

This technical guidance note deals with the types of groups which are eligible to be part of a community association, and explains the difference between such groups.

1. Introduction

The composition of a community organisation and its committee is determined by the constitution it has adopted as well as the practical issue of which groups and individuals actually join.

A Community Association constitution makes provision for various kinds of group to be formed within, or become active partners of, the Community Association. This technical guidance note deals with the types of group which are eligible, under the terms of the *Community Matters Model Constitution*,¹ to be part of a community association, and explains the differences between such groups.

While the current Community Matters model constitution uses 'Statutory Authority', 'Affiliated Group' and 'Section', previous constitutions may refer to 'Local Authority', 'Group Membership' and 'Constituent Bodies'.

Any organisation or group belonging to, or in membership of, a community organisation must be, by definition, one of its constituent bodies. For example, in a community association, the local Statutory Authorities, independent organisations affiliated to the community association, and sections of its members are all constituent bodies or 'group members', although these terms may not actually appear in the constitution.

2. Local/Statutory Authorities

Statutory Authorities: if this phrase is used in your constitution it implies that, in addition to the Local Authorities (see below), other statutory organisations with an interest in supporting the objects of the community association may join and appoint a representative to its main committee (For example, the Police Authority).

¹ *Model Constitution for a Community Association:* Community Matters, 2005

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Local Authorities: these are the elected Councils in whose administrative area the community association operates. In the majority of shire county areas in England, the County Council is responsible for Education and Social Services, and the District (or Borough) Council for Recreation and Housing. Both Authorities, therefore, have a direct interest in the community and its amenities and services. In certain areas, however, all these local authority functions are carried out by unitary authorities. This is also the case throughout Wales and Scotland.

The Metropolitan Districts (or Metropolitan Boroughs) are multi-purpose Authorities which combine the functions of both County and District Councils elsewhere in England. London Boroughs have responsibilities similar to those of Metropolitan Districts. Finally, and at present almost exclusively in rural areas or small townships, there may be a Parish or Town Council (in Wales, a Community or Town Council) which is empowered to levy a rate for, among other things, 'purposes beneficial to the community'.

2.1 Representation on the Community Association Committee

Statutory Authorities can be valuable partners in the work of a community association, and this is the reason for their appointing representatives to its Management Committee² under the terms of the community association's constitution. If yours restricts such membership to representatives of Local Authorities, there is nothing to stop, and a good deal to be said for, your committee offering co-option to a representative of the police or of any other statutory body which plays an active part in the well-being of your community.

3. Affiliated Groups and Sections

These are the other two kinds of constituent body found in community associations. Between them they usually provide most of the activities and services of the community association, the remainder being organised by appropriate association sub-committees.

It is important to distinguish between the rights and responsibilities of affiliated groups and sections, and the remainder of this technical guidance note goes into the practical implications of the difference between the two. In brief, however, a section is part of the community association; an affiliated group chooses to join but retains its independence as a separate organisation.

3.1 Affiliated Groups

These are those independent local organisations (or local branches of national organisations) which are invited, or seek, to affiliate to the community association. Any such organisation which supports the objects of the community association, and whose own purposes are compatible with these objects, is entitled to become an affiliated group on

² 'Management Committee' is the term used in the current Community Matters *Model Constitution for a Community Association* and throughout this technical guidance note for the main committee of a community association, although a number of associations use a different name, such as 'the Community Association Council' or 'Main' or 'General Committee'.

payment of such fee as the Management Committee may determine. (Affiliation fees are usually fairly nominal and do not, therefore, entitle the group to free use of community association rooms or facilities, although these may be provided at a preferential rate).

Each affiliated group is a *completely autonomous body within the community association*, which, subject to its own rules or those of its national organisation, controls its own affairs and finances.

A broad range of affiliated groups supporting the aims of the community association, and complementing its activities, will obviously be greatly beneficial to its work for local residents, and also enable it to act as a representative forum for local views on matters affecting the neighbourhood.

3.2 Sections

These are groups formed by the individual members of the community association. Unlike affiliated organisations, therefore, all the members of the section will themselves have joined the community association. Sections are definite parts of the community association and under the control of its Management Committee, although this committee may, and normally should, permit sections reasonable freedom of action to organise their own activities. Nevertheless, section money is association money, section equipment is association equipment, and section debts are association debts: hence, there is need for the Management Committee to exercise some oversight of each Section's activities, including its financial management processes.

Terms of reference should be laid down by the community association's Management Committee for its sections, and these should include paragraphs covering the financial relationship between section and association - how it should contribute to the main funds in respect of use of the Centre, how it may ask for equipment or other help from the association, and general accounting arrangements. Some sample terms of reference are included in technical guidance note '*Community Organisations Sub-Committees*'.

