

**CONSTITUTION
&
TERMS OF REFERENCE**

FOR THE

SOUTHWATER ACTION TEAM (SWAT)

**A COMMUNITY PARTNERSHIP
of SOUTHWATER PARISH**

CONSTITUTION & TERMS OF REFERENCE FOR THE SOUTHWATER ACTION TEAM

A. Name

The full name shall be:

the ***Southwater Action Team*** - a Community Partnership of Southwater Parish ¹
which may be referred to by the initials **SWAT**.

B. Structure and administration

The SWAT is an unincorporated association of organisations and individuals representing the community and interests of Southwater Parish.

Subject to the matters set out below the SWAT shall be administered and managed by the members of the Management Committee, constituted by Clause E of this Constitution.

C. Aims, objectives and beneficiaries

Main aims

The SWAT shall have the following main aims;

- To work together to realise the Vision for Southwater arising from the Action Plan consultations and the ongoing development of that plan.
- To work together and with others on issues and projects of interest and concern to Southwater Parish in order to ensure that any change best preserves the special identity of Southwater village and the local environment and fosters a socially inclusive and caring community.
- To implement the agreed projects arising from the Action Plan
- To maintain and update the original project objectives and to be responsive to changing community concerns.

Key objectives

In order to achieve its aims the SWAT shall have the following key objectives for action.

1. To maintain a fully representative membership, or other consultative processes, to ensure the needs of all sections of the community are heard and taken into consideration.
2. To define Southwater's priorities arising from the Action Plan process.
3. To seek and work with partners to ensure the delivery of those projects contained in the action plan.
4. To seek to influence decision making in, and concerning, Southwater in line within the agreed action plan.

¹ See notes at Appendix 1

5. To undertake further research as necessary to secure additional evidence of needs and proposed actions.
6. To seek, through a variety of means, to engage the whole community and keep them informed of the work of the SWAT.
7. To identify and apply for sources of funding and other resources for the SWAT, its projects and initiatives, including, but not limited to, grant funds, local business support, sponsorship and support in kind.
8. To seek to ensure that the local action plan and concerns are reflected where applicable in the County and District Community Strategies and in the other development plans of major public agencies.
9. To work jointly with other towns' partnerships on issues and projects of shared concern and by sharing expertise and experience.
10. To monitor and review the work of the SWAT to ensure it delivers appropriate results, maintains its credibility and is restructured when appropriate.

Area and communities of benefit

The catchment area for the SWAT shall be the civil parish of Southwater² whose residents look to Southwater for education, employment, goods, accommodation and services.

The communities of benefit shall be all those who live or work within this area and on whom the future plans and development of Southwater may impact.

D. Powers / Authority

In furtherance of its aims and objectives the SWAT shall have the power/authority to;

1. Receive funds and undertake financial transactions necessary to conduct its business.
2. Seek funding and support in kind to assist in the running of the SWAT and for the delivery of agreed projects.
3. Take appropriate action to influence local and regional decision-making as it affects the achievement of the main aims of the SWAT.
4. Establish, where appropriate, organisations or other bodies to run local services arising from the work of the SWAT.
5. Do all such other lawful things as are necessary for the achievement of the aims and objectives of the SWAT.

In exercising these powers the SWAT as an unincorporated association will take account of the risks involved in not being incorporated and will make appropriate arrangements to protect individual members of the SWAT.

E. Membership

Eligibility

General membership of the SWAT shall be open to;

² The parish of Southwater includes Christ's Hospital, Tower Hill, Denne Park and Newfoundout

1. Individuals who have an interest in the issues and concerns of Southwater and who are prepared to sign up to the aims and objectives of the SWAT.
 2. Any body corporate or unincorporated association which is interested in and committed to furthering the work of the SWAT and is prepared to sign up to the aims and objectives of the SWAT.
 3. Parish, District and County Councils having responsibility for some or part of the catchment area.
- Each adult member shall have one vote and be entitled to vote at the annual general meeting and other meetings of the SWAT membership.

Where members are separately constituted organisations, businesses or associations they may nominate a named individual to represent them and vote at meetings of the SWAT. They must also nominate an alternative individual to replace the appointed individual should they be unable to attend meetings or cease to be part of the organisation.

Young People

The SWAT will consider mechanisms for involving the views of young people in the work of the SWAT either outside the formal membership or through agreeing specific youth membership or forum.

