

IN THE NAME OF ALLAH, THE MOST BENEFICENT, THE MOST MERCIFUL.


# Scarborough Islamic Society 

62 Roscoe Street, Scarborough, YO12 7BX

## Constitution Document

## Rev 1 - March 2022



In the name of Allah, the most Beneficent, the most Merciful.
By time. Indeed, mankind is in loss. Except for those who have believed and done righteous deeds and advised each other to truth and advised each other to patience. (Quran, Surah Al-Asr, Ch.103)

And those who obeyed the command of their Lord and kept the prayer established; and whose affairs are with mutual consultation; and who spend in Our cause from what We have bestowed upon them.
(Quran, Surah Ash-Shura, 42:38)

## Table of Contents

1 NAME ..... 3
2 DEFINITIONS ..... 3
3 AIMS AND OBJECTIVES .....  4
4 TRUSTEES .....  5
5 EXECUTIVE COMMITTEE MEETINGS .....  6
6 EXECUTIVE COMMITTEE .....  8
7 ACCOUNTS ..... 12
8 FACILITIES ..... 12
9 CONSTITUTION ..... 13
10 DISSOLUTION ..... 13

This constitution was adopted on $20^{\text {th }}$ March 2022 and executed thereafter. Amended and approved by the Executive Committee of Scarborough Islamic

Society on $20^{\text {th }}$ March 2022 registered with Charities Commission who accepted and adopted the text.

## 1 NAME

1.1 The Society shall be known as the 'Scarborough Islamic Society'. Its primary responsibility is the masjid known as 'Scarborough Islamic Centre'. The office shall be 62 Roscoe Street, Scarborough YO12 7BX
1.2 Scarborough Islamic Society is a Charitable Trust, established in the United Kingdom with the main aim of developing a community centre for prayer and other activities relevant to its role.
1.3 Scarborough Islamic Society follows the principles adhere strictly to the tenets of Shari'ah, the Islamic Law, as expounded by the four Sunni juristic schools of thought viz.Hanafi, Shafi, Maliki and Hanbali Schools commonly referred to as the Ahlus-Sunnah-wal-Jama'ah, working for the cause of Allah.

## 2 DEFINITIONS

2.1 'Islam' means the religion of a Muslim.
2.2 'Shoura' is an Arabic word for "consultation". The Quran encourages Muslims to decide their affairs in consultation with each other. The principle of shoura can for example take the form of a council or a referendum. The society's Executive Committee must make decisions using these principles of consultation.
2.3 'Eligibility Criteria' means a person who believes and acts in accordance with the teachings of the Holy Qur'an and the Sunnah of the Prophet Mohamed who respects all the companions of the Prophet Mohamed
2.4 'Trustees' means the people who share responsibility for governing the charity and directing how it is managed and run and take responsibility for general management of the society's assets.
2.5 'Office bearers' means trustees who have additional role and responsibilities in the form of Chairperson, Secretary and Treasurer.
2.6 'Executive Committee' means the body that is inclusive of all the trustees and senior employees of the society.
2.7 Selection Panel' means trustees acting to appoint Office Bearer positions and new trustees including filling any interim vacancies that arise in the Executive Committee by method of shoura and election.
2.8 Quorum. A quorum is the minimum number of members needed to attend a meeting for a resolution to be validly approved by Executive Committee. They need to stay for the whole meeting, otherwise the meeting should end.