In certain circumstances, an affiliated group may wish to become a section. In doing so, it would be surrendering its independence, and normally this could not be considered by local branches of national organisations operating under their Rules. All members of the affiliated organisation would individually have to join the community association. For a section to become an affiliated organisation amounts to its 'going independent'. Where this seems desirable the section will have to assume complete financial responsibility for its own affairs. It will be very important to remember that if the section is not able to register as a charity in its own right as an independent organisation, then it cannot take its, that is, the association's, charitable funds with it. Advice on the best means of reaching an agreement in such a case can be obtained from Community Matters.

A tabulated comparison of some of the differences between sections and affiliated organisations is in Section 4 of this technical guidance note.

3.3 Section and other Sub-committees

Many community associations appoint an Executive Committee to decide matters concerned with the day-to-day running of association affairs. This is obviously desirable where the main committee is very large and/or the association is very busy.

For the organisation of activities, the main committee may appoint one or more sub-committees. The kinds of activities where this is appropriate are:

- for 'one-off' major events - e.g. Christmas Fair or Summer Gala;
- where a small working group is required on a regular or continuing basis to do a specific job for the association - e.g. Publicity, Maintenance, Catering or Equal Opportunities Committees;
- where the activities and services concerned are for the general public, or for juniors, so that the formation of a Section would not be appropriate. Examples are: Amenities Sub-committee, Youth Club Committee.

Where one is required, a section committee may be appointed by the Management Committee, or it may be left to section members to elect their own.

When sub-committees are appointed by the community association's Management committee it will set out their terms of reference (and record them in its Minutes). This is usually straightforward - the sub-committee is appointed to do a specific job and is directly responsible to the main committee, to which it will report regularly. Members of the sub-committee need not be members of the community association's main committee; they can be any interested members of the association, or other supportive people. The sub-committee's terms of reference should make it clear whether its officers are appointed by the community association Management Committee or elected by the sub-committee itself from among its members. Whether the association officers are ex- officio on the sub-committee will depend on the community association's constitution.

Every sub-committee should have some defined power to co-opt additional members or expert advisers. Because sub-committees 'spread the load' of an association's work, it is desirable to use them as a means of enlisting the help of community association members and/or other supporters who do not serve on its Management Committee. But if, as a result of this, few or no sub-committee members sit on the higher committee, the Management Committee should certainly co-opt one of the sub-committee officers to speak on the sub-committee's behalf.

4. Clarification

The following Table is included with acknowledgment to the Durham County Federation, who originally devised it. The following incorporates the provisions of the 2005 revision of the Community Matters *Model Constitution for a Community Association*.

SECTION	AFFILIATED GROUP
<p>4.1 Membership</p> <p>In the first place, sections are formed among the individual members of the community association to pursue a common interest or activity. Consequently, individuals who want to join in this must first join the community association. This naturally entitles them to join other sections and community association activities, vote at General Meetings, stand for election to community association committees, etc.</p>	<p>The organisation joins the community association. Its individual members do not have to, although it is hoped they will be encouraged to do so by their contact with the community association.</p> <p>Each affiliated group has the right to appoint a representative to vote at General Meetings of the Association.</p>
<p>4.2 Use of Centre</p> <p>As association activities, sections usually have priority use of centre facilities. Contributions in respect of such use need not necessarily be in the form of rent, as long as the section is helping the association meet its obligations.</p>	<p>Affiliated groups normally occupy an intermediate position between sections and outside hirers - i.e. priority use after the needs of sections have been met. They pay a rental to the community association which is often a reduced one compared with that charged to outside or commercial hirers.</p>
<p>4.3 Committee Representation</p> <p>(a) Where one is required, a section committee may be appointed by the Management Committee, or it may be left to section members to elect their own. In either case, the committee (which may be a quite small, informal affair, depending on the needs of the particular section) operates within the community association constitution, and is subject to any terms of reference laid down by the General Committee.</p>	<p>(a) What form of committee an affiliated group has is entirely a matter for the organisation concerned, or its national organisation which may have laid down rules on the matter.</p>

SECTION

(b) A representative of a Section may, at the discretion of the Management Committee, be co-opted to serve as a voting member of the Management Committee, or may be invited to attend (without power to vote) to represent the Section's interests either regularly or on occasion as the Management Committee may determine.

4.4 Finance

The financial affairs of the section are an association responsibility. The section may be allowed a float for running expenses, but it will be required regularly to account for its income and expenditure to the community association Treasurer, who normally will itemise sections' income and expenditure in the community association's accounts. As a charity, the community association must incorporate the income and expenditure of all sections in its annual accounts.

