

# **The Lancashire Occupational Health and Safety Group**

*Registered Charity No. 1032462*



**CONSTITUTION**



# The Lancashire Occupational Health and Safety Group



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**1**      **NAME**

The charity's name is The Lancashire Occupational Health and Safety Group (LOHSG).

**2**      **DATE ESTABLISHED**

Founded in 1930 as the Preston and District Industrial Accident Prevention Group.

**3**      **GOVERNANCE**

The Lancashire Occupational Health and Safety Group will abide by all relevant legislation e.g. Charities Act 2011 and is registered with the Charity Commission (**No. 1032462**) and is subject to their requirements.

**4**      **STATUS**

The Group is voluntary and does not employ any full-time paid members.

**5**      **AFFILIATIONS**

The Group is a member of Safety Groups UK and its predecessor the National Health and Safety Groups Council and is affiliated to RoSPA. The Group is also a founding member of the North West Regional Association of Occupational Health and Safety Groups.

**6**      **PATRONS**

The Group has a number of Patrons who contribute to the running of the group. Patrons are not required to pay a membership if they contribute to the running of the Group on a regular basis.

Where a Patron has not contributed to the running of the Group within 12 months then that Patron shall be removed.

**7**      **THE PURPOSES OF THE CHARITY ARE: -**

- To promote for the public benefit the preservation and protection of good health and safety in workplaces
- To advance the education of the members of the Group and the public in matters relating to health and safety at work and in particular, but without limitation to promote or assist in the promotion of education in first aid

**8**      **OBJECTIVES**

- To encourage local employers and others with an interest in health and safety to join the



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Safety Group, meet and contribute improvements in health safety and welfare.

- Be a forum for problem solving on health and safety issues.
- To promote Health, Safety and Welfare in the workplace by promulgation of information and advice on the Group's members area, WhatsApp Group and Social Media Accounts.
- To share Health and Safety expertise from within the Group.
- To provide a platform for interchange of ideas and discussion via the Group's members area, WhatsApp Group and Social Media Accounts.
- To establish an Executive Committee to ensure the Group is run per the requirements of the Charity Act.

## 9 EXECUTIVE COMMITTEE

The charity shall be managed by an executive committee who are appointed at the Annual General Meeting (AGM) of the charity.

The Group shall appoint the following officers:

- President
- Vice President
- Chair
- Vice Chair
- Secretary/Members Secretary
- Treasurer
- Publicity Officer
- Elected Members

## 10 CARRYING OUT THE PURPOSES

In order to carry out the charitable purposes, the executive committee have the power to:

- Raise funds, receive grants and donations
- Apply funds to carry out the work of the charity
- Co-operate with and support other charities with similar purposes
- Do anything which is lawful and necessary to achieve the purposes

## 11 MEMBERSHIP

The charity shall have a membership. People who support the work of the charity and are aged 18 or over, can apply to the executive committee to become a member. Once accepted by the executive committee, membership lasts for 1 year and may be renewed. The executive committee will keep an up-to-date membership list.



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The executive committee may remove a person's membership if they believe it is in the best interests of the charity. The member has the right to be heard by the executive committee before the decision is made and can be accompanied by a colleague.

## **12 CO-OPTED MEMBERS**

Where possible, members may be co-opted to the Committee at the discretion of the executive committee.

## **13 ROLE OF THE EXECUTIVE COMMITTEE**

- The Committee shall operate under the direction of the Chair.
- Additional members may be co-opted as appropriate and shall manage the Group's activities.
- Members can be co-opted in by vote from the executive committee.
- Co-opted members are to complete the required nomination form, sign, proposed and seconded.
- Co-opted members have equal voting rights with the other committee members.
- Co-opted members are then voted in officially at the AGM.
- The Committee shall be responsible for planning the Group's activities including the formation of such Subcommittees as may be necessary.
- Decisions made by the Committee must be by quorum – this being 6 members of the Committee.
- No person shall be entitled to act as a member of the executive committee whether on a first or on any subsequent entry into office until after signing in the minute book (signing in book) of the executive committee a declaration of acceptance and of willingness to act in the trusts of the Charity.

## **14 EXECUTIVE COMMITTEE MEMBER TERMINATION**

An executive committee member shall cease to hold office if they are:

- Disqualified from acting as a member by virtue of Section 178 of the Charities Act 2011 (or any subsequent re-enactment or modification of that provision)

## **15 TERMINATION OF MEMBERSHIP BY THE MEMBER**

Any member may withdraw from the Group by giving notice, in writing duly signed, to the Secretary at least 6 weeks prior to the AGM.

## **16 TERMINATION OF MEMBERSHIP BY THE GROUP**

- If the member is absent from the Executive Meetings without sending apologies to the Executive Committee on 4 occasions or more over the 9 meetings held each year, then



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the Executive Committee resolve that their office has been vacated.

- Members, who bring the Group into disrepute as a result of consistent breaches of health and safety law, shall be the subject of a review by the executive committee and may have their membership terminated
- Upon a Member failing to pay the annual subscription within **three months** of it becoming due, the Secretary shall send them a notice in writing calling attention to the failure and if the subscription is not paid within one month of sending the notice, the member shall automatically cease to be a member, unless the executive committee determine otherwise.

## 17 EXECUTIVE COMMITTEE MINUTES

The Secretary, or a nominated representative, shall ensure that a full and accurate set of minutes is recorded for every committee meeting and the AGM.

A formal record of actions agreed at Group meetings will be made.

Minutes of the previous meeting should be approved as a true record and noted on the following meetings minutes.

