

IKSDP

ITALIAN KENYAN SCOUT DEVELOPMENT PROJECT

SELF-HELP PROJECT

CONSTITUTION

DISTRICT SOCIAL
DEVELOPMENT OFFICER
SUBA

July 2019

PART 1: NAME AND ADDRESS.

ARTICLE 1: NAME.

The name of the group shall be ITALIAN KENYAN SCOUT DEVELOPMENT PROJECT (IKSDP) – SELF HELP PROJECT.

ARTICLE 2: ADDRESS.

- **Physical Address:** The Project physical address shall be at the project secretariat located at the IKSDP offices in Kigunga Village, Nyandiwa Sub-Location Gwassi West Location, Gwassi North Ward, Suba South Constituency, Suba South Sub-County in Homa Bay County of Nyanza Region in Kenya.
- **Postal Address:** The Project postal address shall be:
P.O. Box 12 – 40333, NYANDIWA,
HOMA BAY COUNTY
- **Cellular Phone Contacts:**+254 720 585 018
- **Email:** harambeeproject@iksdp.net
- **Website:**www.iksdpanyandiwa.net
- **Facebook:** @iksdpProgettoHarambeeKenya

PART 2: OBJECTIVES.

ARTICLE 3: OVERALL OBJECTIVE.

To transform the social, economic and health status of our local community generally by formulating, developing, planning and implementation of home grown, evidence based, sustainable and innovative interventions and solutions to the challenges and problems faced both collectively and individually.

ARTICLE 4: SPECIFIC OBJECTIVES.

- To alleviate poverty in our local community and minimize the negative effects of its impact especially on the marginalized and vulnerable members of our local community,
- To exploit and utilize our natural resources responsibly.
- To manage, conserve and restore our natural environment.

- To transform, uplift and maintain the health conditions and status of our members and our local community.
- To identify, approach and engage like-minded individuals, civil society organizations, private corporate entities, faith based organizations and local, regional, national and international governments and government bodies as well as local, regional, national and international donor organizations with the aim of formulating, developing and engaging in mutually beneficial and sustainable resource and knowledge sharing partnerships for the socio-economic development of our local community.
- To identify, define, seek, acquire and apply, new, appropriate, cutting edge and relevant technologies, knowledge, developments and innovations and to incorporate, and ingrain, entrench institutionalize these into our operations and to leverage these to empower, build the group's capacity to undertake our activities effectively and sustainably.
- To identify, define, plan, develop, mobilize and acquire technical, knowledge, material, financial and manpower resources for the sustainable implementation, management, administration and establishment of the group's activities, projects and programs.
- To identify, approach and engage our public-private-partners in the sustainable and effective mobilization of the resources necessary for implementation of the Project activities.

PART 3: ACTIVITIES.

- Poverty alleviation.
- Community health, sanitation and hygiene.
- Environmental restoration, conservation and management.

ARTICLE 5: PROGRAMS.

- Poverty alleviation.
- Facilitation of orphans, widows, people living with disabilities and other marginalized and vulnerable members of the Project and the local community.
- Facilitation of the planning and development of the local community's health, hygiene and sanitation status and conditions.
- Environmental management, conservation and restoration.

