The Whitnash Charitable Trust 2008

CONSTITUTION

Objectives & Powers of Whitnash Charitable Trust 2008

# Name

* 1. The full name of the organisation covered by this constitution is: “Whitnash Charitable Trust 2008”.

# DEFINITIONS

In these Rules:—

* 1. The expression “Trust” means “Whitnash Charitable Trust 2008”.
  2. The expression “the Committee” refers to all current members of the “Whitnash Charitable Trust 2008” management committee.
  3. The expression “Officer(s)” refer to the elected members of the committee reference section 6.
  4. The expression “the Rules” includes any amendment or alteration as agreed and written within this document.
  5. The expression “the Community” means the area of benefited and served by the “Whitnash Charitable Trust 2008” which area is defined as Whitnash, Warwickshire.

# OBJECTIVES

For the benefit of those living within the community of the Whitnash, Warwickshire, to:

* 1. Relieve need, hardship and distress.
  2. Relieve sickness, disability, old age and infirmity.
  3. Provide or support the provision of facilities for education including the advancement of learning and knowledge.
  4. Provide or support (with the object of improving conditions of life) facilities for recreation and other leisure time occupation.
  5. Provide generally for financial and other needs of adults and children, whether able-bodied or disabled.
  6. Accept donations and collection contributions in cash or in kind for the pursuit and promotion of the Trust.
  7. Acquire, take over, appropriate and otherwise taken under possession or control charitable collections whether cash or in kind.
  8. Administer, invest, call in or expend such funds aforesaid whether they may be funds already subsisting or acquired since formation of the Trust.
  9. Canvas, solicit, advertise, promote or otherwise encourage persons in the Community to make application to the Trust for relief for themselves or for others on their behalf.
  10. Seek out persons requiring financial or other relief from the Trust.

# POWERS

* 1. Keep data and other records in manual or electronic computer information of those who are possibly to benefit or may wish to be contacted by the Trust for information or fund-raising from the Trust.
  2. Maintain, administer and exercise management of the said funds and to employ such persons in a clerical, professional or executive capacity as are necessary to give effect to the said funds.
  3. From time-to-time to survey, examine or otherwise survey the Community whether or not the Trust is specifically requested to do so.
  4. Do all acts, make decisions, enter negotiations, conclude financial or other business arrangements, employ such persons as necessary, retain the services of such persons as are necessary and maintain bank accounts, investment accounts and other accounts of a like kind for the purposes of holding, investing and administering the said funds.
  5. Pay out of the funds of the Trust to individuals and organisations that the Committee has agreed to fund within the Objects of the Trust.
  6. Provide building and/or facilities and/or open space and undertake sponsorship or research.
  7. Acquire alter improve and (subject to such consents as may be required by law) to charge or otherwise dispose of land and other property whether freehold or leasehold or held by way of license or permission.
  8. Raise funds and to invite and receive contributions by way of subscriptions, donations, grants, legacies and otherwise provided that in raising funds the Trust shall not undertake any substantial permanent trading activities which do not conform to the Trust’s Objects.
  9. Invest and deal with the Trust’s money not immediately required upon such as securities and in such manner as may from time to time determined.
  10. Employ such staff as are necessary for the proper pursuit of the Objects and to make all reasonable and necessary provision for payment of remuneration and other emoluments to such staff.
  11. To set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves.
  12. Apply monies in insuring any buildings, apparatus or equipment including motor vehicles to their full value and to insure and arrange insurance cover for and to indemnify Trust officers, committee members, servants and volunteers against all such risks incurred in the course of the performance of their duties as may be thought fit.
  13. Apply monies in insuring against Public Liability claims.
  14. Pay out of the funds of the Trust the cost of any premium of any insurance or indemnity to cover the liability of the Committee and Officers which by virtue of any rule of law would otherwise attach to them in respect of negligence, default or wrongful (omissions) breach or duty or breach of trust of which they may be guilty to the Trust provided that any such insurance or indemnity shall not extend to any claim arising from wilful fraud or wrongdoing or default of the part of the Committee and Officers.
  15. Purchase, have make, provide or maintain and to sell or otherwise dispose of all kinds of equipment and apparatus including motor vehicles and other things required or which may be conveniently used in furtherance of the Objects.
  16. Promote and hold either alone or jointly with any other body (voluntary or statutory) whether incorporated or not meeting competitions matches and other similar events for the purpose of games and sports, artistic dramatic and musical presentations and other events of a like kind.
  17. There may be paid reasonable and proper remuneration for any services rendered to the Trust by member of the Committee or servant of the Trust at the discretion of the Trust.
  18. Do all such other lawful things as are necessary for the achievement of the Objects.

