

Your Community Space Information Pack

Introduction

This pack has been put together in response to feedback gathered at Dorset Community Action's 'Your Community Space' event that was held in June.

You asked for help with the following:-

- Marketing
- Music licensing
- Health and safety
- Safeguarding
- General Policies and procedures
- Trustees roles and responsibilities, including board appraisals
- Legal structures



NETWORKING was also top of the list so Dorset Community Action will set up a ***Closed Facebook Group*** to enable you all to keep in touch and share ideas.

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Music Licensing in Community Buildings

What is music licensing?

Music licensing is the licensed use of copyrighted music. It is intended to ensure that the owners of copyrights on musical works are compensated for certain uses of their work.

There are Two licensing bodies...



PPL (Phonographic Performance Limited) UK licenses the playing of sound recordings with the royalties going to the artists, performers and recording companies.



PRS (Performing Right Society) for Music licenses the public performance of musical compositions with royalties going to the songwriters, composers and music publishers.

Do I need a license?

Community buildings don't require a licence if no copyright controlled music is played at all, or if the only use is:

- Through a jukebox (these need a separate licence)
- For sacred worship
- For wedding ceremonies, civil partnership ceremonies, civil ceremonies, religious ceremonies.
- For medical music therapy.
- At private functions and parties.

A PPL licence is not required if you only feature live bands.

What is a private function?

PRS for Music does not make a charge for functions of a purely domestic or family nature, such as wedding receptions, christening parties or domestic birthday parties, when:

- Attendance of guests is by personal invitation only (except for staff, performers, etc.)
- The function is held in a privately-booked room, not at that time open to the general public
- There is no form of charge made for admission
- There is no financial gain to the function's organiser or host (e.g. the person hiring the venue).

Community Building Tariff

Those run by voluntary organisations such as community centres, village/memorial/parochial halls, separate church halls serving the community at large, women's institutes, welfare institutes and comparable premises.

- Maximum defined income of £75,000.
- Doesn't cover buildings run by town or parish councils.

PPL charges are calculated as follows:

- For community buildings with an annual income of £10,000 or less:
£51.86 per annum + VAT (subject to annual adjustment for inflation on 1 April)
- For community buildings with an annual income of over £10,000: **1% of annual income**

PRS for Music charges are calculated as follows:

- **1% of annual income** subject to a **minimum charge of £51.86 per annum + VAT** (subject to inflation)

Income should include:

- Door takings.
- Hiring charges.
- Subscriptions.
- Food and bar takings where they accrue to the voluntary organisation.

Income should not include:

- Value Added Tax
- Capital and revenue grants
- Interest from accounts
- Gifts and donations
- Income from other owned assets unrelated to the community building itself (e.g. hosting recycling bins, hiring out of sports fields where hirers do not use building)
- Proceeds from the sale of donated goods
- Contracts for the delivery of public services, particularly where such income has replaced a grant.

What am I covered for?

- Background music (irrespective of the means of playing the recordings such as CDs, radio broadcasts or television broadcasts).
- Variety shows, talent contests and pantomimes (if within the rights controlled by PPL).
- Balls, dances, discotheques, and other social events with dancing.
- Music quizzes.
- Aerobic, keep fit and exercise classes.
- Bingo sessions, bazaars and exhibitions.
- Telephone music on hold.

Occasional permits.

If a community building holds a single event a year using recorded music and does not require an annual licence, PPL and PRS may at their discretion issue permits for this event at a cost of around £18.49 each.

Can I negotiate on cost?

For both the PRS and PPL licences, ask about discounts, especially for fundraising or community events, and you might find a one-off licence works out cheaper if your organisation only uses copyright music at a small number of events per year. You would have to negotiate this with both licensing bodies though.

Several committees have found that spending about an hour on the phone with the PRS helpline to work through what is the most cost effective option, but challenging them and continually emphasising that they are volunteers, the hall is a charity, they need to avoid double-charging etc. has eventually produced a saving of several £hundred.

The PRS and Third Party Hirers

The PRS licence covers the building so if you play copyrighted music in the building, you will need a licence.

If you are using someone else's premises, for example, if you hire a hall or use a local authority premises, then the proprietor should arrange a licence to cover your music use. You should check with them about this.

The PPL licence covers the individual and commercial hirers need their own PPL licence if they use PPL-controlled music.

CB tariff does not apply to any third party hire to commercial organisations and individuals earning an income from providing the activity such as aerobics classes ... to this extent, responsibility for holding the relevant PPL licence rests with the hiring third party.

Community buildings must include income from such sources in their defined income calculation BUT if the only use of PPL- controlled music in the building is by commercial or private hirers then the hall does not need its own PPL licence. The licensing bodies advise community buildings to check that their hirers have the appropriate licences.

However, if the committee also use PPL-controlled music (e.g. run a regular quiz night with a music round), they also need a PPL licence – hence the 'double charging' issue.

PPL and Hire Agreements

Community buildings can pass the responsibility for getting a PPL licence on to their hirers (even charitable groups) if they wish. If they do this, it is good practice to ensure that the hiring agreement contains a suitable clause that explicitly states it is up to hirers to ensure they have all the necessary licences and permits for their activities. Committees may also be asked to name the individual licence holders so that PPL can make checks.

ACRE's Model Hire Agreement says:

The hirer shall ensure that the Community building holds relevant licences under Performing Right Society (PRS) and the Phonographic Performance Licence (PPL) or, where appropriate, the hirer holds a licence.

<https://www.ppluk.com/>



How to market your Community Space

The Need to Market your Community Space

Over the past ten years community buildings have benefited from grant funding to refurbish buildings, purchase new equipment and furniture, and for basic revenue costs. These grants have enabled communities to build a social asset that in many instances they own and control, and that generally requires minimal revenue costs. Grant funding is reducing and in order to maintain the community building as a community facility it will become necessary to earn increased income to cover both revenue and capital costs, rather than receive it from external sources.

Marketing starts by looking at what you have - you have a hall, but maybe few resources or options to make changes so you need to make the best out of your situation and your facilities, and then identify the most appropriate users or markets in order to generate income. Sometimes a lot of thought can go into what the current users from the community, or the management committee, consider would be good things for the hall to contain or do, but there is often little thought about what potential users might want. There are some halls that for various reasons are not suitable for extending their use outside the immediate community but it is still worth thinking about how you could market locally, improve the service you offer and discuss ways of improving the venue, in order to increase use and income.

The Marketing Toolkit

This self-help Community building Marketing Toolkit is designed to help the management committees of community buildings develop a basic marketing plan. It is a practical self help guide which can be worked on in stages; it can also be used to facilitate short training events. There are a series of practical steps, which develop draft results to be recorded in the accompanying Marketing Ledger. The Marketing Ledger is a working document: the Marketing Plan is a document which can be given to your wider committee, your supporters and be attached to fundraising documents.

The Toolkit is broken down into eight steps; each step has information and a practical exercise. The result of each step is recorded in the Marketing Ledger.