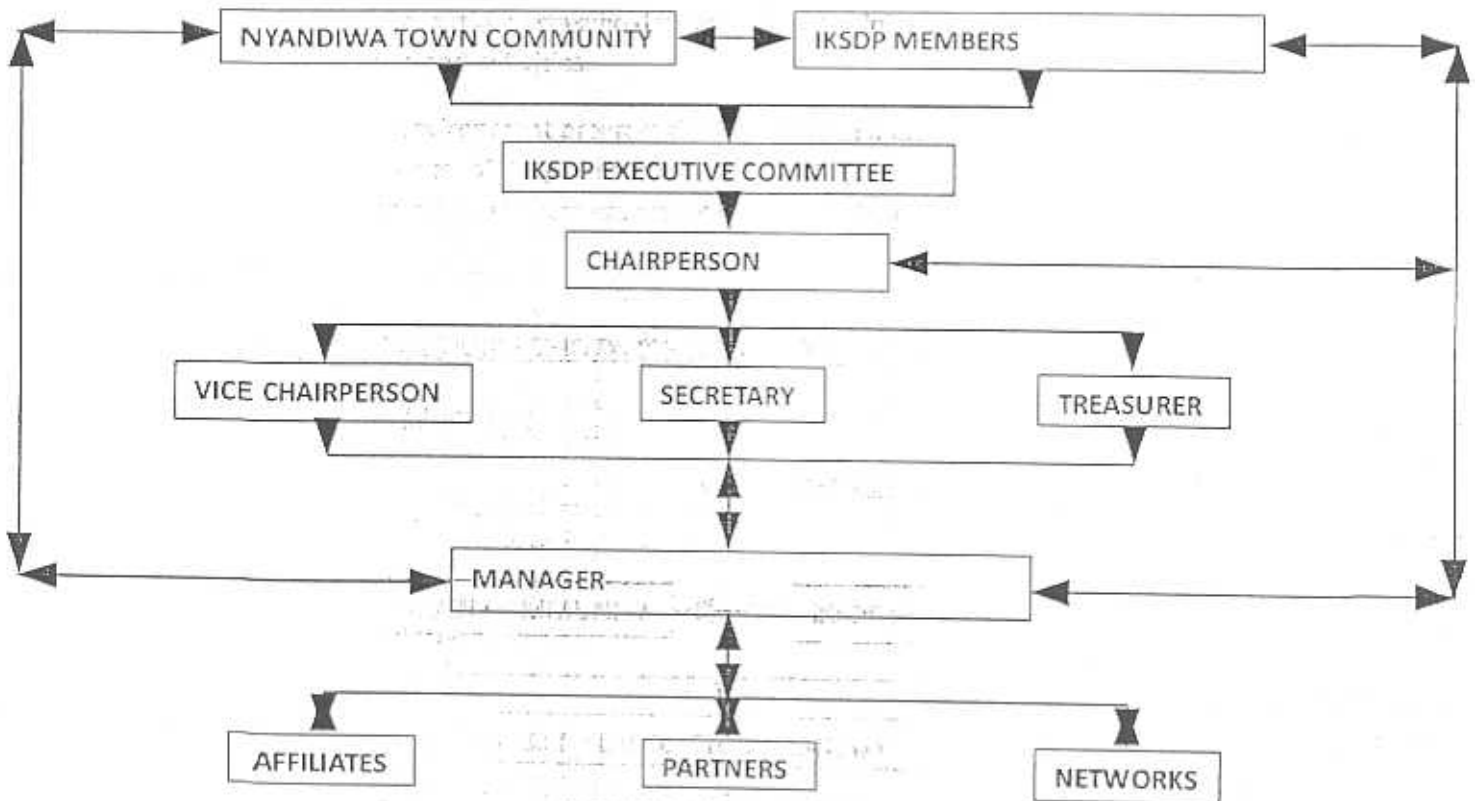
ARTICLE 6: PROJECTS.

- In the poverty alleviation program the Project shall formulate, conceptualize, plan, develop and implement innovative, sustainable and effective livelihood activities, income generating activities that will sustainably create revenue generation and self-employment opportunities.
- In the welfare facilitation program innovative and sustainable welfare facilitation projects and activities will be implemented in partnership with the group's private-public sector, faith based organizations and civil society partners.
- In the community healthcare, hygiene and sanitation program the Project shall engage in and participate in joint projects and activities with local, regional, national and international stakeholders to implement joint health, hygiene and sanitation projects and activities.
- In the environment program the Project shall mobilize the local community and our member to jointly partner and implement appropriate environmental management, conservation and restoration projects and activities.

PART 4: GOVERNANCE, MEMBERSHIP, PARTNERSHIP, AFFILIATION AND NETWORKS.

ARTICLE 7: GOVERNANCE.

• **ORGANOGRAM**



2. PROJECT MANAGEMENT STRUCTURE.

The Project activities and operations shall be managed by an executive committee of office bearers or Project officials, elected by members into office at an annual general meeting. The committee will be led by a chairperson who shall be assisted by a vice-chairperson. There shall also be a secretary. There shall also be a treasurer, a manager, and five committee members who shall each represent the beneficiaries, partners, affiliates and networks.

