



Fakenham Town Band Constitution - 2025

1. TITLE

- a) The name of the organisation shall be the “**Fakenham Town Band**”, hereafter referred to as the “organisation”, which comprises two bands.
 - i) The name of the main band shall be the “**Fakenham Town Band**”.
 - ii) There shall be an associated band hereafter called the “**Fakenham Town Training Band**”.

2. OBJECTIVES

- a) The principal objective of the organisation shall be to promote excellence and appreciation of music for brass bands. This may be achieved through training, tuition, presentation of public concerts, contesting and other activities deemed suitable by the Management Committee.
- b) The principal objective of the Training Band is to encourage persons of all ages and abilities to learn and enjoy playing a brass instrument and to reach a standard which enables progression to the main band. This may be achieved through training and playing in an enjoyable environment supported and instructed by experienced players, if needed, and experiencing opportunities to play as a group or jointly with the main band.

3. MEMBERSHIP

- a) Members will be required to agree to and follow the organisation’s Code of Conduct (see 15.)
- b) The members of the organisation shall be those persons who pay their annual subscription as appropriate and as determined by the Management Committee. The Management Committee has full discretion to suspend the need for Members to pay subscriptions and to reinstate the requirement . Where required, all subscriptions are payable in full.
 - i) Annually as from the start of the first full month following the AGM
 - ii) Monthly by standing order from a bank
 - iii) Weekly if agreed by the Management Committee

- c) A resigning or dismissed member is expected to pay any arrears before leaving or a date agreed by the Management Committee the organisation. A member about to commence a long spell of enforced absence may be excused payment or partly at the discretion of the Management Committee.
- d) The Management Committee may fix a reduced subscription for member still at school, or unemployed ,or long-term sick.
- e) New playing members will be required to attend regularly for a probationary period of not less than 1 month before becoming full members of the organisation and final acceptance shall be at the discretion of the Musical Director (or Training Band Conductor) and Management Committee. After 1 month the subscription shall be due at the rate of 1/12 annual rate for the remaining months of the year.
- f) Should any member find difficulty in paying the appropriate subscription a written request for deferment/waiver or special consideration should be sent to the Management Committee for consideration at the next Committee Meeting.
- g) If a member fails to pay the appropriate subscription or writes to request deferment/waiver or special consideration the Committee will send a formal request for payment. In the absence of a written reply or payment of arrears from the member the Committee reserves the right to request that the member either resigns or be dismissed following proper discussion at a full Committee Meeting.
- h) If a member engages in any form of inappropriate behaviour which infringes the Safeguarding Policy, health, safety or wellbeing of any other member of the organisation, the Management Committee may, after full consultation, request the resignation of the offending member.
- i) Membership of the organisation is open to all persons irrespective of age, disability, sexual orientation, marital status, race, religion, colour or nationality.
- j) All members will be required to sign renewed Safeguarding and Conduct Declaration Forms every three years in accordance with the Safeguarding Policy.

4. MANAGEMENT COMMITTEE AND TRUSTEES,

The organisation will be served by The Management Committee and Trustees.

- a) **Trustees** (see section 15 for Trustees duties)
 - i) Trustees may be nominated by the Management Committee and their appointment shall be approved at a General Meeting. Trustees shall hold office for a fixed term of 5 years unless they are removed from office on

the recommendation of the Management Committee by a resolution approved by a simple majority at a General Meeting. The number of Trustees shall not be more than three.

