

MODEL CONSTITUTION

NOTES

These guidance notes are here to help you complete the model constitution and explain certain points. Please read them first.

The PTA UK model constitution is suitable for use by all PTAs and other forms of home-school associations including friends associations. This includes start-up PTAs and others that aren't required to become a registered charity (only required for those with an income of £5k and more a year).

- A glossary of terms is contained under clause 14. All terms referenced in the glossary are highlighted in **bold**.
- Please complete clauses 1.1 to 1.3 on page 2 using **BLOCK CAPITALS**.
- All PTA UK members using the model constitution without change (apart from completing clauses 1.1 to 1.3) and submitting complete applications are eligible for fast track charity registration because the PTA UK model constitution is pre-approved by the Charity Commission for England and Wales.
- Any **association** wishing to vary the PTA UK model constitution will need to agree changes directly with the Charity Commission and will not be eligible for the fast track scheme. Independent legal advice may be required to amend this constitution.
- If your association uses another constitution for charity registration it may require independent legal advice to agree this with the Charity Commission for England and Wales.
- The PTA UK model constitution is the copyright of PTA UK and may only be used by PTA UK member associations.
- The charity created by this constitution is an **unincorporated association** and as such the committee, who are trustees of the charity, are personally liable for the acts and defaults of the charity.

While it might be unusual, if a PTA is taking on loans, building works or other liabilities, employing staff or giving advice to the public, PTA UK recommends establishing the charity as a company limited by guarantee in order to obtain the protection of limited liability for the committee. Or alternatively they could establish themselves as a charitable incorporated organisation. Please refer to the Charity Commission's model governing documents:

www.gov.uk/government/publications/setting-up-a-charity-model-governing-documents.

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Model constitution for Parent Teacher Associations (England and Wales)

The PTA UK model constitution is for use by Parent Teacher Associations (PTAs) and other home-school groups that are members of PTA UK in England and Wales. A model constitution for PTA UK members in Northern Ireland is available at pta.org.uk or from the PTA UK Advice Line 0300 123 5460. This document belongs to PTA UK (registered charity no 1072833) or any successor body.

The PTA UK model constitution must be adopted by the **association** before it can be used. Further guidance on this can be found at pta.org.uk.

The declaration on the last page of this document must be signed by the **Chair** of the meeting at which it is adopted and witnessed by a member of the **association** who is present at the meeting.

Charity registration

To register as a charity, adopt the PTA UK model constitution and register online with the Charity Commission at: www.gov.uk/setting-up-charity/register-your-charity.

All PTAs with an annual income of £5K or over must register as a charity with the Charity Commission for England and Wales: www.gov.uk/government/organisations/charity-commission.

PTA UK provides information on charity registration for its members including a step-by-step guide to the online application process: www.pta.org.uk/PTAs/Charity-Registration.