In the appointment of the executive committee, the member IKSDP-Harambee Project Onlus Italy has the right to express his approval of the persons designated by the other members. This approval must be expressed within 30 days of knowing the names of the persons appointed by the other members and communicated to the members formally in writing. The member IKSDP-Harambee Project Onlus Italy has the right to receive all the necessary information in order to express his liking and expresses his approval with a motivated decision. The approval will be considered granted if the failed approval is not received by the members within 30 days from the knowledge of the appointed. The member IKSDP- Harambee Project Onlus Italy must be present within the executive committee in person or one of its own members.

The appointment of the executive committee in violation of the above prohibitions has no effect on the group.

3. TENURE OF OFFICE.

The executive committee shall be in office for a term not exceeding five years.

4. DUTIES AND RESPONSIBILITIES.

The duties and responsibilities of the executive committee shall be as follows.

(A).The Chairperson.

- The chairperson shall preside and supervise all the Project activities and operations management and administration.
- The chairperson shall also preside over all the Project meetings proceedings and decision making processes.
- The chairperson shall defend the Project constitution and manage the adherence and compliance to the project by-laws, rules and regulations.
- The chairperson shall also be a signatory to the Project bank account.

(B). The Vice-Chairperson.

- The vice-chairperson shall deputize and assist the chairperson in the performance of duties and responsibilities.
- The vice-chairperson shall also represent the chairperson in the eventuality of the chairperson not being available.
- The vice-chairperson shall also assume the position of the chairperson in an acting

capacity in the eventuality of the chairperson being indisposed or vacating the office.

(C).The Secretary.

- The Secretary shall be the manager of the project secretariat and offices.
- The Secretary shall be the chief custodian of all the Project records and documentation.
- The Secretary shall be responsible for issuing notices of and calling all the Project meetings.
- The Secretary shall be responsible for setting the agendas at all Project meetings as well as recording all the proceedings and minutes of Project meetings.
- The Secretary shall also be in-charge of all the Project internal and external communication and correspondence.
- The Secretary shall also be a signatory to the Project bank account.

(D).The Treasurer.

- The Treasurer shall be in-charge of all the Project's financial management and administration.
- The Treasurer shall be the chief custodian of all the Project's financial records.
- The Treasurer shall prepare and present the Project's statement of accounts, the profit and loss account and balance sheet annually as required by the constitution in the annual Project general meeting.
- The Treasurer shall also record all the Project's financial transactions and store the data in a safe place.
- The Treasurer shall also be the chief custodian of all the Project's properties, assets and liabilities.
- The Treasurer shall also manage and supervise the Project's bank account.
- The Treasurer shall also be in-charge of procurement and also act as the store's manager.

(E). The Committee Members.

There shall be five committee members with each representing the interests of:

- The beneficiaries with regard to allocation and sharing of proceeds of the Project's livelihood and income generating activities.
- The members of the Project with regard to accountability and transparency in the management and administration of the Project's operations and financial affairs.

- The Project's development partners, local community affiliates and capacity building and empowerment networks.

The committee members will also have an oversight role in the management and administration of the Project's operations and will also play the role of keeping the executive committee in-check and ensuring that the will of the members prevails at all times in the Project's activities.

(F). The Manager.

The Manager will be the Project's external affairs manager as well as the main public relations and community affairs manager.

- The Manager shall act as the Project's representative in all activities and operations jointly undertaken by the Project's local community affiliates.
- The Manager shall manage the relationships of the Project's affiliates, development partners and networks.
- The Manager shall ensure compliance and adherence to the Project's constitution and by-laws by the affiliates, partners and networks.
- The Manager shall represent the interest of and articulate the issues of the affiliates, partners and networks within the executive committee.

ARTICLE 8: DISQUALIFICATION OF OFFICE BEARERS.