- ii) Properties belonging to the organisation shall be vested in and controlled by the Trustees, but they shall deal with such properties as directed by resolution of the Management Committee, (of which an entry in the Minute Book shall be conclusive evidence), provided that any such direction shall not infringe the law relating to the duties and responsibilities of Trustees. Trustees shall be indemnified by the organisation against risk and expense arising out of the proper discharge of their duties

b) Management Committee

The Management Committee shall be elected annually by the members of the Organisation at the Annual General Meeting (AGM) and are deemed to be Committee members by reason of their office, comprising of:

- Chairman
- Vice Chairman
- Musical Director:
- Deputy Bandmaster
- Clerk to Trustees and Management Committee , and Booking Secretary
- Treasurer
- Band Manager
- Deputy Band Manager incl. Health and Safety officer
- Training Band Representative.
- Librarian
- Safeguarding Officer
- Publicity Officer.
- Up to 4 playing members or non-playing supporters

c) Meetings and Tenure

- i) Members of the Management Committee and, if appointed, co-opted members are expected to attend Committee meetings on a regular basis.
- ii) One person may not hold more than two elected offices unless agreed by the Management Committee or AGM/EGM, and in any case will possess only one vote at meetings.
- iii) When an unforeseen vacancy for a Trustee, or Management Committee member occurs, the person elected to fill the vacancy shall serve the remaining period that the original person would normally have served.
- iv) All officers except Musical Director, Bandmaster, and Deputy Bandmaster may have assistants chosen by themselves. Such assistants will possess a vote pertaining to the office only in the absence of the elected officer. All

members of the Finance Support Committee, if applicable, may attend meetings, with one member voting on behalf of all.

- v) The person holding the post of Safeguarding Officer and other key office holders - as identified in the Safeguarding Policy - are to have appropriate Enhanced D.B.S. certification and, where required, Safeguarding Training provided by Brass Bands England. The Organisation will reimburse costs incurred for this training and reasonable administration expenses.

5. MANAGEMENT

- a) All arrangements for concerts, other events and control of the finances of the Organisation shall rest with the Management Committee. Five members of the Committee shall constitute a quorum. If less than a quorum of five is present, a meeting shall be abandoned and a new date arranged. The decision of a quorum shall be honoured by absent members.
- b) Committee members are expected to attend meetings of the Management Committee. Any member who is unable to attend meetings should inform the Secretary beforehand.
- c) The meetings of the Management Committee shall be held on a regular basis. The first committee meeting for the forthcoming year shall be fixed by the AGM. Dates for subsequent regular committee meetings will be planned at the first committee meeting held after the AGM or on a rolling basis at the discretion of the committee. Additional committee meetings may be called at the request of three or more members.
- d) Notice of each Management Committee meeting shall be notified to members at least 7 days prior to the said meeting, together with the agenda and minutes from the previous meeting.

6. FINANCE

- a) The financial year shall end on December 31st. All accounts will be made ready for independent audit/review in time for the AGM (see 7 below).
- b) Bank accounts will be in the name of the Organisation and payments shall be raised by the Treasurer and authorised by one of the Management Committee members authorised to be holding access to online banking or cheques. Signatures of the Officers shall be registered with the bank as persons vested with responsibility for financial transactions of the Organisation.
- c) The Organisation may receive income from, but not limited to:
 - i) subscriptions, donations, grants, sponsorships, concerts and event fees.

- ii) Sales of tickets for concerts and merchandise that may be offered for sale to the public.
- d) The income and property of the Organisation, however derived, shall be applied solely towards promoting the objectives of the Organisation as set out above. No portion thereof shall be paid or transferred either directly or indirectly to any member or members of the Organisation except in payment of legitimate expenses incurred on its behalf.
- e) No member shall receive payment for playing an instrument within the organisation. A professional musical director or bandmaster may receive fees agreed to by the AGM, or by an extraordinary full meeting as under Rule 6. An amateur Musical Director or Band Master may receive an agreed emolument or honorarium in recognition of his/her services. Honoraria to other officials not paid at the present time may be the subject of future consideration. Reimbursement at a rate set by the AGM may be paid to owners of vehicles who convey themselves and/or other members to engagements for which the organisation receives a fee. The payment is subject to the availability of funds and may not be claimed as of right. Purchases by members of pre-approved articles will be paid for by the treasurer on the signing of a receipt.
- f) Spending budgets shall be set by the management committee annually before the AGM.
- g) Members' subscriptions shall be reviewed at the last Committee meeting of the financial year. The revised subscription, if any, shall be submitted at the Annual General Meeting for endorsement, to apply from the first full month following the AGM. New members joining during the year shall be asked to pay the relevant pro-rata amount for the remainder of the subscription year under Section 3.a.i.
- h) In exceptional circumstances, the committee may propose a revision to Members' subscriptions to be submitted at an Extraordinary General Meeting (E.G.M.) for endorsement, to apply from the first full month following the E.G.M. If endorsed the remaining months of the subscription year up to the next A.G.M. shall then be treated as a pro-rata subscription at the new rate. Members paying annually under Section 3.a.i shall be asked to pay the relevant pro-rata difference for the remainder of the subscription year, and those paying under Section 3.a.ii shall be asked to update their standing orders to reflect the change.
- i) Any request for expenditure or disposal over £400 must be voted upon by 80% of those present and voting of a correctly convened Management Committee. The agenda for this item must be notified to all Committee members 7 days in advance of the meeting. Funding for the expenditure must be duly considered as part of the agenda item.