Step 1

WHAT RESOURCES DOES YOUR COMMUNITY BUILDING HAVE?

Identify existing resources and those planned for.

Who you can promote your building as a venue to, and how it can be used, is dependent on the resources you have to offer. Having a clear understanding of what you can offer will help you when it comes to mapping and identifying potential new users.

Step 2

WHICH USERS CAN YOUR COMMUNITY BUILDING ATTRACT?

Who uses the community building and which users are you planning to attract.

Now you need to identify all those currently using the building and those who are potential users.

Step 3

WHAT SKILLS DO YOU HAVE FOR MARKETING?

What skills and capacity do you have in the committee and volunteers and what skills do you need.

Marketing is an on-going process and will need to be managed over a longer time span than just a month or two so it is best to set up a small sub-committee to be the 'marketing team'. They don't have to be from the management committee - there may be individuals within the community, who are not keen to be fully involved in the community building management, but do have professional skills and are willing to serve only on the marketing team. These people will be worth seeking out and courting to secure their involvement.

Step 4

PLACE – WHAT ARE THE ADVANTAGES OF YOUR LOCATION?

What is special about your location and how can you take advantage of any features.

Think carefully about how you describe your place, it most probably has some excellent strengths. Is it with your building, your immediate surroundings such as sports field, parks, or your wider environment such as views over beautiful countryside, rivers, and mountains? Maybe your place is on a main road or near a railway station, or can only be reached via walking up a path. The trick is to use any situation as a strength, always remember that different users want different things.

Step 5

PROVISION – WHAT DO YOU HAVE TO OFFER?

What provision and services do you currently have and what are you planning to provide in the future.

Provision, sometimes called ‘product’, is what you offer. This includes the actual venue and facilities, additional or special services, the way the hall is managed and the after care provided. Think about your own experiences of being a customer, you will know that it is not just one thing that makes a service good but the combination of a number of service provisions that can make the whole experience very good.

Marketing is dependent on consistency; so what Provision you offer has to be consistent with the Place and re-enforce what the Place offers. Build strength between the two and the two become more attractive than one or the other alone. Consider the service components below they are all part of your provision:

Step 6

PRICE – HOW MUCH DO YOU CHARGE?

What pricing structure do you have in relation to your current and planned users?

The cost for management, maintenance and purchasing new equipment and facilities in many community buildings is not particularly high because there is no rent, mortgage or rates, staff volunteer their services and much of the up keep and repair is done by volunteers. However, community buildings have to pay for utilities, insurance, new equipment and repairs and any major work on the buildings. Over the years there have been generous grants to pay for capital equipment and refurbishment and revenue costs. It is anticipated that these grants will decrease over the coming years and community buildings will be increasingly reliant on earned income to pay for the outgoings.

Step 7

PROMOTION – HOW ARE YOU GOING TO SELL YOUR SERVICES?

How are you going to promote your community building?

Promotion is about communicating to your prospective users: what you have to offer; how they can access it; and how much it costs. Emphasise the quality, use examples such as “the furnishings are suitable for all day training courses” or “there are 30 plastic stacking chairs available” if the quality is not so good. You don’t want to miss sell nor do you want to sound negative about your provision. Customers will appreciate knowing exactly what to expect.

You may want to take photographs of the community building, of the interior of the building and any surrounding features. Advertising is the most expensive form of promotion and if well focused can be effective; often however, it can fail to reach the right people and offer the right services, at the right time. Community buildings should think carefully before paying for advertisements.

Step 8

PREPARE YOUR MARKETING PLAN

The Marketing Plan is designed to help community buildings extend their user base, it is already assumed that the key focus of the users will be the local community, in that it is affordable for them and they have priority if there is a conflict of use. In the marketing plan we are looking beyond those users. Developing a marketing plan is vital for developing a more commercial venue hire and service provision for your community building. Without one, your efforts to attract users and supporters are likely to be haphazard and inefficient.

The Marketing Plan is a management document to help the committee focus on an agreed approach. The Marketing Plan can be used to provide information to other stakeholders, supporting documents for funding and as a monitoring tool to measure performance against. It must be remembered that the Marketing Plan is for developing new income streams and is in addition to the normal service of providing an inexpensive venue for the local community.

Central to any successful marketing plan is an understanding of your users and their needs. The ability to constantly satisfy your users' needs better than your competitors will make you the preferred venue in the area. The marketing plan will use the information you have gathered during the previous exercises in this Toolkit, and recorded in the Marketing Ledger, all you have to do now is to review what you came up with, make sure it all fits together, make adjustments if required and write the marketing plan.



What is Good Governance

Governance is a term used to describe the trustees' role in the long term direction of the charity, including its objectives or purposes, implementing policies and activities to achieve the objectives, complying with legal requirements and accountability to those with an interest or 'stake' in the charity.

Whose responsibility is it?

The trustee board is responsible for good governance but they rely on many different people to be able to govern well: staff, volunteers, advisors and stakeholders. Trustees' refers to trustee/committee members/management team etc. as detailed in the organisations governing document.

How do I check our governance?

Use the checklist below to see where you are. Look at each point and decide whether your organisation could say if the answer is Yes, No, Partly or Don't know. What evidence is there for your answer? How would you prove that to a new trustee or a funder? Record where you have 'No', 'Partly' and 'Don't Know' answers and make a plan to turn them into 'Yes' answers.

Example Checklist:

Purpose

- ✓ The organisation has a clear purpose. Trustees, volunteers and users/beneficiaries understand the aims of the organisation.
- ✓ The aims of the organisation are clearly laid out in the governing document.
- ✓ It is clear who the users/beneficiaries and partners/stakeholders are.

Leadership

- ✓ Trustees are aware they are responsible for the organisation (See Charity Commission publication CC3).
- ✓ Trustees set a clear strategic direction
- ✓ No trustee benefits personally from being a trustee
- ✓ Conflicts of interest are recorded and checked at every meeting
- ✓ Users/beneficiaries/members/partners and the public are easily able to find out what is happening
- ✓ Trustees encourage and enable users/beneficiaries to be involved
- ✓ Trustees are accountable to members/user in a clear way

Control

Every trustee should (Compliance):

- ✓ Have a copy of the governing document and understand it
- ✓ Be sure the organisation is complying with all the relevant laws
- ✓ Know the regulatory bodies (eg Charity Commission, HMRC) for their organisation

Every organisation should (Internal Controls):

- ✓ Be using 'internal financial controls for charities checklist' (Charity Commission publication CC8).
- ✓ Ensure there are clear ways of reporting information, activities, concerns etc to the trustees.
- ✓ Have clear decision making procedures
- ✓ Have all necessary policies and procedures in place
- ✓ Ensure all trustees are fully aware of the activities of the organisation
- ✓ Have procedures for monitoring activities of volunteers/staff

Managing Risk

It is the responsibility of every Trustee to:

