

Constitution of 'The Cygnet Gallery', Shaftesbury, Dorset

Context

Swans Trust (Shaftesbury) is a company limited by charitable status (Registered Charity Number: 1063757). It is the name of Shaftesbury's Community Development Charity, a Development Trust set up in 1997 to promote and develop community, economic and cultural facilities and projects in Shaftesbury. "The Cygnet Gallery" is a Swans Trust project in Swans Yard.

Situated in an historic area of Shaftesbury, Swans Yard (named after a notable Coaching Inn that once stood on the site) is known as its creative heart - and is where Swans Trust offers opportunities for several start-up businesses. The Trust rates the Yard as one of their main achievements; and, nestled in its heart is The Cygnet Gallery (<https://thecygnet.org.uk/index.html>). In order to help promote, preserve and improve the arts and crafts in the area, The Cygnet began in 2009 with only twelve artists; it has since grown to the vibrant place it is now - with over thirty artists.

By giving them vital gallery space, The Trust continues to encourage local artists and design makers; by allowing the artists the opportunity to share their expertise and excellence in a secure and inviting atmosphere, the Trust's initial vision is upheld. Many acclaimed artists and makers in the Art World first 'spread their wings' at The Cygnet, whilst some have stayed and others have indeed returned.

Still run by the artists themselves as a cohesive and skills-based Co-operative, Swans Trust generously maintains the gracious well-lit building for them. It provides spaces (Units) for each artist for licence fees (rents) which are inclusive of electricity, water, waste, telephone and WiFi, business rates, general indemnity insurance, buildings' insurance, alarm and fire security, and any maintenance resulting from these. The fees are also inclusive of VAT. Because these fees (rents) are greatly subsidised by The Trust, they are very reasonable; and because Swans Trust does not expect the artists to pay the usual Gallery Commission, sales prices are also kept low. All in all, customers can find a reasonably priced 'unique collective' of the best of local art and crafts - in one warm, welcoming and beautiful space.

In order that the artists can make the very best use of the facilities which The Trust has so generously afforded, the artists have agreed to adopt a Constitution which will legitimise the way the Cygnet is run on a day to day basis. The Constitution which follows has the whole-hearted approval of the Trustees of Swans Trust.

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The Constitution

1. Name:

The name of the Association shall be The Cygnet Gallery, hereinafter referred to as The Cygnet.

2. Aims and Objectives:

- a) To promote interest in the visual and other creative arts particularly among the people of Shaftesbury and its surrounding areas.
- b) To channel the potential of individuals within the community itself.
- c) To create a challenging and innovative place to educate and stimulate debate about art and its place in society.
- d) To provide affordable artist-led gallery space in Shaftesbury for visual arts and other creative arts for emerging and established visual artists and other creative people.
- e) To support those artists who might otherwise have difficulties in obtaining exhibiting opportunities and workspace in the commercial marketplace.
- f) To establish a support network through which visual artists and other creative people can meet and exchange ideas, skills, knowledge and information.

3. Powers.

The Cygnet shall seek to achieve its stated aims and objectives by any means that the Committee, on behalf of the Members, may consider appropriate. The Cygnet may:

- a) Hold exhibitions, meetings, workshops, and events either alone or with others.
- b) Promote the access to and understanding of artistic practice through diverse and innovative marketing strategies.
- c) Bring together in conference and work in liaison with representatives of the businesses in Swans Yard, and with representatives from The Swans Trust Charity, and other institutions and individuals which share similar objectives.
- d) Collect and disseminate information on all matters affecting the aims and objectives and, where appropriate, arranging for the publication of such information and the holding of meetings on those matters.
- e) Raise money for the aims and objectives and accept grants, gifts and subscriptions on such terms as may be deemed appropriate.
- f) Do all such other lawful things as are incidental or conducive to the attainment of the aims and objectives.

4. Membership

- a) Membership is available to all visual artists and other creative people who are resident in, or base their practice in and around Shaftesbury and its surrounding areas.

