

Writing a constitution

Introduction

This information sheet is designed to give you a brief overview of the things you need to consider when you are writing a constitution.

What is a Constitution?

A constitution, (sometimes called a governing document), is a document that provides the framework for the way your group operates. Some rules are determined by the group's legal structure (i.e. an unincorporated association, charitable trust etc.) and whether it wishes to apply for charitable status; others will depend on how the group wishes to manage its own affairs.

Why do you need one?

Your group will require a constitution if it wants to ensure that its aims and rules are clear and agreed by its members, if it is dealing with money, (even if very small amounts), and if it plans to apply for funding, (most funders will want to see a constitution).

Step (1) Decide on a name for your group

1. Before your group adopts a name - have you asked people outside the group what they think of it? (*Remember names mean different things to different people.*)
 - What your group does, who it's for and how you want others to see it.
 - Beware acronyms - make sure the name of your group does not have an unfortunate or misleading acronym!
2. Have you included in your constitution a power for the management committee to change the group's name if required?

Step (2) Agree your group's objects, powers and client group

1. Have you decided upon and written down the group's aims in order of priority?
2. Have you listed all the group's powers i.e. everything the group intends to do, (*for example the power to employ and pay staff, own land or property and borrow or raise money*).
3. Has it been agreed who the group's clients will be and what area the group will cover, (*for example a ward, town or local authority area*).

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Step (3) Set your procedures and rules for running the group

1. Has it been agreed who can be a member of the group and what rights they have?
2. Have the voting procedures for both committee and general meetings been agreed?
3. Have you decided how many people should sit on the committee, how they will be chosen and how long someone remains in office once elected?
4. Does the constitution state how often the committee should meet and the length of notice to be given?
5. Does the constitution lay down the basic procedure for handling accounts and state that any funds raised will be used only for the group?
6. Has the group agreed a procedure for amending the constitution in the future?
7. Is there a procedure for winding up the group if this becomes necessary?

What Next?

This Information Sheet is designed to be used as a general guide - **it is not a definitive example of how to construct a constitution**. We therefore recommend that groups contact the Voluntary Groups Advisor at WACA where support and advice is available, as well as a number of detailed books and other resources.

The Charity Commission website has guidance on producing constitutions and has model documents you can use.

<http://www.charity-commission.gov.uk/registration/mgds.asp>

This is one in a series of ***Information Sheets*** produced by the Voluntary Groups Service. For more information about any of the topics covered in this ***Information Sheet***, or to find out how the VGO can help your group, please contact:

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The Voluntary Groups Service recommends that, where possible, groups seek legal advice when writing their constitution.