

Constitution of the

Wandsworth Older People's Forum (at 2017)

Charity No: 1096322

1. NAME

The name of the organisation shall be the Wandsworth Older People's Forum.

2. OBJECTS

To relieve the need of older people in the London Borough of Wandsworth

- 1) in particular, but not exclusively, through liaising with service providers to assist in the development of policies;
- 2) the advancement of education; and
- 3) the promotion of any charitable purpose.

3. POWERS

In furtherance of the said objects but not further or otherwise, the Forum shall have the following powers: -

- (a) to act as an information source for individual pensioners and pensioners' organisations within the Borough;
- (b) to provide a platform where matters of concern to pensioners can be raised and policies developed;
- (c) to support, oppose or otherwise comment on any change in the law or provisions which may affect the organisation's objects (or the achievement of them) and to comment publicly on social, political or economic issues which relate to the organisation's objects or their achievement;
- (d) to present, promote, organise, provide, manage and produce dramatic and literary improvisations, films, broadcasts, concerts, musical pieces, entertainments, exhibitions, tutorials, seminars, courses and workshops, whether on any premises of the Forum or elsewhere;
- (e) to engage in research in relation to the above objects, and to publish the useful results of any such research;
- (f) to publish from time to time literature relating to the Forum or its activities;
- (g) to open and maintain a bank account or bank accounts in the name of the Forum;
- (h) to employ staff and/or agents, and to make provision for the proper remuneration of any such persons, provided that no Committee member nor officer of the Forum shall be so employed;
- (i) to purchase, take on lease or in exchange, hire or otherwise acquire any

real or personal property and any rights or privileges which the Forum may think necessary for the promotion of its objects and to construct maintain and alter any buildings or erections necessary for the work of the Forum;

- (j) subject to such consents as may be required by law, to sell let mortgage
- (k) dispose of or turn into account all or any of the assets of the Forum as may be thought necessary for the promotion of its objects;
- (l) to undertake and execute any charitable trusts which may lawfully be undertaken by the Forum and may be necessary for its objects;
- (m) subject to such consents as may be required by law, to borrow or raise money for the purposes of the Forum on such terms and on such security as may be thought fit;
- (n) to raise funds and invite and receive contributions from any person or persons whatsoever by way of subscription and otherwise, provided that the Forum shall not undertake substantial trading activities in raising funds for the said objects;
- (o) to invest the monies of the Forum not immediately required for its purposes in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) and such consents (if any) as may for the time being be imposed or required by law and subject also as hereinafter provided;
- (p) to establish and support or aid in the establishment and support of any charitable association or institutions and to subscribe or guarantee money for charitable purposes in any way connected for the purposes of the Forum or calculated to further its objects;
- (q) to establish and operate and maintain or to co-operate with others in establishing, operating and maintaining at such places as may be deemed appropriate by the Forum any dining and refreshment rooms, stalls or facilities for the supply thereof of food, drink and refreshments in furtherance of the objects providing that such food, drink or refreshments shall only be available to persons participating in the activities of the Forum;
- (r) to do all such other lawful things as shall further any or all of the above objects.

4. MEMBERSHIP

- (a) Membership of the Forum shall be open to all local pensioners and people retired from full time work who are in sympathy with the objects of the Forum, and to local pensioners' organisations, irrespective of sex, political affiliation, religious belief, colour, race or sexual orientation.
- (b) Membership shall be effective from the date on which an application for membership and a subscription are received by the Management Committee. Only members of two months standing or more shall be entitled

to vote at General Meetings. Any member whose subscription is three months in arrears shall not be entitled to vote at General Meetings.

- (c) Every individual member shall have one vote.
- (d) Every member Group (or Organisation) shall appoint an individual to represent it, with one vote on its behalf at meetings of the Forum.
- (e) The Management Committee may unanimously and for good reason terminate the membership of an individual or Group, provided that they shall have the right to be heard by the Management Committee, accompanied by a friend, before a final decision is made.
- (f) Associate membership shall be open to people below pensionable age who are in sympathy with the objects of the Forum.
- (g) The Forum shall affiliate to the Greater London Forum for Older People.

