

# LOWESTOFT AND PLAISIR TWINNING ASSOCIATION

## CONSTITUTION

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### **1. TITLE**

- 1.1 The title of the Association shall be the Lowestoft and Plaisir Twinning Association (hereinafter called "the Association").

### **2. AIMS**

- 2.1 To promote international friendship and understanding by strengthening by all possible means the twinning links between the towns of Lowestoft in England and Plaisir in France.
- 2.2 To raise awareness of Plaisir and the Association in Lowestoft and the surrounding area.
- 2.3 To raise awareness of Lowestoft and the Association in Plaisir and the surrounding area.
- 2.4 To broaden the mutual understanding of the social, cultural, recreational, sporting, educational, commercial, industrial and local government activities of the twinned towns.
- 2.5 To encourage mutual exchanges by individuals and groups, and particularly by children and young people.
- 2.6 To organise social and fund-raising activities to foster and support the aims of the Association.
- 2.7 To promote membership of the Association.
- 2.8 To encourage members to be actively involved in achieving the aims of the Association.
- 2.9 To consider the views of children and young people who are not old enough to be voting members.
- 2.10 To be non party political.

### **3. MEMBERSHIP**

- 3.1 Membership of the Association shall be open to all persons aged 16 and over and to organisations in sympathy with the aims of the Association.
- 3.2 Each member of the Association shall register their contact details with the Membership Secretary or other nominated officer of the Association.
- 3.3 Each member of the Association shall receive a copy of the constitution, contact details for the Executive Committee, details of any planned meetings and how to include an item on an agenda.
- 3.4 There shall be the following classes of membership:
  - 3.4.1 Individual membership paying the personal subscription rate.
  - 3.4.2 Family membership paying double the personal subscription rate to include all members of that family except dependants aged 16 and over.
  - 3.4.3 Corporate membership paying the organisational subscription rate.
- 3.5 Membership subscription
  - 3.5.1 Members shall be required to pay a yearly subscription. The personal subscription rate and organisational subscription rate shall be set by the Executive Committee and agreed at the Annual General Meeting.
  - 3.5.2 Membership subscriptions shall be payable at the Annual General Meeting or as soon as possible thereafter.
- 3.6 In the event of breaches of the Constitution or Code of Conduct, membership of the Association may be suspended or terminated by a two-thirds majority vote of the Executive Committee.
  - 3.6.1 Notification of suspension or termination of membership shall be given in writing to the member with a copy of the Constitution and Code of Conduct.
  - 3.6.2 There shall be no reimbursement of full or partial membership subscriptions in the event of termination of membership.

### **4. ORGANISATION**

- 4.1 The Association shall be managed by an Executive Committee composed of officers of the Association, to be elected from the membership at each Annual General Meeting.
- 4.2 The Executive Committee shall monitor the work, finances and membership of the Association.
- 4.3 The Executive Committee shall produce and update a simple action plan throughout the year, to be used to prepare an annual report to the members of the Association at the Annual General Meeting.
- 4.4 The officers of the Association shall be as a minimum the Chair, Secretary and Treasurer. A Vice-Chair and Membership Secretary may also be appointed, and such other offices as the Association may from time to time determine.
- 4.5 The Executive Committee shall have a minimum of **five (5)** and a maximum of **fifteen (15)** officers at any one time.

- 4.6 The Executive Committee may designate a representative of Lowestoft Town Council during their period of office as an officer of the Association, who shall sit on the Executive Committee of the Association.
- 4.7 Offices and membership of the Executive Committee shall be for one year from the Annual General Meeting to the next.
- 4.8 To be elected, officers must be nominated and seconded by members of the Association and voted for by a majority at the Annual General Meeting.
- 4.9 Casual vacancies in any office shall be filled by the Executive Committee for the relevant unexpired term of office.
- 4.10 The Executive Committee shall have power to appoint sub-committees as and when necessary. The terms of reference shall be agreed in advance and the sub-committee shall be directly accountable to the Executive Committee.
  - 4.10.1 At least one member of each sub-committee shall be a member of the Executive Committee and the remainder shall be members of the Association. The Chair, Vice-Chair, Secretary and Treasurer shall be ex officio members of all such sub-committees.
  - 4.10.2 All sub-committees shall keep proper accounts and records of all meetings to be made available to the Secretary for record management. Those records shall be made available as required to the Executive Committee or General Meeting.
  - 4.10.3 The Executive Committee or General Meeting may dissolve any sub-committees.
- 4.11 Officers of the Association shall declare any potential conflict of interest and withdraw from discussion and voting where appropriate.
- 4.12 In the event of breaches of the Constitution or Code of Conduct, membership of the Association, and by extension the Executive Committee, may be suspended or terminated by a two-thirds majority vote of the Executive Committee.
  - 4.12.1 Notification of suspension or termination of membership shall be given in writing to the member with a copy of the Constitution and Code of Conduct.
  - 4.12.2 There shall be no reimbursement of full or partial membership subscriptions in the event of termination of membership.
  - 4.12.3 Any serious breach of the Constitution or Code of Conduct may result in officers of the Executive Committee, following a majority vote of the Executive Committee, being asked to resign and, if appropriate, termination of membership.
- 4.13 The duties of the officers of the Association shall be as follows, as well as any additional duties as the Executive Committee may from time to time determine:
  - 4.13.1 Chair
    - 4.13.1.1 Chair meetings of the Association as laid out in section 5.
    - 4.13.1.2 Represent the Association at events or meetings that the Association has been invited to.
    - 4.13.1.3 Act as spokesperson for the Association when necessary.

