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Foreword

This highly successful book, first published in 1993, is now in its third edition. The fact that this has been necessary shows that it has satisfied a need. Many books are published that are written for professionals but the uniqueness of this book is that it is especially useful and has been designed for the lay person as well as the professional. Whilst many volunteers have the skills and knowledge necessary to manage their community buildings successfully this is a good book which both they and others new to all the requirements of the multitude of laws and regulations can turn to for the information they need.

Laws and regulations are constantly changing and for many people the legislation is complex and difficult to understand. This book aims to take the complexity out of the information necessary for the successful management of a community building and the activities which take place in it and make it easily understood. We have recently seen changes to:

- Employment Law and Regulations
- Data Protection Act
- Disability Discrimination Act

The cautionary tales are useful examples of things that can go wrong, not because people want to break the law, but through lack of knowledge. Although publications exist which supply the information, they are written in such a way that it requires knowledge of legal terminology to understand them. This book avoids this problem and is written in a way which is free of jargon.

In my work both as a professional and a volunteer I have found it invaluable. I would recommend that all members of a management committee and those involved in the running of the community building familiarise themselves with its contents.

Dora Maple
Community Consultant

Acknowledgements

In this third edition of *Managing Your Community Building*, our aim has been to retain the accessible design and approach of the first two editions, while updating and adding to the contents.

We continue to be grateful to the original author, Peter Hudson, and the editorial group, chaired by Barrie Thompson, which supported him, and to the design team of Andrew Haig and Geoff Haddon.

We are tremendously indebted to Jacki Reason, who skilfully and efficiently edited the second edition, and has now done justice to the third edition, incorporating changes both large and small, while adding new areas which have taken effect since 1998. In that work she has been ably assisted by Veronica Karrinton and Diana Hopkins.

We acknowledge the support of Dora Maple, who has been a constant source of support, and for writing the foreword to this edition. Finally we acknowledge our readers, whose enthusiasm for the book has encouraged us to proceed with this third edition, and who we hope will appreciate it as much as its predecessors.

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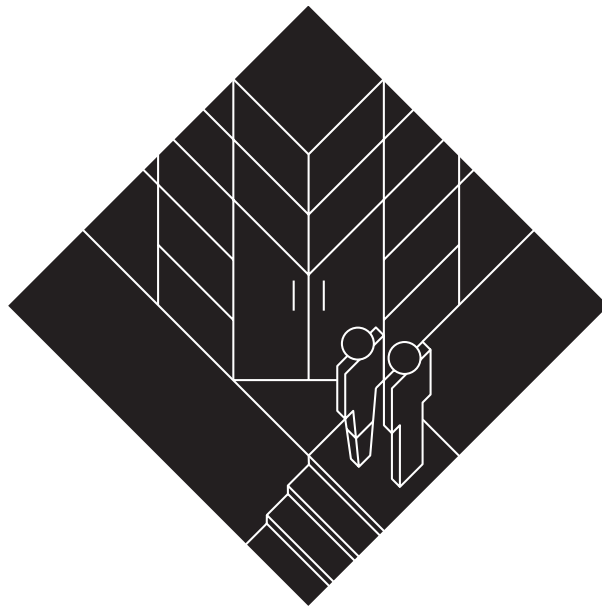


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Introduction



WHAT IS A COMMUNITY BUILDING?

All over the country there are countless numbers of buildings in which some kind of community activity is taking place. They have all sorts of different names. Many of them are simply called Community Centres. Thousands more are called Village Halls. Then there are Settlements and other kinds of Social Action Centres. Clearly many churches, synagogues and mosques use their buildings for community activity as distinct from religious activity.

There are grand, purpose-built, architect-designed affairs which make most of us, understandably, very envious. There are ramshackle old houses. There are humble Nissen huts and portakabins, converted crypts and schools and even old factories. The size, style, age, shape and suitability of the great variety of community buildings are a remarkable testimony to the community spirit, enthusiasm, concern and ingenuity of the thousands of people who run them, who are as varied in background, interests and abilities as the buildings themselves.

These community buildings have an equally wide range of activities going on in them. Some are devoted to social activities – clubs and meeting places for different sections of the community. Many have bars and many do not. Some are more concerned with social welfare and citizens' advice. Others are educational with classes in a whole range of subjects. Some are cultural, encouraging and promoting plays and music and dancing from a range of ethnic and cultural backgrounds as rich and diverse as the people of Britain themselves. Some are single purpose and some have a range of activities. Some have activities entirely run by those responsible for managing the building, some simply rent the building out to other groups to run their own activities and events, and some do both.

Some community buildings are managed directly by local authorities, but the majority are to some degree at least the responsibility of a community association or other voluntary management committee.

WHO IS 'MANAGING YOUR COMMUNITY BUILDING' FOR?

This book is primarily aimed at the voluntary managers of community buildings. That is not to say that your paid staff, if you have them, will not also find it useful. You, the managers, are the ones responsible for all aspects of the building and most of you do not have staff.

You may have been running a community building for years and have acquired lots of experience or you may be very new to the business. In some cases you may be so new as not even to have a community building yet – you may be trying to establish one. Whatever the case it is hoped that there is something in this book for you.

A salutary lesson for me in researching this book, as one who has, in one way or another, been a manager of a community building for more than twenty years, is to discover how much I did not know! So whether you think you know it all or know that you know very little this book should be of value.

VOLUNTEERS

The people who run these thousands of community buildings, whilst of infinite diversity in terms of background, education, class and culture, all have at least one thing in common – they are volunteers and give freely of their time to help develop a sense of community and provide services of a human and friendly nature. Some, but by no means most, employ staff to carry out some of their activities. It may be only a cleaner in many cases whilst in others there is a paid co-ordinator, perhaps a youth worker. In a few there are quite a lot of staff. This has many advantages but also brings extra responsibilities to the voluntary managers, who employ them.

Whether you employ staff or not *you* as the managers of the building are voluntary and so are many of the other people involved with your organisation. Never forget this but rather take active steps to be positive about all volunteers. This book aims to help you identify clear roles for them, be as careful about recruiting volunteers as you are about recruiting any one else, and support them so that they feel appreciated and can continue to contribute to the life of the community building for a considerable period.

Volunteers are amongst the most valuable assets you have: treat them as such. But being a volunteer does not mean that you are not subject to the common will and can do things just how you like. The laws of the land apply to you just as much as anyone else as do the rules of good practice.

THE NEED FOR REGULAR TRAINING AND UPDATING

The usual situation with regard to managers of community buildings is that there is a steady turnover of personnel. Indeed it could be said that this is as it should be so that the life of the community building is open to the life of the community. A consequence of this, however, is that you are constantly losing people with experience and gaining people without experience. There is really only one sensible way to combat this: regular training and information sessions for all management committee members. As part of this approach it is sensible to have regular planning meetings and to develop clear and well documented policies on how a whole range of matters are to be dealt with. Training and updating should be a regular item on the Management Committee agenda and a specific induction information pack for new members should be devised and kept up-to-date. More particular reference is made to this in the main body of the book. The need for regular training cannot be stressed too much. I hope *Managing Your Community Building* helps you with this.

CHARITY AND FINANCE MATTERS

The majority of organisations running community buildings are charitable and most charities have an obligation to register with the Charity Commissioners (see page 13). Charity law has recently been revised and consolidated and is now covered by the Charities Acts, 1992 and 1993. Obligations under the Acts are set out in chapter 2 – *Constitutional and Organisational Matters* – and chapter 4 – *Finance*. The 1992 and 1993 Acts heightened awareness of existing responsibilities of charities and charity trustees (ie members of their management committees).

Many people concerned with community buildings and the activities that go on in and around them have no interest in how they are financed and

how the finances are managed. Their main concern is the service to the community and they are happy to let others deal with the money. This is a position that is becoming less and less tenable: money is scarce, good treasurers are not easy to find, and even if you have a good treasurer the responsibility for good financial management lies with the whole committee. The Charities Act, 1993 serves as a timely reminder of this. It is strongly advocated, therefore, that the handling of financial matters is not left to the treasurer but an active approach to finance is taken by the whole committee. Detailed budgeting and financial monitoring will be of tremendous help affecting the whole of the community building. So you are especially exhorted to give special attention to chapter 4 – *Finance*.

THE SOURCES, FORMAT, STRUCTURE AND ASSUMPTIONS OF THE BOOK

The book attempts to cover all the major topics which have to do with running a community building. It covers constitutional issues, finances, staffing, licences, maintenance and a host of others. The last chapter talks about *Reaching Out* from the building itself in an attempt to ensure that you are constantly in touch with the changing needs of the people you serve.

Much of the book is about good practice and applies throughout the UK (and beyond). Where the text relates to legislation, however, it refers to England and Wales. The law may vary in other parts of the UK, and you should therefore check the position.

The book has come about as a result of Community Matters, the largest national network of multi-purpose community organisations, wanting to put together all its wealth of information and experience about managing community buildings in one publication. Community Matters also publishes a full range of more detailed information on many of the topics covered here. The most relevant ones are listed, chapter by chapter, in the *further reading* sections. Much of this information is contained in single topic information sheets which can be bought from Community Matters at a modest charge or are available free to member organisations.

There is lots of other specialised information available and this too is listed in the appropriate place throughout the book. There is no way that it can be summarised here and you must decide which other books, if any, you could benefit from. Two books do, however, stick out as being particularly useful and you could consider getting access to them or even buying your own copy. The first is *Voluntary But Not Amateur* published by London Voluntary Service Council, and the other is *Croner's Management of Voluntary Organisations* published by Croner Publications. Publishers' addresses appear on page 180.

There is a lot of legislation that affects the running of community buildings and, wherever appropriate, the names of the laws concerned are given in the text so that you can go to the source if you feel you need to. Similarly there is a detailed and comprehensive book-list at the end of each chapter so that you can discover more specialist information on a topic if need be. It is a basic assumption of the book that it is always sensible to seek further information and advice if you have any remaining doubt about anything to do with your building and its management. Whilst every effort has been made to be as comprehensive and as up-to-date as possible, the book cannot give, and does not claim to give the definitive answer on everything you need to know or give a full statement of the law. It can, and I hope does, give you a pretty good amount of information on the vast majority of key areas affecting the management of your community building.

Another fundamental assumption of the book is that there are three important principles involved in running community buildings, that will stand you

in good stead in just about all you have to do in connection with the building. They can be stated as simple maxims:

- aim for clarity in all you do!
- use common sense at all times!
- if in the slightest doubt, check it out!

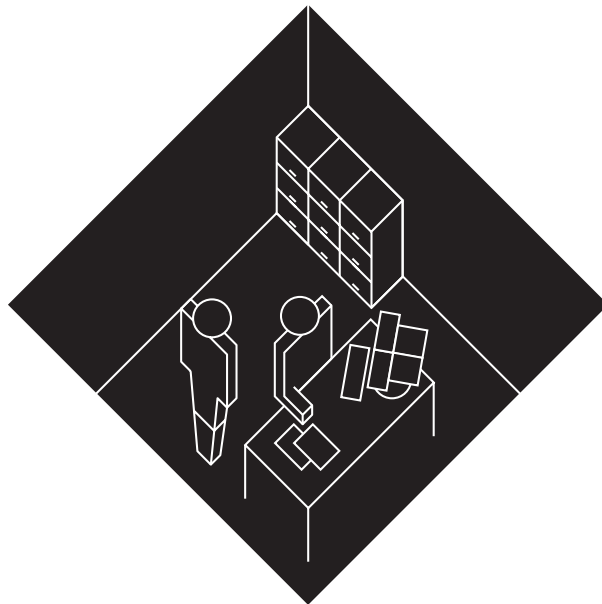
The trouble is, however, that common sense is not as common as it could be! Thus awful mistakes can and do happen. They are still the exception rather than the rule, but none of us is immune. To remind you of the constant possibility of a major disaster happening most chapters have, somewhere near the beginning, a *Cautionary Tale* about an actual (although anonymous) situation where a community organisation caused itself serious difficulties by either doing something it should not have done or not doing something it should have done. The cautionary tale of all cautionary tales is that, in all cases, these problems arose through ignorance or negligence and never through wilful action.

At the end of each chapter there is a checklist which you can use as a simple guide for all the things you should at least consider in connection with your community building. The checklists contain, in effect, one line summaries of all the topics raised in the chapter.

The book has a spiral binding so that it will lie flat when opened at any particular page. This makes it easy to photocopy particular pages or tables to use for training purposes. The copyright of the book is held jointly by the author and Community Matters. Permission is not required to use small amounts of photocopies for training purposes. Large scale photocopying is not permitted without first consulting Community Matters.



Constitutional and organisational matters



INTRODUCTION

Running a community building is a serious business. To do it properly certain legal and constitutional requirements need to be met. This chapter gives information about the kind of organisation you need to set up to take responsibility for a community building. It considers the pros and cons of becoming an incorporated body (for example a company) as opposed to an unincorporated association. It discusses the rules governing registered charities, and,

where applicable, the requirements of bodies to register with the Charity Commission. It also gives samples of legal agreements that you will need to enter into when you take on a community building, whether you own it yourselves or lease it from someone else. Information is also given about the legal duties and responsibilities of charity trustees and management committee members.

A CAUTIONARY TALE

A community association which shall remain nameless saw itself in a Landlord and Tenant relationship with its parish council. Whilst the minutes had matters recorded thus, no formal lease had in fact been drawn up. On a day to day basis, however, the community association managed the running of the building and the parish council carried out repairs and structural alterations.

An extension to the existing building was built and used to house a bar. A social club was formed to run the bar. Two officers of the community association were also parish councillors and became officers of the social club too.

As is proper when there is a bar in a community building, it was managed by a social club established for the purpose with limited liability. An occupation licence was drawn up between the community association and the social club. It was, of course, intended that the profits of the social club be covenanted over to the community association.

The two 'common officers' stood down from the community association at the next AGM. Not long afterwards the social club stopped passing over money to the community association, stating they had no

confidence in its management committee. They handed the profits over to the parish council instead.

The community association was thus starved of funds, but it still had to pay all the overheads of running the building. Therefore the association failed to pay its rent on time and was evicted by the parish council. The parish council claimed that the occupation licence was a lease.

The community association decided to fight and a legal battle ensued involving solicitors from very high authorities. After a long struggle the community association received a ruling making it the lawful tenants and so returned to the community building. An action plan was agreed which, it was hoped, would restore harmony to the strife-torn village after seven years' bitter and public fighting over the issue. The wounds of years of terrible dissension could be healed and the community building re-opened offering important services to all the residents.

Just as everyone thought all was well and the action plan implemented, the social club dissolved itself and left the premises removing virtually all the fixtures and fittings. The community association was left with an empty shell and had to start everything again.

DIFFERENT KINDS OF ORGANISATION

There are of course many lessons to be drawn from the story above. By and large this book will let the cautionary tales speak for themselves, but one overriding moral of this one must be to be sure to get expert advice when dealing with legal, constitutional and organisational matters and not leave things to chance. That goes for the kind of organisation you need to establish to run your community building as much as anything else.

There are four types of structure that cover most types of voluntary organisation:

- unincorporated association
- trust
- company limited by guarantee
- industrial and provident society

Depending on the objects of the organisation all of the above may be charitable and – apart from industrial and provident societies – may be required to register with the Charity Commission (see page 13).

If you manage a community building or are preparing to do so then it is important to have the kind of structure that will give you maximum benefit and safeguard you as well as possible from the kind of problems referred to in the cautionary tale.

Most organisations managing community buildings are either unincorporated associations, trusts or companies limited by guarantee. More is said about each of these in the following pages.

HAVING A PROPER GOVERNING INSTRUMENT

Whatever form of organisation you eventually choose you will need a document setting out your purposes or objects, who (if anyone) is eligible for membership, how your affairs will be structured and managed and what will happen to your assets if you wind up the organisation. This is your **governing instrument**. Depending on the kind of organisation you are this document will be referred to differently (although ‘constitution’ is commonly used for all types of governing instrument):

- unincorporated association – constitution
- trust – trust deed
- company limited by guarantee – memorandum and articles of association

- friendly society
- industrial and provident society – rules

It is important to take great care about drawing up the governing instrument as it will affect everything that goes on in the community building. If you want to achieve charitable status (see page 13) the wording of the governing instrument has to be just right. It is also the document that determines the overall character of the association in terms of who it’s for and who will control it.

The governing instrument has to have a number of key elements in order to protect the organisation from a variety of difficulties and disputes in managing itself, to enable it to register as a charity, and to ensure that it is legally capable of taking on premises. These key elements, which should be set out in separate clauses, are listed below.

Name

The name of your organisation should be the first clause.

Area of Benefit

For most community organisations, it is sensible to define the area of benefit, that is the geographical area in which you expect to operate. This could be a neighbourhood, a borough or, in a few cases, a larger area.

Objects

Here you should state the aims and objectives of the organisation. As well as defining what are legitimate activities for the organisation to undertake, this clause is crucial if you wish to register as a charity, as all your objects must be charitable (see page 13).

Powers

Here you describe all the powers you need (eg to hold property, to employ staff, to raise funds) in order to achieve your objects.

Membership

This clause defines who can and who cannot join the association and on what terms. It is important to ensure that your terms of membership do not conflict with your equal opportunities policy (see chapter 10).

Also, if you are a registered charity, once you have defined the limits to membership, for instance by your area of benefit, then everyone within those limits should have a right to join.

Model objects have been approved by the Charity Commissioners for community associations and other recreational charities established primarily for identifiable minority ethnic groups where they would be satisfied that special need existed. A group may not use the word 'black' in its governing instrument, because of the Race Relations Act, but words referring to race, nationality, ethnic or national origins are acceptable.

Subscriptions

A clause stating who determines the amount of subscription payable by members.

Termination of Membership

It is important to define who decides if someone's membership is to be suspended or terminated and on what grounds. Good practice also demands that members have a right to be heard by the deciding body and also a right of appeal to an independent arbitrator.

Committee Structures

This clause sets out how the main committee is to be made up and gives it rights to appoint sub-committees. In the case of unincorporated registered charities it should also state that no person under 18 may be a voting member of the committee, nor should any person who is disqualified from acting as a charity trustee be eligible to be elected or appointed to the main committee. Section 72(1) of the Charities Act, 1993 lists disqualification causes as:

- an unspent conviction for an offence involving dishonesty or deception
- an undischarged bankruptcy
- an undischarged composition or arrangement with creditors under the Insolvency Act, 1986
- the removal of the person concerned from his/her office as a charity trustee by the Charity Commission or the Court
- being subject to a disqualification order under the Company Directors' Disqualification Act, 1986

It is an offence to act as a charity trustee while disqualified unless the Charity Commissioners have given a waiver under section 72(4) of the Charities Act, 1993.

Honorary Officers

Most organisations have a Chair, Vice-Chair, Treasurer and Secretary, all of whom are unpaid. This clause sets out which officers are to be elected at the Annual General Meeting (AGM), and whether they are ex-officio the officers of the general committee (in most cases they are). It also determines how vacancies are to be filled if they arise between AGMs.

Remuneration of Trustees

There are some circumstances where it is possible to pay trustees for specific services to the association – if the work is necessary and exceptional, is not part of a trustee's normal duties, and the payment is reasonable for the work done and competitive with what an outside person would charge – but this must be allowed for in the governing instrument.

There are two alternatives: you can include a clause stating 'Subject to the prior written approval of the Charity Commission, trustees can be remunerated ...', which would mean getting written approval each time you wanted to make use of the clause, or you can include wording (included in Community Matters' model constitution) that would allow you to make more regular use of the clause (subject to the governing instrument being approved by the Charity Commission).

Paid Officers

This clause states who can appoint and dismiss staff and fix their rate of pay and terms and conditions of employment. To achieve charitable registration it is advisable also to state in this clause that no paid staff may be a member of the organisation's main committee, although they can be in attendance.

Although the model constitution allows for the remuneration of trustees for new organisations, to make this a regular occurrence by way of employment is questionable.

The Charity Commission will judge each case on its merit.

General Meetings of the Association

Here you prescribe how Annual General Meetings and Extraordinary General Meetings of the organisation are to be called and run and what business shall be dealt with.

Rules of Procedure at all Meetings

This should set out how voting should take place, the quorum for the various meetings (ie how many members have to be present at a meeting for it to be able to conduct its business), and that records of meetings shall be kept.

Standing Orders and Rules for the Use of the Centre

This is simply a clause giving the general committee the right to issue rules for managing its affairs and running the community building and stating that they shall be consistent with the governing instrument; the procedural rules for running the committee will normally be in a separate document from those governing the use of the building; sometimes the right to review and amend these rules is given to the AGM.

Finance

This clause prescribes how the organisation's funds shall be spent, accounted for and audited. It also sets out how funds are to be invested and what signatures are necessary to draw on bank accounts; registered charities are bound by the provisions of the Charities Act, 1993 (see page 14); companies are bound by company law.

Trust Property

In the case of unincorporated bodies a custodian trustee or holding trustees must be appointed to hold property. This clause gives the organisation the authority to do that and outlines how it shall be done (see page 17).

Dissolution

This describes the procedure for winding up the organisation, usually by a simple majority at a general meeting of the organisation. It also states how any remaining assets of the organisation shall be distributed – in the case of a registered charity, subject to the approval of the Charity Commission.

Alteration to the Governing Instrument

Governing instruments do need to be amended from time to time, but this can only be done in a predetermined manner and normally only following serious debate. It is usually carried out at a general meeting of the organisation and requires a two thirds majority. In the case of a registered charity the objects and the dissolution clause can only be changed following written agreement by the Charity Commission.

UNINCORPORATED ASSOCIATIONS

If you are starting a new organisation, and therefore need a governing instrument, it is worth trying to find a model document that will suit your purpose. This is especially the case if you will be seeking charitable registration. The Charity Commission produces its own model governing instruments. They are, however, very general.

More specifically, Community Matters has had many years of advising groups all over the country on setting up community organisations and writing constitutions that satisfy the requirements of various bodies such as the Charity Commissioners and the Inland Revenue. This experience has been put into producing a model constitution for a community association. It may be purchased from the London office of Community Matters (address on page 25). ACRE has a similar document for village halls. The main difference is that as village halls tend to be trusts the document is a declaration of trust. ACRE has two sets of model documents – for those organisations which own their building and for those who lease it – these include a conveyance and lease document together with model hiring rules and all the rules and regulations concerned with running the organisation – that bit usually referred to as the constitution.

The Community Matters' model constitution is suitable for an unincorporated association that wishes to apply for charitable registration. You still have to go through the model constitution with a fine-tooth comb before adopting it for your organisation to ensure that it fits your particular purposes and local circumstances. If this process leads you to want to make changes other than filling in the gaps then it would be wise to discuss them with Community

Matters first so as not to invalidate it insofar as charitable registration is concerned.

TRUSTS

A trust is a device in English law to enable an appointed group of people to manage property and/or money for a specific purpose. The Trust Deed or Declaration of Trust sets out how the trustees, of which there must be at least two, shall manage or dispense the assets of the trust. Trusts do not have to be charitable in intent although those concerned with community buildings probably will be. More is said about charities and the law on page 13.

A Declaration of Trust has to be made under seal by each of the trustees, and stamp duty of a minimal amount is payable, unless it is a charitable trust, when there is no fee. It is advisable to get the help of a solicitor if you wish to establish a trust.

A trust is an unincorporated body. Model trust documents suitable for organisations managing community buildings are available from ACRE (see end of chapter). The laws governing trusts are the Trustee Act, 1925 and the Trustee Investments Act, 1961. If a trust is charitable it is also subject to the Charities Acts, 1992 and 1993.

At time of writing the **Trustee Bill** was going through Parliament, which, if it becomes law, will abolish the Trustee Investments Act and mean that charities will have full investment powers.

INCORPORATION OR NOT?

The Community Matters' form of model constitution is suitable for an unincorporated association. If adopted it will be acceptable to the Charity Commission for registration. It will not as such, however, permit the organisation to hold property either on a leasehold or freehold basis. That can only be done legally by a properly established custodian or holding trustees acting on behalf of the community organisation, the Official Custodian for Charities (see page 17) or an incorporated body.

An incorporated body, such as a limited company or an industrial and provident society, is one upon which the law confers a corporate and separate legal identity. In other words the organisation itself rather than the individual members is the body that

carries liability for its actions, that can make legal agreements, that can sue and be sued, and is responsible for property.

Two model memorandum and articles for a community association have been approved by the Charity Commission and are available as part of an incorporation package available from Community Trading Services Ltd (address on page 25).

Subject to proper management, the committee members of an incorporated body are not held individually responsible for the actions of the organisation and thus cannot lose their own personal possessions or money in the case of difficulty. Committee members will still be held liable, however, for any breaches of trust, negligence or wrongful trading. In other words, if they act prudently and legally, their liability is limited, but the limited liability status is no protection against imprudent and illegal activity.

In the case of a charity an unincorporated association is quick and cheap to set up and can be wound up cheaply. Also the association's existence does not depend on official registration other than with the Charity Commission. Most community associations with few or no employees, and local groups and societies are set up as unincorporated associations.

Apart from not being able to hold title to property, the main disadvantage of being an unincorporated association is that management committee members, either individually or collectively, may be sued for breach of contract and may incur unlimited personal liability. However, incorporation is not the only way of overcoming these disadvantages:

- property can be vested in a custodian trustee or holding trustees or in the Official Custodian for Charities (see page 17)
- taking out trustee liability insurance can go some way to minimising the risk of personal responsibility of trustees (see chapter 5) – before taking out a policy a charity needs to have a power in its governing document which specifically authorises the trustees to buy such insurance; a general power or duty to insure the charity's assets is not sufficient. Any change to a governing instrument to include such a power must first be cleared with the Charity Commission. If you don't want to use this power immediately it is possible to make

provision in the governing instrument by including the phrase ‘Subject to the prior approval of the Charity Commission, provide indemnity insurance ...’. You would then have to seek the Commission’s written approval if you wanted to activate this clause at a later date

- equipping yourselves to be prudent and efficient managers of all the risks involved in running a building through regular training. This is most important of all. Community Matters will be pleased to advise you and can provide training (address on page 25)

If you do decide to become an incorporated body, however, it is unwise to assume that incorporation itself is a blanket solution to the problems of personal responsibility of committee members. Becoming a limited company is a big step and carries with it specific responsibilities of its own, as seen below. It is important to be certain that the organisation is capable of honouring these responsibilities before registering. Your finance person, for example, will be required to prepare the accounts in accordance with statutory guidelines (although this is also the case with unincorporated charities). Your annual returns must be submitted properly and on time, otherwise fines may be incurred; and perhaps most important of all, if you act in breach of trust individual committee members may still be held personally liable.

Incorporation can nevertheless be of benefit, and good practice must be to get some training in the requirements of being a limited company if you decide to take this route. Community Trading Services will be pleased to advise you and can help with registration and provide appropriate training (address on page 25).

There are two existing kinds of incorporated body appropriate for an organisation running a community building: a company limited by guarantee and an industrial and provident society. In addition Part VII of the Charities Act, 1993 provides for the incorporation of the trustees of an unincorporated body (conferring an independent legal personality but not limited liability). The trustees of any type of registered, exempt or excepted charity can apply for a certificate – the Charity Commissioners will consider each case individually. Applications are made

on form CHY 1184 and need to be submitted with a number of accompanying documents, including a copy of the governing document. Full details are given in the Commission’s leaflet CC43: *Incorporation of Charity Trustees*.

For more details of the pros and cons of incorporating see Community Matters’ information sheet 14 *Incorporation and Community Associations*.

COMPANIES LIMITED BY GUARANTEE

A company limited by guarantee is an independent legal entity established under the Companies Acts which has members instead of shareholders. The members elect a board of directors (in most voluntary organisations this will be known as the management committee) at the AGM and pledge or guarantee a sum of money, usually no more than £5. This pledge is the limit of individual liability on any of the members. Being elected from the members, the directors (committee members) are thus also protected in terms of liability so long as they do not act in breach of trust, do not act negligently or criminally, or financially mismanage the company – in particular do not run the company when they know that it is likely to be wound up for insolvency (wrongful trading).

A limited company can enter into legal agreements and own or lease property. It also normally finds it easier to make other commercial and financial arrangements such as borrowing money.

In return for these advantages the law requires that a limited company fulfils the demands of the Companies Acts. In particular this means submitting accounts prepared in a specified way, in accordance with the Companies Act, 1985. For further details on charitable companies see page 78. A limited company is also required to give other information to the Registrar of Companies about its activities and directors, both annually and when any changes are made. There is a fee for submitting the annual return; and the costs of setting up a company, which will require the services of a solicitor, can be relatively high. You will also have to administer your membership records and meeting procedures in specified ways in order to conform to the Companies Acts.

A governing instrument of a company is in two parts – the memorandum and the articles of association – which set out the objects of the company, its powers and the extent of members' liability together with rules for meetings and election of directors and also for the production of accounts. As mentioned on page 10, model memorandum and articles for a community association are available as part of an incorporation package from Community Trading Services Ltd.

There will be a continuing obligation on the directors to observe the technical requirements of company law in relation to such matters as accounts, resolutions, annual returns, qualifications of directors and liquidation.

A company limited by guarantee can also apply for charitable registration, and must do so if its objects are charitable. It will then also have to make annual returns to the Charity Commissioners and meet other additional requirements like any other registered charity. Model memorandum and articles for charitable companies are available from the Charity Commission and the Charity Law Association (addresses on page 180).

