

# Committee Toolkit

This pack is designed to support Out of school clubs in inducting their committee members appropriately and enabling them to be successful.

This pack can be used to help you introduce members to the club and give them all the support and information they require as a new member.

The documents within this booklet are in draft form and it is expected that you will adapt them so that they reflect the expectations of committee members within your organisation.

If you need further support and advice please contact Kerry Revill on 01904 554391.

## Contents

<b>NEW MEMBERS INFORMATION SHEET</b>	<b>2</b>
<b>VOLUNTEER FOR YOUR OUT OF SCHOOL CLUB COMMITTEE</b>	<b>4</b>
<b>MANAGEMENT COMMITTEES</b>	<b>7</b>
<b>STAFF AND MANAGEMENT COMMITTEE RELATIONSHIPS</b>	<b>12</b>
<b>25 MANAGEMENT PRACTICES WHICH CAN LIMIT THE RISK OF PERSONAL LIABILITY</b>	<b>13</b>
<b>GOOD COMMITTEE PRACTICE</b>	<b>15</b>
<b>CHECKLIST WHEN EMPLOYING STAFF</b>	<b>16</b>
<b>MODEL CLUB CONSTITUTION</b>	<b>17</b>

## New Members Information Sheet

### **Commitment Expected**

Each Management Committee member is expected:

- To be objective, honest and able to deal with issues of a confidential nature.
- To attend and contribute to all Management Committee meetings. This means devoting the necessary time and effort to prepare for meetings.
- To use their specific skills, knowledge or experience to contribute to sound decision-making, in the best interests of the organisation and not the individual.
- To advocate the needs of the organisation and not his/her own particular nominating or employing body.
- To let the Chairperson know of any development that may result in a direct conflict of interest with decisions being taken by the Management Committee.
- To treat matters within the organisation as confidential and abide by decisions taken.
- Management Committee members should not seek to undermine any previous decisions.
- To serve on at least one sub-committee.
- To attend occasional events, functions, and negotiations on behalf of the organisation.

Each Management Committee member should have an awareness of the current issues and government policy relevant to the organisation's purpose and the voluntary sector.

## Legal Position

There are a number of structures that a voluntary group can be defined as, it is important that you choose the right one for you. These are the most common definitions of a community groups structure:

**Unincorporated Association:** Unincorporated associations are relatively straightforward to run and cost nothing to set up. They make their own rules for running the organisation and set these down in a democratic constitution. A management committee is elected to run the organisation on behalf of the members. Unincorporated associations have **no separate legal identity**. This means that their members will have to sign loans and contracts as individuals and carry the risk of personal liability. (taken from [www.businesslink.gov.uk](http://www.businesslink.gov.uk) )

**Registered charity:** Charities are organisations that benefit the public in a way the law agrees is charitable. Most charities with an annual income of over £5,000 have to register with the Charity Commission. Although charities with an income of £5,000 or less (and some others) don't have to register with us, they still need to abide by charity law and almost all are regulated by us. Charities are run by 'trustees' - the people who form the governing body or 'board' of a charity. They may be called trustees, directors, board members, governors or committee members, but they are the people with ultimate responsibility for directing the business of the charity. Most trustees are volunteers, and receive no payment (except out-of-pocket expenses). (taken from [www.charity-commission.gov.uk](http://www.charity-commission.gov.uk))

## Charitable company

A company charity is a legal person in its own right, quite separate from the trustees/directors and the members of the company. When a company enters into a contract, unless the trustees/directors were negligent or acted improperly in setting up the contract, the company will be liable for any debts arising out of the contract. The trustees/directors are only likely to be liable themselves for debts if they have acted wrongfully or fraudulently or entered into personal guarantees with the charity's creditors.

Incorporating the charity as a company will not protect charity trustees from any personal liabilities incurred by them on behalf of the charity prior to the date of its incorporation, or incurred using out-of-date pre-incorporation stationery.

As a legal person in its own right, a company can hold land, investments or other property. Once a company is registered as the owner of a property, then that title will continue until the property is sold or otherwise disposed of, or until the company is wound up. Members are not required by law to subscribe any money in order to become a member. However, they agree to pay a sum towards the company's debts should it become insolvent while they are members. In the voluntary sector this guarantee is commonly a nominal £1, but it may be more or less than this

See [www.charity-commission.gov.uk](http://www.charity-commission.gov.uk) for further information

**Look out for: Charitable Incorporated Organisations (CIO's) expected to become Law in late spring 2011**

The Charitable Incorporated Organisation (CIO) is a new corporate structure designed specifically for charities.