5. MANAGEMENT

- (a) The Management Committee of the Forum shall consist of four officers (Chair, Vice Chair and Secretary and Treasurer) and no more than 13 other members, no more than 7 of whom shall be representative of older people's organisations and no more than 6 of whom shall be individual pensioners. Not more than one person shall represent any one older people's organisation.
- (b) The Committee shall have the right to co-opt up to 4 additional members, and appoint representatives or delegates to other organisations and conferences. Co-opted members of the Management Committee will hold office until the next Annual General Meeting, but shall be eligible for co-option again.
- (c) A member of the Management Committee shall cease to hold office if he/she:
 - i) is disqualified from acting as a member of the Management Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
 - ii) is absent without the permission of the Management Committee from all their meetings held within a period of six months, and that the Management Committee resolve that his/her office be vacated;
 - iii) becomes incapable by reason of mental disorder, illness or injury of managing his/her own affairs;
 - iv) notifies to the Management Committee a wish to resign (but only if at least five members of the Management Committee will remain in office when the notice of resignation is to take effect.).
- (d) All members of the Management Committee shall serve for a period of three years from the time of election at the Annual General Meeting, but they may be re-elected.
- 5 (e) All members of the Management Committee shall normally be a trustee

of the charity.

6. GENERAL MEETINGS AND CONFERENCES

- (a) The Annual General Meeting of the Forum shall be held in each calendar year at such time and place as the Officers determine but, after the first Annual General Meeting, within fifteen months of the preceding Annual General Meeting. The Secretary shall be responsible for ensuring that at least 21 days notice of the Meeting is given to members.
- (b) Officers and the Management Committee will be elected at the Annual General meeting.
- (c) Every Annual General Meeting shall be called by the Management Committee by giving 21 days notice to all members of the Forum. All members of the Forum shall be entitled to attend and vote at the meeting
- (d) The Management Committee shall present to each Annual General Meeting the report and accounts of the Forum for the preceding year.
- (e) Nominations for election of the Management Committee must be made by members of the Forum in writing and must be in the hands of the Secretary of the Management Committee at least 14 days before the Annual General Meeting.
- (f) An Honorary Auditor, or Independent Examiner, shall be appointed at the Annual General Meeting.
- (g) At least one other General Meeting of the Forum shall be held during the year between Annual General Meetings. The Secretary shall ensure that at least 21 days notice of a meeting is given to members.
- (h) The Management Committee shall have power to organise Conferences.

7. PROCEDURE AT MEETINGS

- (a) The quorum at meetings of the Management Committee shall be one third of the members of the Committee.
- (b) The quorum of a General Meeting of the Forum shall be twenty members, or ten percent of the membership entitled to vote, whichever is the larger.
- (c) Voting decisions shall be by simple majority, with the Chair having the casting vote.
- (d) Minutes shall be taken at each meeting, and shall be retained by the Secretary.
- (e) Two representatives from the Management Committee shall be elected to attend meetings of the Greater London Forum for Older People.
- (f) The Management Committee may appoint one or more sub-committees of the Management Committee, provided that all such acts and

proceedings are fully and promptly reported to the Management Committee.

- g) The Management Committee may from time to time make and alter rules for the conduct of their business, the summoning of meetings, and the custody of documents. No rule may be made which is inconsistent with this constitution.
- h) The Management Committee may call a Special General Meeting of the Forum at any time. If at least ten members request such a meeting stating the business to be considered, the Secretary shall call such a meeting. At least 21 days notice must be given, and the notice must state the business to be discussed.
- (i) A full record of proceedings shall be kept at every General Meeting of the Forum.

8. ALTERATIONS TO THE CONSTITUTION.

- a) Any proposal to alter this Constitution must be delivered in writing to the Secretary not less than 28 days before the General Meeting at which it is first to be considered.
- b) An alteration will require the approval of two-thirds majority of the membership present and voting at a General Meeting.
- c) No amendments may be made to clause 2 (the Objects); clause 9 (Income and Property); clause 12 (Dissolution) or to this clause without the prior consent in writing of the Charity Commissioners.
- d) No amendment may be made which would have the effect of making the Forum cease to be a charity at law.
- e) The Management Committee shall send promptly to the Charity Commissioners a copy of any amendment made under this clause.

