

03/04/97

## SUFFOLK NEIGHBOURHOOD WATCH ASSOCIATION

### Constitution

#### Name.

The name of the Association shall be.

**SUFFOLK NEIGHBOURHOOD WATCH ASSOCIATION**

(hereinafter called “the Association”)

#### **2. Objects and Powers:**

The objects of the Association shall be:

- 2.1 To promote good citizenship and greater public participation in the prevention and solution of crime so that effective liaison between the police and public can be achieved in *order* to promote the efficiency of the police in the police area.
- 2.2 The Association shall be non-party in politics and non-sectarian in religion and shall operate an equal opportunities policy.

In furtherance of the said objects but not otherwise, the Association may:

- 2.3 Provide services for and on behalf of all Watch Groups (i.e. Neighbourhood Watch, Industrial Watch, Farm Watch etc.) in the Suffolk Constabulary police area:
- 2.4 Liase with other Watch Groups, the Police, Police Authority, Crime Prevention Panels, and other voluntary and statutory bodies.
- 2.5 Promote and organise co-operation in the achievement of the same, nationally, internally, and locally, and to that end may bring together in conference, representatives of voluntary organisations. government departments, statutory authorities and individuals;
- 2.6 Arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings, lectures, classes, seminars and training courses;
- 2.7 Promote and carry out or assist in promoting and carrying out research, surveys and investigations and publish results thereof,
- 2.8 Collect and disseminate information on all matters affecting the above purposes and exchange such information with other bodies having

similar purposes whether in this country or overseas,

- 2.9 Undertake, execute, manage or assist any charitable trust, which may lawfully be undertaken, executed or assisted by the Association
- 2.10 Procure to be written and print, publish, issue and circulate gratuitously or otherwise such papers, books, periodicals, pamphlets or other documents or films or recorded tapes as shall further the above purposes.
- 2.11 Purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of the said purposes and construct maintain and alter any buildings or erections necessary for the work of the Association.
- 2.12 Make regulations for any property which may be so acquired and make rules for the conduct of the Association, its meetings and activities.
- 2.13 Sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the Association, subject to such consents as may be required by law
- 2.14 Raise funds and invite and receive contributions from any persons by way of subscriptions and otherwise, provided that the Association shall not undertake any permanent trading activities in raising funds for its primary charitable objects.
- 2.15 Accept gifts and borrow or raise money in such a manner as the Association shall think fit, subject to such consents as required by law.
- 2.16 Procure contributions to the Association by personal or written appeals, public meetings or otherwise.
- 2.17 Invest the monies of the Association 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) as may for the time being be imposed or required by law.
- 2.18 Subject to any consents required by law to borrow money and charge all or any part of the property of the Association with repayment of the money so borrowed'
- 2.19 Provide indemnity insurance to cover the liability of the Executive Committee (or any member of the Executive Committee) which by virtue of

any rule of law would otherwise attach to them, in respect of any negligence, default, breach of trust, or breach of duty, of which they may be guilty in relation to the Association Provided that any such insurance shall not extend to any claim arising from any act or omission which the Executive Committee (or any member of the Executive Committee knew to be a breach of trust or breach of duty or which was committed by the Executive Committee (or any member of the Executive Committee) in reckless disregard of whether it was a breach of trust or breach of duty or not

2.19 Appoint and constitute such advisory committees, as the Executive Committee may think fit.

2.20 Do all such other lawful things as are necessary for the attainment of the said purposes

### **3. Membership:**

3.1 Membership of the Association shall be open to all Watch Groups (i.e. individual Neighbourhood Watch Schemes or other Watch Groups such as Industrial Watch, Farm Watch etc.) within the Suffolk Constabulary police area who are interested in furthering the work of the Association.

3.2 Members of the Association shall be entitled to vote at General Meetings of the Association.

3.3 Each member (i.e. Neighbourhood Watch Scheme or Watch Group) shall appoint one individual person to represent it at General Meetings of the Association.

3.4 Any organisation, which wishes to become a member of the Association, must submit an application in writing signed by a duly appointed representative to the Secretary. Election to membership shall be in the discretion of the Executive Committee.

3.5 The Executive Committee may request reasonable information from an applicant before granting membership.

3.6 The Executive Committee shall not reject an applicant without sufficient reason.

### **4. Termination of Membership:**

4.1 A member may resign by written notice to the Secretary.

4.2 The Executive Committee shall have the right for good and sufficient reason to suspend or to terminate the membership of a group, provided that the individual representing the group shall have the right to be heard by the Executive Committee before the final decision is made.

**5. Officers:**

5.1 At the Annual General Meeting hereinafter mentioned, the Association shall elect a Chairperson, a Vice Chairperson; a Treasurer and other such officers as the Association shall from time to time decide.

5.2 The Officers of the Association shall hold office until the conclusion of the Annual General Meeting of the Association next after their election but shall be eligible for re-election

5.3 The Association shall appoint one or more qualified auditors and may determine their remuneration (if any).

**6. Patrons etc.:**

6.1 The Annual General Meeting if it thinks fit may elect a President and Vice President of the Association. A President or Vice President of the Association need not be a member of the Association. A President or Vice President of the Association may attend general meetings of the Association but shall not be entitled to vote.

