

**CONSTITUTION OF
ÀRAINN SHUAINEIRT**

**The Sunart Centre & Ardnamurchan High School
Strontian, Acharacle PH36 4JA**

1. **Name:**

The Organisation shall be called Àrainn Shuaineirt (hereinafter referred to as 'the Organisation')

2. **Objects:**

The objects of the Organisation shall be to promote, in association with the Highland Council (hereinafter referred to as 'the Council') with voluntary organisations and with other interested parties:

- (a) the use of Ardnamurchan High School (hereinafter referred to as the 'school') as a community resource, without distinction as to political opinions, religion or race, colour or nationality, primarily for the benefit of residents within the area of the school as delineated for the purposes of secondary education (hereinafter referred to as 'the catchment area')
- (b) the educational development of participants;
- (c) the provision of facilities designed to encourage social, cultural and recreational activities, either organised voluntarily or as part of formal courses of instruction, with the object, through the medium of such activities, of improving the conditions of life of the inhabitant of the catchment area and helping such inhabitants of all ages to develop emotionally, physically and socially;
- (d) to secure the maintenance and management of the school as a community resource and to liaise with the Council in so doing;

3. **Membership:**

Membership of the Organisation shall be open to all persons ordinarily resident within the catchment area of Ardnamurchan High School and immediate family members (i.e. parents, step parents, siblings and/or legal guardians) of pupils attending the school.

The affairs of Àrainn Shuaineirt shall be conducted by a Management Committee (hereinafter referred to as 'the Committee') constituted as hereinafter provided and in furtherance of the above objects. The Committee operations will take cognisance of the financial regulations of the Council and any other guidelines which will be communicated to it through the Ex officio members and by such other means as may be appropriate.

4. **Composition of the Committee:**

4.1 The Committee will comprise the following:-

4.1.1 **Voting Members:**

- a) Two members from each area as defined by the Community Council boundaries within the catchment area of Ardnamurchan High School
- b) Two members as representatives of, and appointed by, Ardnamurchan High School Parent Council;
- c) One member as a representative of, and appointed by, the Pupil Council;
- d) One member as a representative of, and appointed by, the Youth Forum;
- e) Up to four members whom the Committee shall be empowered to co-opt e.g. User Groups, Primary School Boards and other interested people.
- f) Any Highland Councillor elected to Ward 22 (Fort William and Ardnamurchan) who is also a member of the Organisation. If no serving elected councillor is a member of the

Organisation the membership shall invite The Highland Council to put forward one elected member for Ward 22 to serve on the Committee as a non-voting member. Any councillor so co-opted will automatically stand down at each Annual General Meeting. Should a member of the Organisation be elected as a councillor to the Ward that includes the Ardnamurchan High School catchment area they shall upon election also become a voting member on the committee for the duration of their term as elected member of the Council and membership of the Organisation”.

4.1.2 Non-voting members ex officio:

- a) The Centre Development Co-Ordinator
- b) The Head Teacher of Ardnamurchan High School or nominated representative;
- c) The Council Community Learning and Leisure Manager or Council nominated representative;
- d) The Community Learning Worker for the area;
- e) The Lochaber College Manager or Lochaber College nominated representative;
- f) The Lochaber Enterprise Community Development Manager or Lochaber Enterprise nominated representative.

4.2 Vacancies:

4.2.1 The Committee shall have power to fill casual vacancies in its number for the period until the following Annual General Meeting of the Organisation;

4.2.2 The Committee shall be entitled to act notwithstanding the existence of any vacancies that may arise from time to time.

4.3 Quorum: The quorum at each meeting of the Committee shall be not less than three, or one quarter of the voting members serving on the Committee (whichever is greater), provided always that non-voting members shall not count towards the quorum.

5. **Functions and responsibility of the Committee:**

Conforming always to and in furtherance of the above objects, the Committee through the medium of employees of the Council where appropriate shall have the following functions:-

- (a) to encourage and develop the use of the facilities within Ardnamurchan High School/The Sunart Centre;
- (b) to encourage good relationships and co-operation between all sections of the community;
- (c) to operate the community usage of the school in accordance with such general policy guidance as may be given by the Council;
- (d) to promote cultural, artistic, recreational and educational events for the benefit of the Organisation’s members;
- (e) to accept subscriptions, grants, donations, gifts, legacies and endowments of all kinds; either absolutely or in trust for any of the objects of the Organisation;
- (f) to take such steps (by way of personal or written appeals, public meetings or otherwise) as may be deemed expedient for the purpose of procuring contributions to the funds of the Organisation, whether by way of subscriptions, grants, loans, donations or otherwise;
- (g) to deal with applications for the use of the premises, to decide on the allocation of the premises and to determine the conditions to be met by the applicants;
- (h) to be responsible for the fixing of fees for the use of the premises,
- (i) to be responsible for the raising of income from such use and the application of funds so raised in accordance with these functions and the provisions of this constitution and for no other purpose;

- (j) to deal with matters relating to the upkeep of the premises and equipment in consultation with the appropriate officers of the Council and in conformity with such arrangements as may be agreed with the said Council;
- (k) to draw up or amend general rules and conditions of let applicable to all users as they may deem necessary from time to time conforming always to the above objects;
- (l) to hold, in the name of the Organisation, all moveable property, equipment, furniture, etc. acquired by or for the purposes of the Organisation with power to sell or otherwise dispose of any such moveable property provided always that the proceeds are applied for the purposes hereof;
- (m) to appoint, subject to such guidance as may be given by the Council and to such detailed arrangements as may be agreed with it, such employees as it may from time to time require and to dismiss same;
- (n) to approve the payment honoraria to such persons as they deem necessary;
- (o) to meet at least four times per annum to review the affairs of the Organisation;
- (p) to develop as may be necessary, Standing Orders for the conduct of their meetings and the general meetings of the Organisation; such Standing Orders shall provide that when matters are put to a vote, except elections, the issue will be decided by a simple majority, except as otherwise provide in Clause (12), the Chairman shall have a deliberative vote and in the event of equality of voting, he shall then have a casting vote but with this sole exception no person shall exercise more than one vote; in the case of an election an equality of votes shall be resolved by drawing lots.
- (q) to prepare and review budgets for the succeeding financial year, to monitor results on a regular basis in the current year and to take such action as may be appropriate to improve the financial performance of the Organisation.

6. **Finances**

The committee shall be empowered to open and maintain bank accounts in the name of the organisation. All cheques drawn on these accounts will be required to be signed by two members of the Management Committee, these being two of any three voting members of the committee nominated and appointed from time to time by the committee.

7. **Equal Opportunities**

The organisation shall be committed to equal opportunities and to treating all volunteers, staff, committee members and members of the Community with dignity and respect. It is the policy to ensure as reasonably practicable, that all committee members, staff and volunteers have equality of opportunity and to operate in an environment free from harassment, victimisation, and discrimination and/or bullying, regardless of sex, marital status, age, race, ethnic origin, sexual orientation, disability, religion or any other irrelevant difference, e.g. social background, working pattern or trade union activity.

8. **Annual General Meeting:**

- (a) Each year the Committee shall convene an Annual General Meeting of the members of the Organisation;
- (b) No business shall be transacted at any Annual General Meeting unless a quorum is present; 8 members present in person shall be a quorum;
- (c) If the quorum required under the preceding article is not present within half an hour after the time appointed for the meeting, or if during a meeting such a quorum ceases to be present, the meeting shall stand adjourned to such time and place as may be fixed by the chairperson of the meeting;
- (d) The Chairperson of the Committee (or, in his/her absence, the Vice-Chairperson) shall preside as chairperson of the meeting; if neither the Chairperson nor the Vice-Chairperson

is present and willing to act as chairperson within half an hour of the time appointed for holding the meeting, the committee members present shall elect one of their number to act as chairperson, or, if only one committee member is present or willing to act, he/she shall be chairperson;

- (e) Public notices of the meeting shall be given in a newspaper or newspapers circulating in the catchment area, such notice to appear not less than 14 days before the date of the meeting;
- (f) Notice of the proposed meeting shall be displayed within the school for 14 days prior to the meeting and a copy of the Agenda of items to be dealt with at the meeting will also be displayed for at least 5 days prior to the meeting; any member desirous of raising any matter at the Annual General Meeting shall give notice thereof in writing to the Chairman no less than 7 days before the meeting and the Chairman shall have power to accept for inclusion on the Agenda any item so raised timeously (where such an item is brought to the notice of the Chairman less than 7 days before the meeting, the chairman shall nevertheless have power to accept the matter for discussion at the meeting if at the commencement thereof the item is intimated to the meeting and accepted for consideration by the meeting); otherwise it shall not be competent to deal at the Annual General Meeting with any item not on the Agenda;
- (g) Nominations of voting representatives shall be submitted in writing to the Secretary at least three days prior to the date of the AGM. Where there are more nominations than places available election shall be by secret ballot of those present at the annual general meeting.
- (h) At every Annual General Meeting (other than the first):
 - (i) all committee members who have been appointed by the committee since the date of the last annual general meeting shall retire from office and
 - (ii) out of the remaining committee members, one third of the voting members (those who have been longest in office since they were last appointed or re-appointed) shall retire from office. If two or more members have equal service the decision shall be taken by a random means. The organisation may at any AGM re-elect any member who retires from office at the meeting providing he/she is willing to accept
- (i) every member of the Organisation present at an Annual General Meeting shall have one vote which must be given personally;
- (j) in the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting shall be entitled to a casting vote in addition to any other vote he/she may have, except in relation to elections when any equality of votes shall be resolved by drawing lots.