9. INCOME AND PROPERTY

- (1) The income and property of the Forum shall be applied solely towards the promotion of its objects and no portion thereof shall be transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to members of the Forum and no member of the Committee shall be appointed to any office of the Forum paid by salary or fees, or receive any remuneration or other benefit in money or monies worth from the Forum or by reason of any activity carried out on behalf of the Forum provided that nothing herein shall prevent any payment in good faith by the Forum:-
 - (a) of reasonable and proper remuneration to any servant of the Forum for any services rendered to the Forum;
 - (b) of interest at a rate not exceeding 2% less than the base rate for the time being of any of the Forum's bankers or 3% whichever is the greater;

- (c) to any member of his or her reasonable and proper out-of-pocket expenses;
- (d) to a company of which a member of the Forum is a member holding not more than one hundredth part of the capital of such a company;
- (e) of the usual professional charges for business done by any member of the Committee who is a solicitor, accountant or other person engaged in a profession or business, or by any partner of his or hers, when instructed by the Forum to act in a professional capacity on its behalf: provided that at no time shall a majority of the members of the Committee benefit under this provision and that a member of the Committee shall withdraw from any meeting at which his or her appointment or remuneration, or that of his or her partner, is under discussion;
- (f) The trustees shall have power to provide indemnity insurance for themselves out of the income of the Charity. The insurance shall not extend to: -
 - 1) any claim arising from any act or omission which:
 - a) the Trustees knew were a breach of trust or breach of duty; or
 - b) was committed by the Trustees in reckless disregard of whether it was a breach of trust or breach of duty or not; and
 - 2) the costs of an unsuccessful defence to a criminal prosecution brought against the trustees in their capacity as trustees of the Charity.
- (2). The subscription and all other property acquired for the purposes of the Forum shall be vested in three trustees who shall be appointed by the Annual General Meeting. Failing such appointment, the Trustees shall be the Chair, Secretary and Treasurer.

10. FINANCES

- (a) The Forum shall have power to raise money by means of affiliation fees from participating organisations or groups, subscriptions from members, donations or legacies, grants-in-aid from statutory authorities, loans and other sources.
- (b) The Management Committee shall have power to determine the annual membership fee for individual members and for organisations.
- (c) A bank account, or bank accounts, shall be opened in the name of the Forum with such bank as the Management Committee shall decide. The Chair, Secretary, and Treasurer of the Forum shall be authorised to sign cheques and other documents on behalf of the Forum. All cheques and authorities shall be signed by two of the three signatories.
- (d) The Forum shall have the power to obtain, collect and receive money and funds by means of contributions, deeds of covenant, legacies, grants, or any other lawful method.

11. ACCOUNTS

The members of the Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to: -

- (a) the keeping of accounting records for the Forum;
- (b) the preparation of annual statements of account for the Forum;
- (d) the auditing or independent examination of the statements of account of the Forum; and
- (e) the transmission of the statements of account of the Forum to the Charity Commissioners.

12. DISSOLUTION

- a) If the Management Committee, by a two-thirds majority, decides at any time that on the grounds of expense or otherwise, it is necessary or advisable to dissolve the Forum, it shall call a Meeting of all members of the Forum, who have the power to vote. Twenty-one days' notice in writing must be given to members of such a Meeting, stating the terms of the resolution. If the proposal is confirmed by a two thirds majority of those present and voting, the Management Committee shall have the power to realise any assets held by or on behalf of the Forum.
- b) Such a resolution may give instructions for the disposal of any assets held by or in the name of the Forum, provided that any property remaining after the satisfaction of all debts and liabilities, such property shall not be paid or distributed among the members of the Forum, but shall be given or transferred to such bodies with similar Objectives to the Forum, which exists to promote the well-being of Seniors in the London Borough of Wandsworth, advice having been received from the Greater London Forum for Older People.

Note:

This Constitution was adopted as the Constitution of the Wandsworth Pensioners' Forum on the 13th of November 2001; and subsequently amended in paras 2 and 9(f) on the 14th of January 2003. The name change was agreed at the AGM on 18 March 2007. The Charity Commission said the change did not need formal approval only notification. Para 5(a) was textually amended at the AGM in 2017.