- ✓ Have assessed the risks to the organisation
- ✓ Have planned to minimise the risk to the organisation
- ✓ Regularly review the risks to the organisation

Equality and Diversity

- ✓ The organisation is seen as fair and open to all the community

Performance

- ✓ Trustees understand their duties and responsibilities
- ✓ Trustees work together to organise their work and workloads
- ✓ Trustees ensure all relevant information and advice is to hand before making decisions.
- ✓ Trustees/members/users/beneficiaries understand how their activities contribute to reputation and income
- ✓ The organisation uses technology to reduce costs, improve communications and gather information
- ✓ The organisation works in partnership with other organisations for the benefit of users/beneficiaries

The Future

- ✓ The organisation is forward looking and has a plan for the future that is flexible
- ✓ Trustees are aware of current events and of emerging trends
- ✓ Trustees have a strategy to tackle changing income streams

Review

- ✓ Trustees carry out regular reviews of committee/organisation performance
- ✓ There is a strategy for committee/volunteer renewal
- ✓ The organisation uses reviews to improve itself
- ✓ The organisation understands the impact it has in the community

Next Steps

Looking at the check list, take all of your **no** answers and **don't know** and make a plan to turn them into **YES** answers. Delegate the work amongst the trustees and make a time to feedback to trustees so everyone understands the actions needed.

<https://www.gov.uk/government/organisations/charity-commission>

Online Resources

Good Governance: <http://www.governancecode.org/>

NCVO: www.ncvo.org.uk/practical-support/governance

Know How: www.knowhownonprofit.org/leadership/governance

Further Support and Information

More specific and in depth advice and information can be accessed through DCA's advice and guidance, and consultancy services:

- training courses
- 1 to 1 action planning
- 1 to 1 advice with supported toolkits
- Bespoke services

To access these services please contact: info@dorsetcommunityaction.org.uk or call 01305 250921



What is a Constitution?

A constitution is a written document that sets out:

- What the group is planning to do (aims/objectives)
- What powers the group will have in working towards its aims
- Who can join the group and how people join
- How the group will be run (the committee)
- Procedures for selecting the committee and for meetings
- How the group will manage its money (finances)

It is produced when people get together to set up a group for an organisation. It is also developed by existing groups who do not have one or when an existing document is no longer fit for purpose. Changing a constitution after its adoption has to be done through the Annual General Meeting so it is worth taking your time to get it right.

Why do you need a constitution?

Preparing a constitution not only gives everybody involved the opportunity to shape what the group will be doing and agree how to do it, it also:

- Strengthens your organisation, by setting out clear aims.
- Helps you get funding, by showing that your group is organised.
- Saves any disagreements about how the organisation is run, by putting your procedures down on paper.
- Helps you to prepare to apply for Charity registration or similar.

What is included in a constitution?

The key elements, which are usually set out as separate clauses are:

Name

This is the full name of the group or organisation. Groups planning to register as a charity or charitable incorporated organisation need to check with the Charity Commission <http://www.charity-commission.gov.uk/> to ensure no one else has your or a similar name. Groups planning on registering as a limited company need to check the Companies House website <http://companieshouse.gov.uk/>

Area of benefit

This states where the group operates. It may be listed as a town or village however this may be a wider area, ie. Countywide if the groups future plans include rolling out their model into other areas.

Objects

This is a general statement about what the group intends to do. Groups need to consider their working to reflect how they might grow in the future. Groups that plan to become a charity or a charitable incorporated organisation will need to use one of the charity commission's example objects:

www.gov.uk/government/publications/example-charitable-objects

Powers

This lists the powers that a group might need to achieve its aims. Groups need to think about what they might want to do in the future as well as the present. Powers include:

- Raising money
- Opening bank accounts
- Organise activities and events
- Employ staff and volunteers
- Obtain and pay for goods and services to run the group
- Hire, rent or lease premises to carry out your activities
- Taking out insurance
- Working with similar groups by exchanging information and advice
- Do anything lawful to further the aims of the group

Membership

This is a clear statement on who can join the group and the procedure for joining. Consideration needs to be given as to who might not be able to join the group and how to remove a member should they undermine the group. Consideration needs to be given to the voting rights of members.

Some constitutions include the right to charge for membership. It may be that the committee agree a charge of 'nil' however this clause allows the group to charge for membership in the future.

To be charitable everyone within the limits of membership have a right to join. Closed groups are not regarded as charitable.

How the group will be run

This outlines how the group will run and usually states that the group will be administered by a management committee of a minimum of 3 people (chair, secretary and treasurer) and a maximum number, who will be elected at the Annual General Meeting. Usually the length of term they will serve is mentioned and how they can be re-elected. Also mentioned here is the group's ability to set up sub-groups and the procedure for removing a committee member and what would necessitate this.



Reference to all posts being voluntary and no remuneration being paid is standard. In addition constitutions will refer to procedures that will be put in place for employing paid staff. Included is who can appoint, dismiss and fix employees rates of pay and terms and conditions (usually the management committee). It will also state clearly that no paid staff may be a member of the main committee, although staff may be in attendance if invited.

Procedures for meetings this states the different type of meetings and the procedures for each:

General meetings this is a statement outlining how often per year general meetings will be arranged and who will arrange them. General meetings are for all members of the group and in very small groups this can be where decision making takes place. More practically making decisions reside with a management committee which is set up to deal with the day to day running of the group.

Management Committee this is a statement outlining how often per year meetings will be arranged and who will arrange them (usually the secretary). The statement also outlines what quorum is needed to make decisions (a quorum means the minimum number of committee members that need to be present). The procedures for when the committee is divided and who gets the casting vote (usually the Chair) are also included.

Annual General Meeting (AGM) this is a statement outlining the business of an AGM: the quorum needed to make decisions; the votes given to each member (usually 1), the number of days' notice to be given to members to attend (usually 21 days); and what happens if voting is tied and who has the casting vote (usually the chair).

Special General Meeting (SGM) this is where a sufficient number of members feel a meeting of members should be called to discuss a particular issue. It will outline what proportion of membership is required to support this (usually one third or a half).

Financial procedures

This section shows that the group is accountable and has procedures in place for handling money. There is a statement showing that all monies raised will go towards furthering the aims and objectives of the organisation. Specific clauses are included on the role of the treasurer in keeping up-to-date financial records and making financial reports to the rest of the committee.

Procedures for the groups bank account are also stated (usually that a minimum of two authorised signatories are required) as is the arrangements for examining the annual

accounts. Independent examination is fine for smaller organisations and will be considerably less expensive than a full audit of accounts. If organisations become larger and take on Charitable or Company status then audit requirements are set for them by Charitable or Company law.

Dissolution

It is common for a constitution to include provision for what would happen should the group need to be wound up. A statement outlining that any monies or assets would be passed to another group or charitable organisation with similar aims. Dissolution would need to be supported by two thirds of the membership at a meeting called for this purpose.

Next Steps

It is essential that the constitution is formally adopted. Otherwise actions of the group are not legally binding and this can cause all kinds of difficulties.

