

THE RELIGIOUS SOCIETY OF FRIENDS (QUAKERS) IN BRITAIN

DEVON AREA MEETING

GOVERNING DOCUMENT

Adopted on the 10th day of January 2009 by Minute 09/05 of Devon Area Meeting

Definitions

- i) The Religious Society of Friends (Quakers) in Britain refers to the church in Britain, the Channel Islands and the Isle of Man, in its entirety, including all its local meetings for worship and its constituent meetings for church affairs, as well as all their work. It is referred to below as the Religious Society.
- ii) Britain Yearly Meeting of the Religious Society of Friends (Quakers) refers to the centrally held and managed policy, property, employment and work of the Religious Society. It is referred to below as Britain Yearly Meeting.
- iii) Meeting for Sufferings is the standing representative body entrusted with the general care of matters affecting the Religious Society of Friends (Quakers) in Britain.
- iv) Area Quaker Meetings are the main local meetings for church affairs. They are the level of the Religious Society at which individual membership is held. Each Area Quaker Meeting is a separate charitable entity and may be registered as such with the Charity Commission.
- v) The charity constituted by this document is Devon Area Quaker Meeting of the Religious Society of Friends (Quakers) in Britain [referred to below as Devon Area Meeting or the Area Meeting], also and formerly known as East Devon Area Meeting, as East Devon Monthly Meeting and incorporating West Devon Monthly Meeting.
- vi) The Book of Christian Discipline of the Religious Society of Friends (Quakers) in Britain [referred to below as the Book of Christian Discipline] shall mean the latest edition of such a book, whatever its title. The title of the edition current at the time of writing is *Quaker Faith & Practice*.

- vii) The term Friend refers to a member of the Religious Society.
- viii) The term Attender refers to a person who is not a member of the Religious Society but who regularly attends its meetings for worship.

1. Governing Document

Devon Area Quaker Meeting and its property shall be administered and managed in accordance with the provisions in this governing document. Further guidance is contained in the Book of Christian Discipline of the Religious Society of Friends (Quakers) in Britain.

2. Name

The name of the charitable body constituted by this document is Devon Area Quaker Meeting of the Religious Society of Friends (Quakers) in Britain (abbreviated as Devon Area Meeting), also and formerly known as East Devon Area Meeting, as East Devon Monthly Meeting and incorporating West Devon Monthly Meeting.

3. Object

The object of Devon Area Meeting is the furtherance of the general religious and charitable purposes of the Religious Society of Friends (Quakers) in Britain in the area of Devon Area Meeting and beyond.

4. Administration

Subject to the matters set out below the property of Devon Area Meeting shall be administered in accordance with this governing document by the body of trustees constituted by Clause 13.

5. Application of Income and Property

Within Devon Area Meeting, income and property are used to further the area meeting's object by work such as:

- i) strengthening the life and witness of Quaker meetings both in the area of Devon Area Meeting and beyond;
- ii) spreading the message of Quakers and interpreting and developing the thought and practice of the Religious Society;
- iii) undertaking Quaker service for the relief of suffering at home and abroad;
- iv) funding the concerns that Quaker meetings in the area of Devon Area Meeting or beyond have adopted or agreed to support;

- v) providing for the pastoral care of individual members and attenders including assistance to those in need and for education;
- vi) maintaining and developing Quaker meeting houses as places for public worship and from which to carry our witness into the world;
- vii) administering and maintaining the organisation of Devon Area Meeting and contributing to the support of Britain Yearly Meeting.

6. Dissolution

If at a meeting of Devon Area Meeting the members decide that it is necessary or advisable to dissolve the Area Meeting or to amalgamate with another area meeting and this is agreed by Meeting for Sufferings, the trustees shall have the power to realise any assets held by or on behalf of the Area Meeting. Any assets remaining after the satisfaction of any proper debts and liabilities shall, with the agreement of Meeting for Sufferings, be given or transferred to another area meeting, to Britain Yearly Meeting, or to some other charitable institution or institutions having objects similar to that of the Area Meeting, and failing that for such other charitable purpose as Britain Yearly Meeting shall direct.

7. Amendments

- i) Amendments to this governing document shall be agreed by Devon Area Meeting in session and recorded by minute of the Area Meeting.
- ii) No amendment may be made that affects the object of the Area Meeting (Clause 3) or the benefits to trustees (Clause 16) without the prior written consent of the Charity Commission, nor may the charitable status of the Area Meeting be affected.

8. Membership

- i) The membership of anyone in Devon Area Meeting begins when a record to this effect is made in the minutes of Devon Area Meeting.
- ii) Devon Area Meeting shall maintain an official register of members and shall appoint a suitable member to have care of it. No alteration shall be made to the register save in accordance with decisions minuted by Devon Area Meeting.

9. Termination of Membership

- i) The membership of anyone in Devon Area Meeting shall cease when a record to this effect is made in the minutes of Devon Area Meeting.

- ii) If a member is dissatisfied with a final decision of the Area Meeting affecting her or him, the member may appeal in writing against the decision in accordance with Britain Yearly Meeting's appeals process.

