

GREAT HORWOOD SILVER BAND

Constitution & Rules

Document No: GHSB/C&R/001

A	16/03/2022	New Document – First Issue	AJC	ST	DB	CM
Rev	Issue Date	Description of Issue	Chair	Sec	Trea	Mem
Document Revisions						

Rev	Issue Date	Description of Review	Chair	Sec	Trea	Mem
Document Reviews						

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These are the Constitution and Rules adopted by a majority of those present and voting at the Annual General Meeting of the Great Horwood Silver Band, held in the Great Horwood Village Hall on Wednesday 16 March 2022.

Chairman: Andrew Cook

Signed:

Date:

Witnessed by:

Secretary: Sharon Taylor

Signed:

Date:

Treasurer: Dan Brownsill

Signed:

Date:

Member: Clare Martin

Signed:

Date:

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1. TITLE

The Band will be known as “Great Horwood Silver Band.”

2. AIMS

The aims of the Band will be:

- To enable and encourage brass instrumentalists to come together to make and enjoy music.
- To share the social, educational, and psychological benefits of music with the wider community through public performance.
- To provide training for brass instrumentalists.

3. EQUALITY, DIVERSITY, AND INCLUSIVITY

The Great Horwood Silver Band promotes equality, diversity, and inclusivity. It will never tolerate discrimination against any individual or group of persons on the grounds of sex, race (including colour, ethnic or national origin), culture, disability, sexual orientation, gender identity, religious or political belief, age, income, family, pregnancy, maternity, marital status, or other unlawful grounds.

4. POLICIES

4.1. The Band has adopted the following policies and declarations in order to facilitate the good running of the Band and the wellbeing of its members and members of the public:

- GHSB/ABP/001 - Anti-Bullying Policy
- GHSB/COC/001 - Code of Conduct
- GHSB/EDI/001 - Equality, Diversity & Inclusivity Policy
- GHSB/HSP/001 - Health & Safety Policy
- GHSB/MEM/001 – Membership Form
- GHSB/OPG/001 - Online Platform Guidance
- GHSB/PP/001 - Privacy Policy
- GHSB/SAF/001 - Safeguarding Policy
- GHSB/SAF/002 - Safeguarding Statement
- GHSB/SMP/001 - Social Media Policy
- GHSB/WBP/001 - Whistleblowing Policy

4.2. All the above-mentioned policies and declarations will be included in the Band’s membership pack and will be freely available to view on the Band’s website.

5. MEMBERSHIP

5.1. Instrumentalists, people wishing to learn to play an instrument in the Band or Training Band and others who support the Band’s activities will be eligible to become members of the Band.

5.2. The Band will offer the following types of membership:

- Full Membership to players over the age of 18 years
- Junior Membership to players aged under 18
- Associate Membership to non-playing persons of any age
- Honorary Life Membership to Members who have given many years of particularly valuable service to the Band.

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5.3. All Members, apart from Honorary Life Members will pay an annual membership subscription.

5.4. The Secretary will keep a list of all Members.

5.5. Becoming a Member

5.5.1. Any person wishing to become a Member of the Band will apply in writing to the Band committee, which will consider the application at its earliest opportunity, ideally within one month from the date that the application was received.

5.5.2. If elected by a majority of the committee members, the applicant will become a Member of the Band as soon as the following conditions have been met:

- The applicant has satisfactorily completed a trial period of one month
- The applicant has completed and returned the membership form.
- The appropriate membership subscription has been paid
- The agreed joining fee has been paid.
- The applicant or, in the case of Junior Members, the parent/guardian of the applicant has read and consented to the Band's Code of Conduct and any other declarations required by the Band to facilitate the good running of the Band and the welfare of its members and members of the public, as detailed in the membership pack that will be given to all new Members.

5.5.3. Three months after joining the Band, provided that the membership subscription has been paid and the other abovementioned conditions fulfilled, new Members will become eligible to vote at General Meetings.

5.6. Conditions of Membership

5.6.1. All Members of the Band and the Parents / Guardians of Junior Members will:

- Comply with this, the Band's Constitution and Rules (Document no. GHSB/C&R/001), and the Band's Code of Conduct (Document no. GHSB/COC/001).
- Adhere to the Band's additional policies and declarations adopted to facilitate the good running of the Band and the welfare of its members and members of the public. (Item 4.1.)
- Pay any Band subscriptions when due.
- Inform the Secretary if any of their contact details change.

