

Torbay Parent Carer Forum (PCF)

Constitution

Date amended: April 2018

Ratified by members: 20th June 2018

Our Vision is:

Torbay is a place where families and service providers **together** achieve the best for every child and young person whatever their SEND journey.

Our Purpose is:

To give parents and carers an informed collective voice at a strategic level to bring about change for the better.

Our Work-plan principles are:

- Our plans are outcome focussed and SMART (specific, measurable, achievable, realistic and timely)
- We plan, do and review
- We use Red Amber Green (RAG) ratings to help keep us on track
- Our plans set out to achieve our vision for Torbay and fulfil the purpose, aims and priorities of TPCF outlined above.

Torbay Parent Carer Forum (PCF) and its money will be administered and managed in accordance with the provisions in this constitution adopted originally on 2nd July 2014 and updated on the 11th July 2017. This sets out the rules by which Torbay PCF will be governed and is legally binding on the members.

Names and abbreviations

Torbay Parent Carer Forum (further known as PCF)

Special educational needs and disabilities (further known as SEND)

Aims, Objectives and Values

1.1 To be a strategic consultative body within Torbay representing families of children aged 0-25 with SEND.

1.2 To work with local service providers within an agreed **Participation, Engagement and Co-Production Strategy**, in order to represent parents/carers contributes to improvements in the services being delivered for children with SEND. Working with all relevant national and local, agencies and organisations will facilitate co-operative working, meaningful collaboration and consultation at a local level to make a real difference for local families.

1.3 To consult with and share information with our membership with a view to ensuring that families in Torbay with children who have SEND are better equipped to help their children to enjoy, achieve and reach their potential. The nature of the consultation and working practice undertaken by the PCF may be updated from time to time to reflect any changes to recognised best practice and Government policy. Any major amendments will be, adopted in line with the adoption process detailed at the end of this document (section 9), transparent and subsequently widely publicised to the membership and general public.

1.4 To show mutual respect, trust and understanding to develop joint ownership of the Forum. Members will identify and acknowledge with the Forum any conflict of interest or pecuniary interest if or when it arises. All members will respect the confidentiality of matters discussed (where relevant) at the meetings. Disputes and grievances should not be aired in public and should be addressed to the PCF steering group in the first instance so as to avoid any possibility of bringing the PCF reputation into question without due cause.¹

1.5 To celebrate equality and diversity, and try to ensure we are accessible to all minority groups, this includes extending support to give all parents/carers of children with SEND living and/or receiving services in Torbay. This is inclusive of any individual challenges that they may have, in being able to participate².

1.6 To be mindful at all times of the importance of safeguarding children and vulnerable adults, and to appropriately report any such concerns that we are alerted to.³

The PCF is unable to offer an advocacy service, advice and support on specific individual issues that parents/carers may have. However as far as possible will try to signpost parents/carers to appropriate services and agencies, who may be able to offer them the individual support and guidance they require.

1 **Conflict of interest Policy** (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

2 **Equality and Diversity Policy** (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

3 **Safeguarding Policy** (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

The Torbay Parent Carer Forum will promote a reputation and image which reflects its aims, objectives and values.

Powers

In furtherance of the aims and objectives the group may:

2.1 Employ and remunerate staff⁴

2.2 Raise funds by any lawful means except permanent trading

2.3 Accept gifts and donations for the benefit of the PCF, which will be appropriately minuted at the time of donation.

2.4 Own necessary equipment for business operation of the PCF. The PCF will hold a record of all PCF owned equipment, where it is held, who is responsible for it, and disposal of equipment if no longer functional or sold as no longer required.

2.5 Do anything else within the law which is necessary for the group to carry out their aims and objectives

Application of the income

3.1 PCF funds shall be applied solely towards the promotion of the aims and objectives detailed above.

3.2 Any member may be given reasonable and proper remuneration for any goods and/or services bought on behalf of or for Torbay PCF by prior arrangement and in line with PCF remuneration and expenses claims procedures.⁵

3.3 Reasonable agreed 'out of pocket' expenses (ie. Travel & childcare costs), may all be claimed from the funds when they are for Torbay PCF business.

