

Egerton Rothesay School Parents & Teachers Association Constitution

Clause 1

Association Details

Egerton Rothesay School Parents & Teachers Association
Egerton Rothesay School
Durrants Lane
Berkhamsted
Hertfordshire

Clause 2

Objects

The object of the ERS PTA is to advance the education of pupils in the school, in particular by:

- Developing effective relationships between the staff, parents and others associated with the school; and
- Engaging in fund raising activities to provide facilities or equipment which will enhance the environment of the school and/ or the learning opportunities offered to pupils

Clause 3

Committee Powers

Committee members are accorded the following powers to promote the objects of the PTA:

- To provide advice on PTA activities
- To publish or distribute information
- To cooperate with other bodies
- To raise funds (but not by means of permanent trading)
- To acquire or hire property of any kind
- To make grants or loans of money
- To set aside funds for special purposes or as reserves against future expenditure
- To deposit or invest funds in any lawful manner
- Where required, to take out public liability and personal accident insurance to cover PTA meetings, activities, committee members and property
- To employ paid or unpaid agents, staff or advisers
- To enter into contracts to provide services to, or on behalf of the PTA
- To pay the costs of forming the PTA
- To obtain and pay for goods and services necessary for carrying out the work of the PTA
- To open and operate bank and other accounts as the committee members consider necessary
- To do anything else within the law that promotes the objects of the PTA

The Committee shall not undertake any activity in the school premises without the consent of the Principal or Headteacher

Clause 4

Membership

Members of the ERS PTA are:

- The parents, guardians or carers of any pupil currently attending the school
- The teaching and non-teaching staff currently employed by the school

Termination of Membership

Membership may be terminated if the committee members decide for good reason to exclude a person from membership (or from attending an event), whether or not this is at the request of the Governing Body or the Principal / Headteacher. Termination or exclusion is not effective until the member has been notified in writing of the proposal and of his/her right to respond within 14 clear days, and the matter has been considered in light of any representations made

Clause 5

General Meetings

- 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
- All members are entitled to attend any General meeting of the PTA
- There is a quorum at a General meeting when the number of members present is at least two full committee members and two other members. The only exception would be at a General meeting where the PTA is being dissolved: see Clause 13
- The Chair or (if the Chair is unable to do so) any other committee member elected by those present is in charge of a General meeting
- Every issue at a General meeting is decided by a simple majority of the votes cast by the members present at the meeting
- Except for the Chair of the meeting, who has a second or casting vote where a vote is tied, every member present is entitled to one vote on every issue
- The PTA must hold a General meeting within twelve months of the date of the adoption of this constitution. Thereafter, an AGM must be held in each subsequent year and not more than fifteen months may elapse between successive Annual General meetings

Annual General Meetings

At an AGM the members will:

- Receive the PTA's accounts for the previous financial year
- Receive the report of the committee members on the PTA's activities since the previous AGM
- Elect the committee members
- Appoint an independent examiner or auditor for the PTA
- Discuss and determine any issues of policy or deal with any other business put before them

Any questions to be raised at the AGM should be submitted to the Chair in writing, not less than 5 days prior to the meeting

Extraordinary General Meetings

An EGM may be called at any time by the committee, or at the request of at least six members of the PTA. The EGM must be called (within 21 days) to happen within three months of the request being received by the committee

Clause 6

The Committee

- All members of the committee have control of the PTA, its property and funds.