5.7. Termination of Membership

5.7.1. A person may terminate their own membership at any time. They should notify the Secretary of their decision and they must immediately return all Band equipment on loan to them-

5.7.2. The membership of any person may be terminated by the majority decision of the Band Committee in accordance with the procedure outlined in the Code of Conduct (GHSB/COC/001).

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6. MANAGEMENT OF THE BAND

6.1. Officers and Committee

6.1.1.A Committee elected at the Annual General Meeting will be responsible for conducting the affairs of the Band and will have the authority to take all necessary action related thereto.

6.1.2.The Committee will consist of the following:

- Chairman
- Secretary
- Assistant Secretary
- Treasurer
- Bandmaster
- Training Bandmaster
- Welfare Officer
- Three Full Members and one Junior Member.

6.1.3.The Committee will meet as necessary and not less than six times a year.

6.1.4.The quorum for Committee meetings will be four.

6.1.5.The Committee may appoint advisory sub-committees to deal with any matters considered appropriate and may co-opt any Members to serve on such sub-committees.

6.1.6.In addition to the Committee Members, the following non-Committee officers will also be elected at the Annual General Meeting:

- Musical Director
- President
- Vice Presidents
- Librarian
- 100 Club Organiser
- Health & Safety Representative
- Equipment Manager.

6.2. The Duties of Officers:

6.2.1. Chairman

The Chairman will:

- Take the chair at all meetings except that, if present, the President may take the chair at Annual General Meetings.
- At all meetings, have the casting vote (In addition to the vote to which the Chairman is entitled as a member).
- In the absence of the Chairman at any meeting, those present may elect one among them to chair the meeting.

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6.2.2. Secretary

The Secretary will:

- Attend and arrange the recording of minutes at all meetings.
- Conduct or be copied into all correspondence on behalf of the Band.
- Keep a secure register of all members, including a record of attendance at all Band rehearsals and engagements.
- Keep all other appropriate records (other than financial records) necessary for the proper control of the affairs of the Band.

6.2.3. Treasurer

The Treasurer will:

- Receive all moneys payable to the Band.
- Make all payments as directed by the Band Committee.
- Keep records of the financial transactions of the Band.
- At the end of the Band's financial year, prepare a statement of account for the past year and submit it to an auditor for certification.
- Present the statement of account to the Annual General Meeting.

6.2.4. Musical Director

The Musical Director will:

- Conduct the Band at rehearsals and engagements.
- Have overall responsibility for the selection of musical items to be performed by the Band.
- Use their best endeavours to improve the musical standards of the Band.
- Have authority to place Members within the Band with the agreement of the Bandmaster.

6.2.5. Bandmaster

The Bandmaster will:

- Assist the Musical Director and deputise for the Musical Director in their absence.
- Be responsible for the discipline of the Band.
- Ensure that all uniforms and instruments in the charge of Members are kept clean and in a good state of repair.

6.2.6. Training Bandmaster

The Training Bandmaster will:

- Be responsible for the selection of musical items to be performed by the Training Band.
- Use their best endeavours to improve the musical standards of the Training Band.
- Have authority to place Members within the Training Band.

6.2.7. Welfare Officer

The Welfare Officer has:

- Overall responsibility for all matters regarding safeguarding.

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6.2.8. Equipment Manager

The Equipment Manager has:

- Overall responsibility for all matters regarding Band equipment.

6.2.9. Health and Safety Representative

The Health and Safety Representative has:

- Overall responsibility for all matters regarding health & safety.

6.2.10. Librarian

The Librarian will:

- Maintain complete control of all the music and be responsible for its maintenance, distribution, collection and storage.
- Keep an indexed record of all the Band's music.
- Not permit the removal of any music from the library other than for use by the Band or Training Band, except with the approval of the Committee.
- Keep records of any music removed from the library and ensure its safe return.

6.2.11. President

When present at an Annual General Meeting of the Band the President may, if they wish, preside over the meeting as Chairman.

6.3. Election of Officers

6.3.1. The Committee members and non-committee officers (items 6.1.2 and 6.1.6) will be elected by Members attending the Annual General Meeting.

6.3.2. Any Band Member may nominate any person for appointment to any of the Committee or non-Committee posts. Candidates must be proposed and seconded by Members present at the Annual General Meeting and the Proposers must first ascertain that their nominee is willing to stand. Election to the Office will be by a majority vote of Members present and voting at the meeting, except that the Junior Committee Member will be elected by a majority vote of only the Junior Members present and voting.

