

Youth Arts Jersey **Constitution**

Introduction

Youth Arts Jersey is a charity which supports the development of arts based activities and opportunities for young people who live in Jersey.

1. Name

The name of the Association (hereinafter called the "Charity") is the 'Youth Arts Jersey'

2. Definitions and Interpretation

- 2.1 'The Charity' shall mean the 'Youth Arts Jersey'.
- 2.2 The affairs of the Charity shall be managed by an executive body (herein referred to as the "Committee") which shall consist of the Officers of the Charity together with a number of Committee members who shall be elected at the Annual General Meeting of Members.
- 2.3 'Rules' shall mean the Rules of this Constitution as amended from time to time.
- 2.4 Words importing the singular number only shall include the plural and vice versa.
- 2.5 Words importing the masculine gender only shall include the feminine gender.

3. Objects

The object of the Charity shall be to support the development of arts based activities and opportunities for young people, to promote their personal and social development and to enable them to have a voice which is heard across Jersey. This will include provision of the following:

- 3.1 A safe, warm, well equipped and accessible environment for young people to meet in order to participate in a broad range of Arts based opportunities
- 3.2 Varied provision to include building based youth work as well as detached and outreach youth work both on and off the island.
- 3.3 A range of opportunities to support young people's personal and social development, including art, music, performance, drama, and outdoor activities to develop new skills, to build self-confidence and explore issues that impact on their lives.
- 3.4 Access to information and advice on a variety of issues that impact on their lives from trained and experienced youth workers who they trust and feel comfortable with, knowing they will be non-judgmental and supportive.
- 3.5 An opportunity to be involved in developing their Youth Project through involvement in decision making, with an opportunity to provide feedback.
- 3.6 Providing a voice and to be heard on issues that they feel strongly about both by having representation on the Committee's sub committees and through other creative methods of participation.
- 3.7 Providing further opportunities for young people to train as a Young Youth Worker Volunteer or a Peer Educator.

4. Powers

- 4.1 For the purpose of carrying out the above objects, the Charity shall have the following powers:-
 - To accept subscriptions and donations.

- To take such lawful steps by appeals at public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Charity in the form of donations subscriptions or otherwise.
 - To borrow or raise money for the purposes of the Charity on such terms and on such security as may be thought fit.
 - To print, publish and circulate a newsletter, poster or other document that may be deemed necessary or desirable for the promotion of the objects of the Charity.
- 4.2 To invest the moneys of the Charity not immediately required for its purposes in or upon such investments, securities or property as may be thought fit.
- 4.3 To support any charitable association or bodies engaging in or promoting the same or similar activities as the Charity, whether incorporated or not.
- 4.4 To employ such persons as may be necessary in the carrying out and general implementation of these rules and to provide for, arrange and implement the training of such persons.
- 4.5 To do all such things as are incidental or necessary to the attainment of the above objects or any of them.

5. Membership

Membership of the Charity shall consist of those persons whose names have been enrolled as members under the following categories:

- 5.1 **Members:** Youth Club membership shall be open to all young people between the ages of 12 – 18 years.
- 5.2 **Associate Members:** Associate Membership shall be open to anyone over the age of 18 that wishes to serve on the Committee, support the Charity or to make use of its facilities.

6. Officers of the Charity

There shall be the following Officers of the Charity:

- 6.1 Hon. Chairperson
- 6.2 Hon. Vice-Chairperson
- 6.3 Hon. Treasurer
- 6.4 Hon. Secretary
- 6.5 Plus 4 Ordinary Members as the Members of the Charity may from time to time elect.
- 6.6 No person who is not a member of the Charity shall be eligible to be an Officer.
- 6.7 The Chairman shall chair the meetings of the Committee or, if absent, delegate the Vice-Chairman to chair the meetings on his/her behalf. The Chairman (or in his/her absence, the Vice-Chairman) will be the sole spokesperson on behalf of the Committee to the public and / or to the media. The Chairman carries the overall responsibility for the good governance of the Committee and, in turn, its governance of the Charity. The Chairman or his appointee shall represent the Charity in tribunals or elsewhere.
- 6.8 The Honorary Treasurer shall ensure in consultation with the Committee the good husbandry of financial resources, in particular the balance of income and expenditure. He/she shall ensure that proper accounts are maintained and that such accounts are duly audited each year. The Honorary Treasurer shall present to the Committee annual budgets and management accounts and provide financial information to the Committee to allow good governance. The Honorary Treasurer shall have no discretion, outside the agreed budgets, on spending and all proposals for further expenditure must be brought to the Committee for its approval.
- 6.9 The Honorary Secretary shall ensure that proper minutes of all meetings are recorded and shall be responsible for ensuring that meetings are convened as required. The Honorary

Secretary shall be cognisant of the Constitution and advise and report on any irregularities that may require amendment at an AGM or an EGM.