Applications for company registration are made to Companies House. Before applying for company registration you need to check that the name you propose for the association is not already in use. You need to send the signed memorandum and articles, details of directors (committee members), the company secretary and address of the registered office (on form 10), a declaration of compliance with company law (on form 12), and form 30(5)(a) if your name does not include the word 'limited', together with a the registration fee (£20 in 2000/01). To repeat, make sure that you get help from a solicitor who understands charity law and voluntary organisations if you want to register. Often the best of these are to be found in local law centres. National agencies including the National Council of Voluntary Organisations and Community Matters also have access to good legal advice (addresses on page 25).

INDUSTRIAL AND PROVIDENT SOCIETIES

An industrial and provident society (IPS) also has limited liability and is registered under the Industrial and Provident Societies Act, 1965.

An IPS has to have a minimum of three members and carry out an industry, business or trade as well as being a co-operative society or acting for the benefit of the community. It is a mutual benefit society and membership must be open to staff with all members having an equal say in running the society's affairs. Members will contribute funds either as a loan or as share capital and the rules have to place limits on interest paid to members.

So long as the industrial and provident society exists for the benefit of the community it may also qualify for charitable status as far as the Inland Revenue is concerned, but it cannot register with the Charity Commission. This means that an IPS cannot have a charity number, which may be a disadvantage when raising money. Properly audited accounts have to be submitted to the Registrar of Friendly Societies. (At time of writing, the Financial Services and Markets Bill was going through parliament. When it becomes law, probably towards the end of 2000, responsibilities of the Registry of Friendly Societies will transfer to the Financial Services Authority. However, it is envisaged that the new legislation will not significantly change the legal framework within which industrial and provident societies operate.)

Registration can be expensive and can take some time unless you adopt the model rules supplied by sponsoring bodies. A list of such bodies is available from the Registrar (address on page 25).

To register as an industrial and provident society you will need to fill in Form 617, available from the Registry of Friendly Societies, check that your name, or one similar, is not already registered and send your constitution with the current fee to the Registrar. This can either be done directly or through a sponsoring body. Whilst the fee through a sponsoring body is considerably lower there will be a separate charge for handling your application.

Although there are some industrial and provident societies running community buildings, the large majority of organisations seeking incorporation register as companies limited by guarantee.

CHARITABLE STATUS

An organisation is deemed charitable at law if all its objects or purposes are charitable. A purpose cannot be charitable unless it is for the public benefit. It must be of actual benefit and must benefit the public as a whole or a sufficient section of the public.

The four historically recognised categories of legally recognised charitable activity are:

- the relief of poverty
- the advancement of religion
- the advancement of education
- other purposes beneficial to the community

The Charity Commission is conducting an ongoing review of the Register of Charities to ensure that definitions of charity are up to date with today's society and now also recognises the relief of unemployment and urban and rural regeneration as charitable purposes. It is likely that more purposes will be recognised as charitable as the review continues.

An organisation with objects such as those set out in Community Matters' model constitution is charitable and has a duty in law to apply for registration to the Charity Commissioners. Indeed there is an obligation on most charities to register. The exceptions are those charities meeting all the following conditions: having no permanent endowment, no interest in property, and a total annual income from all sources which is less than £1,000. Other exceptions include some voluntary schools, some small funds of the Scout and Guide Associations and some charities for the advancement of religion (for further details see CC22: *Registration of Religious Charities*). **Excepted** charities are in most cases still subject to other requirements of the Charities Acts. A number of charities are **exempt** from registering and cannot register voluntarily. These include industrial and provident societies, grant-maintained schools and higher education corporations.

The law governing charities is set out in the Charities Acts, 1992 and 1993. For further information see *The Charities Acts 1992 and 1993*, published by the National Council for Voluntary Organisations (NCVO) and Community Matters' Information Sheet no 23 (see page 26).

ADVANTAGES OF CHARITABLE REGISTRATION

There are a number of advantages in registering as a charity. There are considerable tax reliefs in the spheres of income tax and corporation tax, stamp duty, capital gains tax, inheritance tax, and to some extent value added tax (see chapter 6). In addition tax can be recovered on all donations to charities via payroll giving and covenants, and through Gift Aid. Charities also benefit from mandatory and, in some cases, discretionary business rate relief (see chapter 6). Having a charity number also helps considerably with fund-raising as many grant making trusts and local authorities only give to registered charities.

REGISTRATION

Applications for registration as a charity are made on form APP1, which must be submitted with supporting documentation including evidence of your activities, your governing document with proof that it has been incorporated/executed or adopted, copies of up to three years' financial accounts if available, and a completed form DEC1 – trustees' declaration. Full details relating to registration (including forms APP1 and DEC1) are given in the Charity Commission's very useful (and free) pack *Starting a Charity and Applying for Registration*. The application form is quite lengthy and you may need assistance in completing it: a list of useful organisations is given in CC21 *Starting and Registering a Charity*. Registration time has been reduced considerably and now takes an average of two months. If you adopt the Community Matters model constitution, the process may be even shorter, as the wording of the relevant sections has been approved by the Charity Commissioners.

ACTIVITIES INCOMPATIBLE WITH CHARITABLE STATUS

There are a number of circumstances where a charity's management committee members (trustees) could be held to be in breach of trust, including the following:

- unacceptable political activity
- trading activities other than those permitted under the charity law, which include: the sale of goods made by the charity's beneficiaries, donated goods, and goods or services that form part of the organisation's charitable work; trading ancillary to the charity's primary purpose (for example selling drink in a theatre bar to audience members); running a charity lottery (see page 116); small scale fund-raising events (see page 99)
- personal gain on the part of any of the trustees (there is no problem in charity trustees of a village hall, or of some other charity which is intended to benefit the whole community enjoying the benefits of that charity as members of the community)

It is notoriously difficult to define what is and what is not unacceptable political activity as far as charity law is concerned. By and large, however, if it is directly connected with the main charitable purposes of the organisation and not of a party political nature, much political activity with a small "p" is allowable. The Charity Commissioners booklets CC9: *Political Activities and Campaigning by Charities* and CC9a: *Political Activities and Campaigning by Local Community Charities* provide guidance on the extent to which charity trustees may engage in political activities. As the guidelines are derived from general principles rather than court judgments, they will be kept under review by the Commission.

Charity law does not permit charities to carry out a trade on a substantial or regular basis simply for the purpose of raising funds. This includes running a regular bar in a community building. If this is one of your activities then you will have to set up a separate non-charitable social club or trading company to run it. This separate company will be wholly owned by the charity and charged a rent for the bar space. Its profits can be covenanted back to the charity at the end of the year (see chapter 7).

In most cases an employee of a charity cannot be appointed as a trustee. Exceptions are if there is a specific authority enabling the appointment in: the charity's governing document; a Scheme or Order of the Charity Commissioners; or some statutory

SUMMARY OF ACCOUNTING AND OTHER REQUIREMENTS FOR REGISTERED CHARITIES IN THE CHARITIES ACT, 1993

Gross income or total expenditure not exceeding £10,000

- Annual accounts to be kept and submitted to the Charity Commissioners on request
- A simplified annual return to be submitted to the Charity Commissioners
- No audit or independent examination requirement
- Annual report to be prepared, and submitted to the Charity Commissioners on request
- Accounts to be available to the public on request

Gross income not exceeding £100,000 (but over £10,000 gross income or total expenditure)

- Annual accounts to be kept and submitted to the Charity Commissioners
- Annual return to be submitted to the Charity Commissioners
- Independent examination or audit to be conducted
- Annual report to be submitted to the Charity Commissioners
- Accounts to be available to the public on request

Gross income or total expenditure not exceeding £250,000 in current or either of the previous two financial years (but over £100,000 gross income)

- Annual accounts to be kept and submitted to the Charity Commissioners
- Annual return to be submitted to the Charity Commissioners
- Independent examination or audit to be conducted
- Annual report to be submitted to the Charity Commissioners
- Accounts to be available to the public on request

Registered charities with gross income or total expenditure over £250,000 in current or either of the previous two financial years

- Annual accounts to be kept and submitted to the Charity Commissioners
- Annual return to be submitted to the Charity Commissioners
- Audit to be conducted
- Annual report to be submitted to the Charity Commissioners
- Accounts to be available to the public on request

NB: The above only relates to unincorporated charities and not to charitable companies accountable under the Companies Act, 1985. It does not cover exempt or unregistered charities. Further guidance can be found in the Charity Commission's booklets CC51, CC52 and CC53 (address on page 25).

authority eg in relation to school governors. For further information see the Charity Commissioners' booklet CC11 *Remuneration of Charity Trustees*.

OBLIGATIONS OF CHARITABLE REGISTRATION

The members of the main, governing committee of a charity are managing charity trustees. They have to ensure that certain requirements of the Charities Acts, 1992 and 1993 are fulfilled as follows:

- they must act in accordance with the charitable purposes of the organisation
- they must act in concert with the other trustees
- they must treat the beneficiaries of the charity fairly, making sure that only those who are entitled, benefit
- they must have proposed changes to the governing instrument agreed by the Charity Commissioners
- they must keep proper books of account and prepare consecutive statements of account, have them audited or independently examined and, if the charity's annual income or expenditure exceeds £10,000, submit them annually to the Charity Commissioners in accordance with the accounting framework for charities which consists of Part VI of the Charities Act, 1993, the Charities (Accounts and Reports) Regulations 1995 and the Charities SORP
- if the charity's annual income or expenditure

exceeds £10,000, they must submit an annual report to the Charity Commissioners in accordance with the regulations and complete an annual return giving information about the trustees and the charity

- they must follow prescribed procedures in any disposal of land and buildings
- they must ensure that any fundraising activity carried out by or on behalf of the charity is properly undertaken and that all funds collected are properly accounted for
- they must not make public collections without a permit from the licensing authority (the Metropolitan Police Authority in London and the local authority elsewhere); new rules relating to public charitable collections are included in Part III of the Charities Act, 1992 – at time of writing, there was no indication on when these might be implemented
- they must ensure the fact that the organisation is a registered charity is printed on any documents appealing for funds (including headed paper) and a range of financial documents including cheques, invoices and receipts; it is probably sensible, although not actually required, to include the charity number at the same time; charities with an income of less than £10,000 per annum are exempt from this requirement.

More is said about the responsibilities of trustees on page 22.

WHOSE BUILDING? – FORMS OF TENURE FOR COMMUNITY BUILDINGS

Having decided what kind of organisation you need to be, and how the legal right to hold property is achieved, you must now consider the various options for holding that property. Basically there are three legal ways:

- buying the property
- entering into a lease with the owner
- entering into a use and occupation licence with the owner

BUYING

There are two ways of buying a property. You can buy the freehold, which means you own the premises outright; or you can buy a long leasehold, for example 99 years, which is then yours to sell on. It will of course decrease in value as the length of the lease decreases. The leasehold is likely also to include legally enforceable covenants to keep the property in good repair.

If you are lucky enough to have sufficient funds then buying your own community building, or

indeed building it in the first place, will give you long term security. If you need a mortgage to raise part of the purchase price you could well find that any lending institution will require an individual with some means to act as a guarantor.

It has already been pointed out above that an unincorporated body cannot hold property either as freehold or leasehold. This can be overcome either by becoming a company limited by guarantee, or by vesting the property either in a custodian trustees or holding trustees, or in the Official Custodian for Charities. For details see pages 11 and 17.

Community Matters has produced a model form of conveyance and trust deed for unincorporated bodies to use when purchasing their own premises, printed on pages 19–21. You will still need to consult a solicitor, and adapt the model to suit your own local circumstances.

LEASING

If you take out a lease on a building you have an exclusive right to occupy it and the lease sets out the details of what both landlord and tenant agree to do with respect to the building. A lease is subject to the provisions of the Landlord and Tenant Act, 1954. This gives security to tenants in business premises, which is usually taken to include community buildings. In brief, this means that if the landlord serves notice on the tenant, the tenant can apply to the courts for a new tenancy which, unless the tenant has defaulted in the rent or the landlord needs the premises for his/her own use, will usually be granted.

Tenancies not subject to the terms of the Act are those granted for less than six months where the tenant has either been in occupation for less than twelve months, or where there is no provision for extension or renewal; and tenancies which both parties agree shall be outside the Act. Community Matters recommends that landlords should not attempt to remove the security of tenure provisions of the Act, as many funders will only grant aid building refurbishment or redecoration costs where the organisation has adequate security of tenure.

The details of a lease are crucial and there are a number of provisions that are essential for charitable community associations. Some of the most

important details are as follows:

- *duration*: leases can be weekly, monthly, annual or for a fixed number of years. Community Matters recommends a lease with as long a term as possible, even though this can represent a substantial commitment. If for any reason you wish to vacate the building before the term of the lease has expired you are still responsible for paying the rent up to the end of the agreed term unless you can either:
 - *assign* the lease: i.e. pass it on to another person – this is only possible if the lease does not exclude it; or
 - *surrender* the lease: i.e. give it back to the landlord, who agrees to waive the remaining term. This is normally only possible if it is written into the lease in the first place. If this is the case it will usually be with a period of notice – normally three or six months.
- *responsibility for repairs*: many leases make structural repairs the responsibility of the landlord and other repairs and decoration the responsibility of the tenant. Many leases also stipulate that the building must be handed back to the landlord in the same condition as it was at the beginning of the lease. If this is the case it is vital to have a surveyor produce a detailed schedule of condition before signing the lease and have the landlord agree, in writing, that the schedule is accurate. At the end of the lease this will enable you to define accurately what responsibility for reinstating any dilapidations you may have. Without such a schedule the expenses at the end of a lease can be enormous.
- *rent levels*: make sure you get the best possible deal; this may be a nominal (or ‘peppercorn’) rent – i.e. a small amount just to show that the lease is properly made; local authorities are tending to say that nominal rents are no longer possible because they are required by law to get the best possible rent in the market; however, they are in fact still allowed to dispose of land or premises for recreational purposes at less than best price and without restrictions on length of lease.
- *rent reviews*: long leases often include rent re-

views enabling the landlord to change the rent at regular intervals. If this is the case it is important to negotiate a break clause so that if the rent is raised beyond your means you can surrender the lease without any penalty.

- *exclusion clauses*: some landlords, including local authorities, try to include clauses in a lease excluding it from sections 24 – 28 of the Landlord and Tenant Act, 1954; this means that the organisation loses its legal right to extend the lease when it expires. Exclusion clauses should therefore be resisted.
- *independent arbitration*: conflicts could arise at any time in connection with the terms of the lease and it is sensible to have a clause written into it determining in advance how such conflicts are to be resolved.

Community Matters has produced a specimen lease and model declaration of trust for unincorporated bodies to use when leasing premises and vesting custodianship in custodian or holding trustees. As with the conveyance you will still need the services of a solicitor and the document will need to be adapted to suit your own local circumstances. Both documents are available from Community Matters and are included in Community Matters' publication *Occupying Community Premises*.

When negotiating a lease with a local authority it would be worth contacting your local council for voluntary service, rural community council or local federal organisation to see if other organisations have already negotiated a lease and to use that as the basis for your own negotiations. If several organisations in your area are trying to negotiate a lease it would be sensible to try and do it collectively.

Be careful to ensure that provisions relating to the management of your organisation and the building are not included in the lease. If the authority wishes to make conditions about building management these should be negotiated separately as a management agreement (see page 23).

HOLDING A PROPERTY ON LICENCE

A licence is a sort of mini lease. It is a simpler form of tenure and is not subject to the Landlord and Tenant Act, 1954. Nevertheless it will still set out

the obligations of both the landlord and the licensee. A licence usually allows occupation for a shorter period than a lease, and the tenant's responsibility for repairs, maintenance and decoration should be less onerous. Protection from eviction on expiry is not available, but by the same token surrendering the licence is usually much simpler.

A licence is still a legal contract, however, and so cannot be held by an unincorporated body except via a custodian or holding trustees.

APPOINTING CUSTODIAN OR HOLDING TRUSTEES TO HOLD THE PROPERTY

If you decide that you would prefer to be an unincorporated body then you must appoint a custodian trustee, up to three holding trustees or vest your property in the Official Custodian for Charities.

Appointing a Custodian Trustee

An unincorporated organisation may appoint a corporation such as a bank or other corporate body to act as the custodian trustee of its investments or land. Such a body is likely to charge for its services. If a custodian trustee is appointed to hold investments of a charity, land belonging to the charity would also be invested in it.

Appointing Holding Trustees

If you decide to appoint holding trustees you must appoint at least three people to hold the lease or freehold of your community building on your behalf. They may be responsible local people but it is recommended they should not be members of the management committee of the community organisation. This is to avoid often serious conflicts of interest. They have no role in managing the building. They hold the legal documents relating to the building, either the lease or the title deeds, and may alter them or relinquish them only on the lawful instructions of the managing trustees – in other words the main committee of the unincorporated body.

There should always be at least three holding trustees, which means that if one leaves the area or dies new trustees need to be appointed. This means making a new vesting deed. This procedure can be a lot of bother and, if neglected, it can incur consider-

able expense as well. It can be avoided by transferring the custodial trusteeship of the building to the Official Custodian for Charities (address on page 25). Unless there are onerous covenants in the lease there will normally be no problem with this arrangement and, furthermore, there is no fee. The Charity Commissioners prefer this option.

Procedure for Appointing Custodian and Holding Trustees

Once the custodian trustee or holding trustees have been agreed, a solicitor should draw up a conveyance or lease, including a deed of trust, along the lines of the models that follow. This is then agreed by the committee and signed by the trustees. It should be stamped by the local office of the Inland Revenue. The property is now vested in the trustee(s) for the benefit of the organisation. Charities are exempt from stamp duty on conveyances and transfers and lease duty on the annual rental reserved on a lease.

Procedure for Vesting in the Official Custodian for Charities

If you decide to take this course you must first carry out the procedure above to vest the property in custodian or holding trustees as it is not possible for a lease or conveyance initially to be vested in the Official Custodian. The Official Custodian will not accept custodianship of investments.

At draft stage a copy of the trust deed and lease/conveyance should be submitted to the Charity Commissioners for approval and possible amendment. This is to ensure that it contains nothing that would prevent the Official Custodian from acting on behalf of the organisation.

When the documents have been approved and stamped the custodian or holding trustees make an application to the Charity Commissioners enclosing the trust deed and lease/conveyance. Following approval the local trustees drop out and the Official Custodian for Charities becomes the custodian trustee.

If you wish to transfer custodianship to the Official Custodian at a time other than on taking out the lease or purchasing the property, the trustees simply apply to the Charity Commission for an order transferring the custodian trusteeship from themselves to the Official Custodian.

Community Matters is available to offer advice and assistance in all these matters. Community Matters' publication *Occupying Community Premises* covers all aspects of owning or renting property in much greater detail.

MODEL DOCUMENTS FOR ACQUISITION OF PROPERTY

Community Matters has prepared model forms of conveyance and lease for community buildings for use by unincorporated associations. The conveyance is reproduced overleaf; the model lease is available from Community Matters. Clearly it is impossible for one form of words to suit every individual situation so you must check it for variations in local circumstances; but they are a very helpful starting point for you and your solicitor when buying or leasing premises.

If you are buying a building use the following model:

**CONVEYANCE OF LAND FOR THE PURPOSES OF
A COMMUNITY CENTRE DECLARING THE TRUSTS
IN A SCHEDULE**

THIS CONVEYANCE is made the _____ day of _____
between _____ of _____
in the County of _____ (hereinafter called “the Vendor”) of the one
part and _____ of _____
in the County of _____ (hereinafter called “the Trustees”) of the other
part whereas the Vendor is seised in fee simple in possession free from encumbrances of the
hereditaments hereinafter described and has agreed to sell the same to the Trustees at the price of
£ _____ and whereas the trustees have requested the
Vendor to convey the said hereditaments in the manner and upon the trusts hereinafter appearing
now this conveyance witnesseth that in pursuance of the said Agreement and in consideration of
the sum of £ _____ now paid by the Trustees to the Vendor (the
receipt whereof the Vendor hereby acknowledges) the Vendor as Beneficial Owner hereby conveys
unto the Trustees all that piece or parcel of land situate at _____
in the County of _____ and having a frontage to _____
_____ of _____

or thereabouts which piece or parcel of land is with the dimensions and abuttals thereof more
particularly delineated and described in the plan drawn hereon and thereon coloured pink (together
with the building(s) erected or to be erected thereon) to hold the same unto the Trustees in fee
simple upon the trusts and subject to the powers and provisions set out in the [First] Schedule
hereto.*¹

The Vendor hereby acknowledges the right of the Trustees to production of the deeds and
documents specified in the Second Schedule hereto and to delivery of copies thereof and hereby
undertakes for the safe custody thereof.

It is hereby certified that the transaction effected by this instrument is a conveyance to persons
established for charitable purposes.²

In Witness whereof the parties hereto have hereunder set their hands and seals the day and year
first above written.

Note 1 If there is only one Schedule the word in the brackets should be omitted.

Note 2 i.e. persons acting as trustees of a charity

THE FIRST SCHEDULE

- 1 The property hereby conveyed (hereinafter called “the Trust Property”) shall be held upon trust as a Community Centre for the use of a Community Association formed to promote the benefit of the inhabitants of _____

_____ and the neighbourhood (hereinafter called “the area of benefit”) without distinction of sex or of political, religious or other opinions by the advancement of education and the provision of facilities in the interests of social welfare for recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants.

- 2 The management and control of the Trust Property shall be vested in the General Committee of the _____

_____ Community Association (hereinafter called “the Committee”) and the Committee shall provide the Trustees with sufficient funds to meet all such expenditure in connection with the Trust Property as the Trustees may be liable for.

- 3 If the Committee by a majority decides at any time that on the grounds of expense or otherwise it is necessary or advisable to discontinue the use of the Trust Property in whole or in part for the purposes hereinbefore indicated, it shall call a meeting of all members of the _____

_____ Community Association and of the inhabitants of the area of benefit of the age of 18 years and upwards of which meeting not less than 21 days’ notice (stating the terms of the resolution to be proposed thereat) shall be posted in a conspicuous place or places in the area of benefit and advertised in a newspaper circulating in the area of benefit, and if such decision shall be

confirmed by a majority of those present and voting at such meeting all or any part of the Trust Property may be let or sold with such consent as may be required by law. All moneys arising from such lettings or sale (after satisfaction of any liabilities properly payable thereout) shall be applied in the acquisition of other premises approved by the Committee and shall be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances will permit or towards such other charitable purposes for the benefit of the inhabitants of the area of benefit as the Committee may decide and as may be approved by the Charity Commissioners for England and Wales.

- 4 The number of Trustees shall be not less than _____

nor more than _____ *

- 5 A Trustee shall cease to be a Trustee if he or she sends to the Secretary for the time being of the Committee a notice in writing of his or her intention to resign and his or her resignation is accepted by the Committee or if he or she is adjudged bankrupt or makes a composition or arrangement with his or her creditors or if he or she is disqualified from being elected as or being a Trustee by reason of corrupt or illegal practices.

- 6 The power of appointing a new Trustee or new Trustees of this Deed shall be vested in the Committee.

* In the vacant spaces should be inserted the minimum and maximum numbers of trustees stated in your constitution. If it does not specify these, 'not less than three nor more than four' is recommended.

ACRE has a similar document suitable for Village Halls

THE SECOND SCHEDULE

(Here insert particulars of Deeds included in acknowledgement.)

RESPONSIBILITIES OF TRUSTEES

The majority of organisations managing community buildings will be charitable and therefore need to register with the Charity Commission. This technically makes members of the general committee or other main committee managing the organisation the ‘trustees’ of the charity (even though they will not always be called trustees within the organisation). In fact, as described above, they are more correctly called managing trustees and will have appointed custodian or holding trustees to hold the building on their behalf.

The duties of the custodian or holding trustees are simply to hold the assets of the organisation and

carry out the instructions of the managing trustees so long as they are not in breach of the trusts of the charity.

The duties of the managing trustees are far more onerous. Managing trustees carry the full legal responsibility for the affairs of the charitable organisation. If things go wrong it is the managing trustees who are ultimately responsible. Detailed requirements in the administration of charities arise from the Charities Acts, 1992 and 1993 and charitable bodies should make themselves familiar with the details. The general legal responsibilities of trustees, in summary, are as follows:

RESPONSIBILITIES OF TRUSTEES

A Duty to be Informed

- to inform themselves of the business of the organisation and in particular:
 - study the constitution, memorandum and articles of association or trust deed;
 - understand the purposes of the organisation, its powers, its management structures and how money and other assets are looked after;
 - find out what assets the organisation has and who holds them;
 - study past accounts, minutes of meetings and any reports about the organisation;

all these activities are particularly important for new trustees or committee members to ensure themselves that there have been no breaches of trust in the past, for whilst new trustees are not responsible for past breaches, they do have a duty to ensure that they do not continue and may have to cope with the results;

A Duty of Care

- to carry out their duties with reasonable care; this means acting with the same prudence and vigilance that they would apply in managing their own affairs or as they would apply if the organisation was their own business; this duty of reasonable care must be carried out in particular ways:
 - it is a positive duty requiring action on the part of the trustees, for example to satisfy themselves of the accuracy of the accounts or the quality of the staff; if losses are incurred through the action of staff, the trustees will not be free of liability if they have carried out their duty of care in an inactive way; ignorance of salient facts is no excuse;
 - there must be an awareness, on the part of trustees, of the relevant financial and legal matters to do with the organisation; this awareness should cover matters such as their responsibilities as employers, owners of premises and investors of funds;
 - trustees need not be experts on the above matters, but know enough to know when expert advice should be sought, and whilst the seeking and taking of such advice will not necessarily protect them from a claim that they have failed in their duties, it will show evidence of having acted with care and diligence;

Overall Responsibility for Assets

- trustees have overall responsibility for the assets of the organisation and in particular:
 - to ensure that proper accounts are kept and submitted to the Charity Commissioners (and to the Registrar of Companies or Registrar of Friendly Societies where appropriate);
 - to ensure that the accounts are independently examined (for registered charities with gross income or total expenditure between £10,000 and £250,000) or professionally audited (for registered charities with gross income or total expenditure over £250,000);
 - to be aware of different kinds of funds: permanent endowments of which only the interest may be spent without permission of the Charity Commissioners; general funds applicable to all the objects of the organisation; and committed funds which can only be spent on the purposes for which they were given;
 - to ensure that land and buildings owned by the charity are properly insured and maintained; to review, from time to time, the suitability of the property for the purposes of the organisation;
 - to invest funds in a prudent manner and not to take risks; to invest only in such a way as permitted by the constitution or trust deed; to diversify investments as far as this is appropriate; to avoid speculation; to seek professional advice; to review investments regularly;

Personal Responsibility – despite some powers of delegation

- trustees' responsibility is a personal responsibility and the trustees are jointly liable for the administration of the organisation; leaving the others to take the decisions does not relieve a trustee from liability; this personal responsibility does not, however, prevent trustees from delegating duties for example:
 - they may delegate the implementation of their decisions to staff or agents so long as the trustees exercise proper care in making appointments and supervising them once appointed;
 - they may delegate decision making powers to committees and sub-committees as defined in the constitution; if they fail adequately to monitor and

supervise the workings of the sub-committees they may still be liable for losses incurred as a result of bad management on the part of the committees to whom authority was delegated;

A Duty to Avoid Conflict of Interest

- trustees have a responsibility to avoid conflicts between their personal affairs and their duties as trustees; this means that trustees may not:
 - receive benefits in kind, even if otherwise they would qualify as a beneficiary of the charity;
 - buy or sell property from the charity;
 - appoint one of their number to a paid office in another organisation;

– receive payment, other than reasonable out of pocket expenses; exceptions to these restrictions are only allowable if expressly permitted in the constitution;

A Duty to Act in the Best Interests of the Organisation

- in carrying out their responsibilities trustees have an overriding responsibility to act in the best interests of the organisation and to protect its good name. Thus they should not permit any activities which would bring the organisation into disrepute. This also means that even if they are appointed to be trustees by the local authority or another body, their actions as trustees must be in the interests of the charity and not in the interests of their appointing body.

Many community organisation committee members are unaware of the full extent of their responsibilities and liabilities as charity trustees and very few organisations arrange any information or training sessions for them. This is definitely not good practice and it is recommended that regular training sessions for committee members are held. These sessions should cover all aspects of the responsibilities as outlined above. They need to be regular, as the turnover of committee members can be high.

Induction training for new trustees or committee members is crucial. It is all too common for new trustees to be expected to know all about the organisation and their responsibilities with virtually no preparation or information. One good way of tackling this is to devote all or part of the first meeting of the management committee after the AGM to an informal induction session, which enables everyone to re-examine why the organisation exists, what it

does, how it works and what the committee's responsibilities are. At the very least an information pack should be prepared for all new committee members. It should contain copies of the following documents:

- the organisation's governing instrument
- standing orders (if any)
- the lease or licence agreement
- accounts for the last three years
- annual reports for the last five years
- any major policy documents
- minutes of the management committee for the past year
- specimen job descriptions and contracts of employment (if any)
- *Managing Your Community Building!*

Community Matters is happy to discuss training for trustees.

MANAGEMENT AGREEMENTS

Many community buildings are leased from local authorities who may also give a grant towards the running costs, pay some of the expenses directly and/or provide help in kind. It is increasingly common for the local authority to draw up a manage-

ment agreement, designed to clarify the respective obligations of the authority and the association. For example, the authority may cover staffing, running costs, rates, repairs and maintenance, training and support, in exchange for the association providing

services that meet local needs and follow good practice in democratic management, equal opportunities, planning, financial management and monitoring. The agreement is in addition to the lease, which will give the association the right to occupy the building and provide security of tenure.

