**ASSOCIATION DETAILS**

**1. NAME**

The association’s name is:

**Service Children in State Schools**

In this document it is called **the association**

OR charity if this is the direction that we take as per some suggestions.

**2. PURPOSES**

The object of **the association** (**the objects**) is to advance the education of Service pupils in state schools by:

* Being strong advocates for Service children;
* Responding to initiatives / policy proposals that affect Service children;
* Gathering the Service child’s voice;
* Growing the network of SCISS schools;
* Disseminating good practice

**3. POWERS**

The following powers are available to **the committee** to help run **the association:-**

* to delegate any functions of the committee to sub-committees. These must consist of two or more persons. All sub-committee proceedings must be promptly reported to the main committee
* to make rules consistent with this constitution about the committee and sub-committees, to govern proceedings at general meetings and generally about the running of the association including the operation of bank accounts and the management of funds.

**The members/trustees** may do the following in agreement with the whole committee in order to achieve its aims:

1. Provide advice
2. Publish or distribute information
3. Collaborate with other groups and exchange information
4. To raise funds (but not by means of permanent trading) and to set aside funds for special purposes or as reserves against future expenditure
5. To acquire or hire property of any kind
6. Organise courses and events
7. To take out public liability and personal accident insurance to cover association meetings, activities, members/trustees, to insure the association’s property against any foreseeable risk and take out other insurance policies to protect the association where required (Where have we stood with this in the past when we have run conferences etc?)
8. To use the services of paid or unpaid supporters or advisers
9. To pay the costs of forming the association
10. To obtain and pay for goods and services as are necessary for carrying out the work of the association
11. To consult stakeholders on their views
12. To open and operate bank and other accounts as the members/trustees consider necessary
13. To do anything else within the law that promotes the objects BUT individual members of the committee shall not undertake any activity on behalf of the association without prior agreement from the committee.

**4. THE NATIONAL EXECUTIVE ADVISORY COMMITTEE MEMBERSHIP**

The minimum number of members: 8

The maximum number of members: 20

4.1 Membership of the association will be by invitation agreed by the whole committee in advance of any invitation being made to a potential new member ensuring even cross-country and role representation at meetings. The Chair will contact the suggested member inviting them to the next NEAC meeting.

4.2 All members of the committee have control of the association, its property and funds. The members of the National Executive Advisory Committee are referred to in this document as members/ trustees.

4.3 Membership for all members lasts for 4 years and may be renewed. The members/trustees will keep an up-to-date membership list.

4.4 Members and roles of the association include:

* Headteachers (up to 10)
* Local Authority representatives (4)
* Military Families Associations (3)
* Department for Children and Young people (1)
* Department for Education (1)
* Service Children’s Progression Alliance (1)

4.5 The Chair/Vice Chair shall be elected at the AGM and shall hold office for a period of 2 academic years running from the first meeting in September.

4.6 In the event of the Chair retiring or being removed from office before this period of time has elapsed, the Vice-Chair will step in to the position of Chair until the next AGM where an election will take place.

4.7 Any member will be able to nominate themselves for the positions of Chair and/or Vice Chair, including those who have previously undertaken this role.

4.8 Members wishing to nominate themselves will send the committee secretary (or in the absence of this role a designated committee member) a short outline of no more than 300 words stating why they would like to take on the role as Chair and the impact they would like to have. This will be to be disseminated to all members ahead now less than 1 week ahead of the meeting.

4.9 A vote will take place as part of the general meeting in the form of a secret ballot and nominated members will leave the room and a designated person leads the ballot.

4.10 All members of the committee will have a vote and those members unable to be present at the meeting will be able to vote or have a say on known decisions by email by emailing the chair no less than 24 hours from the commencement of the meeting.

4.11 Membership ceases if the member:

1. is absent from three consecutive meetings of the committeewithout prior notification to the Secretary (or in the absence of that role, the Chair)
2. ceases to be a member of the association
3. dies
4. resigns by **written** notice to the Chair of **the association**
5. is removed by a resolution passed by a majority of other members/trustees. Removal is not effective until the member/trusteeconcerned has been notified **in writing** of the proposal and his/her right to respond within 14 **clear day**s, and the matter has been considered in light of any representations made.
6. Membership is not transferable to anyone else

4.12 A technical defect in the appointment of a member/trustee including the appointment of The Chair and Vice Chair of which the committee is unaware at the time does not invalidate decisions taken at a meeting. Any issue with the voting process, outcome of any vote or decisions made must be raised at the time of the meeting.

4.13 **Expenses** - All members/trustees shall be entitled to reimbursement of reasonable out-of-pocket expenses (e.g. travel expenses) actually incurred in the administration of the association and must follow procedure to claim these back

**5. GENERAL MEETINGS - ANNUAL AND EXTRAORDINARY**

5.1 All members/trustees are entitled to attend any general meeting of the association.

5.2 All general meetings are called by giving 21 clear days written notice of the meeting to the members. The notice should specify the date, time and location of the general meeting as well as give an overview of the agenda.