7. AUDITED ACCOUNTS

- a) The financial accounts shall be reviewed by an independent person , other than the Treasurer, and submitted to members present for approval at the Annual General Meeting.
- b) If the accounts are not approved by the members, an EGM shall be convened for the Treasurer to present clarification, and a further vote taken to approve the accounts.

8. DISSOLUTION

- a) In the event of reduced membership and lesser activity, the organisation shall not be assumed to be defunct until fewer than four registered members are prepared to meet for regular practice. A group of four or more such members shall be regarded as constituting the Fakenham Town Band, with full rights to its names and benefits, and with a view to rebuilding its strength and resuming its functions.
- b) The Organisation may only be dissolved at an E.G.M. called specifically for that purpose.
 - i) There shall be at least 21 days' notice given for the E.G.M.
 - ii) The proposal for dissolution shall be by secret ballot. The ballot may only take place if at least 75% of the paid-up members of the Organisation are present or submit a response prior to the E.G.M. If a member is unable to attend, a proxy vote may be accepted.
- c) The vote shall pass if at least 80% of members participating in the ballot vote for dissolution.
- d) On dissolution of the Organisation, New Trustees shall be appointed, if required, by the remaining fully subscribed members. The New Trustees will preserve the Finances and assets of the organisation for a fixed period of 10 years, to allow for any re-starting of the Organisation. Full financial authority is given to the new trustees for payment of storage and security
- e) In the event of dissolution of the Organisation and the lapse of the 10-year moratorium in 8 (d) any assets remaining after payment of outstanding liabilities or proper debt, shall be transferred to a charitable institution, or institutions, having similar objectives.

9. GENERAL MEETINGS

- a) The Annual General Meeting (AGM) shall be held within one month of the financial year for the reading of accounts, for the election of Trustees and

Management Committee, for the hearing of officer's reports, for business on the prepared agenda, and for any other business. Those eligible to vote are paid up registered band members, two members of a finance support committee if applicable, presidents and vice presidents. Non-voting visitors may attend at the discretion of the chairperson

- b) Extraordinary General Meetings (EGM) shall be called by the Chairman at the request of a minimum of four fully subscribed playing members.
- c) Notifications of alterations to Band rules or Band policy shall be given to the Secretary in writing in order that it can be displayed on the notice board or communicated via electronic means, fourteen days before the AGM or EGM convenes to discuss it.
- d) Nominations for officers and committee members for election at the Annual General Meetings are to be given to the Secretary in writing seven days before the meeting. The nominations should be signed by the proposer, seconder and by the nominee to indicate a willingness to serve.
- e) A simple majority vote of fully subscribed playing members, plus the Musical Director, present at any AGM or EGM shall be necessary for the election of Officers, Committee Members and Officials, or to alter Band Rules and Policy.
- f) The chair at any AGM or EGM, shall have a casting vote should that be necessary.