- 4.13.1.4 Report on the activities of the Association at the Annual General Meeting.
- 4.13.2 Vice-Chair
  - 4.13.2.1 Deputise for the Chair in fulfilling those duties laid out in 4.9.1.
- 4.13.3 Secretary
  - 4.13.3.1 Prepare the agenda for meetings of the Association as laid out in section 5, in consultation with the Chair.
  - 4.13.3.2 Take and distribute minutes of meetings of the Association.
  - 4.13.3.3 Manage and record all correspondence received and sent by the Association.
  - 4.13.3.4 Collect and distribute any relevant information to members of the Association.
  - 4.13.3.5 Provide written notification to any member of the Association of the suspension or termination of their membership and coordinate any appeal meetings.
- 4.13.4 Treasurer
  - 4.13.4.1 Supervise the finances of the Association as laid out in section 6.
  - 4.13.4.2 Maintain full and accurate accounts that show all monies collected and paid out by the Association.
  - 4.13.4.3 Arrange for the accounts to be reviewed at the end of the Association's financial year, as laid out in 6.1, in preparation for the Annual General Meeting.
  - 4.13.4.4 Present a statement of accounts to the Executive Committee at each meeting and a financial report to all members of the Association at the Annual General Meeting.
- 4.13.5 Membership Secretary
  - 4.13.5.1 Maintain the list of members, including contact details, in a secure format in accordance with relevant legislation.
  - 4.13.5.2 Collect membership subscriptions on behalf of the Association and pass on to the Treasurer for banking.

## **5. MEETINGS**

### 5.1 Annual General Meetings

- 5.1.1 The Executive Committee shall convene an Annual General Meeting (AGM) of the members of the Association in February of each year. At least **twenty eight (28)** day's notice of the AGM shall be given to all members of the Association.
- 5.1.2 Notices of motion for the AGM shall be received by the Secretary at least **fourteen (14)** days before the date of the meeting. At least **ten (10)** days' notice of the agenda for the AGM shall be given to all members of the Association.
- 5.1.3 A quorum at the AGM shall be formed by **fifteen (15)** members of the Association or **25%**, whichever is the smaller.

- 5.1.4 Only members of the Association shall be eligible to vote. Individual members shall be entitled to one (1) vote; family members may vote but not to cast more than two (2) votes per family in any one poll. Corporate membership shall entitle any organisation to nominate one (1) representative to attend, vote and to be nominated for and hold office in or serve on the Executive Committee of the Association.
- 5.1.5 Only members of the Association shall be eligible to be nominated for election to the Executive Committee.
  - 5.1.5.1 Nominations for the Executive Committee shall be received by the Secretary at least **seven (7)** days before the meeting unless the Executive Committee makes a decision to accept nominations at the AGM.
  - 5.1.5.2 Nominees shall be present at the AGM unless they are unable to attend due to illness, holiday, etc. at the discretion of the Executive Committee. The Secretary must be informed before the meeting.
- 5.1.6 Decisions at the AGM shall be made by the majority of votes of those present at the meeting entitled to vote. In the event of an equality of votes, the Chair (or other person presiding at the meeting) shall have a casting vote whether or not they have previously voted.
- 5.1.7 An independent observer shall attend each AGM and confirm that the meeting was arranged and conducted in accordance with the Association's Constitution. The independent observer may be one of the following: an elected Councillor; a Council Officer; or an Executive Committee representative from another twinning association.