To adopt a constitution call a meeting of the group giving plenty of notice, give everyone a copy of the constitution beforehand. At the meeting work through the constitution and put any suggested changes to a vote. Make any amendments and get everyone to vote to adopt the constitution. Then get two of your committee members to sign the end of the constitution. This is now adopted. Keep it safe as you will need copies of it to open a bank account, apply for funding etc...

Online Resources

It is recommend that all groups whether small charitable groups, those registering as a charity, charitable incorporated organisations or social enterprises use model documents as provided by the appropriate regulators. The charity commission provides model documents for unincorporated groups, charities, charitable incorporated organisations, and trusts:

www.gov.uk/government/publications/setting-up-a-charity-model-governing-documents

Model documents for community interest companies can be found here:

www.gov.uk/government/publications/community-interest-companies-constitutions

Model documents for setting up a business:

www.gov.uk/topic/company-registration-filing/starting-company



Which Legal Structure?

Once you have a clear idea of what you want to do, you need to consider all the legal structure options available to you. The following factsheet aims to explain the key legal structures available, the advantages and disadvantages of each and their key features to help you decide which is right for you.

1. Unincorporated Association

An unincorporated association is a membership organisation. It can be whatever its members want it to be, and carry out whatever activity the members decide that it should do. This is the easiest, quickest and cheapest way for a group to set itself up. It will be important for you to agree a set of rules (a constitution) setting out what you intend to do and how the association will operate. This is information funders are likely to request. Unless there is a membership fee, you are not obliged to keep a membership list. Anyone who is entitled by your rules to be a member can simply turn up and take part. This structure is suitable for groups such as play schemes, pensioners associations, arts groups and campaigning groups. You do not have to seek approval of any kind before setting up. Nor do you necessarily have to register with any regulatory body.

However, if your group has charitable aims and an annual income above £5,000 per annum you will be legally required to report to the Charity Commission. In addition, depending upon the type of activity that you plan to undertake you may need to register with a regulating authority e.g. the local authority if you are providing childcare or are involved in catering. Talk to your local council or infrastructure group to get more information on the potential need for registration.

You are free to draw up your own democratic constitution setting out the rules by which you will operate. However, you might want to set up as a charity at a later date when you get more established. If this is a possibility, it would be advisable to base your constitution on the guidelines published by the Charity Commission.

Advantages of Unincorporated Association

- Simple, flexible and easy to get up and running, as there is no need to have the constitution agreed by an outside body, unless you are registering as a charity.
- It is cheap to run, e.g. you don't have to submit accounts to an outside body.

- If you have aims that satisfy the Charity Commission guidelines, you can register as a charity and gain advantages such as accessing funding which is available only to charities.

Disadvantages of Unincorporated Association

- When your income exceeds £5,000 you must prepare your accounts in accordance with the rules laid out by the Charity Commission, but you cannot call yourself a charity.
- Some funders may prefer a more formal structure, especially if you are looking for large sums of money.
- Funders often expect the groups that they support to be more accountable and registering as a charity demonstrates your accountability.
- Your group has no separate legal identity - it is a collection of individuals.

Not having a separate legal identity means that your group cannot own property in its own right nor can it enter into contracts. If the group wants to rent premises or employ people, this will have to be done by individuals acting on behalf of the group. This means that those individuals, perhaps members of your management group, will be personally responsible for the group's obligations and debts and are liable if, for example, it is sued!

The fact that this is so flexible and cheap means it is ideal for many small groups but only if you intend to remain small. If you are considering doing something on a larger scale or think you might own a building or employ staff then you need to consider all the alternatives.

Key Features of an UNINCORPORATED ASSOCIATION	
Governing Document:	Constitution
Legal Status:	Has no legal identity
Regulatory Body:	Charity Commission, if for public benefit

Practicalities:

- It is a membership organisation, which means that membership is open to all, and that members have voting rights, separate to the Committee of Management.
- It requires others to lend their legal identity to it, cannot sue or be sued in its own right, cannot enter into contracts.
- It can have a bank account in its own name.
- Exempt from Corporation Tax, enjoys 80% mandatory rate relief, and possibly 20% discretionary rate relief (max £5000 rateable value).

2. Charitable Trust

Charitable trusts are usually set up to manage an asset, either money or property for a charitable purpose. They are run by small groups of people, known as trustees. Trustees can be appointed for life when the trust is set up, or can be changed regularly – you will need to decide this when writing your trust deed.

Trust deeds can be changed after a trust is established but the changes must be agreed and notified to the Charity Commission. Trustees must not receive any remuneration, other than expenses, from the trust or receive any personal benefit from its activities. For example, Trustees can be paid their travel to and from Board Meetings but cannot normally be paid for work they may carry out on behalf of the organisation.

Advantages of Charitable Trust

- It is fairly cheap to establish although you might incur a modest cost in the form of stamp duty to register your trust deed.
- It is fairly simple to set up.
- Funders may find the more formal and stable structure of a charitable trust, compared with an unincorporated association, reassuring. Some funders will only give grants to registered charities.

Disadvantages of Charitable Trust

- You will have to prepare your accounts in accordance with the rules laid out by the Charity Commission.
- A charitable trust is an unincorporated organisation, which means that its trustees are personally liable for its obligations and debts, unless it is also a company limited by guarantee (see below).
- You cannot carry out political or campaigning activities, but your group can have educational aims.

Key Features of a CHARITABLE TRUST	
Governing Document:	Trust Deed
Legal Status:	Has no legal identity
Regulatory Body:	Charity Commission

Practicalities

- It has a closed membership; the members are also the Management Committee.
- It requires others to lend their legal identity to it, cannot sue or be sued in its own right, cannot enter into contracts.
- It can have a bank account in its own name.
- Exempt from Corporation Tax, enjoys 80% mandatory rate relief, and possibly 20% discretionary rate relief (max £5000 rateable value).

3. Charitable Company

There are two types of Limited Company:

Company limited by guarantee - There are no shareholders and any surplus is reinvested in the company. This type is recommended by the Charity Commission.

Company limited by share - This type of company is more usually found in the commercial sector, where its members (shareholders) are investing money in the hope of gaining a profit. However, there are some organisations in the community which are set up as companies limited by shares.

In law, a limited company is considered to be a legal person/entity, it can therefore own land or enter into contracts. The directors are agents of the company and are not personally liable for its debts.

A charitable company is an incorporated organisation which has a legal identity separate from its members. It is both a charity registered with the Charity Commission and a company registered with Companies House. Charitable companies demonstrate, through their Memorandum & Articles of Association (their governing document) that they are accountable to the community and charitable in their aims. The directors of a Charitable Company are also its trustees and perform the role of the management committee.

Advantages of Charitable Company

- The company can take on legal obligations and buy property in its own name. It is therefore suitable for a larger organisation which has significant assets or liabilities arising from the ownership of property and equipment, the management of substantial contracts or the employment of more than a few staff.
- The legal liability of members is limited; this limit extends to Directors if they have acted prudently (i.e. managed the activities with care).

