



Constitution of County Durham Local Involvement Network (LINK)

1. Title

The association is called County Durham Local Involvement Network, [also known as County Durham Link], referred to in this document as “the LINK”.

2. Objects

The objects are:

To promote, influence and improve the physical and mental well-being of people of all ages residing permanently or temporarily in County Durham, primarily but not exclusively:

- By establishing a community based network of organisations, individuals, patients, users and carers to give them a voice and increase their influence in the provision and commissioning of both health and social care services.
- Influencing the provision and commissioning of both health and social care services.
- Improving the quality of Health and Social Care services and being responsive to the views and experiences of patients, service users, their carers and families and the wider public.
- Monitoring the outcomes of commissioning and service provision from the perspective of service users, carers and the public.
- Recognising and tackling health and social care inequalities and strive to ensure health and social care is accessible to all.

- Striving to ensure LINK members (individuals and groups) represent as wide a range as possible of interests across the health and social care agenda .
- Ensuring, through partnership with others, that methods of communication are developed which are effective, constructive, clear and concise.
- Working constructively with other LINK's where issues cut across health and social care administrative boundaries.
- Capitalising on the skills, knowledge and experience built up by patient, user and carer forums.
- Using its powers as appropriate to seek additional funding for projects agreed by the LINK from sources which do not compromise the funding of constituent members.
- Using its powers as appropriate to source relevant training and skills development for its members and the LINK Management Committee.

LINKs will be able to:

- Enter and view specific types of premises where services and care are provided;
- ask for information and expect a response within a specific timescale;
- make recommendations and expect a response within a specific timescale; and
- refer matters to the local Overview and Scrutiny Committee and expect a response.

3. Relationship with Host Organisation

The LINK is an independent body. However, the LINK is run in accordance with government guidelines and legislation (Local Government and Public Involvement in Health Act 2007) and is supported in it's work by the Host organisation [Pioneering Care Partnership] as laid out in the document "The Role of Pioneering Care Partnership as Host of County Durham LINK".

4. Powers

To further the objects but not otherwise, the LINK has the following powers:

1. To raise funds, invite and receive contributions and undertake other activities as agreed by the management committee in pursuit of the objects with the exception of permanent trading.
2. To buy, lease or exchange any property necessary for the achievement of the objects.
3. Subject to any consents or regulations at law, to sell, lease or dispose of parts of the property of the association.
4. To dispose of all property belonging to the association, the management committee will adhere to the wishes of the membership as set out in the Dissolution clause.
5. To co-operate with other LINKs, associations, community groups, charities and statutory authorities operating in furtherance of the objects or who have similar objects to exchange information and advice with them.
6. To appoint and constitute such advisory committees, sub committees and task groups as the management committee think necessary for the fulfilment of the objects.
7. To do all such other lawful things as are necessary for the achievement of the objects.

5. Membership

Membership is open to any of the following who complete the approved membership application process:

(1)a. Full membership is open to:

- (i) Any individual aged 18 years or over who lives and/or works in County Durham.
- (ii) Any voluntary and community sector organisation, service user or carer group, Parish or Town Council.

b. Associate Membership is open to statutory sector agencies, private sector and commercial companies, County Councillors and individuals having an interest in and expressing support for the aims of the LINK.

c. Junior Membership is open to any young person aged 14-18 years of age who lives/and or works in County Durham

d. Only full members and junior members have voting rights and may be nominated for the committee.

6. Management Committee

(1) The LINK and its property is managed and administered by a management committee comprising of elected management committee members appointed in accordance with this Constitution.

(2) The LINK shall as a minimum have the following:

- A Chair
- 2 Vice Chairs.

(3) All management committee members must be nominated for appointment to the committee by their interest groups and district networks. The committee will select from amongst themselves those who will be Chair and Vice Chairs.

(4) There will be a minimum of **14** management committee members (in accordance with the attached structure).

(5) A management committee member who has a personal interest must, as laid out in the Code of Conduct:

Act honestly and withdraw from involvement in any business of the LINK where there is a conflict of interest or where the member could benefit financially or preferentially.

The interest must be declared at the first meeting of the management committee at which it is to be discussed, and the management committee member shall not be permitted to vote on the question of whether or not the LINK should enter into that transaction or arrangement.