5.3 The Chair (or Vice-Chair is the Chair is unable or unwilling to do so) is in charge of a general meeting.

5.4 Except where otherwise provided in this constitution (Dissolution: clause 10), every issue at a general meeting is decided by a simple majority of the votes cast by the members present at the meeting.

5.6 Except for the Chair of the meeting, who has a second or casting vote where a vote is equally divided (tied), every member present is entitled to one vote on every issue. Those members not able to be present at the meeting may vote by email and must email their vote to the Chair no less than 24 hours before the commencement of the meeting.

5.7 The association must hold a general meeting within 12 months of the date of the adoption of this constitution. Thereafter, an AGM must be held in each subsequent year and not more than 15 months may elapse between successive AGMs. The AGM will take place ahead of the Committee Meeting.

5.8 At an AGM the members:

* receive the accounts of the association for the previous financial year  
  receive the report of the members/trustees on the association’s activities since the previous AGM which will be written by The Chair
* elect the Chair and Vice-Chair (every 2 years)
* appoint an independent examiner or auditor for the association if this is needed
* may confer on any individual (with his or her consent) the honorary title of Patron, President or Vice-President of the association
* discuss and determine any issues of policy or deal with any other business put before them

5.9 A general meeting may also be called for special or extraordinary reasons (called an extraordinary general meeting or EGM). In addition to being called by committee members, these can be called by members of the association. This requires a request in writing to the committee from 10 or more members. As a result, the committee must call an EGM (give all members of the association notice of the EGM) within 21 days of the written requests being received from members. This EGM must happen within three months of the written requests being received. (This timeframe is designed to make allowances for school holidays.)

1. **COMMITTEE MEETINGS**

6.1 **The committee** must hold at least three meetings every academic **year**.

6.2 A quorum at a committee meeting is 50 per cent of current membership – not including vacancies.

6.3 The Chair (or Vice Chair is the Chair is unavailable) is in charge at each committee meeting.

6.4 Every decision may be made by a simple majority of the votes cast at a committee meeting and absent members may vote via email ahead of the meeting.

6.5 Except for the Chair of the meeting, who has a second or casting vote every committee member/trustee has one vote on each issue.

* 1. The members must keep minutes of all:
* appointments of officers made by the charity trustees;
* proceedings at general meetings of the association;
* meetings of the association and any committees of association including:

1. the names of the members present at the meeting;
2. the decisions made at the meetings; and
3. where appropriate the reasons for the decisions;
4. decisions made by the charity trustees otherwise than in meetings.
5. **PROPERTY & FUNDS**

7.1 The property and funds of the association must only be used to fulfil the objects

7.2 Members/trustees can enter into contracts with the association for the provision of goods and services to the association (but not contracts of employment with the association) provided that:

* the maximum amount is set out in writing and is reasonable for the services provided
* the members/trustees are satisfied that the agreement is in the interests of the association purposes stated in this constitution
* the total number of members/trustees entitled to such remuneration is in the minority from time to time.
* Whenever a member/trustee has a personal interest in a matter to be discussed at a meeting, the member/trustee must:
  + - declare an interest before discussion begins on the matter
    - withdraw from that part of the meeting unless expressly invited to remain in order to provide information
    - not be counted in the quorum for that part of the meeting 9.3.4 withdraw during the vote and have no vote on the matter.

1. **RECORDS & ACCOUNTS**

8.1 The associationmust comply with the requirements of The Charities Act 2011 or any substantial re-enactment as to the keeping of financial records, the audit or independent examination of accounts and should keep evidence of:

* annual reports
* annual returns
* annual statements of account.

8.2 The associationmust keep proper records of:

* all proceedings at general meetings
* all proceedings at committee meetings
* all reports of sub-committees

8.3 Annual reports and statements of account relating to the association must be made available for inspection by any member of the association.

1. **AMENDMENTS**

This constitution may be amended at a **general meeting** of **the association** by a two-thirds majority of the votes cast but:

* The members must be given 21 clear days’ notice of the proposed amendments
* No amendment is valid if it would make a fundamental change to the purpose (objects) or destroy the status of the association
* A copy of any resolution amending the constitution must be sent to all members within 21 days of it being passed.

**10. DISSOLUTION**

10.1 The association may be dissolved by a resolution presented at an EGM or an AGM where this is included in the notice of the meeting. The resolution must have the 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.

10.2 The net assets shall not be distributed among the members of the association but will be given to the relevant educational establishment for the benefit of the pupils.

10.3 If it is not possible to dispose of assets as described in clause 10.2 then the assets can be given to another charitable cause provided that the cause is within the objects of the association.

**Setting up the association**

This constitution was adopted on ................................. 20 ........ by the people whose signatures appear below. They are the first members of the charity and will be the trustees until the AGM, which must be held within one year of this date.