

# **Dumfries & Galloway ME and Fibromyalgia Network Constitution**

## **1. Name**

The name of the organisation shall be **Dumfries & Galloway ME and Fibromyalgia Network**, also known as DGMEFM Network hereinafter referred to as "the Group".

## **2. Objectives**

To support the needs of people in Dumfries & Galloway who suffer with Myalgic Encephalomyelitis (ME), Fibromyalgia (FM) & Chronic Fatigue Syndrome (CFS).

In furtherance of this the Group shall seek to:

- Raise awareness of the issues surrounding these illnesses.
- Offer support to any person suffering with any of these illnesses or any matter concerning them.
- Facilitate a mutual support network.
- Enable access to transport, shops, public buildings, education and any other public facility for any person suffering with any of these illnesses.
- Act as a central point for representative consultation between people with these illnesses and other agencies, including Dumfries & Galloway Council and NHS Dumfries & Galloway.
- Gather and provide information about all aspects of these illnesses.

## **3. Membership**

### **a) Membership is open to:**

- Any person living in Dumfries & Galloway suffering with any of these illnesses, post viral fatigue or carer / family member of a sufferer; and
- Any other individual or organisation regardless of geography who seeks to assist the Group in meeting its objectives.

### **b) Membership will be automatic by giving notice to an Office Bearer of status (eligibility criteria) and contact details, subject to the conditions shown in 3a). Contact details of members will be held electronically.**

### **c) Membership will cease:**

- Automatically when contact details held by the Group are no longer current or by written or verbal request from the member to a member of the Management Committee.
- Where it is found that the member has been acting in contravention of the objectives of the Group.

### **d) In the event that membership is refused or cancelled reasons will be given and there will be a right of appeal, with a supportive representative present, to the Management Committee. A majority vote of the Management Committee will decide, with the Chairperson having the casting vote in the event of a tie, and a written response will be provided within 28 days.**

## **4. General Meetings**

### **a) An Annual General Meeting ("AGM") will be held annually, within three months of the financial year end. At each AGM the business shall include:**

- Presentation and approval of the annual report;
- Presentation and approval of annual accounts;
- Election of the Management Committee; and
- Election of the Independent Examiner.

- b) An Extraordinary General Meeting ("EGM") may be called at any time by the Committee or by written request, signed by at least one-third of the membership and addressed to the Secretary clearly indicating the purpose of the meeting.
- c) The constitution can only be amended by resolution passed by those present and voting at a General Meeting (GM), providing that due notice has been given, including terms of the amendment.
- d) The quorum for GMs shall be ten or one-third of the membership, whichever ever is the lesser: and where at least two-thirds of those present suffer with any of these illnesses, or are a carer / family member of a sufferer.
- e) At least fourteen days' notice of GMs shall be given to members.
- f) Voting at all GMs shall be by a show of hands, or by ballot if so determined, of the Committee and Group members present or available by telephone / remote conferencing and decided by a simple majority of the votes cast. In the event of an equality of votes the Chairperson of the meeting shall have a second or casting vote.
- g) Proxy and postal votes may be accepted. The procedures for postal & proxy votes will be set out in the notice of the meeting.
- h) GMs are open to non-members to attend as observers.

#### **5. Management Committee and Office Bearers**

- a) The Management Committee (hereinafter referred to as "the Committee") will consist of a minimum of five members and a maximum of fifteen members. Two-thirds of the members of the committee must be people who suffer with any of these illnesses, or are a carer / family member of a sufferer.
- b) The following Office Bearers will be elected at either the AGM or the first Committee meeting after the AGM: Chairperson, Treasurer and Secretary.
- c) In the event of casual vacancies, the Committee may co-opt up to one-third of the maximum number of Committee members to serve until the next AGM.
- d) The Committee shall have the power to co-opt advisors and appoint one or more sub-committees. These persons will not have voting rights on business transactions by the Committee.
- e) The Committee will meet at least three times a year and will give at least seven days' notice of Committee meetings.
- f) The quorum for meetings of the Committee shall be a minimum of three or half of the total committee, whichever is the greatest. No meetings will be deemed quorate unless

two-thirds of those attending are members suffering with any of these illnesses, or are a carer / family member of a sufferer.

- g) Voting at all Committee meetings shall be by a show of hands, or by ballot if so determined, of the Committee members present or available by telephone / remote conferencing and decided by a simple majority of the votes cast. In the event of an equality of votes the Chairperson of the meeting shall have a second or casting vote.
- h) Minutes will be taken of proceedings at all meetings, including the names of those present, and these will be approved by the Chairperson at the next Committee meeting.
- i) All Committee members and office bearers shall retire from office at the AGM but shall be eligible for re-election.
- j) Management Committee meetings are open to all members to attend as observers.

#### **6. Finance**

- a) There will be a bank account in the name of the Group. The signatures of any two of three Committee Members, appointed from the Committee, shall be required for its operations. The signatories must not be connected as per the definition of "connected" within the Charities & Trustee Investment (Scotland) Act 2005.
- b) All monies raised on behalf of the Committee and/or sub committees will be paid into a bank account in the name of the Group and applied to further the objectives of the Group and for no other purpose other than the repayment of reasonable out of pocket expenses of Committee members.
- c) The Group shall have the power to obtain, collect and receive money, funds and all forms of movable and heritable, real and personal property by means of contributions, donations and subscription by covenant, legacies and by all other lawful means.
- d) The Group's financial year shall run from 1st August to 31st July.
- e) The Treasurer shall keep proper accounting records and shall prepare a Receipts and Payments Account of the year to 31st July. This will comply with all relevant regulatory requirements, and be presented for approval at the AGM after independent examination by a competent person. If an audit is required under any statutory provisions, or if they otherwise think fit, the Committee shall ensure that an audit of the accounts is carried out by a qualified auditor.

#### **7. Staff**

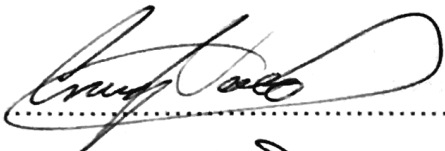
- a) The Committee shall have the right to appoint and remove staff employed in a remunerative capacity by the Group, and to set the terms and conditions of employment of the staff so appointed under this provision.
- b) The Committee shall ensure that written contractual terms of employment are issued to said staff within statutory time periods.

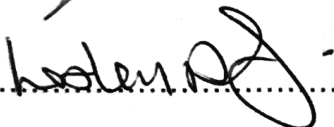
#### **8. Dissolution**

- a) If the Committee determines that, for any reasons, it is appropriate the Group to be dissolved, it shall sell such assets as they may consider appropriate from the best price

reasonable and settle the debts and liabilities of the Group. Any assets remaining after the satisfaction of such debts and liabilities will be given or transferred to such charitable organisation(s) with similar objectives to the Group.

This constitution was adopted at the General Meeting of the Group.

Signed  (Chairperson) Name CRAIG ALUN WOODS

Signed  (Secretary) Name LESLEY GRIVE

Date 15th October 2020