6.3.3. Voting will be by show of hands except that a secret ballot may be held if the majority of Members present wish it.

6.4. Removal of Officers

6.4.1. An Officer or Committee Member may be removed from office before the next AGM by a resolution supported by not less than three fourths of Members present and voting at a General Meeting.

6.4.2. If an Officer's behaviour poses a significant safeguarding risk to others or they commit a serious criminal offence, they will be removed from office immediately, without the need for a General Meeting or Members' vote. If there is any question over the Officer's guilt or safeguarding risk, the Band Committee may seek guidance from other authorities on how to best proceed.

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7. GENERAL MEETINGS

- 7.1. The Annual General Meeting (AGM) will be held on the third Wednesday in March or as soon as possible thereafter if it is not possible to hold it on that date.
- 7.2. An Extraordinary General Meeting may be convened at the request of the majority of the Committee or at least six other Members giving a written request to the Chairman or Secretary stating the reason for their request. The Meeting will take place within 21 days of the request.
- 7.3. All members will be given two weeks' notice of General Meetings. This notice may be by electronic means such as email or text, telephone or post and will state venue, date, time and agenda.
- 7.4. General Meetings will be held in person except in extremis when the Meeting may be held virtually if the majority of Members consent. If the Meeting is to be held virtually, all Members will be given clear instructions on how to join the Meeting or how to contribute their opinions by proxy.
- 7.5. Proxy votes at any Meeting will be accepted only if the Member wishing to use a proxy has made their request in a manner that leaves little reasonable doubt that it is a genuine request, such as a signed letter or an email from their known email address.
- 7.6. The quorum for General Meetings will be 10 members or one third of the Band's membership, whichever figure is the lower.
- 7.7. Junior Members aged 12 years and over and regularly performing with the main Band will have full voting rights at General Meetings.
- 7.8. Resolutions at any Meeting will be passed by a simple majority of the Members present and voting. Voting will be by show of hands except that a secret ballot may be held if the majority of Members present wish it.

8. FINANCE

- 8.1. The Committee will determine the amount of and frequency of payment of Member's subscriptions, but it is expected that Junior Members and others in full-time education will pay a lower subscription rate than full members.
- 8.2. Annual subscriptions are due by 31st December. A general reminder will be issued shortly before subscriptions become due and Members will be reminded individually if their payment becomes overdue.
- 8.3. Members experiencing genuine financial difficulty, due to extenuating circumstances such as job loss or long-term illness, should notify the Committee if they are unable to pay their annual subscription. The Committee may decide to accept that Member's payment in instalments or to reduce or waive their membership subscription for that year.
- 8.4. The Committee will determine the amount of the joining fee to be paid by new Members.

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- 8.5. The Committee will determine the fee that the Band will charge for engagements.
- 8.6. Band Members are at liberty to claim a partial refund for the cost of travelling to Band engagements. The Committee will determine the rate per mile payable to Members and might consult Members before making this determination.
- 8.7. When it is necessary for the Band to pay for a member's services, such as if the Musical Director is to be paid, the Committee will consult with the individual to determine a mutually agreeable rate of remuneration.
- 8.8. The Committee will decide where the Band's bank account(s) will be kept.
- 8.9. All payments from the Band's bank account must be authorised by any two of three or four Band Members appointed as signatories. The appointed signatories should include the Treasurer.
- 8.10. The accounting year of the Band will end on 31st December.
- 8.11. The accounts of the Band will be audited as soon as practicable after the end of the financial year.
- 8.12. The Committee will decide on the investment policy for the Band's funds. Investments will be held in the names of the Trustees of the Band who will act on the instructions of the Committee.
- 8.13. The Committee will appoint a properly qualified person to audit the Band's accounts. The Auditor's certificate should appear on the Statement of Account.

9. TRUSTEES

- 9.1. There will be three Trustees who will be elected by a majority of Members present and voting at a General Meeting.
- 9.2. Trustees will hold office until death, resignation or until removed from office by a resolution passed by a majority of Members present and voting at a General Meeting.
- 9.3. The Trustees will be indemnified against any loss or expense arising out of the discharge of their duties.