- Many funders regard this structure as more stable, as they know the company will continue to exist even if there is a change of people involved. This increases your chances of success if you are applying for larger sums of money. Some funders will give grants only to registered charities.
- The company is exempt from Corporation Tax.

Disadvantages of Charitable Company

- There are more documents involved so forming a company and a registered charity can be time consuming and relatively expensive to set up.
- The cost of complying with the legal requirements relating to financial and company reporting can be significant e.g. it will be necessary to meet the costs of independent audit.
- Trustees/Directors cannot normally be paid.
- The organisation is regulated by both the Charity Commission and Companies House. You will have to notify both of changes in directors/trustees and submit annual reports and accounts in a particular form.
- There are restrictions on trading, so it may be necessary to set up a „trading arm“.
- A Company Charity cannot have political or campaigning aims, but you can have educational ones.

Model Memorandum & Articles of Association are available from the Charity Commission at www.charitycommission.gov.uk If you decide to depart from these you may need to seek legal advice.

Key Features of a CHARITABLE COMPANY	
Governing Document:	Articles of Association
Legal Status:	Has a legal identity
Regulatory Body:	Charity Commission & Companies House

Key Features of a CHARITABLE COMPANY

Governing Document: Articles of Association
 Legal Status: Has a legal identity
 Regulatory Body: Charity Commission & Companies House

Practicalities

- It needs at least one natural (living and breathing) person to be on the Board.
- It needs to conform to Charity Commission and Companies House, dual registration.

- Exempt from Corporation Tax, enjoys 80% mandatory rate relief, and possibly 20% discretionary rate relief (max £5000 rateable value)

4. Charitable Incorporated Organisations (CIO)

Charitable Incorporated Organisations (CIOs) were created by the Charities Act 2006 that came into force at the beginning of 2013. It gives a charity the main advantages of a company charity – a legal personality and limited liability – but without the dual regulation of Companies House and the Charity Commission.

Charitable Incorporated Organisations are registered with and regulated by the Charity Commission. The Charity Commission have produced model constitutions for “Foundation CIOs” where the voting members are the same as the trustees and “Association CIOs” where there is a wider membership. They are simpler than the governing document of a company charity. It is relatively straight forward to convert an existing company charity into a CIO. There is also a procedure to change the structure of an unincorporated association into a CIO.

Advantages of Charitable Incorporated Organisations

- The company can take on legal obligations and buy property in its own name. It is therefore suitable for a larger organisation which has significant assets or liabilities arising from the ownership of property and equipment, the management of substantial contracts or the employment of more than a few staff.
- The legal liability of members is limited; this limit extends to Trustees if they have acted prudently.
- Establishing a CIO and the subsequent reporting of annual accounts should be simpler and cheaper, in particular for smaller organisations as there is only one accountable body to report to.

Disadvantages of Charitable Incorporated Organisations

- The organisation does not exist until it has been accepted for registration by the Charity Commission.
- It is a new type of legal structure so people are not familiar with it.

Key Features of a CHARITABLE INCORPORATED ORGANISATION (CIO)	
Governing Document:	Constitution
Legal Status:	Has a legal identity
Regulatory Body:	Charity Commission

Practicalities

- It needs at least one natural person to be on the Board.
- It needs a principal office in England/Wales
- There are two types; the Foundation model has the same voting members and charity trustees; the Association model has a wider membership and includes members who are not trustees.
- It can have a bank account in its own name.
- Exempt from Corporation Tax, enjoys 80% mandatory rate relief, and possibly 20% discretionary rate relief (max £5000 rateable value).

5. Community Interest Company (CIC)

Community Interest Companies (CIC) are a type of limited liability company intended specifically for those who wish to operate for the benefit of the community rather than for the benefit of the company owners (shareholders). A CIC is an incorporated organisation which has a legal identity separate from its members. It has to conform to company and insolvency law in the same way as other UK companies, although CICs have their own specific Company Law regime. CICs can be companies limited by shares or by guarantee and can be listed companies.

They must have an “asset lock” to prevent assets being distributed, e.g. to shareholders, except as permitted by legislation, they are also required to satisfy a community interest test. Profits and assets are retained within the CIC for community purposes, but they can also be transferred to another similar organisation such as another CIC or a charity, for example if the CIC is dissolved. A CIC cannot itself have charitable status. Corporation Tax will be chargeable on any trading profits (though it will be a question of fact whether or not a particular CIC is trading) and on its investment income and gains. It is eligible for any reliefs which are available to all companies but there are no CIC specific tax exemptions/reliefs available.

Advantages of Community Interest Company

- The company can take on legal obligations and buy property in its own name. It is therefore suitable for a larger organisation which has significant assets or liabilities arising from the ownership of property and equipment, the management of substantial contracts or the employment of more than a few staff.
- There are fewer trading restrictions.
- Company Directors can be paid.

- The legal liability of members is limited; this limit extends to Directors if they have acted prudently.
- There is only one accountable body.

Disadvantages of Community Interest Company

- A CIC cannot itself have charitable status.
- Not all funders fund CIC's.
- Corporation Tax is payable on profits.

Key Features of a COMMUNITY INTEREST COMPANY	
Governing Document:	Articles of Association
Legal Status:	Has a legal identity
Regulatory Body:	Companies House

Practicalities

- It needs at least one natural person to be on the Board.
- It needs to conform only to Companies House.
- Subject to Corporation Tax on profits, and enjoys up to 67% rate relief on business rates max £5000 rateable value, up to 50% over £5000 rateable value.

6. Co-operative Society

Co-operative societies are businesses which operate for the mutual benefit of the members, with the benefits they receive coming from their participation in the activities. Members have equal control, the principle of 'one man, one vote' is fundamental.

Where profits are given out amongst the members, they are distributed in relation to the extent members have either traded with the society or taken part in the society's business. Membership cannot be restricted to increase the value of any rights and interests. The aim is to ensure a genuine community of interest amongst a society's members.

Advantages of Co-operative Society

- Members have equal control of the organisation.
- Profit distribution relates to the activities of the member.
- There is only one accountable body.

Disadvantages of Co-operative Society

- Not all funders fund Co-operatives.
- Only suitable where members want to actively take part in a joint venture.
- Corporation tax is payable.

Key Features of a CO-OPERATIVE SOCIETY	
Governing Document:	Rules
Legal Status:	Has a legal identity
Regulatory Body:	Financial Conduct Authority (FCA) or the Prudential Regulation Authority (PRA)

Practicalities

- It needs at least one natural person to be on the Board.
- It needs to conform to FCA or PRA (regulation changed in April 2013).
- Subject to Corporation Tax on profits, and enjoys up to 67% rate relief on business rates max £5000 rateable value, up to 50% over £5000 rateable value.