## 5.2 Extraordinary General Meetings

- 5.2.1 An Extraordinary General Meeting (EGM) may be convened on the written application by **ten (10)** members of the Association or **10%**, whichever is the smaller, to the Secretary. At least **twenty eight (28)** day's notice of the EGM shall be given to all members of the Association.
- 5.2.2 Notices of motion for the EGM shall be received by the Secretary at least **fourteen (14)** days before the date of the meeting. At least **ten (10)** days' notice of the agenda for the EGM shall be given to all members of the Association.
- 5.2.3 A quorum at the EGM shall be formed by **fifteen (15)** members of the Association or **25%**, whichever is the smaller.
- 5.2.4 Only members of the Association shall be eligible to vote. Individual members shall be entitled to one (1) vote; family members may vote but not to cast more than two (2) votes per family in any one poll. Corporate membership shall entitle any organisation to nominate one (1) representative to attend, vote and to be nominated for and hold office in or serve on the Executive Committee of the Association.
- 5.2.5 Decisions at the EGM shall be made by the majority of votes of those present at the meeting entitled to vote. In the event of an equality of votes, the Chair (or other person presiding at the meeting) shall have a casting vote whether or not they have previously voted.

## 5.3 Executive Committee meetings

- 5.3.1 The Executive Committee shall meet at a minimum of two-monthly intervals and the Secretary shall give all officers of the Association not less than **seven (7)** days' notice in writing of the date and place of the meeting and an agenda of the business to be transacted at that meeting.
  - 5.3.2 A quorum of the Executive Committee shall consist of **five (5)** officers of the Association or **50%** of the Executive Committee, whichever is the smaller.
  - 5.3.3 Decisions of the Executive Committee shall be made by the majority of votes of those present at the meeting entitled to vote. In the event of an equality of votes, the Chair (or other person presiding at the meeting) shall have a casting vote whether or not they have previously voted.
  - 5.3.4 The Executive Committee has the power to make decisions using electronic media outside of meetings. Any vote must be logged and recorded by the Secretary and formally approved at the next Executive Committee meeting or General Meeting. The quorum for making decisions shall be the same outside of meetings.
  - 5.3.5 All Executive Committee meetings are open to all members of the Association as observers, except for any discussions of sensitive matters that may arise (e.g. complaints, appeals).
- 5.4 Sub-committee meetings
- 5.4.1 A quorum of a sub-committee shall consist of **33%** of voting members.
  - 5.4.2 Decisions of a sub-committee shall be made by the majority of votes of those present at the meeting entitled to vote. In the event of an equality of votes, the Chair (or other person presiding at the meeting) shall have a casting vote whether or not they have previously voted.
- 5.5 The Chair and/or Secretary of the Association may invite to any of the meetings of the Executive Committee or sub-committees in a consultative or advisory capacity such person or persons as they think fit. Such person(s) will not be qualified to vote.

## **6. FINANCE**

- 6.1 The Association's financial year shall run from 1st January in each year to 31st December of the same year.
- 6.2 Any money raised by or on behalf of the Association shall be used to further the aims of the Association as set out in this Constitution.
- 6.3 Banking accounts must be opened in the name of the Association and shall be at a recognised UK bank(s), to be agreed by the Executive Committee.
- 6.4 **The Executive Committee shall have power to invest any of the funds of the Association in such security or securities that the Executive Committee may decide.**
- 6.5 All cheques shall be signed by not less than two of any three of the officers of the Association, one of whom shall be the Treasurer **or the Chair**, or if the Treasurer be a practicing Chartered Accountant then by any partner designated by them in the same accountancy practice.
- 6.6 All bank transfers and online payments (e.g. BACS) shall be authorised in writing by not less than two of any three of the officers of the Association, one of whom shall be the

Treasurer or the Chair, or if the Treasurer be a practicing Chartered Accountant then by any partner designated by them in the same accountancy practice.

- 6.7 Signatories must not be related to, or be members of, the same household.
- 6.8 Proper records of all transactions, including petty cash transactions, must be kept.
- 6.9 Members shall not receive any payment from the Association other than for bona fide expenses agreed by the Executive Committee and approved in advance. Expense claims must be submitted to the Treasurer at least seven (7) days before the next Executive Committee meeting.
- 6.10 At each Annual General Meeting an audited statement of accounts and balance sheet for the previous year shall be presented.
- 6.11 Accounts should be open to inspection by all members of the Association on request.

## **7. EQUALITY AND DIVERSITY**

- 7.1 The Association will actively seek to promote equal opportunities within the community and within its membership.
- 7.2 The Association will value diversity and promote good relations with all members of the community and not discriminate on the grounds of age, disability, gender reassignment, race, religion or belief, gender, sexual orientation, marriage or civil partnership, or pregnancy.
- 7.3 The Association will ensure that where possible meetings will be held in venues that are accessible to all.
- 7.4 The Association will provide information on all the ways that members can contribute their views, and how they can meet people's individual needs.
- 7.5 The Association recognises that all sections of the community have a positive contribution to make to the life of our communities.
- 7.6 The Association will provide all new members with appropriate information and support and make them feel welcome.

