



## CONSTITUTION

(As amended by the Annual General Meeting held at  
The Hayes Conference Centre, Swanwick, Derbyshire on Thursday 25 November 2004)

### 1. NAME

The name of the association shall be: The Federation for Detached Youth Work (hereinafter called 'The Federation')

### 2. ADMINISTRATION

Subject to the matters set out below The Federation and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause 9 of the constitution ("The Executive Committee").

### 3. OBJECTS

The objects of the Federation shall be: -

To advance the education and training of persons involved in youth work in the UK and elsewhere, as agreed appropriate by the Executive Committee, with a view to improving standards of Detached Youth Work for the benefit of young people.

### 4. POWERS

In furtherance of the objects but not otherwise, the Executive Committee may exercise the following powers:

- (i) To support and provide education, training, advice, resources, support and information for full and part-time Detached Youth workers in both the statutory and independent sectors.
- (ii) To provide forums for sharing good practice.
- (iii) To educate, inform and advise all relevant authorities and organisations as to the needs of Detached Youth Work and young people.

(iv) To provide other such charitable services as deemed necessary for the development of Detached Youth Work.

(v) To take such steps by personal and written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purposes of procuring legacies, grants and any other lawful method and accept and receive gifts of property of any description (whether subject to any special trust or not).

(vi) To purchase, take on lease, hire or exchange any property necessary for the achievement of the objects and to maintain and equip it for use.

(vii) To procure to be written and to print, publish, issue and circulate gratuitously or otherwise sell and deal in any reports, newspapers, periodicals, books, pamphlets or other documents or resources.

(viii) To procure and provide information.

(ix) To arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings and classes.

(x) To sell, manage, lease, mortgage, dispose of or otherwise deal with the property of The Federation.

(xi) To borrow or raise money for the purpose of The Federation on such terms and on such security as shall be thought fit, provided that in raising funds the Executive Committee shall not undertake any permanent trading activity and shall conform to any relevant requirements by law.

(xii) To invest the monies of The Federation not immediately required for its purpose in or upon such investments, securities, or property as may be thought fit subject, nevertheless to such conditions as may for the time being be imposed or required by law.

(xiii) To undertake, execute, and manage any charitable trusts which may lawfully be undertaken by The Federation.

(xiv) To promote, encourage and undertake experimental work and research and to disseminate the results of such work to the public.

(xv) To provide resource centres, technical and administrative assistance, office and meeting place facilities.

(xvi) To co-operate with other charities, voluntary bodies and statutory authorities operating in the furtherance of the objectives or of similar charitable purposes and to exchange information and advice with them.

(xvii) To appoint and constitute such advisory committees as the executive may think fit.

(xviii) To employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants.

(xix) To do all such other lawful things as are necessary for the attainment of the said objects.

## **5. MEMBERSHIP**

Membership of The Federation shall be open to the following classes of individuals that have paid subscriptions as determined in clause 6.

(i) Individual membership

a) Membership is offered to individuals involved with or interested in furthering Detached Youth Work through The Federation, and to individuals working in or interested in these or allied fields.

b) The Executive Committee may unanimously and for good reason terminate the membership of any individual concerned; he/she shall have the right to be heard by the Executive Committee, accompanied by a friend, before a final decision is made.

c) Members shall be aged 18 or over.

d) Each individual member shall have one vote.

## **6. MEMBERSHIP FEES**

Each class of member shall pay in each financial year determined for the purpose of membership such subscription as shall be fixed by the annual meeting.

## **7. GENERAL MEETINGS**

a) The Federation shall hold an Annual General Meeting within eight calendar months of the end of the financial year of The Federation, the business of which shall include:

(i) The receipt of the income and expenditure account for the year and the balance sheet as at the close of the financial year.

(ii) The appointment of a qualified auditor or independent examiner.