6.2 The Committee may elect any person as a Patron of the Association for such a period as they think fit, and such a person shall be entitled to all privileges of membership except that they shall not be entitled to vote at meetings, nor serve as officers, or on the Committee.

**7. Executive Committee:**

7.1 Subject as hereinafter mentioned the policy and general management of the affairs of the Association, including the powers above mentioned, shall be directed by an Executive Committee (hereinafter called "the Committee") which shall meet not less than three times a year which shall consist of not more than twenty elected members including those elected in accordance with clause 5.

- 7.2 The members of the Committee shall be elected at the Annual General Meeting of the Association.
- 7.3 In addition the Committee may co-opt up to one third of the total number of elected members of the Committee, who shall be representatives of members of the Association who shall serve until the conclusion of the next Annual General Meeting after individual co-option. Co-opted members shall be entitled to vote.
- 7.4 In addition, the following shall be entitled to ex-officio, non-voting representation on the Committee:
- 7.4.1 the Suffolk Constabulary Crime Prevention Officer or his/her representative.
  - 7.4.2 the chair of the Suffolk Police Authority or his/her representative.
  - 7.4.3. the chair of the Suffolk Crime Prevention Panel's Link Meetings or his/her representative
  - 7.4.4 the Suffolk Neighbourhood Watch Manager, who shall also be the Secretary of the Association
  - 7.4.5 the Co-ordinator of the Suffolk Community Safety Unit
  - 7.4.6 the National Neighbourhood Watch Association representative if any as referred to in Clause 7.5
- 7.5 The Committee may be entitled to elect an individual as a representative to the National Neighbourhood Watch Association pursuant to any Rules of the National Neighbourhood Watch Association and any Rules of the Committee
- 7.6 Any casual vacancy in the Committee may be filled up 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 Association and shall be eligible for election at that meeting
- 7.7 The proceedings of the Committee shall not be invalidated by any accidental failure to elect or any accidental defect in the election, appointment, co-option or qualification of any member.
- 7.8 The Committee may appoint or dismiss and fix the remuneration, duties and conditions of service of such staff, including a Neighbourhood Watch Manager and liaison officers, as may in its opinion be necessary.

- 7.9 The Committee shall have power to enter into contracts for the purposes of the Association on behalf of the members of the Association.
- 7.10 The Committee may appoint such special or standing committees as may be deemed necessary by the Committee and shall determine their terms of reference, powers, duration and composition. All acts and proceedings of such special or standing committees shall be reported back to the Committee fully and promptly.
- 7.11 The members of the Committee (including the officers of the Association) shall be entitled to an indemnity out of the assets of the Association for all expenses and other liabilities properly incurred by them in the management of the affairs of the Association, but this indemnity shall not extend to liabilities arising from wilful and individual fraud, wrongdoing or wrongful omission on the part of the member sought to be made liable. The Committee shall from time to time determine the expenses (including travelling expenses) and rates thereof that may be properly incurred in conducting the affairs of the Association

## **8. Rules of Procedure at all Meetings:**

### 8.1 Quorum:

8.1.1 The quorum at a meeting of the Association shall be fifteen members or one quarter of the membership of the Association, whichever is the greater.

8.12 The quorum at a meeting of the Committee or of any committee appointed under Clause 7.10 hereof shall be five or such other number as the Association may in General Meeting from time to time determine, subject to a minimum of three.

### 82 Voting:

8.2.1 Subject to Clause 15 and 16 hereof all questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote thereat No person shall exercise more than one vote but in the case of any equality of votes the Chairperson of the meeting shall have a second or casting vote.

8.2.2 All elections of officers and committee members shall be by ballot.

8.3 Minutes:

Minute books shall be kept by the Committee and all other committees, and the appropriate secretary shall enter herein a record of all proceedings and resolutions.

**9. Standing Orders:**

9.1 The Committee may make such rules for the conduct of its business and that of the Association, as it may deem necessary PROVIDED THAT they shall be consistent with the requirements of this constitution.

9.2 The Committee shall have the power to make, repeal and amend such rules as they may from time to time consider necessary for the well being of the Association provided that they shall be consistent with the requirements of this constitution, which, rules, repeals and amendments shall have effect until set aside by the Committee or at a general meeting

**10. Meetings of the Association:**

10.1 There shall be an annual general meeting of the Association, which shall be held in the month of November in each year or as soon as practicable thereafter at such time (not being more than fifteen months after the holding of the preceding Annual General Meeting) and at such place as the Committee shall determine. At least twenty one clear days notice shall be given in writing by the Secretary to each member.

10.2 At such Annual General Meeting the business shall include:

10.2.1 the election of officers:

10.2.2 the election of members to serve on the Committee.

10.2.3 the appointment of an auditor or auditors:

10.2.4 the consideration of an annual report of the work done by or under the auspices of the Committee and of the audited accounts:

10.2.5 wherever necessary, consideration of and voting on proposals to alter this constitution in accordance with Clause 16 hereof.

