

CONSTITUTION

Adopted on the 10th day of May 2011 by

A. NAME

THE POA WELFARE FUND ("The Charity")

B. ADMINISTRATION

Subject to the matters set out below the Charity and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause F of this constitution ("the Executive Committee") and be governed by the law of England and Wales.

C. OBJECTS

The Charity's objects ("the objects") are in the relief of the poor and of sickness.

In satisfying the above objects, the assistance in the relief of the poor and the sick can include grants of money in the form of:

- Weekly allowances for a limited period to meet a particular need.
- Special payments to relieve sudden distress.
- Payment of traveling expenses for visiting people, for example in hospital, convalescent home, children's home, a prison or other similar place, particularly where more frequent visits are desirable than payment from public funds will allow.
- Payments to meet expenses associated with the visiting people (as mentioned above) for example, child-minding, accommodation, refreshments etc.
- Donations to other charities accommodating those in need in the area of the charity such as almshouses, homes or hostels for the old, infirm, or homeless.
- Payments to assist in meeting electricity, gas and water bills; or payment of television license fees.

The provision of items (either outright, or, if expensive but appropriate, on loan) such as:

- Furniture, bedding, clothing, food, fuel, heating appliances.
- Washing machines and fridges.
- Radio or television sets for the lonely, the bedridden or the housebound.

Payment for services such as:

- Essential house decorating.
- Insulation and repairs.
- Laundering
- Meals on wheels
- Outings and entertainment
- Child minding.

The provision of facilities such as:

- The supply of tools or books or payments of fees for instruction or examinations; or traveling expenses to help the recipients to earn their living; or equipment and funds for recreational pursuits or training intended to bring the quality of life of the beneficiaries to a reasonable standard.

Charities for the relief of the poor may give extra help for poor people who are also **sick, convalescent, infirm, or with disabilities**, whether physically or mentally.

Grants of money in the form of:

- Special payments to relieve sickness or infirmity.
- Payment of traveling expenses on entering or leaving hospitals, convalescent homes, or
- Similar institutions, or for out-patient consultations

- Payment towards the cost of adaptations to the homes of disabled people.
- Payment of telephone installation charges and rentals.

The provision of items such as:

- Expensive food for special diets.
- Medical or equipment such as wheelchairs either outright or, if expensive but appropriate, on loan.

The provision of services such as:

- Exchange of library books.
- Gardening.
- Bathing, hair washing, shaving, foot care.
- Help in the home.
- Nursing aid, physiotherapy in the home.
- Shopping.
- Reading, sitting-in, audio tapes for the housebound.
- Traveling companions.

The provision of facilities such as:

- Arrangements for a period of rest or change of environment.
- Treatment at convalescent homes or other institutions.
- Transport.

As well as giving grants to individual people in need, or to organisations on behalf of those individual people, trustees can also make grants to other charities and organisations which offer help to the poor. In this case, however, trustees must ensure that any donation will be passed on, in cash or kind, to persons who qualify as proper recipients of assistance from the donor charity.

On this basis, grants to almshouse charities and other charities which cater exclusively for the poor, are permissible provided that the receiving charities operate in the same area of benefit as the donor charity.

D. Powers

In furtherance of the objects but not otherwise, the Executive Committee may exercise any of the following powers:

- i)** Power to raise funds and invite and receive contributions: provided that in raising funds the trustees shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.
- ii)** Power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use.
- iii)** Power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity.
- iv)** Power subject to any consents required by law to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed.
- v)** Power to employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants.
- vi)** Power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them.
- vii)** Power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects.
- viii)** Power to appoint and constitute such advisory committees as the Executive Committee may think fit.
- ix)** Power to do all such other lawful things as are necessary for the achievement of the objects.

E. Membership

1. Membership of the Charity shall be open to any member who has paid into the fund for a continuous period of six months and has not exercised any opt out option from contributing to the fund.

A member must be a full member of the POA or be a member of the Retired Members Branch or be an Honorary Life member of the Union.

Any member who resigns from the service or is medically retired would cease to be eligible to claim from the date of resignation or medical retirement.

2. Every member shall be entitled to one vote in any workplace ballot called to discuss and decide on the activities and performance of the Charity.

3. The Executive Committee may by unanimous vote and for good reason terminate the membership of any individual: Provided that the individual concerned shall have the right to be heard by the Executive Committee accompanied by a friend before a final decision is made.

There shall be no rights of appeal against such decision.

F. Executive Committee

1. The Executive Committee shall consist of not less than 3 members nor more than 5 members being:

The Union's Finance Officer

One Honorary Life Member

One member from the retired member's branch

One member from the Diversity Consultative Committee

One Branch Official

The Union's Finance Officer, Honorary Life Member, Member from the Retired Members' Branch, Member from Diversity' Consultative Committee and The branch Official shall be appointed by the Trustees of the POA Welfare Fund.

The Committee from amongst themselves shall elect a Chairman, Secretary and Treasurer.

2. The Executive Committee may, in addition, appoint not more than 2 co-opted members but so that no-one may be appointed as a co-opted member if, as a result, more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive

Committee called under clause P and shall take effect from the end of that meeting, unless the appointment is to fill a place which has not then been vacated, in which case the appointment shall run from the date when the post becomes vacant.

3. The Chairman of the Executive Committee shall hold office for 5 years. The Finance Officer shall serve for a 5 year period in line with the Finance Officer electoral procedures within the Rules of the POA. The Secretary and all other members of the committee shall serve for 5 years. All members of the Executive Committee may be re-appointed after having served their time of office.

4. The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.

5. Nobody shall be appointed as a member of the Executive Committee who is aged under 18 or who would, if appointed, be disqualified under the provisions of the following clause.

6. No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration of acceptance and of willingness to act in the trusts of the Charity.

G. Determination of Membership of Executive Committee

A member of the Executive Committee shall cease to hold office if he or she:

1. Is disqualified from acting as a member of the Executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision)

2. Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs.

3. Is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or

4. Notices to the Executive Committee a wish to resign but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect.

5. If by reason of sanction by the POA conduct committee no longer enjoys the unanimous support of the charity's Executive Committee

H. Executive Committee Members not to be personally interested

No member of the Executive Committee shall acquire any interest in property belonging to the Charity (other than as a trustee for the Charity) or receive remuneration or be interested (other than as a member of the Executive Committee) in any contract entered into by the Executive Committee.

I. Meetings and proceedings of the Executive Committee

1. The Executive Committee shall hold at least 4 ordinary meetings each year. A special meeting may be called at any time by the chairman or by any two members of the Executive Committee upon not less than 4 days' notice being given to the other members of the Executive Committee of the matters to be discussed but if the matters include an appointment of a co-opted member, then not less than 21 days' notice must be given.

2. The Chairman shall act as Chairman at meetings of the Executive Committee. If the Chairman is absent from any meeting, the members of the Executive Committee present shall choose one of their number to be Chairman of the meeting before any other business is transacted.

3. There shall be a quorum when at least one third of the number of members of the Executive Committee for the time being or three members of the Executive Committee, whichever is the greater, are present at a meeting.

4. Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the Chairman of the meeting shall have a second or casting vote.

5. The Executive Committee shall keep minutes. Kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.

6. The Executive Committee may, from time to time, make and alter rules for the conduct of their business, the summoning and conduct of

their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.

7. The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee: provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the Executive Committee.

J. Receipts and expenditure

1. The funds of the Charity, including all donations, contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the Charity at such bank as the Executive Committee shall from time to time decide. All cheques drawn on the account must be signed by at least two members of the Executive Committee.

2. The funds belonging to the Charity shall be applied only in furthering the objects.

K. Property

1. Subject to the provisions of sub-clause (2) of this clause, the Executive Committee shall cause the title to:

- a)** all land held by or in trust for the charity which is not vested in the Official Custodian for Charities; and
- b)** all investments held by or on behalf of the charity;

To be vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful directions of the Executive Committee, the holding trustees shall not be liable for the acts and defaults of its members.

2. If a corporation entitled to act as custodian trustee has not been appointed to hold the property of the charity, the Executive Committee may permit any investments held by, or in trust for the charity, to be

held in the name of a clearing bank, trust corporation or any stockbroking company which is a member of the International Stock Exchange (or any subsidiary of any such stockbroking company) as nominee for the Executive Committee, and may pay such a nominee reasonable and proper remuneration for acting as such.

L. Accounts

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

1. The keeping of accounting records for the Charity.
2. The preparation of annual statements of account for the Charity.
3. The auditing or independent examination of the statements of account of the Charity; and
4. The transmission of the statements of account of the Charity to the Commission.

M. Annual Report

The Executive 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 its transmission to the Commission.

N. Annual Return

The Executive 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 return and its transmission to the Commission.

O. Annual General Meeting

1. There shall be an Annual General Meeting of the Charity which will be held at the POA Annual Conference at which all branch Chairmen will be present. In the event that a branch Chairman cannot be present, his proxy can be given.
2. At least 21 days' notice of the annual general meeting shall be given to all the members of the Charity by way of publication of the POA Annual conference agenda. The members of the Charity shall be

represented by their branch Chairman who will vote in accordance with their majority wishes on any matter requiring a vote.

3. The branch Chairman will undertake to hold a meeting of his/her branch membership at least 14 days prior to the annual general meeting at which the whole Agenda shall be discussed and any necessary vote taken.

4. The Executive Committee shall present to each Annual General Meeting the report and accounts of the Charity for the preceding year.

P. Special General Meetings

The Executive Committee may call a Special General Meeting of the Charity at any time. At least 21 days' notice must be given. The branch Chairman must hold a workplace meeting and ballot 14 days prior to the Special Meeting. In the event that the Chairman cannot attend the General Meeting, his/her proxy may be given. The costs of holding the workplace ballot and attendance at the General Meeting shall be borne by the Welfare Fund.

Q. Procedure at General Meetings

1. The Secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the Charity.

R. Notices

Any notice required to be served on any member of the Charity shall be in writing and shall be served by the Secretary or the Executive Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

S. Alterations to the Constitution

1. Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.

2. No amendment may be made to clause A, clause C, clause H, clause T or this clause without the prior consent in writing of the Commissioners.

3. No amendment may be made which would have the effect of making the Charity cease to be a charity at law.

4. The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

T. Dissolution

If the Executive Committee decides that it is necessary or advisable to dissolve the Charity it shall call a meeting of all members of the Charity, 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 present and voting the Executive Committee shall have power to realise any assets held by or on behalf of the Charity. 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 the Charity as the members of the Charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the Charity must be sent to the Commission.

