

# **CARE IN HAYWARDS HEATH, CUCKFIELD & LINDFIELD**

**Registered Charity No.: 291646**

## **CONSTITUTION**

**Revision March 2022**

### **1 NAME**

The organisation shall be called 'CARE in Haywards Heath, Cuckfield & Lindfield' hereinafter referred to as 'CARE'.

### **2 OBJECTS**

The objects for which CARE is established are to undertake voluntary caring work and similar charitable activities amongst those people in need thereof and for this purpose, but not otherwise, the organisation shall have the following powers:-

- a) To provide shopping services;
- b) To provide help in the home;
- c) To provide transport;
- d) To undertake visiting;
- e) To assist and complement, when possible, other organisations when needed and asked for;
- f) To raise funds and to invite and receive contributions from any person or persons whatsoever by way of donations and otherwise provided that the organisation shall not undertake permanent trading activities in raising funds for its objects;
- g) Subject to such consents as may be required by law to sell, let or mortgage, dispose of or turn to account all or any of the property or assets of the organisation in such other property, money, assets, securities, shares or other investments as the Executive Committee from time to time shall in their absolute discretion determine;
- h) To do all such other lawful things as shall further the objects of the organisation.

### **3 MEMBERSHIP**

3.1. Membership of CARE is open to any Church or approved organisation or individual giving CARE committed support. Each member Church and organisation may nominate one representative for possible election to the Executive Committee.

3.2. Membership allows those individual members and representatives to attend and vote on issues which are raised, or which they may raise, at Annual General Meetings or at other General Meetings of CARE which may be called. This includes the election of committee and Section Leaders' Forum members.

3.3 A record shall be kept of members and representatives of Church and organisation members. Hereinafter, where the context so admits, the term 'member' shall include representatives.

3.4. Applicants for individual membership may be admitted as members by the Chairman and the Volunteer Secretary subject to approval at the next meeting of the Executive Committee.

### **4 MANAGEMENT AND TRUSTEES**

4.1. CARE shall be managed by an Executive Committee [hereinafter called the 'Committee'] as shown below under paragraph 5, who shall be the Trustees of the charity within the meaning of Section 97 of the Charities Act 1993.

4.2. The Committee shall consist of its members as shown under in paragraph 5.1 below together with not more than 4 other members.

4.3. Additionally the Committee shall have the right to co-opt any member of CARE or from any outside organisation as deemed advisable onto the Committee for a period expiring at the next Annual General Meeting.

4.4. The operational management of CARE shall rest with the Section Leaders' Forum [hereinafter referred to as the 'Forum']. The Forum shall consist of the members as shown in paragraph 5.2 below.

4.5. Members of the Forum are invited to attend meetings of the Committee, if they so wish, and a representative from West Sussex Adult Services may also be invited to attend the Committee meetings.

4.6. All involved in CARE are responsible to the Committee which shall have the final responsibility for accepting and retaining volunteers and other members, and for any matter relating to the operation and management of the Charity.

## **5.1 EXECUTIVE COMMITTEE - MEMBERS**

The members of the Committee shall be the:

Chairman  
Vice Chairman  
Honorary Treasurer  
Honorary Secretary  
Forum Leader  
Volunteer Secretary  
Assistant Volunteer Secretary  
Publicity Officer  
and up to 4 (four) other members.

## **5.2 SECTION LEADERS' FORUM – MEMBERS**

The members of the Forum shall be the:

Section Leader – Help at Home  
Section Leader – Shopping  
Assistant Section Leader - Shopping  
Section Leader – Transport  
Assistant Section Leader - Transport  
Section leader – Visiting  
Section Leader – Duty Officers

One of the above shall hold the position of Forum Leader (refer paragraph 8.3. below).

## **6 ELECTION OF COMMITTEE AND FORUM MEMBERS**

6.1. Committee and Forum members shall be elected at the Annual General Meeting of CARE for a period of up to 3 (three) years. They may offer themselves for re-election to the Committee or Forum after the 3<sup>rd</sup> year but not normally for the same office. Exceptionally if the position cannot otherwise be filled and the post holder is in full agreement, a further period may be agreed.

6.2. Nominations shall be given to the Secretary not later than one week before the Annual General Meeting.

6.3. Should 4 (four) or more members of the Executive Committee be due to retire at the end of any one year, and there are no nominations for those positions at the AGM, then 2 (two) of such members may serve a 4<sup>th</sup> (fourth) year to ensure continuity of governance.

## **7 GENERAL MEETINGS**

7.1. All Members and Representatives are eligible to attend and vote at General Meetings and to submit nominations for appointment of officers and committee members.

7.2. Notice of every General Meeting shall be given to all members of CARE at least fourteen days before the date thereof by letter or by publication in the local press.