7. Community Benefit Society

Community Benefit Societies are businesses or financial services run 'for the benefit of the community'. They must demonstrate that the organisation is run primarily for the benefit of people who are not members. Profits should be ploughed back into the business and cannot be distributed to members. There must be special reasons for registering as a Ben Com rather than as a company e.g. extensive trading where profits are to go to the community.

Advantages of Community Benefit Society

- Trading can be a primary objective.
- Profits have to be used for the benefit of the community.
- There is only one accountable body.
- The company is exempt from Corporation Tax.

Disadvantages of Community Benefit Society

- Not all funders fund Ben Coms.
- There must be a good reason why a Charitable Company structure has not been established.

Key Features of a COMMUNITY BENEFIT SOCIETY	
Governing Document:	Rules
Legal Status:	Has a legal identity
Regulatory Body:	Financial Conduct Authority (FCA) or the Prudential Regulation Authority (PRA)

Practicalities

- It needs at least one natural person to be on the Board.
- It needs to conform to FCA or PRA (regulation changed in April 2013).
- Exempt from Corporation Tax, enjoys 80% mandatory rate relief, and possibly 20% discretionary rate relief (max £5000 rateable value)

Further information about the Financial Conduct Authority is available at www.fca.org.uk and the Prudential Regulation Authority at www.bankofengland.co.uk

Next Steps

No matter which legal structure you choose, you must draw up a set of rules stating how your group will work (known as the governing document). Each structure will require the preparation of a different type of governing document, and has different reporting requirements.

As the members of the management group will be responsible for the organisation, they must understand their duties and all the legal implications before the final decision is made.

www.gov.uk/government/publications/setting-up-a-charity-model-governing-documents

Further Support and Information

More specific and in depth advice and information can be accessed through DCA's advice and guidance, and consultancy services:

- Training courses
- 1 to 1 action planning
- 1 to 1 advice with supported toolkits
- Bespoke services

To access these services please contact: info@dorsetcommunityaction.org.uk or call 01305 250921



Trustees Roles and Responsibilities

What is a Trustee?

The Charity Commission define a trustee as follows:

Charity trustees are the people who serve on the governing body of a charity. They may be known as trustees, directors, board members, governors or committee members. The principles and main duties are the same in all cases.

It is quite common to hear the word 'trustee' used to cover all these different names for those serving on governing bodies or committees – these organisations are not necessarily charities.

Charity trustees are responsible for the general control and management of the administration of a charity.

The different titles depend on the type of structure and organisation. eg. Director is used for the trustee or an incorporated organisation – a company (this would include charitable companies).

Key points about Trustees

Trustees are:

- Full voting members of the board or governing body
- Entrusted with the assets (money, property, equipment of the organisation)
- Operate within a formal set of rules – the governing document
- Trustees often delegate day to day tasks to staff or members.

Trustees and their responsibilities

Charity Trustees are the people who serve on the governing body of a charity. The Charity Commission summarises the responsibilities of trustees as follows:

Trustees have and must accept ultimate responsibility for directing the affairs of a charity, and ensuring that it is solvent, well-run and delivering the charitable outcomes for the benefit of the public for which it has been set up.

Compliance – Trustees must:

1. Ensure that the charity complies with charity law, and with the requirements of the Charity Commission as regulator, in particular ensure that the charity prepares reports on what it has achieved and Annual Returns and accounts as required by law.

2. Ensure that the charity does not breach any of the requirements or rules set out in its governing document and that it remains true to the charitable purpose and objects set out there.
3. Comply with the requirements of other legislation and other regulators (if any) which govern the activities of the charity.
4. Act with integrity, and avoid any personal conflicts of interest or misuse of charity funds or assets.

Duty of prudence – Trustees must:

1. Ensure that the charity is and will remain solvent.
2. Use charitable funds and assets reasonable, and only in furtherance of the charity's objects.
3. Avoid undertaking activities that might place the charity's endowment, funds, assets or reputation at undue risk.
4. Take special care when investing the funds of the charity, borrowing funds for the charity to use.

Duty of care – Trustees must:

1. Use reasonable care and skill in their work as trustees, using their personal skills and experience as needed to ensure that the charity is well run and efficient.
2. Consider getting external professional advice on all matters where there may be material risk to the charity, or where the trustees may be in breach of their duties.

Key Roles

There are a number of key roles that trustees can have. In addition to their usual trustee responsibilities. Below is a brief description of these roles and how they should function.

Chair

- Manages the board meetings
- Liaises with secretary and treasurer
- Reports at AGM
- Ensures tasks are shared out and completed

Treasurer

- Oversees the organisation's financial management
- Presents accounts to the board and to the AGM
- Ensures money is collected and bills are paid quickly

Secretary

- Liaises with the Chair on preparing for board meetings and the AGM
- Prepared minutes and manages paperwork
- Ensures people turn up!

What is a board?

The board or governing body, is the group of people with overall responsibility for the organisation. You will often hear the word 'board' used to include all types of committees and boards.

Responsibilities of the Board

The board, as a group, have responsibilities to work together in the best interests of the charity. The board should:

- Make sure the organisation does what it was set up to do.
 - Be clear about the essential purpose and values of the organisation.
 - Set the direction of the organisation through business & strategic planning.
- Operate within the law and minimise risk
 - Make sure relevant policies & procedures, insurance etc are in place.
- Be held to account for decisions
 - Prepare annual accounts and reports
 - Hold an annual general meeting
 - Keep people informed (this could include members, funders, staff, volunteers).
- Manage the organisation's finances and protect its assets
 - Put in place financial management arrangements and monitor them
 - Fundraise and develop an income strategy
 - Be clear about the assets of the charity, their use and look after them (assets include money, buildings, equipment, land, people)
- Make sure the board operates effectively
 - The board should have a mix of skills across trustees
 - Trustees should have access to training (particularly new trustees)
 - Trustees should be clear about their role and responsibilities
 - Trustee recruitment should be carefully considered and planned

If you are a Trustee you might be interested in joining DCA's [Trustee Club](#) where you can discuss governance and Trustee issues affecting you.

