



SHROPSHIRE  
**Parent  
And  
Carer  
Council**

**Shropshire Parent and Carer Council**

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**The original signed copy of this constitution is kept by the PACC Secretary**

**The Shropshire Parent and Carer Council (PACC) Constitution**

adopted on the 16<sup>th</sup> November 2012

**Name**

The name of the organisation is "Parent and Carer Council (Shropshire)" (PACC)

**Vision**

'The creation of a well informed, connected and empowered community of families of children with disabilities or additional needs, offering support to each other and working in partnership with service providers to create quality services that meet the needs of all parent carers and their children'.

**Objects**

The Objects of PACC are:

To relieve the needs of children with disabilities and additional needs, their parents, carers and families, particularly but not exclusively by:

- The creation of a Shropshire parent/carer community that reduces isolation and strengthens the capacity of parents and carers to support their family;
- The provision of information to inform and empower parents/carers about the services and issues that affect their families;
- The provision of opportunities for parents and carers to influence the decisions that affect their families and to contribute to developing services that meet the needs of their families.

**Powers**

- a) To share information through different media i.e. Website, Audio Tapes, Language Tapes, CD's, Meetings, Newsletters and Directories.

- b) Maintain a database of members who are willing to be consulted about planning, development and procurement of services.
- c) Promote this database to agencies and services and liaise to facilitate consultation.
- d) Apply for, obtain, collect and receive money and funds from grants, donations, subscriptions, legacies and any other means. Also receive gifts of property that will be of benefit to PACC and its members.
- e) Employ and pay any person on such terms of employment as PACC decides are necessary, whether paid or unpaid, and to pay their out of pocket expenses.
- f) Obtain and provide information, work with and co-ordinate activities of any other organisation, whether charitable or otherwise, with the same purposes as PACC.
- g) Purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary to enable PACC to fulfil its purpose and construct, maintain and alter any building or other structure necessary for the work of PACC.
- h) Make rules and regulations for any property acquired in any way set out above. To sell, let, mortgage, dispose of or turn to account (make money out of) all or any of the property or assets of PACC.
- i) Arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings lectures, classes, seminars and training courses.
- j) Promote, encourage or undertake research surveys and experimental work and publish the results.
- k) Produce and print, publish, put on the internet, issue and circulate free or for a charge such papers, books, periodicals, pamphlets, directories or other documents or films or recordings in any other way as to enable PACC to fulfil its purpose or support and encourage others in working with those for whom PACC has been set up to benefit.
- l) Invest any money of PACC which is not needed for PACC's, immediate use.
- m) Do all such lawful things as are necessary to enable PACC to achieve its purposes.

### **Membership**

- a) Membership of PACC is open to any person who is:
  - i) over the age of 18 years
  - ii) approved by the Trustees
  - iii) interested in furthering the objects of PACC
  - iv) living in Shropshire or whose children access services based in Shropshire.

- b) Full membership of PACC and voting rights shall be open to any family of a child with a disability and additional needs (25 years or under). Each family shall nominate a person over 18 years to hold membership rights and vote on their behalf at meetings. Each Family shall notify PACC of the representative's name and address and of any change in its representative.
- c) If a parent carer does not wish to become a full member of PACC they may register as a Parent Subscriber, in which case the nominated family member will receive regular PACC mailings and up-dates and have the opportunity to take part in activities and consultations, but will have no voting rights.
- d) Any organisation or body, whether voluntary or otherwise, which is interested in supporting the work of PACC can register as a professional subscribers, which means that they will receive our regular mailings and up-dates.
- e) All Members Shall:
  - i) Be interested in furthering the work of PACC.
  - ii) Pay an annual subscription as decided by the Management Committee.
  - iii) Agree to follow rules set out in this Constitution and any others rules which PACC makes.
- f) The Management Committee may:
  - i) Accept a person or organisation into membership or refuse to allow a person or organisation to become a member.  
For good reason end the membership of an individual or organisation. The individual or organisation concerned or the appointed representative of the member organisation concerned (as the case may be) shall have the right to be heard by the Management Committee, accompanied by a friend, before a final decision is made.
  - iii) Any person whose membership is so terminated has a right of appeal to either the Management Committee of PACC or the Annual General Meeting (AGM), accompanied by a friend or representative. The decision of any meeting hearing such an appeal will be final and binding on all parties. Any vote taken at such meetings will be by simple majority of those present.

## 5. Officers

- a) At the AGM full members of PACC shall elect a Management Committee. At the first meeting of the Management Committee after the AGM, the Committee shall elect a Chair, a Secretary, a Treasurer and any other officers which PACC wishes to appoint, from the members of the Management Committee.
- b) All officers of PACC shall:
  - (i) Hold office from the end of the first meeting of the Management Committee, after the AGM until the end of the first meeting of the Management Committee after the following years AGM.