(iii) The election of a chairperson, vice chairperson, treasurer, secretary and other members of the Executive Committee.

b) The Executive Committee may, whenever they think fit, and they shall upon requisition of fifteen of the membership of The Federation convene a special general meeting. Any requisition made by members shall specify the object or objects of the meeting proposed to be called and shall be sent to the secretary of The Federation. Upon receipt of such requisition, the Executive Committee shall forthwith convene a special general meeting if they do not do so within fourteen days, those members party to the requisition may themselves convene a special general meeting.

c) At least twenty-eight days before every Annual General Meeting and at least fourteen days before every special general meeting, written notice thereof specifying the place, date and time of the meeting shall be given to every member either personally or by post to their last known address stating the nature of the business to be contracted. The accidental omission to give notice to any member shall not invalidate the proceedings at a general meeting.

d) No business shall be transacted at a general meeting unless a quorum of not less than twenty of the members is present.

e) If within half an hour of the time appointed for the meeting a quorum is not present, the meeting, if convened by requisition of members, shall be dissolved; in any other case the meeting shall stand adjourned for a period not exceeding sixty days, and at least twenty-eight days' notice of the place, date and time of the adjourned meeting shall be given to every member. If at such an adjourned meeting a quorum is not yet present, then the members shall constitute a quorum.

f) All general meetings of The Federation shall be presided over by the chairperson of The Federation, failing whom a member of the Executive Committee nominated by the Executive Committee. In the event of no such nomination being made, those present shall elect one of their number to take the chair.

g) The chairperson of a general meeting shall have both a deliberative and casting vote and may in addition exercise a proxy vote.

h) The chairperson of a general meeting may, with the consent of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at an adjourned meeting other than the business left at the meeting from which the adjournment took place.

i) At any general meeting, a resolution put to the vote shall be decided by a show of hands unless a poll is demanded by at least five members present in person or represented by proxy and unless a poll is demanded, the chairperson of the meeting shall declare whether a resolution has been carried or lost and an entry to that effect shall be made in the minutes.

j) If a poll is demanded the same shall be taken at such time and place and in such a manner as the chairperson of the meeting shall direct, save that a poll demanded in the election of the chairperson of the meeting or on a question of adjournment shall be taken forthwith. The demand for a poll may be withdrawn.

k) Every member whether corporate or individual shall have one vote and no more save that a member may also act as a proxy. Votes shall be given personally except that, in the case of a poll, they may be given by proxy.

l) The instrument appointing a proxy shall be deposited with the secretary of The Federation at least forty-eight hours prior to the meeting at which the proxy is to be exercised. The instrument shall state the name of the member appointing the proxy and the name of the person so appointed, in addition to the date of the meeting at which the proxy is to be used. The instrument must be signed and dated. An instrument of proxy shall be valid, notwithstanding the prior death or mental disorder of the principal or of the revocation of the proxy provided that no information in writing shall have been received by the secretary of The Federation concerning the death or mental disorder of the meeting at which the proxy is to be used.

m) Subject to the provisions of clause 12 hereof and hereinafter mentioned all questions arising shall be decided by a simple majority of those present and entitled to vote whether by a show of hands or in a poll if such is so demanded.

n) At the inaugural general meeting the persons present shall appoint a chairperson.

o) The secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of The Federation.

## **8. EXECUTIVE COMMITTEE**

a) The Federation shall have an Executive Committee (herein referred to as 'the committee') which shall consist of the chairperson, vice chairperson, treasurer, secretary and six other members who shall be elected to each annual general meeting.

b) The committee shall have the power to co-opt up to four members of the Federation to act as additional members of the committee. Co-opted members of the committee shall retire at the annual general meeting after their co-option. Co-opted members may be co-opted for further terms after they have retired. Co-opted members shall have the same rights as elected members of the committee save they shall not have the right to vote at committee meetings.

c) The officers and elected members of the committee shall serve for one year, but shall be eligible for re-election; save that no officer shall serve for more than three consecutive years in the same post.

d) Any casual vacancy in the committee may be filled by the committee and any person appointed to fill such vacancies shall serve until the next annual general meeting and shall be eligible for re-election.

e) Any failure to elect or any defect in the election, appointment or qualification of any member shall not invalidate the proceedings of the committee.

f) Nominations for the committee shall be in writing and signed by two members of The Federation making the nomination and shall contain a statement by the proposer of the nominated member's willingness to be elected. Nominations must be delivered to the secretary not less than twenty-eight days before the annual general meeting. Only individual members of The Federation and the staff of corporate members of The Federation shall be eligible to be committee members.

g) At meetings of the committee the quorum shall not be less than one third of its elected membership, two of whom shall be officers.

h) Questions arising, at committee meetings shall be decided by a majority of votes of the voting members present.

i) Meetings of the committee shall be presided over by the chairperson of the Federation, failing whom the vice-chairperson. If either of these persons is not present, the meeting shall be presided over by a member of the committee as determined by the members of the voting committee.

j) The chairperson of the committee shall have both deliberative and a casting vote.

k) The committee shall meet at least four times a year.

l) The secretary shall give to each member of the committee at least seven days' notice in writing of the date & time and place of every meeting of the committee.

m) A member of the committee shall cease to hold office if she or he:

(i) 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).