3.4 Members must always provide receipts or invoices alongside expense claims to the treasurer for payment.

3.5 Members Expenditure must be agreed in advance by a quorum of at least 3 members of the PCF steering group. Any individual expense under £100 can be done without prior approval from the steering Group e.g. Business lunch expenses. Any one Item expense over £100 must have Steering Group approval before hand. Approval can be confirmed via email in order to avoid delay. Fuel cost expenses are 45p per mile. If attending a meeting on behalf of the PCF mileage will automatically

4 Staff employment Policy (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

5 Remuneration and expenses Policy (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

be agreed up to 200 miles in a single trip. Any journey over 200 miles must be explored for cheaper travel options i.e. train or plane.

3.6 A bank account will be operated by the treasurer on behalf of the PCF. Cheques must be signed by any 2 of the 4 nominated signatories.

3.7 Accurate accounts of all income and expenditure must be kept and provided to justify grants awarded to the awarding grant body and presented, in summary, at the Annual General Meeting (AGM). signatories of the PCF bank account will be overall responsible for ensuring income and expenditure is properly accounted for throughout the year and the treasurer will present a financial update to the PCF steering group monthly. (financial control policy)

3.8 If the PCF is dissolved and there are funds in the bank after repayment of outstanding debts and grants, as required, the law states that it should pass on any remaining assets to another charitable body. The PCF full membership at the time will vote for the relevant charity whose beneficiaries are children with SEND and/or their parent/carers.

Membership of the PCF

The PCF's membership will be made up of parents/carers who have children with SEND, in accordance with the Equalities Act 2010 (see membership below section 4.1), or people who have a special interest in being involved in this area (see associate membership below section 4.12). We will continue to make our membership and representation as diverse as possible from all backgrounds and sectors of the community.

4.1 Membership is open to family members and carers of any child or young adult age 0-25 with SEND and who live in, and/or receive services from Torbay. Once a member's young person reach the age of 26 they will have the option to remain as an associate member but will no longer have a vote (see associate membership below section 4.12).

4.2 Membership is not transferable.

4.3 PCF Steering Group members must keep a register of members, either in a written form or held on computer and will ensure compliance with General Data Protection Regulation (GDPR) 2018.⁶

4.4 Each member is entitled to one vote at any Annual General Meeting (AGM) or Extraordinary General Meeting (EGM).

6 Data Protection Policy

4.5 Any member may request to be removed from the list at any time and no longer receive correspondence by contacting the PCF by email to info@torbaypcf.org.uk or by writing to the PCF.

4.6 If the steering group considers that any member's conduct is in any way harmful to the aims and objectives of Torbay PCF, the steering group will seek an audience with said member for clarification, but ultimately reserve the right to terminate membership. The right of appeal will be through a mutually acceptable independent mediator appointed at the time in question.⁷

4.7 Our website www.torbaypcf.co.uk will provide instant access to the forums current projects and also e-mails of events and information will be sent out as appropriate. (The PCF recognises not every member has access to the internet and will post out hard copies accordingly on request)

4.8 Information for members will be provided in a range of formats, via the website, email to info@torbaypcf.org.uk, phoning 07773 929777 or upon request in writing to the PCF, to support the engagement of a wide number of parents and carers.

4.9 Words and terminology used in documents circulated to members should be free of jargon and avoid use of unspecified abbreviations so that no one is excluded from participating. Members will be actively encouraged to question anything they do not understand.

4.10 The PCF will aim to hold 3 general Events for parents/carers and associate members (as applicable - see below section 4.12) a year, with additional events/training/consultations as required.

4.11 Events will be arranged to take place at a range of different venues and times to enable as many members as possible to attend at least some meetings. There is a small expenses (childcare and travel) budget to enable members to attend meetings.

4.12 There will also be an associate membership for practitioners and anyone with a specific interest in this area, both within the Voluntary and Statutory sectors. This membership will have **no** voting rights but will be kept up to date with PCF newsletters and other general release information. They will be able to attend open meetings and events. Professionals and service providers will be invited to attend and participate in meetings as appropriate to facilitate efficient collaborative working for the benefit of local families and service development.