The office of an official shall be declared vacant when the official:

- (A). He / She becomes of unsound mind.
- (B). He /She fails to attend officials/executive committee members meetings for one month except by special leave granted by Project members.
- (C). He /She is removed from office by a special resolution passed by Project members in general meeting held under this constitution.
- (D). He / She by notice in writing to the Chairperson resigns from the Project. And the resignation is approved and accepted by the members.
- (E). He / She is expelled for gross misconduct by a resolution duly passed by a majority of Project members in a general meeting under this constitution.

ARTICLE 9: DISPUTE RESOLUTION.

Disputes shall be resolved by either/

- (A). The Project's office bearers where there exists no conflicting interests between the office bearers and the aggrieved party/parties.

(B). In the eventuality that a conflict of interests is established the aggrieved parties, Project members and office bearers will identify and engage a neutral local arbitrator to resolve the dispute.

(C). Should the aggrieved parties and other interested parties fail to reach an acceptable solution for the dispute under the arbitration of a locally independent and neutral arbitrator they shall seek redress for the grievances with the office of the local government administrator, namely the Area Assistant Chief or Chief.

(D). Should the results of the local administrators arbitration not satisfy all parties to the grievances then redress for the grievances will be sought from the local and national judicial system or courts of law.

The process for lodging a dispute, grievance or complaint shall follow the procedure below:

- The aggrieved party or parties shall formally report the grievance, complaint or dispute details formally in writing to the Project Secretary and Manager.
- The Secretary shall then table the complaint, dispute or grievance to the executive committee for perusal, review, authentication and preparation for the initial resolution process by the office bearers.
- Failure to resolve the dispute will then occasion the identification and engagement of a local independent and neutral local arbitrator.
- If this process does not deliver a satisfactory solution then the dispute shall be referred to local government administrators for further action.
- Should the dispute fail to be addressed adequately by the local administrators then the aggrieved parties may seek redress through the judicial system.

ARTICLE 10: MEMBERSHIP.

- Membership is open to all individuals, groups, corporate entities, civil society and faith based organizations regardless of their national, racial, religious and gender background who share similar goals and objectives with our group.
- Individuals, groups, corporate entities, civil society and faith based organizations regardless of their national, racial, and religious and gender backgrounds who are subscribers to this constitution may be admitted as members by the group's office bearers and members.

ARTICLE 11: PARTNERSHIP.

Partnership is open to all individuals, groups, corporate entities, civil society and faith based organizations regardless of their national, racial, religious and gender background who share similar goals and objectives with our Project.

The role of the partners will be to facilitate the achievement of the Project's goals and objectives with special regard to resource mobilization.

The Partners however shall not be included in nor participate directly in the management and administration of the Project's affairs, activities, programs, projects and operations.

ARTICLE 12: AFFILIATION.

Affiliation is open to all individuals, groups, corporate entities, civil society and faith based organizations regardless of their national, racial, religious and gender background who share similar goals and objectives with our Project.

The role of the affiliates will be to facilitate the achievement of the Project's goals and objectives with special regard to facilitating the group to administer and manage the Project's activities and operations at community level.

The Affiliates however shall not be included in nor participate directly in the management and administration of the Project's affairs, activities, programs, projects and operations.

ARTICLE 13: NETWORK.

The Project shall coordinate, plan, engage and enter into network of individuals, groups, corporate entities, civil society and faith based organizations regardless of their national, racial, religious and gender background who share similar goals and objectives with our Project. The role of the network will be to facilitate the achievement of the Project's goals and objectives with special regard to facilitating the group to administer and manage the Project's activities and operations with regard to the Project's capacity building, empowerment and training requirements.

The Network however shall not be included in nor participate directly in the management and administration of the Project's affairs, activities, programs, projects and operations.

PART 5: MEETINGS AND QUORUMS.

ARTICLE 14: MEETINGS.

- **General Meetings.**

The group shall in each year hold a general meeting known as The Annual General Meeting. Not more than twelve months shall elapse between the date of one Annual General Meeting and that of the next.

- Extra-Ordinary or Special General Meeting.

Any member or office bearer whenever they deem fit or necessary apply to the Secretary to convene an Extra-Ordinary or Special General Meeting.

The Secretary shall forward the request to the Chairman who shall review the application and based on its merit request the Secretary to issue a notice of an Extra-Ordinary General Meeting.