10.3 The Chairperson of the Committee may at any time at his or her discretion and the Secretary shall, within twenty eight days of receiving a written request to do so, signed by not less than seven members and giving reasons for the request; call a Special General Meeting of the Association.

## **11. Nomination of Officers and Committee Members:**

11.1 Nomination for officers or members of the Committee must be made by full members of the Association and must be in the hands of the Secretary at least three days before the Annual General Meeting. Should nominations exceed vacancies, elections shall be decided by a simple majority of those present and entitled to vote. No member shall exercise more than one vote but in case of an equality of votes the Chairperson shall have a second or casting vote.

## **12. Finance:**

12.1 All monies raised by or on behalf of the Association shall be applied to further the purposes of the Association and not otherwise PROVIDED THAT nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee of the Association not being a member of the Committee or the repayment of reasonable out-of-pocket expenses. The Committee may also reimburse expenses, that have been properly incurred in connection with the business of the Association, to any member of the Association not being an employee, committee member or officer of the Association.

12.2 Any member of the Committee for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all usual professional charges for business done by him or her or his or her firm when instructed by the other members of the Committee to act in a professional capacity on behalf of the Association: 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 own instruction or remuneration, or that of his or her firm, is under discussion.

12.3 The Treasurer shall keep proper accounts of the finances of the Association

12.4 The accounts shall be audited at least once a year by the auditor or auditors appointed by the Annual General Meeting

12.5 An audited statement of the accounts for the last financial year shall be

submitted by the Committee to the Annual General Meeting aforesaid

- 12.6 A Bank Account shall be opened in the name of the Association with such bank as the Committee shall from time to time decide. The Committee shall authorise in writing any two out of three persons, one always being the Treasurer and two other Committee members of the **Association**, who shall from time to time determine to sign cheques on behalf of the Association. All cheques must be signed by two of the authorised signatories.

### **13. Borrowing.**

- 13.1 The Committee may borrow money on behalf of the Association for the purposes of the Association from time to time at their own discretion for the general upkeep of the Association or with the sanction of a General Meeting for any other expenditure, additions or improvements.
- 13.2 When so borrowing, the Committee shall have the power to raise in any way any sum or sums of money in such manner or on such terms and conditions as they think fit, and in particular by mortgage or charge upon or by the issue of debentures charged upon all or any part of the property of the Association.
- 13.3 The Committee shall have no power to pledge the personal liability of any member of the Association for the repayment of any borrowed sum
- 13.4 The Custodian hereinafter referred to shall, at the discretion of the Committee, make such dispositions of the Association's property or any part thereof; and enter into and execute such agreements and instruments in relation thereto as the Committee may deem proper for giving security for such monies and the interest payable therein.

### **14. Trust Property.**

- 14.1 The Association may appoint a custodian trustee or a trust corporation or the Members of the Committee may incorporate as a body corporate in accordance with Sections 50 to 62 of the Charities Act 1993 (or any later enactment) ("the Custodian") to hold any property held by or in trust for the Association on terms as to remuneration and otherwise laid down in section 4 of the Public Trustee Act 1906 and rules made thereunder.
- 14.2 The property of the Association, other than cash at the bank, shall be

vested in the Custodian which shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive proof of such a resolution.

14.3 (a) A trust may be appointed as Custodian upon such terms and conditions as may be agreed in writing between the Custodian and the Committee

(b) If the Committee shall give to the Custodian for the time being six months notice in writing requesting such Custodian to retire from the trust then upon the expiration of such notice the Custodian shall for all the purposes of the statutory power be deemed to have retired and to be desirous of being discharged from the trusts

**15. Alterations to the Constitution:**

Any alteration to this Constitution shall receive the assent of not less than two thirds of the membership of the Association for the time being whether individual or representative present and voting at an Annual General Meeting, or a Special General Meeting provided that notice of any such alteration shall have been received by the Secretary in writing not less than 21 clear days before the meeting at which the alteration is to be proposed. At least 14 clear days notice in writing of such a meeting, setting out the terms of the alteration, shall be sent by the General Secretary to each member of the Association

PROVIDED THAT no alteration shall be made to Clause 2.1, Clause 16, or this Clause until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained and no alteration shall be made which would have the effect of causing the Association to cease to be a charity at law.

**16. Dissolution:**

If the Committee by a single majority decides at any time that on the ground of expenses or otherwise it is necessary or advisable to dissolve the Association it shall call a meeting of all members of the Association who have the power to vote, of which meeting not less than 21 days notice (stating the terms of the

Resolution to be proposed thereat) shall be given. If such decisions shall be confirmed by a two thirds majority of those present and voting at such meeting, the Committee shall have the power to dispose of any assets held by or on behalf of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Association as the Committee may decide or failing that may be applied for some other charitable purpose. A copy of the statement of accounts. or account and statement, for the final accounting period of the Association must be sent to the Charity Commissioners for England and Wales

**17. Arrangements until first Annual General Meeting:**

Until the first annual general meeting takes place this constitution shall take effect as if references in it to the Executive Committee were references to the persons whose signatures appear at the bottom of this document.

This Constitution was adopted on the date mentioned below by the persons whose signatures appear at the bottom of this document.

Dated this            day of            (month) in            (year)

Signed