Online Resources

National Council for Voluntary Organisations - www.ncvo-vol.org.uk

Charity Commission - <https://www.gov.uk/government/organisations/charity-commission>

Governance code - www.governancecode.org

Community Matters - www.communitymatters.org.uk

Companies House - <https://www.gov.uk/government/organisations/companies-house>



The Importance of Carrying Out a Board Appraisal

Benefits	To organisation	To board	To individual directors
Leadership	<ul style="list-style-type: none"> • Sets the performance tone and culture of the organisation. • Role model for CEO and senior management team 	<ul style="list-style-type: none"> • An effective chairperson utilising a board evaluation demonstrates leadership to the rest of the board. • Demonstrates long-term focus of the board • Leadership behaviours agreed and encouraged. 	<ul style="list-style-type: none"> • Demonstrates commitment to improvement at individual level.
Role clarity	<ul style="list-style-type: none"> • Enables clear distinction between the roles of the CIO, management and the board • Enables appropriate delegation principles. 	<ul style="list-style-type: none"> • Clarifies director and committee roles. • Sets a board norm for roles 	<ul style="list-style-type: none"> • Clarifies duties of individual directors. • Clarifies expectations.
Teamwork	<ul style="list-style-type: none"> • Builds board/CEO/management relationships 	<ul style="list-style-type: none"> • Builds trust between board members, • Encourages active participation. • Develops commitment and sense of ownership. 	<ul style="list-style-type: none"> • Encourages individual director involvement. • Develops commitment and sense of ownership. • Clarifies expectations.
Accountability	<ul style="list-style-type: none"> • Improved stakeholder relationships. • Improved corporate governance standards. • Clarifies delegations. 	<ul style="list-style-type: none"> • Focuses board attention on duties to stakeholders. • Ensures board is appropriately monitoring organisation. 	<ul style="list-style-type: none"> • Ensures directors understand their legal duties and responsibilities. • Sets performance expectations for individual board members.
Decision making	<ul style="list-style-type: none"> • Clarifying strategic focus and corporate goals. • Improves organisational decision-making. 	<ul style="list-style-type: none"> • Clarifying strategic focus. • Aids in the identification of skills gaps on the boards decision making ability. 	<ul style="list-style-type: none"> • Identifies areas where director skills need development. • Identifies areas where the director's skills can be better utilised.
Communication	<ul style="list-style-type: none"> • Improves stakeholder relationships. • Improves board-management relationships. • Improved board-CEO relationships. 	<ul style="list-style-type: none"> • Improves board management relationships. • Builds trust between board members. 	<ul style="list-style-type: none"> • Builds personal relationships between individual directors.
Board operations	<ul style="list-style-type: none"> • Ensures an appropriate top-level policy framework exists to guide the organisation. 	<ul style="list-style-type: none"> • More efficient meetings. • Better time management. 	<ul style="list-style-type: none"> • Saves directors' time. • Increases effectiveness of individual contributors.

Safeguarding

Six areas of activity

The Charity Commission reference 10 principles, and gives additional descriptions of what they expect to see. These are the six main areas of activity.

Understanding and managing the risks

- You must understand, manage, record and review the safeguarding risks in your organisation, thinking about everyone you come into contact with.
- Do you know the types of harm, abuse and neglect that are most likely to affect people your organisation comes into contact with?
- Do you know which people you come into contact with are most at risk?
- Do you understand the term 'adults at risk'?
- Are safeguarding risks recorded in your risk register?
- How often does the board review whether procedures in place to reduce risk are working well?

Policies and procedures

You must have the right policies and procedures for safeguarding in your organisation. You need to make them public, make sure they are used and you must review them regularly.

- Do you know what your safeguarding policy and procedures say? Are you confident they provide for both adults at risk and children (often in separate documents)?
- Do you know how the public can find your policy and procedures? Are they online?
- Does the board review the policy once a year?
- Do you feel confident that all staff, volunteers and people you work with understand your safeguarding policy and procedures?
- The policies and procedures page has information about the policies and procedures you need and links to writing guides.

Making safeguarding a priority

You need to make sure that safeguarding is a key priority for your organisation as part of good governance. This includes having the right roles in place and adopting the right practices.

- Do you know who the designated safeguarding lead for the organisation is?
- Do you have a lead trustee for safeguarding? Do you make sure they are not left to deal with safeguarding on their own? Do you feel confident you understand enough to challenge or support their advice?
- Do you receive regular safeguarding reports as a board?
- Do you make safeguarding decisions collectively as a board?
- Do you have a code of conduct? Does everyone know where to find it?
- Do you follow the code of conduct, and model the behaviour it sets out for others?

Supporting your staff and volunteers

You must understand when it is appropriate and legal to carry out background checks on your staff and volunteers. Where it is not appropriate to take these checks, you must put other measures in place to ensure they carry out their roles safely. You must also make sure staff and volunteers have appropriate training and you should regularly review the training you offer.

- Are you confident that someone in your organisation understands the law relating to taking Disclosure and Barring Service (DBS) checks on staff and volunteers?
- Are you confident the organisation has good procedures in place to recruit staff and volunteers more safely, and then to support them as they start their roles?
- Does the board review the safeguarding training you offer to your staff and volunteers at least once a year?

Handling and reporting concerns

Everyone involved in your organisation should understand how to recognise, respond to, record and report a safeguarding concern.

- Do you know your organisation's safeguarding reporting procedures?
- Are the reporting procedures well known among staff, volunteers and others in contact with the charity?
- Are you confident that they are in line with expectations of your local authority adult safeguarding board and children's safeguarding board or partnership?

The Charity Commission requires any registered charity to report 'serious incidents'. The responsibility for reporting serious incidents rests with the charity's trustees so you must understand it, even if it is delegated to someone else, such as an employee or the charity's professional advisers.

- Does your organisations reporting procedures include reporting an incident to the Charity Commission?
- Do you have clear procedures for delegated authority for reporting to the Charity Commission?
- Does your organisation's reporting procedure cover situations where you need to report an incident to other regulators such as the Disclosure and Barring Service?

Your culture and values

You must make sure all trustees, staff, volunteers and people you work with understand safeguarding and their right to be safe. Everyone should know how to speak up and feel comfortable raising concerns. You must review whether you have got this right, and make changes if not.

- Do you get safeguarding concerns raised? If you never have any, this can be an indication that your policies may not be strong enough for people to speak up.
- Do you have posters, cards, web pages or other ways of making sure everyone knows about their right to be safe?
- Do you seek feedback from staff and volunteers and the people you work with on whether your safeguarding policies work?

Everybody has the right to be safe no matter who they are or what their circumstances.

- Safeguarding is about protecting children, young people and vulnerable adults from abuse or neglect.
- We are all responsible. We must ensure that we are doing all we can to protect the most vulnerable members of our society.

Support for developing your safeguarding policy:-

[Dorset Safeguarding Children Board](#)

[NSPCC](#)

[–Safeguarding tool](#)

[–Help with writing a Safeguarding policy & template](#)

[Safe Network \(2013\) - Are they safe?](#)

[Dorset Safeguarding Adults Board](#)

[Social Care institute for Excellence](#)

[Skills for Care](#)

Prevent

- Part of the United Kingdom’s counter terrorism strategy
- Preventing people from becoming involved in terrorism or supporting terrorism
- Prevent is SAFEGUARDING
- Prevent works in the Pre Criminal Space

Prevent – Sharing your Concern

- Discuss your concern with a manager or trusted person.
- Email or ring to discuss your concern:-

Christchurch & East Dorset:

safeguarding@christchurchandeastdorset.gov.uk

Your Prevent lead is Julia Howlett, Senior Community Safety Officer Christchurch & East Dorset. 01202 795198 jhowlett@christchurchandeastdorset.gov.uk

Dorset-Wide: sru@dorset.pnn.police.uk

Other relevant Policies

- Recruitment, induction & training
- Health and safety
- Recording and information sharing
- Lone working
- Complaints
- Whistleblowing
- Code of conduct for staff, volunteers and trustees

DBS – an overview

Check someone's criminal record if they apply for certain jobs.

