



St Helen's Pre-School Constitution

1. Name

The name of the pre-school shall be St Helen's Pre-school hereinafter referred to as 'the pre-school' and the pre-school is a body in membership of the Pre-school Learning Alliance.

2. Aim

The Aim of the pre-school is to enhance the development and education of children primarily under statutory school age by encouraging parents to understand and provide for the needs of their children through community groups and by:

- (a) Offering appropriate play facilities and training courses, together with the right of parents to take responsibility for and to become involved in the activities of such groups, ensuring that such groups offer opportunities for all children whatever their race, culture, religion, means or ability.
- (b) Encouraging the study of the needs of such children and their families and promoting public interest in and recognition of such needs in the local areas.
- (c) Instigating and adhering to and furthering the aim of the Pre-school Learning Alliance.

3. Powers

For the furtherance of this aim the pre-school may

- (a) provide accommodation and equipment and engage staff
- (b) raise money to pay for the pre-school's activities
- (c) make such payments as shall be necessary
- (d) fix and collect fees payable in respect of children attending groups run by the pre-school
- (e) control the admission of children to the groups run by the pre-school and, if appropriate, require parents or guardians to withdraw them
- (f) as a member of the Pre-school Learning Alliance send an accredited representative to vote at local Branch and/or County meetings and to the national Annual General Meeting of the Pre-school Learning Alliance
- (g) take such other action as may benefit the pre-school

4. Membership

Membership shall be of two kinds:

(a) Family Members

Parents or guardians of all children who attend any group run by the pre-school, each family to have one vote and count as one member.

(b) Other Members

Other interested individuals, persons or other bodies, excluding paid employees, approved by the Committee shall be entitled to become members of the pre-school but such persons shall not be entitled to become members until the pre-school shall have received the appropriate subscription set by the Committee.

General Meetings

5. An Annual General Meeting shall be held in the Summer term each year at which the Annual Report and a receipts and payment account and a statement of assets and liabilities which have been examined by an independent examiner or when necessary to comply with current legislation accruals accounts examined by an independent examiner or registered auditor for the preceding year shall be presented and agreed.

6. A Special General Meeting may be called at any time at the request of the committee or not less than one quarter of the members (for the avoidance of doubt for this purpose each family counts as one member.)

7.

(a) The Secretary or chair shall send a note of the date, time and place of each Annual General Meeting and any Special General Meeting, with a list of items to be discussed, to all members at least two weeks before the date of the meeting.

(b) If the Chair or Secretary does not call a Special General Meeting within two months of a proper request to do so, any member may call that meeting by putting up a notice in a conspicuous place where the group meets at least two weeks before the meeting.

8. The quorum for a General Meeting shall be 30% of the members or 5 members, whichever is the greater. For this purpose the membership of the group is counted as the number of different families attending in the three weeks prior to the General Meeting. If fewer attend, a new meeting must be called.

Committee

9. The Committee shall meet at least three times a year and is responsible for ensuring that the pre-school complies with its aims and is properly managed.

10. The committee shall consist of:

(a) 3 officers (Chair, Secretary and Treasurer) and

(b) Not less than 2 nor more than 9 elected members and

(c) If the Committee so decides, not more than 3 members co-opted by the Committee.

11. At least 60 per cent of the Committee members, including co-opted members, shall at the time of election or co-option be parents or guardians of children in groups run by the pre-school. In the event that this 60 per cent figure cannot be achieved, the pre-school may elect other members who are not such parents or guardians to the Committee subject to each of those other members being approved by the local Branch Executive Committee.

12.

(a) The Officers and Committee members in 10(a) and 10(b) shall be elected for one year at the Annual General Meeting. Retiring Officers and Committee members are eligible for re-election unless they have already served on the Committee in any capacity for six consecutive years.

(b) Co-opted members in 10(c) may join at any time on the invitation of the Committee but shall retire at the next Annual General Meeting. No co-opted member shall serve for more than four consecutive years.

- (c) In the event of the death or resignation of an elected member, the vacancy shall be filled until the next Annual General Meeting by a member appointed by the committee.

