

## **Section 3: Model constitution for small unincorporated associations**

### **1. NAME**

The charity's name is: The Mental Health Forum

### **2. THE PURPOSES OF THE CHARITY ARE:**

To promote the relief of people with mental health difficulties and their carers and to advance any charitable cause for the advancement of mental health through improved mental and physical health, reduced anxiety and stress and improved access to and provision of health services.

### **3. TRUSTEES**

- (1) The charity shall be managed by a committee of trustees who are appointed at the Annual General Meeting (AGM) of the charity.
- (2) The charity must have the following officers:
  - A chairperson
  - A secretary
  - A treasurer.
- (3) A trustee must be a member of the charity or the nominated representative of an organisation that is associated with the charity.
- (4) A trustee may not appoint anyone to act on his or her behalf at a meeting of the trustees.
- (5) No one may be appointed a trustee if he or she would be disqualified from acting as a trustee under the the provisions of clause 4.

### **4. DISQUALIFICATION AND REMOVAL OF TRUSTEES**

A trustee must cease to hold office if he or she:

- (1) is disqualified from acting as a trustee by virtue of section 86 of the Charities Act (Northern Ireland) 2008 (or any statutory re-enactment or modification of that provision);
- (2) ceases to be a member of the charity;
- (3) in the written opinion, given to the trustees, of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a charity trustee and may remain so for more than three months;
- (4) resigns as a trustee by notice to the charity (but only if at least two trustees will remain in office when the notice of resignation is to take effect); or
- (5) is absent without the permission of the trustees from all their meetings held within a period of six consecutive months and the trustees resolve that his or her office be vacated.

## **5. CARRYING OUT THE PURPOSES**

In order to carry out the charitable purposes, the trustees have the power to:

- (1) raise funds, receive grants and donations
- (2) apply funds to carry out the work of the charity
- (3) co-operate with and support other charities with similar charitable purposes
- (4) do anything which is lawful and necessary to achieve the charity's purposes.
- (5) appoint staff as necessary to carry out the work of the charity on such terms and conditions as they may determine in accordance with Fair Employment and Equal Opportunities legislation.

## **6. MEMBERSHIP**

- (1) The charity shall have a membership. People who support the work of the charity, and are aged 18 or over can become a member. Membership will be registered on an application form and is on-going. The trustees will keep an up-to-date membership list.
- (2) The membership list must detail:
  - The full name of the member
  - The full address of the member
  - A contact telephone number (if available)
  - An email address (if available)
- (3) The trustees may remove a person's membership if they believe it is in the best interests of the charity. The member has the right to be heard by the trustees before the decision is made and can be accompanied by a friend.
- (4) The Forum will hold ten monthly meetings throughout the year to which all members, their supporters and guests will be invited to attend.

## **7. ANNUAL GENERAL MEETING - AGM**

- (1) The AGM must be held every year, with 14 days notice given to all members telling them what is on the agenda. Minutes must be kept of the AGM.
- (2) There must be at least **\_5\_** members present at the AGM for there to be **quorum**.
- (3) Every member has one vote.
- (4) The trustees must present the annual report and accounts.
- (5) Any member may stand for election as a trustee.
- (6) Members must elect between 3 and 10 trustees to serve for the next year. The trustees must retire at the next AGM but may stand for re-election.

## **8. TRUSTEE MEETINGS**

- (1) Trustees must hold at least 4 meetings each year. At their first meeting after the AGM they will elect a chair, treasurer and secretary. Trustees may act by majority decision.
- (2) At least 3 trustees must be present at the meeting to be able to take decisions. Minutes shall be kept for every meeting.
- (3) If trustees have a conflict of interest they must declare it and leave the meeting while this matter is being discussed or decided.
- (4) During the year, the trustees may appoint up to 2 additional trustees. They must stand down at the next AGM but are eligible to stand for election at the AGM.
- (5) The trustees may make reasonable additional rules to help run the charity. These rules must not conflict with this constitution or the law.

## **9. WRITTEN RESOLUTIONS**

A resolution in writing signed by all the trustees shall be as valid as a resolution passed at a trustee meeting.

## **10. MONEY AND PROPERTY**

- (1) Money and property must only be used for the charity's purposes.
- (2) Trustees must keep accounts. The most recent annual accounts can be seen by anybody on request.
- (3) Trustees cannot receive any money or property from the charity, except to refund reasonable out of pocket expenses, unless permitted by law.
- (4) Money must be held in the charity's bank account. All cheques must be signed by 2 trustees.

## 11. GENERAL MEETINGS

If the trustees consider it is necessary to change the constitution, or wind up the charity, they must call a General Meeting so that the membership can make the decision. Trustees must also call a General Meeting if they receive a written request from the majority of members. All members must be given 14 days notice and told the reason for the meeting. All decisions require a two thirds majority. Minutes must be kept.

- (1) **Winding up** - any money or property remaining after payment of debts must be given to a charity with similar purposes to this one or returned to the Southern Health and Social Care Trust, depending on source or contractual obligation.
- (2) **Changes to the Constitution** - can be made at AGMs or General Meetings. No change can be made that would make the organisation no longer a charity. A copy of the amended constitution and resolution adopting the changes must be sent to the Charity Commission for Northern Ireland.
- (3) Trustees may also call a General Meeting to consult the membership.

## 12. SETTING UP THE CHARITY

This constitution was adopted on \_\_June 1st\_\_\_\_ 2015\_\_ by the people whose signatures appear below. They are the first members of the charity and will be the trustees until the AGM, which must be held within one year of this date.

### Signed

*Teresa Nugent*

*Mary Slane*

*Elaine Fogarty*

*Rosemarie Mc Donnell*

*Laurence Bradley*

### Print name

Teresa Nugent

Mary Slane

Elaine Fogarty

Rosemarie McDonnell

Laurence Bradley