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- b) Any person who wishes to become a member shall lodge a written application for membership in such form as the Committee requires, and lodge such evidence in support of the requested application.
- c) A decision by all artists in residence is then made by a majority vote and is final. When reaching a decision, they will be entirely mindful of The Cygnet's Equal Opportunities Policy.
- d) The Membership Secretary i/c New Artists shall notify each applicant of The Cygnet's decision within 4 weeks.
- e) On acceptance, all members must agree to abide by the legal requirements of paying their monthly Licence Fee by standing order/direct debit.
- f) If this payment of the monthly Licence Fee is not complied with, the artists will incur gentle but incremental warnings from the Trust. After three such warnings, the Trust will give them notice to leave The Gallery.
- g) On acceptance, all members must agree to abide by the legal requirements of paying their monthly Subscription Fees by standing order/direct debit.
- h) If this payment of their monthly Subscription Fees is not complied with, the artists will incur gentle but incremental warnings from the Committee.
- i) On acceptance, all members must agree to abide by the legal requirements of fulfilling a weekly half-day shift in The Gallery, thus keeping the spirit of cooperative and cohesive maintenance of The Cygnet.
- j) On acceptance, all members to be made aware of (and agree to abide by) the fact that shifts need to be done diligently and professionally. If they are unable to perform shifts to a satisfactory level, representation will be made in the first instance to the Deputy Chair; then if deemed necessary, to the Committee.
- k) If these shift duties above are not complied with, in the first instance they are to be dealt with by the Committee. Then, if necessary, as it is a requirement of their Licence Fee, those artists not fulfilling their duties will have their names passed to the Trust. They will then be given gentle but incremental warnings; after three such warnings, the Trust will give them notice to leave the Gallery.
- l) On acceptance, all members must agree to abide by the legal requirements that they do not assign/underlet/part with/charge for or create any occupancy of their Unit. The unit must not be occupied by any person other than the Licensee: in other words, may not be sub-let.
- m) On acceptance, all members should be given for reference The Cygnet Display Policy - and agree to abide by it.
- n) On acceptance, all members must agree to abide by the legal requirements that they are responsible for their own Public Liability and Theft Insurance. A copy of each artist's Insurance Policy will be given to our Health, Safety and Security Officer.

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- o) On acceptance, all members must agree to abide by the Committee's requirement that they take on a task to help in the running of The Cygnet. This task can be whatever is suited to their personal skills, negotiated according to the strengths of the individual (administrative, clerical, computer literacy, practical, housekeeping, organisational etc,) thus keeping alive the spirit of cooperation needed for the cohesive interaction and general maintenance of The Cygnet.
- p) On acceptance, in line with best practice procedures, all artists should be made aware of and agree to abide by our Code of Conduct: "We oppose all forms of intimidation and harassment: members should treat all customers and fellow artists with politeness and understanding." The Cygnet will treat seriously, and will take action where appropriate, all complaints of discrimination or harassment.
- q) On acceptance, all artists should be made aware of and agree to abide by the mandatory understanding of respecting every artist with whom they interact. They must respect other artists' opinions and privacy; and must not interfere with another artist's allotted space without prior agreement. All complaints will be investigated in accordance with the following Grievance/Complaints Procedure.
- r) If anyone has a Grievance with another artist, or witnesses anything that goes against the terms of our Licence Agreement, Constitution and Policies, this is to be put down in writing and sent to the Deputy Chair. The latter will then speak to the person concerned. If the matter is unresolved, it will be taken to arbitration with two other designated people from the Committee also present. All decisions made in this Grievance Process to be recorded in writing. If the issue is still unresolved, the Grievance will be escalated to the whole Committee, who will then decide on the next course of action. If necessary, a report will be compiled and referred to the Trustees for appropriate action. The complainant will be informed of the outcome.
- s) On acceptance, all members should complete a brief induction with a Committee member, to introduce them to such practicalities as the alarm system, use of the card machine and cashing up etc for morning and afternoon shifts. This could form part of their first shift or be completed at a separate time.
- t) On acceptance, all members should be given for reference The Cygnet Good Practice Guide, an excellent introduction to all these practicalities - and agree to abide by it.
- u) On acceptance, all members should understand the responsibility of looking after The Cygnet, and should agree to ensure that they feel competent and confident in doing so.
- v) On acceptance, all members:
- * must agree to adhere to The Cygnet's Constitution and its policies.
 - * are entitled to stand for election to the Committee.
 - * are entitled to attend and vote at General Meetings.

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5. Committee.

- a) The Cygnet shall form a Committee to act on its behalf.
- b) Only Cygnet artists can stand for election onto the Committee.
- c) Each Committee member must have an assigned role/responsibility.
- d) The Committee appoints these Office Bearers for the designated term of office:

Chair

Deputy Chair/Committee Liaison Officer

Minutes Secretary

Treasurer

Membership Secretary/New Artists

Cygnet Members Liaison Officer

Rents & Units Officer

Health, Safety & Security Officer

Swans Yard Liaison Officer

Zoom Hosting/Display Policy

Advertising/Website

Communications Co-ordinator (Facebook, Instagram, Twitter)

Non - Committee Members:

Housekeeping

Rota

Maintenance/Team Fix It

- e) There is to be a review of these Committee roles once a year
- f) The Committee shall consist of no less than 6, no more than 10 elected artists.
- g) In addition, if a Committee member stands down, the Committee can co-opt up to 4 people each year to fulfil an existing role, provided the total number of the Committee (including elected Members) does not exceed 10.
- h) Each year there will be a designated term of office.
- i) Committee members should preferably hold only one post; but if there are insufficient volunteers then members may hold up to two.
- j) Members of the Committee may resign from their responsibilities at any time with immediate effect.
- k) In the case of an elected or co-opted Member not attending three consecutive Committee meetings without explanation, then that person shall be deemed to have resigned from the Committee.