- (ii) Becomes incapable by reason of mental disorder, illness or injury or managing and administering his or her own affairs; or
  - (iii) Is absent without 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
  - (iv) Notifies the committee of a wish to resign (but only if three members of the committee will remain in office when the notice of resignation is to take effect).
- n) The committee shall keep minutes in books kept for the purpose, of proceedings at meetings of the committee and any sub-committee.
- o) The committee may appoint one or more sub-committees consisting of three or more members of the committee for the purpose of making any enquiry or supervising or performing any function or duty which in the opinion of the committee would be more conveniently undertaken or carried out by a sub-committee; provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the committee.
- p) The committee may exercise all such powers as may be exercised by the Federation and are not by these rules or statute required to be exercised by the Federation in a general meeting, subject nevertheless to the provisions of these rules and any regulations not inconsistent with these rules made from time to time by the Federation in a general meeting.
- q) The committee may invite, or make decisions regarding applications for membership.
- r) The committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regards to the preparation of an annual return and its transmission to the commissioners.
- s) The committee may appoint as honorary individual members of The Federation persons of knowledge and experience in matters pertaining to the objects of the Federation.
- t) The committee may engage such officers and staff as they consider necessary and shall regulate their duties and fix their salaries, save that no member of the committee shall be appointed to a post paid by fees or receive any remuneration other than reasonable and proper out of pocket expenses or reasonable and proper rent for premises demised or let to the Federation.
- u) Executive Committee Members will adhere to the agreements as set out in the Executive Committee Pack

## **9. FINANCE**

- a) All monies raised by or on behalf of the Federation shall be applied to further the objects of the Federation and for no other purpose.
- b) The treasurer shall be responsible for the preparation and submission to the annual general meeting of proper accounts of the finance of the Federation.

c) Auditors or such other persons as may be authorised by law from time to time shall be appointed and their duties regulated in accordance with the provision of the Act or the Charities Act 1993 or and modification thereto as the case may be.

d) The committee to the annual general meeting shall submit an audited statement of accounts for the last financial year.

e) A bank account on behalf of the Federation and in the name of the Federation shall be kept. The treasurer shall have power to sign cheques on behalf of the Federation acting upon instructions given by the committee. One other officer of the Federation shall countersign such cheques.

## **10. DISSOLUTION**

If the committee by a simple majority decide at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Federation who have the power to vote of which meeting not less than six weeks' notice (stating the terms of the resolution to be proposed thereat) shall be given. If such decision shall be confirmed by a simple majority of those present and voting at such meeting, the committee shall have the power to dispose of any assets held by or in the name of the Federation. Any assets transferred to such other charitable institution or institutions having objects similar to the objects of the Federation as the committee may determine. A copy of the statement of accounts, or account and statement, for the final accounting period shall be sent to the Charity Commission.

## **11. POWER TO MAKE RULES**

The Federation and the committee respectively shall have power to make rules for the conduct of their respective meetings not inconsistent with the foregoing provisions.

## **12. AMENDMENT OF CONSTITUTION**

The provisions contained in this Constitution may be amended by the Federation at the annual general meeting or at a special general meeting provided that:

a) No amendment shall be made that would cause the Federation to cease to be a charity in law.

b) Notice of a meeting to amend any such provision shall be given in writing to the secretary not less than eight weeks before such a meeting and a copy of such a motion shall be sent to every member of the Federation at his or her last known address at least six weeks before such a meeting.

c) Any amendment shall require the approval of not less than two thirds of the persons present and voting at such a meeting.

d) The committee shall promptly send to the Charity Commission a copy of any amendment made under this clause.