Increasingly, charities have been choosing to adopt a corporate structure because this can offer several benefits over unincorporated structures. These benefits include:

- the members and trustees are usually personally safeguarded from the financial liabilities the charity incurs, which is not normally the case for unincorporated charities
- the charity has a legal personality of its own, enabling it to conduct business in its own name, rather than the name of its trustees

Most charities that currently opt for a corporate structure set up as a company limited by guarantee under company law. This means that they are subject to dual regulation by the Charity Commission and Companies House. In light of this, many in the charitable sector have long expressed a desire for a corporate structure designed to meet the needs of charities.

**A Great Opportunity!**

As a Management Committee member you have the opportunity to:

- get involved in the development of the club
- contribute to the leadership and direction of the organisation and to its policies, practices and activities.
- gain new skills and knowledge, working with a diverse group of individuals.

## New Members Information Sheet

### **Management Committee Meetings**

- Meetings take place every 6 weeks (excluding July and August), and last
- approximately 2-3 hours.\*
- If you miss 3 consecutive meetings without apologies you can be asked to resign.\*
- The organisation's Manager/coordinator normally attends the meetings and is accountable to the Management Committee through the Chair.

### **Annual General Meeting (AGM)**

The organisation's AGM takes place every year. Every Management Committee member is expected to attend. Elections to the Management Committee take place every year.

### **Support & Training**

As a Management Committee member you will receive:

- Induction training covering background information and the work of the Management Committee
- Additional training from time to time, which will contribute to the effectiveness of your Management Committee involvement.
- Management Committee members are encouraged, at any time, to seek further information on relevant matters from the Chair or Secretary.

### **Expenses**

Out-of-pocket expenses can be reimbursed to cover the cost of travel to and from meetings, telephone, stationery or other pre-approved costs (see expenses policy).

\* You may need to change the details highlighted with a \* to represent the work of your organisation.

## [Volunteer for your Out of School Club Committee](#)

### **Why volunteer?**

*Is your child registered at an out of school club run by a parent committee?*

*If so –*

- Are you interested in learning new skills?
- Would you like to meet new people?
- Would you like to share your skills, time and ideas with others?
- Have you ever wanted to improve the running of your child's setting?

If you answer "yes" to any of these questions, the team at your child's pre-school would love to hear from you.

### **The benefits**

Volunteering for your Out of School Club's parent-run committee offers an ideal opportunity for you to become more actively and practically involved in this aspect of your child's life. It will also make a real difference to how your setting is managed.

You will personally benefit from this experience by meeting with other parents, updating existing skills and learning new ones as well as putting something positive back into your local community.

There are also long-term benefits should you choose to undertake further training or for those of you that don't currently work decide to return to full-time, paid work in the future.

### **What is involved?**

Your child's Out of School Club committee will be happy to tell you in more detail about how you can become involved. There are lots of ways you can contribute to the committee and you can choose to give as much or as little time as you can spare. The good thing is you don't need any experience to make a difference. Your committee members are the charity trustees of the Out of School Club and together they are responsible for the overall management and smooth-running of the setting. This can mean anything from organising a fundraising event to negotiating with a School over the terms of a lease. Your committee is the employer of staff in the Out of School Club so has overall responsibility for recruiting, training and developing staff, paying their salaries, and managing their contracts of employment. Your committee also has responsibility for things like developing a business plan, managing the daily accounts and, working with staff, ensuring the setting follows health and safety, risk assessment, insurance and first aid guidance and procedures.

### **What you can choose to do**

A lot of the work committees do is fun – building new partnerships with other parents and professionals, coming up with new fundraising ideas, getting exciting plans off the ground but there are some regular jobs too.

The three main roles on the committee are chair, treasurer and secretary.

These members are usually known as honorary officers.

The tasks can be shared between different parents so all the work need not fall on any one person. Your Out of School Club may even have a budget for specific tasks to be done by paid professionals, for example the monthly accounts. However, overall responsibility this work rests with the committee.

## Volunteer for your Out of School Club Committee

### *Chairperson*

- Represents and acts as a spokesperson for the pre-school.
- Chairs meetings of the charity; including committee meetings, open meetings and general meetings, such as the Annual General Meeting (AGM).
- Sets the agenda for meetings together with the Secretary.
- Co-ordinate the work of the committee to ensure effective administration.
- Acts as the 'Nominated Person' for Ofsted purposes.
- Line manages the Manager of the setting.
- Supports other committee members and authorises the work of the treasurer.