Such detailed management agreements, which are set out in a document to be signed by representatives of the local authority and of the community organisation, tend to be more prevalent in areas where the local authority has a clear policy of supporting community associations and has developed partnerships for providing services to meet community needs.

There are two general points to note: the association's management committee members are usually elected annually, and so the agreement will need reviewing annually, particularly in relation to signatories; and the agreement should not include any conditions that would compromise charity law or restrict the association's autonomy or charitable objects.

As long as you discuss each clause of a management agreement in detail and negotiate changes that you think are necessary, management agreements can be a useful aid in managing the building. Most local authorities manage to keep abreast of good practice and the management agreement is a means of helping you, the management committee, to do the same. Indeed it can become the occasion of useful training for committee members.

It is important, however, to be sure that all the things normally in a management agreement are not put into the lease. That simply complicates things as the lease is a legal document under the Landlord and Tenant Act, 1954. If the two documents are linked or indeed one and the same, you could lose the right to occupy the building simply by falling down on your cleaning and caretaking arrangements! They may cross-refer but it is important to ensure that the continuance of one is not dependent on the continuance of the other.

For more information about management agreements – including those where there is no lease – see *Occupying Community Premises*.

CONSTITUTIONAL AND ORGANISATIONAL CHECKLIST

Has your organisation checked that:

- you have the most suitable type of organisational structure for your needs
- your committee members know their responsibilities
- you organise trustees/directors/committee members' training
- your constitution is adequate and up to date, and has enough detail
- the objects of your organisation are exclusively charitable – if so have you registered with the Charity Commissioners (you are required by law to register if you have charitable objects)
- you have trustee liability insurance cover (there needs to be the power in your governing document to authorise the purchase of such insurance)
- you are aware of the requirements of the Charities Acts, 1992 and 1993
- you have the right legal agreements on your building; if the answer is 'yes' when did you last check?
- if you have a bar or other significant trading activity they are separated off from the main organisation (see chapter 7 for further information)
- you have vested the building in custodian trustees; and you have considered vesting it with the Official Custodian for Charities
- in the case of a management agreement – it is separate from your main lease or licence; and you have negotiated the right agreement for your building

USEFUL ADDRESSES

ACRE

(Action with Communities in Rural England)
 Somerford Court
 Somerford Road
 Cirencester
 Gloucestershire
 GL7 1TW

☎ 01285 653477

e-mail acre@acre.org.uk

web site

www.acre.ciro.demon.co.uk

Charities Aid Foundation

Kings Hill
 West Malling
 Kent ME19 4TA

☎ 01732 520000

Charity Commission

Harmsworth House
 13-15 Bouverie Street
 London EC4Y 8DP

☎ 0171 210 4556

(Responsible for national, local and overseas charities based in London and South East England including East Anglia)

2nd Floor
 20 Kings Parade
 Queens Dock
 Liverpool L3 4DQ

(Responsible for national, local and overseas charities based in the Midlands, parts of Wales and the north of England)

Woodfield House

Tangier
 Taunton
 Somerset TA1 1BL
 (Responsible for national, local and overseas charities based in parts of Wales, southern and south western counties)

☎ (for all offices)
 0870 333 0123

e-mail

feedback@charity-commission.gov.uk

web site

www.charity-commission.gov.uk

Community Trading Services Ltd (CTS)

8/9 Upper Street
 London N1 0PQ

☎ 020 7226 0189

e-mail

communitymatters.org.uk

web site

www.communitymatters.org.uk

Community Matters

8/9 Upper Street
 London N1 0PQ

☎ 020 7226 0189

e-mail

communitymatters@communitymatters.org.uk

web site

communitymatters.org.uk

Companies House

Crown Way
 Maindy
 Cardiff CF4 3UZ

☎ 029 20 388588

web site

www.companieshouse.gov.uk

National Council for Voluntary Organisations (NCVO)

Regent's Wharf
 8 All Saints Street
 London N1 9RL

☎ 020 7713 6161

☎ (helpline) 0800 798 798

e-mail ncvo@ncvo-vol.org.uk

web site www.ncvo-vol.org.uk

Official Custodian for Charities

Charity Support Division
 Harmsworth house
 13-15 Bouverie Street
 London EC4Y 8DP

☎ 0870 333 0123

e-mail

feedback@charity-commission.gov.uk

web site

www.charity-commission.gov.uk

Registry of Friendly Societies

Victoria House
 30 Kingsway
 London WC2B 6ES

☎ 020 7663 5025

FURTHER READING

Annual and Other General Meetings –
Information Sheet 68
published by Community Matters

Are We Doing it Right? – an Organisational Health Check for Management Committees of Community Buildings
published by Community Matters

Charitable Status and Registration – Information Sheet 82
published by Community Matters

Charities Acts 1992 and 1993 – Information Sheet 23
published by Community Matters

Committees and Committee Procedure – Information Sheet 18
published by Community Matters

Community Association Trustees – Information Sheet 70
published by Community Matters

Community Organisation Subcommittees – Information Sheet 13
published by Community Matters

Company Handbook and Register for Voluntary Sector Companies Limited by Guarantee
published by Sinclair Taylor and Martin, available from Sandy Adirondack

The Company Right or Wrong? – the Pros and Cons of Incorporation for Charities and other Voluntary Organisations
published by the National Council for Voluntary Organisations

Croner’s Management of Voluntary Organisations
published by Croner Publications

Getting on Board: Strategies for Finding and Supporting Trustees
published by the National Council for Voluntary Organisations

The Good Trustee Guide
published by the National Council for Voluntary Organisations

Incorporation and Community Associations – Information Sheet 14
published by Community Matters

Model Constitution for a Charitable Unincorporated Association – GD3
published by The Charity Commission

Model Constitution for a Community Association
supplied with information sheet 6a (for newly forming associations) or 6b (for established associations wishing to update their constitution)
published by Community Matters

Model Declaration of Trust for a Charitable Trust – GD2
published by The Charity Commission

Model Documents for Village Halls
Model A – Freehold Property
Model B – Leasehold Property
published by Action with Communities in Rural England (ACRE)

Model Memorandum and Articles of Association for a Charitable Company – GD1
published by The Charity Commission

Model Trust Deed and Conveyance for Community Centres – Information Sheet 8
published by Community Matters

Model Trust Deed
published by the Charity Law Association

New Companies – CHN1
published by Companies Registration Office

Officers of the Community Association and Their Duties – Information Sheet 65
published by Community Matters

One Stop Company Secretary
published by ICSA publishing

Political Activities and Campaigning by Local Community Charities – CC9a
published by The Charity Commission

Political Activities by Charities – CC9
published by The Charity Commission

Remuneration of Charity Trustees – CC11
published by The Charity Commission

Responsibilities of Charity Trustees – CC3
published by The Charity Commission

Responsibilities of Charity Trustees: A Summary – CC3(a)
published by The Charity Commission

Setting Up a Community Association – Information Sheet 9
published by Community Matters

Starting and Registering a Charity – CC21
published by The Charity Commission

The Trustee Organiser
published by the Directory of Social Change

Users on Board: Beneficiaries Who Become Trustees – CC24
published by The Charity Commission

Voluntary But Not Amateur
published by London Voluntary Service Council

The Voluntary Sector Legal Handbook
Published by the Directory of Social Change

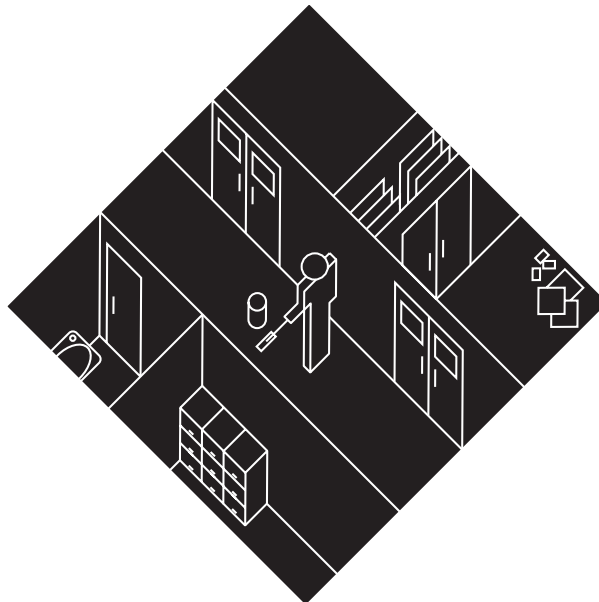
Volunteers on Management Committees
published by The National Centre for Volunteering

All Acts of Parliament referred to in the text can be purchased from the Stationery Office.

Publishers' addresses can be found on page 180.



Staffing – voluntary and paid



INTRODUCTION

This chapter is about the people who work in or for your community building, whether paid or unpaid. It is important to treat all your workers in a reasonable, humane and supportive manner. In this way they will enjoy their work and get more from it and in so doing they will undoubtedly give more, so the community building and all that goes on in it will also gain.

Quite often people on management committees of community buildings who ‘employ’ people, whether as paid staff or as volunteers, have a pretty antiquated view of how they should be treated. It tends to vary between two extremes – either very authoritarian or very casual. Difficulties that inevitably arise are often dealt with summarily, or they are studiously avoided. Neither of these approaches is satisfactory and both lead to serious problems with bad feeling abounding. There is often much back-biting and then, after a particular problem has receded, the whole issue simplistically written off as a personality clash.

This book takes the view that personality clashes need hardly occur. They can be prevented by clear procedures for all aspects of ‘people management’, an open and straightforward approach to problems and a supportive attitude to all who work for the community building. These measures will maximise enjoyment and efficiency and minimise the difficulties that can so often be destructive.

Once again it is clarity that will stand you in good stead in this sphere. Be clear about everything: what the worker is to do; what the terms are; who supervises/supports the worker; what to do if there are grievances; what the national insurance position is; the kind of person to do each specific job. If you are clear and open about all these things (and have proof of that clarity by having the important things written down) – and, after all this, people still cannot do their work properly or get on with other workers, only then are you entitled to think you may have a real personality clash on your hands.

You may not like the term workers but it is used to avoid the difficulty of thinking that all “workers” are paid which is what usually happens when the

term *employees* is used. In this chapter *employee* means someone who is paid a wage or salary to do a job as opposed to *volunteer* or *voluntary worker* who is not.

DIFFERENCES BETWEEN EMPLOYEES AND VOLUNTARY WORKERS

There are, of course, several other differences between employees and voluntary workers, not only the fact of payment of a wage. For example the law demands that employees are treated in very specific ways in certain matters. You may be surprised to learn, however, that many aspects of what is sometimes referred to as employment law apply equally to voluntary workers just as to paid employees.

The assertion that it is good practice to treat all your workers in a reasonable, humane and supportive manner is in no way intended, however, to imply that the differences do not exist. Thus separate sections follow for employees and for voluntary workers.

That does not quite deal with the matter. There still remains the difficult question: ‘are there differences between one kind of volunteer and another?’ In small community organisations running all manner of community buildings the vast majority of volunteers just sort of materialise. They are not formally recruited or indeed considered formally in any way. They turn up, they lend a hand and get more or less involved depending on time available and their ability to get on with other people. Some organisations have a different kind of volunteer who quite often is recruited formally and is supported by a range of more or less formal systems and procedures. It is this last category that most people will more readily recognise as voluntary workers.

Much of what follows in the section on voluntary workers might be thought only to apply to this more formal category of volunteers. Whilst there will always be some volunteers whose relationship with the community organisation is very informal – and that is quite proper – it is the contention of this book that people in that category are or should be far fewer than is currently the case. It is important,

therefore, that every organisation with voluntary workers of any kind considers all that follows and actively tries to improve the procedures and approach to all its workers.

A NOTE ABOUT FORMAL AND INFORMAL

There is much confusion about formality and informality in the human relations aspects of voluntary organisations and, for that matter, within other organisations that employ people. There is a view that to be informal is better, more friendly, more humane

and therefore more productive. Depending on definitions this book takes the opposite view – that formal relations at work are more productive and in fact more comfortable for workers, both voluntary and paid. The definition is crucial, however. This book takes formal to mean open, clear, organised and well structured. It does not mean authoritarian, stiff, bossy or any of those other nasty qualities that many seem to mean by it. If your procedures for dealing with the people who work for your community building are formal in the positive sense everyone will benefit.

EMPLOYEES' AND EMPLOYERS' RIGHTS AND RESPONSIBILITIES

Employment Law is a term meaning a collection of Acts of Parliament and Regulations defining rights and responsibilities of employers and employees. Some of this legislation is covered in other chapters, some has already been referred to in this chapter. There is quite a lot more and it will now be summarised.

A word of warning: the detail that is possible to include here might not be enough for any particular situation that may arise in managing people within your community building. It is very important that you check the detail of any Act if you think, for whatever reason, that you may not be getting something right. You can either read the Acts themselves, although there are a lot; or you can read about their provisions in longer summaries that others have written. The most comprehensive place to look is *Reference Book for Employers* published by Croner Publications. This is one of several guides that Croner's produce. They are very comprehensive and you can also subscribe to an updating service. The only drawback is that they are very expensive. The *Reference Book* currently costs over £500. If you cannot afford to buy one perhaps your local council for voluntary service, rural community council or local federal organisation has one you can refer to. If not perhaps you can convince them to buy one so that all the voluntary bodies in your area can benefit.

EMPLOYMENT LAW

Taking on employees, especially if you have not employed anyone before, can seem a daunting prospect. If your organisation is unincorporated the management committee members will be the employers and so they need to be aware of the basis of employment law and potential problem areas.

This chapter gives a basic introduction to some of the legislation and good practice involved in recruiting and employing paid staff and volunteers. Community Matters' information sheets 53-59 cover some aspects in greater detail. Other sources of further information are given on page 53.

The main Acts of Parliament and Regulations that determine how employees should be treated and therefore the employer's responsibilities are as follows:

- Asylum and Immigration Act, 1996
- Disability Discrimination Act, 1995
- Disabled Persons (Employment) Acts, 1944 and 1958
- Equal Pay Act, 1970
- Employment Relations Act, 1999
- Employment Rights Act, 1996
- Health and Safety at Work Act, 1974
- Human Rights Act, 1998
- Maternity and Parental Leave etc Regulations, 1999

- National Minimum Wage Act, 1998
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations, 2000
- Protection from Harassment Act, 1997
- Public Interest Disclosure Act, 1998
- Race Relations Act, 1976
- Rehabilitation of Offenders Act, 1974
- Sex Discrimination Acts, 1975 and 1986
- Sex Discrimination (Gender Reassignment) Regulations, 1998
- Social Security Act, 1989
- Working Time Regulations, 1998

Both Acts and Regulations are available from the Stationery Office (address on page 182).

Always remember that good practice in employment does not just mean fulfilling the law and no more. In some cases the law is out of date, in others there is no law, but it is in your interest and that of your employees to treat them well whether the law requires it or not. For example the special needs of people with disabilities far exceed the measures laid down in law. As a good employer you will want to abide by good practice and not just the letter of the law.

PART TIME WORKERS

People who work part time (and this includes casual and freelance workers, but not anyone who is genuinely self-employed) now have the general right not to be treated less favourably than a full-time worker in relation to the terms of their contract. For example, part time workers should generally have the right:

- to the same basic rate of pay as workers doing the same or comparable jobs on a full time basis under the same type of contract, unless a different rate can be justified on objective grounds (e.g. profit-related pay)
- to receive the same hourly overtime rate, once they have worked more than normal full time hours
- to the same entitlements (pro rata) as full time colleagues to contractual sick pay and maternity pay provisions, contractual annual leave and other leave, access to occupational pensions, and access to other benefits – unless such treatment can be shown to be objectively justified

- not to be treated less favourably in selection for redundancy simply because they are working part time, unless this can be justified on objective grounds
- not to be excluded from training because they work part-time
- to access career break schemes

NATIONAL MINIMUM WAGE

Under the National Minimum Wage Act, 1998 employers have to have minimum hourly rates. At time of writing these were:

- £3.70 for workers aged 22 or above
- £3.20 for workers aged 22 or above who:
 - are within the first six months of starting work with the employer
 - have not previously been employed either by that employer or by an associated employer, and
 - have agreed to take part in accredited training on at least 26 days between the start of their employment or, if later, the day they entered the agreement, and the end of the six month period referred to above
- £3.20 for 18-21 year olds and new workers who are being trained.

There is no set rate for 16 or 17 year olds.

For further information see Community Matters' information sheet 58: National Minimum Wage.

WORKING TIME REGULATIONS

The Working Time Regulations 1998:

- set a working time limit (including overtime) of 48 hours a week (calculated as an average over a 17-week period)
- require employers to take all reasonable steps, in keeping with the need to protect workers' health and safety, to ensure this limit is not exceeded
- specify requirements for daily and weekly rest periods and rest breaks at work
- grant a statutory right to paid leave
- give specific protection for night workers, including health and safety assessments
- give enforcement powers to the Health and Safety Executive and establish specific criminal offences and remedies for failure to comply.

RIGHTS OF ALL EMPLOYEES

FROM THE FIRST DAY OF EMPLOYMENT

- to an itemised pay statement
- not to have unauthorised deductions made from wages
- to equal pay for work of equal value
- not to be discriminated against on grounds of race
- not to be discriminated against on grounds of sex or marital status
- not to be discriminated against because of past, current or future actions in relation to gender reassignment
- not to be discriminated against on grounds of disability (except where different treatment is justified), when employed by an organisation with 15 or more workers
- not to be discriminated against because they qualify for the national minimum wage, or because they have sought to enforce their right to do so
- to work in a healthy and safe environment
- to have an independent trade union recognised by the employer if that is the wish of the majority of the workforce (in organisations with 20 or more employees)
- to join and take part in the activities of a trade union
- not to be discriminated at work or when applying for a job as a result of an employer using a “blacklist” of trade union members
- not to join a trade union
- to reasonable time off with pay to carry out duties and undergo training as an official of a recognised trade union
- to reasonable time off (which need not be paid) for other trade union members for activities of a recognised trade union
- not to be dismissed during the first eight weeks of lawfully organised industrial action
- to reasonable time off with pay to perform functions as a safety representative (in organisations with five or more staff)
- not to be victimised or unfairly dismissed on grounds of activities as a safety representative, for making a complaint about a health and safety matter or for taking steps to protect themselves or leaving a place where they reasonably believe they are in danger
- not to be unfairly dismissed for activities relating to being a representative for consultation about redundancy or business transfer
- not to be victimised or dismissed after “blowing the whistle” on any illegal or dangerous activities carried out by their employer
- not to be victimised or unfairly dismissed because an employee has required the employer to comply with statutory obligations
- not to be dismissed in breach of the contract of employment
- not to be dismissed for any reason connected with racial group or sex
- not to be unfairly dismissed for participating in an election of an employee representative
- to rest breaks, maximum working hours per week and health checks
- to reasonable time off (which need not be paid) for public activities
- to reasonable time off (which need not be paid) to deal with unexpected or sudden emergencies relating to dependants (this includes any spouse, parent, child or more distant relative who is dependent on the employee)
- for employees aged 16 or 17 who have not achieved a certain educational or training standard, to reasonable time off with pay to study or train for a relevant qualification which will help them achieve that standard (and certain employees aged 18 have the right to complete training already begun)

- to be accompanied by a fellow worker or trade union official during disciplinary or grievance proceedings
- to statutory sick pay after having been off sick for four days in a row, if they are paying National Insurance contributions and if on a contract for three months or more
- to compensation for illness or injury caused by work

All female employees as also entitled to

- paid time off for ante-natal care
- 18 weeks' maternity leave (even if the woman was pregnant when she started the job)
- the right to return to the same job on the same pay and conditions after 18 weeks' maternity leave
- not to be unfairly dismissed for any reason connected with their pregnancy
- the right to a written statement of the reasons for dismissal if she is dismissed at any time while she is pregnant or after childbirth where her 18 week maternity leave period ends

AFTER ONE CALENDAR MONTH

- one weeks notice of dismissal
- pay during medical suspension
- wages if laid off
- a statement of terms of employment particulars (within two months of started work)

AFTER 13 WEEKS

- paid annual holiday (the qualifying period is being challenged in the European Court of Justice)

AFTER 6 MONTHS

- 18 weeks' statutory maternity pay, if the woman is earning more than the national insurance lower earnings limit

AFTER ONE YEAR

- not to be unfairly dismissed (note that for some unfair dismissals, there is no qualifying period – see above)
- to be given written reasons for dismissal within 14 days of the request
- additional maternity leave, comprising 11 weeks before the expected week of childbirth and 28 weeks after the week of birth
- to take up to 13 weeks' unpaid parental leave to care for each child born after 15 December 1999 during the child's first five years or, in the case of a disabled child, until the child's 18th birthday. Similar rights exist for adopted children

AFTER TWO YEARS

- to redundancy payment, reasonable time off work to look for work or training if under notice of redundancy

Because the 48 hour rule applies over a 17-week period, it is unlikely to be a problem for most community organisations.

The maximum working week can be excluded by agreement between the employer and its employees.

The Regulations apply to casual, part-time and agency workers as well as full-time employees.

For further information see Community Matters' factsheet 59: *Working Time Regulations*, 1998.

VOLUNTARY WORKERS

Many community organisations rely on volunteers and before you take on the role of an employer, first consider the value your organisation places on your volunteers.

Do you ever have volunteering on the management committee agenda? Has the committee ever looked at ways of recruiting volunteers? How does the organisation show it values the work of volunteers? Do you ever consult volunteers about the organisation's policy and future direction? Do you acknowledge volunteers' work in your annual report?

If you have a policy of recruiting, training and valuing volunteers you might not have to enter the minefield of employment legislation.

VOLUNTEERS AND STATE BENEFITS

The days are gone when the vast majority of voluntary workers were drawn from those members of society who had sufficient finances for a comfortable life but time on their hands to offer a bit back to the community. Such people did, and many still do, provide invaluable help as voluntary workers. However, changing social values together with a vastly different economic climate, have led to many volunteers being drawn from different groupings of people. Many volunteers receive social security benefits, and it is very important to ensure that their voluntary work with you takes account of the financial and legal matters that this can give rise to.

Unless matters are handled carefully volunteers may lose their entitlement to benefits. By and large this occurs, not because of new legislation, but rather because a local office decides to tighten up on its implementation of existing legislation.

Job Centre staff have considerable discretion in applying regulations. You should encourage volunteers and potential volunteers to inform the Job Centre about their volunteering and explain how volunteering can help them get paid work. It is helpful to give volunteers a letter to present to the Job Centre stating:

- the type of payment the volunteer receives (including any payment in kind, such as meal vouchers)

- that you have discussed methods of seeking work with the volunteer and that he or she can be contacted on a particular number and that you will pass on messages
- that you understand the volunteer may have to give up volunteering at 48 hours' notice
- that volunteering will help the volunteer to get paid work through, for example, developing skills and confidence and having a source of a reference for job applications

If you are not a charity then you should not encourage volunteers to do work within their own main area of occupation.

Watch out for the *notional earnings* rule which means that the Benefits Agency will assume that someone is earning money even when this is not the case; if this does happen to one of your voluntary workers you can argue against it so long as your aims are charitable or the work carried out is for someone whose income is on or about the level of income support;

The main rules concerning volunteering and benefits are given on page 36.

NATIONAL INSURANCE

Most people aged between 16 and state pension age must pay contributions to the National Insurance (NI) scheme. NI contributions (NICs) are only paid on earnings above a certain amount.

NICs go towards the basic retirement pension and some types (classes) of contribution also help people qualify for certain social security benefits, for example contribution-based Jobseeker's Allowance (JSA). If people do not build up credits for 9/10 of their working life their retirement pension will be affected. Other benefits may also be affected by non-payment of national insurance.

Each week that someone qualifies for JSA they will be treated as if they had paid their NI contribution. It is also possible for someone to be treated as having paid an NI contribution even if they do not get JSA.

You should encourage volunteers to discuss their NI contribution record with their Employment Service Adviser at the Job Centre.

HOW VOLUNTEERING CAN AFFECT BENEFIT

Jobseeker's Allowance (JSA)

JSA will not usually be affected as long as it is reasonable for the organisation not to pay the volunteer and he or she:

- can be available for work or to attend an interview at 48 hours' notice
- is actively seeking work as agreed with the Employment Service Adviser
- does not receive any pay other than for genuine expenses

There is no limit to the number of hours anyone can volunteer while receiving JSA, as long as the above conditions are met.

Incapacity Benefit and Severe Disablement Allowance

- someone can do as much voluntary work as they wish without entitlement to benefit being affected, provided that the work is for someone other than a close relative and the only payments received are for expenses reasonably incurred in the connection with the

work. However, the volunteer should inform their local benefit agency before they start voluntary work for confirmation that they are allowed to do the work.

Invalid Care Allowance

- volunteers must remain able to care for the disabled person for at least 35 hours a week

State Retirement Pension

- not affected in any way by volunteering

Industrial Injuries Disablement Benefit

- not affected in any way by volunteering

Widows' Benefits

- not affected in any way by volunteering

Income Support

- not affected by volunteering

Disability Living Allowance

- not affected in any way by volunteering

It is possible to pay contributions voluntarily to make up for contributions not paid or not credited.

For further information about NICs contact your local Inland Revenue (NI contributions) office (numbers will be in the phone book).

VOLUNTEERS AND EXPENSES

It is good practice to pay voluntary workers any expenses they incur in the course of working for you. There are several reasons, the main one being that it enables people who otherwise could not afford it to give you their time on a voluntary basis.

It is again important that clear rules and procedures are established for the type and amounts of expenses, how claims are to be made and when the expenses will be paid.

There is a range of expenses that a volunteer can claim without affecting their entitlement to benefit

or the amount of benefit they receive. These include:

- travel to and from the place of volunteering
- travel while volunteering
- meals taken while volunteering
- post and phone costs
- care of dependants while volunteering
- the cost of protective clothing

Expenses should be paid against actual expenditure incurred and not as a lump sum or an honorarium. In this way volunteers' benefit or tax position will not be affected. If expenses are not dealt with in this way the volunteer's status could switch from that of volunteer to part time employee, in which case travel to work expenses immediately become taxable and benefits entitlement may be affected. Honoraria may also put you in the position of having to take on PAYE duties for the volunteer

A CAUTIONARY TALE

The committee of a particular and, for these purposes, nameless community building which is not huge but has a good level of community activity was presented with a bill by the Inland Revenue, out of the blue as far as they were concerned, for £16,000. This was for PAYE and National Insurance contributions going back over six years. As you might imagine, the committee was horrified, particularly as it thought it had done nothing wrong.

The situation was this. Every bingo caller and every doorman and every other casual employee had been given cash in hand for their services. In any one instance this had not amounted to very large sums of money: a tenner here and there, maybe twenty pounds occasionally. It all went through the books. No one believed that anything wrong or underhand was going on. If the recipients had a tax difficulty it was between them and the Inland Revenue. After all no one “earned” enough from the community building to qualify to pay tax or National Insurance. These were not in fact thought of as part time workers at all but rather good hearted volunteers who were “given a drink”.

As is their right the PAYE audit team came in to do a spot audit. They took a different view. The recipients of the “drinks” were part time workers and tax and National Insurance were due unless the organisation could prove otherwise. The proper way to do that was to

fill in a P46 for each worker. This is the form you have to send to the tax office for every worker who does not give you a P45 at the beginning of their employment with you. The P45 is a statement of earnings and deductions given by your employer when you stop working for them. Upon receipt of the P46 the Inland Revenue will issue a tax code which tells the employer how much tax, if any, to deduct. Tax on the part time workers’ income is your responsibility to collect and if you do not it becomes your responsibility to pay it from your own funds at the emergency rate. This is what happened to the Community Building in this example and a bill for £16,000 was presented.

If you think that £16,000 is a lot of money for such a situation then of course you’d be right. You’d be wrong if you thought that such horrifyingly large back-dated bills cannot happen. This, as every other “cautionary tale”, is a true story. What happened is that the audit team took all sorts of other payments into account as well, such as legitimate expenses of voluntary workers, legitimate in every way except how they were accounted for or indeed whether they were accounted for properly at all. If you do not have precise records and receipts for every item of expenditure then it can, perhaps quite inaccurately, be deemed as payment of wages to part time workers. A very large bill can then accrue.

concerned. The *National Centre for Volunteering* (address on page 53) has a free form, agreed with the Department of Social Security, to enable people on benefits to record their out of pocket expenses.

Finally, although it may at first seem a little odd, it is wise to encourage all volunteers to accept payment of expenses even if they do not want them. Not to do this can make less well off volunteers feel awkward and furthermore you never get an accurate picture of the cost of your work. As for the better off,

they can always give their expenses to some good cause if they wish – including returning them to your organisation!

VOLUNTEERS AND EQUAL OPPORTUNITIES

The main legislation covering equal opportunities is: the Sex Discrimination Act, 1986; the Equal Pay Act, 1970; the Race Relations Act, 1976; Sex Discrimination (Gender Reassignment) Regulations,

1998; the Disabled Persons (Employment) Acts, 1944 and 1986 and the Disability Discrimination Act, 1995.

These Acts are applicable to both paid and voluntary workers and maintain that in all employment matters the needs of all sections of the community are taken into account and that opportunities for paid or voluntary work are open to all regardless of race, sex or disability. Although not covered by legislation, opportunities should also be open to all regardless of special needs, religious beliefs, sexual orientation, class, age and HIV status. In other words equal opportunities applies as much to voluntary workers as it does to paid employees.

More details of good practice in equal opportunities are given later in this chapter.

