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The Kingfisher Out of School Childcare Club Constitution

1. Name:

The name of the club shall be “**The Kingfisher Club**” (Linlithgow).

2. Aims:

- I. The Aims of the club shall be to promote the Care and Education of children, attending nurseries and schools in Linlithgow and the surrounding areas, who require Care during out of school hours, holidays and In-service days.
- II. To promote the provision of facilities for the Recreation and Leisure time occupation of such children in the interest of Social Welfare.

3. Powers:

The Kingfisher Club shall have the power to do anything which will properly further the forgoing Aims in particular:

- I. To raise, spend and hold funds, in a bank or otherwise.
- II. To employ Staff and do anything necessary or appropriate in relation to such employment.
- III. To promote and provide for dissemination and exchange of knowledge and information.
- IV. To form or promote the formation of Charitable Limited Companies or other charitable Legal Bodies.
- V. To make representations to and enter arrangements with National or Local Government and appropriate Statutory or Voluntary Agencies.
- VI. To support other Charitable objectives or Institutions, with Common Aims.

4. Membership:

- I. Membership shall be open to every Parent/Guardian of children attending nurseries and schools in Linlithgow or surrounding areas, regardless of Religion, Race or Sex.
- II. Membership shall be restricted to one per registration.
- III. Membership subscription levels shall be approved by the Management Committee of the Club.

5. Management Committee:

Formally adopted by the Kingfisher Club Management Committee on 14 October 1997
Amendments formally adopted by Members on 29 April 2009
Amendments formally agreed by Members to request from OSCR on 3 September 2015

- I. The Management Committee of the Club shall consist of not less than seven members and not more than nine elected at the Annual General Meeting. Children's views shall be represented at Committee Meetings. Any member of the Club may attend a Committee Meeting but shall not be entitled to vote.
- II. Subject to the powers of the General Meeting of the Club, the Management Committee shall comply with their obligations with regards to ensuring the Care Inspectorate Standards and Scottish Social Services codes of practice/guidelines are adhered to within the policies and general management of the Club.
- III. The Management Committee shall have the power to co-opt members to fill any vacancy caused by the resignation of elected members and to co-opt additional members, if this is agreed unanimously. It shall have the power to set up Sub-Committees as necessary.
- IV. All members shall be elected at the AGM and serve for a maximum of 2 years.
- V. In addition to Office Bearers and the elected members, the Committee may request to service in an advisory capacity other interested individuals or representatives of Statutory or Voluntary Organisations as the Committee may determine. No such advisory member shall be entitled to vote.
- VI. The Management Committee shall meet at least 4 times each year
- VII. The Management Committee shall keep, circulate as appropriate and make available for inspection by any Club Member AGM, EGM and Committee meeting minutes.

6. Quorum:

Five members of the Management Committee shall form a quorum for Committee Meetings.

7. Office Bearers:

Office Bearers shall consist of: Chairperson, Secretary and Treasurer.

The Office Bearers shall be appointed at the first Management Committee Meeting following the AGM. They shall be drawn from the members of the Management Committee set out in Paras 5. (I) and 5. (III).

8. General Meetings:

- I. The Club shall hold an AGM each year not later than 6 months after the financial year end. (30th September)
- II. On written petition, signed by 8 members of the Kingfisher Club, or by resolution of the Management Committee, stating the purpose of such meeting, the Management Committee will convene an Extraordinary General Meeting.
- III. Notice of General Meeting shall be circulated to all members at least 4 weeks before the Meeting
- IV. Notices for motions for discussion at a General Meeting shall be submitted in writing to the Chairperson 14 days before the Meeting.
- V. The agenda shall be circulated to all members at least one week before the General Meeting.
- VI. Those eligible to attend General Meetings shall be Parents/Guardians of

pupils attending nurseries and schools in Linlithgow or surrounding areas. Only members of the Kingfisher Club shall be eligible to vote on a basis of one vote per Registration.

- VII. The quorum for a General Meeting shall be one third of the total Club membership for the time being or such other number as the Club in General Meeting shall from time to time determine.

9. Voting:

- I. Voting at Committee Meetings and General Meetings shall be on the basis of a simple majority except with regard to amendment of the Constitution or dissolution of the Kingfisher Club
- II. Any amendment to the constitution or dissolution of the Club must be passed at a General Meeting of the Kingfisher Club, by a two thirds majority of members voting.

10. Finance:

a) Accounts

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

- The keeping of accountancy records for the Club.
- The preparation of annual statements of account for the Club.
- The independent examination of the statements of account for the Club
- The transmission of the statements of account of the Club to the Charity Commission.

b) Annual Report and Return:

The Management Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an Annual Report and Annual Return and their transmission to the Office of the Scottish Charity Regulator

- c) All monies raised on behalf of the Club shall be applied to further the objects of the Club and to no other purpose. No payment of any kind shall be made to an Office Bearer or Committee Member, except insofar as the payment is for reimbursing outlays actually incurred for the benefit of the Club.
- d) A financial report shall be presented to each meeting of the Management Committee.
- e) No member of the Management Committee shall be liable for any loss incurred in the Kingfisher Club, provided the action leading to the loss was made in good faith.

11. Amendments:

- I. No alteration or addition to this constitution shall be made except at a General Meeting of the Club called for such a purpose. No alteration or

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addition shall be made to clauses 1, 2, 11 or 12 without the prior written approval of the Office of the Scottish Charity Regulator and no alteration shall be made which would cause the Club to cease to be a Registered Scottish Charity in law. Such amendments to the Constitution must be passed by a majority as described in 9. (II).

- II. Proposed alterations to any articles of the Constitution shall be notified to the Inland Revenue to ascertain whether or not proposed alterations would affect the Charitable Status of the Club and in the event that such alterations do affect the said Status they shall not be entertained.

12. Dissolution of The Club:

If the Management Committee decides the Dissolution of the Club is necessary or advisable, they shall call a meeting to all members, Twenty-eight days notice of such a meeting shall be given to all members. A decision to dissolve shall be confirmed by at least two-thirds majority of those present and voting at the meeting. Following the payment of debts and liabilities including the return of those items advanced or on loan, the Assets shall not be paid or distributed to the members but shall be given to such Charitable Organisations with objects similar to those of the Club as the members may decide. The Club shall then be declared dissolved.

“Certified as a true copy” by

Chairperson

Manager

Signature:

Signature:

Print Name:

Print Name:

Date:

Date: