

# **THE GURNEY FUND FOR POLICE ORPHANS**

**PATRON: HER MAJESTY THE QUEEN**

**FOR THE CARE AND EDUCATION OF  
CHILDREN OF DECEASED OR  
INCAPACITATED POLICE OFFICERS  
FROM THE SUBSCRIBING FORCES IN  
ENGLAND AND WALES**

**REGISTERED CHARITY No. 261319**

## **Rules and Constitution**

- 1981 Rules & Constitution**
- (i) as amended at the Annual General Meeting in November 2005;**
  - (ii) Clause 10 replaced by a Scheme Sealed by the Charity Commission on 2 November 2006 ; and**
  - (iii) Rules 5 & 9 amended by the Trustees on 2 November 2006.**

1. The Fund shall be administered under the title of and be known as the **Gurney Fund for Police Orphans** (hereinafter referred to as "**the Fund**").

2. **INTERPRETATION**

In these rules the following words and expressions shall have the following meanings:

"The subscribing Police Forces" or "the subscribing Forces" are:-

Avon and Somerset Constabulary  
Bedfordshire Police  
Cambridgeshire Constabulary  
Devon and Cornwall Constabulary  
Dorset Police  
Dyfed Powys Police  
Essex Police  
Gloucestershire Constabulary  
Gwent Police  
Hampshire Constabulary  
Hertfordshire Constabulary  
Kent Police  
Leicestershire Constabulary  
Norfolk Constabulary  
Northamptonshire Police  
South Wales Police  
Suffolk Constabulary  
Surrey Police  
Sussex Police  
Thames Valley Police  
Warwickshire Police  
Wiltshire Constabulary

The definitions above shall include:-

- (i) Any Forces that succeed to or carry on the work of the Forces named above
- (ii) Any other Police Force that the Trustees shall agree may subscribe to the Fund and the Trustees may admit any such Force to the Fund on such terms as they consider appropriate.

"Members of a subscribing Police Force" and "Police Officers" shall include Police Officers admitted to membership under Rule 4(f) and shall include Police pensioners to the extent of any children of a marriage contracted before their retirement from the Police service.

All references in these Rules to "marriage" (or the consequences of marriage) shall include partners in a civil partnership registered in accordance with the law of England & Wales.

"Trustees" shall mean the Trustees for the time being of the Fund.

"Orphan" shall mean a child of a member of a subscribing Police Force who is deceased, or who in the opinion of the Trustees is substantially incapacitated from earning a living and the expression shall include an adopted child and may include a step-child if, in the opinion of the Trustees, such step-child was substantially supported by such deceased or incapacitated Police Officer. The decision of the Trustees as to the degree of incapacity or support shall be final and binding.

3. **OBJECTS**

The object of the Fund is the relief of orphans of members of the subscribing Police Forces who are in need of relief and the advancement of their education.

In particular (but without in any way limiting the generality of the foregoing) the Fund may provide relief for such persons in any of the following ways:-

- (i) By making weekly or periodical allowances for the maintenance, education or other charitable benefit of such persons.
- (ii) By making grants and loans (with or without interest) including grants and loans for training or other educational purposes of such amounts and subject to such conditions as the Trustees for the time being of the Fund shall from time to time in their absolute discretion decide.
- (iii) By making grants or allowances for the purpose of medical treatment and care.
- (iv) By paying subscriptions and making donations to charitable hospitals, hostels, homes or institutions having amongst their objects the succour of such persons.
- (v) To endeavour to ensure the sound mental and physical training of the children and secure for them reasonable opportunities of and facilities for becoming healthy, happy and useful citizens.
- (vi) If it appears to a child's advantage to continue full time or part time education beyond the statutory school age or to proceed to higher education the Fund may continue to grant financial assistance.
- (vii) By making donations to the Gurney Benevolent Fund or any other charitable institution serving the subscribing Forces.
- (viii) The Fund may carry out such other legally charitable purposes for the relief of poverty or the advancement of education as the Trustees being not less than seven in number shall from time to time by deed executed with their consent declare.