- The minimum number of full committee members will be two (normally Chair and Treasurer)
- Committee members shall be elected at the AGM and shall hold office until the next AGM
- All committee members, except those who are co-opted, must be members of the PTA
- The Committee shall have the power to co-opt committee members at any time, and co-opted committee members shall serve until the date of the next AGM
- The number of co-opted committee members must not be more than 50% of the total number of committee members
- Nominations for election to the committee may be made by any member of the PTA and seconded by another. Such nominations must have the consent of the nominee. If no nominations are received before the AGM, any members present may nominate a person (with their consent) and that person may be appointed by a majority vote of those present
- A committee member (whether elected or co-opted) automatically ceases to be a committee member if he or she:
 - Is absent from three consecutive meetings of the committee without prior notification to the Secretary
 - Ceases to be a member of the PTA
 - Resigns by written notice to the committee
 - Is removed by a resolution passed by a majority of other committee members (see Termination of Membership at Clause 4)
- Committee members shall be entitled to reimbursement of reasonable out-of-pocket expenses (including travel costs) incurred directly in the administration of the PTA
- A technical defect in the appointment of a committee member of which the committee are unaware at the time does not invalidate decisions taken at a meeting

Clause 7

Committee Meetings

- The committee must hold at least three meetings every academic year
- A quorum at a committee meeting is 50%, rounded up to the nearest whole number, of the total current membership of the committee
- The Chair or (if the Chair is unable to do so) another committee member chosen by the members present, is in charge at each committee meeting
- Every decision may be made by a simple majority of the votes cast at a committee meeting. A resolution which is in writing and signed by the committee members is equally valid. The resolution may be contained in more than one document and will be treated as passed on the date of the last signature
- Except for the Chair, who has a second or casting vote, every committee member has one vote on each issue

Clause 8

Additional Powers of Committee

The following powers are available to the committee to help run the PTA:

- To delegate any functions of the committee to sub-committees. These must consist of two or more persons appointed by the committee but at least one member of every sub-committee must be a committee member. All sub-committee proceedings must be reported promptly 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 PTA including the operation of bank accounts and the commitment of funds

Clause 9

Property and Funds

- The property and funds of the PTA must only be used to fulfil the objects of the PTA
- Committee members can enter into contracts with the PTA for the provision of goods and services to the PTA (but not contracts of employment with the PTA except with the prior consent of the Charity Commission) provided that:
 - The maximum amount is set out in writing and is reasonable for the services provided
 - The committee members are satisfied that the agreement is in the interests of the charity before entering into it
 - The total number of committee members entitled to such remuneration is in the minority from time to time
- Whenever a committee member has a personal interest in a matter to be discussed at a meeting, the committee 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
 - Withdraw during the vote and have no vote on the matter

Clause 10

Records and Accounts

- The Treasurer must maintain accurate financial records of all income and expenditure. He / she must prepare:
 - A current statement of account for consideration at each committee meeting
 - An annual statement of account as at 31 July each year, for submission for audit or independent examination
 - A report for the Annual General Meeting, at which the audited / examined statement of account is to be presented
- The committee must keep proper records of:
 - All proceedings at General meetings
 - All proceedings at Committee meetings
 - All reports of sub-committees
- Annual reports and statements of account relating to the PTA must be made available for inspection by any member of the PTA

Clause 11

Notices

- Notice of any General meeting of the PTA may be sent by hand, by post, by suitable electronic communication (email) or in any newsletter distributed by the PTA to its

members. Notification by hand may include distribution to parents, guardians and carers via their children, with or without other communications from the school

- The address at which a member is entitled to receive notices (if sent by post) is the last known address of the member
- A technical defect in the giving of notice, of which the members/committee members are unaware at the time, does not invalidate decisions taken at a General meeting

Clause 12

Amendments

- This constitution may be amended at a General meeting of the PTA by a two-thirds majority of the votes cast, but:
- Members must be given 21 days' clear notice of the proposed amendments
- No amendment is valid if it would make a fundamental change to the objects of the PTA

Clause 13

Dissolution

- The PTA 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 an 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 PTA
- The net assets shall not be distributed among the members of the PTA but will be given to the school for the benefit of the pupils of the school. In the event of the school closing, any remaining funds could be distributed to a neighbouring school or schools as selected by the committee
- If it is not possible to dispose of assets as described above, then the assets can be given to another charitable cause that meets the objects of the PTA