### *Treasurer*

- Ensures the committee are aware of the financial position of the charity, providing an up-to-date written statement of accounts at committee meetings.
- Ensures that all committee members are aware of their financial responsibilities and comply with the charity's finance procedures.
- Ensures that the committee apply the charity's resources exclusively in pursuance of its charitable objectives.
- Presents accounts to the members at the AGM.
- Manages the charity's bank account, updating the list of signatories as necessary.
- Prepares in advance an annual budget, as agreed by the committee, and to monitor it regularly.
- Issue bills and receipts on behalf of the charity and ensure that all necessary payments are made promptly.
- Ensures that the charity's financial records are maintained accurately and updated on a timely basis.
- Manages staff payroll and volunteers' expenses.
- Arranges for the accounts to be checked annually and independently.
- To review and return any other financial reports as necessary.

### *Secretary*

- Responds punctually to all correspondence; keeping proper records.
- Organises all meetings including booking venues, arranging refreshments, liaising with attendees to ensure they are informed etc.
- Draws up meeting agendas and circulate to all attendees punctually.
- Takes accurate minutes during meetings, type up and send out to all attendees in a timely manner.
- Ensures all office filing is kept up-to-date.
- Supports all committee and staff members by ensuring the administrative function is efficient.



## [Volunteer for your Out of School Club Committee](#)

*Shared responsibilities for all committee members:*

- Acting in the best interests of the charity; promoting its values and working to achieve its charitable objectives.
- Working as part of a team with the other trustees; whilst bringing your own ideas, perspectives and experiences to the committee.
- Regularly attending committee meetings and contribute to the effective management of the charity.
- Reading committee papers and contribute to the decision making process of the committee.
- Working with the Treasurer to set priorities for the budget.
- Undertaking Ofsted suitability checks as required.
- Using safe recruitment procedures and work to Early Years Foundation Stage requirements to employ suitable adults to work with the children.
- Employing a Manager to act as the person in charge of the early years provision; supporting them to successfully manage the childcare provision and ensure that the Early Years Foundation Stage and Ofsted registration requirements are met.
- Ensuring all committee members and staff have clearly identified roles and responsibilities.
- Submitting the annual update, or annual return and accounts, to the Charity Commission.
- Ensuring that the charity complies with the rules in its constitution, charity law, and other relevant regulations that govern the work of the charity.

### **Support**

If you decide to volunteer on the committee, there is a lot of help available to you. The Extended Services Unit have a Development Worker who can advise you and offer support as well as York Council for Voluntary Services (CVS) who offer a wide range of advice and support. They are happy to give on-going advice about any aspect of the work of your committee.

### **Further information**

If you would like specific information about how to get involved with your local Out of School Club committee, please contact the chairperson or Manager of the group. Alternatively, you might like to talk to another parent who is already involved with the committee.

## Management Committees

The management committee of an organisation is the committee or group of people who are ultimately responsible for running the organisation.

If the organisation becomes a registered charity, the committee members will also become trustees of the charity. It manages the group's affairs on behalf of the members and is responsible to the members.

The overall aims of the organisation are listed in the constitution and the committee has to put them into effect. The members of the committee have a responsibility to work together and to make decisions. They share the responsibility for decisions and actions taken.

The work of the committee will include:

- meeting regularly
- ensuring members are kept informed
- managing the finances
- agreeing a budget, and a fundraising strategy
- making sure the organisation is properly insured
- making sure the organisation stays within the law
- developing policies in areas such as equal opportunities, health and safety, and recruitment, induction and supervision of volunteers and employees
- managing volunteers and employees and making sure they are treated properly
- monitoring and evaluating performance

In order to manage well, committee members need:

- a shared vision and agreement about why the organisation exists
- clear roles and responsibilities
- clear short and long term goals
- an ability and willingness to plan, work together and set targets

Most committees include members with special responsibilities and roles – usually a chairperson, secretary and treasurer (these people are the Honorary Officers).

It is important that these jobs are agreed and written down, so that people with these positions know exactly what they are supposed to do.

The whole committee is responsible for the whole organisation – e.g. the Treasurer is not solely responsible for the finances.