VOLUNTEERS AND HEALTH AND SAFETY

Under health and safety legislation an organisation's management committee has a responsibility to ensure "so far as reasonably practicable" that people who are not employees but who might be affected by the organisation's activities are not exposed to health or safety risks. This includes voluntary workers

and committee members.

So as well as actually having a health and safety policy (compulsory if you have five or more employees, but good practice, however many employees you have) you must make sure that you give every volunteer the opportunity of reading it and get them to sign that they agree to abide by it.

For more detailed information about health and safety matters see chapter 7.

VOLUNTEERS AND RECRUITMENT AND OTHER EMPLOYMENT PRACTICES

The next section will describe the recruitment, support and grievance procedures that law and good practice demand that you follow with regard to paid staff. It is good practice, wherever possible, to apply the same standards to voluntary workers in these matters. Of course, as mentioned above, you will need to consider the situation of informal and formal volunteers and apply common sense to the situation; but you are urged for everyone's sake to err on the side of the formal. Voluntary workers have a right to good employment practices just as much as paid staff. Do not use the question of informality to avoid your responsibilities to volunteers.

PAID EMPLOYEES

THE NEED FOR GOOD EMPLOYMENT PRACTICES FOR EVERYONE

Many people reading this book will belong to a community building that has very few, if any, paid employees. In these circumstances it is very tempting to think that detailed procedures for staff recruitment, management and support are unnecessary. The same can go for equal opportunities: "that's for bigger organisations", you might think.

Whilst such temptations are recognised and understood, there are in fact important reasons why you should resist them and apply the standards of good practice, whether you have one member of staff or ten. They will help you find the best person for the job; they will prevent you from inadvertently discriminating against people from certain sections of society; they will help your staff feel more

confident and supported in their work and consequently they will be more productive. Decent employment practices will help you discover difficulties, such as poor or inadequate work, more quickly and enable you to take steps to put things right.

Furthermore, as the cautionary tale in this chapter has indicated, proper attention to the detail of good employment practices can prevent serious financial and legal difficulties.

EQUAL OPPORTUNITIES EMPLOYMENT

It is possible to talk too little about equal opportunities and it is possible to talk too much about it. Talking about it is much easier than doing it. Good practice in employment from just about any point of view will ensure that the principles of equal opportunity are followed. Equal opportunities employ-

ment practice is not separate from general employment practice. Thus what follows will not constantly refer to equal opportunities. Equal opportunities underlies everything that follows: it is simply good practice and applies all the time.

In essence equal opportunities employment means that you go about all aspects of staffing in a way that ensures no one is treated less favourably on the grounds of race, sex, disability and special needs, religious beliefs, sexual orientation, gender reassignment, HIV status, class and age.

With certain exceptions discrimination of any kind is outlawed. A practice sometimes known as positive discrimination is therefore usually against the law. This practice is supposed to discriminate in favour of groups who are often discriminated against in our society. The exceptions are largely in the spheres of women and people from minority ethnic communities. They are very tightly defined and by and large are where it would be inappropriate to employ someone else for a particular job. If you feel that a particular job of yours might qualify in this respect the best thing to do is to contact the Equal Opportunities Commission or the Commission for Racial Equality (for addresses see page 180) to get specific advice and to avoid, with nothing but good intentions, inadvertently breaking the law.

Positive action, however, is perfectly legal and simply means that steps are taken throughout your organisation to ensure that discrimination against anyone is eradicated. What is said on equal opportunities, both here and in chapter 11 – *Reaching Out*, constitutes what is generally known as positive action.

If challenged most people involved with community buildings would claim that they are not prejudiced against any groups on any of the grounds mentioned above. Most of us do not knowingly discriminate. Most discrimination is unintentional and therefore much harder to defeat.

Developing an Equal Opportunities Policy

It is important that there is an equal opportunities policy for your organisation: only then will you have the means of knowing exactly how well you are doing in achieving the goal of acting fairly to all

sections of the community.

You might think that the easiest way to get an equal opportunities policy is to follow the very good example of those organisations which have written one already: simply adopt theirs. Whilst there is always much to be learned from pioneers in the field and the collected experience of others tackling similar problems, there are particular pitfalls in simply copying their work, especially in the sphere of equal opportunities. This because it is one thing to adopt an equal opportunities policy in your head but quite another to implement it in the heart of the organisation.

Look at what others have done by all means, but then initiate a process in your organisation so that everyone can contribute to developing your own policy. This will not be an easy process because these things run very deep and excite passions and prejudices that most people prefer to leave well alone; but it is leaving them alone that leads to problems and injustices. Letting sleeping dogs lie is certainly inappropriate here!

Easy or not, the very process itself will be valuable because it will increase awareness by everyone involved, both of each other's views and of the issues. Equally important it will ensure that the skills, knowledge and experience of all will be drawn upon; and finally it will mean that you have a policy that is tailor-made for your situation.

Key Elements of an Equal Opportunities Policy

An equal opportunities policy normally consists of two elements. The **Statement of Intent** sets out broadly why you are adopting an equal opportunities policy and what you intend to do. The **Code of Practice** (which should be very practical) describes in more detail the actions and procedures you need to undertake to implement the statement of intent. It is common to include a third element within the code of practice – a **Code of Conduct**. This is a statement that makes it clear that all people will be treated equally and properly, and can be displayed and circulated within your organisation.

Although your policy will be uniquely yours there are a number of important elements that it should cover so that you can ensure that:

- posts are advertised to encourage applications from all sections of the community
- all job applicants are treated fairly
- all workers are treated equally
- everyone's training needs are recognised
- the needs of people with disabilities are addressed
- there are procedures to cover all these elements
- procedures are developed to monitor the progress of the policy's implementation and to enable it to be adapted and updated whenever appropriate.

When engaging in the process of developing an equal opportunities policy you will need a lot more information than it is possible to give here. At the end of the chapter you will find a list of more detailed literature on the subject.

Although this chapter is about staffing remember that your equal opportunities policy must consider all aspects of your community building's operation – not just your workers. You should therefore develop policies, practices and monitoring procedures that ensure you do not discriminate against users and potential users and that your policy covers your committees so that they reflect all sections of the community. (See chapter 11 – *Reaching Out*)

Community Matters' information sheet 19 *Equal Opportunities* covers the content, development and implementation of an equal opportunities policy.

Training in Equal Opportunities Employment Practices

Quite understandably equal opportunities employment can be bewildering at first and it is therefore important to provide support and training for those involved in it. There are many people and organisations who specialise in this kind of training, including Community Matters. If you can afford to have training courses run in this way do so. Some local authorities and some voluntary organisations provide such services free or at low cost. However you go about it do try and equip the people involved in recruitment and other staffing matters by providing training in equal opportunities.

RECRUITING WORKERS

Once you have decided to employ paid workers it is important to follow correct procedures of recruitment, induction and conditions of employment.

The Recruitment Panel

Community buildings are run by committees and important decisions are the responsibility of the main committee, even if it has delegated a certain matter to a sub-committee. Staffing decisions are certainly important decisions. Having said that it is very unwise to have a recruitment panel of any more than five people as it will be too intimidating for the candidates. Try to avoid an even number as it can be very awkward if it comes to a vote.

If you don't have all the necessary skills within your management committee you could ask someone from outside the organisation to join the panel – possibly from the local authority, or another voluntary organisation.

If you have a building manager or warden then you should involve her/him in the selection of staff too; but avoid involving people who are leaving in recruiting their successor: they do not have to work with the person recruited, and your committee may wish to change the way the job is done.

Be sure to get a balance of people from different sections of the community particularly ensuring balance of sex and race. Community Matters provides training on employing and managing staff, recruiting and retaining volunteers, and equal opportunities.

Clear Information for Applicants

You are more likely to recruit the right person if you give potential applicants a good range of information about the job and the organisation. This should include a job description, a person specification, a description of the community building, its history, activities, management structure and future plans. Using an application form rather than asking for CVs ensures that information on each candidate is given in categories relating to the job description and person specification and so candidates can be compared fairly. It also enables personal information to be removed for monitoring purposes prior to short-listing.

The application package should also include the application form (see below) and details relating to the job, including:

- salary
- holiday entitlement
- probationary period (if any)
- pension arrangements (if any)
- summary of other terms and conditions

Job Description

To state the obvious, before you can begin your search for the right person for the job you need to know exactly what the job entails. This means drawing up a detailed job description. The main elements of the job description should be as follows:

- job title
- summary statement of the main purpose of the job
- person to whom the worker is responsible
- people who are responsible to the worker concerned
- the main duties and responsibilities of the job
- other duties as may be required

A good job description saves time in the selection process because people will be able to decide whether the job is suitable for them. It is also helpful in the interviewing process.

A contract of employment exists as soon as someone accepts the offer of a job, and it is binding on both sides; the job description forms part of the contract and therefore cannot be changed without agreement from both parties.

Job descriptions should be reviewed regularly and be the basis of an annual staff appraisal.

Person Specification

A person specification will help you select the best person for the job. It details the qualifications, experience, skills and abilities required. These should be divided into what is essential and what is desirable and relate specifically to the duties of the post as set out in the job description.

Great care should be given to the preparation of a person specification so that you do not inadvertently exclude people from the running, by setting the standard too high. Equally you must not make

the requirements so general that it becomes unhelpful in the selection process.

You should include a statement detailing adaptations that could be made available to people with disabilities. Part II of the Disability Discrimination Act, 1995 gives disabled people rights in terms of recruitment as well as employment. Although this only applies to organisations with 15 or more employees it would be good practice to ensure that your recruitment and employment arrangements do not discriminate against disabled people.

Application Form

Using an standard application form makes it far easier to compare applications without bias. A form should ask for:

- name of applicant
- address, telephone number(s), e-mail address (ask whether it is ok to contact someone at work)
- education and training relevant to the post
- details of current or more recent employment (including main duties, salary and dates of joining and leaving)
- details of past employment
- other relevant experience – both paid and voluntary
- names and addresses of referees (ask whether they may be contacted before interview, and if the candidate wishes to be informed before referees are contacted)
- details of whether the applicant requires a work permit or is otherwise subject to immigration control
- if the post falls outside the remit of the Rehabilitation of Offenders Act (see below) the form should ask whether the applicant has any convictions, and should include the statement “This post is exempt under the Rehabilitation of Offenders Act 1974 and you are required to reveal all convictions, even those that are spent”

The form needs to be well designed, with enough space for applicants to give full answers. Make it clear that answers should be addressed to the person specification, and state whether it is permissible to continue on separate sheets if necessary.

Application forms should include a separate form

for monitoring the responses from people from minority ethnic communities and from disabled people. This form could also include personal questions such as age and sex, as these have no bearing on an applicant's ability to do a job.

Make it clear that completion of the form is voluntary and that non-completion will not affect a candidate's chances of success.

Rehabilitation of Offenders

The Rehabilitation of Offenders Act, 1974 means that, except in certain circumstances, people have the right not to disclose any criminal convictions they may have had if they are "spent". Depending on the offence and the sentence and the time that has elapsed since the date of sentencing a sentence is considered spent. Certain professions and occupations in the social service sphere, whether statutory or voluntary, are exempt from the provisions of this Act. These include jobs where the worker will come into contact with children and young people up to age 18, people over 65, those with mental illness and people with serious disabilities. If you are in any doubt check with the Home Office to see whether your jobs are exempt. If this is the case you will need to state this on the application form and ask for details (see above). You can still appoint people with criminal convictions but you will have had an opportunity to take them knowingly into account.

Advertising

To make sure that as wide a range of people as possible hear about your job you must advertise widely. Use papers and places (including the local Job Centre) that will be seen by people from as broad a spectrum of society as possible. Advertising is expensive so you simply will not be able to cover all special interest journals every time. There are ways of advertising that do not require expensive ads in newspapers, however, such as notice boards of community centres, other voluntary organisations, the mailing list of local federal organisations, councils for voluntary service and rural community councils. So run off extra copies of your advertisement and use these networks.

The advertisement is the first place where poten-

tial applicants will learn anything about the job and your organisation. First impressions count. So make sure you cover all the important factors and do it in a clear and legible way.

In a summary form you should draw up the advertisement from the following elements:

- name and address of organisation
- job title
- outline of the job
- outline of the person specification
- salary
- whether full or part-time, and number of hours
- whether it is suitable for job-sharing
- whether permanent or temporary (and if temporary the length of the contract)
- whether certain sections of the community are particularly welcome to apply and if so under which legislation
- closing date for applications
- phone number/address/e-mail address for further information: a named contact is very helpful (you may want to ask people to send in a self addressed envelope)
- your status as an equal opportunities employer
- any acknowledgement required by your funder(s)
- date of interview

No one involved in short-listing or interviewing should gain information about applicants other than from the application form or at the interview itself. This means that no member of the recruitment panel should deal with enquiries and applications.

Administering the Recruitment Process

Whoever you designate for the task of ensuring that the recruitment process runs smoothly will have a number of things to do:

- prepare (after full discussion and decision by the recruitment panel) the job application packages and send them to potential applicants
- receive completed applications, letting no one else see them before short-listing
- remove personal information from application forms for equal opportunities monitoring purposes and allocate a number to each form for short-listing purposes
- invite short-listed applicants to interview giving

information about date, time, place, travelling expenses, and a request for the candidates to confirm their attendance

- request references
- give details of any pre-interview information visit to the community building
- handle post-interview correspondence

No Informal Interviews

Any visit to the building prior to the interview itself must be entirely to give candidates information about the place and the job. It must not form part of the selection process and therefore no one who will be involved in the short-listing or interviewing should take any part in a pre-interview visit.

Shortlisting

Shortlisting reduces the number of applicants for interview to a manageable size. Its purpose is to decide which applicants meet the criteria given in the person specification.

Each member of the panel should consider the applications using an agreed scoring system (for example 0 = doesn't fulfil the criterion, 1 = partially met, 2 = fully met). Put essential factors first then, if necessary, consider desirable factors.

The panel should discuss the applications, bearing in mind the scores relating to essential factors, and draw up a shortlist. If there is a large number of people on the shortlist – say, more than 6 – you should then consider the desirable qualities.

However, if a large number meet both essential and desirable factors, you will need to interview them all.

Contact the shortlisted candidates, giving them the date, time and venue. It is also useful to tell candidates who will be on the panel, the likely length of interview, whether it will involve any other procedures, such as a written test or presentation, and whether there will be a second stage of interviews.

If you contact candidates by phone, you should follow this up with a letter. Ask candidates to confirm their attendance in writing.

Interviewing

Good and successful interviewing requires attention to a range of factors. Preparation is vital so that a thorough and uniform set of questions can be arrived at that are designed to glean information about the candidates' qualities and experience relating to the requirements set out in the job description and person specification. The same questions should be put to all candidates.

It is important that the interview is run in a structured but not stiff way in order to do all that is possible to overcome the inevitable nervousness of the candidates. So be welcoming. The chair should introduce all the panel members, say they will be making notes, say how much time is being allocated for the interview and that there will be an opportunity at the end for the candidate to ask questions.

Tell people when they will be informed of the decision.

Discussion of the candidates should not take place until all the interviews are over. Members of the panel should take notes on each candidate and these should as far as possible be done in a previously agreed format relating to the job description and the person specification (using a form similar to that used for shortlisting – see above).

The chair of the interview should ensure that everyone has a full opportunity to say what they think about each candidate without interruption. Then a full discussion can take place before a decision is made on the grounds of suitability to do the job. At the end of the interview session the panel's notes should be gathered in and stored in a secure place. This is in case someone appeals against your decision on the grounds of unfair treatment.

Keeping Records

An applicant who feels discriminated against on grounds of race, sex or disability, or who has been refused employment on the grounds of membership or non-membership of a trade union has up to three months to complain to an employment tribunal. You should therefore keep shortlisting and interview forms for a minimum of three months. As the tribunal can grant an extension it would be wise – and good practice – to keep them for a year.

Letter of Offer

You may wish to contact the successful candidate by phone. If you do then be sure to follow the call with a letter straight away.

The letter of offer of a job forms part of the contract of employment and should include the following:

- starting date and time
- starting salary
- job title
- any conditions relating to the offer of employment (for example, a satisfactory medical, receipt of satisfactory references)
- a request for copies of qualification certificates, P45 or any other documentation you may require
- a request for a written acceptance

You should also enclose a copy of the job description and terms and conditions of employment and refer to them in the letter.

Once the post is accepted you can inform the unsuccessful candidates in writing, earlier for those you would not appoint even if the number one candidate turned you down. You might be tempted to give specific reasons for the rejection. Whilst it is important to know your mind on this if challenged it is sensible not to say very much at all at this juncture other than an appointment has been made and to thank them for coming.

A Note on References

Nearly all organisations ask for the name of two or more people to act as referees for a candidate for a job. Referees, who must know the candidate well, or know his/her work well, will be asked to write a reference about the suitability of a candidate to a particular post. There are different views about the value of references: their objectivity is often suspect and an unfair “old boys’ network” can colour descriptions of a candidate’s abilities; telephone references are open to all sorts of abuse as there is no record of what has been said.

So do not over-rely on references. To minimise some of the problems make sure you:

- give referees clear guidelines about the information required (copies of job descriptions and person specification)

- wherever possible, ask for a current or recent employer to be one of the referees
- where applicable seek information about convictions, informing the referee that the particular post is exempt from the provisions of the Rehabilitation of Offenders Act, 1974 on “spent” convictions
- always ask for written references

MANAGING WORKERS

Remember that whilst virtually all of what follows applies to paid employees and only some of it to voluntary workers, it is good practice to apply as much of it as possible to your volunteers, suitably adapted where appropriate.

Another reminder about legal requirements and good practice: good practice often goes beyond the minimum of the law and in some matters is not covered by the law at all. Good practice has to do with treating people fairly, humanely and in a supportive manner so that they will enjoy their work, be fulfilled and do the best possible job they can. Good practice is also about enabling the employer to ensure that work is being carried out efficiently and effectively on behalf of the community building management committee and the users of its services.

The Cost of Being a Good Employer

Although this is a delicate issue it is important to take account of cost. Many organisations simply will not be able to afford all that good practice suggests. Whilst no one must use lack of funds to excuse bad practice there is no point in committing your organisation beyond its means; that in itself is bad practice.

Contract of Employment

A contract of employment exists as soon as someone accepts the offer of a job and, by so doing, proves that he or she accepts the terms and conditions offered by the employer. Both employer and employee are bound by the terms offered and accepted. Often the contract is verbally agreed and not written down. Anyone who is employed for more than one month is entitled to a written statement of employment particulars within two months of

taking up employment. This will not necessarily cover every aspect of the contract, but can provide important evidence of the main terms and conditions.

Main elements of the Statement of Employment

Particulars

A statement of employment particulars must contain the following:

- name of employer
- name of employee
- job title or a brief job description
- starting date of employment and whether previous service with the same employer or a previous employer counts for the purposes of continuous employment
- rate of pay including any overtime or bonuses
- pay period and method of payment
- hours of work
- holiday entitlement, holiday pay and entitlement to accrued holiday entitlement on leaving the job
- entitlement to sick leave, including any entitlement to sick pay
- pensions and pensions schemes (if any)
- whether there is in force a contracting out certificate with the employment contracted out of the State Earnings Related Pension Scheme (SERPS)
- notice period entitlement for both the employer and employee
- where a job is not permanent, the period for which the employment is expected to continue, or, if it is for a fixed term, the date when it is to end
- either the place of work or, if the employee is required or allowed to work in more than one location, an indication of this and of the employer's address
- details of any relevant collective agreements which directly affect the terms and conditions of the employee's employment and, if the employer is not a party to them, the persons by whom they were made (*a collective agreement is an agreement between one or more employers and one or more union covering: terms and conditions of employment or physical conditions of employment; recruitment or*

non-recruitment or termination or suspension of staff; the duties of one or more staff; allocation of work to teams or staff; matters of discipline; membership or non-membership of trade unions; facilities for officials of trade unions; procedures for negotiation or consultation)

- name or job title of the person to whom the employee should go with a grievance
- grievance procedure or details of where the procedure can be obtained (if 20 or more employees)
- for organisations with 20 or more employees, disciplinary procedures or details of how they can be obtained

The contract may also include details of:

- maternity and parental leave
- dependants leave
- compassionate leave
- public duties
- union duties
- redundancy notice and pay
- religious holidays
- subsistence and travel arrangements
- child care arrangements
- flexitime arrangements
- equal opportunities procedures

Some of the details under certain heads, for example equal opportunities procedures, grievance procedures and disciplinary procedures, can be contained in separate documents and referred to by specific name and date in the statement of employment particulars.

How to Determine the Detail of the Contract of Employment

Behind virtually every clause of the contract will lie important decisions based upon research and discussion: What amount of leave should be given? What is statutory sick pay? Should we be more generous in our own sick pay arrangements? Whilst we know that flexitime working arrangements can help parents organise childcare, can we organise it in such a way so as not adversely to affect the services we provide? What should be the details of our disciplinary and grievance procedure?

These and many more questions need to be explored and practical policies and procedures need to

be developed in answer to each of them. The answers must suit the particular needs of your community building.

Detailed information about legal requirements and what other similar organisations do will be helpful. In addition to Croner's Guide (see page 54) there are many good publications on just about every aspect of staff management. Particularly helpful are *Voluntary But Not Amateur*, published by London Voluntary Service Council and *Employing People*, published by ACAS (addresses on page 53). *Voluntary But Not Amateur* contains a model contract of employment which you might find useful. Do remember, though, that if you use a model it is important to customise it for your specific needs and policies, and to check that you can afford the terms offered – for example the model may offer more generous maternity payment, or redundancy pay. If you employ just a cleaner and caretaker, for example, you will want something much simpler although all the essential points still have to be covered. Use the model as a starting point, therefore, rather than copying it slavishly.

Disciplinary Procedure

A disciplinary procedure is important in fostering good relations with your staff, not because it implies that you are going to have to discipline them all the time, but rather on those occasions when you do they know exactly what to expect and how it will be done. Again, clarity is the key. It is also important for you as an employer to protect yourself from falling foul of employment law, particularly if the difficult situation arises of the need to dismiss someone. If you have not “managed” the process well an employment tribunal will more readily support a claim of unfair dismissal against you resulting in reinstatement of the worker concerned, compensation or both.

ACAS has a code of practice called *Code of Practice on Disciplinary Practice and Procedures*, available from ACAS reader, or from ACAS's web site (see address list on page 53). Use it when drawing up your disciplinary procedure. It is very helpful.

The disciplinary procedure will depend on the structure and size of your organisation for some of its

details. The essentials remain the same for any organisation and should be contained in a written policy document. Complaints about a worker's work or behaviour should be made promptly and clearly in a series of stages ranging from an informal talk to a formal oral warning, a first written warning and a final written warning. At each stage the worker's views must be fairly listened to and a note taken and put on file. The time periods between each stage should be clear and not dragged out. Workers should be allowed to have a union representative or friend present.

Time for improvement must be given at each stage and when that time has elapsed a review of progress should be made. There should be a right to appeal against disciplinary action and a written procedure for this, which again should be speedy.

Except in cases of gross misconduct the full procedure must be gone through before dismissal.

Gross misconduct normally includes serious bullying or harassment, sexual harassment, racial abuse, assault, serious infringement of health and safety rules and theft or fraud. If gross misconduct is suspected the worker concerned should be suspended on full pay while an enquiry into the facts takes place. If the enquiry finds against the worker then dismissal may follow instantly without going through the full disciplinary procedure.

Many people take the view that it is avoiding the early informal verbal stage of a disciplinary procedure that causes most trouble. Workers feel understandably aggrieved if the first they hear that their work is considered unsatisfactory is in the form of a formal warning. It is then much more difficult to restore good working relations.

Dismissal and Employees' Rights

If you decide to dismiss, for any reason except gross misconduct, an employee who has worked continuously for you for one calendar month then he or she has certain rights:

- to a minimum period of notice:
 - not less than a week if the period of employment is less than two years
 - not less than a week for each year of continuous service if the period of employment is

- between two and twelve years
- not less than twelve weeks if the period of employment is 12 years or more
- to pay during notice, regardless of whether work is available
- to normal sickness conditions and pay during the period of notice
- to normal holiday entitlement and pay during the period of notice; if any outstanding holiday entitlement remains at the end of the period of notice, payment in lieu must be made
- to a written statement of reasons for dismissal (if employed for one year or more – see page 34)

Redundancy

If there is no work available in the foreseeable future for a member of staff then she or he may be dismissed as redundant. The main cause of this in voluntary organisations is lack of funds. Employees with two years or more continuous service who are made redundant are entitled to all the measures referred to above and have certain additional rights:

- to a tax-free statutory redundancy payment at the rate of:
 - half a week's pay (up to a maximum – £230 in 2000/01) for each complete year of employment between the ages of 18 and 21
 - one week's pay for each complete year of employment between the ages of 22 and 40
 - one and a half weeks' pay for each complete year of employment between the ages of 41 and 65 (or the organisation's agreed retirement age if this is lower), up to a maximum of 20 number of years
 - it is the employer who has to make these payments
- employees do not have to pay income tax on redundancy payments which they receive in accordance with the Act
- to written particulars of redundancy payment showing how it has been calculated

Unfair Dismissal

Employees who have worked continuously for one year or more have a right not to be unfairly dismissed, and to compensation and/or their job back if

they can prove unfair dismissal to an employment tribunal. As managers, the best way to avoid unfair dismissal is to act in accordance with the procedures and practices set out above. In other words have a proper contract and disciplinary procedure and abide by them.

A particular case to guard against in times of reducing grants is "constructive dismissal". If, for example, a grant covering a salary is reduced but not cut out altogether, you cannot, as the employer, unilaterally cut the hours of a member of staff: to do so would be a change of contract which must be agreed by both parties – the employer and the employee. If you fail to do this, the employee is likely to win a case of "constructive" and, therefore, unfair dismissal at an employment tribunal.

There are many important aspects of employment law concerning unfair dismissal and redundancy. If you have any doubt whatsoever it is advisable to consult *Croner's Reference Book for Employers*. (See further reading on page 54.)

Grievance Procedure

A grievance procedure is valuable in management/worker relations for exactly the same reasons as a disciplinary procedure: it lets everyone know, in advance, where they stand. On this occasion it applies to situations when a worker is unhappy about the way he/she is treated within the community building management structure.

Once again there should be a series of stages which will vary depending on the structure and size of the organisation. The worker should raise the issue first with his/her immediate staff superior. If the matter is not promptly resolved in this way it can next be taken to the staff head of the organisation or if there is not one then to one of the officers of the committee. The next stage will be a special meeting of the management committee. If the worker is still not satisfied he or she can take the issue to ACAS.

There should be no more than a week between each stage and written records should be kept at each stage. The procedure should be set out in writing.

Very Small Organisations

It is important to stress that much of what has been described above ought to be considered and acted upon regardless of how many workers your community building may have.

Many people reading this book will be involved with community buildings that have very few staff, if any. There are hundreds of community buildings who may have a cleaner for a few hours a day and maybe a part-time caretaker but no other staff. Does all this really apply to you too?

It has already been said that it is important to adopt as much good practice as is practical and possible for your organisation. While you may not need thick policy and procedure documents on all the items referred to it will be important to have committee discussions on them that are clearly recorded. You must do this to fulfil the law wherever appropriate, to deal fairly with the paid and voluntary workers you have, and to avoid getting into serious financial difficulties that you never thought were possible.

Cleaners and Caretakers

The importance of cleaners and caretakers cannot be exaggerated, whether they are your only staff or are part of a larger staff team.

The cleanliness and appearance of the community building sets the scene for everything that goes on in it. A well supported cleaner, just like any other member of staff, is a more effective cleaner; and the same is true of the caretaker. Yet often they become the butt of everyone else's feelings.

There are several reasons for this, many of them more fitting in a book on the psychology of work and staff relations. Whatever the deeper reasons, however, it often boils down to the fact that cleaners and caretakers are all too often taken for granted. They rarely receive regular support and supervision and often feel that they have an impossible job: an hour a day to clean that lot.

In addition, their duties are also sometimes taken for granted rather than being clearly stated. Drawing up a detailed job description for your cleaner and your caretaker is crucial, as are regular supervision sessions. These may be only a ten minute talk once a

week with a committee member but they are still valuable. Allocate someone from the committee to take on this responsibility and make sure the meetings are regular. Like anyone else, cleaners and caretakers need an opportunity to be listened to, to moan about this, to suggest that and to be taken seriously. They also need to feel valued for what they do and told when what they do is not up to scratch.

All workers need someone with whom they can regularly discuss their work. Make sure that a contact person is allocated to everyone. This is dealt with further under *Support and Supervision*.

Tax, Insurance and Other Payments

It is very important to give attention to detail on this subject; you could otherwise cause problems for yourselves as employers and for your workers, whether voluntary or paid.

As an employer you have the responsibility of deducting tax and national insurance from your employees' wages and paying it over to the Inland Revenue. Some of your workers may not have to pay tax or insurance because they fall below the annually set lower earnings limits but you still have to inform the Inland Revenue about your actions, whether staff are permanent, full-time, part-time or casual.

Many organisations omit doing this for part-time workers in particular. This can lead to considerable difficulties – remember the *Cautionary Tale* earlier in this chapter! – so make sure you fill in a P46 for all your part-time paid workers.

The detail of what you have to do changes from year to year so it is not possible to give useful information here. If you employ anyone at all and payment is made for work done be sure to contact your local tax office and they will give you precise information about what you have to do together with all the necessary stationery.

If you want detailed information over and above what the Inland Revenue supplies automatically then the *Reference Book for Employers* by Croner Publications will tell you all you need to know.