## 3 AIMS AND OBJECTIVES

3.1 The aims and objects of Scarborough Islamic Society shall be:
3.2 To serve the cause of Islam, truly and practically, by creating facilities for the observance of its principles to allow the observance of the tenets of Islam by Muslim community. The principal aim is to establish a community of unity, amity and general brotherhood that is inclusive to Muslim's from all different social and cultural backgrounds and of different nationalities and ethnicities.
3.3 By taking all legitimate steps in conformity with the principles of Islam to raise funds for the maintenance of the Society and following transparent standards to implement a structured strategy to identify streams of revenue and adopting monitored plans to define items of expenditure in timely goal orientated manner. This includes the utilisation of avenues such as electronic donations or electronic sadaqa interfaces.
3.4 To provide a platform for the inclusion of women to engage with matters related to the society affairs and events contribution to propagate and serve the cause of Islam.
3.5 By running a school for the training and education of Muslims generally in accordance with the principles and teachings of Islam. This includes Islamic teachings based on the quran, Quran memorization and the Sunnah of the Prophet Mohamed utilize traditional means that encourages homework classes to support the community pupils (students) on different educational subjects.
3.6 By arranging and attending to the burials of Muslims, and generally doing all to help and alleviate the misery and want of the poor and needy.
3.7 By starting classes of "Dars" of the Holy Qur'an and the Hadith.
3.8 To arrange meetings and organise functions with a view to propagate and serve, the cause of Islam and unite community.
3.9 By providing nikah/marriage services according to the Sunnah of Allah and His Messenger Mohamed 霝。
3.10 By providing Circumcision/Khetan/Tahara information/recommendation pack.
3.11 By providing confidential/privacy divorce talks/counseling/advice services according to the Sunnah of Allah and His Messenger.
3.12 By providing a Library service according to the Sunnah of Allah and His Messenger Mohamed (Islamic Library).
3.13 By engaging and collaborating with the Islamic community at large in the region showing tolerance and bounty of Islam.

## 4 TRUSTEES

4.1 The title to all heritable property of the Society shall vest in the Executive Committee. Prior approval of the majority of the Executive Committee is mandatory and as such, attending and voting at a meeting called for the purpose, sell, lease, charge with debt, or otherwise dispose of or alienate in whole or in part any property of the Society vested in them.
4.2 Any matters in relation to maintenance, repair, restoration, decoration, renewal, rebuilding and refurbishment shall be the responsibility of the Executive Committee.
4.3 The Trustees shall act as a Selection Panel and have responsibility for appointing new trustees and office bearer roles. This includes at Annual and Interim General Meetings when the term of the sitting office bearer expires and when interim trustee vacancies arise in the Executive Committee.
4.4 Youth Programme: The trustees shall run a youth trustees programme, shall contribute to nurture future trustees and prepare them to support, lead and takeover from the elders to propagate and serve the cause of Islam in accordance to the Sunnah of Allah and His Messenger Mohamed
4.4.1 Leadership skills training in line with the teaching of Islam
4.4.2 Mentoring on the actual running of the society
4.4.3 Introduction to Scarborough Islamic Constitution
4.4.4 Takeover and HO process
4.4.5 Nurturing
4.5 Event Management:
4.5.1 Rules \& Regulations (where, how, what, when and why ...etc.)
4.5.2 Eid celebration
4.5.3 Invite Imams/Sheiks/Scholars for 'Dars' to build knowledge/remind/benefit Scarborough Islamic Society (community) of the teaching of Islam from the Quran and the prophet Mohamed
4.5.4 Invite approved Imams/Sheiks/Scholars for 'Dars' to build knowledge/remind/benefit Scarborough Islamic Society (community) on the teaching of Islam from the Quran and the Sunnah of Prophet Mohamed
4.5.5 Community gathering and days out to organise the gathering either in the centre or by organizing environments visits to Islamic centres, nature reserves parks, historic heritage, and museums, etc.
4.5.6 H\&S awareness: Invite/engage with the council/fire department/police ...etc. for health and safety open day events to benefit our community.
4.5.7 External Speaker school's visits, a voted trustee (Imam best choice usually) to present Islam and our society to pupils in different schools in Scarborough
4.5.8 Scarborough Mosque Open Day to the Scarborough wider community (Schools, other Charities, Police, Fire department, council, MP, Mayor etc..)
4.5.9 Keep fit events for elders and the young of our community including days out and walks ...etc. and gym bulk membership reduced rate for Scarborough Islamic Society.
4.6 One or two seats of the trustees shall be reserved for our sisters. Sisters will be encouraged to participate as trustees in the Executive Committee.