7 Code of conduct Policy (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

PCF Steering Group members, management and meetings

The role of a PCF steering group member is to participate to the best of their ability at meetings to aid the PCF as and where they are able, to represent the PCF in a positive manner at all times, and to facilitate families voices being heard as appropriate.

Whilst confidentiality is paramount, except in relation to safeguarding, in the interest of free speech; constructive criticism should be encouraged when conducted through the correct channels. Steering group members should feel able to openly share their views and concerns at all times within steering group meetings.

5.1 Torbay PCF will be managed by a Steering Group. This will comprise of a minimum of 3 and a maximum of 12 members. This will include a Chair, Treasurer and Secretary elected by the wider membership (3 year term) and include members of the PCF membership.

5.2 All Steering Group members will have a valid enhanced DBS certificate and will be informed of appropriate safeguarding reporting and procedures.

5.3 Other roles within the Steering Group will be appointed as and when required.

5.4 A member can resign from the PCF Steering Group at any time, by putting this in writing to the chair and/or secretary.

5.5 The Steering Group members are volunteers; anyone who wishes to sit on this group can join, providing there are vacancies and they are able to fulfil DBS criteria, but will be required to give a commitment to attend at least 75% of the meetings per year. Steering Group Members must declare a conflict of interest. be neutral and impartial. If a member has business ties to other services/companies or stakeholders that collaborate with the PCF they must ensure that they are a member with solely personal intentions and not seek to influence the manner in which PCF operates in the interest of their occupation.(code of conduct)

5.6 All members of the PCF Steering Group shall agree to represent the PCF in a professional manner and will conduct themselves in a fit and proper manner at all times in public when undertaking PCF business, so as not to bring the organisations reputation into question.

5.7 All Steering Group members must take and maintain appropriate care in all written correspondence, including electronic communications, in accordance with the fact that they are all forms of 'Public documents'.⁸

8 Code of conduct Policy (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

5.8 As an organisation the PCF relies on the commitment of the PCF Steering group members. Each Steering Group Member is expected to make an effective contribution at meetings and take away tasks as necessary or required to fulfil the aims, objectives and purpose of the PCF and its activities.

5.9 The Steering Group will aim to meet at least ten times at regular intervals throughout the year but this may be exceeded due to circumstances and work load commitment.

5.10 In addition any parent/carer of a child with SEND living and/or receiving services in Torbay can put an item on the steering group agenda by contacting any steering group member, emailing info@torbaypcf.org.uk , phoning 07773 929777 or submitting a written request, prior to the next steering group meeting.

5.11 The Steering Group may appoint sub-committees/working parties to carry out specific tasks and delegate specific powers as necessary. Sub-committees/ working parties must report back to the Steering Group for ratification of any decisions.

5.12 A quorum of three of the Steering Group will be needed to hold a meeting

5.13 Each steering group member has one vote towards steering group decisions and in the case of equal votes for and against a decision the chair shall have the deciding vote.

PCF General Meeting management (AGM/EGM)

6.1 The Annual General Meeting (AGM) should be arranged as soon as practically possible after the close of the financial year, and no later than the 1st of July each year, to enable an accurate summary of accounts to be provided within the end of year report from the treasurer.

6.2 An Extraordinary General Meeting (EGM) can be called by a majority of Steering Group members when some special or urgent business has to be considered or 5% of the PCF membership, if they feel that the steering group are not fulfilling the PCF aims and objectives, or where they feel the funds are not being administered effectively.⁹

6.3 All General Meetings will be called in writing 21 days in advance. A quorum for such meetings shall consist of a minimum of 8 members or 5% of the membership.

6.4 Any PCF member wishing to be elected as an officer will need to seek nomination no later than 14 days prior to an AGM. Details of all nominated persons will be circulated to the membership prior to the meeting and officers will be elected

⁹ <http://www.charitycommission.gov.uk/detailed-guidance/managing-your-charity/charities-and-meetings-cc48/#36>

for their term of office by the Full membership of the PCF at an AGM, or alternative voting methods by request if unable to attend the AGM. It is preferable but not essential for such persons nominated to have served on the PCF Steering Group prior to nomination.