You will also want to pay out-of-pocket expenses to your workers. Unless you go about it in the right

way this could also affect their tax position. The basic rule is that you must pay expenses actually incurred upon receipt of detailed claims. If you give lump sums, honoraria, or pay more than is actually incurred the recipient will almost certainly be liable for tax on some of it. In the case of voluntary workers you could inadvertently change their status to that of part-time employee, which would affect their tax position significantly and also decrease the kind of expenses you can pay, for example reimbursing costs of travelling from home to the community building.

If you pay an allowance to a volunteer for using their car in the course of the voluntary work, you should pay it on the actual miles travelled and at the AA rate. After a certain number of miles (currently 4,000 per year), however, the allowance becomes taxable unless you reduce the rate to a lower sum. Ask the Inspector of Taxes for details.

The Inland Revenue considers an honorarium to be a taxable payment. It is also important to note that, under charity law, except in exceptional circumstances (see the Charity Commission's booklet CC11 *Remuneration of Charity Trustees*) trustees cannot be paid, so the payment of an honorarium to a trustee or management committee member of a charity is not permitted anyway.

Retirement

Men and women must have equal retirement ages, even though currently women are eligible for state retirement pension at 60. Between 2010 and 2020 the state pension age for women will gradually rise to 65, so the state retirement age for women born after April 1955 is 65.

PENSIONS

National insurance (NI) contributions provide employees with a basic pension and the additional **State Earnings Related Pension Scheme (SERPS)** when they reach retirement age. However, the state scheme does not give a pension on earnings above the national insurance upper earnings limit, a lump sum on retirement or a benefit other than a pension for a widow. Many people, therefore, choose to make additional provision for their pension.

Occupational Pension Schemes

There are two types of occupational pension schemes. In a **final salary scheme** the benefit received relates to an employee's pensionable earnings (the salary from which pension contributions are deducted) near to retirement or on leaving service and on pensionable service (the length of time contributions have been made to the scheme). It is unlikely that a small community organisation would have the resources to operate such a scheme.

A **money purchase scheme** is directly related to the amount of money paid in, the investment returns achieved and the rate at which the accumulated fund can be exchanged for a pension at retirement.

Under either scheme it is possible for both employer and employee to contribute. The maximum the employee can contribute and claim tax relief on is 15% of earnings; for the employer it is a sum related to salary. The Inland Revenue also limits the lump sum and pension benefits that can be received from an occupational scheme.

Stakeholder Pensions

Stakeholder pensions will provide access to a low cost pension arrangement to employers who have previously been unable to offer their staff pension provision. They are not intended to replace good occupational schemes, but will make better pension provision available to more people. At time of writing the regulations governing such schemes were still in draft, but the following dates had been agreed:

- April 2001 – individuals will be able to start contributing to stakeholder schemes, although not via their employers
- October 2001 – any employer with five or more employees who does not offer any other type of pension scheme will have to offer membership of a stakeholder scheme to all employees who:
 - earn over the National Insurance lower earnings limits
 - have been in your employment for three months

Employees will be able to choose whether they wish to join the scheme.

Employers who offer a group personal pension (GPP) scheme (see below) will be able to continue with the GPP without having to provide access to stakeholder pensions as long as all employees are eligible to join the GPP and the employer contributes at least 3% of the employee's pay to the scheme.

It is difficult to get unbiased advice about pension schemes. Many voluntary organisations belong to *The Pensions Trust*, which administers a number of pension schemes especially designed for voluntary groups, including multi-employer schemes. Voluntary sector workers and employers are represented in equal number on the Trust's Board of Trustees.

Organisations funded by local authorities may be able to become admitted bodies to the Local Government Superannuation Scheme. This enables or-

ganisations to provide their employees with occupational pensions without having to set up their own scheme.

Personal Pension Plans

If an employer doesn't provide an occupational pension scheme, or an employee chooses not to join an employer's scheme, the employee can take out a personal pension plan.

An employer may or may not contribute to a personal pension plan.

Group Personal Pensions

Some employers organise personal pensions for their employees, to which the employer may or may not contribute. The advantage of this for the employee is that charges may be lower.

SUPPORT AND SUPERVISION

If you manage your workers properly, along the lines suggested in this chapter, they will already feel supported. Good management, supervision and training are the best forms of support you can give. Support also refers to something more intangible but no less important. It means creating an environment in which people know that they are valued and cared for. It is a matter for individual style and personality. In many cases it will simply be contact, whether by dropping in on people at work, or going for a drink.

Whatever you choose to do in addition to the formal aspects of people management described above, remember the well tried but none the less valuable maxim that **your workers are your most valuable resource**.

So far this chapter has concentrated on the legal, technical and procedural aspects of having staff, whether paid or voluntary. These are crucial and will all contribute to the feeling of being supported that is so vital to enable staff to do a good job and to feel happy in their work; but there is more to be done in the sphere of support and supervision that is certainly not a legal requirement. Do it any way: it does not have to cost you lots of money and will pay huge dividends in the quality of service workers give

to the community.

This additional work is every bit as important as fulfilling the legal requirements in helping your staff to feel good and perform well. The words that are often used in this connection are support, training and supervision. All build together to create a working environment in which staff feel cared for and better equipped to do the job. Some people say that the qualities of such an environment and the means by which it is achieved are intangible. Without denying the crucial contribution of individual personalities to the process of creating a good working environment, the view is taken here that there are many tangible things that can be done, regardless of personality.

REGULAR SUPERVISION SESSIONS

All workers, whether paid or voluntary, should have a regular opportunity to discuss their work, to receive support and praise for what they are doing and to be helped to sort out any difficulties they may be facing. Sometimes these sessions can include requests by the supervisor to do particular things, and instructions on how to do them. Information and advice are also key elements of good supervision.

It is normal for supervision to be given by the person immediately senior in the organisation but that should not mean that supervision simply becomes a session to tell the supervisee what to do. As indicated above requests and instructions are certainly a part of it but not the most important part. The most important part is to listen. The vast majority of workers are helped to become better workers if they can share their hopes and difficulties with someone sympathetic and encouraging and who makes no real comment until she/he has heard the whole “story”.

The organisation itself must decide how often to have supervision sessions. Anything less than monthly supervision, however, will probably not be very effective. It is very important that the sessions are regular so that they are seen as a normal part of work and not something that only happens when things go wrong. It is much easier to cope when things do go wrong if there is an established tradition of regular supervision; and less will go wrong any way.

Once a year, at least, the overall performance of workers should be reviewed. This is often referred to as an annual appraisal. Work is assessed in relation to the job description of the worker concerned and any specific goals that may have been set during the year, or indeed at the last appraisal meeting. It should be an opportunity for both the employer and the worker to comment on performance and to consider areas where improvements may be desirable. New goals should be set. Training requirements should be discussed and suitable courses researched.

There are one or two circumstances when it is not possible or desirable for the supervisor to be the worker’s immediate senior in the staffing hierarchy. One is quite simply that there is no one senior. In such cases, it is sensible either to allocate a committee member to supervise workers or to buy in what is known as non-managerial supervision – i.e. to pay for an experienced supervisor from another organisation to do the job. One of the factors that must influence your decision is the fine line that can and should be drawn between supervision and management. A committee member who is not experienced in supervision might find it difficult to draw that

line and be tempted to slip over too much into the instruction mode, which could cause difficulties, which in turn could lead to difficulties with other committee members.

Having a non-managerial supervisor does not mean, however, that no one has the responsibility for managing the worker concerned. The responsibility for managing the senior worker of an organisation usually lies with the chair of the management committee. If necessary, training should be provided for this role.

Once again this book takes the view that supervision like many other aspects of good management, should be formal; but once again this means regular, open, clear and well-structured, and not stiff and authoritarian.

TRAINING

I have touched upon the value of training in equal opportunities employment practices. Training in all sorts of other aspects of the organisation’s work for your paid employees and voluntary workers is also important. It is tempting to say nothing about training as so many readers will think that it simply cannot be afforded. Whilst that is understandable it is a view to be resisted. Even if you cannot afford very much training do consider the training needs of all your workers, including committee members, and draw up a training programme. It is important to consult with everyone about the precise contents of the programme so that specific needs and wishes can be taken account of.

The next step is to cost the programme in its different parts and in total. If you write this programme up like any other fund-raising document you may have a good chance of finding funds for some or all of it. Training is an interest of some trust funds, particularly for small community groups.

It is also useful to remember that if you send someone on a training course he or she can be asked to hold a “seminar” for colleagues back in the community building so that the benefits of the training can be shared by more of your workers. You can also use the “in-house” skills of your workers to train others. There are courses available to enhance the skills of workers so that they can themselves offer

training services as part of their normal work.

It is important to remember training for teams of staff as well as individuals. This will almost certainly be done “in-house” and tailor-made to your own requirements. You can either organise it yourself or get someone from another local organisation to carry it out for you – perhaps as a reciprocal arrangement.

There are people and organisations who will give you help in considering the training needs of your workers. Try your local council for voluntary service or rural community council. At a national level Community Matters and its subsidiary Community Trading Services are very ready to advise on these matters. There is an increasing number of freelance trainers: perhaps you can get some voluntary work from one.

The National Centre for Volunteering runs a series of courses for people employing volunteers, including some for potential trainers. Some of the courses are very reasonably priced indeed (address on page 53).

The Directory of Social Change and London Voluntary Service Council also run courses suitable for many aspects of voluntary organisations’ work (addresses on page 53).

Other sources of suitable training are The National Council for Voluntary Organisations (NCVO), ACRE (Action with Communities in Rural England) (addresses on page 53) and, in some cases, your local authority.

STAFFING CHECKLIST

Has your organisation developed clear and open procedures for all aspects of “people management” in particular:

- checked workers’ rights and employers’ responsibilities
- understood the need for good practice as opposed to just the legal minimum
- applied the same principles to voluntary workers as to paid employees wherever appropriate
- developed good relations with the local benefits agency
- informed volunteers on benefit of how volunteering might affect their benefit
- made clear and precise arrangements for payment of expenses against actual expenditure rather than as lump sums or “honoraria”
- formulated an equal opportunities policy and procedures for its implementation and monitoring
- produced a detailed job description for each post
- produced a person specification for each post
- produced an application form which takes into account your equal opportunities policy and that can easily be adapted to any particular post
- provided information and training for interviewers
- applied the principles of equal opportunities strictly at each stage of recruitment
- developed a proper contract of employment
- given proper support, help and information for all workers, including cleaning and caretaking staff
- provided a contact person for each worker
- prepared a disciplinary procedure
- prepared a grievance procedure
- been absolutely meticulous about PAYE and National Insurance rules and regulations
- created a supervision system for all workers
- developed a training programme for all workers

USEFUL ADDRESSES

Arbitration and Conciliation Service (ACAS)

Brandon House
180 Borough High Street
London SE1 1LW
This is the address for the Head Office. There are also 7 regional offices.
web site www.acas.org.uk

Public enquiry points

Birmingham 0121 456 5856
Bristol 0117 956 9500
Cardiff 029 2076 1126
Fleet 01252 811868
Glasgow 0141 204 2677
Leeds 0113 243 1371
Liverpool 0151 427 8881
London 020 7396 5100
Manchester 0161 833 8585
Newcastle upon Tyne
0191 261 2191
Nottingham 0115 969 3355

ACRE

(Action with Communities in Rural England)
Somerset Court
Somerset Road
Cirencester
Gloucestershire
GL7 1TW
☎ 01285 653477
e-mail acre@acre.org.uk
web site www.acreciro.demon.co.uk

Commission for Racial Equality

Elliot House
10-12 Allington Street
London SW1E 5EH
☎ 020 7828 7022
e-mail info@cre.gov.uk
web site www.cre.gov.uk

Community Matters

8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail communitymatters@communitymatters.org.uk
web site www.communitymatters.org.uk

Community Trading Services Ltd (CTS)

8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail cts@communitymatters.org.uk
web site www.communitymatters.org.uk

Department for Education and Employment

Sanctuary Buildings
Great Smith Street
London SW1P 3BT
☎ 020 7925 5000
e-mail info@dfee.gov.uk
web site www.dfee.gov.uk

Department of Social Security

Richmond House
79 Whitehall
London SW1A 2NS
☎ 020 7210 3000
e-mail peo@ms41.dss.gsi.gov.uk
web site www.dss.gov.uk

Directory of Social Change

24 Stephenson Way
London NW1 2DP
☎ 020 7209 0902
e-mail info@dsc.org.uk
web site www.dsc.org.uk

Equal Opportunities Commission

Overseas House
Quay Street
Manchester M3 3HN
☎ 0161 833 9244
e-mail info@eoc.org.uk
web site www.eoc.org.uk

London Voluntary Service Council

356 Holloway Road
London N7 6PA
☎ 020 7700 8107
e-mail information@lvsc.org.uk
web site www.lvsc.org.uk

National Association of Volunteer Bureaux

New Oxford House
16 Waterloo Street
Birmingham B2 5UG
☎ 0121 633 4555
e-mail navbteam@waverider.org.uk

National Council for Voluntary Organisations

Regent's Wharf
8 All Saints Street
London N1 9RL
☎ 020 7713 6161
(helpline) 0800 798 798
e-mail ncvo@ncvo-vol.org.uk
web site www.ncvo-vol.org.uk

The National Centre for Volunteering

Regent's Wharf
8 All Saints Street
London N1 9RL
☎ 020 7520 8900
e-mail centrevol@aol.com
web site www.volunteering.org.uk

FURTHER READING

- | | | |
|---|--|--|
| <p>Contract of Employment – Information Sheet 54
published by Community Matters</p> <p>Disability Equality in Volunteering
published by the National Centre for Volunteering</p> <p>Employing People: a Handbook for Small Firms
published by the Arbitration and Conciliation Service (ACAS)</p> <p>Employment Handbook
published by the Arbitration and Conciliation Service (ACAS)</p> <p>Emphasize the Positive
published by Community Matters</p> <p>Equal Opportunities in Voluntary Organisations: reading list no 2
published by the National Council for Voluntary Organisations</p> <p>The Good Employment Guide for the Voluntary Sector
published by the National Council for Voluntary Organisations</p> <p>The Good Practice Guide: For Everyone Working With Volunteers
published by the National Centre for Volunteering</p> <p>Guidelines for Policies on the Employment of Disabled People – Employment Factsheet 1
published by RADAR</p> | <p>Individual Rights of Employees – Information Sheet 56
published by Community Matters</p> <p>Just About Managing?
published by London Voluntary Service Council</p> <p>The Law at Work – for the layperson
published by Labour Research Department</p> <p>Managing Employees – Information Sheet 55
published by Community Matters</p> <p>National Minimum Wage – Information Sheet 58
published by Community Matters</p> <p>Recruitment – Information Sheet 53
published by Community Matters</p> <p>Recruitment and Induction
published by the Arbitration and Conciliation Service (ACAS)</p> <p>Reference Book for Employers
published by Croner Publications</p> <p>Rehabilitation of Offenders Act, 1974
published by the National Association for the Care and Resettlement of Offenders (NACRO)</p> | <p>A Guide to the Sex Discrimination Act 1975
published by the Department for Education and Employment</p> <p>Voluntary and Part-Time Workers (FB26)
published by the Department of Social Security</p> <p>Voluntary But Not Amateur
published by London Voluntary Service Council</p> <p>Volunteer Drivers and Tax (IR122)
published by the Inland Revenue, available from The National Centre for Volunteering</p> <p>Volunteers' Expenses and Tax
published by The National Centre for Volunteering</p> <p>Volunteers and Welfare Benefits – guidance notes
published by The National Centre for Volunteering</p> |
|---|--|--|

Working Time Regulations – Information Sheet 59
published by Community Matters

COMMISSION FOR RACIAL EQUALITY PUBLICATIONS

Code of Practice: For The Elimination Of Racial Discrimination And The Promotion Of Equal Opportunity In Employment

Equal Opportunities is Your Business – A Good Practice Guide On Race, Sex And Disability For Small Firms

Job Advertisements and the Race Relations Act: A Guide to Section 5 for Advertisers and Publishers (free leaflet)

Positive Action and Equal Opportunity in Employment

Racial Discrimination: A Guide to the Race Relations Act 1976
(free leaflet)

Racial Equality and the Asylum and Immigration Act 1996 – a guide for employers on compliance with the Race Relations Act 1966

EQUAL OPPORTUNITIES COMMISSION PUBLICATIONS

Code of Practice on Equal Pay

Code of Practice on Sex Discrimination

Equal Opportunities is Your Business Too

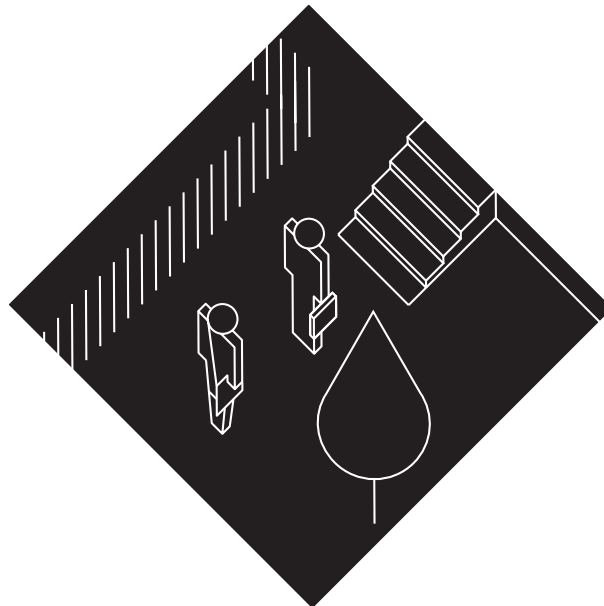
Guidelines for Equal Opportunities Employers

A Short Guide to the Sex Discrimination and Equal Pay Acts

Publishers' addresses can be found on page 180.



Finance



INTRODUCTION

CLARITY IS THE KEY

It has been maintained earlier in this book that there are two general principles governing the whole process of managing community buildings: common sense and clarity. These principles are particularly important in the area of finance. Aim to have maximum clarity in all your financial matters and you won't go far wrong.

Although money and accounting for it can often appear to be complex and indeed anything but clear it is always possible to reduce it to simple and clear forms of expression: numbers are like that.

The common sense aspects of managing the finances of the Centre are simply to remember that managing a community building is not much different from managing a household budget except that the amounts are often bigger and you have to be accountable to more people and institutions.

THE BUDGET AND BUSINESS PLAN ARE AT THE HEART OF MANAGING THE CENTRE

If you have a well thought out annual budget for your Centre, a clearly defined programme of activities, together with clearly set out and agreed procedures for handling both the budget and the activities then you have a business plan and this business plan will be your key aid in managing every aspect of the Centre.

This chapter describes the essential elements of a good budget and business plan and then develops some of the other aspects of financial management that flow from these key policy documents. These of course include raising the money in the first place.

BUSINESS PLAN	=	BUDGET	+	ACTIVITIES PROGRAMME	+	PROCEDURES FOR ACTION
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THE BUDGET

The budget is your single most useful management tool for running the Centre. It is a statement of what you expect to spend and what money you expect to come in for the following twelve months. It can be as simple or as complex as the situation demands but every committee responsible for a community building should have a budget and whether simple or complex it must be clear.

The budget will probably be prepared by the Treasurer, but she/he will need help from others at some point and certainly from the main committee, to whom the draft budget should be presented.

It is easier to prepare your budget after you have an agreed activities programme as it is then clear what you are budgeting for. More is said about this

on page 66.

In preparing the budget it is important to differentiate between capital (once off) and revenue (ongoing) expenditure. Every community building committee will have its own local differences as to how best to set out its budget and what items and what amount of detail to include. The examples that follow, therefore, are given as a guide only. The first one is for a Centre that has one or two 'sections' in addition to the general use of the main hall and a fairly substantial turnover. The second is from a Centre that has a thriving lettings policy but no sections. A careful examination of both might be of value to you and your Centre. Adapt them to suit your own needs.

A CAUTIONARY TALE

Before continuing with the business plan and budget, however, let me tell you how one community organisation who really should have known better did not exercise its common sense; and the effect that this had. This is a true story but names have been changed to spare red faces and libel suits.

Newtown Community Centre provided a number of services to the community in South London. They received several different grants to cover various aspects of their programme including running costs, staffing and equipment and repairs. Each grant was only to be used for the purposes given and money from one pocket could not really be spent on another. Overall, at the beginning of the year, the organisation was pretty contented with itself as it had more or less enough money to meet most of its important needs. The overall planned expenditure for the year was some £40,000.

The centre had a good committee with some very well qualified and experienced professionals numbered amongst its members. The treasurer was very competent and kept the books immaculately, entering up every item of income and expenditure as it occurred and balancing off every month. The books and the bank account always balanced and there

was a healthy balance in the bank.

So what went wrong? At each meeting of the committee there was a financial report and the worthy members noted with pride that there was always money in the bank and that the book-keeping was up to date. It was not until well over half way through the year that the committee decided to look at expenditure and income against budget. At this point they discovered that they had over-spent significantly in some categories whilst having under-spent in others.

The trouble was that the conditions of the grant did not allow them to do this, to rob from Peter to pay Paul or to 'vire' as the accountants call it. So, although they had money in the bank, they were in fact £8,000 over-spent, or would be by the end of the year, on two of their central activities. They had but four months to raise the money or consider making one of their staff redundant.

There are probably several morals to this story but the central one has to be that good book-keeping is not enough. You must compare your income and expenditure against your budget at regular intervals so that you have time to make adjustments as you go along thereby minimising the risk of the potential disaster as in Newtown.

SAMPLE BUDGET NUMBER ONE

INCOME	Central costs £	Youth club £	Senior citizens £	Advice centre £	General activ's £	Other £	Total £
Public authority grants	15000	18000		14500			47500
Charitable grants and donations		2500	3000				5500
Lettings					13500		13500
Affiliation fees					950		950
Bar income					14000		14000
Sales income							0
Interest etc						350	350
Fundraising activities		1500	500	700			2700
Sundry income	2900						2900
Special fundraising						7000	7000
Transfer from reserves							0
	17900	22000	3500	15200	28450	7350	94400
EXPENDITURE							
Salaries and wages	19400	16700	4000	14500	0		54600
Cleaning and caretaking	300	800	500	500	1900		4000
Direct project expenditure	800	1000	900	1100	0		3800
Rent and rates	375	1000	625	625	2375		5000
Heat, light and power	265	700	435	435	1665		3500
Repairs and maintenance	195	520	325	325	1235		2600
Insurance	115	300	185	235	715		1550
Telephone and post	730	660	130	1065	65		2650
Travel costs	300	1200	1200	300	0		3000
Printing and stationery	500	100	50	100	0		750
Advertising and publicity	700	500	0	500	800		2500
Training expenses	900	300	1550	300	0		1650
Interest and loan charges	0	0	0	0	0		0
Audit and professional fees	400	400	400	400	400		2000
Sundry expenditure	1800	0	0	0	0		1800
Building fund	0	0	0	0	0		0
Contingency	5000	0	0	0	0		5000
Share of net central cost	-13880	2776	1388	2776	6940		0
Capital expenditure	0	0	0	0	0		0
	17900	26956	10288	23161	16095	0	94400
Surplus/(deficit)	0	-4956	-6788	-7961	12355	7350	0

SAMPLE BUDGET NUMBER TWO

INCOME	£
Public authority grants	2390
Charitable grants and donations	0
Lettings	20325
Affiliation fees	390
Bar rent	0
Sales income	1090
Interest	0
Fundraising activities	2280
Sundry income	1310
Special fundraising	0
Transfer from reserve	0
	27785
EXPENDITURE	£
Salaries and wages	7150
Cleaning and caretaking	5000
Direct project expenditure	0
Rent and rates	500
Heat, light and power	2075
Repairs and maintenance	2280
Insurance	500
Telephone and post	410
Travel costs	0
Printing and stationery	310
Advertising and publicity	0
Training expenses	0
Interest and loan charges	35
Audit and professional fees	0
Sundry expenditure	495
Building fund	5000
Contingency	0
Share of net central costs	0
Capital expenditure	0
	23755
Surplus/(deficit)	4030

**INCOME AND EXPENDITURE
CATEGORIES GROUPED UNDER
BUDGET HEADINGS**

(together with some explanatory suggestions)

INCOME

Public Authority Grants

- Local authorities
- Central government
- Quangos
- Europe

Charitable Grants and Donations

- Charitable trusts
- Industry and commerce
- Individuals
- National Lottery Charities Board
- Other Lottery distributors

Lettings

- Charges for room/hall hire

Affiliation Fees

- Individuals
- Groups

Bar Rent

The bar should not be part of your organisation but separated off as a different entity (see Chapter 5). Thus the income from the bar will not be the 'takings' but any fees that the bar organisation has agreed to pay the community organisation as part of a licence agreement. This normally takes the form of a monthly licence fee for the use of the space and an annual covenant of the bar profits.

- Monthly licence fee
- Annual covenant (strictly speaking, the annual covenant from the bar is a donation)

Interest etc

- Bank accounts
- Building society accounts
- Investment income (shares etc.)

Fund-raising Activities

The list is endless: (see page 85). This budgetary category in general should be used for income of a fairly guaranteed nature from events and activities that are relatively tried and tested within the

Centre. A separate page/column should be kept for each activity.

- Activity 'a'
- Activity 'b'
- etc.

Sundry Income

This category should be used for anything that does not readily fit under any other income heading, for example

- Hire of equipment
- Photocopier charges
- Contributions for use of phone
- Income from recycled paper
- Income from games machines

Special Fund-raising

This category should be reserved for fund-raising, of any kind, of a special nature undertaken in addition to regular fund-raising. Perhaps this will be to fund a specific new venture or, more likely, a budgeted deficit.

- Activity 'a'
- Activity 'b'
- etc.

Transfer from Reserves

This category can be used for two purposes:

- Bringing in money given and put by for a special purpose that is going to be carried out in the current year
- Bringing in money that has been saved for a rainy day in order to balance the budget; but make sure that it really is a rainy day!

EXPENDITURE

Salaries and Wages

- Salaries of all but cleaning and caretaking staff
- Wages
- National Insurance contributions
- Casual work payments
- Pension contributions

Cleaning and Caretaking

- Wages
- National Insurance contributions
- Cleaning materials
- Cleaning equipment
- Laundry costs

Direct Project Expenditure

This category should be used to make an allowance for any expenditure to carry out its approved purposes that can be authorised by a particular section itself. A separate page/column should be allowed for each section.

- Youth club
- Senior citizens
- etc.

Rent and Rates

- Rent payments for building(s)
- Rates
- Water charges
- Refuse disposal charges

Heat, Light and Power

- Electricity charges
- Gas charges
- Gas bottles
- Heating appliances

Repairs and Maintenance

- Repair Bills
- Tools
- Fire prevention costs
- Plant hire

Insurance

- Insurance charges:
 - public liability
 - buildings
 - equipment
 - employer's liability
 - other

Telephone and Post

- Telephone bills
- Stamps
- Courier charges

Travel Costs

- Outings
- Fares reimbursement (for both staff and volunteers)
- Petrol costs
- Vehicle maintenance
- Road traffic insurance
- Vehicle hire

- Road fund licence
- MOT charge

Printing and Stationery

- Paper
- Office materials etc.
- Letterhead and other printing
- Annual report
- Photocopying charges

Advertising and Publicity

- Advertisements for staff
- Other advertisements
- General publicity expenditure:
 - exhibition costs
 - photography
 - poster production costs
 - newsletter

Training Expenses

- Training courses
- Conference fees
- Supervision fees

Audit and Professional Fees

- Audit fees
- Solicitor's fees
- Architect's fees

Sundry Expenditure

A place to put anything that does not neatly fit under any other expenditure category such as

- Coffee, milk, biscuits etc.
- Affiliation fees
- Licence fees
- Bank charges
- Loan charges

If loan charges are a significant sum then they should be itemised separately, either as a category of their own or under capital expenditure.

Building Fund

A place to note any transfer of surplus funds to committed reserves for improving the building. In many years, if you can afford to do it, this might only be a book entry.

- Transfer to building fund

Capital Expenditure

- Building costs (major planned works, not

- ordinary repairs)
- Large equipment purchase
- Vehicle purchase

Depreciation

Depreciation often confuses people. As an accounting device, which is basically what depreciation is, you may not have to take it into account at all. At its most simple depreciation means taking account of the estimated loss of value of a capital asset (car, piece of machinery etc.) due to the wear and tear in the current year, and is used mainly for tax purposes. As you will almost certainly not be liable for tax you may choose to ignore depreciation altogether: be advised by your auditor.

Some people choose to use the term depreciation (wrongly but perhaps usefully) as a way of putting money aside into a special fund for replacing capital equipment. Of course you can only do this if you make a surplus on your accounts. If this is the case then perhaps the more proper way of establishing this kind of a fund is to show it very clearly as a transfer to an equipment fund exactly the same as the building fund.

Contingency

An allowance for bad budgeting. Thus it is an item in the budget only, not the account books. However, be careful about including this in budgets you present to funders, as they may decide to reduce your grant if it looks as if you have some money in hand.

HOW TO GENERATE THE NUMBERS

The samples are given mainly for the layout and the categories but to make them look realistic actual numbers have been used. These numbers are real to one organisation only. It is absolutely crucial that the numbers that go into your budget reflect the most accurate assessment of real income and real expenditure for YOUR organisation. The more accurate they are the more valuable is the budget in helping you to manage your building.