**Because this group is a childcare provider and registered with Ofsted, all committee members are required to Complete a registration form for Ofsted and undergo an enhanced CRB check.**

## Management Committees

***Brief duties of the Honorary Officers (more detailed job descriptions will be provided as part of your trustee induction)***

### **The Chairperson**

The job of the chairperson is to:

- prepare the agenda for meetings (usually with the secretary). This will include thinking about how long each item might take, and whether committee members need information in advance
- chair committee meetings and the Annual General Meeting
- represent the group and speak on its behalf - **the manager and staff will be the face of the organisation on a day to day basis**
- have an overview of the organisation and its work
- sign and write letters (only sometimes and usually with the secretary) - **This could be delegated to the manager, where appropriate**
- lead, produce ideas and keep the organisation on the right lines
- support and encourage other members (and any paid staff or volunteers the organisation may have) and help to resolve conflicts

### **The Secretary**

The job of the secretary is to:

- prepare the agenda (with the chairperson)
- produce and circulate the agenda
- ensure that appropriate information is obtained and provided for committee members before the meeting
- take, write and circulate minutes
- after meetings, to inform members who were absent of any action they need to take
- maintain the membership list
- receive correspondence and report about it to the committee- **this could be delegated to the manager.**
- write letters on behalf of the organisation – these may need to be checked/signed by the chairperson - **this could be delegated to the manager.**
- book rooms, arrange meetings and organise refreshments - **this could be delegated to the manager.**
- keep the organisation's constitution, a copy of minutes and other records in a safe place – **These could be kept in the club**
- produce a written annual report, if needed.
- ensure the organisation has adequate insurance – **Full committee responsibility**
- ensure that necessary documents are completed eg. for the Charity Commission, Companies House or funders. – **Full committee responsibility**

## Management Committees

### **The Treasurer (this is a role that could be shared between a 2 committee members)**

The job of the treasurer is to:

- ensure the group keeps accurate, up-to-date financial records (records should be kept for 7 years)
- arrange for the end-of-year accounts to be completed and externally examined, in line with statutory requirements, and the group's constitution.
- communicate with the bank, including ensuring that bank statements are regularly received and kept safely, and that cheque signatory mandates are kept up-to-date
- check bank statements and reconcile them with the cash book/current account book on a regular basis
- ensure that understandable systems are in place and operated by all members, staff and volunteers, e.g. for petty cash claims **(the treasurer need not necessarily handle every item of cash themselves, this could be delegated to the manager)**
- ensure that bills are paid promptly and all income is banked on a regular basis - **this could be delegated to the manager**
- report regularly to the committee on the financial situation
- be able to give an accurate picture of the organisation's financial position at any given time
- report to the Annual General Meeting on the end-of-year accounts
- prepare an annual budget for the committee
- ensure that funds are being spent in accordance with the organisation's objectives and that money given for a specific purpose can be seen to have been used correctly – **Full committee responsibility.**
- keep an inventory of equipment e.g. computers. - **this could be delegated to the manager**

### **Not the Treasurer's job:**

Although the treasurer is responsible for preparing a draft budget and reporting regularly to the committee about the state of finances, it is the responsibility of the Whole Committee to:

- agree the budget
- make decisions about allocating money
- fundraise
- make grant applications (though the treasurer should be involved in this, e.g. over the budgets)
- chase committee members e.g. for receipts.

## Management Committees

### **Rules about Money**

There should be a separate bank account for the organisation – money should never be paid into a personal account. Cheque books, petty cash and account books should be kept in a secure place

### **Cheques**

- All cheques should be signed by at least two people. Cheques should not be signed by the person to whom the cheque is payable. Avoid a situation where relatives sign cheques together.
- When cheques are signed, the person signing should see the appropriate invoice.
- No-one should ever sign blank or partly completed cheques.
- Wherever possible, payments should be made by cheque rather than cash.
- There should be an agreed limit to the amount that can be signed for by the signatories – amounts larger than this should be authorised by the management committee.
- Get a receipt for any payment, whether cash or cheque.
- Do not pay bills without an invoice. Each bill paid should be filed, with the date and cheque number written on it.

### **Money received**

- All cash and cheques received must be paid into the bank. Keep a record of the date and the amount paid in.
- Give a receipt for any money or cheque received.
- If cash is collected, for example from a fundraising event, at least two people should be there when the money is counted and they should sign a slip certifying the total amount.

### **Recording**

- Enter all items into the cash book regularly. Make it clear whether payments and receipts are cash or cheques. You could use separate books, or separate columns.
- Check the bank statement against the cash book entries every time it is received –or at least monthly.
- Keep files of all bills and invoices sent out, all receipts, etc. If possible, give them a number, and write that number in the books as well.

