

- 7.4 It may be necessary for the **association** to make a decision outside of the **committee** meetings. This can be done by written resolution but has to be signed by all **committee members/trustees**. This needs to be passed **unanimously** because decisions taken by written resolution do not allow an opportunity to debate an issue as would happen at a meeting.
- 7.5 The casting vote is given to the person who is in charge of the meeting and is intended to enable the meeting to proceed with its business. It is usual for the casting vote to be given in favour of allowing further debate on the matter on a future occasion.

## 8. POWERS OF COMMITTEE

- 8.1 The **committee** is legally responsible for the actions of any sub-committee and it is sensible for each sub-committee to include at least one **committee member/trustee**. The **committee** should define the responsibilities of each sub-committee with care. It is essential in all cases for sub-committees to report back to the main committee. While the power to delegate is not limited to any particular function, it is usually appropriate for the final decision on major matters of policy or resources to be taken by the main **committee**.
- 8.2 The **committee** is allowed to make rules to govern different aspects of the running of the association that are not already governed by this document.

## 9. PROPERTY & FUNDS

- 9.1 Any property of the **association** is held in trust to achieve the **Objects** and does not belong to the members.
- 9.2 The Charities Act 2011 or any substantial re-enactment allows trustees to receive personal benefit from the charity. However, it is recommended that this be carefully managed. This clause sets out the precautionary measures that are required.
- 9.3 The **committee member/trustee** should not take part in making any decision from which they might personally benefit.

## 10. RECORDS & ACCOUNTS

- 10.1 The keeping of adequate records is essential if the **association** is to be properly run. The need for a charity to have its accounts either **independently examined** or professionally audited is a requirement of charity law and is determined by the level of annual income. To check the current threshold for this, refer to the Charity Commission's website: <https://www.gov.uk/send-charity-annual-return>.

The independent examination does not have to be conducted by an auditor and can be done by a person the **committee** reasonably believes to have the required ability and practical experience, e.g., a school bursar or teacher. The person chosen must not be involved with the **committee** nor be a member of their family.

## 8. POWERS OF COMMITTEE

The following powers are available to the **committee** to help run the **association**:

- 8.1 to delegate any functions of the committee to sub-committees. These must consist of two or more persons appointed by the **committee** but at least one member of every sub-committee must be a **committee member/trustee**. All sub-committee proceedings must be promptly reported to the main committee
- 8.2 to make rules consistent with this constitution about the **committee** and sub-committees, to govern proceedings at **General Meetings** and generally about the running of the **association** including the operation of bank accounts and the management of funds.

## 9. PROPERTY & FUNDS

- 9.1 The property and funds of the **association** must only be used to fulfil the **objects** (see clause 2).
- 9.2 **Committee members/trustees** can enter into contracts with the **association** for the provision of goods and services to the **association** (but not contracts of employment with the **association** except with the prior written consent of the Charity Commission) provided that:
- 9.2.1 the maximum amount is set out in **writing** and is reasonable for the services provided
- 9.2.2 the **committee members/trustees** are satisfied that the agreement is in the interests of the charity before entering into it
- 9.2.3 the total number of **committee members/trustees** entitled to such remuneration is in the minority from time to time.
- 9.3 Whenever a **committee member/trustee** has a personal interest in a matter to be discussed at a meeting, the **committee member/trustee** must:
- 9.3.1 declare an interest before discussion begins on the matter
- 9.3.2 withdraw from that part of the meeting unless expressly invited to remain in order to provide information
- 9.3.3 not be counted in the quorum for that part of the meeting
- 9.3.4 withdraw during the vote and have no vote on the matter.

## 10. RECORDS & ACCOUNTS

- 10.1 The **committee** must comply with the requirements of The Charities Act 2011 or any substantial re-enactment as to the keeping of financial records, the audit or independent examination of accounts and the preparation and transmission to the Charity Commission of:
- 10.1.1 annual reports
- 10.1.2 annual returns
- 10.1.3 annual statements of account.
- 10.2 The committee must keep proper records of:
- 10.2.1 all proceedings at **General Meetings**
- 10.2.2 all proceedings at committee meetings
- 10.2.3 all reports of sub-committees.
- 10.3 Annual reports and statements of account relating to the association must be made available for inspection by any member of the **association**.
- 10.4 The **committee** must notify the Charity Commission promptly of any changes to the association's entry on the Register of Charities.