So how do you generate the most 'real' numbers for your Centre? There is no simple magic formula. It takes careful hard work going through each item individually, checking correspondence with funders for amounts of grant and donation income, looking

at last year's income from lettings, sales, raffles and anything else that provided you with funds. Then you have to estimate whether the amounts are likely to be the same as last year or more or less. This detailed work has to be repeated with every category of both income and expenditure. You will need to examine old gas bills, phone bills, repair bills and so on. In fact you will have to look at all your bills and also your receipts book and all correspondence to do with income.

Don't forget to make an appropriate allowance for inflation on the expenditure side of the budget.

It's probably best in the first place to build up the budget, category by category in the way described, for the overall income and expenditure for the Centre. In the first example above this is the right hand column.

Many community buildings have separate sections or projects or sub-committees running the various activities that make up the bulk of the Centre's programme. It is often useful to have a separate budget for each section. Now that you have the overall figures (the right hand column) you can subdivide it between the different sections or projects, allocating your best estimate of each category of income and expenditure appropriate to each activity.

In all of this work it is useful to keep accurate and detailed notes of how you arrived at the individual figures for each category. If nothing else this will make the task easier next year and will also provide evidence, if needed, for the various sections and other interests if they feel they have been allocated too much of the heating bill or whatever it is they're not happy with – and there's always something!

BALANCING THE BUDGET

In these days of cuts in grants and general financial difficulties all round there's a high chance that when you've finished the first draft of the budget there will be a difference between the projected income and the projected expenditure, and unless your Centre is very lucky indeed this difference will be a negative one, in other words you are planning to spend more than you are estimating will be raised. You do not have a balanced budget.

This is where the Treasurer will certainly need help from the rest of the committee to see whether savings can be made – category by category – and whether with special effort more money can be raised. The line called special fund-raising in the sample budgets is where income of this sort is entered. You will have noticed that the first organisation used this line, that is it had a budgeted deficit. The second did not: it was in the fortunate position of having a projected surplus.

Some centres are also in the fortunate position of having built up a reserve over the years. Now is the time to consider whether you can afford to allocate some of that reserve to making ends meet for the year ahead. Each organisation will have different factors to bear in mind in making this decision and only you know what they are for yours; but the principle of common sense clearly states that money can only be spent once and therefore a decision to allocate reserves to current expenditure should not be taken lightly.

You also need to remember that if you do spend the reserves, problems such as loss of income from interest as well as cash flow difficulties will occur. A cash flow problem is simply that there is no money in your account to pay the bills even if you are owed money. Thus, in order to survive you have to borrow if you can. Borrowing costs money too so you have an extra item of expenditure. It could be the beginning of a very slippery slope indeed. More organisations go out of existence because of cash flow difficulties than for any other single reason. Your precious reserve could prevent this.

HOW TO DESCRIBE RESERVES

There are several kinds of reserves and it is very important to think carefully how you describe them in your accounts. For registered charities it is a legal requirement to show different types of charitable funds separately.

General reserves, also known as unrestricted funds are funds belonging to the charity that can be spent as the trustees wish in furtherance of the charity's objects.

Committed reserves or *designated funds* are part of the general reserve (or unrestricted funds) that are

earmarked for a particular purpose. The designation has an administrative purpose only, and does not legally restrict the trustees' discretion on how the funds may be spent. For example, if funds have been designated for new computer equipment which is then donated, the trustees could decide to spend the money on something else, for example a piano.

Restricted funds are funds which have to be spent in a specific way. This could include a local authority grant for a particular project (for example running a playgroup or buying a minibus) or the result of a fundraising appeal for a specific purpose (for example, if funds have been raised for a new roof they cannot then be spent on furniture).

It is important to be clear in your accounts about reserves because local authorities may think you have no need for a grant if you are showing large amounts of general reserves.

The wise rule must be to have as much of your unrestricted reserves as possible designated.

WHAT TO DO WITH 'CENTRAL COSTS'

Some organisations that run community buildings are fortunate enough to have staff. These might include cleaners, a caretaker, youth leaders and even a community worker or centre manager in some cases. It is clear where some of the costs of having these staff should be allocated within the budget. Thus the cost of the youth worker goes in the youth work column along with an allocation of their share of other expenditure, the luncheon club organiser in the senior citizens column and so on.

Some costs are not so easy to allocate, as the staff (for example the community worker or centre manager) and their on-costs are used for the benefit of the whole centre, but you need to put them somewhere.

One useful way to allocate these 'central costs' is to put them all into a column marked 'central costs' and then take them out again, after deducting any specific central costs grants. You can then re-allocate them to the various different sections according to the amount of time you think each section benefits from central services. This is useful because it gives a realistic overall costing for each section and

gives a clearer picture for fund-raising purposes. In the first sample budget this is done in the last line on the expenditure side: Share of net central costs.

It will by now be clear that much of the budget preparation work cannot be done without having some idea of what is going to happen in the Centre for the year ahead. In order to produce accurate

estimates of income and expenditure, say for lettings, you have to know the number and type of lettings there will be during the year. It is sensible to make these estimates in a detailed and planned way and to do it for every activity that currently takes place in the Centre.

THE PROGRAMME OF ACTIVITIES

There may well be hopes and plans to develop new activities or to increase the frequency of existing ones: all these should be quantified and responsibility allocated for getting on with the necessary work. It is sensible to do this exercise section by section and to have it all written down with as much detail as possible including dates, times and charges.

As with the budget, it may be best to ask one

person or a small group to co-ordinate the job of preparing a draft programme of activities. This draft should then be submitted to the general committee for discussion, amendment and final approval. This should be done before the Treasurer prepares the budget so she or he has all the necessary information to work from.

PROCEDURES FOR ACTION

Now you have a budget and a programme of activities, all you need to turn them into a business plan is a clearly set out and agreed set of procedures to put the plans into action: who will do what and when? Once again there is no magic way to produce this final document. The best way to do it is to take the programme of activities and go through it step by step, section by section and decide what action needs to be taken in order to turn the hopes into reality.

Thus if the programme called for increasing the lettings, someone or some group of people need to be put in charge of marketing the Centre, of advertising the facilities and encouraging new groups to

hire rooms. If the budget called for an increase in income from special events someone needs to take responsibility for seeing that they are planned. Again as much detail and clarity as possible will help people to know what they are supposed to be doing and assist them in making a better job of their allotted tasks. It would be particularly helpful to have a clear calendar of events.

Once the business plan has been approved by the committee it is important that everyone has a copy of the complete document. It can then become the central reference for action and monitoring progress throughout the year.

RAISING FUNDS FOR THE CENTRE

Now you have the business plan you can use it as the central focus for managing just about every other aspect of the Centre as well as the financial ones. The list of categories in the budget can serve as a

reminder for deliberation and action on all sorts of things in the life of the Centre. Checking through the list of income and expenditure items you will be reminded, for example, of lettings or insurance or

maintenance. Does anything need to be done about these items? If so when and by whom? Check the programme and action sections of your business plan. It might be a good idea to review progress of the plan in this way at each or every other meeting of the general committee.

Logically and indeed chronologically you will have to have done lots of other work on the finances before you can write a budget and the rest of the business plan. I started the chapter on finance out of logical sequence because of the tremendous value of the budget and business plan. Now is the time to go back and look at the other aspects of finance. The first must clearly be to do with raising it in the first place: if you don't have any money there's nothing to manage and budget for!

USING PROFESSIONAL FUNDRAISERS

You may decide you want to carry out some major fundraising and feel that employing professional fundraisers would be helpful. Before doing so make sure that they will reflect the image you want to portray and be absolutely clear about their fee – often a percentage of funds raised.

Use by charities of a fundraising consultant or company is regulated by Part II of the Charities Act, 1992 and the Charitable Institutions (Fundraising) Regulations, 1994. The regulations apply to fundraisers whose pay (excluding expenses) exceeds £5/day, £500/year or £500 for a particular fundraising venture. The main regulations are given below; for further information see *Charities and Fundraising* (CC 20), published by the Charity Commission.

- There must be a written agreement (in a prescribed form) between the charity and fundraiser.
- Potential donors must be told who will benefit from their donation and how proceeds will be distributed, including what proportion the fundraiser will receive.
- Anyone giving £50 or more using a credit or debit card in response to a broadcast appeal or by any method in response to a telephone appeal is entitled to a refund if it is requested within seven days. The fundraiser must inform donors of this right.

SOURCES OF INCOME

The following list of possible sources of income for your Centre is not exhaustive but it does include most of the more common ones. Brief information is given about each source, as well as reference to any legislation relating to statutory grants and some hints on how to make your application more likely to be successful.

There is of course no guarantee of success even if you write the 'perfect' application but, to state the obvious, there is a guarantee that you will not be successful if you do not ask. I say this to encourage you to apply for virtually everything. Even if an application takes a long time to put together and even if the bureaucratic paths seem unbearably tortuous and even if you are not successful at the end of it you still will have learned something in the process that will undoubtedly be helpful for another application.

One kind of funding that is worth serious consideration when it comes to finding extra money to run your Centre is project funding. This simply means considering setting up some new project, such as a women's employment advisory service, a new workshop for disabled people or whatever else you think would provide a valuable contribution to meeting the needs of a particular section of the community even if it is not the main work of the Centre. Apart from the obvious benefits to the relevant section of the community there should also be a financial contribution to the day to day work of the Centre via overheads and 'central costs'. In these difficult financial times there is often money available for special projects even if mainstream funding is being squeezed.

Of course you will have to check with the association's governing instrument that any new activities or projects are within your terms of reference.

LOCAL AND REGIONAL GOVERNMENT GRANTS

It is possible to obtain grants for both capital and revenue expenditure from your local or regional authority (county, metropolitan borough council, shire district, unitary authority or regional assembly). There is often a bewildering variety of routes

into local authority funding. In some authorities grants are made by a number of committees, for example social services, education or community affairs; others have one overall grants committee. Some authorities have a grants or voluntary sector liaison officer. If you are not familiar with your local authority's methods, contact your local council for voluntary service, rural community council or other development agency for information and advice. Community Matters and Action with Communities in Rural England (ACRE) will also be willing to help (addresses on page 81).

Below is a résumé of the most common avenues into local authority funding.

Capital grants – building, extending or renovating the community centre

Money for the provision of the community centre in the first instance is possible under a number of different pieces of legislation:

- The 1944 Education Act. This empowers education authorities to provide community centres. A small number of counties allocate grants from their Libraries and Recreation/Recreation and Leisure budget. The availability and amount of grant aid varies from authority to authority; some give no grant at all. Enquiries about funding under this legislation should be made to the rural community council in shire counties and, elsewhere, to the education department of your local authority.
- The Housing Acts. These enable housing authorities to provide tenants' halls or community buildings in those areas which consist predominantly of council houses. Talk to the local housing manager for more information about this source of funds.
- The Local Government (Miscellaneous Provisions) Act 1976. Section 19 of this act gives permissive powers to all local authorities, among other things, to undertake the provision of community centres and village halls.

Conditions of grant aid. If you are considering capital grant applications then there are a few fairly standard conditions that most local authorities apply:

- a minimum of 25% of the cost of the scheme will

normally have to be found from non-statutory sources;

- you should make no commitment about the proposed building before grant aid has been approved whether this is by way of purchase or contract. This can sometimes be waived by getting prior consent in writing from the grant-aiding authority;
- where a charity has the power in its trust deed, the trustees can now mortgage the charity's building if they own it (for example to pay for extensions or development) without the prior consent of the Charity Commission, provided the regulations of Section 38 of the Charities Act, 1993 are complied with. However, it's always worth thinking twice before funding anything through loans: how are you going to pay the loan back? Unsecured loans are legal, but only borrow what you are sure you can pay back from anticipated income;
- community buildings have to be properly constituted organisations. A suitably worded trust deed must be prepared and approved by the Charity Commission and/or the Inland Revenue. Model documents are available from Community Matters; for village halls the relevant body is ACRE; when the trust deed is being prepared you will need the assistance of a qualified solicitor;
- before giving a grant the local authority will want to be sure that the community organisation is properly managed; this means that you have a proper constitution with representation from all local groups likely to have an interest in the community building and that there are proper democratic elections, records of proceedings and proper books of account; model constitutions that have stood the test of many successful applications are available from Community Matters and ACRE; (for addresses see page 81);
- the organisation should have a reasonable security of tenure on the proposed property; just what is deemed reasonable varies from area to area: many authorities ask for 28 years but organisations have received grants with only a 7 year lease;
- some county councils will only give a grant to

voluntary building projects which are also promised a contribution from their own district or borough council.

Revenue grants – running the community building

In many ways it is revenue funding, that is funding for the day to day running costs of the Centre, which is the most crucial part of the fund-raising programme. Some local authorities can be an important source of income in this sphere. As with capital funding there are several routes into local authority revenue funding.

Once again it is the Local Government (Miscellaneous Provisions) Act 1976 Section 19 that gives all local authorities, including parish, town and Welsh community councils as well as county, district and borough councils, the powers to give grants to local organisations to run community centres. Education authorities are similarly empowered under the 1944 Education Act to assist organisations responsible for the running and maintaining of community centres, and with their educational and senior youth work. The National Assembly for Wales also has grant-giving powers – for further details contact the Assembly (address on page 82).

Local arrangements vary. The administrative arrangements for these grants vary considerably from area to area and it is as well to make sure you know the precise ones for your authority well before the time to apply: ask the Town Clerk's Department or your local council for voluntary service or rural community council for information.

It may be the Social Services Department, the Leisure Department or the Libraries and Amenities Department or simply the Town Clerk's Department that administers grants; some authorities have a Community Affairs Department. You must find out the specifics for your local authority and then enlist help: try and find another organisation that has already been through the mill.

It's not necessarily universal but most authorities want applications quite early in advance of the financial year (April to March) for which the grant will apply so that it can slot into the often long and difficult budgeting process that local authorities

have to go through. This usually means September or October of the preceding year.

I say more about applications a little further on, but in general the more information you give to a local authority and the better presented it is the better the chance you have of getting some money. They will probably want to see your last year's annual report and accounts with specific details of your activities and membership.

Conditions of grant aid. Very often local authorities attach conditions to a grant and these should be studied very carefully before you accept the grant. Usually they require nothing but what 'good practice' demands. Here, then, is an opportunity to check whether your practice is in fact as good as you think!

You should get a copy of the authority's standard 'Conditions of Grant Aid' document and studying it before you make your application. It could help you slant your application in appropriate ways and show you where you could improve your practice. It might be worth considering applying to trusts or the local authority for a grant to help you train to get up to standard.

Metropolitan Boroughs Grants Schemes

Following the demise of the Greater London Council and the other metropolitan county councils special grants schemes were established in some areas to replace the grant making functions to voluntary organisations. These are controlled by all the boroughs of the metropolitan area and make grants to a wide range of organisations in a wide range of activity areas. To qualify your organisation has to serve more than one borough. There are grants schemes in Greater London, Greater Manchester and West Yorkshire (for addresses see pages 82 and 83).

CENTRAL GOVERNMENT GRANTS

Single Regeneration Budget (SRB)

The SRB provides funding to support regeneration initiatives in England carried out by local partnerships. Its aim is to improve the quality of life of local people in areas of need, including addressing the disadvantage experienced by members of minority

ethnic communities. It funds schemes which work with and add value to other programmes and initiatives, and which build on good practice and give value for money.

The number of successful voluntary-sector led bids has increased significantly since the early rounds. It is likely that the next round – SRB7 – will work to a similar timetable to SRB6, with bids being invited at the beginning of 2001.

SRB is now administered by the regional development agencies (RDAs). For further details contact your local RDA (addresses on pages 82-83).

English Partnerships

English Partnerships is the national regeneration agency for England. Its Community Investment Fund provides capital grants for community-based projects which involve capital work to provide or significantly improve land and buildings. Priority is given to enterprise and social/recreational initiatives “of significant benefit to people”. Revenue funding is not available. Although it is able to operate throughout the country, priority is given to European Objective 1 and 2 areas (1 – Northern Ireland, Merseyside and the Highlands and Islands; 2 – those areas where the unemployment rate is higher than the EU average, which have a higher percentage of industrial unemployment than the EU average and a decline in this employment category), areas that have suffered the loss of traditional industries, particularly the coalfield closure areas, areas that are the subject of existing regeneration strategies and initiatives, other inner city areas, and rural areas of severe economic need, chiefly European Objective 5b (mainly areas in Scotland, Wales, northern, eastern and south west England).

The Fund is now administered by the regional development agencies (RDAs), who agree their own detailed criteria. For further information contact your local RDA (addresses on pages 82-83).

Department of Health (DoH)

Grants are available under the *Opportunities for Volunteering Scheme* for projects involving volunteers in health and social care. A particular focus of the scheme is to provide opportunities for unemployed

people to volunteer. Rolling programmes operate in Wales (the Volunteering in Wales Fund) and Scotland (the Unemployed Voluntary Action Fund) – addresses on page 83.

The Home Office

The Active Community Unit (ACU) of the Home Office is currently piloting the Community Resource Fund, which enables small groups to apply for grants of up to £500. The Fund is managed by the Community Development Foundation and Community Foundation Network (formerly the Association of Community Trusts and Foundations). If the project proves successful the ACU intends to extend the pilot funding for a further two years. For further information contact the Community Foundation Network (address on page 81).

Quangos

Central government provides some voluntary sector funding through quangos – quasi-autonomous-non-governmental-organisations.

The Countryside Agency

The Countryside Agency was formed from the merger of the Countryside Commission and the Rural Development Commission. It works to conserve and enhance the beauty of the countryside, promote social equity and economic opportunity for people who live there, and help people enjoy it.

The Agency gives grants to help extend the use of village halls or to maintain or improve their services. It can also contribute towards the cost of providing a new hall where there is no existing community building or the current hall is beyond repair. Help may also be given towards the cost of increasing energy efficiency and providing access and facilities for disabled people. Grants will cover up to 25% of costs, normally to a maximum of £10,000. Grants are not normally available for mainstream activities, maintenance or repairs. Proposed services should not duplicate existing facilities and the hall should be freehold or on a lease with a minimum of 21 years to run.

The Countryside Agency also operates a loan fund for village halls, administered through ACRE

and the rural community councils (RCCs), which can provide loans towards the cost of capital improvements such as extensions or rebuilding costs. The maximum loan is normally £20,000 (although larger amounts may be available).

The Agency also gives a number of other grants – for example to support its work in encouraging local pride and in providing better information about the countryside. At time of writing it was reviewing its priorities and planning a new strategy.

Details of all the grant schemes are available from the Countryside Agency's regional offices; for details of the loan fund contact ACRE (addresses on page 81).

English Heritage

English Heritage (EH) will consider grants towards major urgent repairs to grade I or II* listed buildings to prevent the loss of important historic landscape features under its Historic buildings, monuments, parks and gardens grant scheme. Current priorities include projects involving grade I or II* properties which can demonstrate significant social and economic regeneration benefits. Grade II listed buildings in London may also qualify for repair grants under the London Grant Scheme. For details contact your nearest English Heritage Regional Office (details from English Heritage London Region – address on page 81).

The Sports Councils

The Sports Councils (in England, Wales, Scotland and Northern Ireland) run funding programmes which include capital grants for building projects and for purchasing major items of equipment. Details vary, so contact the appropriate Council for details (addresses on pages 83). They also administer the Lottery Sports Funds (see 'National Lottery', below).

EUROPEAN FUNDING

The European Union (EU) was established to ensure that Europe's industry was efficient enough to compete on the world stage. Most of Europe's vast range of constantly changing programmes are therefore about industry or employment. If your organisa-

tion is actively involved with training, or creating jobs, you may want to explore the possibilities of European funding. However, gaining access to EU funding is complicated and slow – the money can arrive long after you've spent it – and you may need international partners for some schemes.

The main source of European funding for voluntary organisations is the European Social Fund (ESF); its aim is to improve employment opportunities by providing financial support for vocational training and job creation. Particular emphasis is placed on helping long-term unemployed people, young job seekers, people excluded from the job market, and the promotion of equal opportunity. It has also funded volunteering programmes. ESF funding can only cover running costs and cannot exceed 50% of a project's total expenditure apart from activities under Objective 1 (which currently covers projects in Northern Ireland, the Highlands and Islands and Merseyside), for which the limit is 75%. Grants are usually made for one year at a time (and, as previously mentioned, are usually paid late).

Unless you are a large organisation, with considerable resources, it is usually better to seek European funding in association with a supportive local partner. Most local authorities have European liaison officers, as does the National Council for Voluntary Organisations (address on page xxx), and many colleges of further education and training and enterprise councils are very active on European matters. If you are very clear about what you want to do, especially if it concerns training or employment, write to them asking if they think there is a relevant European scheme. Your Member of the European Parliament (MEP) may also be able to help. You may, however, find there is a UK grant programme which offers you a better chance of success.

The European Commission (address on page 82) produces a range of leaflets and booklets on its sources of financial support, including *Funding from the European Union*. NCVO's book *Grants from Europe* is also very useful.

For further information contact the UK Press and Information Officer of the European Commission (address on page 82).

THE NATIONAL LOTTERY

The National Lottery has become a major source of funding for the voluntary sector. Set up in 1994, 28p of every £1 ticket purchased must be spent on 'good causes' – covering Arts, Heritage, Sports, The Millennium, New Opportunities (covering health, education and the environment) and Charities – distributed by six funding bodies. The Millennium Commission will cease at the end of 2000. Community and voluntary organisations can apply to any or all of the distributing bodies as long as they meet the funding criteria. Brief details of criteria and process are given below; full details of each board are given in ACRE's information sheet no 19: *National Lottery* (address on page 81).

National Lottery Charities Board (NLCB)

The NLCB can make both revenue and capital grants to charitable, benevolent and philanthropic organisations. It is currently running two main grants programmes – 'Community Involvement' and 'Poverty and Disadvantage'. The programmes are continuous: there are no closing dates for applications, so organisations can apply at times to suit their needs. However, it takes up to five months to process an application – it is advisable to contact your local NLCB office to establish the decision-making schedules. The NLCB also runs the 'Small Grants Scheme' in Wales and Northern Ireland, which awards grants of between £500 and £5,000 to small local groups, as well as specialist grants programmes, which run to fixed timetables. For further information contact the National Lottery Charities Board (address on page 82).

Arts Councils

Lottery funds are available for capital projects such as constructing new buildings, improving old buildings, making buildings accessible, buying equipment and carrying out feasibility studies. Individual arts councils have their own priorities, but projects must be of benefit to the community in general.

In England small-scale capital grants – between £5,000 and £100,000 – are managed by the Regional Arts Boards (addresses on page 81). The large-scale capital programme is managed by the Arts Council.

At time of writing details of the new capital programme (CP2) were not yet available. For further information contact the Arts Council of England.

The Arts Council of Wales manages capital grants on a rolling programme. Grants are for a minimum of £2,000 and require partnership funding – at least 10% for projects under £100,000; 25% for larger projects.

Applications to the Scottish Arts Council Lottery Fund must be for a minimum of £2,000, and require a minimum of 25% partnership funding. There is a rolling programme for applications under £100,000 and a timetable for larger grants.

The Arts Council of Northern Ireland gives capital awards of between £2,000 and £2,000,000, requiring partnership funding of between 25% and 50%.

All areas also operate a smaller grants programme – usually called Awards for All – for applications of between £500 and £5,000. Priority is normally given to organisations whose income is below £15,000.

Addresses for all Arts Councils are given on page 81.

Sports Councils

Lottery Sports Funds, distributed by the five sports councils, provide funding for capital projects such as construction, upgrading and buying land to provide new and improved sporting facilities, and revenue funding which will help develop excellence at all sports.

Equipment may be eligible if it is a necessary part of a capital project being supported by Lottery funding, or is an item with a lifespan of at least five years, based at a permanent site. Partnership funding is required – 30% in Wales, 35% in England (10% in priority areas), 25% in Scotland, 30% in Northern Ireland. Applications should be for a minimum of £5,000 and can be submitted at any time. For further information contact your regional sports council (addresses on pages 83).

The sports councils also participate in the Awards for All scheme, which gives grants of between £500 and £5,000. For details contact your regional sports council.

Heritage Lottery Fund

Voluntary organisations involved in preserving buildings or land or important objects or collections can apply to the Heritage Lottery Fund for capital projects which will improve the public's access and enjoyment of the UK's local, regional or national heritage. This includes buying, repairing, conserving or restoring property, improving buildings and new building work. The total cost of the project (which should last for up to three years) must normally be over £5,000 and under £100,000, and some partnership funding is required. For further information contact the Heritage Lottery Fund (address on page 82).

New Opportunities Fund

The New Opportunities Fund (NOF) distributes grants for health, education and environment projects.

The *Out of School Hours Childcare Programme* funds the provision of good quality, affordable and accessible out of school hours childcare in a range of settings that may involve the public, private and voluntary sectors.

The *Green Spaces and Sustainable Communities* programme will support projects designed to help urban and rural communities understand, improve or care for their natural and living environment, focusing on disadvantage.

For further information contact NOF (address on page 82).

FEASIBILITY STUDIES

It is important to give careful thought to the planning stages of a new community building to ensure that the project is viable. Time spent on planning a project can lead to considerable savings later.

It is possible to get Arts Lottery funding for feasibility studies for arts projects. Further information is available from the regional arts boards (addresses on page 81).

Under its main grants programmes (see above) the National Lottery Charities Board can fund feasibility studies for building work costing £30,000 or more. For further information contact NLCB (address on page 82).

CHARITABLE TRUSTS

A traditional source of funds for voluntary organisations of all kinds is the charitable trust. There are thousands of them in the UK. A philanthropist will have put a sum of money 'in trust' and said more or less how the income from the invested sum is to be dispensed. A small group of trustees have the duty, nearly always on a voluntary basis, to decide which of the hundreds of applications they receive each year are to receive a grant. There are national trusts and local trusts and each has its own particular set of guidelines as to what it can give, to whom and for what purposes.

Which Trust?

The vast majority of grant-making charitable trusts are listed in *The Directory of Grant Making Trusts* published by the Directory of Social Change (DSC)/Charities Aid Foundation. The Directory now comes in three volumes (current – 1999-2000 – cost £89.95) and on the Grantseeker CD ROM (£58.69 for the 2000 edition). If you are going to go into fund-raising from this source in a big way then it may be worth paying this amount. You may, however, find the *Directory of Smaller Grant Making Trusts* or one of DSC's four guides to local trusts (details on page 84) more suitable (and more affordable). The main directory (and other fundraising resources) may be available at the public library or your local council for voluntary service or rural community council.

The Directory of Social Change also publishes a number of other fund-raising guides (for list see page 84).

There are also thousands of local trusts throughout the country that are not mentioned in the directories. These are well worth researching. Whilst their terms of reference are often restricted they could well be restricted to precisely the activity that you need funds for. The local council or the council for voluntary service should have a list.

Another useful source of information about trusts is the computer database Funder Finder. You answer a number of questions about your project, for example the area of benefit, cost, type of beneficiary, and the program will point you to the most appropriate

trusts by giving references to the major relevant publications (for example the *Directory of Grant Making Trusts* and *A Guide to the Major Trusts*). As the database costs a minimum of £150 + VAT, it is probably only worth buying a copy if you are likely to carry out a significant amount of fundraising. However, it is available for use in some councils for voluntary services and other larger organisations (including LVSC's library – address on page 82). Funder Finder will be able to tell you if there is a copy available for public use near to you (address on page 82).

There are two trusts which are particularly useful for community associations.

The Foundation for Sport and the Arts is an independent trust funded from the football pools. The Foundation offers grants to organisations, including small local community groups, to enable them to undertake or develop sport and arts activities. Limited funding is also available for short term revenue funding (three years maximum). For further information contact the Foundation (address on page 82).

The Carnegie UK Trust Village Hall Grant Programme. This Trust currently offers grants to the management committees of charitable village halls in the UK to help them undertake projects which will enable new activities to take place in the hall. It will, however, be changing its policies in March 2001, so you will need to check whether funding for village halls is still available. For further information send an A5 sae to the Trust (address on page 81).

INDUSTRY AND COMMERCE

Another lucrative source of income for voluntary activities in general is the local and national business community. Some companies devote a proportion of their pre-tax profits to charitable giving. A few are just philanthropic. Most, quite understandably, have an eye to publicity and creating a good image of the company that will enhance their sales. Thus donors in this category will often want a mention in your annual report or other literature. So long as you can satisfy yourself that you are not compromising the organisation in taking a particu-

lar firm's money then it is well worth putting some effort into this kind of fund-raising.

It is important to find out who you should write to within the company. Large companies often have community affairs departments, staffed by people whose job it is to consider donation applications.

If you are not sure I think it is best in the first instance to write to the Managing Director of the company with a simple and direct letter stating briefly and clearly what you are seeking funds for and finishing up with something like: '... if ours is the type of work that you are interested in supporting I will be delighted to give you more details of our plans and of how I think we could be of help to your company in return.'

The Directory of Social Change has a number of helpful publications in this field – the *Guide to UK Company Giving*, *The CD-ROM Company Giving Guide*, *Finding Company Sponsors* and *Corporate Fundraising*.

More detailed advice on how to make an application follows on page 75.

Becoming a Registered Charity

Many trusts as well as some companies will only give to organisations that are registered with the Charity Commission. If your organisation is not already registered, it would be worth examining what would be involved in establishing it as a charity. More is said about charity registration in chapter 2.

OTHER FUND-RAISING ACTIVITIES

Much of the Centre's income will come from your own activities. You will have noted, perhaps with envy, that the organisation whose budget provided the second sample budget earlier in this chapter raised 85% of its income from lettings, sales and other fund-raising activities. It can only have achieved this by careful and effective marketing of the Centre and the services it provides.