10. MEMBER'S RESPONSIBILITIES

- a) It is the responsibility of all Band members to familiarise themselves with Band engagements and business as posted on the organisation room notice board, or electronically.
- b) Members are expected to behave with proper regard for Fakenham Town Band's good reputation and to provide a good environment to achieve this.
- c) No member shall by speech, appearance, behaviour or electronic means, incur the risk of causing the organisation to suffer reproof, contempt or ridicule.
- d) Members are expected by diligent personal practice and study to keep themselves in as efficient playing condition as they are able to achieve. A member consistently failing to reach a standard acceptable to the Musical Director/Band Manager may be asked either to improve or resign.
- e) A member intending to lend their services to another band or musical group using Fakenham Town Band's instrument will inform the Musical Director/Band Manager of their intention. No member should be playing for an organisation when the organisation has an activity at the same time except by prior agreement. Permanent transfers are affected under the rules of the EABBA (see 14a)

- f) Any member who anticipates prolonged absence from engagements and/or ordinary rehearsals shall notify the Secretary. The Committee shall have the right to request in writing that any member who has been absent from engagements/rehearsals for more than six weeks consecutively shall inform the Committee of their future intentions about band membership. If no such explanation is forthcoming, or if any written explanations are unacceptable to the Committee, the Committee may, after a full committee meeting, make a decision on continued membership.

11. INSTRUMENTS AND UNIFORMS

- a) Members receiving an instrument, uniform or any other Band property will be required to sign a receipt for the same and agree to return the same in good condition to the Band Manager when required, or when leaving the organisation, reasonable depreciation allowed (In the case of junior members the receipt will have to be countersigned by a parent or guardian).
- b) Instruments shall be maintained in good condition. No repairs or alterations shall be undertaken without the approval of the Management Committee. Minor repairs may be approved by the organisation Manager.
- c) All uniforms are the property of the organisation and are to be supplied on the following conditions:
- i) All uniforms may be inspected by the Band Manager to check their condition and the need for cleaning and repair;
- ii) The member to whom the uniform is supplied will be responsible for keeping the uniform in good order as follows:
- Ensuring that the uniform is kept in good repair;
 - That additional "dry cleaning" is carried out at the request of the Band Manager and at the member's expense;
 - That no alterations be made without the approval of the Band Manager/ Management Committee.
- d) Accessories to the uniform which are purchased at the members' own expense are required to conform with the approved types and colours. They should be worn in a manner conforming to the accepted appearance. There should be no ostentatious jewellery or highly decorated gear.
- e) Persistent non-attendance and unpunctuality will be referred to the committee.

12. PLAYING POSITIONS.

- a) The musical director has the responsibility of allocating players into the most suitable playing position for the organisation. No decision shall be taken without

the musical director discussing any proposed change to any playing position with the player(s) concerned and then seeking the approval of the committee.

- b) The personal ownership of an instrument conveys no right to occupy any particular seat in any section.
- c) The Musical Director/Band Master may refuse to allow a personally owned instrument or accessory of unsuitable quality or condition to be used.
- d) Players using their own instrument may, after giving fair notice, require the organisation to provide an instrument for his/her use.

13. AMENDMENTS

- a) A reconsideration of the rules shall occupy a permanent place on the agenda of the AGM. The approval of a new rule, the revocation of or any change to an existing rule may be affected only by the AGM or other full band meeting

14. OTHER

- a) The organisation shall retain membership of the East Anglian Brass Band Association (EABBA) paying its dues and observing its rules. Acceptance as a member of the organisation shall imply agreement with the rules of the Association. The Organisation shall also retain membership of its nation membership body, Brass Bands England (BBE) in their capacity as service provider for D.B.S. administration and Safeguarding training. The organisation shall not relinquish membership of EABBA or BBE except by a decision of an AGM or an EGM

15. COMMON POLICY DOCUMENTS

- a) Safeguarding Policy Document (available from the organisation website)
- b) GDPR (available from the organisation website)
- c) Code of Conduct (available from the organisation website)
- d) Trustees Duties and Responsibilities (available from the organisation website)
- e) EABBA rules
- f) Financial Regulations and Reserves Policy