## Management Committees

### ***Rules about Money***

#### **Petty Cash**

- Agree on a maximum figure for the petty cash float. All cash payments should be made from this float, which should be regularly replenished from the bank account.
- No petty cash should be given out without a petty cash voucher being completed.
- Receipts (e.g. bus tickets) should also be produced where possible. The petty cash voucher should be signed by the person receiving the money and the person authorising the payment.
- Petty cash should be handled by only 1 or 2 people. (1 person is usually the manager, who can take day to day responsibility for the petty cash)

#### **Volunteers and employees**

- Volunteers should be reimbursed for their out-of-pocket expenses only, and should provide a receipt if possible eg. bus ticket, receipt for sandwich.
- Where a volunteer is paid anything other than reasonable out-of-pocket expenses, this may have implications for their benefits, their tax and National Insurance liability, and the organisation itself.

**As committee members you are responsible for this.**

**If the organisation employs workers there is a legal responsibility to deduct tax and National Insurance and pay this over to the Inland Revenue.**

**This is a service that can be contracted out to organisations such as York CVS for a small charge.**

## Staff and Management Committee Relationships

The Management Committee must set out what it sees as the responsibilities of staff or volunteers and the limits of delegated decision-making authority.

Always keep in mind the essential distinction: the role of the Management Committee, in broad terms, is to lead, direct and ensure the organisation operates effectively.

Whilst the role of the staff is to manage, implement and carry out work that helps the organisation achieve its mission/overall purpose.

<b>Management Committee Roles:</b>  “to lead, direct and ensure”	<b>Staff Roles:</b>  “to manage, implement and deliver”
<b><i>Vision and Leadership</i></b>  develops/approves long-term strategic plans and monitors progress in implementing the strategic plan	carry out agreed work plan, which helps achieve organisation’s long-term plans
<b><i>Accountability and Legal Liability</i></b>  monitors the activities of the organisation and ensures that activities support the organisation’s overall purpose/aims	prepare/present reports on activities to the Management Committee
<b><i>Keeping It Legal</i></b>  ensures compliance with all relevant legal and regulatory requirements	follow organisational policy/procedures as set out by the Management Committee and report to Committee
<b><i>Financial Management</i></b>  ensures adequate financial resources are sought/secured  ensures money and property is properly managed	prepare funding applications as agreed with Management Committee  follow organisation’s financial procedures, keep books up-to-date, prepare reports, etc as agreed with Management Committee
<b><i>Managing Staff and Volunteers</i></b>  ensures appropriate organisational policies and procedures are in place	put organisational policies and procedures into practice



## Management Practices which can limit the risk of Personal Liability

### *To avoid 'Breach of Trust'*

1. Good committee practice
2. Clear rules and understanding about how decisions are made
3. No significant decision made outside of committee meetings
4. Meetings held regularly with correct quorum
5. Accurate minutes kept and approved by members
6. Current financial position reported to every meeting
7. Clear regulations about expenses payments to trustees
8. Clear guidance about when trustees can and can't receive payment for services.
9. If a committee member will benefit from work, clear record kept of how decisions are reached, member concerned excluded from discussion, decision made in the best interest of the group
10. Trustees do not received discount or preferential treatment for their own children
11. Trustees are not employees unless constitution allows and strict charity commission guidelines are followed, such trustees are excluded from any discussion about staff employment conditions
12. All trustees clear on objects and powers of the charity and rules laid down in constitution and operate within these at all times unless prior agreement from Charity Commission is given.
13. Constitution and ways of operating are regularly reviewed to ensure that it is followed and is suitable for the way the group operates – changes are made in line with process for amendment if necessary (eg holding an EGM)
14. AGM held as required in constitution.
15. Decisions about activities of the group are taken prudently, democratically and in the best interests of the group, especially where there is financial commitment or obligation. Risks of different actions are assessed and any necessary action





## **Management Practices which can limit the risk of Personal Liability**

### ***To avoid 'Negligence/Breach of Statutory Duty'***

16. Ensure all are aware of duties and comply with them
17. Take advice as widely as available if at all unsure and keep records of what you were told and by who.
18. Have clear policies and procedures for club operation, ensure everyone is aware of them and that they are followed and regularly reviewed
19. Meeting OFSTED standards and being registered offers some protection, as does externally assessed quality assurance, as there has been independent assessment of operation.
20. Ensure staff are suitable, inducted and trained appropriately and supervised (Keep records) Ensure prompt action taken if staff breach rules of operation

### ***Employment***

21. Ensure terms and conditions are sensible and don't increase financial risk
22. Ensure aware of responsibilities as an employer and seek advice
23. Seek advice from ACAS or NYFVO if you are unsure of any employment issues that may arise otherwise the committee may be at risk from claims at employment tribunals
24. Follow your policies to the letter; if policies are changed ensure the committee and staff are aware of the changes and have up to date copies.
25. Ensure decisions about staffing are made as committee not by individuals.