The Secretary will then proceed to notify the members of the same meeting and submit to the members the application and the Chairpersons approval for the notice based on the merit of the application. The members will then proceed to approve or disapprove the notice by authorizing the Secretary to hold the meeting by not less than two thirds of all the registered members signing the notice of the meeting.

The objectives and the agenda of the meeting must also be included with the notice and all documents regarding the holding of the meeting be deposited with the Secretary.

The meeting must be convened within two weeks of the members' authorization.

- Executive Committee / Office Bearers Meeting.

The Executive Committee / Office Bearers shall convene and hold a weekly office bearers meeting at the Project's secretariat or offices.

- Other / Stakeholders Meetings.

The Office bearers, members, affiliates, partners and networks shall when is deemed necessary or fit convene and hold other or all stakeholders meetings to deliberate on matters touching the partnerships, affiliations and networks joint activities, operations, management and administration.

ARTICLE 15: QUORUMS.

The quorum for all meetings regardless of their purpose and nature shall be one-third of all the duly registered group members.

PART 6: RESOURCE MOBILIZATION.

ARTICLE 16: RESOURCE MOBILIZATION.

The Project shall apply to, any international, national, regional or local government body or agency, any international, national, regional or local donor agency or body, any international, national, regional or local civil society organization, any international, national, regional or local faith based organization, any international, national, regional or local philanthropic organization agency, body or individual, any international, national, regional or local charitable institution, agency, body or

individual for and to accept any loans, grants, funds, gifts, donations, subscriptions and any other technical, material, knowledge or financial resources and assistance with the goal of leveraging these resources to facilitate the achievement of the Project's goals and realization of the Project's objectives and promoting the project's activities.

ARTICLE 17: RESOURCE UTILIZATION.

The resources of the project shall strictly be utilized in the realization of the Project's goals and achievement of objectives.

The resources shall be shared and allocated for the Project's various activities following a proceeds sharing formula that will be mutually arrived at after consultations and agreements between the community stakeholders, partners affiliates and beneficiaries in the form of members and the marginalized members of our community.

ARTICLE 18: FINANCIAL MANAGEMENT.

To manage the financial affairs of the Project by recording, maintaining, and keeping in safe custody all financial records and activities of the Project.

The Project members and officials shall at each annual general meeting appoint an independent auditor or auditors who shall not be duly registered members of the Project to audit the financial affairs, activities, operations and governance of the Project.

The auditors shall have a right to review, inspect all relevant vouchers, receipts, statements of accounts, the Project profit and loss account and balance sheet at all times during the tenure of the current executive committee and to make scheduled periodic audit reports and statements and to present these for perusal and review by all Project members and interested stakeholders at the annual general meeting for debate, ratification and adoption.

PART 7: AMMENDMENTS TO THE CONSTITUTION.

Subject to the provisions of this of this constitution the Project may by a special resolution passed by not less than one third of the registered members an annual at annual or an extra-ordinary general meeting modify, amend or repeal this constitution partly or wholly or adopt a new constitution or change the name or particulars of the Project provided that such an alteration, amendment or modification shall not impair or prejudice the effectiveness of this constitution.

PART 8: DISSOLUTION AND DISPOSAL OF ASSETS AND PROPERTIES.

ARTICLE 19: DISSOLUTION.

The Project shall not be dissolved or wound-up except by a resolution passed at an Annual General Meeting or Extra-Ordinary General Meeting by a vote of two-thirds of the duly registered members. The quorum for such a meeting shall not be less than two thirds of the duly and officially registered members.

In the eventuality that the quorum is not achieved the proposal to dissolve or wind-up the Project shall be moved to another general meeting which shall be held one month's time following the first meeting for dissolution. Notice of such a meeting shall be given to all Project members at least *fourteen days prior* to the date of holding the meeting. The quorum of this meeting shall be not less than two-thirds of all the duly registered members of the Project.

ARTICLE 20: DISPOSAL OF ASSETS AND PROPERTIES.

Upon dissolution of the Project, IKSDP-Harambee Project Onlus Italy will decide on the remaining assets and properties of the Project.

THE END

IKSDP

SELF-HELP PROJECT

JULY 2019