



Kent Foster Care Association CONSTITUTION

1. Name of Organisation & Geographical Area of Activities

A: The name of the association shall be the Kent Foster Care Association, hereinafter referred to as the Association or abbreviated to KFCA.

B: The area covered by the Association shall primarily be the County of Kent and shall extend to and include any other area in which any member shall reside or operate its services.

2. Objects

To protect and preserve the good health of foster carers and the children in their care in Kent by the provision of advice, information, services, facilities and support.

For the purposes of this clause, the term “foster carer” shall include lawfully registered foster carers, lawfully registered child minders and any other lawfully registered or recognised persons involved in the care of “looked after children”.

3. Powers

In furtherance of the above but not otherwise it aims:

- (i) to provide a representative organisation for all those concerned in foster care which will work towards the establishment and implementation of best practice strategies to benefit children in need of this special form of care, at local and national level.
- (ii) to act as a consultative body where policy making decisions regarding child care are concerned.

- (iii) to provide or assist in the provision of facilities for education and training, together with social and cultural activities for those involved in child foster care.
- (iv) to protect and promote the interests of foster carers and provide support and consultation.
- (v) to promote any charitable purposes for the benefit of foster care in the County of Kent, providing that any such promotion or charitable purpose is not and / or would not be or expect to become in conflict with corporate objectives of Kent County.
- (vi) to be organised at a local level to ensure that the needs of all carers, the children in their care and the wider family circles are met.
- (vii) that all of the objectives aforementioned shall be carried out with due regard to the child protection procedures and various statutes in relation to child care and child protection currently in force at the relevant time.

In furtherance of the above objects and purposes but not further or otherwise the Association may:

- (viii) obtain, collect and receive money and funds by way of contributions, donations, subscriptions or any other lawful method.
- (ix) procure and provide information.
- (x) arrange and provide for or join in arranging the providing for the holding of exhibitions, meetings, conferences, community activities and classes.
- (xi) do all such lawful things as are necessary to the attainment of the above objects and purposes.

4. Affiliation

The Association shall be affiliated to the Fostering Network (formerly National Foster Care Association) and to such other bodies as the Committee shall from time to time determine.

5. Membership

A.

- (i) Membership shall be available to all persons, as individuals, who are registered foster carers with Kent County Council.
 - (ii) Where an application for membership is received from any person who is not registered as a Foster Carer or any person who has been deregistered as a Foster Carer, or has ceased to be a Foster Carer for any reason, the committee shall reserve the right to refer that application for consideration by the Kent County Council For any relevant checks that they see fit as to the character and suitability of the applicant. The Committee will consider any subsequent reports or recommendations made by the aforementioned Social Services Department when deciding to accept or reject any such application.
 - (iii) Such persons as described in paragraph [ii] above immediately preceding this paragraph shall agree with the terms of that paragraph [ii] before any application for membership made by them is considered.
 - (iv) HONORARY MEMBERSHIP may be conferred on individuals at the discretion of the Committee.
 - (v) The term of Honorary membership shall be for such period as shall be determined by the Committee.
- B.** Any statutory authority, voluntary organisation or individual having specialist knowledge or experience may be invited by the Association to participate in its work, and to appoint such number of representatives as the Association shall from time to time determine. Such an invitation to participate shall not of itself confer on those representatives or individuals the voting rights of membership of the Association.
 - C.** Participating authorities and organisations may appoint deputies with prior notification to replace representatives who are unable to attend any particular meetings of the Association.
 - D.** The Association may invite any person to attend its meetings as an observer but that person shall have no right to vote.

6. Voting Rights

- A.** There shall be one vote per member the execution of voting powers to be determined from time, to time by the Committee.
- B.** Members unable to attend the Annual General Meeting or Special Meetings shall be entitled to a postal vote subject to rules laid down by the Committee.

7. Officers / Trustees

At the Annual General Meeting of the Association elections shall take place for the appointment of the following Officers: Chairperson, Vice-Chairperson, Secretary, and Treasurer. These Officers shall hold office until the election of Officers is complete at the next Annual General Meeting.

Where insufficient nominations for an Office are received, an Officer may be elected to more than one Office.

Trustees of the Association are not required to be registered as a Foster Carer, but the number of non-Foster Carer Trustees is limited to no more than two.

8. Committee

A.

- (i) There shall be a Committee consisting of the Officers / Trustees of the Association, who shall each hold their respective office(s) on that Committee, and up to twelve members who shall be elected annually at the Annual General Meeting.
- (ii) Local area representatives will serve on the Committee, with full voting rights.
- (iii) The Committee may, by majority vote of the members present, co-opt up to three additional members, who shall be members of the Association, with full voting rights to hold office until the next Annual General Meeting.
- (iv) The Committee may, by majority vote of those members present, fill any casual vacancy on the Committee by co-option, such appointees to hold office until the next Annual General Meeting.
- (v) The Committee may invite any person to attend its meetings as an observer or advisor, but without power to vote.

B.

- (i) The Committee shall meet not less than four times a year at such times and places as it shall, itself determine.
- (ii) The quorum of a meeting shall consist of two Officers and half the members of the Committee.

C. The duty of the Committee shall be to govern, formulate and carry out the general policy of the Association and, subject to any conditions imposed from time to time by the Association, provide for the administration, management and control of the affairs and funds of the Association.