Marketing the Centre

Voluntary organisations have not generally given enough attention to marketing themselves. A short book like this cannot go into great detail on this subject but it can give you every encouragement to

take a serious and organised look at how you let people know what you have to offer.

Posters

This serious look will, of course, include things like posters in the right place. Care must be taken to ensure that the posters are clear and legible and give all the right information: it's amazing how many people forget to include their telephone number. Have you thought of trying to recruit someone as a volunteer who is a graphic designer or who is in advertising to be your publicity officer? Have you even thought of having a publicity officer at all?

Publicity leaflets

Another idea worth thinking about is producing regular leaflets that go to all the local organisations telling them what you are doing and adding on what facilities you have available for them. Perhaps you think that you cannot afford the printing costs. Printing does cost money, it is true, but it can be well worth it if it brings in extra lettings and therefore extra revenue for your Centre. Have you thought of asking a local printer to sponsor a regular publicity leaflet for the Centre? The printer's name would of course be on it bringing publicity and possible new business to the printing firm. If you managed to achieve this you could distribute the leaflet door to door round the centre as well.

A helpful and efficient service

Equally important in your Centre marketing strategy will be making sure that people are well received and that the Centre is a nice welcoming and friendly place to be. The caretaker or volunteers on

duty must be briefed and trained in friendly and helpful approaches; access arrangements must be simple and efficient; and the facilities must be clean and pleasant and provide what your users want.

People seem not to mind paying for services as long as they are good. So think about offering your photocopier to users at a slight profit to yourselves. The same could apply to using the phone or fax. I'm sure there are many other things that you could improve in your particular Centre if you put your mind to it. The main thing is to create an environment that people like being in and to let people know that it exists. It's common sense but so many people forget!

Two useful books on this subject are *Getting Your Message Across*, published by Community Matters, and *The DIY Guide to PR for Charities* and *The DIY Guide to Marketing*, published by the Directory of Social Change (addresses on page 81).

Fund-Raising Events

There are simply hundreds of things you can do, if you have the will, the energy and the people, to raise additional funds for your Centre. The remarkable thing is that most of them can be great fun and create a greater sense of community as well – just as long as you do not bite off more than you can chew and have a clear plan of campaign. It's also important to check that all legal requirements are fulfilled when organising special events (see chapter 5).

This is not a book primarily about fund-raising so I will simply point you to a list of possible activities (page 85) and also to 'Further Reading' on pages 83-84.

MAKING AN APPLICATION

There are two vital things about applications for funds regardless of whether they are to government bodies, charitable trusts or commercial and industrial firms. The first is to do all you can to make yours the best possible application: clear, concise,

intelligent, informative, smart, professional-looking and above all realistic. The second is to do all you can to make sure that your application gets looked at favourably, that it gets from the bottom to the top of the pile.

MAKING THE BEST POSSIBLE APPLICATION

Finding Out About the Funding Body

Before you put pen to paper it is important to find out as much as possible about the body to which you are applying: what does it give money for? What particular angle(s) is it looking for? How much does it normally give? What requirements, additional to the purpose of the grant falling within their objectives for giving, does it have? For example serving a particular geographical area, a particular grouping within society, or whether the applicant organisation gives sufficient attention to equal opportunities.

Clear, Concise and Positive Applications

Armed with this information you can then write an application that is slanted to fit the particular requirements of the funding body. Slanting means writing your project up in the best possible light for the particular organisation. It does not mean distorting the facts.

So now you are ready to write the application. Bear the following points in mind:

- give a clear introductory summary statement of what the application is for
- give a brief history of your organisation with the accent on aims and objectives, achievements, success and responsible management
- give a bit more detail about the project for which you are seeking funds: who will it help? how? how many? over what time scale? if you think it appropriate give a few simple statistics to show the need that your proposal is aiming to meet; if the project has been running already give results
- state clearly how much the proposal will cost; give as much detail as possible but keep it simple; if necessary refer to a more detailed budget in an appendix
- state how much you have raised from your own and other sources towards the cost of the project so far; if possible try and show that the donation currently sought will finally make implementation possible
- check what other information the funding body

requires such as constitution, charity number, trust deed, list of officers, equal opportunities statistics, annual report and accounts; refer to them in the text or in a covering letter but always include them as appendices so that they do not interrupt the flow of the main body of your application.

Layout and Style as Important as Content

It does not end there. I personally think, although many funders might not admit it (but many will!), that the layout and presentation of your application is every bit as important as the content. If the funder provides an application form make several copies of the form before completing it. Some funders now provide their forms on disk, and some application forms (including the NLCB's and NOF's) can be downloaded from the Web.

Make sure, therefore, that the application is easy to read and that it flows logically and consistently. Use short sentences.

Have quite short paragraphs too!

Have almost as much space on the page as there is print: it is much easier to read. Use bold headings. And never start a sentence with and or but or split an infinitive. You will be amazed how many people are sticklers about correct grammar.

The Covering Letter

Finally it is often much better to present your application as a separate document and not as one long letter. Send it to the funder with a covering letter which, in effect, should be a very concise summary of the application along with the actual request for funds and an offer to give more information if required. An invitation to visit the Centre is wise as well. Try and make the letter as personal as possible and try to keep it to one side of A4 in length if you can and certainly no more than two.

GETTING YOUR APPLICATION TO THE TOP OF THE PILE

Once you have written and dispatched the best possible application with the succinct covering letter you still have work to do to try to ensure that your application is singled out for receiving a grant.

Whether the application is to a public authority, a charitable trust or a commercial enterprise the chances are that it will be one of dozens if not hundreds. You need, therefore, to do all in your power to get yours from the bottom to the top of the pile. This usually means 'lobbying'.

In the case of local authority grants it will certainly include contacting the ward councillor(s) for the area of your Centre. It's best to do this both in writing, with a copy of the application, and in person. You could also find out who is on the committee that will make the decision. Do you know any of them? Does anyone you know have any contacts? The same goes for trustees of charitable trusts or board members of companies. If there is any possible link with any decision maker, use it. Try and speak to them. Listen carefully to what they have to say, noting their pet fields and issues and, if you send them a copy of the application, stress those pet issues in the covering letter.

It's also important to consider the staff involved in the grant giving organisation. All local authority committees will be 'serviced' by an officer of the council and many trusts also have a paid secretary. Whatever they say about the limits of their influence their views are nearly always significant in the

final decision even if they do not have a formal vote. Again, listen very carefully to what they say and the language they couch it in and try and use that language, subtly, in follow-up letters and letters to the decision makers themselves.

There's also the press. It can often be helpful to get some local coverage for your Centre or project. In addition getting several of the Centre's users to write to the committee chair can be of benefit.

In short do anything that is legal and decent to get your work or new project heard so long as it is not counter-productive – and only you can be the judge of that.

Help with your application

Funder Finder (see page 73) has developed a free software package – *Apply Yourself* – to help with writing a funding application. You can use the software to draft a letter or funding proposal, and as you write you get guidance about what you should include. You can then print the letter out or export it to a word processing program. The disk is available for 50p (to cover postage) from Funder Finder (address on page 82) or can be downloaded from their web site www.funderfinder.org.uk

MORE ABOUT MANAGING YOUR FINANCES

This is not a book about detailed book-keeping or accounting. There are details of specialists books on that subject at the end of the chapter. I would like, however, to make one or two further general points about financial management that flow from the overall approach to budgeting and planning taken earlier.

RELATE THE BOOKS OF ACCOUNT TO THE BUDGET

Many organisations have a good budget but they find it difficult to use as a helpful management tool because it does not harmonise with their cash book and receipts book. Thus it is not a particularly easy task to produce monthly or quarterly accounts against budget so that the committee can check how

things are going and make timely adjustments if necessary.

So it's important that the book-keeper (usually the treasurer) sets up the books of account using the same headings as have been used in the budget. Whilst this is not difficult it is not quite as easy as it seems as there are normally more items of both income and expenditure than there are headings in the budget. The larger list of items have to be grouped under the exact headings used in the budget. I have done this for the headings in the sample budgets used in this chapter (see pages 60-61). Once again your Centre may well have other categories. That doesn't matter: the important thing is to group them under the budget headings and to do it within your account books.

WHAT TO DO WITH YOUR MONEY

For some reason that is hard to identify many community organisations seem to proliferate bank accounts. Maybe it's the tin-on-the-mantelshelf approach: one tin for rent money, one for the gas bill, one for school dinners and so on. Whatever the reason it's not good practice when it comes to managing the finances of a community building.

Unless there are overwhelming reasons to have more, keep your money in just two accounts: a current account and a savings account. You have better control. You pay fewer charges. You earn more interest. If you have to have more accounts (sometimes, but not very often, funders require you to open a separate account for a new project), then be sure that the signatories for all accounts are the same. Remember that it is the treasurer, through the general committee, who is responsible for all financial matters and he/she needs control over spending.

Since the Financial Services Act there has been a significant increase in the number of places that can look after your money for you. It is wise to shop around amongst banks and building societies to find the one that can give you the best service in terms of costs, interest and managing the accounts. Don't accept that your bank is necessarily doing all it can for you. Enquire about what others have to offer and if they can offer a better service ask for a better deal at your own bank. Remember that you are an attractive proposition to them.

CHARITY ACCOUNTS AND REPORTS

Part VI of the Charities Act, 1993 and Part VI of the Act and the Charities (Accounts and Reports) Regulations, 1995 govern accounting, reporting and auditing rules for unincorporated charities. Described below are some of the main points relating to accounting and reporting. Further information is available from the Charity Commission's accounting helpline (see page 81).

The Regulations prescribe

- audit or independent examination of accounts
- the form the accounts must take

FINANCIAL MANAGEMENT CHECKLIST

Has your organisation carried out the following finance tasks this year:

- prepared a budget
- set down a detailed activities programme
- agreed procedures for action
- tried all possible sources of income
- developed a Centre Marketing Strategy
- planned a full list of fund-raising events
- ensured that your budget headings and account books are consistent
- ensured that you have the best banking deal

Audit/Independent Examination

Unincorporated charities

Requirements vary according to the size of the charity. At time of writing charities whose income or expenditure is over £250,000 in the current year or either of the two previous financial years must have a professional audit. Below that level charities may have an independent examination by "an independent person who is reasonably believed by the trustees to have the requisite ability and practical experience to carry out a competent examination of the accounts". Detailed guidance is given in the Charity Commission's leaflet *The Carrying Out of an Independent Examination*. Very small charities with neither income nor expenditure over £10,000 do not need to have either an audit or an independent examination.

However, your governing document – or funder – may require your accounts to be audited. It is possible to change your governing document to bring it into line with the Regulations (the Charity Commission can advise about this) but remember to check your funder(s)' requirements.

Charitable companies

All companies' accounting is regulated by the Companies Acts:

- charitable companies whose turnover is £250,000 or above must have an audit by a registered auditor
- charitable companies whose gross income is less than £250,000 but above £90,000 may have a compilation report (a mini audit prepared by an accountant)
- charitable companies whose turnover is £90,000 or less are not required to have an audit or compilation report; however, 10% of the membership may request an audit even if the company qualifies for exemption.

Accounts Preparation

In addition to the Charities (Accounts and Reports) Regulations, the Statement of Recommended Practice *Accounting by Charities* (the Charities SORP), published by the Charity Commission, sets out the principles and practices which should be followed by those preparing a charity's accounts and annual report. Although not mandatory, the Charity Commission expects charities' annual accounts and reports to comply fully with the SORP. The Charity Commission publishes two free guides to SORP for smaller charities: *Accounting for the Smaller Charity* (CC54) and *Accruals Accounting for the Smaller Charity* (CC55).

At time of writing the Charities SORP was under review, and some proposed changes could have implications for some accounting regulations. It is likely that the revised SORP will be published in autumn 2000.

The Regulations are based on two important concepts:

- the division of the charity's funds into unrestricted, designated (if desired) and restricted (see page 65 for further details)
- the subdivision of income and expenditure into "functional classifications", organised into a "Statement of Financial Activities" (SOFA). Only charities whose income is above £100,000 have to prepare their accounts using a SOFA.

SOFA

Expenditure must be classified by function rather than by type. For example, equipment for a playgroup would appear on the SOFA as "Playgroup equipment" rather than "Equipment". Expenditure should be shown under the headings:

- direct charitable expenditure (ie relating directly to the objects of the charity; hopefully covering most of the expenditure)
- "other", including:
 - management and administration (eg trustees' meetings, audit fees, legal fees)
 - fundraising and publicity (comprising only the costs incurred by a charity "in inducing others to make voluntary contributions to it"); these costs must be shown separately, they cannot be allocated to projects

All income (referred to as "incoming resources" in the SORP) must go through the SOFA. It must be subdivided into:

- incoming resources from donors
- income from investment
- income from trading activities in pursuit of the charity's objectives
- income from trading activities for commercial or fundraising purposes
- any other material incoming resources

Smaller Charities

If your charity's income is £100,000 or below then you can produce either:

- a simple receipts and payments account accompanied by a statement of assets and liabilities; or
- a statement of financial activities (SOFA) without using the functional classifications

Unincorporated charities with neither income nor expenditure over £10,000 must prepare accounts but do not have to submit them to the Charity Commission unless requested to do so; all other registered charities must submit accounts within ten months of the financial year end.

All charities' accounts must be available to the public on request.

Annual Reports

Charities with gross income below £100,000 may prepare a simplified annual report giving a brief summary of the charity's activities.

Other charities – both unincorporated and incorporated – must prepare a full annual report covering the following:

- a review of all activities
- all material transactions
- significant developments
- achievements
- significant events since the year end
- future plans

Charities with gross income or total expenditure not exceeding £10,000 need only submit their annual report to the Charity Commission on request. All other charities must submit their annual report to the Charity Commission, together with the annual accounts.

For further details see the Charity SORP.

USEFUL ADDRESSES

ACRE

(Action with Communities in Rural England)
Somerset Court
Somerset Road
Cirencester
Gloucestershire GL7
1TW

☎ 01285 653477

e-mail acre@acre.org.uk

web site

www.acreinfo.demon.co.uk

Arts Councils

Arts Council of England

14 Great Peter Street
London SW1P 4NQ

☎ 020 7333 0100

☎ 020 7312 0123

(Lottery Department)

web site

www.artscouncil.org.uk

Arts Council of Northern Ireland

MacNeice House
Belfast BT9 6AQ

☎ 028 90 385200

e-mail publicaffairs@artscouncil-ni.org

[@artscouncil-ni.org](mailto:publicaffairs@artscouncil-ni.org)

☎ 028 90 667000

(Lottery Department)

e-mail

lottery@artscouncil-ni.org

web site www.artscouncil-ni.org

Arts Council of Wales

Museum Place
Cardiff CF1 3NX

☎ 02920 376500

[information@ccc-](mailto:information@ccc-acw.org.uk)

[acw.org.uk](http://www.ccc-acw.org.uk)

web site [www.ccc-](http://www.ccc-acw.org.uk)

[acw.org.uk](http://www.ccc-acw.org.uk)

Scottish Arts Council

12 Manor Place
Edinburgh EH3 7DD

☎ 0131 243 2443/4

(Help Desk)

☎ 0131 226 6051

(Lottery Department)

e-mail

help.desk@scottisharts.org.uk

web site www.sac.org.uk

The Carnegie UK Trust

Comely Park House
Dunfermline

Fife KY12 7EJ

☎ 01383 721445

Charity Commission

Harmsworth House
13-15 Bouverie Street
London EC4Y 8DP

2nd Floor

20 Kings Parade

Queens Dock

Liverpool L3 4DQ

Woodfield House

Tangier

Taunton

Somerset TA1 1BL

☎ (for all offices)

0870 333 0123

e-mail [feedback@charity-](mailto:feedback@charity-commission.gov.uk)

[commission.gov.uk](http://www.charity-commission.gov.uk)

web site [www.charity-](http://www.charity-commission.gov.uk)

[commission.gov.uk](http://www.charity-commission.gov.uk)

Charity Commission Accounts Helpline

☎ 0151 703 1570

Civic Trust

The View
6th Floor, Gostins
Building

32/36 Hanover Street

Liverpool L1 4LN

☎ 0151 709 1969

e-mail

all@civictrust.localnet

web site

www.civictrust.org.uk

Commission for Racial Equality

Elliot House

10/12 Allington Street

London SW1E 5EH

☎ 020 7828 7022

e-mail info@cre.gov.uk

web site www.cre.gov.uk

Community Foundation Network

2 Plough Yard

Shoreditch High Street

London EC2A 3LP

☎ 020 7422 8611

e-mail

[network@community-](mailto:network@communityfoundations.org.uk)

[foundations.org.uk](http://www.communityfoundations.org.uk)

Community Matters

8/9 Upper Street

London N1 0PQ

☎ 020 7226 0189

e-mail [communitymatters](mailto:communitymatters@communitymatters.org.uk)

[@communitymatters.org.uk](mailto:communitymatters@communitymatters.org.uk)

web site

www.communitymatters.org.uk

Consortium on Opportunities for Volunteering

PO Box 68
Abingdon OX14 3UH

web site [www.doh.gov.uk/](http://www.doh.gov.uk/volunteering)
[volunteering](http://www.doh.gov.uk/volunteering)

Countryside Agency

John Dower House

Crescent Place

Cheltenham GL50

3RA

☎ 01242 521381

e-mail

info@countryside.gov.uk

web site

www.countryside.gov.uk

Department of Culture, Media and Sport

2/4 Cockspur Street

London SW1Y 5DH

☎ 020 7211 6200

e-mail

enquiries@culture.gov.uk

web site

www.culture.gov.uk

Department of the Environment, Transport and the Regions

2 Marsham Street

London SW1P 3EB

☎ 020 7944 3000

web site

www.detr.gsi.gov.uk

Directory of Social Change

24 Stephenson Way

London NW1 2DP

☎ 020 7209 0902

e-mail info@dsc.org.uk

web site www.dsc.org.uk

English Partnerships

16/18 Old Queen Street
London SW1H 9HP

☎ 020 7976 7070

web site

www.englishpartnerships.co.uk

Equal Opportunities**Commission**

Overseas House
Quay Street
Manchester M3 3HN

☎ 0161 833 9244

e-mail info@eoc.org.uk

web site www.eoc.org.uk

The European**Commission**

8 Storey's Gate
London SW1P 3AT

☎ 020 7973 1992

web site [http://](http://europa.eu.int/index-en.htm)

europa.eu.int/index-en.htm

Foundation for Sport and the Arts

PO Box 20
Liverpool L13 1HB

☎ 0151 259 5505

Funder Finder

65 Raglan Road
Leeds LS2 9DZ

☎ 0113 2433008

e-mail

info@funderfinder.org.uk

web site

www.funderfinder.org.uk

Greater Manchester Grants Scheme

PO Box 352
Town Hall
Manchester M60 2LA

☎ 0161 234 3364

Heritage Lottery Fund

7 Holbein Place
London SW1W 8NR

☎ 020 7591 6000

web site www.hlf.org.uk

London Boroughs**Grants**

5th Floor, Regal House
London Road
Twickenham TW1 3QS

☎ 020 8891 5021

e-mail info@lbgrants.org

web site www.lbgrants.org

London Voluntary Service Council

356 Holloway Road
London N7 6PA

☎ 020 7700 8107

e-mail

information@lvsc.org.uk

web site www.lvsc.org.uk

National Assembly for Wales

Cardiff Bay
Cardiff CF10 3NQ

☎ 029 20 825111

web site

www.wales.gov.uk

National Council for Voluntary Organisations

Regent's Wharf
8 All Saints Street
London N1 9RL

☎ 020 7713 6161

☎ (helpline)

0800 798 798

e-mail ncvo@ncvo-vol.org.uk

web site www.ncvo-vol.org.uk

National Lottery**Charities Board**

St Vincent House
30 Orange Street
London WC2H 7HH

☎ 020 7747 5299

e-mail

enquiries@nlcb.org.uk

web site www.nlcb.org.uk

New Opportunities Fund

Heron House
322 High Holborn
London WC1V 7PW

☎ 0845 0000121
(England)

☎ 0845 0000122
(Wales)

☎ 0845 0000123
(Scotland)

☎ 0845 0000124
(Northern Ireland)

web site www.nof.org.uk

National Lottery Commission

2 Monck Street
London SW1P 2BQ

☎ 020 7227 2000

web site

www.natlotcom.gov.uk

Regional Development Agencies

London Development Agency
4th Floor

Romney House
43 Marsham Street
London SW1P 4RA

☎ 020 7983 4826

OneNorthEast

Great North House
Sandyford House
Newcastle upon Tyne
NE1 8ND

☎ 0191 261 2000

web site

www.onenortheast.co.uk

North West Development Agency

PO Box 37
Kings Court
Scotland Road
Warrington WA1 2FR

☎ 01925 400 100

web site www.nwda.co.uk

Yorkshire Forward

Victoria House
2 Victoria Place
Leeds LS11 5AE

☎ 0113 243 9222

web site www.yorkshire-forward.com

*Advantage West**Midlands*

2 Priestly Wharf
Holt Street
Aston Science Park
Birmingham B7 4BZ

☎ 0121 380 3500

web site www.advantage-westmidlands.co.uk

*East Midlands**Development Agency*

Apex Court
City Link
Nottingham NG2 4LA

☎ 0115 988 8300

web site www.emda.org.uk

*East of England
Development Agency*
Compass House
Chivers Way
Histon
Cambridge CB4 9ZR
☎ 01233 713 900
web site www.eeda.org.uk

*South West of England
Regional Development
Agency*
Sterling House
Dix's Field
Exeter EX1 1QA
☎ 01392 214 747
web site
www.southwestengland.co.uk

SEEDA
SEEDA Headquarters
Cross Lanes
Guildford GU1 1YA
☎ 01483 484 226
web site www.seeda.co.uk

Sports Councils
Sport England
16 Upper Woburn
Place
London WC1H 0QP
☎ 020 7273 1500
☎ 0845 7649649
(Lottery Line)
e-mail
info@english.sports.gov.uk
web site
www.english.sports.gov.uk

*Refer to the phone book
for English regional
offices*

Sport Scotland
Caledonia House
South Gyle
Edinburgh EH12 9DQ
☎ 0131 317 7200
☎ 0131 339 9000
(Lottery Sport Fund)
e-mail
lsf.info@sportscotland.org.uk

*Sports Council for
Northern Ireland*
House of Sport
Upper Malone Road
Belfast BT9 5LA
☎ 01232 382222
e-mail
[lottery@sportscouncil-
ni.org.uk](mailto:lottery@sportscouncil-
ni.org.uk)
web site
[www.sportscouncil-
ni.org.uk](http://www.sportscouncil-
ni.org.uk)

Sports Council for Wales
The Welsh Institute of
Sport
Sophia Gardens
Cardiff CF1 9SW
☎ 029 20300500
e-mail wis@scw.co.uk
web site [www.sports-
council-wales.co.uk](http://www.sports-
council-wales.co.uk)

**Unemployed
Voluntary Action
Fund**
Comely Park House
80 New Row
Dunfermline KY12 7EJ
☎ 01383 620780
e-mail
uvaf@uvaf.sagehost.co.uk
web site – being set up

**Volunteering in Wales
Fund**
Wales CVA
Baltic House
Mount Stuart Square
Cardiff CF10 5FH
☎ 029 20 431700
web site
www.wales.gov.uk

West Yorkshire Grants
PO Box 5
Nepshaw Lane
South Morley
Leeds LS27 0QP
☎ 0113 289 8215
☎ 0113 253 0241
web site
www.wyg.wyjs.org.uk

FURTHER READING

**Accounting and
Finance for Charities**
published by ICSA
Publishing

**Accounting by Charities:
the New Regulations** – Information
Sheet 10
published by Commu-
nity Matters

**Accounting by Charities:
Statement of
Recommended Prac-
tice**
published by the
Charity Commission

**Accounting for the
Smaller Charity –
CC54**
published by the
Charity Commission

**Accruals Accounting
for the Smaller Charity
– CC55**
published by the
Charity Commission

**Avoiding the
Wastepaper Basket**
published by the
London Voluntary
Service Council,
available from
Community Matters

**The Carrying Out of
an Independent
Examination: Direc-
tions and Guidance
Notes – CC56**
published by the
Charity Commission

**Charities and
Fundraising – CC20**
published by the
Charity Commission

**Charity Accounts and
Reports: Core Guide**
published by the Home
Office, available from
the Stationery Office

**Charity Accounts –
The New Framework –
CC51**
published by the
Charity Commission

**Charity Accounts:
Charities Under the
£10,000 Threshold –
CC52**
published by the
Charity Commission

**Croner's Financial
Reporting for Charities**
published by Croner
Publications

- DIY Guide to Marketing**
published by the Directory of Social Change
- DIY Guide to Public Relations**
published by the Directory of Social Change
- Funding for the Provision of Community Centres and Village Halls – Information Sheet 21**
published by Community Matters
- Fundraising for Rural Voluntary Action**
published by the National Council for Voluntary Organisations
- Getting Your Message Across**
published by Community Matters
- Grants from Europe**
published by the National Council for Voluntary Organisations
- How to Manage Your Money if You Have Any**
published by Community Accountancy Project, available from Community Matters
- Just About Managing?**
published by London Voluntary Service Council
- The National Lottery – Information Sheet 19**
published by ACRE
- A Practical Guide to Accounting by Charities**
published by the Directory of Social Change
- A Practical Guide to Financial Management for Charities**
published by the Directory of Social Change
- A Practical Guide to Fundraising and Public Relations**
published by ICSA Publishing
- Tolley's Charities Manual**
published by Tolley Publishing
- Voluntary But Not Amateur**
published by London Voluntary Service Council
- DIRECTORY OF SOCIAL CHANGE**
The Directory of Social Change publishes a large number of useful books about fundraising for charities and voluntary organisations, some of which are updated annually. A selection of titles is given here; for a full list contact the publishers
- The Complete Fundraising Handbook**
- The Directory of Grant Making Trusts** (3 volumes)
- Finding Company Sponsors for Good Causes**
- Fundraising from Grant-Making Trusts and Foundations**
- Good Ways of Raising Serious Money**
- A Guide to Company Giving**
- A Guide to European Union Funding for the Voluntary Sector**
- A Guide to Funding from Government Departments and Agencies**
- A Guide to the Major Trusts: Volume 1**
- A Guide to the Major Trusts: Volume 2**
- A Guide to the Major Trusts: Volume 3**
- Guide to the National Lottery Charities Board**
- A Guide to UK Company Giving**
- Organising Local Events**
- Organising Special Events for Fundraising and Campaigning**
- All Acts of Parliament referred to in the text can be purchased from the Stationery Office.
- Publishers' addresses can be found on page 180.

FUND-RAISING IDEAS

Note: All suggestions marked* are, or may be, subject to legal requirements

Antiques fairs

Appeal by press, letter or leaflet

Art show or **Art exhibition** of members' work, or of pictures on loan

Athletic events or **Field day**

Auction of members'/supporters' services

Auctions

Baby-sitting

A Ball

Balloon race

Barbecue

Barn dance

Beat festival or **Concert**

Bed race

Beetle drive

***Bingo**

Break dancing

Bring and buy sale

Bulb growing contests

Buy a brick (building extension schemes)

Cabaret

Carnival

Carol singing

Car washing

Charity cricket matches

Children's crafts/painting competitions

Coffee morning

Coins in a fountain

Concert

Covenanted gifts or loans

Dances

Dinner

Double or Nothing – give a sum of money to members to use and

double and so make a profit

Dutch auction – at a Dutch

Auction the bidding goes

something like this:

1 50 pence

bidder places 50p in collecting box

2 80 pence

bidder places balance (30p) in box

3 £1.00

bidder places balance (20p) in box

Bidding continues until a time fixed in advance and known only to the auctioneer – the last bidder gets the goods, for which he or she may only have to contribute 10 or 20p, but the total realised is much more than this. The more popular the goods, eg: a chicken dinner or a food mixer, the more bids you get.

Empties – collection and return
Exhibitions

Fairs at Christmas, Diwali, Easter, etc.

Fashion show

Festivals – of craft or drama

Fete or **Gala**

***Film shows** – kiddies or adult

Fishing tournament

Flower show

Foreign stamps – sale of duplicates, etc.

Football match – eg: Show Biz Eleven

Fortune telling

Forums – brains trust, 20 questions, etc.

Friends of the Association – people who pledge themselves to raise money in various ways

Fur and feather show
50–50 sale

Garden open days

Garden parties

Gardening

Gardening evening – film or panel, followed by sale of plants

Go-karting

Halloween party

Hat sales

Hitchin' box – a collecting box in the car for contributions to a charity

Home decorating

Home made goods – sale of cakes, sweets, jams, etc.

How many? – kids fit in a van, sweets in a jar, items on a table, etc.

Individual gifts and donations

Indoor sports contests

Industrial appeal – particularly where the CO serves workers of local factories, etc.

International evenings

Jobs about the house, garden or neighbourhood

Jumble Sales

***Kiosks** to sell refreshments – at roadside, at a fete, etc. (permission required for street trading)

Lawn mower race

Lawn mowing

Lecture service – for a fee

***Lottery**

Make-up demonstration

Marathon rock session, scooter race, etc.

