

CONSTITUTION
of
Clermiston Primary Parent Council

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GENERAL

Name of association

- 1 The name of the association is Clermiston Primary Parent Council.

Purposes

- 2 The association's purposes are the advancement of education, which will be achieved by the following methods:
- a) to promote close co-operation and communication between parents and school staff
 - b) to study and discuss matters of mutual interest relating to the education and welfare of pupils
 - c) to engage in activities which support and advance the education of pupils attending the school and nursery.

Powers

- 3 In pursuance of the purposes set out in clause 2 (but not otherwise), the association shall have the following powers:-
- (a) To carry on any other activities which further any of the above purposes.
 - (b) To liaise with other voluntary sector bodies, local authorities, UK or Scottish government departments and agencies, and other bodies, all with a view to furthering the association's purposes.
 - (c) To take such steps as may be deemed appropriate for the purpose of raising funds for the association's activities.
 - (d) To accept grants, donations and legacies of all kinds (and to accept any reasonable conditions attaching to them).
- 4 No part of the income of the association may be paid or transferred (directly or indirectly) to the members - either in the course of the association's existence or on dissolution. This does not prevent the association making any payment which is permitted under clause 29 (remuneration and expenses).

General structure

- 5 The structure of the association consists of:
- (a) the MEMBERS - who have the right to participate in all parent council meetings and have important powers under the constitution; for example, the members elect people to serve on the management committee and ability to vote on resolutions.
 - (b) the MANAGEMENT COMMITTEE - who are either office bearers and/or trustees, generally control the activities of the association; for example, the management committee is responsible for monitoring and controlling the financial position of the association.

MEMBERS

Qualifications for membership

- 6 Membership shall be open to any individual who is the parent/carer of a child attending Clermiston Primary School or Nursery.
- 7 Membership will involve attending parent council meetings, being present on the mailing list, representing the views of the wider parent forum, aiding in decision making, fundraising and helping to disseminate information to the wider parent forum.
- 8 No membership subscription shall be payable.
- 9 A person will not be eligible for election or appointment to the management committee if they are not a member or are disqualified from being a charity trustee under the Scottish Charities Act (even if the association is not a charity at the time).

Office-bearers

- 10 The members must elect the management committee with the following minimum positions: a chair, a treasurer and a secretary.
- 11 In addition to the office-bearers required under clause 10, the members may elect (from among themselves) further office bearers if they consider that appropriate.
- 12 All of the office bearers will usually cease to hold office after a maximum period of 2 years, However at the end of the 2 years the members may invite them to continue in office.
- 13 A person elected to any office will automatically cease to hold that office:
 - (a) if they cease to be a member of the management committee; or
 - (b) if they give to the association a notice of resignation from that office (either in writing or by email).
 - (c) If they become disqualified from being a charity trustee under the Scottish Charities Act.

Register of members

- 14 The management committee must maintain a register of members, setting out the full name and address of each member on the management committee and/or office bearer (including co-opted positions), the date on which they were admitted to membership, and the date on which any person ceased to be a member. The management committee may provide a copy which has the addresses blanked out if a reasonable request is made. However, must keep these securely stored and in line with GDPR regulations.

Withdrawal from membership

- 15 Any person who wants to withdraw from membership must submit a notice of withdrawal to the management committee (by email); they will cease to be a

member as from the time when the notice is received by the association and will be removed from mailing lists.

- 16 Any person whose child has left Clermiston Primary School or Nursery will have to withdraw from their membership of the parent council.

DECISION-MAKING BY THE MEMBERS

Meetings of members

- 17 The management committee must arrange at least 3 meetings of members and an annual general meeting or "AGM" in each calendar year.
- 18 The gap between one AGM and the next must not be longer than 15 months. The AGM should normally take place in May unless there is a good reason to the contrary.
- 19 The business of each AGM must include:
- (a) a report by the chair on the activities of the association;
 - (b) approval of the annual accounts of the association, including an independent review.
 - (c) Any resolutions submitted by the parent forum
 - (d) the election/re-election of members of the management committee, as referred to in clauses 10-13.
- 20 The management committee may arrange a special general meeting or extraordinary general meeting (EGM) at any time.