## 5 EXECUTIVE COMMITTEE MEETINGS

### 5.1 Annual General Meetings

5.1.1 An Annual General Meeting must be held at a prespecified date every year with a quorum of two thirds of the number of individuals in the Executive Committee.
5.1.2 In the event that it is not possible to hold an Annual General Meeting as prescribed by clause 5.1.1, one must be arranged by the Office Bearers within a period of twenty-eight (28) days providing Executive Committee with at least fourteen (14) days' notice. This is an essential to the management of the Society.
5.1.3 The business of each Annual General Meeting should include the following requirements: -
5.1.3.1 A report on the activities of the Centre by the Chairperson.
5.1.3.2 A report from the Treasurer regarding the financial affairs of the Society.
5.1.3.3 Any other report deemed appropriate by the Executive Committee.
5.1.3.4 Selection of Office Bearer positions every two years in accordance with clause 6.6 and 5.5.
5.1.3.5 Acknowledgement of any retired or resigned trustees and selection of new trustees in accordance with clause 6.6 and 5.5 . This process must take place after the selection of Office Bearers in clause 5.1.3.4.
5.1.3.6 The appointment of Auditors.
5.1.3.7 Any other competent business as determined by the Executive Committee.
5.1.4 The public from Scarborough Muslim community may attend to observe and offer consultation at Annual General meeting and Interim meeting. They cannot participate in any final decision making and election process which is a matter for the Executive committee.

### 5.2 Interim Meetings

5.2.1 Any meeting of the Executive Committee, other than Annual General Meetings, shall be called Interim Meetings.
5.2.2 Any number of Interim Meetings may be held. A quorum of above half of the number of individuals in the Executive Committee must be present.
5.2.3 An Interim Meeting shall be held if crucial matters arise that requires the congregation and the discussion of the Executive Committee.
5.2.4 Any Office Bearer of the Executive Committee could trigger the holding of an Interim Meeting. Trustees can also trigger the holding of Interim Meetings but should do so with the support of another 2 trustees of the Executive Committee.
5.2.5 The Executive Committee should generally limit the discussion of important or emergency matters pertaining to the running of the Centre or if any contentious issues within the Executive Committee or wider Community.

### 5.3 Notice Requirements

5.3.1 An Annual General meeting must be called by providing all trustees at least 14 day notice and an Interim Meeting must be called by providing at least seven (7) days' notice. A trustee may object to the meeting date if they are abroad at the time of notice provided or have reserved travel at date of meeting prior to the date of notice given.
5.3.2 Notice of every Executive Committee meeting are required and must be given to all individuals in the Executive Committee by announcement. The agenda of topics must be provided and only those topics should be discussed, and decisions can only be made on those topics.
5.3.3 Where there is an accidental omission to give notice to, or the non-receipt of notice by, any person entitled to receive notice, notice will nonetheless be deemed to have been duly given and it will not invalidate the proceedings at any Executive Committee meeting.
5.3.4 Every notice calling an Executive Committee meeting must specify the topic for the discussion, place, date, and time of the meeting. In the case of an Annual General Meeting, the notice must also specify the meeting as such.

### 5.4 Chairing Meetings

5.4.1 The Chairperson will act as Chair at every Executive Committee meeting unless they are unable to do so.
5.4.2 If there is no Chairperson or if they are not present within fifteen minutes after the time for which the meeting is scheduled or if they are unable to Chair the meeting, the Secretary shall Chair the meeting. If neither the Chairperson nor the Secretary are available, then the Executive Committee present may choose one of its Trustees to Chair the meeting.

### 5.5 Decisions

5.5.1 Every individual of the Executive Committee has one vote which must be given in person, except for the sister(s) trustee who can vote in person or appoint another trustee. The appointment of the trustee by a sister must be acknowledged by at least 3 trustees or posted publicly.
5.5.2 All decisions considered at Executive Committee meetings will be passed by a simple majority consensus of the Executive Committee present or votes cast by individuals from the Executive Committee in person at a meeting duly convened and held. In calculating the number of votes cast, no account shall be taken of abstentions or those absent from the meeting.
5.5.3 Where an equal number of votes are cast for and against the business being considered at an Executive Committee meetings, the Chair of the meeting will be entitled to a second and deciding casting vote, except for in the event of Office Bearer elections. In the event of a tie for Office Bearer elections, a further consultation should take place followed by a re-election on the day.
5.5.4 If any votes are counted in error, the result of the ballot will remain valid unless the error is pointed out at the same meeting or an adjournment thereof, and unless the Chair of the meeting considers the error to be sufficiently serious to invalidate the result.
5.5.5 A Trustee is not permitted to appoint another person as his proxy to exercise all or any of his rights at an Executive Committee Meetings, except for a sister trustee as stated in clause 5.5.1.