# OFFICERS AND COMMITTEE

* 1. The Annual General Meeting (AGM) shall be in January of each year.
  2. At the meeting prior to the AGM the nominations will be made for the following four (4) Officer positions. These nominations will be taken to the AGM to be voted upon (either by a show of hands or by secret ballot which will be decided at the meeting) to elect following four Officers:
     + 1. Chairman
       2. Vice-Chairman
       3. Secretary
       4. Treasurer
  3. At the AGM the existing Officers will resign following the presentations and formalities. One of the Dignitaries (decided by the Committee by annual rotation) will officiate the voting and announce the new Officers for the ensuing year.
  4. If more than one person is nominated there shall be a vote with the majority being elected.
  5. The Committee shall meet together for the despatch of business, adjourn and otherwise regulate their meetings as they think fit.
  6. Questions arising at any meeting shall be decided by a majority of votes.
  7. In the case of an equality of votes, the Chairman shall have a second or casting vote.
  8. At least four meetings of the Committee shall be held in each calendar year.
  9. The quorum necessary for the transaction of the business of the Committee may from time to time be fixed by the Committee.
  10. Any member of the Committee may, by requesting the Secretary to, at any time summon a meeting of the Committee.
  11. The Elected Officers may delegate any of its powers to sub-committees consisting of such members of its body as it may think fit.
  12. All actions of such any sub-committees shall be reported to and confirmed by the Full Committee as soon as possible and any sub-committee so formed shall conform to any regulation that may be imposed on it by the Committee.
  13. All acts done by any meeting of the Committee or of any Sub-Committee or by any person acting as a member of the Committee or of any Sub-Committee shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such person, be valid as if such person had been duly appointed.
  14. Any expenditure shall be approved by the Committee by majority vote with the exception of a ‘float’ which will be regularly reviewed and agreed by the Committee and will be stated in the minutes.

# ROLES OF ELECTED OFFICERS

## Chairman

* + 1. The Chairman shall run the meetings following the agreed agenda.
    2. The Chairman in conjunction with the other officers may set up “sub-committees” for specific functions (e.g. fundraising, membership etc.) and can sit on any of those sub-committees but not necessarily as Chair.

## Vice Chairman

* + 1. The Vice-Chairman shall act on behalf of the Chairman in his/her absence.
    2. The Vice-Chairman shall work with the Chairman in carrying out their duties (above).

## Secretary

* + 1. To support the Chair in ensuring the smooth functioning of the committee.
    2. To prepare meeting agendas in consultation with the Chair and circulate in good time.
    3. To take accurate minutes and record happenings from each meeting and circulate the minutes in good time.
    4. To arrange meetings.
    5. To collate information from any sub-committees and to ensure such information is distributed to the committee as necessary.
    6. To receive and deal with all correspondence (other than financial) and to bring to the attention of the committee as necessary.
    7. To prepare, in conjunction with the Chairman a report on “Whitnash Charitable Trust 2008” activities for the preceding year.
    8. To maintain an up to date agreed lit that will change from time to time of named people against specific tasks/duties.

## Treasurer

* + 1. The treasure shall keep proper financial records to be available at all times.
    2. The treasurer shall advise the committee on any financial matters to the best of his/her ability.
    3. The treasurer shall present a financial report of income & expense at each meeting.
    4. The treasurer shall prepare the annual accounts after 31st December each year, have them audited/examined as appropriate to present to the AGM for approval.
    5. To chair any finance sub-committee and be available to any other committee if finance is involved.

# GRANTS

* 1. Grants shall be considered within 28 days of receipt.
  2. Only written grants shall be accepted, whether on paper, via email, or other electronic means to any Committee member.
  3. Grant decisions shall be by a majority vote of the Committee.
  4. Votes received outside of the 28 day limit shall not be counted.
  5. Only votes actually received shall be considered in the count.
  6. Grants shall be paid by cheque or electronic funds transfer only.