Some sections (e.g. a Disabled Club) may require subsidisation from general funds; others (e.g. a Dance Club) will be regular sources of income for the association. A section may ask the General Committee for a grant or loan for a particular purpose/item of equipment. All section expenditure must be authorised by the General Committee, though it may delegate some of its powers in this respect to the Section Committee. Sections will normally be required to make a contribution toward community association running costs.

AFFILIATED GROUP

(b) Each affiliated group has the right to appoint a representative to vote at General Meetings of the Association..

The financial affairs of the affiliated group are in no way subject to community association oversight or control, although the group will be required to pay an affiliation fee and rent for the use of the Community Centre.

SECTION

AFFILIATED GROUP

4.5 Equipment

Normally sections enjoy free use of association equipment. Equipment specially purchased for a section's particular needs must be approved by the General Committee (which may pay part or all of the bill) and remains, at all times, association property. One important effect of this is that, in the event of a section closing down, the association retains the equipment with a view to restarting it at a later date.

What association equipment the affiliated group may use, and on what terms, is a matter for agreement between that group and the General Committee. The same applies where the community association would like to borrow/use an article of equipment belonging to the affiliated group. Co-operation in such matters is obviously highly desirable.

Community associations would be well advised to consider what community association equipment can be provided for the use of all - both as a service and to avoid having to make available large areas of storage space for each group. Kitchen crockery, etc., is a case in point.

4.6 Special Efforts

Consisting as they do of community association members, sections are expected to contribute and help with the association's major efforts. Subject to the approval of the General Committee, they may hold their own, too - usually for some major item of expenditure which could not be met from ordinary funds. Such efforts should have the active support of the association and its committee.

Affiliated groups should support association events of this nature, which may be the means of the community association being able to afford to let them use the Centre on very reasonable terms. Association members should be prepared to reciprocate, particularly where the affiliated group's own effort is for a charitable purpose.

4.7 Administration

Sections can ask the community association officers and staff (if any) for advice and help at any time, as well as making use of the community association photocopying facilities, etc.

The same considerations apply as for sections, though a contribution may be asked for use of community association equipment, etc., from the affiliated group concerned.

Different community associations will have different financial obligations, so no figures as to sections' and/or affiliated groups' contributions are quoted in this technical guidance note. Further advice on such matters, and on the whole subject of the relationships between the community association and its sections and affiliated groups, may be obtained from Community Matters.

5. For Further Information

Community Matters information sheets:

Committees and Committee Procedure
Community Organisations and Youth Clubs
Organising Activities

and technical guidance notes:

Community Organisations Sub-Committees
Standing Orders for a Community Organisation

and specimen document:

Rules & Hire Agreement for a Community Centre

APPENDIX

Terms of Reference for a Community Association Section

(NOTE that Specimen Terms of Reference for a Youth Sub-committee are included in information sheet *'Community Organisations and Youth Clubs'*)

1. To provide facilities for individual members of the Community Association as a Section under its constitution.
2. To devise, in consultation with the members concerned, an appropriate programme of activities, and to make suitable arrangements as to the organisation and running of these.
3. To keep the Community Association Management Committee fully informed as to the progress of Section activities, and to account to it for Section income and expenditure.
4. To administer the Section as an integral but self-supporting part of the Association.³
5. To ensure that all Section members are paid-up individual members of the Association.
6. To keep an up-to-date list of Section members in connection with the above, and with the election of Section officers and/or committee (see 7 below).
7. To elect, from among the members of the Section, such officers and/or committee to manage its affairs as the Section members may think appropriate. In any case, a Treasurer shall be elected to handle Section income and expenditure (subject to 8 below), and a Section member shall annually be elected to represent it on the Community Association Management Committee.
8. The Section Treasurer shall keep such accounts as may be required by the Community Association Treasurer, and shall regularly pay over to him/her all receipts, and pass on to him/her all accounts for payment. Unless the operation of a Petty Cash float has been agreed, all items of expenditure shall require the prior consent of the Community Association Management Committee.⁴
9. With the permission of the Community Association Management Committee, the Section may charge a membership fee for its own purposes, and shall make such charges for attendance at its activities as may be appropriate in furtherance of 4.

³ Where appropriate, this wording can be varied thus: '... as an integral part of the Community Association within the financial guidelines laid down by its main committee.'

⁴ NOTE: Not necessarily each time - e.g. the Management Committee may pass a resolution such as: 'that theance Section shall pay The Troublesome Trio £75 fees at its dances on alternate Fridays until further notice'.