- (ii) At all times act in the best interests of PACC.
- (iii) Attend all meetings or send apologies. Any member who misses more than 3 consecutive meetings without reason will be asked to stand down.
- c) Officers may stand for re-election at the AGM each year for three consecutive years. If no member comes forward to replace them in office then the committee may invite them to continue as an officer.

## **6. Management Committee**

The Management Committee shall consist of a minimum of 5 full members and a maximum of 12 full members.

- a) The Management Committee can appoint up to 4 co-opted members if it considers it needs persons with particular expertise (these may be associate members).
- b) Anyone elected on to the Management Committee must sign the Minute book to show that they agree to be a member of the Management Committee. If they do not, they are not entitled to act as if they were a member of the Management Committee.
- c) Only full members of PACC may stand for election as Management Committee Members. If there is a vacancy on the Management Committee the other members of the Management Committee may ask someone to fill that vacancy. The person filling the vacancy will be treated as if they were an elected Management Committee Member.
- d) A Person shall cease to be a Management Committee Member if:
  - (i) They resign, or
  - (ii) They become incapable of dealing with their own affairs because of mental or physical illness or injury, or
  - (iii) Are prevented from becoming a member of the Management Committee by the law.
- e) No member of the Management Committee shall have any interest in property or other assets owned by PACC or have an interest in any contract entered into by the Management Committee. Members of the Management Committee can be employed by PACC, or receive payment for services delivered to PACC, if each of the following conditions is satisfied.
  - i. The amount or maximum amount of the payment for the goods is set out in agreement in writing between the charity and the charity trustee or connected person supplying the goods ('the supplier') under which the supplier is to supply the goods in question to or on behalf of the charity.

- ii. The amount of maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of goods in question.
  - iii. The other charity trustees are satisfied that it is in the best interests of the charity to contract with the supplier rather than with someone who is not a charity trustee or connected person. In reaching that decision the charity trustees must balance the advantage of contracting with a charity trustee or connected person against the disadvantages of doing so.
  - iv. The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the charity.
  - v. The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of charity trustees is present at the meeting.
  - vi. The reason for their decision is recorded by the charity trustees in the minute book.
  - vii. A majority of the charity trustees then in office are not in receipt of remuneration.
- f) The Management Committee shall meet a minimum of 3 times a year.
  - g) The Chair shall conduct all meetings of the Management Committee. If the Chair and Vice Chair are absent the Management Committee shall choose another person to chair the meetings.
  - h) A meeting may only take place if it is quorate. A Quorum is one third of the Management Committee Members (at least three members).
  - i) The Management Committee shall make decisions by majority vote.
  - j) The Chair shall have a casting vote if the vote is tied.
  - k) The Management Committee shall take minutes of any PACC matters discussed at a meeting of the Management Committee or any sub-committee.
  - l) The Management Committee may set up sub-committees to deal with different aspects of PACC's business and activities. The Management Committee shall make rules for the conduct of each sub-committee.

## **7. Money**

- a) Any money received on behalf of PACC shall be paid into a bank account opened by the Management Committee for this purpose.
- b) All cheques drawn on the account must be signed by at least two members of the Management Committee.
- c) The funds of PACC can be used only to enable PACC to fulfil its purposes.

## **8. Accounts**

The Management Committee will ensure that proper accounts are kept and audited annually.

### **9. Annual General Meeting (AGM)**

- a) PACC shall hold an AGM each year (within 10 - 14 months of the previous year's AGM)
- b) The Secretary of PACC shall give every member of PACC at least 21 days notice of the date of the AGM.
- c) The Management Committee will present to the members at each AGM details of PACCs financial situation for the preceeding year.
- d) The Members shall elect representatives onto the Management Committee at the AGM.

### **10. Other Meetings**

- a) The Management Committee may call other meetings of PACC at any other time.
- b) A meeting may be called by the Secretary if requested by at least 10 members. They must state the business to be dealt with at the meeting. The Secretary will give every member of PACC at least 21 days notice of the meeting and the business to be discussed.

### **11. Alterations to Constitution**

The Constitution may be changed by passing a resolution at either the AGM or any other meeting of PACC. The Secretary will give every member of PACC at least 21 days notice of the meeting and the resolution to be discussed. If the resolution is confirmed by a two-thirds majority of those members present and voting, the Constitution will be amended.

### **12. Resolutions**

If the Management Committee decides that it is necessary or advisable to dissolve PACC, it shall call a meeting of all members of PACC, of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those members present and voting, the Management Committee shall have power to realise any assets held by or on behalf of PACC. 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 PACC as the members of PACC may determine or failing that shall be applied for some other charitable purpose.

### **13. Equal Opportunities.**

All activities and actions undertaken by, or on behalf of PACC shall be in accordance with the principles of equity and equal opportunities. All members of PACC, when acting on behalf of PACC shall ensure that their actions are in accordance with any such equal opportunities policy and practices adopted by PACC.

### **14. Interpretation of the Constitution**

In the event of any question on which this Constitution is silent, the Management Committee shall have power to act according to its interpretation or at its discretion.