accounts. You will also elect your committee and can make changes to the constitution. Please contact us for information on planning your AGM.

Committee meetings – Your constitution will state how often the committee will meet and the minimum number required to make decisions (the quorum).

General meetings – These are meetings that all members can attend and take part in. Your constitution should include who can call them and what the quorum will be.

Special General Meeting is used to discuss important matters that need to be put before the whole membership, such as an amendment to the constitution. Your constitution should state how members will be notified of the date, time and venue of the meeting, the notice provided and what the quorum will be.

Finances – The constitution will explain how your group deals with money including the process for authorising payments, recording of income and expenditure and presentation of accounts at the AGM. The constitution should also state that all money raised by the group will be spent solely on the objects laid out in the constitution.

Changes to the Constitution – Your group may wish to make changes to the constitution in the future. You should include details of how much notice has to be given to members of proposed changes and voting arrangements to pass decisions.

Dissolution – Your constitution should contain the process to be followed if it at some stage, members decide to close the group down. It should include who is entitled to make this decision, how much notice is needed and what happens to any money and assets still held by the group. In the case of groups with charitable aims, any money or assets must be given to another group with charitable aims.

Writing your constitution – The most straightforward way to create your constitution is to use a model template. Please contact us for more information on choosing the right model template and for support in writing your constitution.

Updated: March 2019