7. Removal of Officers or Member

Any Officer of the Charity shall cease to be an Officer:

- 7.1 If he shall fail to attend three consecutive meetings of the Committee except by leave of the Chairperson or Vice-Chairperson, having sent apologies.
- 7.2 If by notice in writing addressed to the Secretary he resigns his office.
- 7.3 If the Committee by a majority of two-thirds of such of the Committee members as shall be present at a Meeting duly convened for the purpose shall resolve that an Officer be removed.
- 7.4 If he is guilty of misconduct or is incapable of performing his duties.

8. Committee

- 8.1 The Committee shall meet at regular intervals, normally once a month, for the dispatch of business and shall have the power to adjourn and otherwise regulate meetings as it shall think fit.
- 8.2 The Youth Service will have ex-officio representation on the Committee through the Senior Youth Worker, the Area Youth Officer and/or the Principal Youth Officer. These representatives shall not carry with them the right to attend or vote at any meeting of the Members.
- 8.3 The duties of the Committee shall be to provide the support, advice and guidance to ensure that Youth Arts Jersey develops any resources, finance and staffing to meet the needs of the young people targeted by the project.
- 8.4 All members of the Committee whether elected, co-opted or holding office by virtue of being an Officer shall be entitled to vote at all proceedings of the Committee.
- 8.5 Officers of the Committee shall hold office from the date of their election at the Annual General Meeting. Their period of office shall be one year but they may stand for re-election at the Annual General Meeting up to a maximum of five (5) consecutive years. Officers who have served their maximum term on the Committee may stand for election again after the elapse of one year from the end of their term.
- 8.6 A quorum for Committee meetings shall be a minimum of five persons who are entitled to attend and vote at such meetings provided that at least one of such persons shall be an Honorary Officer. Should the Committee become permanently inquorate through resignations, death or insanity, a new Committee will be elected at an EGM called for that purpose to hold office until the next AGM; all remaining members of the Committee must stand down but may offer themselves for re-election.
- 8.7 The Committee shall have power to fill casual vacancies among the elected members of the Committee, provided that the person or person co-opted shall hold office until the expiration of the term of office of the person or persons who he or they have replaced.
- 8.8 The Committee may co-opt whomsoever it may require to act in an advisory capacity. Any person so co-opted will have no voting rights and will sit on the Committee for a specific period related to the period of their advice.
- 8.9 The Committee shall have power to appoint sub-committees for such purposes and on such terms as shall be laid down from time to time by the Members at a General Meeting.
- 8.10 The day to day management of the project will be undertaken by the full-time Senior Youth Worker who will have day to day responsibility for the management of Youth Arts Jersey and will provide a report to the Committee and Annual General meetings.

- 8.11 The Committee will have representation from both young people and staff, as key stakeholders of Youth Arts Jersey. This will be achieved through the establishment of sub committees.
- 8.12 The remit of any subcommittee shall be agreed by the Committee. Up to two Committee members may participate on a subcommittee but in an advisory role only.
- 8.13 Sub Committees shall have the right to present reports and requests to any meeting of the committee.
- 8.14 Current established sub committees are: Young Advisory Group

The committee shall give Members (as defined in the Constitution) the right to hold membership of a Youth Advisory Committee and for the Chairperson or a representative of such committee to attend the YAJ Committee to report and advise on the recommendations of the Advisory Committee. Such role shall hold no voting rights

9. Patron(s)

A Patron, President and Vice-President(s) may be elected or removed from that office by the Members of the Charity at any General Meeting. The positions of the Patron, President and Vice-President shall be of an honorary nature and shall not carry with them the right to attend or vote at any meeting of the Members.

10. Meetings of the Members of the Charity

- 10.1 There shall be an Annual General Meeting of the Members of the Charity held within six calendar months after the end of each financial year.
- 10.2 The Annual General Meeting shall be called by notice in writing of 21 days at least. The notice shall name retiring Committee members and shall call for nominations and any amendments to the Rules, duly proposed and seconded.
- 10.3 The Annual General Meeting shall transact the following business:
- Apologies for absence, the approval of the Minutes of the last meeting and any matters arising.
 - The reception of the report of the Chairman of the Committee and such other reports as the Committee shall decide.
 - The reception and, if approved, the adoption of the audited accounts of the Charity to the end of the preceding financial year.
 - The appointment of auditors.
 - The election and / or re-election of the Officers of the Committee.
- 10.4 The Committee may at any time convene an Extraordinary General Meeting by giving 7 days notice in writing.
- 10.5 At all Annual, Special and Extraordinary General Meetings a quorum shall consist of no less than five (5) members. Provided that at least one fifth of the total Members of the Charity may in writing to the Chairperson require that an Extraordinary Meeting will be convened for the purpose to be stated in the notice within four weeks of the receipt of the said notice.
- 10.6 Any person wishing to raise any matter for discussion at an A.G.M shall give at least seven days notice in writing to the secretary of the Committee.

11. The Chairperson

The Chairperson or failing them the Vice-Chairperson, shall preside if present at the meetings of the Committee and of the Members of the Charity and failing this, the meeting shall elect its own Chairperson. The Chairperson of the meeting shall have a casting vote in addition to his ordinary vote.

12. Finance

- 12.1 The Charity's financial year shall end on the 31st December in each year.

- 12.2 The Treasurer shall cause proper books of account to be kept with respect to:
- all sums of money received and expended by the Charity and the matters in respect of which such receipts and expenditure take place;
 - all sales and purchases of goods by the Charity; and
 - the assets and liabilities of the Charity.
- 12.3 Proper books shall be kept to give a true and fair view of the affairs of the Charity and to explain the transactions.
- 12.4 All funds of the Charity shall as soon as possible after receipt be paid into the Bank Accounts to be opened and maintained in its name. Such Accounts shall be under the control of the Committee, which shall from time to time provide for their method of operation.
- 12.5 All payments of money to be made on behalf of the Charity shall be applied towards the object of the Charity as set out in its Constitution and shall be approved by the Committee except that when it is not practicable to obtain prior approval from the Committee and payment may be made on the authority of the senior youth worker or area youth office and one officer and the payment so made shall be submitted for approval at the next meeting of the Committee.
- 12.6 The Committee shall make adequate arrangements for the security and safe custody of all monies and books belonging to the Charity.

13. Audit:

- 13.1 The accounts relating to the Charity's affairs shall be audited by such persons as are appointed by the Members of the Charity at the Annual General Meeting.
- 13.2 The Auditor appointed under sub-clause (13.1) hereof shall make a report to the Members of the accounts examined by him, and on every balance sheet and profit and loss account laid before the Members of the Charity in General Meeting during his tenure of office.
- 13.3 The report shall state whether in the Auditor's opinion the Charity's balance sheet and profit and loss account have been properly prepared and whether in his opinion a true and fair view is given:
- In the case of the balance sheet, of the state of the Charity's affairs as at the end of its financial year.
 - In the case of the profit and loss account, of the Charity's profit and loss for its financial year.
- 13.4 It shall be the duty of the Auditor, in preparing his report, to carry out such investigations as will enable him to form an opinion as to the following matters:-
- Whether proper books of account have been kept by the Charity.
 - Whether the Charity's balance sheet and profit and loss account are in agreement with the books of account and returns.
- 13.5 If the Auditor is of the opinion that proper books of account have not been kept by the Charity or if the balance sheet and profit and loss account are not in agreement with the books of account and returns, the Auditor shall state that fact in his report.
- 13.6 The Auditor shall have a right of access at all times to the books and accounts and vouchers of the Charity, and shall be entitled to require from the Committee such information and explanations as he thinks necessary for the performance of the duties of the Auditor.
- 13.7 If the Auditor fails to obtain all the information and explanations which, to the best of his knowledge and belief, are necessary for the purposes of his audit, he shall state that fact in his report.
- 13.8 The Auditor shall be entitled to attend any General Meeting of the Charity and to receive all notices of, and other communications relating to, any General Meeting which any member of

the Charity is entitled to receive, and to be heard at any General Meeting which he attends on any part of the business of the Meeting which concerns him as Auditor.

14. Members Right of Inspection

The Members of the Charity shall have the right at all times to examine all books, documents and accounts of the Charity provided that this right is exercised by at least two Members.

15. Indemnity

The Officers and Committee members of the Charity shall be indemnified by the Charity for any liabilities incurred by them in good faith as a result of acting as the representatives of the Charity.

16. Confidentiality

At times there are delicate matters discussed and at times names of people are mentioned. At all times Committee members will keep their confidentiality at a high degree. Anything of a personal nature should not be disclosed outside the Committee. Any member who breaks their confidentiality will be asked to leave the Committee.

17. Dissolution

If the Charity resolves by a simple majority of those present and voting that the Charity shall be dissolved any assets remaining after the satisfaction of all proper debts and liabilities shall be given to such other charity or charities preferably having objects similar to those of the Charity as the Charity may decide or transferred to The Association of Jersey Charities for its general Charitable purposes provided that no resolution to dissolve the Charity shall be considered unless notice in writing setting out the terms of the resolution shall have been sent to every Member of the Charity not less than eight weeks before the date of the meeting at which it is to be considered.

18. Alteration to this Constitution

These Rules may be altered by a resolution passed by a simple majority of those present and voting at a meeting of the Members of the Charity provided that no such resolution shall be considered unless notice in writing setting out the terms of the resolution shall have been sent to every Member of the Charity not less than four weeks before the date of the meeting at which it is to be considered.