

GLoucestershire Council for Voluntary Youth Services

NAME:

1. The name shall be the Gloucestershire Council for Voluntary Youth Services (or such other name as the trustees may from time to time decide with the approval of the Charity Commissioners) hereinafter referred to as the **COUNCIL**.

OBJECTS:

2. The **COUNCIL** is established for the following object -

to help and advance the education of young people in Gloucestershire so as to develop their physical, mental and spiritual capacities that they may grow to full maturity as responsible members of society.

In furtherance of the above but not further or otherwise the **COUNCIL** may

2(a) - meet the needs and aspirations of young people in Gloucestershire by strengthening and supporting the work of the member organisations;

2(b) - encourage and support effective means of identifying the needs of young people;

2(c) - encourage and support co-operation including joint action and the sharing of resources at County level and at district and neighbourhood level particularly where local facilities for co-operation do not exist or are inadequate;

2(d) - provide opportunities for views to be expressed and discussed publicly or otherwise on any matter concerning the needs of young people;

2(e) - provide opportunities for the member organisations to express their views unanimously or otherwise to the Government, Local Government, and other bodies, and to ensure effective consultation;

2(f) - review existing provision for young people and encourage any new provision which may be required;

2(g) - enter into agreements with Authorities to provide services for young people;

2(h) - enter into agreements with Authorities to administer funds to voluntary youth organisations on behalf of the said Authorities;

2(i) - bring together in conference representatives of voluntary organisations, government departments, statutory authorities and individuals;

2(j) - promote and carry out or assist in promoting and carrying out research, surveys and investigations and publish the useful results of such research, surveys and investigations;

2(k) - arrange for and provide for, or join in arranging and providing for, the holding of exhibitions, meetings, lectures, classes, seminars and training courses;

2(l) - collect and disseminate information on all matters affecting such objects and exchange such information with other bodies having similar objects;

2(m) - undertake, execute, manage or assist any charitable trusts which may lawfully be undertaken, executed, managed or assisted by the **COUNCIL**;

2(n) - procure to be written and print, publish, issue and circulate gratuitously or otherwise such papers, books, periodicals, pamphlets, or other documents or films or recorded tapes as shall further such objects;

2(o) - promote and improve the efficiency of the charitable activities undertaken by other charities and organisations working with young people;

2(p) - enter into agreements with charities, organisations or authorities to administer, monitor and evaluate any activities or projects involving young people;

2(q) - encourage amongst adults a greater interest in and responsibility for young people in order to promote good citizenship amongst young people;

2(r) - encourage the provision of opportunities for young people to express their views unanimously or otherwise on, and effectively to influence, the kind of service which is offered to them by central or local government or other bodies.

POWERS

3(a) - employ and pay any person or persons (not being members of the **Committee** hereof) to supervise, organise, and carry on the work of the **COUNCIL** and make all reasonable and necessary provision to or on behalf of employees and their widows and other dependants;

3(b) - purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of such objects and construct, maintain and alter any buildings or erections necessary for the work of the **COUNCIL**;

3(c) - make regulations for any property which may be so required;

3(d) - subject to such consents as may be required by law sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the **COUNCIL**;

3(e) - subject to such consents as may be required by law accept gifts and borrow or raise money for such objects on such terms and on such security as shall be thought fit;

3(f) - procure contributions to the **COUNCIL** by personal or written appeals, public meetings or otherwise;

3(g) - invest the money of the **COUNCIL** not immediately required for such objects in or on such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law;

3(h) - make use of any method which is consistent with the aim of the **COUNCIL** as stated above and employ all such other lawful things as are necessary for the attainment of such objects;

MEMBERSHIP:

4. Membership of the **COUNCIL** shall be in two categories, namely Full membership and Associate membership. The **Committee** shall approve applications for both categories of membership.

5. Application for Full membership shall be open to all self-governing voluntary youth organisations which have been in existence for at least one year, which publish an audited or independently examined statement of account and which subscribe to the objects of the **COUNCIL**. This will include youth sections of other agencies. This will not be deemed to include individual youth clubs or groups that are branches of or affiliated to such self-governing voluntary youth organisations.

Although organisations accepted into membership will normally be registered charities this is not an absolute requirement. However if an organisation is not a registered charity its aims, objects and methods of working should be stated in a document that is available for public inspection.

Full members shall be entitled to appoint two representatives to the **COUNCIL**. Representatives shall be at least 18 years of age and shall each have one vote.

6. Application for Associate membership shall be open to any individual or agency who supports the **COUNCIL**'s charitable purposes and subscribes to its values and aims. Associate membership does not confer voting rights.

7. Nominated Officers and/or representatives of the Gloucestershire County Council and the Gloucestershire Connexions Service shall be entitled to attend all meetings as observers without voting rights.

8. The **COUNCIL** shall have the right to co-opt from time to time individuals up to a maximum of one sixth of the total of representatives of Full members, being over the age of eighteen years, who shall have voting rights.

