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**ECCLESALL PARENTS’ TEACHERS’ AND FRIENDS’ ASSOCIATION (EPTFA) CONSTITUTION**

**1. VARIABLES**

1.1 The name of the Association shall be **ECCLESALL PARENTS’ TEACHERS’ AND FRIENDS’ ASSOCIATION (EPTFA).**

1.2 The address of associated school is:

**ECCLESALL PRIMARY SCHOOL** High Storrs Road, Sheffield, S11 7LG

1.3 The committee shall consist of a minimum of 12 members.

**2. OBJECTS** – The object of the Association is to advance the education of pupils in the school and improve their learning environment in particular by:

2.1 Developing more extended relationships between the staff, parents and others associated with the schools.

2.2 Engaging in activities which support the schools and advance the education of pupils attending them.

2.3 Providing and assisting in the provision of facilities for education at the schools not normally provided by the Local Education Authority.

**3. POWERS** – The committee members/trustees have the following powers, which may be exercised only in promoting the OBJECTS:

3.1 To provide advice

3.2 To publish or distribute information

3.3 To co-operate with other bodies

3.4 To raise funds (but not by means of permanent trading)

3.5 To acquire or hire property

3.6 To make grants or loans of money and to give guarantees

3.7 To set aside funds for special purposes or as reserves against future expenditure

3.8 To take out public liability and personal accident insurance to cover its meetings, activities, committee members, trustees, and any other insurance policies to protect the Association where required.

3.9 To employ paid or unpaid agents, staff or advisors

3.10 To pay the costs of forming the Association

3.11 To obtain and pay for goods and services necessary for carrying out the work of the Charity

3.12 To open and operate bank and other accounts as necessary

3.13 To do anything else within the Law that promotes the Objects BUT the Committee shall not undertake any activity in the school premises without the consent of the Headteacher.

**4. MEMBERSHIP**

4.1 Membership of the Association shall consist of:

* Parents and guardians of pupils attending either school
* Governors, Teachers and Ancillary staff of either school, and
* Friends, defined as any person over the age of 18 wishing to offer appropriate support or help to the schools and who are accepted by the Committee as a Member.

4.2 The Committee shall select from its Members the following Officers: Chairperson, Secretary and Treasurer. Other Officers may be selected if the Committee deems this necessary.

4.3 Membership is terminated if:

4.3.1 The member dies

4.3.2 The Member resigns by written notice to the Committee

4.3.3 The Member is excluded by committee members or trustees if their presence is deemed a danger to the School or its pupils, or who may bring the Association into disrepute. The Member must be notified in writing or their removal from the Committee and will have 14 days to respond.

**5. GENERAL MEETINGS (ANNUAL AND EXTRAORDINARY)**

5.1 All Members are entitled to attend any General Meeting of the Association.

5.2 All General Meetings are called by giving 21 days written notice to the Members, specifying the date, time and location of the General Meeting and shall be held during the Autumn term.

5.3 Eleven members shall constitute a Quorum at a General Meeting. (The only exception to this is at a General Meeting where the Association is being dissolved.)

5.4 The Chair (or nominated alternate) is in charge of a General Meeting

5.5 Every issue at a General Meeting is decided by a simple majority of votes

5.6 Every member has a single casting vote except for the Chair who has a second or casting vote where a vote is equally tied

5.7 The Association must hold a General Meeting within 12 months of the adoption of a new constitution

5.8 Not more than 15 months must elapse between successive General Meetings

5.9 At an AGM the Members:

5.9.1 Receive the accounts of the Association for the previous financial year

5.9.2 Receive the report of the committee members/trustees (usually via the Chair’s Annual Report) on the Associations’ activities since the previous AGM

5.9.3 Elect the committee members/trustees and officers

5.9.4 Appoint an independent examiner or auditor for the Association

5.9.5 Discuss and determine any issues of policy or deal with any other business

5.10 An Extraordinary General Meeting (EGM) may be called at any time by the Committee

**6. THE COMMITTEE**

6.1 All Members of the Committee are trustees of the Charity and have control of the Association, its property and funds. The Committee Members are referred to in this document as committee members/trustees.

6.2.1 Committee members/trustees shall be elected at the AGM and shall hold office until the next AGM.

6.2.2 All committee members/trustees, except those who are co-opted, must be members of the Association.

6.2.3 Committee members/trustees shall have the power to co-opt committee members/trustees at any time, and co-opted committee members shall serve until the date of the next AGM.

