

# CONSTITUTION

## 1. **TITLE**

- 1.1 The name of the Group shall be “Working Well Together South West Group” (the “Group”) and its members shall be construction companies, individuals and organisations with an interest in health and safety within the construction industry.
- 1.2 The Group is an initiative promoted by the Health & Safety Executive.

## 2. **ADMINISTRATION**

- 2.1 Subject to matters set out below, the Group shall be administered and managed in accordance with this Constitution, by members of the Committee, as identified in clause 5.1. Members of HSE staff are specifically prohibited from participating in the financial administration of the Group.

## 3. **AIMS AND OBJECTIVES**

- 3.1 To improve health and safety knowledge and practice among the Group’s members and to seek to continuously improve health, safety and welfare performance in construction throughout the South West.
- 3.2 To develop co-operation between members in relation to sharing knowledge of health and safety matters.
- 3.3 To promote training in health and safety.
- 3.4 To provide assistance to organisations in the construction industry in the South West in maintaining healthy and safe working environments.

## 4. **MEMBERSHIP**

- 4.1 Membership shall be open to:

- 4.1.1 individuals over the age of 18 who are interested in furthering the objectives of the Group (“Individual Members”); and

- 4.1.2 any body corporate or unincorporated association which is engaged in or concerned with safety in the construction industry (“Corporate Members”),

who shall pay a subscription fee of £250 per annum unless the Committee at its sole discretion decide to waive the fee. (Note – the Committee has decided to waive the fee but reserves the right to review this decision in the future)

- 4.2 Each member shall have one vote only.

- 4.3 Each Corporate Member shall appoint a representative to vote on its behalf. Each Corporate Member must notify the Committee of its elected representative.
- 4.4 The Committee may for good reason as decided by a simple majority terminate the membership of any Individual Member or Corporate Member provided that the individual concerned or the appointed representative of the Corporate Member concerned shall have the right to be heard by the Committee, accompanied by a nominated representative, before a final decision is heard.

## 5. **MEMBERS AND COMMITTEE**

- 5.1 The Group shall be managed by a Committee of five or more elected members. From those members, the Committee must comprise of a Chair, a Vice Chair, a Secretary and a Treasurer. The Committee may co-opt any person to assist them in the management of the Group, but that person shall not be a member of the Committee and shall not have a vote in decisions of the Committee.
- 5.2 All Committee members must be elected by a majority vote at the Annual General Meeting (AGM). Committee members shall serve until the next AGM, at which time they shall retire from office. Committee members may be re-elected or re-appointed provided that a vote of those present at the AGM is taken and a two-thirds majority is received. In the event of equality of votes, the Chair shall have the casting vote.
- 5.3 A Committee member shall cease to hold office if he/she:
- 5.3.1 becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her affairs;
  - 5.3.2 notifies the Committee that he/she wishes to resign from office (the Committee member shall give at least 14 days' notice to the Committee of his/her resignation); or
  - 5.3.3 is absent from attendance at Committee meetings and other Committee business for a period of six months without reasonable grounds.
- 5.4 The Committee shall meet at least once every six months. Four Committee members shall form a quorum and one of the members must be the Chair or Vice Chair.
- 5.5 The Committee shall hold an AGM in November each year. The Committee shall give members at least 21 days' notice of the AGM and supply members with any relevant documentation. Members wishing to raise a matter at the AGM must give the Committee at least seven days' notice. Ten members shall constitute a quorum at the AGM.

## 6. **FINANCE, RECEIPTS AND EXPENDITURE**

- 6.1 The financial year of the Group shall end on 31 March of each year.

- 6.2 Cheques must be signed by one of two authorised persons from the Committee [who shall be elected at the AGM] [who shall be Ron Willers and Rob Barnes].
- 6.3 The funds of the Group shall be paid into accounts managed by the Treasurer in the Group's name.
- 6.4 All Group funds shall only be applied in order to further the Group's stated objectives.
- 6.5 The annual membership fees shall be decided by the Committee Treasurer and proposed at the AGM for approval by members.
- 6.6 The Treasurer shall submit a statement of accounts to the AGM. The auditing of those accounts will be by two Group members who shall be elected at the AGM.

## 7. **CHANGES TO THE CONSTITUTION**

- 7.1 The Constitution shall only be changed at the AGM by a two-thirds majority vote.
- 7.2 A resolution for the alteration of the Constitution must clearly set out the alteration proposed and must be received by the Secretary of the Group at least 28 days before the AGM.
- 7.3 No amendment shall be made that has the effect of ceasing the Group's existence.
- 7.4 Following any amendment to the Constitution, the Committee shall promptly send to all members a copy of the amended Constitution.

## 8. **DISSOLUTION**

- 8.1 If the Committee decides that it is necessary to dissolve the Group a meeting of all its members must be called, giving 28 days' notice.
- 8.2 The Group may only be dissolved if a two-thirds majority agrees to the dissolution.
- 8.3 If dissolution is approved the Committee must:
  - 8.3.1 dispose of assets held in the name of the Group;
  - 8.3.2 discharge any Group debts and liabilities; and
  - 8.3.3 following compliance with clauses 8.3.1 and 8.3.2 above, the Committee shall give or transfer any remaining funds to such other groups, having the same or similar objectives as the Group, as the Committee shall decide.

## 9. **GENERAL**

- 9.1 Any matter for which provision has not been made in this Constitution shall be dealt with at the discretion of the Committee.

10. **ADOPTION**

10.1 This Constitution is adopted from 27 May 2009 signed in the presence of Ron Willers and Ashima Sawhney whose names appear at the bottom of this Constitution.

Names signed

*R Willers*

*A Sawhney*

Date: 27 May 2009