FINANCE:

9. All monies raised by or on behalf of the **COUNCIL** shall be applied to further the aim of the **COUNCIL** and not otherwise provided that nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee of the **COUNCIL** or the repayment of reasonable and proper out of pocket expenses. No member of the **Committee** or Trustee shall be eligible for employment or remuneration by the **COUNCIL**.

10. The Treasurer shall ensure that proper accounts are kept of the finances of the **COUNCIL**.

11. The accounts shall be audited or examined at least once a year by the person or persons appointed at the Annual General Meeting.

12. An audited or examined statement of the accounts for the last financial year shall be submitted by the **Committee** to the Annual General Meeting.

(a) The **Committee** must comply with their obligations under part VI of the Charities Act 1992 with regard to:

- (i) the keeping of accounting records for the **COUNCIL**
- (ii) the preparation of annual statements of account for the **COUNCIL**
- (iii) the auditing or independent examination of the statements of account for the **COUNCIL**
- (iv) the transmission of the statements of account of the **COUNCIL** to the Charity Commission

13. A bank account shall be opened in the name of the **COUNCIL** with a bank or banks as shall be decided by the **Committee**. The **Committee** shall authorise in writing the Chair(man), Secretary, Treasurer and any other **Committee** member or staff member (if any) as it shall decide to sign cheques on behalf of the **COUNCIL**. All cheques must be signed by not less than two of the authorised signatories of whom at least one must be the Chair(man), Vice-Chair(man), Secretary or Treasurer.

14. Every member shall pay to the **COUNCIL** such annual subscriptions as the **COUNCIL** shall in the General Meetings from time to time determine which will be due at 1st April in each year.

15. Subject to the discretion of the **Committee** in individual cases, membership of the **COUNCIL** shall be deemed to have terminated if subscriptions are more than six months in arrears.

16. The financial year shall commence 1st April and terminate 31st March next.

OFFICERS:

17. The following Officers shall be elected from amongst its members: Chair(man), Vice Chair(man), Secretary and Treasurer. The paid officers for the **COUNCIL** shall be entitled to speak at meetings but not to vote. Additional Officers may be appointed, if desired. All Officers shall hold office for one year, be elected at the Annual General Meeting and be eligible for re-election. The Chair(man) and Vice Chair(man) will be Ex-officio members of all Committees and Sub-Committees.

18. A President and up to six Vice-Presidents may be elected at the Annual General Meeting.
Such President may attend all Meetings of the **COUNCIL** and of the **Committee** in a non-voting capacity.

GENERAL MEETINGS:

19. The **COUNCIL** shall hold each year a GENERAL MEETING as its Annual General Meeting not more than three months after the commencement of the financial year at which the following business shall be transacted:

- (a) election of officers;
- (b) presentation of financial report and adoption of audited/examined statement of accounts;
- (c) appointment of financial statement examiner;
- (d) presentation and adoption of the Annual Report;
- (e) appointment of representatives to other bodies;
- (f) election of **Committee** and any other committees as required;

20. At least one other General Meeting in each year shall be called at such other time(s) as may be deemed to be necessary.

21. Not less than fourteen clear days notice in writing shall be given to the members in calling a General Meeting and an Annual General Meeting.

22. A Special General Meeting shall be called by the Secretary at the request of not less than five member organisations and not less than fourteen clear days notice shall be given stating the business of the meeting.

23. A quorum shall consist of SIX Full Members of the **COUNCIL**.

24. In the event of a tied vote the Chair(man) shall exercise a casting vote.

25. The Treasurer shall be responsible for the keeping of the records of the transactions of the **COUNCIL**.

26. The Secretary shall be responsible for the keeping of the minutes of the proceedings and resolutions of the **COUNCIL**.

EXECUTIVE COMMITTEE :

27. Subject as mentioned below the policy and general management of the affairs of the **COUNCIL** shall be directed by an **Committee** ("the **Committee**") which shall meet a minimum of four times a year. The **Committee** should have executive powers on all general matters relating to the general running of the **COUNCIL**, including staffing and salaries.

28. Members of the **Committee**, who shall act as trustees of the **COUNCIL**, shall be appointed at the Annual General Meeting. Membership of the **Committee** will be as follows:

- a) The Chair and Vice Chair of the **COUNCIL** who will be the Chair and Vice Chair of the **Committee** respectively;
 - b) The Treasurer.
 - c) The Secretary
 - d) The representatives of the Gloucestershire Youth and Community Service and of Connexions Gloucestershire who shall be ex-officio members of the **Committee**;
 - e) There will be an election for a further nine places, with no more than two of those nine to come from any one member organisation.
- The Staff of the **COUNCIL** will attend meetings of the **Committee** as appropriate in an advisory capacity.