#### 4. **ALLOWANCES**

- (a) Applications for benefit shall be made to the Director of the Fund on the prescribed form on behalf of the child by the Chief Constable of the Force in which the parent last served or his/her authorised representative immediately following the death or incapacitation of such parent.
- (b) Allowances shall be determined according to need and shall be of such amount or amounts as the Trustees shall from time to time in their absolute discretion decide. Allowances shall be paid quarterly to the parent or lawful guardian of the child.
- (c) The allowance will cease upon the remarriage of a parent except that the Trustees may in special cases continue the allowance or any part of it as in their absolute discretion they may determine.
- (d) The allowance will be paid from the date of the parent's death or incapacity and will cease when the child attains the age of sixteen years or on his/her ceasing full time education or vocational training whichever shall be the later, but the allowance may be revived and extended in the absolute discretion of the Trustees to cover any further period of education or training which such child may undergo at a later date.
- (e) The parents or lawful guardian of a child receiving benefit from the Fund will be required to undertake to notify the Director of the remarriage of either of the parents of such child or of the death of such child.

- (f) In addition to members of the subscribing Police Forces the Trustees shall have power in their absolute discretion to admit to membership of the Fund any Police Officer who applies to join the Fund and who is a former member of the Fund (by virtue of having served in a subscribing Police Force) but who has ceased to be a member of a Subscribing Police Force, subject to such member making payment of a subscription to the Fund of such amount and at such time as the Trustees shall from time to time determine.

## 5. **TRUSTEES**

- (a) The Fund shall be administered by a body of Trustees which when complete shall consist of not more than 12 competent persons comprising two ex-officios and ten appointed and elected Trustees. The ex-officio Trustees shall be:-
  - (i) The Chairman for the time being of the Fund; and
  - (ii) The Treasurer for the time being of the Fund.

The appointed and elected Trustees shall comprise:-

- (i) Two members from the Association of Chief Police Officers (ACPO) appointed by the Chief Police Officers' Staff Association (CPOSA)
  - (ii) Two persons holding the Superintending rank appointed from among the subscribing Police Forces by the Superintendents' Association and
  - (iii) Six persons nominated from the subscribing Police Forces and elected by the Police Federation, two of such persons to hold the Inspecting rank, two such persons holding the rank of Sergeant and two holding the rank of Constable.
- (b) All Trustees appointed or elected shall serve for an initial period of three years, and may be re-appointed or re-elected to serve for a further three year period or periods, and one third thereof or the nearest number thereto shall retire or stand for re-appointment or re-election each year.
- (c) Any vacancy occurring among the Trustees may be filled by the Trustees either co-opting a new Trustee or arranging (as appropriate) for CPOSA or the Superintendents' Association to appoint a replacement or for the Police Federation to elect a replacement. Any persons so chosen shall retain his/her office so long only as the vacating member would have retained the office if no vacancy had occurred, but may then stand for re-appointment or re-election.
- (d) The Trustees shall meet at least three times a year upon at least seven days' notice in writing being given to all members. Five members shall constitute a quorum at any meeting of the Trustees.
- (e) The Trustees may appoint committees from among their members and may fix the quorum thereof and may delegate any of their powers to such committees. All acts and proceedings of any such committees shall be reported to and confirmed by the Trustees as soon as possible.

## 6. **GENERAL MEETING**

- (a) The General Meeting when complete shall consist of the following:-
  - (i) The Trustees.
  - (ii) H M Chief Inspector of Constabulary for the time being.
  - (iii) The Chief Constables for the time being of each of the Subscribing Forces.

- (iv) One other representative from each of the subscribing Forces provided that if the said representative is not of the Federated Ranks then an additional representative may be nominated by the Joint Branch of the Force to attend.
- (v) The Force Welfare Officer of each of the subscribing Forces.
- (b) The Chairman of the Fund and Treasurer shall be elected at a General Meeting. The Chairman shall be Chairman of the General Meeting and of the Trustees.
- (c) Any vacancy in the office of Chairman of the Fund or Treasurer may be filled by the Trustees and such appointment shall hold good until the next General Meeting.
- (d) Every representative from any of the subscribing Police Forces shall be appointed annually by the Police Force concerned and shall be a member of the Police Force which he/she is appointed to represent.
- (e) The ordinary General Meeting will appoint Officers and select Trustees as hereinbefore directed and receive and approve a yearly report of the proceedings of the Fund and the annual accounts.
- (f) An ordinary General Meeting shall be held once in every calendar year at such time and place as may be determined by the Trustees upon seven days' notice thereof being given. Eleven members shall constitute a quorum at any General Meeting.
- (g) A special General Meeting shall be summoned when deemed necessary by the Trustees or on requisition in writing to the Director by six members of the General Meeting upon seven days' notice in writing specifying the business to be transacted being given.