## 18 ANNUAL GENERAL MEETING - AGM

- The AGM must be held every year, with 14 days' notice given to all members informing them what is on the agenda. Minutes must be kept of the AGM.
- Before any other business is transacted at the first annual general meeting the person present shall appoint a Chair of the meeting. The Chair shall be the Chair of subsequent annual general meetings, but if they are not present, before any other business is transacted, the persons present shall appoint a Chair of the meeting.
- There must be at least 10 members present at the AGM.
- Nominations for election to the executive committee must be made by members of the Charity in writing and must be in the hands of the secretary of the executive committee at least 14 days before the annual general meeting. Should nominations exceed vacancies, election shall be by ballot.
- Every member has one vote.
- The executive committee shall present the annual report and accounts.
- Any member may stand for election as an executive committee member.
- Members shall elect between 9 and 14 executive committee members to serve for the next year.
- They will retire at the next AGM but may stand for re-election.



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## 19 ELECTION OF OFFICERS PROCEDURE

### **Committee Member**

Approach will be made by an existing committee member, a majority vote must be obtained from the committee prior to the approach. The member then can be elected onto the committee as a co-opted member or at the AGM as a committee member.

### **Members Secretary**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 2 years and served on the committee for no less than 1 year.

### **Secretary**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 2 years and served on the committee for no less than 1 year.

### **Treasurer**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 3 years and served on the committee for no less than 2 years.

### **Publicity Officer**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 2 years and served on the committee for no less than 1 year.

### **Strategic Planner**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 2 years and served on the committee for no less than 1 year.

### **Events Secretary**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 2 years and served on the committee for no less than 1 year.

### **Publicity Co-ordinator**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 2 years and served on the committee for no less than 1 year.



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## **Vice Chair**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 3 years and served on the committee for no less than 2 years.

## **Chair**

A nomination form is to be completed, proposed, and seconded by existing committee members. The person must have been a member of the group for no less than 4 years and served on the committee for no less than 3 years.

## **Honorary Vice President**

The person must have held the position of Chair for no less than 1 year. The person must be voted into the position by the majority of the committee.

## **Honorary President**

The person must have held the position of Honorary Vice President.

In the event of resignation or death then a position may be contested, if by 2 people a vote by the committee will take place, where there is a tie then the Chair will have the casting vote.

## **20 EXECUTIVE MEETINGS**

- The Chair shall act as Chair at meetings of the executive committee. If the Chair is absent from any meeting, the Vice Chair will take over.
- The executive committee must hold at least 9 meetings each year, this includes the meeting at the AGM.
- The executive committee may act by majority decision. In the case of equal votes, the Chair shall have a second or casting vote.
- At least 6 executive members must be present at the meeting to be able to take decisions.
- Minutes shall be kept for every meeting including sub committee meetings.
- If executive members have a conflict of interest, they must declare it and leave the meeting while this matter is being discussed or decided.
- The executive members may make reasonable additional rules to help run the charity. These rules must not conflict with this constitution or the law.

## **21 ANNUAL REPORT AND ACCOUNTS**

The Treasurer shall keep true accounts of the sums of money received and expended by the Group and the matter in respect of which such receipt and expenditure takes place.





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The Group's financial year shall run from January to December.

The Lancashire Occupational Health and Safety Group shall comply with their obligations under the Charities Act 2011 (or any statutory re-enactments or modification of that Act) with regard to: -

- The keeping of accounting records
- The preparation of annual statements of account for The Lancashire Occupational Health and Safety Group

The financial report shall be presented the AGM and a copy sent to members where possible 4 weeks prior to the AGM.

## 22 SUBSCRIPTIONS

The Group shall levy an annual subscription on each member company, or individual member, the amount(s) to be determined by the Committee and shall be adopted by Resolution at the Annual General Meeting.

## 23 MONEY AND PROPERTY

- Money and property must only be used for the charity's purposes.
- The executive members must keep accounts. The most recent annual accounts can be seen by anybody on request.
- Executive members cannot receive any money or property from the charity, except to refund reasonable out of pocket expenses.
- Money must be held in the charity's bank account. All cheques must be signed by 2 executive committee members.

## 24 GENERAL MEETINGS

If the executive committee consider it is necessary to change the constitution, or wind up the charity, they must call an Extraordinary General Meeting so that the membership can make the decision. Executive committee members must also call an Extraordinary General Meeting if they receive a written request from the majority of members. All members must be given 14 days' notice and told the reason for the meeting. All decisions require a two thirds majority. Minutes must be kept.

- **Winding up** - any money or property remaining after payment of debts must be given to a charity with similar purposes to this one. The charity will be agreed by the sitting Executive Team.
- **Changes to the Constitution** - can be made at AGMs or General Meetings. No change can be made that would make the organisation no longer a charity.
- **General Meeting** - called on written request from a majority of members.



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- Executive committee members may also call a General Meeting to consult the membership.

## 25 ALTERATIONS TO THE CONSTITUTION

The Constitution may be altered by a resolution passed by not less than two thirds of the executive committee present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alterations proposed.

No amendment may be made which would have the effect of making the Charity cease to be a charity at law.

The Executive Committee should send to the Commissioners a copy of any amendments.

## 26 SETTING UP THE CHARITY

This constitution was adopted on: 18<sup>th</sup> October 2022 by the people whose signatures appear below. They are the first members of the charity and will be the executive committee members until the AGM, which must be held within one year of this date.

Signed	Print Name	Position
		President
		Vice President
		Chair
		Vice Chair
		Secretary
		Treasurer
		Publicity Officer
		Strategic Planner
		Members Secretary
		Events Secretary
		Publicity Coordinator
		Elected Member
		Elected Member
		Elected Member



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27 VERSION CONTROL

Version Number	Amendments	Dated
4	Reviewed and updated the Constitution	31.08.22
5	Added bullet point 1 to section 16 and added section 19	11.01.23