9. **Extraordinary General Meeting:**

- (a) the Chairman of the Committee may, at any time at his discretion and shall, within 7 days of receiving a written request to do so signed by either (1) at least one-third of the voting members of the Committee or (2) at least 20 adult members (namely over 18) of the Organisation, give notice of an Extraordinary General Meeting, such meeting to be held within one calendar month of receipt of such written request. Such notice shall be prominently displayed within the school not less than 14 days before the date of the meeting and intimation of the meeting shall be published in a newspaper or newspapers circulating in the catchment area not less than 7 days prior to the meeting;
- (b) the Notice of the Extraordinary General Meeting shall state the business proposed to be transacted thereat and shall include the terms of proposed resolutions;
- (c) the Extraordinary General Meeting shall be open to all members of the Organisation, the meeting shall be chaired by the Chairman of the Committee or his nominee and the quorum shall be 15;
- (d) every member of the Organisation present at an Extraordinary General Meeting shall have one vote which must be given personally;

- (e) in the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting shall be entitled to a casting vote in addition to any other vote he/she may have; except in the case of elections, where in the event of equality in voting the matter shall be resolved by drawing lots.
- (f) an Extraordinary General Meeting shall not transact any business other than as specified in the Notice of Meeting;

10. **Officer Bearers:**

- (a) At their first meeting following the Annual General Meeting, the Committee shall elect from their number a Chairman and a Vice-Chairman. (both of whom shall be elected from among the voting members), and a Secretary and a Treasurer;
- (b) The Secretary shall keep Minutes of all Meetings of the Committee and shall be responsible for all correspondence in connection with the Organisation and shall implement the instructions of the Committee.
- (c) The Treasurer shall give regular financial statements to the meetings of the Committee and shall have prepared, in conjunction with the Centre Development Co-ordinator, an annual income and expenditure account and balance sheet for the year to 31 March in each year, which shall be audited by Highland Council and submitted for approval to the Annual General Meeting to be held, not later than the end of the month of May following; with the first AGM of the Organisation being held in June 2004, notwithstanding the above
- (d) The term of office of the Office Bearers shall be the period until the first meeting of the Committee after the next Annual General Meeting.

The responsibility of the Committee will be discharged through liaison with a Management Team comprising: Centre Development Co-ordinator, etc. etc.

11. **Implementation of Committee Decisions:**

Area of Responsibility:

The responsibility of the Committee will be discharged through liaison with a Management Team comprising: Centre Development Co-ordinator; Head Teacher; Community Learning Worker; Head Janitor and will include

- (a) to recommend the programme of day, evening, weekend and summer activities to be promoted;
- (b) liaise with groups and communities;
- (c) maximise the use of the centre.
- (d) to ensure that appropriate staff appointments are made to implement the management and day to day administration required to operate the programme;

12. **Alteration of the Constitution:**

Except as provided in Clause 12 hereof, the terms of this Constitution may be altered at an Annual General Meeting of the Organisation or at an Extraordinary General Meeting of the Organisation provided that (a) the notice of such meeting shall have stated the terms of the resolution to be proposed thereat; (b) not less than two-thirds of the voting members attending said meeting vote in favour of that resolution; and (c) the alteration is approved by the Council Community Learning & Leisure Manager.

13. **Dissolution:**

If the Committee by a two-thirds majority of its members present decide at any time that, on the ground of expense or otherwise, it is necessary or advisable to dissolve the Organisation, a Public Meeting shall be called or the residents of the catchment area of the age of 18 years and upwards, of which meeting not less than 14 days notice shall be posted within the school and in a

conspicuous place or places in the catchment area and advertised in a newspaper or newspapers circulating in the catchment area not less than 7 days prior to said meeting, such notice to state the terms of the resolution to be proposed thereat. If such a decision shall be confirmed by a simple majority of those present and voting at such a meeting, the quorum of which shall be 15 such members, the Committee shall have the power to dispose of any assets held by or in the name of the Organisation. Any assets remaining after satisfaction of all proper debts and liabilities shall be transferred to the School to be applied towards charitable purposes, including community services for the benefit of the residents of the catchment area, as the Council may decide. It shall not be competent to alter the provisions of this Clause by resolution at an Annual General Meeting or at an Extraordinary General Meeting.

14. **Approval of the Constitution:**

The Constitution shall be approved by the Council before becoming operative.