

THE CHARITABLE ASSOCIATION
OF THE
FRIENDS OF SWINDON YOUNG MUSICIANS

CONSTITUTION

Clause 1: Name

The name of the charity shall be the Charitable Association of the Friends of Swindon Young Musicians.

Clause 2: Object

The objects of the Charitable Association of the Friends of Swindon Young Musicians are to advance the education of children and young people in the art of music in Swindon and surrounding area.

This may be done by means decided upon by the full Committee.

Clause 3: Membership

Membership of the Charitable Association of the Friends of Swindon Young Musicians, (hereinafter referred to as the Friends of SYM) is open to every parent and guardian (unless they state a preference not to become a member) of those children and young people who attend Swindon Young Musicians (hereinafter referred to as SYM) and also to any person wishing to advance the object of the charity. Membership is also extended automatically to all permanent members of staff within Swindon Music Service (hereinafter referred to as SMS) and all self-employed leaders/facilitators who currently lead the children and young people attending the activities of SYM (unless they state a preference not to become a member). All members must be over the age of 18, and interested in the objects as stated in Clause 2 of this Constitution.

Clause 4: Annual General Meeting

The Annual General Meeting (AGM) shall be held within four months of the end of the financial year. A minimum of fourteen days notice shall be given to the membership of the Friends of SYM in order to give them an opportunity to attend. Notice may take the form of: flyers, posters and letters sent home via children attending SYM.

The AGM shall be quorum if two thirds of the full Committee are present.

The Officers of the Committee have a responsibility to present a report to the membership of the Friends of SYM annually, at the AGM. The report will consist of a summary of the activities of the previous year and an overview of forthcoming events for the year ahead.

The size of the full Committee will be reviewed annually at the AGM and will be considered in light of the expected workload of the forthcoming year, in conjunction with the size of the membership. In the event that the vacancies available on the full Committee are not filled at the AGM, or if Committee members resign in the intervening period, new committee members may be co-opted onto the Committee until, but not exceeding, the next AGM.

A new Committee will be appointed each year at the AGM in accordance with the requirements as laid out in Clause 5 of this Constitution.

Clause 5: Committee Composition

Committee composition will be dependant on the number of Committee members. This number will be set at the AGM in accordance with Clause 4.

The Committee will consist of: Elected Member Trustees; Non-Elected SMS Trustees and Volunteer Leader Trustees. Officers will be drawn from Elected Member Trustees only.

Delegates from SYM Membership Forum will be extended an invitation to attend full Committee meetings, when appropriate, in accordance with this Constitution.

Elected Member Trustees

Any person who is a member of the Friends of SYM may become a Trustee and sit on the Committee.

Elected Member Trustees will be appointed annually at the AGM and will serve on the Committee for a term of 1 year.

In the event that there are more nominations than available spaces upon the Committee, a ballot will be conducted by the membership present at the AGM. Spaces will be allocated to the nominees in order of greatest votes. Persons wishing to become Elected Member Trustees may do so in absentia, but in the event that there are more nominations than available spaces, priority will be given to the members present.

The number of Elected Member Trustees will be dependant on the size of the committee, but will be no less than one half of the total number of Committee members.

It is the responsibility of all Elected Member Trustees to act in the best interests of the entire membership of the Friends of SYM, and not to forward their own personal preferences or agenda's.

One Elected Member Trustee shall sit on the 'strategy' group of SMS. Nominations for this will be carried out in accordance with the rules pertaining to the 'strategy' group.

Non-Elected SMS Trustees

Non-Elected Trustees will be appointed from SMS. These appointments will be the Director of SMS and the three Heads of SYM [Junior, Senior, Rock School].

The exact number of Non-Elected SMS Trustees will be dependant on the size of the full Committee, but will be no less than four and no greater than one third of the total number of members.

In the event that the permitted number of Non-Elected SMS Trustees increase beyond four, additional members may be drawn from the permanent staff of SMS and nominations will be placed before the membership where a vote will be taken. This vote will take place at the AGM.

Nominations should be made in advance of the AGM to the Secretary. Persons wishing to be considered as Non-Elected SMS Trustees may do so in absentia, but priority will be given to those present.

Volunteer Leader Trustees

Leaders/Facilitators who currently lead the children and young people attending the activities of SYM may volunteer to sit on the Committee as Trustees.

The number of Volunteer Leader Trustees will be dependant on the size of the Committee, but will be no less than two and no greater than one fifth of the total number of members.

Leaders/Facilitators may nominate themselves, however, in the event that more nominations are received than there are places, a vote will be taken by the membership. This vote will take place at the AGM. Nominations should be made in advance of the AGM to the Secretary.

Whilst all leaders/facilitators are automatically considered as members of Friends of SYM, they are only permitted to sit on the Committee in the position of Volunteer Leader Trustee unless they are also the parents/carers of a child or young person who currently attends SYM, in which case they may sit on the Committee in their capacity as a parent/carer.

It is the responsibility of all Volunteer Leader Trustee's to act as spokespersons for all the leader/facilitators at SYM and not to forward their own personal preferences or agenda's.

Elected Officers Of The Committee

The Chair, Vice-Chair, Secretary and Treasurer will be elected annually. This election will take place at the first Committee meeting after the AGM and nominations will be accepted from within the Elected Member Trustees on the Committee.

In the event that there is more than one nomination per position, a majority vote will be taken by all members of the Committee, in the absence of the nominees.

