

FACTSHEET – CONSTITUTIONS FOR COMMUNITY GROUPS

Note – although there is a lot of overlap with companies, Charitable Incorporated Organisations and co-operative societies, this factsheet is specifically aimed at unincorporated community groups looking to adopt a constitution. **This factsheet should be seen as a starting point and is not a replacement for legal guidance and support.**

A **constitution** (sometimes called the governing document) is simply the aims and rules that your community group will use. It states what your group is going to do and how it will govern itself. A constitution is important because:

- It ensures that your group's work is conducted in a responsible way and in accordance with the law
- It makes your group accountable and ensures your group makes decisions in a democratic way. Particularly during periods of difficulty, your constitution is an important reference point for clarity on how decisions are to be made.
- It tells potential funders how you conduct your business and what your group aims to achieve. Many funders will ask to see a copy of your constitution as part of a funding application.

A constitution will usually contain the following:

Group name	Check to see if there are any other groups potentially with the same name already doing what you intend to do
Aims	Your aims (sometimes called your purposes, objects or your objectives) are a statement of your long-term goals - what you want to achieve and how you want to achieve it. This is probably the most important part of your constitution and needs to be very clear including information about the area you are working in, who will benefit from the activities of the group, and how they will benefit.
Members	All community groups are defined as 'membership organisations', but you can decide to what extent you wish to formalise this. It could be an informal membership arrangement without formal joining requirements where anyone is free to join in (e.g. a group of neighbours who do regular clean ups and litter picks). Or you could have a more formalised membership with a more specific joining criteria and process. Either way, this needs to be made clear in your constitution. Even if you want to have a very open membership it is a good idea to have a membership list.
AGM	You will need to hold an Annual General Meeting (AGM) once a year. This is when you inform your group's members about the work the group has done, share financial information, and approve your annual accounts. It is a key part of your accountability. Groups often take the opportunity to involve members in a celebration of their achievements. Our template constitution includes some recommended key detail to include regarding how an AGM is to be run.
Other meetings	General meetings can be attended by all members. You should decide whether you will have them, how often, who can call them and what the quorum will be.



0161 518 5550

Charity no. 1182039



fundinganddevelopment@buryvcfa.org.uk



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	<p>A Special General Meeting is to discuss important matters that need to be put before the whole membership, such as an amendment to the constitution or maybe the decision to cease activities as a group. Usually they are called by the committee or requested by members. The constitution should state the notice to be given for members, the reason for the meeting and what the quorum will be (e.g. two thirds majority). Minutes should be kept.</p>
<p>Management committee and meetings</p>	<p>Your committee are your governing body who have the responsibility of managing its affairs. If you are a charity this is your board of trustees. Companies have a board of directors.</p> <p>The governing body have overall legal responsibility for the organisation. It is up to you to decide how many committee members you have, however a minimum of 3 is recommended. Committee members are usually made up of members of the group elected once a year at the AGM. These are usually the Chair, Secretary and Treasurer. The governing body may also invite other people to join (known as co-opting) because they have particular skills or knowledge (e.g. fundraising).</p> <p>The constitution should make clear the process for joining the committee, how often meetings are to be hold, who is entitled to attend and if there is a 'quorum' for decision making (e.g. at least 3 out of 5 members present, including the Chair for decision making). It should indicate how long the terms are for committee members. It should include how the committee manage potential conflicts of interest.</p>
<p>Equal opportunities</p>	<p>An equal opportunities policy is usually a separate document to the constitution. However, you may want to include a statement of your commitment to equal opportunities in your constitution as well. Please see the Policies and Procedures factsheet for more information.</p>
<p>Finances</p>	<p>The constitution will explain how your group deals with money including the process for authorising payments, recording of income and expenditure and presentation of accounts at the AGM. The constitution should also state that all money raised by the group will be spent solely on the objects laid out in the constitution. You should have at least two signatures required for each transaction</p>
<p>Changes to the Constitution</p>	<p>Your group may wish to make changes to the constitution in the future. You should include details of how much notice has to be given to members of proposed changes and voting arrangements to pass decisions.</p>
<p>Dissolution</p>	<p>Your constitution should contain the process to be followed if it at some stage, members decide to close the group down. It should include who is entitled to make this decision, how much notice is needed and what happens to any money and assets still held by the group. In the case of groups with charitable aims, any money or assets must be given to another group with charitable aims.</p>

Writing your constitution

The most straightforward way to create your constitution is to use a model template.

Please contact Bury VCFA for more information on choosing the right model template and for support in writing your constitution.



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