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6. Proceedings at Committee Meetings

- a) The Committee shall have the power to fill any vacancy in such offices which arise during the period between one AGM and the next.
- b) The Committee shall meet at least six times each year and ensure that proper minutes of each meeting are taken and retained by the Minutes Secretary.
- c) These Minutes shall be made available for all Cygnet artists to view.
- d) Voting shall be by show of hand unless a majority at the meeting request that a ballot take place. A simple majority will suffice in any vote. In the event of a tied number of votes, the Chair shall have a casting vote.
- e) The quorum for Committee Meetings is 6 people; but in the event that the membership of the Committee falls below that number for any reason, then the Committee may meet solely for the purpose of taking any action to restore its membership to a minimum number.

7. AGM's

- a) Each year The Cygnet shall convene an Annual General Meeting to report on their activities within the previous year.
- b) The Cygnet Members Liaison Officer will notify each artist by way of email at his/her email address (as last notified to The Cygnet), not less than 14 days before this meeting takes place.
- c) The business of the AGM will entail:
 - *The presentation of accounts for the previous year.
 - *The election of artists to the Committee to serve for the next term of office.
 - *The setting of subscription levels for Membership.
 - *Any other business that the Committee wishes to conduct, if notice of this has been included in the notification of the General Meetings.

8) Special General Meetings (SGM's)

A Special General Meeting, other than an AGM, can be convened at any time by the Committee, following proper notification from the Cygnet Members Liaison Officer to all Members of The Cygnet, stating the reason for the meeting taking place.

In addition, if it receives a written request made by a minimum of 50% of the Members who are eligible to vote at the AGM, the Committee shall convene a SGM. Again the Cygnet Members Liaison Officer is responsible for ensuring that all Members of The Cygnet receive proper notification of the meeting.

9. Voting at General Meetings

Each Member is entitled to one vote at General Meetings. Voting shall be by show of hand. In all cases except the amendment of this Constitution, a simple

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majority will suffice in any vote. In the event of a tied number of votes, the Chair shall have a casting vote.

10. Quorum at General Meetings

The quorum for a General Meeting shall be twelve. In the event of a quorum not being present, the General Meeting will be re-convened to take place at a future date following the proper notification.

11. "Equal Opportunities" Statement

a) The Cygnet aims to support and encourage the principle of equal opportunities.

b) The Cygnet opposes all forms of unlawful or unfair discrimination.

c) The Cygnet opposes all forms of intimidation

d) Membership is open to all persons regardless of age, colour, race, sex, religious belief, political opinion, disability (Disability Discrimination Act, 1995), marital status or sexual orientation provided they are interested in carrying out activities in the visual arts and crafts and approve the aims and objectives of The Cygnet.

e) The Committee will endeavour to make all new members aware of our Equal Opportunities Policy and procedures.

12. Amendments to this Constitution.

Any alterations to this Constitution must be passed by two-thirds majority of votes cast at a General Meeting, whether Annual or Special. Details of the proposed Constitutional alteration will have been given to all members by the Cygnet Members Liaison Officer not less than 14 days before the meeting is due to take place.

13. Finances

a) The Committee shall keep proper accounts of the finances of The Cygnet.

b) An interim report on the finances of The Cygnet shall be made to the Committee at each of its meetings.

c) The Swans Trust Charity determines our individual Licence Fee levels (rents) so all members' fees are paid directly to this Charity.

d) At the moment, the "Cygnet Bank Account" is a Swans Trust Bank Account. The Cygnet pays them £10 a month to manage it for us.

e) At the moment, all disbursements to the members for the sales of their goods or authorised expenses, shall be paid, on behalf of The Cygnet, by BACS transfer or cheque signed by 2 Swans Trust signatories.

f) All artists shall be required to pay a monthly Subscription Fee at a level determined at the AGM.

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g) When necessary, and if deemed fit and agreed by an online Survey of all members, the Treasurer may ask for an Emergency Payment to balance a deficit of the accounts.

h) No member of the Committee shall receive any remuneration or payment from The Cygnet, with the exception of reimbursement for any reasonable, out-of-pocket expenses incurred on behalf of The Cygnet.

The Cygnet is committed to reviewing all our policies and good practice at regular intervals.

We certify that the above is a true copy of the Constitution of The Cygnet Gallery, as adopted on 20/2/2021.

Signed:

Chair/Treasurer: Roz Legge:

Date: 20/2/21

Deputy Chair: Cali Norton:

Date: 20/2/21