PCF Elected Officers information, roles and responsibilities

7.1 Terms of office: –

Once elected as an officer they will hold that office position for a fixed period of three years from the date of that member election or appointment.

This does not prevent a member from:—

- (a) resigning their office position, having given the Steering group reasonable notice;
- (b) being elected or appointed for a further term, in that or another officer position;
- (c) being removed from holding or continuing to hold office, due to criminal behaviours or any other reason the steering group considers that any member's conduct is in any way harmful to the aims and objectives of Torbay PCF.

7.2 Chair:

To act as official spokesperson, chair meetings or delegate said task, co-ordinate communication and tasks as required oversee financial matters and official addresses to the general public and other organisations issued by the PCF secretary.

7.3 Treasurer:

To operate a dedicated PCF bank account ensuring all cheques are counter signed by 2 of the 4 nominated signatories.

To prepare, accurate summary accounts for the Annual General Meeting (AGM), of all income and expenditure, maintaining separate accounts for Grant awarding bodies from any other general operating funds, and will provide monthly financial updates to the Steering Group.

To deal with day to day financial matters, for added security this will be over seen as appropriate by the signatories who share responsibility for financial matters.

To alert the steering group of ANY potential financial difficulties that may arise for example a potential deficit balance, inappropriate financial decision or issues concerning the upkeep of the general accounts.

7.4 Secretary:

7.41 To co-ordinate and line manage any administration contractor to:

Prepare and circulate, as directed by the chair or steering group majority, agendas, minutes and general information to members and other interested bodies as necessary and in line with approval from the Steering Group.

To be a portal for effective communication via a variety of mediums as required.

Information will be provided in a range of ways and formats to support the engagement of a wide number of service providers, parents and carers. All communications will be brought to the attention of the PCF steering group via the chair if necessary.

The agenda for each meeting should be circulated at least two working days before the meeting, along with any relevant material. Meeting Feedback Forms, outcomes from consultations and participation work undertaken and the effect on future service provision will also be circulated as appropriate.

Minutes will be circulated alongside the agenda of the next meeting, if not before, and will be published on the PCF website as soon as formally approved by the steering group at their next meeting. Steering Group Members are expected to fulfil any Action Points, if required, in good time before the next meeting. The PCF, via the secretary, will provide information and feedback to its membership through regular website postings, e-updates and in hard copy or other formats on request.

7.42 To ensure good communication flow between contractors and the steering group

7.43 To annually update the administration contract in line with PCF needs

Parent Reps

8.1 Parent Reps need not be Steering Group members and will be encouraged to attend relevant steering groups and working parties set up by service providers.

8.2 Relevant training will be given and non-Steering Group Parent Reps will be expected to conduct themselves in the same fit and proper manner expected from a Steering Group member (section 5.6) when discussing or representing the PCF and

its activities so as not to bring the organisations reputation into question.¹⁰ Any issues that may arise should be immediately brought to the attention of a Steering Group member so that it may be speedily and appropriately resolved.

8.3 All non-Steering Group Parent Reps will be required to sign a parent rep agreement to include expectations of the role (ie. Completing reps reports to PCF as soon as possible after having attended a meeting on behalf of the PCF and agreeing to their names and details of the meetings they are attending on behalf of the PCF to be published)

8.4 All non-Steering Group Parent Reps must take and maintain appropriate care in all written correspondence, including electronic communications, in accordance with the fact that they are all forms of 'Public documents'.¹¹

8.5 Parent Reps' names and details of areas of expertise they represent will be publicised so parents know who is representing them.

Review and Amendment of this Constitution

9.1 This document will be reviewed at least annually prior to the Annual General Meeting.

9.2 This document may only be amended by a resolution passed at a General Meeting, however, under exceptional circumstances any changes adopted by the steering group will be circulated around the membership for consultation purposes before final ratification at a General Meeting.

10 **Code of conduct Policy** (This is currently work in progress and will be posted in draft form on the website as soon as complete and will then be ratified as appropriate at a subsequent general meeting)

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