Notice of Member's meetings

- 21 At least 14 clear days' notice must be given of any member's meeting, AGM or EGM.

Procedure at Member's meetings

- 22 The quorum for a general meeting is 3 members.
- 23 The Headteacher or his/her representative has a right and a duty to attend meetings of the Parent Council.

Voting at Member's meetings

- 24 Each member of the Parent Council shall have one vote and resolutions shall be passed by a simple majority vote of those present. The Chairperson shall have both a deliberative and casting vote. The Chairperson's casting vote shall be used only in the event of an equal number of votes for and against.
- 25 A resolution put to the vote at a meeting will be decided on by a show of hands unless the chairperson (or at least two other members present at the meeting) ask for a secret ballot. The chairperson will decide how any secret ballot is to be conducted, and they will declare the result of the ballot at the meeting.

Written resolutions by members

- 26 A resolution agreed by e-mail by the majority of the members who would have been entitled (as at the date on which it is circulated) to vote on it if it had been proposed at a general meeting will be as valid as if it had been passed at a member's meeting; and the date of the resolution will be taken to be the date on which the last member agreed to it.

Minutes

- 27 The management committee must ensure that proper minutes are kept in relation to all meetings (including AGM and any EGM), including the names of those present and that a proper record is kept of all resolutions agreed to in writing or by email under clauses 24 to 26.
- 28 The management committee shall make available copies of the minutes, and records of resolutions, referred to in clause 27 to any member of the public requesting them; but on the basis that the management committee may exclude confidential material.

Remuneration and expenses

- 29 The members and management committee members may be paid all expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to booking and paying for services and purchasing items for fundraising activities and/or the benefit of the children of Clermiston Primary School and Nursery.

ADMINISTRATION

Operation of accounts

- 30 The funds of the Parent Council shall be lodged in a bank in the name of the Clermiston Primary Parent Council. Cheques shall be drawn against the signatures of at least two named office bearers.
- 31 The Treasurer shall be responsible for keeping accurate records of the financial transactions of the Parent Council (including online banking). The annual accounts should be prepared in advance of our end of year date (end of April). The accounts shall be reviewed by an individual appointed at the previous AGM by the Parent Forum and the accounts should be accepted at the next AGM before sending to OSCR.

Accounting records and annual accounts

- 32 The management committee must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements. The management committee must prepare annual accounts, complying with all relevant statutory requirements; and
- (a) if an audit is required the management committee should ensure that an audit of the accounts is carried out by a qualified auditor;

- (b) if an audit is not carried out, the management committee must ensure that an independent examination of the accounts is carried out by a qualified independent examiner.

MISCELLANEOUS

Dissolution

- 33 The members may, by way of a resolution passed (requirement for two thirds majority), resolve that the association be dissolved.
- 34 If a resolution to dissolve the association is passed under clause 33, the management committee shall have power to dispose of any assets held by or on behalf of the association - and any assets remaining after satisfaction of the debts and liabilities of the association shall be should be distributed for the benefit of the children at the school and/or the school community as necessary, providing the funds continue to be used for the advancement of education.

Alterations to the constitution

- 35 Certain changes will need prior consent from OSCR, e.g. name or purpose. Changes or additions must be made at an AGM or EGM called for the purpose. The proposed change shall be specified in the notice calling the meeting and be approved by not less than two thirds of those present.

This is certified as a true copy of the constitution we are adopting and this was agreed at our AGM on Monday 15th May 2023.

Name: Sandra Dargie
Position: Chairperson
Address:
Signature:
Date:

Name: Anne Scott
Position: Secretary
Address:
Signature:
Date: