

OCD-UK 2012 Constitution

The constitution was created using the model version provided by the Charity Commission, and the wording differs throughout from our original 2004 version. Below is a summary of main changes from the original 2004 OCD-UK constitution, to what we are proposing to implement at the 2012 AGM.

3. The Objects

Objective one has changed from:

To advance the education of the general public in all areas relating to Obsessive-Compulsive Disorder (OCD).

To:

To improve awareness and education about Obsessive-Compulsive Disorder (OCD) to all audiences.

Objective two has changed from:

"To relieve persons suffering from Obsessive-Compulsive Disorder (OCD) and their carers by the provision of information, advice and support."

To:

To enable everyone affected by Obsessive-Compulsive Disorder (OCD) to access the most appropriate, and the highest quality care, support and treatment.

8. Membership

Membership was previously only open to those aged over 18.

This is changed to:

Membership is open to individuals of any age or organisations who are approved by the trustees. Children and young people under 16 will be requested to tick a check box on the application form indicating that parental consent has been granted.

Subsection 15 specifies that for the purposes of voting.

Each member aged 18 years of age and over shall have one vote

Under 18's still do not have voting rights.

10. Meetings

The AGM no longer restricted to October. It must be held within 12 months of adoption of the new constitution and no more than 18 months lapse between successive AGMs.

The wording changes from:

There shall be an annual general meeting of the charity which shall be held in the month of October in each year or as soon as practicable thereafter.

To:

The charity must hold a general meeting within twelve months of the date of the adoption of this constitution.

An annual general meeting must be held in each subsequent year and not more than eighteen months may elapse between successive annual general meetings.

Trustees notice to call a special general meeting if requested to do so by members is changes from requiring 10 member requests to 50 or one tenth of membership, whichever is greatest, with 28 days time frame to hold the meeting, previously 21

The wording changes from:

The executive committee may call a special general meeting of the charity at any time. If at least ten members request such a meeting in writing stating the business to be considered the secretaty shall call such a meeting. At least 21 days notice must be given.

To:

The trustees must call a special general meeting if requested to do so in writing (postal or electronic) by at least fifty members or one tenth of the membership, which ever is the greater. The request must state the nature of the business that is to be discussed. If the trustees fail to hold the meeting within twenty-eight days of the request, the members may proceed to call a special general meeting but in doing so they must comply with the provisions of this constitution.

11. Notice

The minimum period of notice required to hold any general meeting is reduced from 21 days, to 14 days, allowing the charity more flexibility.

The wording changes from:

Every annual general meeting shall be called by the Executive Committee . The secretary shall give at least 21 days notice of the annual general meeting to all members of the charity.

To:

The minimum period of notice required to hold any general meeting of the Charity is fourteen clear days from the date on which the notice is deemed to have been given.

12. Quorum

The number required for a quorum for the AGM is reduced down 10 members or one tenth of membership, whichever is the greatest (70 people based off existing membership) to fifteen members.

The wording changes from:

There shall be a quorum when at least one tenth of the number of members of the charity for the time being or ten members of the charity, whichever is greater, are present at any general meeting.

To:

A quorum is;

Fifteen members entitled to vote upon the business to be conducted at the meeting;

17. Officers and Trustees

The maximum number of trustees is changes from 10 to 12. The clause wording changed from:

The executive committee shall consist of not less than 3 members, nor more than 10 members.

To:

The number of trustees shall be not less than three members, nor shall be more than twelve members.

The minimum number of meetings the executive committee shall hold is increased from two to six meetings a year.

The clause wording changed from:

The executive committee shall hold at least two ordinary meetings each year.

To:

The trustees of the executive committee shall hold at least six ordinary meetings each year.

18.The Appointment of Trustees

Clarification of the appointment of the trustees is added. The original charity commission constitution states the original clause wording:

The charity in general meeting shall elect the officers and the other trustees.

Changed to:

The trustees in general meeting shall elect the officers and the other trustees. Trustees will be elected from within the membership by existing trustees. Newly appointed trustees will have previously shown commitment to the charity having to undertaken a previous volunteering role with the charity over a period of time. However, the committee reserves the right to directly appoint (i.e. without prior volunteering) a member to the role of trustee should they be able to contribute a particular area of expertise to the charity.

18.4.C also added the clause about trustee probationary period.

Prior to appointment as a trustee, the nominated person will be co-opted onto the committee for a probationary period of at least six months. This allows a period of reflection for both parties and decide if full appointment is appropriate for the charity and trustee.

24.Delegation

Change in the minimum number of people trustees can delegate work to.

The clause wording changed a minimum of three, to one:

The trustees may delegate any of their powers or functions to a committee of one or more trustees but the terms of any such delegation must be recorded in the minute book.