A personal interest shall mean the management committee member, or any partner or other close relative of his/hers, or any firm of which

he/she is a partner or any limited company of which he/she is a shareholder or director, has a personal interest in that arrangement.

(6) A management committee member may resign from the management committee provided he/she resigns on notice in writing.

(7) By rotation, one third of the appointed management committee members (or the number nearest to one third) shall retire from the committee each year but will be eligible for immediate re-appointment if nominated. If any committee members have voluntarily stood down during the year, this number will be counted towards the one third. Those members of the management committee who have joined the management committee during the year to replace a resigning member must stand for re-election at the next AGM. The management committee members to retire shall be those who have been management committee members for the longest period since their last appointment. Where management committee members have served for equal lengths of time the decision as to which of them shall retire shall be arrived at by mutual agreement of the management committee. No trustee may serve more than 3 consecutive terms.

However, as the LINK is still undergoing its development stage, the rotation referred to in (7) above will only be applied from year 2 onwards (2010).

(8) A retiring management committee member is entitled to indemnity from the continuing management committee members at the expense of the LINK in respect of any liabilities properly incurred while he/she held office.

(9) The management committee may suspend or expel or dismiss at any time any member of the management committee, provided it does so in good faith. The person who has been suspended or dismissed would have a right of appeal.

7. Sub Committees and Task Groups

Membership of sub committees and task groups shall be determined by the management committee in accordance with agreed procedures as laid out in the following documents:

- Policy and procedure for selecting County Durham LINK Representatives for Groups/Meetings/Committees

8. Annual General Meeting (AGM)

An Annual General Meeting shall be held within 6 months from the end of the Financial Year when the management committee shall retire from office in accordance with the procedures laid out in clause 6.7 above. Elections will take place prior to the AGM and all full members and junior members will be able to vote for their district representative. Special interest group representatives will be elected through their own network as agreed. All newly elected management committee representatives will be appointed to the management committee for the forth-coming three year period.

At least 21 clear days notice will be given for an AGM.

9. Special General Meetings

All general meetings other than annual general meetings are called special general meetings. The management committee may call a special general meeting at any time.

The management committee must call a special general meeting if requested to do so in writing by at least **35** members or one tenth of the voting membership, whichever is the greater. The request must state the nature of the business that is to be discussed. If the committee fails to hold the meeting within twenty-eight days of the request, the voting members may proceed to call a special general meeting but in doing so they must comply with the provisions of this Constitution.

10. Quorum

No business shall be transacted at any general meeting unless a quorum is present.

A quorum is:

- 35 members entitled to vote upon the business to be conducted at the meeting; or
- one tenth of the total voting membership at the time, whichever is the greater.

If:

- (a) a quorum is not present within half an hour from the time appointed for the meeting; **or**
- (b) during a meeting a quorum ceases to be present, the meeting shall be adjourned to such time and place as the committee shall determine.

The management committee must re-convene the meeting and must give at least seven clear days' notice of the re-convened meeting stating the date time and place of the meeting.

If no quorum is present at the re-convened meeting within fifteen minutes of the time specified for the start of the meeting the management committee members present at that time shall constitute the quorum for that meeting.

The quorum for management committee meetings is 5.

11. Alterations to the Constitution

1. Alterations to this Constitution will require a general meeting of members, when at least 35 people or 10% of the voting membership whichever is the greater are in attendance, and not less than two thirds agree to pass such a resolution.

2. Members shall be given a minimum of 14 days notice of a resolution to amend this constitution. Notice shall be given in the same way as for an AGM.

12. Records, Accounts and Financial Year

The management committee with support from the Host, will keep records of all financial transactions and all documents relating to the proceedings of meetings.

If required and where appropriate for funding not channelled through the Host, the LINK shall have a bank account in its own name. The signatures of at least two of the Management Committee shall appear on any cheque or other means of cash withdrawal. The financial year shall end on 31st March.

Accounts shall be prepared annually in line with current law and the requirements of any relevant governing or funding body.

Accounts will be subject to independent examination or audit as appropriate and the treasurer shall present these for approval to the AGM.

13. Dissolution

If the Membership at a General Meeting decides it is necessary or advisable to dissolve the LINK, all assets held by the LINK after satisfaction of debts or liabilities shall be transferred or given to such other charitable organisations in the area of benefit having aims and objects similar to those of the LINK as the Committee may determine. Remaining assets administered via the Host shall be distributed in accordance with statutory requirements.