13. Officers, elected member and co-opted members each have one vote. In the event of a tie the Chair has a second or casting vote. A quorum shall be not less than half the Committee, including 2 of the Officers.

14. Paid employees are employed by the Committee and therefore cannot be Committee members or vote at Committee Meetings. They, or their representative, can be invited to attend any or all meetings in an advisory capacity and should normally be so invited, but need not attend the whole of the meeting. Paid employees, if members of the pre-school, shall be entitled to attend and vote at all General Meetings of the pre-school.

15. Trustees

15.1 The title to any real and/or leasehold property which may be acquired by the pre-school should be vested in custodian Trustees of whom, for the pre-school property trust, there shall not be less than two or more than four Trustees.

15.2 Trustees shall hold office until:

15.2.1 Death; or

15.2.2 Retirement with the consent of the remaining Trustees; or

15.2.3 Removal by resolution of the pre-school Committee; or

15.2.4 Removal by operation of the law;

But no retirement or removal shall be effective unless there will be at least two remaining Trustees.

15.3 Whenever a Trustee is appointed under paragraph 15.1 or discharged under 15.2, a memorandum of such appointment or discharge shall be prepared and signed and sealed so as to comply with the provisions of Section 35 of the Charities Act 1960 or any statutory amendment or re-enactment thereof.

15.4 In the absence of fraud or wilful default the Trustees shall be indemnified out of the pre-school's property against risk and expense incurred in the exercise of their duty as Trustees.

15.5 The pre-school committee shall convene a meeting within one month of receiving a request for such a meeting from a majority of the Trustees appointed as Trustees of any property trust for the pre-school, provided that such meetings shall be limited to matters relating to any property and its management.

16. Finance

The Committee shall ensure that proper accounting records of the pre-school, complying with the requirements of current legislation, are kept. The accounting records shall, in particular, contain:

(a) Entries showing from day to day all monies received and expended and the matters in respect of which the receipt and expenditure took place

(b) A record of the assets (e.g. money, goods and property) held and any monies owned by the pre-school.

At each meeting of the Committee the Treasurer and/or deputy shall present an up to date written statement of receipts and payments to the Committee, acceptance of which shall be recorded in the minutes.

17. All cheques shall be signed by two Officers, one of whom shall normally be the Treasurer. Duplicate bank statements shall be sent to the Chair.

18. At the end of the Financial Year, whilst complying with the requirements of current legislation, the Treasurer shall normally prepare a receipts and payment account and a statement of assets and liabilities which, after review by an independent examiner appointed by the Committee, shall be presented to the Annual General Meeting. An independent examiner is a person independent of the pre-school who is reasonable believed by the Committee to have the requisite ability and practical experience to carry out a competent examination of the accounts.

19. The funds of the pre-school shall be used on for the purposes of the pre-school and no payment shall be made to any member except

- (a) If that member is employed by the pre-school and then only as proper remuneration in respect of that employment
- (b) As repayment of expenses properly incurred on behalf of the pre-school
- (c) As interest at a reasonable rate on money lent to the pre-school

20. Dissolution

If at a general meeting of the pre-school members decide to terminate the existence of the pre-school any funds or equipment remaining after all debts have been paid shall be handed to the Pre-school Learning Alliance or any similar charity concerned with the education of pre-school children in the area of the pre-school. If there is no Annual General Meeting for two successive years, and if no member of the Committee makes the necessary arrangements, any other member may do so.

21. Change of Constitution

This constitution may be altered only if:

- (a) Two thirds of the members present at a General Meeting vote in favour of changing it, and
- (b) The alteration is approved by the Pre-school Learning Alliance which has a legal duty to consult the Charity Commissioners before any alteration may be made to this clause or clauses 2 or 20.

Pre-school Learning Alliance Membership No: 34070

This constitution was approved by the members of St Helen's Pre-school at a General Meeting held on Thursday 20th of July 2006

Signed:

..... *Patricia Hays* (Chair)

..... *Sharon* (Secretary)