## Good Committee Practice

<u>Area</u>	<u>Features of good practice</u>
<b>Good financial management practices</b>	The Management Committee is accountable, understands its financial position, and sets clear financial procedures. Contingency funds have been built up so that sufficient reserves exist to meet potential liabilities such as premature termination of leases or staff redundancy costs.
<b>Clear roles and responsibilities</b>	The Management Committee is aware of their roles and responsibilities. There are clear lines of responsibility, budgetary guidelines, good communication, written role descriptions and induction procedures.
<b>Provisions in your governing document (e.g. constitution)</b>	The Management Committee works within its governing document. The document limits personal liability if committee members have acted reasonably and made an honest mistake that results in loss to the organisation.
<b>Insurance</b>	The Management Committee ensures that the organisation has adequate and appropriate insurance coverage.
<b>Incorporation</b>	Becoming incorporated (e.g. a company limited by guarantee) provides additional protection for Management Committee members although it does not protect against, for example, fraud or negligence.
<b>Good employment practice</b>	The Management Committee is a responsible employer, setting fair personnel policies and meeting all legal requirements.
<b>Risk management</b>	The Management Committee ensures that appropriate steps are taken to identify, assess and manage risk and potential hazards associated with the organisation, its activities and services.
<b>Records of decisions taken</b>	Management Committee members check the minutes before agreeing them, particularly where decisions have been taken. The minutes are the legal record of the committee's decisions.
<b>Board development and review</b>	The Management Committee regularly reviews its role and effectiveness, and keeps abreast of changes in law and practice. It provides an induction programme for new members.
<b>Professional advice</b>	The Management Committee seeks professional or expert advice on issues it is not confident to deal with.

## Checklist when employing staff

### **Management Committee Responsibilities for paid staff**

**Your responsibilities are to make sure that the organisation obeys the law regarding employment of staff, and especially that:**

- Staff have proper Terms and Conditions of employment (within 8 weeks of start date.)
- Equal Opportunities legislation is understood and acted upon.
- Staff are paid and PAYE and National Insurance deductions are paid to the Inland Revenue.
- The organisation and its staff are properly insured.
- Health and safety rules are obeyed- including first aid, risk assessments, manual handling COSHH etc
- Specific requirements affecting the work of the organisation are obeyed (such as Ofsted)

**The Management Committee ensures that the organisation is a good employer and especially that:**

- The organisation has appropriate policies and procedures for managing its staff.
- Follows effective recruitment and selection procedures ( Records of staff CRB checks, references, induction procedures)
- Staff are paid at an appropriate level.
- Sufficient resources are provided to train and develop staff.
- Staff work to an appropriate standard and quality.
- Staff are properly supervised and account regularly for their work.
- Input into staff management including disciplinary issues and sickness absence management.
- Staff take part in an annual appraisal.
- The organisation uses a style of management in keeping with its values and aims.
- The management committee establishes a clear and effective relationship with the senior staff member (it is useful to have one member of the committee as a point of contact for the senior staff member)
- Clear lines of reporting

## Model club constitution

If your childcare provider is set up as a voluntary organisation, you will need to draw up a constitution and when you apply, you should advise the Charity Commission that you have used the 4Children model. Should you have any problems, please contact us. Following is the model document we have produced to give you an idea of what should be included. The Charity Commission will be able to give you assistance and information on how to become a charity.

### **1. Name**

The name of the Association shall be -----  
(hereafter called 'the group').

### **2. Object**

The object of the Group shall be to advance the education and provide for the recreation of children of school age by making facilities and services available to them during out of school hours and school holidays.

### **3. Powers**

The furtherance of the said object but not further or otherwise the Group shall have the following powers:

- a) to raise funds and apply for, invite, obtain, collect and receive contributions from any other person or persons whatsoever by way of subscription, donation, grant, legacy and otherwise; provided that the Group shall not undertake any permanent trading activities in raising funds for the said objective;
- b) to employ on such terms and conditions of employment the Group shall determine any paid or voluntary worker or workers to assist in the attainment of the said objective;
- c) to do all such other lawful things as shall further the attainment of the said objective or any of them.

### **4. Membership**

- a) Membership shall be open to all parents/carers or guardians on the attendance register of the Group and to other persons who are interested in furthering the work of the Group;
- b) The committee hereinafter constituted shall have the right
  - I) To approve or reject applications for membership;
  - II) For good and sufficient reason to terminate the membership of any member provided that the member concerned shall have the right to be heard by the committee before final decision is made.