9. Nomination of Officers and Members of the Committee

Any member of the Association may be nominated as an Officer or a member of the Committee subject to the provisions of sections 6 and 7. All nominations must be seconded.

10. Subcommittees

- A. For the purpose of carrying out its duty the Committee may set up Subcommittees. It shall determine their terms of reference, powers, duration and membership and appoint members thereof from its Officers and members.
- B. A Subcommittee in turn may co-opt additional members, the total number of whom shall not exceed one quarter of the number of appointed members. Such co-opted members shall not, by reason of an invitation to be, or an acceptance to be co-opted, thereby become members of the Committee of the Partnership.

11. Special or Standing Committees

- A. The Association may set up such special or standing committees as may be deemed necessary. It shall determine their terms of reference, powers, duration and membership and appoint members thereof. It may also appoint particular individuals to hold specific offices on any such committee.
- B. No special or standing committee shall be given power to co-opt more than one quarter of its total membership.
- C. No person appointed or co-opted onto such a committee shall thereby become a member of the Partnership.

12. Ex-Officio Members of Committees

Every Officer of the Association shall be an ex-officio member of any subcommittee, special or standing committee, entitled to attend meetings but having no voting rights on any of those subcommittees or committees unless also an appointed member thereof.

13. Meetings of The Association

- A.
 - (i) The Annual General Meeting of the Association shall be held each year at such time (not being more than fifteen months after the holding of the preceding Annual General Meeting) and place as the Committee shall determine. At least thirty five clear days notice shall be given in writing by the Secretary to the members.

- (ii) Other meetings of the Association shall be held at such times as may be determined by the Committee.
- (iii) A special meeting of the Association shall be called at twenty one clear day's notice in writing, upon the written demand of thirty members or by the Committee.
- B.** Formal notices of motions, supported by five signatures, and nominations for Officers and Committee, must be received in writing by the Secretary at least twenty one days before the meeting. Full agenda and motions shall be dispatched to all members at least ten days before the Annual General Meeting.
- C.** At the Annual General Meeting the business shall include the consideration of a report of the past years activities together with the audited accounts and the appointment of Auditors (who shall not hold any other office in the Association).

14. Finance

For accounting purposes the Association's year shall run from 1st April to 31st March.

- A.**
 - (i) The Treasurer shall keep account of all income and expenditure and shall submit the accounts for the most recent, complete accounting year, to the Annual General Meeting.
 - (ii) Honorary Auditors for the said accounts to be appointed annually at the Annual General Meeting providing the Gross Expenditure for the financial year exceeds £10,000. These Auditors may not hold office in the Association.
 - (iii) In addition to paragraph 13.A.[ii] above, the Committee shall require the accounts of the Association to be examined by one or more selected persons at least once during the accounting year or at any time as shall be decided by them.
- B.** The funds of the Association shall be applied solely for the Development and achievement of its stated objects.

15. Dissolution

- A.** The Association may at any time be dissolved by a resolution passed by a two thirds majority of those present and voting at a meeting of the Association of which at least twenty one clear days notice shall have been sent to all members of the Association. Such resolution may give instructions for the disposal of any assets held by or in the name of the Association subject to the provisions of the following paragraph.

- B. Any property remaining after the satisfaction of all debts and liabilities shall not be distributed amongst the members of the Association, but shall be given to one or more charitable institutions having objects similar to some or all of the objects of the Association, subject to the approval of the Charity Commissioners or other authority having charitable jurisdiction.

16. ALTERATIONS TO THE CONSTITUTION

- A. Alterations to the Constitution shall receive the assent of not less than two thirds of the members of the Association present and voting at the Annual General Meeting or a Special Meeting.
- B. A resolution for any alteration of the Constitution must be received by the Secretary at least twenty one clear days before the meeting at which it is to be brought forward. Notice of the alterations proposed shall be dispatched to all members at least ten days before the meeting.
- C. No alterations to Clauses 1, 2 and 14 or to this Clause 15 shall be made without the approval of the Charity Commissioners or other authority having charitable jurisdiction.

17. Conduct of Meetings

The conduct and general organisation of the meetings of the Association and any committees and subcommittees shall be controlled by the Standing Orders determined from time to time by the Committee of the Association.

18. Termination of Membership

Membership of the Association shall cease on resignation or as otherwise determined by the Committee. Appeals may be lodged with the Association at an Annual General Meeting or by way of a formal motion.

19. Equality Statement

- (i) Membership of the Association is subject to the terms set down in Section 4 of this Constitution Document. Foster Carers are approved by a registered Fostering Agency.
- (ii) Where, because of agreements made between the Association and Fostering Agencies, Foster Carer's membership is automatic, the Association will not necessarily have
- (iii) In many instances, the ethnicity of any member will be unknown to the Association.

- (iv) The Association will work to ensure that all members and all other persons or groups using the services of, or coming into contact with the Association in any way, will be treated with respect and with equality.
- (v) The Association will seek to carry out its services without regard to the sex, marital status, race, ethnic origin, colour, religion, sexual orientation, social background or other irrelevant distinction.
- (vi) The Association recognises that people with disabilities may have difficulty in accessing all of the Association's services. The Association promises to deliver to people with such disabilities, the same level of service that would be expected by people without disabilities.

Matters Not Covered in The Constitution

Any matter not provided for in the Constitution shall be dealt with by the Committee whose decision shall be deemed final unless subsequently affected by an alteration to the Constitution. Decisions will be made with due regard to Statutes and any other relevant references.