## 6 EXECUTIVE COMMITTEE

### 6.1 Minimum/maximum

6.1.1 Management of the affairs of the Society shall vest in the Executive Committee. The Executive Committee shall consist of a minimum of seven (7) and a maximum of thirteen (13). Where the number falls below ten (10) the vacancies must be filled by the Executive Committee.

### 6.2 Office Bearers

6.2.1 The Executive Committee shall select from among the Trustees the following Office Bearers:

### 6.2.1.1 Chairperson

6.2.1.2 Secretary
6.2.1.3 Treasurer

### 6.3 Duties of Office Bearer

### 6.3.1 Chairperson

6.3.1.1 The Chairperson shall be Chair of the Executive Committee and shall Chair all meetings and functions of the Society.
6.3.1.2 The Chairperson shall keep themselves conversant with the affairs of the Society and will do all to advance the interests of the Society. They shall, with the approval of the Executive Committee, represent the Society on occasions where representation is desirable. The Chairperson shall have a second and deciding casting vote where the votes for or against a proposal equalise.
6.3.1.3 The Chairperson is overall responsible to ensure the Office bearers are fulfilling their obligations and progressing the decisions made at Executive Committee meetings.

### 6.3.2 Secretary

6.3.2.1 The Secretary shall assist the Chairperson in the performance of his duties generally and shall act on all occasions for the Chairperson when the latter is unable to do so himself. He shall carry out the duties detailed to him by the Executive Committee.
6.3.2.2 The duties of the Secretary shall include providing the Executive Committee with notice of meetings, maintaining an accurate record of the proceedings of the Executive Committee (including minutes), general office administration, managing complaints, mail handling, providing a report of the activities of the Society to Executive Committee at an Annual General Meeting and any other duties specifically allocated by the Executive Committee.
6.3.2.3 The secretary may enlist the assistance of individuals of the Executive Committee in accomplishing his defined roles

### 6.3.3 Treasurer

6.3.3.1 The Treasurer shall have general responsibilities related to his role as outlined below and where applicable may enlist the assistance of individuals of the Executive Committee in accomplishing his defined roles.
6.3.3.2 Oversee the financial affairs of the Society and ensure they are legal, constitutional and within accepted accounting practice including appointing Accountants and Auditors as required by law.
6.3.3.3 Ensure proper accounting records are kept up to date and that effective financial procedures are in place. Oversee the timely production of necessary financial reports/returns, accounts, payslips and audits.
6.3.3.4 Regularly monitor and report on the financial health of the Society and Centre at Executive Committee meetings. Appraise the financial viability of plans, proposals and feasibility studies proposed by the Executive Committee.

### 6.4 Eligibility

6.4.1 The following criteria shall apply to all individuals nominated to serve as Office Bearers in the Executive Committee:
6.4.1.1 A nominated candidate must not be affiliated with any other Islamic societies or organisations that do not recognise or support the identity and spiritual heritage of the Centre.
6.4.1.2 A nominated candidate must not be a member of any society or organisation which has aims and objectives inconsistent with those of Scarborough Islamic Society. This includes but is not limited to support of individuals, groups or organisations that promote extremist or separatist ideologies.
6.4.1.3 A nominated candidate must acknowledge and abide by the principles, procedures and rules set in this document.

### 6.5 Term

6.5.1 The Office Bearers shall hold office for a period of two (2) years. After the two (2) year period, the sitting Office Bearers shall retire at the Annual General Meeting and a nomination and selection process take place to appoint Office Bearers for the next two (2) years. The nomination must be in accordance with clause 6.6.
6.5.2 Trustees in the Executive Committee have an indefinite term until any conditions in clause 6.7 result in resignation of position.