## Model club constitution

- c) Every member shall subscribe to the Group such annual sum (if any) for the next financial year as shall be determined at the Annual General Meeting hereinafter mentioned and the words 'financial year' shall mean the period April 1 to March 31 inclusive.

### **5. Honorary Officers**

- a) At the Annual General Meeting hereinafter mentioned, the Group shall elect a Chair (person), a Secretary and a Treasurer (hereinafter called 'the Honorary Officers') being persons who are members of the Group.
- b) The Honorary Officers shall hold office until the conclusion of the next Annual General Meeting after their election but shall be eligible for re-election provided that no Honorary Officer shall hold office for more than three consecutive years. On the expiration of such period, two further years must elapse before any further Honorary Officer shall be eligible for re-election.
- c) The Honorary Officers shall be ex-officio members of the Committee hereinafter constituted.

### **6. Committee**

- a) Save as otherwise herein provided, the policy and general management of the affairs of the Group shall be directed by the Committee hereinafter constituted.
- b) The Committee shall consist of the Honorary Officers and not less than two nor more than eight other members of the Group, elected by the Annual General Meeting hereinafter mentioned.
- c) In addition to the Honorary Officers and the members so elected, the Committee may co-opt to serve on the Committee in an advisory capacity of other interested individuals or representatives of statutory or voluntary agencies active in the locality or of such other organisations as the Committee may determine, provided that no such co-opted member shall be entitled to vote.
- d) The members of the Committee shall hold office until the conclusion of the Annual General Meeting next after their election or co-option, as the case may be, but shall be eligible for the re-election or re co-option.
- e) The Committee shall meet not less than six times per year.
- f) Four members of the Committee (or one third of the Committee members for the time being – whichever is the greater) shall constitute a quorum.
- g) Minute books shall be kept by the Committee and the Secretary shall enter therein and record all proceedings and resolutions for the Committee.

## Model club constitution

### **7. General Meetings**

- a) The first general meeting of the Group shall be held not later than the ..... of 20..... and once in each year thereafter an Annual General Meeting of the Group shall be held at such a time (not more than 15 months after the holding of the preceding Annual General Meeting) and place as the Committee shall determine. At such Annual General Meeting, the place shall include:
  - i) The receipt of the Annual Report and the Accounts for the preceding year from the Committee;
  - ii) The appointment of an auditor or auditors;
  - iii) The election of the Honorary Officers and the members (other than co-opted members) to serve on the Committee;
  - iv) The determination of the annual membership subscription payable under 4c hereof;
  - v) The transaction of such other matters as may from time to time be necessary.
- b)
  - i) The Committee may at any time, and the Secretary shall within 21 days or receiving a written request to do so, signed by not less than one quarter of the members for the time being of the Group (or such other number of the Group the General Meeting may from time to time determine), and giving reasons for the request, call a special General Meeting of the Group;
  - ii) Notification of a General Meeting shall be given in writing by the Secretary to all members not less than 28 days prior to the meeting.
- c)
  - i) The quorum for a General Meeting shall be one third of the total membership, for the time being, of the Group, or such other number as the Group in General Meeting shall from time to time determine;
  - ii) Save as otherwise herein provided, all questions arising at a General Meeting shall be decided by a simple majority of those present and voting thereat. A member of the Group shall be entitled to appoint a proxy who shall be a member of the Group to attend any General Meeting that he or she is unable to attend and to exercise the vote of the member in whose stead he or she is attending in addition to his or her own vote. Provided that no such entitlement shall apply in respect of clauses 9 and 10 hereof. Save as foresaid, no person shall exercise more than one vote but in the case of all equality of votes the Chair, or in their absence the member elected to chair the meeting, shall have second or casting vote.

## Model club constitution

### **8. Finance**

#### a) Accounts

The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

- i) The keeping of accountancy records for the Group;
- ii) The preparation of annual statements of account for the Group;
- iii) The auditing or independent examination of the statements of account for the Group;
- iv) The transmission of the statements of account of the Group to the Charity Commission.

#### b) Annual Report

The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an Annual Report and its transmission to the Charity Commission.

#### c) Annual Return

The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of all Annual Returns and its transmission to the Charity Commission.

#### d) Funds

The funds of the Group shall be applied in furtherance of its object and no payment shall be made to any member except for the services actually rendered as the Committee except reasonable and proper out of pocket expenses.