7.3. The quorum for a General Meeting shall be ten.

7.4. The Chairman, or in his or her absence, the Vice Chairman, shall conduct the meeting. If neither is present, the members present shall, before any other business is transacted, appoint a Chairman for the meeting.

7.5. Resolutions at General Meetings shall be decided by a simple majority of members present and voting.

7.6. Annual General Meetings shall be held in the month of March each year or as soon as practicable thereafter and shall be convened by the Committee.

7.7. The Committee shall present to each Annual General Meeting the report and accounts for the preceding year.

7.8. A Special General Meeting shall be convened by the Honorary Secretary upon the requisition of not fewer than ten members and notice of the meeting shall specify the purpose thereof.

## **8 COMMITTEE AND FORUM MEETINGS**

8.1. The Committee shall meet at regular intervals, with a minimum of 4 meetings during the operational year.

8.2. The quorum for a Committee meeting shall be five. In the event of the Chairman and the Vice Chairman being absent the Committee shall appoint a temporary Chairman from those present.

8.3. The Forum shall meet a minimum of 4 times a year. A Forum Leader shall be appointed by the Forum members for each meeting of the Forum.

8.4. Members of the Committee, the Forum and Duty Officers are empowered to meet as often as necessary for discussion and to deal with day to day business of CARE within the limits of the Constitution.

8.5. Draft minutes of Committee meetings will be made available to any member of CARE upon request, and shall be circulated to all Committee and Forum members. Such draft minutes shall be approved by the Committee, with or without amendment, at the subsequent meeting of the Committee.

## **9 SUB-COMMITTEES**

The Committee may appoint Sub-Committees, as necessary, to carry out specific tasks relating to CARE provided that all proceedings and actions of such Sub-Committee shall be reported to and confirmed by the Committee.

## **10 FINANCE**

10.1. CARE will be financed by grants, donations, bequests and by money-raising events which may be organised by the Committee, or by individuals.

10.2. The Committee shall cause proper accounts to be kept of the assets and transactions of CARE and arrange for the accounts to be examined at least once a year by an Independent Examiner appointed at the Annual General Meeting.

10.3. Bank and Investment accounts shall be held in the name of 'CARE in Haywards Heath, Cuckfield & Lindfield'. Bank account cheques and online transfers will be signed by one authorised signatory. Investment account withdrawals must be signed by two authorised signatories who shall be from the following list:

Chair, Vice Chair, Treasurer, Secretary, Volunteer Secretary.

10.4. CARE's accounting year shall run from 1<sup>st</sup> January to 31<sup>st</sup>. December each year.

10.5. Non Routine expenditure in excess of £100 (One hundred Pounds) shall be approved by the Committee and shall be duly recorded in the minutes of that meeting.

## **11 INDEMNITY**

11.1 The Committee shall take out such insurance policies as it shall think fit but so to provide at least the following types of cover:

11.2. **Public Liability:** To provide an indemnity for death or bodily injury to any person or damage to property caused by the fault or negligence (other than in connection with a motor vehicle apart from the standard form of contingent motor extension available under a public liability policy) of a member while performing duties for CARE.

11.3. The indemnity provided by the Public Liability policy shall be as determined by the Committee.

11.4. The Committee shall not be responsible for the insurance of any motor vehicle whilst being used for CARE nor in respect of any accident whilst a vehicle is being used in this way causing damage to the vehicle, death or injury to persons or damage to property.

## **12 LINKS WITH CHURCHES**

CARE will report from time to time as appropriate to such organisation as shall represent the Churches in the area.

## **13 RULES AND REGULATIONS**

Within the limits prescribed by this Constitution the Committee may from time to time make and alter rules and regulations for the conduct of their business, for the appointment and expulsion of members, and for summoning and conduct of their meetings or of Annual or Special General Meetings, the deposit of money at a proper Bank or Building Society and the custody of documents.

## **14 ALTERATIONS TO THE CONSTITUTION**

Alterations to this Constitution shall receive the assent of two-thirds of the members present and voting at an Annual General Meeting or a Special General Meeting. A resolution for the alteration of the Constitution must be received by the Secretary of CARE at least twenty one days before the meeting at which the resolution is to be brought forward. At least fourteen days' notice of such a meeting must be given by the Secretary to the membership and must include notice of the alteration proposed. Provided that no alteration made to clause 2 (objects), clause 15 (dissolution) or this clause shall take effect until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained; and no alterations shall be made which would have the effect of causing CARE to cease to be a charity in law.

## **15 DISSOLUTION**

The organisation may at any time be dissolved by a resolution passed by a two-thirds majority of those present and voting at a Special General Meeting convened for the purpose. If such a resolution is passed the property and assets of CARE shall not be paid to or distributed among the members but shall be applied to such other charitable institutions having objects similar to some or all of the objects of CARE as the Committee may decide.

**Approved by the CARE Executive Committee 29/4/2019**