**7. PROCEDURE AT MEETINGS**

- (a) The Chairman of the Fund shall preside at every General Meeting but if the Chairman shall not be present within fifteen minutes after the time appointed for holding the same or shall be unwilling to preside, the Vice-Chairman if there be one appointed shall take the Chair or if he/she be not present or declines to take the Chair or there shall be no Vice-Chairman appointed the members present shall choose one of their number to preside.
- (b) Every matter at a meeting of the Trustees and of the General Meeting shall be determined by the majority of the votes of the members present and voting except as hereinafter directed. In case of equality of votes the Chairman of the meeting shall have a casting vote whether he/she has or has not previously voted on the same matter.
- (c) If at any General Meeting or Meeting of the Trustees no quorum is present fifteen minutes after the time appointed for the meeting the members shall adjourn the meeting to a subsequent day, notice of which shall be sent to all members entitled to be present. At the adjourned meeting those members present shall be deemed to be a quorum.

**8. GENERAL**

- (a) A minute book and records of account shall be provided and kept by or on behalf of the Trustees and once in every year an audited statement of accounts shall be issued for the use of contributors.

- (b) The Fund shall be administered at the direction of the Trustees by a Director appointed and remunerated by them who shall act also as Secretary to the Trustees and the General Meeting. The Trustees may also provide any proper staff to assist the Director in the performance of his/her duties and they may make such provision for pensions for employees as to the Trustees may seem just.
- (c) The Trustees may acquire premises at which the administrative work of the Fund can be carried out. All proper charges and expenses in respect of this and other property of the Fund and expenses incidental to the administration and management of the Fund shall be first defrayed by the Trustees out of the income of the Fund.
- (d) The Trustees may receive donations and endowments for any special purpose and they may act as Managing Trustees of any other charitable trust whose objects are not inconsistent with or likely to impede the proper working of the Fund.
- (e) The Trustees shall have power to invest and to transpose the investment of any moneys not immediately required for the purpose of the Fund with the same full and unrestricted freedom in their choice of investment as if they were absolute owners beneficially entitled and to purchase, retain or improve freehold or leasehold houses or other dwellings on trust for sale (with power to postpone the sale) to be used as residences or for such other purposes as they shall in their absolute discretion determine.
- (f) No Trustees or member of the General Meeting shall receive any remuneration or be interested in the supply of work or goods at the cost of the Fund.

**9. DISSOLUTION**

In the event of the dissolution of the Fund any assets remaining after payment of all outstanding debts and liabilities shall be transferred to such other charitable institution or institutions having objects similar to the Fund and serving the subscribing Forces in such a way as may be recommended by the Trustees and approved by a special General Meeting convened for the purpose and in default the Trustees shall apply to the Charity Commissioners for England and Wales ("the Commissioners") for a scheme for the application of such assets.

**10. POWER OF AMENDMENT**

- (1) The Trustees (subject to the provisions of this clause) may from time to time amend the trusts if they are satisfied that it is expedient in the interests of the charity to do so.
- (2) The Trustees must not make any amendment which would have the effect directly or indirectly of:
  - (a) altering or extending the purposes of the charity;
  - (b) authorising the Trustees to do anything which is expressly prohibited by the trusts of the charity;
  - (c) causing the charity to cease to be a charity at law;
  - (d) altering or extending the power of amendment that is conferred by this clause.
- (3) The Trustees must obtain the prior written approval of the Commissioners before making any amendment which would have the effect directly or indirectly of:
  - (a) enabling them to spend permanent endowment or capitalise income of the charity;

- (b) conferring a benefit of any kind on all or any of the current Trustees or their successors;
  - (c) restricting the existing right of any person (other than the Trustees) to appoint or remove a charity trustee, or trustee for the charity, or to intervene in the administration of the charity, without the consent of that person;
  - (d) varying the name of the charity.
- (4) An amendment may be made only by a resolution passed at a meeting of the Trustees of which not less than 21 days notice has been given. The notice must set out the terms of the proposed amendment.
- (5) The Trustees must:
- (a) prepare a written memorandum of each amendment that it makes, which must be signed at the meeting at which the amendment is made by the person chairing the meeting;
  - (b) send to the Commissioners a certified copy of the memorandum within three months of the date of the meeting; and
  - (c) retain the memorandum as part of the governing document.

Please address correspondence to:-

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