#### e) Bank account

A bank account shall be opened in the name of the Group with Bank plc, or such other bank as the Committee may from time to time determine. The Committee shall authorise in writing to the Secretary, the Treasurer and two members of the Committee (not being co-opted members) to sign cheques on behalf of the Group, All cheques must be signed by not less than two of the four authorised signatories, at least one of whom shall be a Committee member.

## Model club constitution

### **9. Alteration to the Constitution**

No alteration or addition to this constitution shall be made except at a General Meeting of the Group called for such purpose. No alteration or addition shall be made to Clauses 1, 2, 9 or 10 without the prior written approval of the Charity Commission, and no alteration shall be made which would cause the Group to cease to be a charity in law.

Alterations or additions to the constitution shall receive the assent of not less than two thirds of all members present and voting at a General Meeting.

### **10. Dissolution**

The Group may be dissolved by a resolution passed by a two thirds majority of those present and voting at a special General Meeting convened for the purpose, of which 21 days notice shall be given (to the members). Such a resolution may give instructions for the disposal of any assets held by or in the name of the Group but provided that if any property remains after the satisfaction of all debts and liabilities, such property shall not be paid or distributed among other members of the Group, but shall be given or transferred to such other charitable institution or institutions having objects similar to some or all of the objects of the Group as the Group may determine and if and in so far as effect cannot be given to this provision, then to some other charitable purpose.



## **Who can support your group?**

### **Out of School Development Advisor, Extended Services**

Kerry's role is primarily to advise and provide support to committee members and Playworkers in their management responsibility including recruitment, best practice in employment matters, training, pastoral care, and appraisal of work programmes through formal and informal discussions and meetings.

**Contact :** Kerry Revill 01904 554391 or email [kerry.revill@york.gov.uk](mailto:kerry.revill@york.gov.uk)

### **Children, Young People & Families Development Officer**

The Development Officer at York CVS provides support to voluntary and community organisations (VCOs) working with children, young people and families. This support includes:

- Provision of information, advice and consultancy support to VCOs on issues such as setting up a group, governance, policies etc.
- Provision of training and information about external training opportunities
- Co-ordination of the VO-19CE network – a network of voluntary and community groups
- Representation/supporting the representation of VCOs on relevant partnership bodies to ensure the voluntary sector has a voice in the planning and development of services
- Supporting groups with quality assurance schemes (including support with the Yor OK Community self assessment)

**Contact:** Craig Waugh, CVS 01904 621133 or email [craig.waugh@yorkcvs.org.uk](mailto:craig.waugh@yorkcvs.org.uk)

### **Community Accounting Scheme**

FREE general advice on Charity Commission requirements

- help with specific finance tasks like preparing budgets or establishing pricing structures and fee policies
- guidance and one-to-one training on how to maintain accurate finance records, accounting systems and procedures.
- training inductions for newly appointed Treasurers
- other finance training or 'Business Health Checks'.
- 'affordable' Independent Examination service

**Contact:** Karen Wood or Vincent McDermott on 01904 621133 or email [karen.wood@yorkcvs.org.uk](mailto:karen.wood@yorkcvs.org.uk) or [vincent.mcdermott@yorkcvs.org.uk](mailto:vincent.mcdermott@yorkcvs.org.uk)

### **Funding Advice service**

York CVS offers a free funding advice service to voluntary and community groups and projects in the York area. We can help you:

- identify appropriate sources of funding
- prepare letters and application forms
- plan a funding strategy

**Contact:** Melody Clarke on 01904 621133 or email [melody.clarke@yorkcvs.org.uk](mailto:melody.clarke@yorkcvs.org.uk)

### **Recruitment**

Recruitment, Retention and Marketing Coordinator, Family Information Service

The FIS support play, care and education providers by running a recruitment service. This involves encouraging people to consider and understand different careers working with children and advertising vacancies free of charge for groups. If you would like more information about this service please contact us on the details below.

**Contact:** Karen Darley on 01904 554444 or email [karen.darley@york.gov.uk](mailto:karen.darley@york.gov.uk)

### **NYFVO Employment Advice Service**

#### **Employment Advice Service**

The Employment Advisers can help VCS organisations in York and North Yorkshire by providing a telephone and email advice line; providing 'new' employers with 'hands-on' assistance in developing employment documentation and policies; helping employers review existing employment documentation; advising on current employment law; providing practical training on key employment issues; helping employers manage 'difficult' employment situations; and briefing managers, trustees and directors on employment matters.

Contact Maggie Lawton on 01347 825710 at [employment.advice@nyfvo.org.uk](mailto:employment.advice@nyfvo.org.uk)