### 6.6 Appointment of Office Bearers and Executive Committee Trustees

6.6.1 Appointment of Office bearers will be held at an Annual General Meeting every two years. At the meeting the existing Office Bearers will automatically resign, and a selection process will commence.
6.6.2 The attending and willing trustees will become the Selection Panel. The Selection Panel will appoint Office Bearers from the selection of Trustees in the Executive Committee for the next two years using Shoura and through a nominating process. All trustees can participate in the Selection Panel including those being nominated.
6.6.3 Any trustee from the Executive Committee may apply for an Office Bearer position (including resigned office bearers) and must have supportive nomination of two (2) other trustees. Where a position is contested by more than one Trustee, a voting ballot must be triggered where Selection Panel are allowed to cast a single vote following clause 5.5. The order of appointments shall be Chairperson, then Secretary and then Treasurer. A Trustee may only be nominated for one position and in the event of being unsuccessful acquiring that position can be put forward for another unappointed position.
6.6.4 Vacancy arising from retirement, resignation or removal of Office Bearer position(s) will prompt any remaining Office Bearer (or any Trustee in absence of all Office Bearers) to trigger an Interim meeting and plan for a replacement selection. Clause 6.6 .2 and 6.6 .3 shall be adhered at the Interim meeting to select replacement(s).
6.6.5 Executive Committee trustee candidates must be selected from within the muslim community of Scarborough. Candidates must be nominated by at least three (3) other Trustees including minimum of one (1) Office Bearer. A trustee is a position of responsibility and a legally binding role. Laws and legislative regulations must be observed when making selections. In the event of an objection of a candidate from an existing trustee, the argument against must be heard and decision made following clause 5.5. Total number of Trustees must not exceed maximum defined in Clause 6.1.1.
6.6.6 Where the number of Trustees falls below the number stated in 6.1.1 due to resignation or retirement of trustees, then potential trustee candidates must be identified within the community and interim meeting arranged for the selection process defined in Clause 6.6.1.

### 6.7 Removal of Executive Committee Trustee

6.7.1 Position of Executive Committee Trustee including those Trustees in position of Office Bearer, shall be vacated in any of the following events, and in any case this event should directly trigger the holding of an Interim Meeting except where an Annual General Meeting is pending:
6.7.1.1 On their death.
6.7.1.2 They resign by notice in writing to the Executive Committee.
6.7.1.3 They become legally insolvent.
6.7.1.4 They become disqualified to act as a Charity Trustee under the provisions of the Charity Commission or equivalent.
6.7.1.5 They become physically or mentally incapable of holding office.
6.7.1.6 Declare apostasy (reject Islam) and/or no longer meets Eligibility Criteria defined.
6.7.1.7 They are absent from Executive Committee meetings on three (3) consecutive occasions without satisfactory reason; or 50 percent of meetings per calendar year.
6.7.1.8 Vote of no confidence. Three quarters or more (majority) of all the Executive Committee determines in a voting mechanism held in the context of an Executive Committee Meeting that a person has failed to act in the interests of the Society or has acted in a manner which has brought the Society into disrepute. The person in question cannot participate in the vote.
6.7.2 An Office Bearer of the Executive Committee shall, on ceasing to be an active trustee of the Executive Committee, deliver to the Secretary all documents, papers, funds, securities, goods or property of any kind belonging to the Society which may be held by them or under their control. They shall be liable to the Centre, the Office Bearer and Executive Committee in respect thereof until the Executive Committee has discharged them of liability and recorded this in the Minutes of the next Executive meeting.

### 6.8 Powers of Executive Committee

6.8.1 The Executive Committee shall have powers necessary for the full and efficient conduct of the affairs of the Society avoiding any conflict of interests.
6.8.2 The Executive Committee shall have all powers granted to them by the 2005 Act and any other relevant legislation.
6.8.3 Recruitment requirements process and job Description

### 6.8.4 Employees Management

6.8.5 Establishing or managing the use of facilities including the library, community halls and office space.
6.8.6 The Executive Committee may delegate any of its powers to a Sub-Committee consisting of such a number of persons as it thinks fit. Any Sub-Committee must include at least one Office Bearer Trustee of the Executive Committee. Accurate records must be retained for Subcommittee proceedings. All proceedings of Sub-Committees must be reported to the Executive Committee.