- Who to check?
- What check to have?

Considerations

- Organisations responsibility
- Legal considerations
- Costs

Further Support for DBS

[Volunteer Centre Dorset](#)

[Disclosure and Barring Service](#)

[DBS Update Service employers guide](#)

[SAFE CIC](#)

–[DBS Links, reference and guidance](#)

–[SAFEcic DBS Eligibility Handiguide](#)

Procedures

Describe how each policy will be put into action.

The procedure should state:-

- Who will do what.
- What steps they need to take.
- Which forms or documents to use.

Review of Key points

- Definition
- Good practice
- Principles
- When to raise a concern
- How to report abuse – suspected, witnessed or disclosed
- Contacts
- Training



Health & Safety



**DORSET & WILTSHIRE
FIRE AND RESCUE**

USEFUL GUIDANCE – Community buildings

Guide to setting out non fixed seating (Working Environments Furniture Ltd)

<https://www.workingenvironmentsfurniture.co.uk/sites/default/files/A%20Guide%20To%20Setting%20Out%20Non%20Fixed%20Seating%20%2009%2014%20FINAL.pdf>

Fire Safety for Traditional Church Buildings (IFE / Historic England)

<https://historicengland.org.uk/images-books/publications/fire-safety-for-traditional-church-buildings/fire-safety-traditional-church-buildings/>

Fire safety in community buildings – Info sheet 37 (ACRE)

http://inkpenvillagehall.org/wp-content/uploads/2014/07/VHIS_37Fire-Safety.pdf

Health and safety checklist for village and community halls (HSE)

<http://www.hse.gov.uk/voluntary/assets/docs/village-hall.pdf>

Fire Safety Log Book and Template Fire Risk Assessment (Dorset & Wiltshire Fire and Rescue Service)

<https://www.dwfire.org.uk/business-fire-safety/how-the-law-applies-to-you/routine-maintenance/>

<https://www.dwfire.org.uk/business-fire-safety/how-the-law-applies-to-you/further-guidance-on-risk-assessments/>

Guide to fire safety risk assessment – Small and medium places of assembly (CLG)

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-small-and-medium-places-of-assembly>

Guide to fire safety risk assessment – Means of escape for disabled people (CLG)

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-means-of-escape-for-disabled-people>



What are Policies & Procedures?

Policies and procedures set out how your organisation should be run.

As a minimum you must:

- Ensure you understand and comply with the law and any legal requirements
- Ensure the assets are only used to achieve the organisation's objectives
- Comply with your governing document

Why do we need policies & procedures?

Good policies and procedures will

- Inform decision making and give the board confidence
- Set good financial and management controls
- Identify risk and help manage risk and liability

The best way of managing risk is to have good policies and procedures.

The specific policies and procedures needed will vary from organisation to organisation.

What are the legal and regulatory requirements?

Make sure you know your own organisation's legal structure and the regulatory and legal requirements associated with its structure and what it does. These may include:

- Charity law - Charity Commission
- Company law - Companies House and the Community Interest Company (CIC) Regulator
- Employment law
- Health and safety regulations
- Data protection legislation
- Equality legislation
- Legislation applying to particular activities eg fundraising, safeguarding (protecting children or vulnerable adults) etc.

What policies & procedures might we need?

To run your organisation you may need policies and procedures on:

- Volunteering
- ICT
- Finance
- Risk and assets
- Complaints
- Fundraising
- Campaigning

You should also consider having policies and procedures to help you govern the trustee board, covering for example:

- Conflicts of interest
- Register of interests
- Terms of reference for sub-committees
- Trustee expenses
- Code of conduct for trustees
- Board appraisal
- Skills audit
- Dealing with the media

As a minimum you should consider having: health and safety, equality and diversity, safeguarding and financial management policies. If you are unsure take advice.

Next Steps

Having a policy or statement of intent is not enough:-

- Get ownership from the rest of the trustee board.
- Involve your members and user groups.
- Include policies and procedures in your new trustee, volunteer or staff induction.
- Review it regularly and include the date it was produced and reviewed.
- Appoint board members to be responsible for keeping up to date with any regulatory changes.
- Appoint a health and safety, equality and safeguarding officer – an informed point of contact who is able to deal with an issue as it arises.
- Policies and procedures are best developed by yourselves for your own organisation.

Online Resources

Health and Safety Executive www.hse.gov.uk

Children England www.childrenengland.org.uk

Dorset County Council (safeguarding) www.dorsetforyou.gov.uk

Get Legal www.getlegal.org.uk

National Council for Voluntary Organisations

<https://knowhownonprofit.org/leadership/governance>

Summary

Policies and procedures show how your organisation will run in all areas effecting its operations. These include legislative and regulatory considerations. All policies need to be owned and adopted by the board. Your minutes will need to reflect when a policy was updated and when it needs to be reviewed and by whom.



About Dorset Community Action

We're a charity that exists to support charities, voluntary groups and social enterprises across the Dorset community. Our mission is to bring people together to develop community based solutions that deliver better services for the benefit of all. We support new and established groups and projects through 1:1 advice, tailored consultancy and group-based training to enable them to be successful and financially sustainable. We also facilitate networking and peer support through our events, promote VCSE sector/funding news and invite collaboration between the VCSE sector and Statutory bodies, partners and stakeholders.

Our principles

- Local need at the heart of Community Action – providing services where a local need is clearly identified
- Inclusion of those most disadvantaged – actively encouraging and involving people and groups who are most often excluded
- Empowerment of local people and groups – to develop their own solutions to the challenges they face
- Independence to challenge for good – enabling advocacy on behalf of local people and groups
- Partnership as a positive way forward – collaborating with local people, groups, and stakeholders to find the best local solutions

How we can help you

If you need any of our services complete the form at ['Request an Advisor'](#). One of our specialist Community Advisors will then contact you to discuss.

Consultancy

We provide consultancy and bespoke training for organisations and groups that need in-depth tailored advice and guidance to enable them to be self-sufficient, sustainable and successful. We cover all areas from funding applications, establishing correct organisational infrastructure and recruitment of staff, volunteers and trustees. If you would like to find out more or discuss your requirements then please complete our 'Request an Advisor' form at the top of the page. Our charge for consultancy is £45+VAT per hour for members and £50+VAT per hour for non-members. Also please read our [Customer Service standards document](#) for your information.

Training and Events

We run a range of networking and training events across Dorset, many of which are free, designed to establish strong community links and provide skills and knowledge for your group or organisation. Attendees benefit from sharing local knowledge and the support of other community groups. We often host guest experts in areas such as Cyber Security, National Lottery Funding and Social Media use. To be the first to hear about upcoming events then sign up to ['Become a Member'](#).