6.2.4 The numbers of co-opted committee members/trustees must not be more than 50% of the total number of committee members/trustees.

6.3 Nominations for election to the Committee may be made by any Member of the Association and seconded by another. Such nominations must have the consent of the nominee. Nominations may also be made in writing to the Committee up until the date of the AGM.

6.4 A committee member/trustee automatically ceases to be a committee member/trustee if he or she:

6.4.1 is disqualified under section 72 of the Charities Act 1993 as amended by the Charities Act 2006 from acting as a charity trustee

6.4.2 is incapable, whether mentally or physically, or managing his or her own affairs

6.4.3 is removed by a resolution passed by a majority of committee members/trustees as per paragraph 4.2.3

6.4.4 resigns from the committee

6.5 All committee members/trustees shall be entitled to reasonable reimbursement costs incurred in the administration of the Association

**7. COMMITTEE MEETINGS**

7.1 The Committee must hold at least one meeting per school term

7.2 A Quorum of a committee meeting shall be 4 members

7.3 The Chair (or nominated alternate) is in charge at each Committee meeting

7.4 Every decision (except those relating to proposals or requests to donate funds to the schools) may be made by a simple majority of the votes cast at a Committee Meeting. The Chair has a casting vote in the event of a tied vote.

7.5 In respect of proposals or requests to donate money to the schools;

All issues that need to be decided by a vote of the trustees shall be circulated to the full committee by e-mail, and the issue decided by a simple majority of responses, with the chair(s) having a deciding vote in the case of a tied vote. Non-respondents shall be considered as abstentions. The e-mail must be explicit in its purpose as a vote, and must have a full description of the proposal and any related expenditure/donation of funds. All trustees shall be give a minimum of 1 week to consider the proposal, and a time limit decided upon by the chair(s) will be set for response. The proposal and result of the voting shall be minuted, if any addition to the amount agreed is subsequently requested, then a further vote must be taken, and the request and result must be minuted.

**8. POWERS OF COMMITTEE**

8.1 Any functions of the Committee may be delegated to Sub-Committees which must consist of at least 2 persons, one of whom must be a committee member/trustee, providing that all acts and proceedings of any such sub-committee shall be reported to the Committee as soon as possible and that such sub-committee must abide by the rules of the Committee in accordance with this Constitution.

**9. PROPERTY AND FUNDS**

9.1 The property and funds of the Association must be used to fulfil the Objects.

9.2 Committee members/trustees can enter into contracts with the Association for the provision of goods and services to the Association provided that:

9.2.1 the maximum amount is set out in writing and is reasonable for the services provided

9.2.2 the committee members/trustees agree that the agreement is in the interests of the Charity.

**10. RECORDS AND ACCOUNTS**

10.1 The committee must comply with the requirements of the Charities Act 1993 as amended by the Charities Act 2006 as to the keeping of financial records, the audit or independent examination of accounts and the preparation and transmission to the Charity Commission of annual reports, annual returns, and annual statements of accounts.

10.2 The Committee must keep proper records of all proceedings at General Meetings, Committee meetings and reports of sub-committees.

10.3 Annual reports and statements of accounts relating to the Association must be made available for all members of the Association.

10.4 The Committee must notify the Charity Commission of any changes to the Association’s entry on the Register of Charities.

10.5 The financial year shall start on 1st September.

**11. NOTICES**

11.1 Notice of any General Meeting of the Association may be sent by hand, by post, by e-mail or by newsletter by the Association to its Members and to parents, guardians and carers of children in the Schools.

**12. AMENDMENTS** – This Constitution may be amended at a General Meeting of the Association by a two-thirds majority of the votes cast, but:

12.1 The Members must be given 21 days to consider changes before they come into effect.

12.2 No amendment is valid if it would make a fundamental change to the Objects or destroy the charitable status of the Association.

12.3 A copy of any resolution amending this constitution must be sent to the Charity Commission.

**13. DISSOLUTION**

13.1 The Association may be dissolved by a resolution presented at a General Meeting where this is included in the notice of the meeting. The resolution must have agreement of two thirds of those voting and must give instructions for the disposal of any assets remaining after paying the outstanding debts and liabilities of the Association.

13.2 The net assets will be given to the Schools for the benefits of the pupils. In the event of a School closing, any remaining funds could be distributed to neighbouring Schools, as selected by the Committee.

13.3 The Trustees must notify the Charity Commission on the dissolution of the Association.