9.4. Duties of the Trustees

The Trustees will:

- Sign a Deed of Trust in a form to be agreed by the Committee.
- Hold and dispose of any investments or other property of the Band vested in their names as directed by the Committee.
- Upon dissolution of the Band (item 11):
- Receive all property and monies belonging to the Band
 - Discharge any outstanding debts by the disposal of as much property of the Band as may be necessary for that purpose
 - Hold and keep safe all remaining property until reformation or final disposal
 - Invest all remaining monies as directed by the Committee in office at the date of dissolution until reformation or final disposal.

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- On being informed of the intention to reform the Band before the expiry of five years from the date of dissolution, call a General Meeting at which the Band will be reformed.
- On reformation of the Band, serve on the Committee and retain control of the Band's property and money for the reformed Band's probationary period of one year from the recommencement of rehearsals, in accordance with item 12.4 and 12.5.
- After the expiry of five years from the date of dissolution, unless the Band has been reformed in accordance with item 12, convene a meeting which all former Members who were enrolled at the date of dissolution will be invited to attend, at which it will be decided which charities and/or which other musical and local organisations will receive the remaining property and monies.
- Arrange for the final disposal of the Band's property and monies in accordance with the decision reached regarding charities and organisations.

10. ALTERATION TO THE CONSTITUTION

- 10.1. Amendments to the constitution may only be made at the Annual General Meeting or an Extraordinary General Meeting.
- 10.2. Any proposal to amend the constitution must be submitted to the Secretary in writing, either electronically or on paper. The proposal must then be circulated with the notice of meeting.
- 10.3. Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote.

11. DISSOLUTION OF THE BAND

- 11.1. A resolution to dissolve the Band will be considered at a General Meeting attended by at least half of the Members entitled to be present.
- 11.2. A resolution to dissolve the Band will be carried by a majority of three-fourths of the Members present and voting thereon.
- 11.3. The Band will not be dissolved if there are four Members who are willing to attend regularly at rehearsals and make every effort to rebuild the Band.
- 11.4. Upon dissolution, the Committee will hand to the Trustees all property and monies together with the Register of Members showing the names and addresses of all Members enrolled at the date of dissolution.
- 11.5. If no attempt is made to reform the Band before the expiry of five years from the date of dissolution, the Trustees will convene a General Meeting which all former Members who were enrolled at the date of dissolution will be invited to attend, at which it will be decided which charities and/or which other musical and local organisations will receive the Band's remaining property and monies.

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11.6. The aforesaid charities, musical and other local organisations will be nominated and seconded by persons present and eligible to vote at the meeting. If the Meeting is unable to agree what proportion of property or monies each of the aforesaid charities or organisations will receive, a vote will be held. Each person shall have one vote, which they must cast for the charity or organisation of their choice. Each charity and organisation will receive the same proportion of property and monies as the proportion of votes it received.

12. REFORMATION OF THE BAND

12.1. If, before the expiry of five years from the date of dissolution, at least four former Members or persons who would have been eligible formerly to become Members are willing to reform the Band, regularly attend rehearsals and make every effort to rebuild the Band then they will inform the Trustees of their intention. The Trustees will convene a General Meeting, which all former Members who were enrolled at the date of dissolution will be invited to attend.

12.2. At this General Meeting, a committee will be elected and the Band duly reformed.

12.3. The reformed Band will adopt the same Constitution that was in effect at the time of dissolution.

12.4. At least two officers must be elected immediately to fulfil the duties of Chairman and Secretary. The newly elected Committee will take over the management of the Band but, until the end of the probationary period outlined below (item 12.5), the Committee must include the three Trustees.

12.5. Upon reformation of the Band and for one year from the reformed Band's first rehearsal, the Trustees will retain control of the Band's property and monies. The Trustees will allow Members of the reformed Band the use of sufficient equipment to enable them to restart rehearsals. No further Band property will be made available to the reformed Band during this period except by application to the Trustees.

12.6. This year will serve as a probationary period for the reformed Band, to ensure that reformation is genuine and not a deceit intended to defraud the Band of its assets.

12.7. If, after one year, the Trustees are satisfied that the reformed Band has been rehearsing regularly for several months and is genuinely committed to running the Band in accordance with the same Constitution that was in effect at the time of dissolution, the Trustees will step down from the Committee and cede control of the Band's property and monies to the elected Committee of the reformed Band. A Treasurer must be elected, and new signatories will be appointed.