29. Election of the **Committee** shall be for one year

30. In addition to the members so elected the **Committee** may co-opt up to three further members who must be representatives of full members or co-opted individual members of the **COUNCIL** who shall serve until the conclusion of the next Annual General Meeting. Co-opted members shall not be entitled to vote at meetings of the **Committee**.

31. Any casual vacancy in the **Committee** may be filled by the **Committee** and any person appointed to fill such a casual vacancy shall hold office until the conclusion of the next Annual General Meeting of the **COUNCIL** and shall be eligible for election at that meeting.

32. The quorum for a meeting of the **Committee** shall be four or one third of the voting members whichever is the greater.

33. The **Committee** shall appoint and fix the remuneration of staff, as long as these are not seconded posts,

33i. A member of the **Committee** will cease to hold office if he or she:

(a) is disqualified from acting as a member of the **Committee** by virtue of section 45 of the Charities Act 1992 (or any statutory re-enactment or modification of that provision);

(b) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;

(c) is absent without the permission of the **Committee** from all their meetings held within a period of six months and the **Committee** resolve that his or her office be vacated; or

(d) notifies to the **Committee** a wish to resign (but only if at least three members of the **Committee** will remain in office when the notice of resignation is to take effect).

33ii Subject to the provisions of sub-clauses (a) & (b) of this clause below, no member of the **Committee** can acquire a personal interest in any assets or property belonging to them or receive remuneration or be interested (other than as a member of the **Committee**) in any contract entered into by the **Committee**.

(a) Any member of the **Committee** who is a solicitor, accountant or other person engaged in a profession, may charge and be paid all the usual professional charges for business done by him or her, or his or her firm, when instructed by the other members of the **Committee** to act in a professional capacity on behalf of the **COUNCIL** -provided that (a) there is never a time when a majority of the members of the **Committee** benefit under this provision and that (b) the member of the **Committee** withdraws from any meeting at which his or her own instruction or remuneration, or that of his or her firm, is under discussion.

(b) The provisions of this 'not to be personally interested' clause will not impede member organisations, which have their representative acting in the role of **Committee** member or officer, from benefiting from the work and aims of the **COUNCIL**.

34. The **Committee** may appoint such sub-committees as may be deemed necessary by the **Committee** and shall determine their terms of reference, powers, duration and composition. All acts and proceedings of such standing, special or advisory committee shall be fully and promptly reported back to the **Committee**.

34i Persons not being members of the **COUNCIL** may be elected or co-opted to serve on any such Sub-Committee provided always that the number of non-members of the **COUNCIL** shall never exceed one third of the total number of persons serving on that Sub-Committee.

34ii Unless otherwise determined by the **COUNCIL** in General Meeting the quorum at a Sub-Committee shall be three.

TRUST PROPERTY:

35. The title to all real or personal property which may be acquired by or on behalf of the **COUNCIL** shall be vested in the corporation lawfully entitled to act as custodian trustee or in not less than three or more than five individual persons (not being members of the **Committee**).

DISSOLUTION :

36. If the **Committee** decides that it is necessary or advisable to dissolve the **COUNCIL** it shall call a meeting of all members of the **COUNCIL**, of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting the **Committee** shall have power to realise any assets held by or on behalf of the **COUNCIL**. Any assets remaining after the satisfaction of any proper debts and liabilities shall be transferred to the Trustees of the National Council for Voluntary Youth Services who will be appointed holding trustees until such time as any remaining assets may be transferred to a charitable institution having objects similar to the objects of the **COUNCIL**. In the event of the prior dissolution of the National Council for Voluntary Youth Services any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institutions having objects similar to the objects of the **COUNCIL** as the members of the **COUNCIL** may determine or failing that shall be applied for some other charitable purpose.

A copy of the statement of accounts, or account and statement, for the final accounting period of the **COUNCIL** must be sent to the Charity Commissioners.

INTERPRETATION:

37. Young people as used in this constitution shall mean persons of any race, language, religion, culture, colour, class, gender, sexuality or ability who have not attained the age of twenty six years.

AMENDMENTS:

38. The **COUNCIL** shall have the power to amend this constitution at a meeting specially called for the purpose, provided that notice of any such alteration shall have been received by the Secretary in writing not less than twenty one days before the meeting at which the alteration is to be brought forward. At least fourteen clear days' notice in writing of such a meeting setting forth the terms of the alteration to be proposed shall be sent by the Secretary to each member of the **COUNCIL**. No alteration shall be made to the Constitution unless such alteration be approved by a two-thirds majority of those representatives present and entitled to vote at the meeting. No alteration may be made which would have the affect of causing the **COUNCIL** to cease to be a charity at law and no alteration may be made to clause 2 (Objects) and clause 36 (Dissolution) or clause 38 (amendments) without the prior written consent of the Charity Commissioners.

Adopted by Gloucestershire Council for Voluntary Youth Services at the Special General Meeting on 18th September 2002.

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President and Trustees of Gloucestershire Council for Voluntary Youth Services