10. Meetings for Church Affairs

Meetings for church affairs, in which the Religious Society conducts its business, are meetings for worship based on silence, carrying the expectation that God's guidance can be discerned if members are truly listening together and to each other. The unity that is sought depends on the willingness of all to seek the truth in each other's utterances. There is no voting in the meetings, because the Religious Society believes that this would emphasise the divisions between differing views and inhibit the process of seeking to know the right way forward, the will of God as expressed in the sense of the meeting.

The clerk of the meeting bears the final responsibility for preparing the business, conducting the meeting and drafting the minutes of the meeting. Minutes are drafted by the clerk during the course of the meeting, but the final decision about whether the minute represents the sense of the meeting is the responsibility of the meeting itself, not of the clerk.

- i) Devon Area Meeting shall meet at such frequency, times and places as the Meeting itself shall direct. The clerk may arrange for a special session of Area Meeting to be held if necessary.
- ii) The sessions of Area Meeting are open to all members of the Area Meeting and to others by invitation or with the agreement of the Area Meeting Clerk.
- iii) The business and activities of the Area Meeting shall at all times be conducted in accordance with the provisions of the current edition of the Book of Christian Discipline.
- iv) It shall be the duty of the Area Meeting in session to appoint an auditor or independent examiner of the Area Meeting accounts.

11. Constituent Meetings

- i) Devon Area Meeting includes all constituent local meetings contained within its area, as listed in the accompanying schedule.
- ii) Arrangements for the establishment, running or dissolution of such constituent meetings shall be in accordance with the Book of Christian Discipline.

12. Appointments

- i) The Area Meeting shall appoint a Nominations Committee and such officers as will perform the functions of Clerk, Treasurer and Registering Officer as described in the Book of Christian Discipline. Appointments to these positions shall be made only from members of the Religious Society.
- ii) The appointments shall be made for a fixed term, generally not more than three years. Only in exceptional circumstances shall an appointee remain continuously in post for more than six years.

13. Trustees

- i) The Area Meeting shall appoint Friends, normally from its own membership, to act as a body of trustees ordinarily containing not fewer than five nor more than fifteen persons.
- ii) The Trustees shall, so far as practicable, include the Area Meeting Treasurer and a representative of each meeting contained within the Area Meeting, but not the Clerk of the Area Meeting, nor any employee of the Area Meeting.
- iii) One trustee, but not the Area Meeting Treasurer, shall be appointed by Area Meeting in session to act as Clerk to the Trustees.
- iv) The appointments shall be reviewed at intervals not exceeding three years. A trustee can be reappointed on no more than two occasions to give an unbroken term of service as a trustee of the Area Meeting not exceeding nine years. That person cannot then be reappointed as a trustee of Area Meeting until three years have elapsed after the end of the last period of service in that capacity.

14. Eligibility, disqualification and removal of Trustees

A member who is appointed to act as a trustee may hold office unless he or she

- i) notifies to the Clerk of the Area Meeting a wish to be released from service as a trustee;
- ii) ceases to be a member of the Religious Society;
- iii) is determined by the Area Meeting to no longer be a fit or suitable person to carry out the duties of a trustee;
- iv) is believed by the Area Meeting to have become incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;

- v) comes to the end of his or her term of service.

Removal of a trustee under the terms of (iii) or (iv) above shall require a decision of the Area Meeting. An individual trustee may make an appeal against such a decision in accordance with Britain Yearly Meeting's appeal process.

Members of the Religious Society who are legally ineligible to act or who are disqualified from acting as trustees shall not be able so to act nor continue so to act.

Release of a trustee from office shall be recorded by minute of the Area Meeting.

15 Powers of Trustees

The Trustees shall have the following powers, in exercise of which they shall at all times be guided by the Book of Christian Discipline of the Religious Society of Friends (Quakers) in Britain:

- i) To raise funds from contributions; from legacies; from grants and other sources outside the Area Meeting; from investments and the use of assets; and from the sale of goods or services provided in furtherance of the Area Meeting's object;
- ii) To buy, lease or acquire property, and to sell, grant a lease or dispose of property, subject to the terms of Clause 17 (vii) below;
- iii) To borrow money and to give security for loans (but only in accordance with the restrictions imposed by the Charities Act 1993 as amended from time to time);
- iv) To set aside income as a reserve;
- v) To make investments in accordance with legal constraints and the ethical testimonies of the Religious Society;
- vi) To co-operate with other charities or to enter into partnerships;
- vii) To establish or support trusts or institutions formed for charitable purposes within Devon Area Meeting's object;
- viii) To employ staff;
- ix) To pay pensions;
- x) To obtain and pay for goods and services;

- xi) To reimburse reasonable expenses, including those of the Trustees, incurred when acting on behalf of Devon Area Meeting.
- xii) To open and operate bank accounts;
- xiii) To effect insurance;
- xiv) To insure themselves against the costs of a successful defence to a criminal prosecution brought against them as charity trustees or against personal liability incurred in respect of any act or omission which is or is alleged to be in breach of trust or breach of duty;
- xv) To delegate their powers or functions as set out in Clause 18, below;
- xvi) To establish committees or working groups for carrying out agreed programmes of work;
- xvii) To authorise any of the Area Meeting's constituent meetings or committees to open a bank account and to appoint signatories; such action to be recorded by minute of the constituent meeting or committee and reported without delay to the Trustees;
- xviii) To do any other lawful thing that is necessary or desirable for the achievement of the object of the Area Meeting.