Where possible, nominations should be made in advance of the Committee meeting to the outgoing Secretary.

A current list of Trustees and their roles may be requested from the Secretary.

SYM Membership Forum

The SYM Membership Forum will be extended an invitation to send two delegates to Committee meetings when appropriate. The delegates must be over the age of 16 and will attend in a none-voting capacity.

The delegates must undertake to act as spokespersons for the SYM Membership Forum and not to forward their own personal preferences or agenda's. They will not be considered Trustees but will attend by invitation only.

Delegates will be drawn from within the SYM Membership Forum and will be decided upon under the rules pertaining to the Forum.

Clause 6: General Management

The business of implementing the objectives of the Friends of SYM shall be overseen and managed by the entire Committee, unless powers have been specifically delegated in accordance with the Constitution.

In the absence of the Chair, the next most senior Officer of the Committee will stand as Acting Chair. All items discussed, must be decided by a majority vote. Each member of the Committee shall have one vote and in the event of a tied vote, the Chair (or Acting Chair) will have the casting vote.

The Committee shall meet no less than three times a year, spaced throughout the academic year.

One third of the Committee will constitute a quorum.

Extended absences from attendance at Committee meetings may lead to the member being asked to step down from the Committee on the grounds of none attendance. An extended absence is deemed to be a period of 6 months.

The Committee has the power to appoint tasks to sub-committees constituted on an ad hoc basis, as is deemed necessary. The exact remit of these ad hoc groups will be decided upon by the Committee and any delegated powers will be outlined, agreed and voted upon at that time. No ad hoc sub-committee shall exceed these delegated powers without a further majority vote by the Committee.

In order that business can be conducted effectively, efficiently and in a timely fashion, a Management Sub-Committee will be formed from members of the Committee. The Management Sub-Committee will consist of the Chair of the full Committee, the Director of SMS plus a maximum of three other committee members. The Management Sub-Committee will be decided upon at the first Committee meeting after the AGM.

The exact parameters of the delegated powers given to the Management Sub-Committee or any other committee will be decided upon by the entire Committee and cannot be changed without a majority vote.

All requests for financial support for SYM Groups &/or Ensembles should in the first instance be made to the Director of SMS. In accordance with his/her delegated powers, the Director of SMS will submit the request for a decision by the Management Sub-Committee.

All members of the Committee must be in possession of an enhanced disclosure CRB check in accordance with the current legislative requirement with regard to working with children. The Friends of SYM shall also adopt all Child Protection Policies as stipulated by Swindon Borough Council and these will be reviewed on an annual basis at the first Committee meeting after the AGM.

All members of the Committee must adhere to the Code of Conduct. In the event that a Committee member acts in a way that is at variance with the Code of Conduct, the member may be given notice that continued non-compliance may lead to removal from the Committee. In the event that the member continues behaving in a way that is prohibited by the Code of Conduct, the Committee may remove that person from the Committee with a majority vote.

Clause 7: Extraordinary General Meetings

The Chair, in consultation with the Director SMS, may convene an Extraordinary General Meeting (EGM) in the event that an urgent matter arises requiring a decision to be made by the Committee.

In addition, any requisition signed by ten members of the Friends of SYM will also require an EGM to be convened.

Clause 8: Finance

The Financial Year shall end on the 31st of March.

A bank account(s) shall be opened in the name of the Friends of SYM and cheques shall be signed by any two of three designated Officers of the Committee.

The administrator of SYM shall be permitted to make use of internet banking facilities and to use a commercial credit card in furtherance of their duties. The use, and spending limits placed upon such a commercial credit card, will be governed in accordance with the current Finance Policy and all use of internet banking services will be subject to oversight by the other signatories on the bank account(s).

The Friends of SYM may receive donations and grants.

All monies payable to the Friends of SYM shall be paid into the nominated Bank account by one of the nominated Committee members, usually the Treasurer.

All income and property of the Friends of SYM, received from whatever source, shall be used solely towards promoting the objects of the Friends of SYM as set out in Clause 2 of this Constitution. Furthermore, all income will be used for the legitimate expenses, wages and funding in support of the Objects outlined in Clause 2 of this Constitution.

All applications for funding from SYM groups should be made via the Director of SMS in the first instance and in accordance with current policy.

The Friends of SYM will pay for all applications of enhanced disclosure on all Committee members and adults that have offered their help on SYM trips or tours, in accordance with current Swindon Borough Council Child Protection Policies.

In the event of the winding up or dissolution of the Friends of SYM, any remaining assets after all liabilities have been discharged shall not be paid to any trustee, member or members of the Friends of SYM but shall be transferred to a Charitable Organisation whose objects are similar to those set out in Clause 2 of this Constitution, and whose rules preclude the distribution of income and assets among its members.

The Finance Policy will be reviewed on an annual basis at the first Committee meeting after the AGM. See Appendix 5.

Clause 9: Accounts

The financial accounts shall be submitted, by the Treasurer, to the members of the Committee and shall be available to all members of the Friends of SYM at the AGM. They will also meet the conditions as set out in Section D of the Charities Act 2006.

Refer to www.charity.commission.gov.uk for more information.

Clause 10: Constitutional Changes

The Constitution may be amended by a two-thirds majority of the Friends of SYM present at an AGM or EGM. A minimum of 14 days' notice must be given to the membership of the proposed amendment. A copy of the amended Constitution shall be available upon request, prior to the AGM. All amendments within the proposed Constitution must conform to the Charities Commissions Act 2006.