Membership and subscriptions

Members are entitled to;

- Receive copies of the SWAT newsletter and updates
- Become involved in individual projects

A membership subscription may be raised and the level of any membership subscription will be set at the annual general meeting.

F. Annual general meeting and other general meetings of the SWAT

There shall be an annual general meeting of the SWAT held in the month of September in each year.

The business of the annual general meeting shall include the following matters to be discussed and decided on;

- Receiving the Annual Report and the accounts for the preceding year from the Management Committee
- Appointing an auditor
- Electing/re-electing honorary officers and management committee members
- Determining the membership subscription, if any.
- Evaluating the work of the SWAT
- Reviewing and agreeing any proposed constitution changes

The annual general meeting shall be open to all members of the SWAT and the general public. Notice of 21 days shall be given of any general meetings, being sent directly to SWAT members and advertised in the *Southwater News* and any other local press publication agreed by the management committee.

Honorary officers

At the annual general meeting of the SWAT the members shall elect from amongst themselves a chairman, vice chairman, secretary and a treasurer who shall hold office from the conclusion of that meeting.

These offices are for one year. Individuals may stand for re-election each year.

Quorum

The quorum for the annual general meeting shall be at least ten members. If no quorum is present a special general meeting will be called.

Special general meetings

The management committee may call a special meeting of the SWAT at any time. If at least ten members request such a meeting in writing stating the business to be considered the secretary shall call a meeting. At least 21 days notice must be given and the notice must state the business to be discussed.

G. The SWAT Management Committee

A management committee shall be elected from amongst the membership to ensure that the work of the SWAT is appropriately managed and targets are achieved.

The SWAT management committee membership shall consist of not less than 6 members nor more than 12 members being;

- The honorary officers [4]
- Individual members elected at the annual general meeting who shall hold office from the conclusion of that meeting, including one young person between 9-17 years, and one young adult between 18-25 years;
- Corporate/organisation members
- Local authority members

In order to achieve appropriate representation from all community interests and from funders it is suggested that the membership of the management committee should be drawn from the following sources:

1. Local government

Southwater Parish Council	[1]
Horsham District Council	[1]
West Sussex County Council	[1]

Other Councillors may be involved but not representing the interests of their Councils.

2. Local business community

3. Local voluntary and community sector

4. Individual/founding members

5. Advisory members (No voting rights)

e.g. Action in Rural Sussex

In addition, the management committee may co-opt representation of significant local interests e.g. health, tourism, housing, education when this is relevant to the particular work of the SWAT. These representatives shall have no voting rights.

Retirement

All the members of the management committee shall retire from office at the annual general meeting, following the one at which they came into office but they may be re-elected or re-appointed.

Vacancies

Should vacancies arise on the management committee during the course of the year the Management Committee shall appoint a member of the SWAT in order to fill that vacancy. Individuals appointed in this way shall be members of the committee until the next annual general meeting and can stand for re-election at that time if they wish.

Meetings of the SWAT management committee

The SWAT management committee shall meet from time to time as dictated by the business to be conducted. Not less than seven days written notice of ordinary meetings shall be given to each member.

Special meetings may be called by the Chair, or by the Secretary on receiving a written request from any three members. Not less than three days written notice of a special meeting shall be given to each member of the Management Committee.

Attendance and records

The secretary shall keep a formal record of attendance at the Management Committee meetings. The minutes and action points from each meeting shall be circulated to all members of the management committee and be made available to the broader SWAT membership if requested. All minutes and agenda will be posted on the community website.

A member of the management committee shall cease to hold office if he or she;

- Is absent without permission of the management committee for all their meetings within a six-month period.
- Is disqualified from acting as a member of the management committee by virtue of any relevant law, or becomes incapable by reason of mental disorder, illness or injury from managing their own affairs.

If the Chair is absent from any meeting, the members present shall choose one of their number to preside at the meeting before any business is transacted.

Quorum

The quorum for all management committee meetings shall be four of the membership of the committee.

Co-options

The committee may co-opt individuals who have specific expertise, knowledge or experience. These individuals will be advisory members only and may not number more than one third of the committee in total.

Specialist advisors

The committee may seek specialist advice from time to time and may co-opt specialist advisors to the committee for a limited time or for a specific project.

Voting rights

Each adult full member of the management committee shall have one vote. All decisions shall be through a majority voting system. Where votes cast in any matter are equal then the Chairman shall have a casting vote in addition to a vote as a member.