# GENERAL MEETINGS

* 1. An Annual General Meeting of the “Whitnash Charitable Trust 2008” shall be held in each calendar year and at a date not later than fifteen months after the last Annual General Meeting.
  2. The Chairman of the meeting shall be the Chairman of the AGM.
  3. Any member of the Committee may at any time call an Extraordinary General Meeting but must do so in writing with not less than one half of the members of the Committee.
  4. The Secretary shall give at least 21 clear days’ notice in writing of General Meetings and purpose thereof to all members entitled to receive notices of meetings.
  5. At a General Meeting each member shall have one vote.
  6. Voting shall be by showing of hands only unless a ballot is demanded by not less than one half of members present.
  7. The Chairman’s direction as to how a ballot is to be taken.
  8. His/her declaration as to the result of any voting decision and his/her decision on any question of procedure or point of order at a General meeting shall be considered final. In the event of an equal vote the Chairman shall have a casting vote.
  9. No vote may be cast by proxy.
  10. No business shall be transacted at any General meeting of the Trust unless a quorum of members is present at the time when the meeting proceeds to business.
  11. Four members personally present shall be a quorum. If within half an hour from the time appointed for the meeting a quorum is not present the meeting, if convened upon the requisition of members shall be dissolved; in any other case it shall stand adjourned to the same day the next week at the same time and place; and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.

# ACCOUNTS

* 1. There shall be prepared annually and laid before the Trust at the Annual General Meeting a Certified Examination of Accounts and a report of the Trusts activities.

# NOTICES

* 1. If a member has given to the Secretary an address within the British Isles for the giving of notices to him (and not otherwise) he shall be entitled to receive notices of all meetings of the “Whitnash Charitable Trust 2008”.
  2. Notices shall be sent via email at the email address provided by the person as an alternative to post in which case a postal copy shall not be sent.
  3. The notice may be given by the “Whitnash Charitable Trust 2008” to any member either by delivering it by hand to him/her or to his/her said address or by sending it by post to such address.
  4. Where a notice is sent by post service of the notice shall be deemed to be effected by properly addressing, prepaying and posting the letter containing the notice, and to have been effected, in the case of a notice of a meeting, at the expiration of twenty-four hours after the letter containing the notice is posted, and in any other case at the time at which the letter would be delivered in the ordinary course of post.

# PROPERTY

* 1. The monies and property of the “Whitnash Charitable Trust 2008” not immediately required for the purpose of the “Whitnash Charitable Trust 2008” may be held by or vested in such persons as the Committee may from time to time determine, and the Committee may appoint two or more persons, whether members of the Trust or not to hold any such monies or property upon trust for the Trust.
  2. Cheques drawn on behalf of the Trust shall be signed by such persons as the Committee may from time to time direct.

# RENUMERATION

* 1. All officers shall be honorary.
  2. The Committee may appoint and employ such assistant secretaries or clerks as they think fit.
  3. They shall appoint (and may pay proper remuneration to) auditors.

# ALTERATION OF RULES, etc

The “Whitnash Charitable Trust 2008” may by a majority of not less than two thirds of the members present at an Annual General Meeting or Extraordinary General meeting alter, add to or delete all or any of the objects of the “Whitnash Charitable Trust 2008” and alter the rules and constitution, provided that the notice of intention to propose such alteration, addition or deletion and the details thereof are served upon each member with the notice required to be given by Rule 8 c. hereof, and provided also that no alteration in the objects of the Trust shall be made which could authorise the application of the property of the Trust for objects which are not charitable.

# INFORMALITIES

No action or decision of the Committee or of any meeting of the ‘Whitnash Charitable Trust” shall be invalidated by reason only of informality or neglect in any service of notices or in any matter or matters of procedure, unless in the opinion of the Committee such informality or neglect has resulted in a situation which is unjust.

# PROVISION FOR DISSOLUTION

Upon dissolution of the Trust, the surplus assets (if any) of the Trust remaining after the satisfaction of all debts and liabilities shall not be paid to nor distributed amongst the members of the “Whitnash Charitable Trust 2008” but shall be given, or transferred to such charitable institution or institutions as the members of the “Whitnash Charitable Trust 2008” shall at, or before, the time of dissolution, in General Meeting, determine with the approval of the charity Commissioners.

This Constitution was accepted at a Meeting held on 20th August 2012

Chairman:

Vice Chairman: