

Highland Children's Forum Constitution

(1) NAME:

The Group shall be known as:

Highland Children's Forum

A Forum representing Children and Young People with Additional Support Needs in the Highlands

(2) OBJECTS:

The Forum is to contribute towards the provision of the highest possible standards of services in the Highlands (as determined by the Highland Council area ***as defined in the Local Government etc. (Scotland) Act 1994***) for the benefit of children ***and young people with additional needs (as defined in the Education (Additional Support for Learning) (Scotland) Act 2004***).

1. The Forum seeks to achieve its objectives by:
2. Representing and enabling the expression of the views and needs of children and young people aged from 0 to **25** years (***as defined in the Children and Young People (Scotland) Act 2014***).
3. Incorporating the views of their families and carers.
4. Sharing relevant information and experiences.
5. Representing the interests of individual and member organisations in a co-ordinated way to agencies for the purpose of general consultation and in specific joint future planning of service provision.
6. Identifying common concerns and taking appropriate action as agreed by members of the group (this will not include representing individual members in specific disputes).
7. Seeking funding to promote any of the above objects and related development work.

(3) POWERS

To further the above objects, the Forum may:

1. Employ and pay any persons to supervise, organise and carry on the work of the Forum;
2. Make reasonable provision for the payment of pensions and superannuation to or on behalf of employees and their widows and other dependents;
3. Engage and pay fees to professional and technical advisors/consultant to assist in the work of the Forum;
4. Bring together in conference and work in liaison with representatives of voluntary organisations, government departments, local and other statutory authorities and individuals;
5. Take out membership of such organisations as are considered to be in the interests of and compatible with the objects of the Forum;
6. Promote and carry out or assist in promoting and carrying out research, surveys and investigations and where considered appropriate publish results;
7. Arrange and provide for or join in arranging or providing for the holding of exhibitions, meetings, lectures, classes, seminars and training courses;

8. Collect and disseminate information on all matters affecting the objects and exchange such information with other bodies having similar objects whether in this country or overseas;
9. Cause to be prepared and printed or otherwise reproduced and circulated, free of charge or for payment, such papers, books, periodicals, pamphlets or other documents or films or recorded tapes (whether audio or visual or both) as shall further the objects;
10. Purchase, take on lease or exchange, hire or otherwise acquire any property and any rights and privileges considered appropriate for the promotion of the objects and construct, maintain and alter any buildings considered appropriate for the work of the Forum;
11. Make regulations for the management of any property which may be so acquired;
12. Sell, let, grant securities over, dispose of or turn to account all or any of the property or assets of the Forum;
13. Raise money for the objects, accept gifts, as shall be deemed appropriate;
14. Raise funds and invite and receive contributions from any person or persons by way of subscription or otherwise;
15. Invest the funds of the Forum not immediately required for the objects in or upon such investments;
16. Do all such other lawful things as are incidental or conducive to attainment of the objects.

(4) MEMBERSHIP

Membership of the Forum shall be open to:

1. **Children and young people with additional support needs** and individuals who are representing **children or young people with additional support needs 0-25** years, voluntary organisations operating in the Highland area which are interested in furthering the work of the Forum.
2. In the case of an unincorporated organisation eligible for membership under clause (4) 1, the party admitted to membership shall be the individual nominated from time to time by that organisation; such an organisation may withdraw nomination of its representative at any time by written notice to the Forum to that effect and on receipt of such a notice by the Forum, the individual concerned will automatically cease to be a member.
3. An organisation admitted to membership under clause (4) which is a corporate body may appoint any individual it thinks fit to act as its representative at a general meeting of the Forum, the individual so authorised shall be entitled to exercise the same powers on behalf of the corporate body as it could have exercised had it been an individual member.
4. A body applying for membership shall submit their request to the Management Committee. The management committee shall be entitled, at its discretion, to refuse to admit an applicant for membership although ordinarily any eligible member will be admitted without question. If the decision of the management committee is to admit the body to membership, the appropriate entry will be made in the register of members immediately following the management committee meeting at which that decision is made and the applicant will then become a member of the Forum. A membership fee to be determined will be payable on acceptance for membership.
5. The management committee shall have the right for good and sufficient reason to terminate the membership of any organisation provided that the individual member concerned or an individual representing such organisation (as the case may be)

shall have the right to be heard by the management committee before a final decision is made.

(5) HONOURY OFFICERS

1. At the annual general meeting, the Forum shall elect a Chairperson, a Vice-Chairperson and a treasurer and such other honorary officers as the Forum shall from time to time decide.
2. The Chairperson and the other honorary officers of the Forum shall hold office until the conclusion of the next annual general meeting of the Forum after their election but shall be eligible for re-election to the post from which he or she has demitted office.
3. The Forum shall appoint one or more auditors and determine their remuneration (if any).

(6) MANAGEMENT COMMITTEE

1. With the exception of those powers which are specifically stated in this constitution to be exercisable by the members, the policy and management of the affairs of the Forum shall be directed by a management committee which shall meet not less than 4 times a year and shall consist of a minimum of 5 members with a maximum of 9.
2. The members of the management committee shall (subject to clause (6) 4) be elected at the annual general meeting of the Forum for 1 year in accordance with clause (7).
3. Election to the management committee shall be for one year at the AGM. Successive terms may be served without limit subject to clauses (5) 2 and (6) 2.
4. Any casual vacancy on the management committee may be filled by the committee and any person appointed to fill such a casual vacancy shall hold office until the conclusion of the next annual general meeting of the Forum and shall be eligible for election at that meeting.
5. The proceedings of the management committee shall not be invalidated by any failure to elect or any defect in the election, appointment, co-option or qualification of any member.
6. The management committee shall appoint and fix the remuneration of a secretary and the remuneration of all such other staff as may in their opinion be appropriate. Paid staff, including a secretary where so employed, may still remain a member of the management committee.
7. The management committee may appoint such special or standing committees or sub-committees as may be considered appropriate and shall determine their respective terms of reference, powers, duration and composition. All acts and proceedings of such special or standing committees or sub-committees shall be reported back to the management committee as soon as possible.

(7) GENERAL MEETINGS

1. The first annual general meeting of the Forum shall be held not later than 31st March 2001 and once in each year thereafter an annual general meeting of the Forum shall be held at such time (not being more than 15 months after the holding of the preceding annual general meeting) and at such place as the usual management committee shall determine. At least 21 clear days' notice of the meeting shall be given in writing by the secretary to each member. At each annual general meeting the business shall include the consideration of the annual report on the work of the Forum, the approval of the audited accounts, the election of office bearers, the election of other members to serve on the management committee, the appointment of an auditor or auditors if so required, motions submitted by the management committee or by members and the transaction of such other matters as may from time to time be appropriate.
2. The chairperson of the management committee may at any time at his/her discretion call a special general meeting of the Forum. The chairperson shall call a special general meeting of the Forum within 21 days of receiving a written request so to do signed by not less than 5 full members whether individual or representative and giving reasons for the request.

(8) NOMINATION OF MANAGEMENT COMMITTEE MEMBERS

1. Only members of the Forum shall be eligible to serve as members of the management committee. Nominations for members of the management committee must be made by members of the Forum in writing and must be in the hands of the secretary at least 7 days before the annual general meeting. A member may not nominate himself/herself. Should nominations exceed vacancies, election shall be by ballot.

(9) RULES OF PROCEDURE AT ALL MEETINGS

1. QUORUM: The quorum at a meeting of the Forum shall be 7 and the management committee shall be 5 for the time being, the management committee or the committee (as the case may be) or such other number as the Forum may in general meeting from time to time determine.
2. VOTING: Each member shall have one vote. Unless it is otherwise specified in this constitution, all questions arising at any meeting shall be decided by a simple majority of the votes cast. Arrangements for proxy voting may from time to time be made by the management committee provided that no such arrangements shall be made with regard to any matter of the kind described in clause (12) and (13) in the case of an equality of votes, the person taking the chair at the meeting shall have a second or casting vote.
3. MINUTES: The management committee shall ensure that minutes are kept of all general meetings and of all meetings of the management committee and committees or sub-committees of the kind referred to in clause (6) 7 containing in each case, a note of those present, those attending and the chair and a record of all proceedings, resolutions and decisions.

4. **STANDING ORDERS:** The management committee shall have power to adopt standing orders for the Forum and its committees. Such standing orders, which will be consistent with and complementary to the terms of this constitution, shall come into operation immediately but may be amended by the Forum in general meeting. The Forum in general meeting may issue policy directions in relation to the content of standing orders for the Forum and its committees, and the management committee shall in that event be bound to follow such directions in formulating such standing orders

(10) FINANCE

1. All funds raised by or on behalf of the Forum shall be applied to further the objects of the Forum and for no other purpose: the preceding provision shall not, however, prevent the payment in good faith of reasonable and proper remuneration to any employee of the Forum and fees to professional and technical advisers or the repayment to members of the management committee or of any committee or sub-committee appointed under clause (6) 7 of reasonable out-of-pocket expenses.
2. The honorary treasurer shall keep proper accounting records and shall prepare proper accounts annually and at such other intervals as the management committee may direct.
3. The accounts shall be independently checked by a suitable person at least once a year.
4. If an auditor appointed at the annual general meeting (or, if more than one auditor was appointed, all of the auditors) cease to hold that appointment during the period between annual general meetings, the management committee shall have power to appoint a replacement auditor or auditors, to hold office until the annual general meeting which next follows.
5. An audited statement of the accounts for the last financial year shall be submitted by the management committee to the annual general meeting.
6. An account shall be opened in the name of the Forum with such banks and/or building societies as the management committee shall from time to time decide. The management committee shall authorise in writing four members of the management committee (one of whom shall be the treasurer) to sign cheques **or make BACs payments on behalf of the Forum. All cheques and BACs payments must be signed by not less than two of the four authorised signatories.**

(11) PROPERTY

The title to all property, heritable and moveable, which may be acquired by or on behalf of the Forum shall be vested in the post of the Chairperson, Vice Chairperson (where appointed) and the treasurer or in the names of trustees of a trust established for that purpose.

(12) ALTERATIONS TO THE CONSTITUTION

A resolution to alter this constitution shall not be valid unless:

1. Two thirds of the votes cast in relation to the resolution at a general meeting of the Forum (whether annual or special) are in favour and
2. Notice (setting out the terms of the proposed alteration) shall have been given to the members not less than 21 clear days before the meeting at which the alteration was proposed. No alteration shall be made which would have the effect of causing the Forum to cease to be recognised by **OSCR** as a charity.

(13) DISSOLUTION

If the management 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 Forum, it shall call a special general meetings of the Forum, of which not less than 21 days' notice (stating the terms of the resolution to be proposed at the meeting) shall be given. If such decision is confirmed by a two-thirds majority of the votes cast in relation to the resolution at such meeting, the management committee shall sell such assets of the Forum as they may consider appropriate for the best process reasonably obtainable and settle the debts and liabilities of the Forum. Any assets remaining after the satisfaction of such debts and liabilities shall be given or transferred to such other charitable organisation or organisations having objects similar to the objects of the Forum as the management committee may determine.

Certified as a true copy of the constitution adopted at a meeting of the Highland Children's Forum at New Start Highland Offices on 24th November 2015.

Name: Donnie Macleod

Position: Chair

Name: Heather Duncan

Position: Vice Chair

Name: Rebecca Huxtable-Smith

Position: Treasurer