### 6.9 Duties of Executive Committee

6.9.1 The Executive Committee must, in exercising functions in that capacity, act in the interests of the Society and must, in particular:
6.9.1.1 Seek, in good faith, to ensure that the Society acts in a manner which is consistent with its purposes.
6.9.1.2 Act with the care and diligence that it is reasonable to expect of a person who is managing the affairs of another person.
6.9.1.3 Submit a report of activities at the annual general meeting.
6.9.1.4 Maintain full and accurate records of the financial affairs of the Society.
6.9.1.5 Raise funds for furtherance of the aims and objectives.
6.9.1.6 Manage human resource requirements and empowerment.
6.9.1.7 Ensure that areas of the centre, including all halls, office space, recreational space, storage space and the library are only used for the business of the Society.
6.9.1.8 Maintain a documented Conflicts of Interest Policy which must include a Register of Interests of the Executive Committee.
6.9.1.9 Protect the identity and spiritual heritage of the Society.

## 7 ACCOUNTS

7.1 The Office Bearers must maintain bank account(s) as required for the furtherance of the Society Aims and Objectives. Bank account(s) shall be operated by the Office Bearers allowing any two signatories.
7.2 The Office Bearers must ensure that proper accounting and payroll records sufficient to show and explain the Society's transactions are kept.
7.3 The accounting and payroll records must:
7.3.1 Disclose at all interim and annual meetings, the current financial position of the Society.
7.3.2 Contain entries showing from day to day all sums received and spent by the Centre, and the matters in respect of which the sums are received and spent.
7.3.3 Include a record of the assets and liabilities of the Society.
7.3.4 Be sufficient to enable a statement of account which complies with Clause 7.4 below to be prepared.
7.4 The Office Bearers must ensure that in each financial year a statement of account, including a report on its activities is prepared and complies with all relevant legal and regulatory requirements.
7.5 Executive Committee individuals shall be entitled to request and receive a copy of the most recent statement of account of the Society where it is reasonably requested in accordance with section 23 of the 2005 Act.
7.6 Accounting records must be kept by the Society for a minimum of six (6) years from the end of the financial year to which they relate.

## 8 FACILITIES

8.1 The Society facilities including the prayer halls and adjoining facilities are intended for the sole purpose of the defined functions of the institution and should not be used for any other purposes.
8.2 This Society may own property that may be rented out to tenants for the purpose of generating revenue for the society.
8.3 Where there is a risk that the requirement stated in 8.1 is not observed the Office Bearers should be consulted as soon as possible and an Interim Meeting should be considered if there is a dispute surrounding the use of the facilities and the matter should be promptly defined and rectified.

## 9 CONSTITUTION

9.1 Amendment of the Constitution
9.1.1 If the Society wishes to: -
9.1.1.1 amend its purposes;
9.1.1.2 apply to the court to amend its purposes; or

### 9.1.1.3 change its name;

it may do so only with Executive Committee consent. In the absence of such consent any purported amendment shall be invalid.
9.2 Executive Committee consent must be sought with a minimum of fourteen (14) days prior to any change taking effect.
9.3 The Constitution of the Society may be amended at an Executive Committee Meeting called for the purpose and passed by a majority of not less than three quarters of all the Executive Committee agreeing to the changes.
9.4 Any amendment to the Constitution must be notified to the Charity Commission within three (3) months of it taking effect.

## 10 DISSOLUTION

10.1 Dissolution may be necessary in exceptional circumstances such as if the Centre changes its address or if a major structural change becomes necessary following the consent of the majority of three quarters of all Executive Committee.
10.2 If the Executive Committee resolve to dissolve the charity:
10.2.1 The sitting Office Bearers will remain in office and be responsible for winding up the affairs of the Centre including public announcement to the Scarborough Muslim community before commencing.
10.2.2 The Office Bearers must collect in all the assets of the charity and must pay or make provision for all the liabilities of the charity.
10.2.3 The Office Bearers must apply any remaining property or funds directly for the Aims and Objectives of the Society.
10.2.4 The Office Bearers may only transfer any remaining property or funds to any Muslim charity (or charities) with purposes the same as (or similar) to the Society.
10.3 In no circumstances shall the net assets of the Society be paid to or distributed among the Executive Committee of the Society