16. Trustees not to be personally interested

- i) Subject to the provisions of sub-clause (ii) of this clause, and subject to sub-clause 15 (xiv), no trustee shall acquire any interest in property belonging to the Area Meeting (otherwise than as a trustee) or receive remuneration or be interested (otherwise than as a trustee) in any contract entered into by the Trustees.
- ii) Any trustee for the time being, who possesses specialist skills or knowledge, may charge and be paid reasonable fees for business done by her or him or her or his firm when instructed by the other trustees to act on behalf of the Area Meeting, provided that at no time shall a majority of the Trustees benefit under this provision, and that a trustee shall withdraw from any meeting at which her or his own instruction or remuneration, or that of her or his firm, is under discussion.

17. Meetings and proceedings of the Trustees

- i) Trustees shall conduct their meetings according to the Quaker business method as described in the Book of Christian Discipline.
- ii) The Trustees shall hold at least two meetings each year. A special meeting of the Trustees may be called at any time by the Clerk to the

Trustees or by any two trustees upon not less than four days' notice being given to the other trustees of the matters to be discussed. This period of notice may be waived with the consent of all trustees who are reasonably contactable with due diligence.

- iii) If the Clerk to the Trustees is absent from any meeting, the trustees present shall choose one of their number to be clerk at that meeting before any business is transacted.
- iv) An effective working strength of the trustee body, normally represented by at least half of the trustees for the time being, should be present for decisions to be made in right ordering.
- v) Minutes are to be made in the meeting and accepted and signed in accordance with Quaker business method as set out in the Book of Christian Discipline. The Trustees shall keep minutes of the proceedings at meetings of the Trustees and of any sub-committee.
- vi) The Trustees may from time to time make and alter arrangements for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this governing document.
- vii) The Trustees shall report to Devon Area Meeting at least once a year. They shall also refer to the Area Meeting in session any major decisions such as those involving the acquisition, disposal or major alteration of land or buildings.

18. Power of Trustees to delegate

- i) The Trustees may delegate any of their powers or functions to a committee including two or more trustees but the terms of any such delegation must be recorded by minute.
- ii) The Trustees may impose conditions when delegating, including the conditions that:
 - a) the relevant powers are to be exercised exclusively by the committee to which they are delegated;
 - b) no expenditure may be incurred except in accordance with a budget previously agreed with the trustees.
- iii) The Trustees may revoke or alter a delegation.
- iv) All acts and proceedings of any such committee must be fully and promptly reported to the Trustees.

- v) In addition to the general powers of delegation above, the trustees may delegate to a Constituent Local Meeting such powers or functions as they discern to be appropriate and in accord with the Book of Christian Discipline, even though the Constituent Local Meeting does not include two or more trustees. This delegation will normally be achieved by a Memorandum of Understanding between the Area Meeting and the Constituent Local Meeting.

19. Annual Report and Accounts

- i) The Trustees shall ensure that an annual report and statement of accounts for Devon Area Meeting (including the meetings it contains) is prepared in compliance with current charities legislation and approved by the Trustees in session.
- ii) The report and statement of accounts must be presented to Area Meeting in session for consideration and acceptance, normally after approval by the Trustees but before being sent to the Charity Commission.
- iii) The Trustees shall submit an appropriate annual return to the Charity Commission in compliance with current legislation.

20. Income and Expenditure

- i) The money of Devon Area Meeting shall be safeguarded by depositing in a bank account or building society. The account or accounts shall be held in the name of Devon Area Meeting or its predecessors or in the name of any of the meetings or committees contained within the Area Meeting or its predecessors and not in the name of any individual.
- ii) The funds belonging to Devon Area Meeting shall be applied only in furthering the object of Devon Area Meeting as defined in Clause 3, above.

21. Property and investments

- i) Ordinarily the Trustees shall cause the title of all real property and investments held by or in trust for Devon Area Meeting to be held in the name of Friends Trusts Limited as custodian trustee.
- ii) If the Trustees decide to use a separate nominee to hold investments, they must apply to the Charity Commission for an Order discharging Friends Trusts Limited from its custodian trusteeship and vesting all land in Friends Trusts Limited as the nominee while granting it the same level of protection as it would enjoy under the provisions of

Section 4(2) of the Public Trustee Act 1906, as if it were acting as custodian trustee.

- iii) It is the responsibility of the Trustees to insure all property, including buildings and contents, for replacement values which shall be reviewed regularly. It is also the Trustees' responsibility to maintain in force all appropriate liability insurances, including employer's, occupier's and public liability.

Signed: Clerk of Devon Area Meeting

and one of the following:

..... Assistant Clerk of Devon Area Meeting

..... Clerk of Trustees of Devon Area Meeting

..... Treasurer of Devon Area Meeting