## **8. COMPLAINTS**

- 8.1 Any member who feels that they have not been treated fairly and equally by the Association can raise this with the Executive Committee who will respond within twenty eight (28) days.
- 8.2 Any complaints received about the conduct of the Association or members of the Association will be taken to the Executive Committee who will respond within twenty eight (28) days. The Executive Committee will only deal with complaints that relate to the activities of the Association and its members in relation to the Constitution and Code of Conduct. The Executive Committee will not deal with inter-personal disputes.

## **9. APPEALS**

- 9.1 Any member who has been suspended or had their membership terminated shall have the right to appeal. If a member wishes to appeal they have the right to ask the Secretary to arrange a special meeting to hear their appeal.

- 9.2 Appeals must be made to the Secretary within twenty eight (28) days of receipt of the written notification of suspension or termination of membership. A special meeting must be held to hear the appeal within twenty one (21) days of the Secretary receiving notification from the member.
- 9.3 The appeals panel shall include at least three (3) ordinary members of the Association who are not on the Committee.
- 9.4 Any member appealing suspension shall have the right to bring a third party and also, if they wish, to be represented by the third party.
- 9.5 The decision of the appeals panel shall be binding on both parties.

## 10. CHANGES TO THE CONSTITUTION

- 10.1 The Constitution shall be reviewed by the Executive Committee or a designated sub-committee every **three (3)** years.
- 10.2 Any amendments to the Constitution shall be notified in writing to the Secretary at least **twenty one (21)** days before the Annual General Meeting, or before an Extraordinary General Meeting.

## 11. DISSOLUTION

- 11.1 The Executive Committee or, if a committee no longer exists, a majority of remaining members of the Association, can propose that the Association should be dissolved. They must give at least **twenty eight (28)** days' notice to all members that a meeting is taking place proposing to dissolve the Association. For the sole purpose of dissolution, a quorum need not apply and the Association may be dissolved by a **66%** majority of those present. Any assets remaining after settling any liabilities shall be applied for the benefit of the community in accordance with the aims of the Association.

### Version history

Version	Changes made		Agreed at AGM	Date of next review
	Date	Summary		
1.0	?	?	?	N/A
2.0	?	?	19 February 1981	
2.1	10 June 2019	Full review and re-format. Existing sections expanded and sections added on Equality and Diversity, Code of Conduct, Appeals, and Dissolution.		+ 3 years



## Annex A: Code of Conduct

- A.1. Members shall conduct themselves in a manner that will not cause offence to others. Harassment, bullying, intimidation or discriminatory behaviour will not be tolerated and will be grounds for suspension of individual members. The Chair and Executive Committee have the right to warn the member(s) of their behaviour. If they persist, they will be suspended until further notice.
- A.2. It is a condition of membership that all members conduct themselves at all times in a reasonable manner at meetings or in premises used by the Association. A member may be suspended from the Association for failure to observe this, or for any other conduct not in line with the aims of the Association.
- A.3. All members of the Association must comply with the Constitution and Code of Conduct at all times. Any serious breach of the Constitution or Code of Conduct may result in officers of the Executive Committee, following a majority vote of the Executive Committee, being asked to resign and, if appropriate, termination of membership.
- A.4. Members of the Association must never personalise issues and should be willing to recognise that everybody is entitled to express their point of view without unduly preventing progress of discussion.
- A.5. Voters should always be prepared to accept the majority decision and not take such a decision as any form of personal slight or criticism.
- A.6. Members cannot receive any payment from the Association other than for bona fide expenses agreed by the Executive Committee and approved in advance. Expense claims must be submitted to the Treasurer at least **seven (7)** days before the next Executive Committee meeting.
- A.7. Members must never use their position to seek preferential treatment for themselves, their family or relatives. Nor should they use their position to be treated more or less favourably when requesting services from the Council or other organisations.
- A.8. Officers of the Association must not divulge any Association business which is treated as confidential to other persons or organisations.
- A.9. Statements to the media or other organisations on behalf of the Association should be made by the Chair or nominated officer with the prior approval of the Executive Committee.
- A.10. Correspondence sent on behalf of the Association must be signed by the Secretary or Chair, agreed by the Executive Committee and recorded in a log by the Secretary.
- A.11. Any member who feels that they have not been treated fairly and equally by the Association can raise this with the Executive Committee who will respond within **twenty eight (28)** days.
- A.12. Any complaints received about the conduct of the Association or individual members will be taken to the Executive Committee who will respond within **twenty eight (28)** days. The Executive Committee will only deal with complaints that relate to the activities of the Association and its members in relation to the Constitution and Code of Conduct. The Executive Committee will not deal with inter-personal disputes.

## **Annex B: Safeguarding**

B.1.