Urgent matters

Should urgent matters arise requiring a decision that cannot wait until the next management committee meeting then the Chair shall have the power to decide the matter providing that it is in line with the existing policy of the SWAT. The matter shall be reported back in full to the next meeting of the management committee.

H. Working groups

The management committee shall have the power to set up working groups or sub-committees to take forward the issues and projects arising from existing initiatives and the Action Plan.

The chair of such working groups or sub-committees will be an existing member of the management committee or a co-opted member. The membership of each working group will be made up from members of the management committee and/or interested general SWAT members not on the committee, but who are committed to helping deliver the action plan work or who can contribute specialist skills, experience or knowledge.

I. Agendas and Minutes

Agendas will be published at least one week in advance of any meeting of the SWAT.

All the meetings of the SWAT will be minuted, or be noted, and these shall be placed in the public domain (for example in the public library or in electronic form on the Southwater Parish Council's web site)

J. Openness

Meetings of the partnership will be open to all who have an interest in Southwater, and subject to the Chairman's veto, will all have a right to comment and raise questions relevant to the agenda.

K. Correspondence and Publications

The SWAT shall have its own headed paper and logo style. The Chairman and Secretary of the management committee or any working group or subcommittee will have the power of signature as directed by that group or committee

L. Accessibility to records and correspondence

All correspondence and publications will be filed in a central place at the parish offices and be available for inspection at any reasonable time

M. Keeping financial records

The SWAT will need to access two sets of funds to achieve its aims.

Running Costs

Running costs for the SWAT itself including the costs of administration, office space and staff support will be met through grant, from Parish, District or County Councils or by support in kind from these organisations or other grant giving bodies.

Project funds

Project funds are specific allocations from any source. It is recognised that in some cases the grant provider may request that the SWAT holds and administers these funds and in those cases the SWAT will hold the funds and administer them in accordance with its governance regulations. In cases where the provider insists the funds are held by a third party, then the SWAT will request that the Parish Council, or such a third party as may be acceptable to the provider and the Parish Council, to hold the funds on behalf of the SWAT.

The SWAT shall keep clear records of all financial transactions. These records shall be independently audited and presented for approval at the SWAT annual general meeting.

A bank account shall be opened in the name of the SWAT. Signatories to the bank account will be the Chair and Treasurer of the SWAT and two other nominated management committee members within authority levels defined at the annual general meeting.

Project funds: Project funds are specific allocations from any source. It is recognised that in some cases the grant provider may request that the SWAT holds and administers these funds and in those cases the SWAT will hold the funds and administer them in accordance with its governance regulations. In cases where the provider insists the funds are held by a third party, then the SWAT will request that the Parish Council, or such third party as may be acceptable to the provider and the Parish Council, to hold the funds on behalf of the SWAT.

N. Changes to the constitution

Changes to the constitution of the SWAT can only be made at a general meeting of the SWAT and must be agreed by at least two thirds of the full SWAT membership present and voting. 21 days notice of proposed changes to the constitution must be given to the membership prior to the meeting.

O. Dissolution

The SWAT can only be dissolved by the decision of the full membership at a special general meeting expressly called for the purpose. A vote of two thirds of the full SWAT membership present and voting at the meeting in favour of dissolution is required for the SWAT to cease operating. Directions as to the disposal of any assets shall also be decided at this meeting, except in the case of grants where monies or assets are given and where the grant giver has specified the course of action to take.

This constitution was adopted on the

by the persons whose signatures and affiliations appear below.

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Appendix 1

Explanatory note

Continuity and Setting up of the SWAT.

SWAT as The Southwater Community Partnership to be established in September 2009 will incorporate the aims and objectives of the Southwater Action Team constituted in June 2005. It should be seen as an extension of that organisation and earlier aspirations.

Southwater Action Team has five sub groups joined under one umbrella. The main priorities within the 2005 Constitution are young people and anti social behaviour. In order to broaden its remit as proposed it is necessary to amend the current constitution to encompass the interests of the focus groups contained under the banner of the Southwater Community Action Plan, a number of which will benefit the interests of young people in Southwater. Additional areas are transport and accessibility; the environment; the economy and social and community matters.

Those adopting the revised Constitution will take the following actions;

1. Agree the individual signatories to the constitution.
2. Agree and minute the decision to form the partnership and adopt the constitution.
3. Sign the constitution.
4. Elect honorary officers to serve the partnership.
5. Consider what co-options are needed
6. Publicise the launch of the SWAT partnership

Amendments to the Constitution