***Market stall** – second-hand or home-made goods, etc. (permission required for street trading)

Medieval banquets or Fairs
Model railway/aircraft exhibitions
Multi-racial festivals

Nearly new sale
Newspaper collection

***One-armed bandit**
Outgrown exchange – a sale of children's clothes
Outing by coach, train or barge

Pageants
Panel games
Pantomime
Pennies – a pile of, a jar of, etc.
Personality contests
Photo flash – pictures taken at an event
Plant sale
Pledges – of an hour's pay, regular donations, etc.
***Pool tables** (NB if non-members play, a licence may be required)
Potted sports
Pram race
Puppet shows

Quizzes

Raffles
Rallies
Record swaps
Retailing of goods bought wholesale – eg: garden supplies, sweets, etc.

Sale of diaries, key fobs, ballpoints, etc.
Sale of work
Scavenger hunt
Second-hand market
Side-shows at other people's galas, etc.
Snowball tea or coffee morning
Sponsored events – walks, swims, slimming, hip-hops, etc.
Sports days
***Street collections** (local authority permission necessary)
Swap shop
Swimming gala

Talent contest
***Toll gate** – set up mock toll gates on roads into your community and erect large signs asking drivers to pay a 'toll' to your CO. Days when traffic is light (eg: Sunday) are best. Remember to get police permission.
Tombola
***Tote**
Toy making and Sales
Treasure hunt
***200 club**

Universal helping hands – a group who are willing to go anywhere and do anything legal for money

Valentine dance
Vegetable market
Vending machines
Visit a week/month – to homes to take up regular contributions promised in advance

Waste collection and Sale of paper, old clothes, scrap metal, etc.
Whist drive
Window cleaning

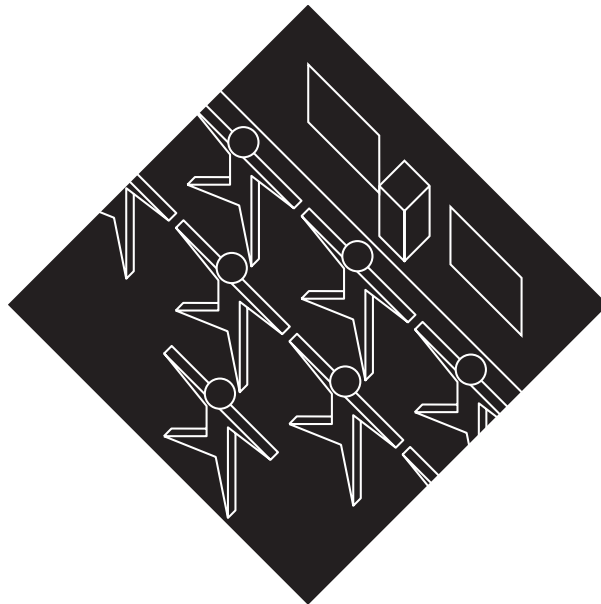
Xmas card sales
***Xmas draw**

Your own ideas – according to local interests and your own volunteers' capabilities

Zany ideas – slow bicycle races, tramps' suppers, sponsored silences, etc.



Insurance



INTRODUCTION

There are some similarities between taking out insurance and registering with a new doctor: it's wise to do it but you hope you will never have to avail yourself of the service. In the case of the doctor, however, the consequences for not registering are unlikely ever to be disastrous. In the case of insurance for your community building the consequences of not insuring or of insuring inadequately could involve a disaster of the highest order for a lot of people. These could be your committee members, your staff and volunteers, the people you serve or some innocent third party and their family who have nothing whatsoever to do with your organisation.

It is crucial, therefore, not only to have all the right insurance cover, but to manage your insurance and the way you run the community building so that you are constantly up to date with payments and valuations, and so that the cover is increased to take account of rising prices and changes in the value of what needs to be insured.

This chapter aims to set out clearly and simply all the things that you need to consider when taking out or reviewing insurance. In addition there are some general explanatory comments and some ideas about where you might get further help.

All books on the subject tell you about the horrors that could ensue if you do not get your insurance right. This one will be no different. It is very easy, however, to think that these horrors are all theoretical – they don't happen to real community buildings.

A list of all the kinds of things you might need or wish to insure against follows. Depending on the particular circumstances of your community building some of the insurance cover is compulsory and some discretionary.

Do not stop with compulsory insurance. The best way to decide what you need for your particular building is to go through all the possible insurance cover systematically and decide whether it is desirable for your organisation to have it.

A CAUTIONARY TALE

A large (and very real) community building with many staff and much specialised equipment had a fire one night. It caused extensive damage and, although it was not completely gutted, the only way to continue all the services it provided was to completely re-build.

The building was very old and the insurance cover was based on a valuation made by a surveyor: the kind of valuation you might get on a private house if you want to sell it.

The insurance company was a reputable one. It sent along its assessors and after a thorough examination offered £400,000. Meanwhile the community organisation had hired an architect to draw up plans for re-

building the centre and costings had been produced. The costings were thorough and included building costs, professional fees, and replacing the damaged or destroyed equipment. The total cost was going to be over £800,000.

What a fund-raising target!

There were several reasons for the huge difference between the insurance payout and money required: the insurance cover was the wrong kind, based on market value rather than replacement costs; an averaging clause was invoked (see 'How much to insure for' on page 92) and the valuation of the building had not been up-dated for several years.

Yes, the horror stories are true.

It is probably best to appoint one or two people from the committee whose job it is to do this on a regular, probably annual, basis. It would be their job to review all aspects of the insurance including increasing valuations, new cover for new activities/equipment/premises, checking legal agreements such as leases, adding new names to policies if

required, and checking that insurer's requirements are met.

Remember to keep a copy of your policy away from the community building. You will then know precisely what your insurance cover is if the building burns down.

TYPES OF INSURANCE COVER

PUBLIC LIABILITY INSURANCE

Public liability insurance covers you against claims for injury, loss or damage caused to anyone as a result of the organisation's negligence. This negligence could be to do with the building itself not being in a sound condition or with how the building is managed, for example leaving floors wet with no notices.

You should have this insurance whether you own or lease your building. Even if you lease your building the lease could well stipulate that you must cover against injuries arising out of defects in the building.

It is wise to take out insurance for all types of public liability. Having said this there may be some items that you want covered that are excluded from an insurer's standard policy and some included that you don't want: read the policy carefully, particularly the exceptions. Make sure that it covers actions by, and accidents to your committee members and any volunteers who carry out duties on behalf of the organisation.

You may have a number of different groups hiring your hall on a regular or irregular basis. It is crucial to be sure that all the liability and other insurance is still valid when they are in occupation. This can be done in one of two ways. You can require hirers to take out their own public liability insurance and to show you a copy of the policy. This may be appropriate for regular hirers. The other way is for you to take out an insurance which covers the hirers of halls. You could recoup the extra cost through the hire charge. The latter option is probably the safer one.

LEGAL LIABILITIES INSURANCE

If someone takes you to court over some kind of dispute which is not to do with the public or negligence then your legal costs will not be covered by your public liability insurance. For example a professional adviser may take you to court for non-payment of a bill that was much higher than the initial estimate. Community Trading Services (CTS) – the trading arm of Community Matters – has a policy to cover this eventuality. This type of insurance could also cover compensation awarded to employees or others for discrimination or similar claims, or to employees for unfair dismissal. CTS provides, amongst other services, a comprehensive insurance service for community associations. More is said about this later in the chapter.

BUILDINGS INSURANCE

Whether you own or lease your community building you may need to insure it against damage by fire or 'other perils'. If you lease it there will probably be a clause in the lease requiring you to insure the property or – more usually – to reimburse the landlord for the cost of the insurance. Check the lease carefully to get the exact requirements. If you own the building, whilst there is technically no legal requirement that you insure either the building or the contents, it would be very foolish not to, and the committee would be negligent and could be in breach of trust if it had left the building uninsured.

This is where you must avoid the mistakes made by the organisation referred to above and make sure that you get adequate cover. This means insuring for the cost of completely rebuilding the centre. It is wise to get a professional, ideally a quantity surveyor

but never an architect (they often underestimate the cost of putting up the buildings they design), to produce a full estimate of what rebuilding would cost at current prices. Be sure to include demolition and site clearance, architects' and other professional fees, building costs and any VAT that may be payable (for further information on VAT see chapter 6.)

For many organisations the cover ends there; but it shouldn't. Where are you going to house your activities and staff, if you have any, while the building works are being carried out? If you cancel any fee-paying activities how are you going to make do without the budgeted income? To cover these potentially disastrous eventualities you can take out consequential loss (or 'business interruption') insurance and/or include the cost of renting temporary premises in the overall buildings insurance valuation.

'Other perils' include all sorts of risks that you may think are unlikely, such as damage caused by aircraft or riots. This insurance does not usually cost very much so it's probably best to include it.

CONTENTS INSURANCE

This generally covers theft of and damage to equipment, machinery and other items in the building. It will usually exclude theft by employees or volunteers – such theft has to be covered by separate 'fidelity' insurance (see below). Many policies also cover accidental damage – damage caused by individuals (for example by spilling coffee over a keyboard); if your policy doesn't, it may be worth extending the cover. Again, it is essential to check the details of your policy, for example it may not automatically cover damage by water. Flooding may be covered in 'other perils'. Does this also include water damage caused by a burst boiler or other parts of the water system?

You must make sure that the contents are adequately valued and that the amount of cover is increased if you add to the contents. It is advisable to list large pieces of equipment such as computers and printers (if not insured separately – see below) as specified items in your insurance policy. If you have significant amounts of foodstuffs or other per-

ishable goods in your building check that your policy makes particular mention of them otherwise they may not be covered. This could cost you a lot of money. Check also that there is specific cover for freezer failure if appropriate.

It is usually advisable to insure contents for the reinstatement cost of replacing lost or damaged goods ('new for old' cover).

Standard contents insurance does not usually cover equipment or cash when it is off the premises. If you regularly take significant amounts of cash to the bank it is best to take out special insurance. Likewise, if you move expensive equipment about make sure it is covered by your insurance at all times and at all venues. One way of ensuring that your cash and equipment is covered at all times is to take out an 'all risks' policy.

COMPUTER INSURANCE

It is possible to take out separate insurance for computers which, as well as covering loss or damage to computers and printers, scanners, etc, also covers reinstating data and the increased cost of working as a result of the damage (for example if you had to run a manual system alongside the computer system for a while).

PLATE GLASS WINDOW INSURANCE

Leases for premises with shop fronts often require the tenant to insure plate glass windows against breakage. It's an item that some policies do not include automatically so check yours.

EMPLOYER'S LIABILITY INSURANCE

Under the Employer's Liability (Compulsory Insurance) Act 1969 all employers must have employer's liability insurance, which must be for at least £5 million for any one claim. This covers you against claims for damages from staff if they are injured or develop an illness as a result of the organisation's negligence. It is possible for this insurance to cover committee members and other voluntary helpers but does not usually come as standard. If not, be sure to get them included in the public liability cover or ask the insurance company to extend the employers liability to include them.

You must display a copy of a certificate of insurance on the premises and keep the certificate for 40 years.

ROAD TRAFFIC INSURANCE

The Road Traffic Acts make it compulsory for any organisation which owns a vehicle to insure all drivers against injury or death to other road users or pedestrians. This is known as 'third party cover' and will include the cost of repairs to the other person's vehicle if the accident was your fault. The certificate of insurance must be readily available.

Although all you require by law is third party insurance, it is almost certainly worth taking out extra insurance – either third party, fire and theft (which covers your vehicles in the event of theft or fire) – or comprehensive, which also covers the vehicle in the event of an accident. Comprehensive insurance can be expensive, but so is buying a new vehicle or repairing your existing one.

Sometimes committee members, staff or volunteers use their own vehicles on the business of the community building. If this is the case make sure their insurance covers this purpose. Depending on the additional risk, some insurance companies may not charge extra to cover business use, or may consider the purpose is covered under 'social and domestic purposes'. Even if staff and volunteers have adequate insurance, you should consider taking out motor contingency insurance, which provides third party cover to employees or volunteers in case their own insurance has lapsed or is invalid.

FIDELITY INSURANCE

Most staff, volunteers and committee members are honest. Unfortunately some are not and if they have regular dealings with cash or stock they could cost you a lot of money. Fidelity insurance protects you against this. It provides cover, subject to an agreed limit, for fraud or dishonesty of staff and could be extended to include committee members and volunteers.

PROFESSIONAL INDEMNITY INSURANCE

This is an insurance that covers you if you are sued for giving wrongful information or advice or any

other professional service. If you run an advice service or give another particular professional service to the public then consider taking out this insurance. It can be extended to cover against slander or libel actions which might arise if you represent people or write letters on their behalf. This kind of insurance can be expensive, but it is possible to have it included in specialist policies for voluntary organisations. Alternatively you could see if it is possible to share this insurance with other similar organisations in your area.

EQUIPMENT FAILURE

Computer insurance is covered above (see page 90). The other main piece of equipment that could cost you a lot of money to repair is the central heating boiler; and if it stays out of action for any length of time during the winter you will have to close the building and this could result in serious loss of revenue. It may be possible to get separate insurance; alternatively an all risks policy may be the answer.

Sometimes the suppliers of such equipment will be able to offer you suitable insurance policies to cover failure.

PERSONAL ACCIDENT

This is an insurance that provides compensation to staff, volunteers or committee members who have an accident during the course of their business on behalf of the community building. This is distinct from the risks covered under the employers and public liability insurance.

A person insured in this way will receive a particular sum for injuries and incapacity resulting from an accident at the centre. It will be either a weekly amount during any time off work or a lump sum for loss of use of one or more limbs. It could of course be both. Personal accident policies usually give a lump sum to the next of kin in the event of death resulting from an accident.

TRUSTEE INDEMNITY COVER

This offers protection against liability for acting in breach of trust, which could, in theory, fall on individual committee members. Some people may not be prepared to serve as committee members unless

they are protected by this type of insurance, and some local authorities now require it before making nominations to management committee.

In order for a charity to take out trustee indemnity insurance it needs to have a power in its governing document which specifically authorises the trustees to buy such insurance; a general power or duty to insure that charity's assets is not sufficient. Any change to a constitution to include such a power must first be cleared with the Charity Commission. The Commission has agreed two alternative versions of a clause covering trustee indemnity insurance for Community Matters' model constitution. See Community Matters' information sheets no 39: *Trustee Liability Indemnity Insurance* and no 6(b) *Model constitution for a community association* for further details.

OTHER KINDS OF INSURANCE

It is possible to insure against practically anything. Some of the risks you might need to think about getting cover for might not be included in the types of insurance mentioned so far. For example you may have karate classes and consider it wise to take out special insurance to cover accidents to participants or tutors. Or you may have one-off events such as open days or festivals or sponsored walks. Whatever it is it is important to consider whether special insurance is needed. Ask for a special quote. The premiums are often surprisingly low.

OTHER MATTERS TO DO WITH INSURANCE

There are a number of other things that it is important to know in relation to insuring your community building and the things, people and activities that are connected with it.

DISCLOSURE

The first is that you have a duty to disclose to the insurance company 'material facts' – anything that may affect your insurance. Honest answers to all the questions on the proposal form will normally suffice; but, as ever, it doesn't necessarily end there. If anything happens after you have filled in the form and before the insurance has been confirmed that might materially affect the policy, you must tell the company. Again at renewal time it is important to check whether circumstances have changed and if so to tell the insurers.

Facts you have to declare when taking out the insurance or later, if your circumstances change, include: previous refusals of or special conditions imposed upon similar insurance; criminal convictions of staff or management committee members; the fact that the public use the premises; road traffic convictions; drivers' ages; activities carried out by

the organisation; the use to which vehicles may be put.

HOW MUCH TO INSURE FOR

This is an absolutely crucial question. The organisation referred to in the cautionary tale was seriously under-insured and this, amongst other things, led to them not receiving anywhere near enough money to replace the building adequately. So make sure you get proper valuations and have them updated each time there is a change to the building or the contents, and annually – whether or not there's been a change.

Under-insurance can cost you dearly. At worst it can mean that the insurance company can refuse to pay out at all. What is more likely, however, is that an 'averaging clause' will be invoked. This means you will only receive a proportion of what you need. For example if your building is in fact worth £500,000 but you only have it insured for £300,000 you will only receive three fifths of the agreed estimate of the cost of any claim. This is because you only have it insured for three fifths of its value.

It is important to get it right, therefore, and if you

are not sure just how much to insure things for ask others who have experience of insuring community buildings and organisations.

The recommended minimum cover for public liability cover, for example, is £5 million. It might need to be considerably more depending on the range of activities and other matters affecting your building. If you have any doubt get professional advice.

Even if you take the trouble to get proper valuations and therefore to insure for just the right amount it is still possible to become under-insured. The problem is inflation. Many insurers automatically index-link their policies, but some do not so it is important to check.

WHO SHOULD TAKE OUT THE INSURANCE AND WHO SHOULD BE INSURED

As with many other aspects of managing a community building insurance is affected by the status of your organisation (see chapter 2). If you are an unincorporated body then one of your committee members will have to take out the insurance on behalf of the association. It must be made clear on the application that this person is taking it out on behalf of the management committee and members of the association. If you are an incorporated body you can take the insurance out in the name of the organisation.

In either case you must make sure that the policy specifically covers all the people you want covered for all the actions for which you want them covered.

In other words you need to insure all the actions of committee members, staff, and volunteers when acting on behalf of the association. In some cases this may mean extending the standard cover offered by an insurance company.

SECURITY ARRANGEMENTS

When taking out or reviewing your insurance cover it is a good idea also to review your security arrangements. There may be some things that the insurance company stipulates, such as certain types of lock, having a safe of a certain specification, installing an alarm and maybe putting on window locks. You will have to carry out all these as a matter of course but it is wise to take the opportunity of checking up on other things too.

Are your key-holder arrangements adequate?

Are there vulnerable parts of the building which give easy (and perhaps quite secret) access to unwanted guests?

What about the money handling arrangements and the banking arrangements? Who takes the money to the bank? Is it just one person or is there an escort? Do you vary the time and the route?

Have you considered having an alarm installed? If not then it is highly advisable that you do especially if you keep drink or cash on the premises.

These are just a few ideas to check. It would be helpful to ask the local crime prevention officer to come and walk round the building with you. They are more than willing to give you helpful advice and usually will give you names of reputable security installation firms.

WHERE TO GET YOUR INSURANCE

People with experience of insuring community buildings are the best people to turn to. In my experience it is better to deal through an agent who knows a lot about both insurance and the specific needs of community organisations and charities rather than directly with an insurance company. In this way you will probably get a better deal and a better service. Community Trading Services (CTS),

the trading arm of Community Matters, has built up a mass of experience and information on the insurance needs of community organisations. In addition it has developed very comprehensive and competitively priced insurance packages with reputable insurance companies. Even if you already have what you feel is adequate insurance CTS will give you a comparative quotation free of charge so you can see,

without any obligation, whether it is advantageous to change insurers. They could well be the best people to sort out your insurance needs. You will find their address at the end of the chapter.

Action with Communities in Rural England (ACRE) has a similar scheme aimed specifically at village halls. Its address is also given at the end of the chapter. If you feel that you want a more local service or, for whatever reason, do not want to use CTS or ACRE it is still wise to go through an intermediary who will handle all your dealings with the insurance company. Such people are called brokers.

Insurance brokers earn their living by selling insurance. They are independent professionals and not tied to one particular insurance company so they will be able to give you independent advice. Like CTS their service is free as they get their income by way of commission from the companies they place the business with. Not all brokers, however, are knowledgeable about the special needs and idiosyncrasies of community buildings and community organisations so if you do decide to get your insurance via a broker ask around first.

INSURANCE CHECKLIST

Has your organisation carried out the following insurance tasks?:

- appointed one or two people to have special responsibility for all insurance matters within your centre
- checked that all your needs are covered using the foregoing list of types of insurance
- filed a copy of your insurance policies away from the community building
- checked that your buildings cover is for complete re-building and all professional fees
- checked that the contents cover is new for old
- updated all the valuations contained in your policies
- told your insurers all that you are required to, for example that volunteers and/or the public use the building; that the premises are hired out
- checked with CTS that you have the best insurance deal
- made a list of all the special requirements made in your policies
- checked your security arrangements

HOW TO MAKE A CLAIM

As soon as you have any reason to make a claim contact your agent or broker and they will tell you what to do.

In all cases you will have to fill in a claim form which the agent or broker will give you. Fill it in in good time, having checked whether there are any time limits set down in the policy for making a claim or reporting an accident, theft or other occurrence.

The policy may be specific about certain things such as contacting the police in the event of a theft. Liability for an action may be in doubt. If the policy does make stipulations on such matters always make absolutely certain of the position before you contact a third party and never admit liability to a third party even if it is obvious that you are at fault. Not many insurance companies refuse to pay out in these circumstances but some do.

USEFUL ADDRESSES

ACRE

(Action with Communities in Rural England)
Somerset Court
Somerset Road
Cirencester
Gloucestershire
GL7 1TW
☎ 01285 653477
e-mail acre@acre.org.uk
web site www.acreciro.demon.co.uk

British Insurance Brokers' Association

BIBA House
14 Bevis Marks
London EC3A 7NT
☎ 020 7623 9043
e-mail enquiries@biba.org.uk
web site www.biba.org.uk

Community Trading Services Ltd (CTS)

8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail
cts@communitymatters.org.uk
web site
www.communitymatters.org.uk

FURTHER READING

Charities and Insurance –

Leaflet CC49
published by The Charity Commission

Insurance Guide for Voluntary Organisations

published by the National Council for Voluntary Organisations

Insurance Information Sheet

Published by Community Trading Services

Protecting Volunteers

published by The National Centre for Volunteering

Tolley's Charities Manual

Published by Tolley Publishing

Trustee Liability Insurance – Information Sheet 39

published by Community Matters

Voluntary But Not Amateur

published by London Voluntary Service Council

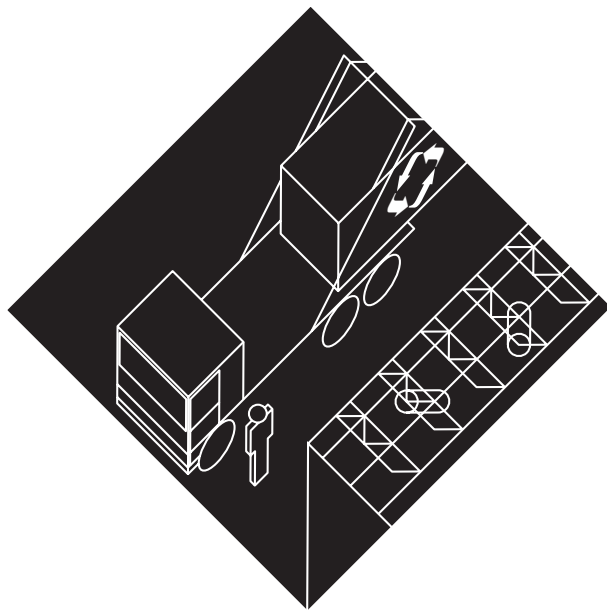
Volunteer Drivers and Tax

published by The National Centre for Volunteering

Publishers' addresses can be found on page 180.



Rates and taxes



INTRODUCTION

As managers of a community building you must consider your liability to pay rates and taxes to one or more public bodies: the Inland Revenue, Customs and Excise and the local authority. The rates, taxes and other charges that you may have to pay are corporation tax, income tax, capital gains tax, value added tax and business rates. If you have paid employees you will also have to make payments to the

Inland Revenue for income tax and national insurance; this is dealt with in chapter 3 – *Staffing*.

This chapter tells you something about each of the other charges and in some cases urges you to get more information and check the fine print in order to prevent financial penalties occurring. As ever, ignorance of the law is no excuse.

A CAUTIONARY TALE

A bar in one community building was managed, as it should be, by a separated out social club (see chapter 7). The committee employed one barman but often used volunteers to help out behind the bar on busy occasions. The barman would give the volunteers a free drink from time to time in recognition of their help. The drinks were served but as no payment was made nothing went through the till.

It was a popular community building so volunteers were used regularly. The social club was registered for VAT.

On a routine visit the VAT inspector noticed that the income from sales of beer and other drinks was lower than might be expected considering the prices charged, the amount of drinks bought in from the brewery

and the standard allowance for ullage – the amount of beer that gets wasted in the normal course of running a bar. It was explained that volunteers were given free drinks. The VAT inspector informed them, quite properly, that VAT was due on these free drinks and, as the organisation could not give accurate information, the bill was calculated by the VAT inspector. His suspicions about the organisation were aroused as a result of the sloppy and technically dishonest practice of not accounting for the volunteers' beer and he therefore dug around and found several other ways of charging back VAT to the organisation. The bill amounted to £6,000 and went back over 3 years – it would have been more if they had been registered longer.

TAXES LEVIED BY THE INLAND REVENUE

CORPORATION TAX

Corporation tax is the tax levied on the profits of businesses and organisations involved in trading.

Registered charities and other bodies with wholly charitable purposes are exempt from corporation tax.

Many of the most likely 'trading' activities associated with community buildings such as the sale of crisps and light refreshments at the youth club, or running jumble sales are, to all intents and purposes,

not considered as trading activities for corporation tax purposes (although they might be for VAT purposes: see page 101) and so will not render the committee liable to tax.

There are other activities carried on in connection with community buildings which are definitely considered as 'trading' activities for the purposes of corporation tax. These include the regular sale of second-hand goods in a charity shop (except where

they are wholly donated), running a café on a regular basis and, perhaps one of the most common, the sale of alcoholic beverages from the building's bar. If any of these services form part of your programme, or indeed any other services for which you make a charge, you could be liable for corporation tax. If you do trade but you make no profit then of course you will pay no tax.

For an organisation to carry out any trading, this must be allowed for in the governing instrument.

Registered charities have limited powers to trade. Permissible trading activities include those directly in pursuit of your charitable aims, known as 'primary purpose trades', or those that involve the beneficiaries of your charitable purposes. For example you may run a sheltered workshop for disabled people and sell the products they make. This does not affect your charitable status or your liability for corporation tax. (The rules are different for VAT – page 101.)

A charity may also carry out occasional trading which is not primary purpose, for example small fund-raising events such as bazaars, jumble sales, carnivals, firework displays and similar activities. The Inland Revenue will not tax the profits of such events provided that:

- the charity is not regularly carrying on these trading activities
- the trading is not in competition with other traders
- the activities are supported substantially because the public is aware that any profits will be devoted to charity, and
- the profits are transferred to charities or otherwise applied for charitable purposes.

Profits from 'small' lotteries incidental to a exempt fundraising event are exempt from tax. Under the Finance Act, 1995, profits from 'society' lotteries run by charities are also exempt (see page 116).

Another possibility is when a charity is involved in trading activities ancillary to the carrying out of a primary purpose trade. One common example in community buildings is running a café.

Under the Finance Act, 2000 charities are also exempt from paying tax on small-scale non primary

purpose trading provided that:

- the total turnover from all trading and other incidental fundraising activities does not exceed the annual turnover limit (see below), or
- if the total turnover exceeds the turnover limit, you had a reasonable expectation that it would not do so at beginning of the financial year in which the trading commenced, and
- the profits are used for the purposes of the charity.

The Charity Commission can still refuse or retract, charitable status if it believes any trading is uncharitable, so if in doubt it is advisable to check with the Commission before you start to trade.

Annual Turnover Limit

The annual trading turnover limit on which profits will be exempted from tax is:

- £5,000, or
- if greater than £5,000, 25% of the charity's gross income, up to a maximum of £50,000, (for example, if non-charitable trading turnover is £25,000, to qualify for tax relief the total gross income of the charity must be at least £100,000 – ie £25,000 x 4).

Fundraising events that qualify for VAT exemption (see page 103) also qualify for exemption from income tax and corporation tax.

If your community building engages in some other sort of regular trading activity apart from those mentioned above you will not be able to register as a charity. If you carry on a substantial, regular trade you may still be required by charity law to set up a subsidiary company to carry on the trade, even if the profits are exempt, for example a social club to run the bar or distinct body to run the 'charity' shop (unless it is only selling donated goods). A charity's wholly owned subsidiary company can then make a payment to the parent charity by covenant or through Gift Aid equal to its taxable profits (ie without deducting tax), within nine months of the end of its accounting period, and obtain tax relief when calculating its profits for corporation tax. Separated social clubs are not considered to be wholly owned trading subsidiaries of the charity.

Under charity law the charity must not subsidise

the activities of the trading company. It is therefore essential that the trading company is charged the full cost of any of the charity's resources used. This could include premises, electricity, insurance and staffing. However, it is important that the charity is not tempted to strip the profits from the trading company through excessive charges – this could well result in the charity itself making a taxable profit.

As you can imagine this is an area where specialist knowledge and advice is vital. Community Trading Services, the trading arm of Community Matters are experts in it and it is sensible to seek their advice.

INCOME TAX

If you are fortunate enough to have money to invest, whether in a deposit account or in stocks and shares you are liable to pay income tax on the interest received on the investment. If you are a charity you are exempt from this liability. The trouble is that the interest on many investments is taxed at source, in other words you receive the interest after the tax has been deducted. Registered charities can claim this back by writing to the Inland Revenue. Banks and building societies, however, will pay interest gross, that is without deducting tax, to registered charities so long as you give them your charity number.

If you invest your money either in a National Savings Investment Account or with the Charities Official Investment Fund your interest will be paid without the deduction of tax. You will want to check rates of interest, of course and, in the event of rates being better with investments which pay 'net', weigh up whether the difference is worth the extra work in reclaiming the tax.

CAPITAL GAINS TAX

This is a tax payable on the profits made when you sell a capital asset. Once again, charities using the financial gain for charitable purposes are not liable for this tax.

STAMP DUTY

Under the Finance Act, 1982 charities are exempt from stamp duty when buying or leasing property, or buying shares. In order to benefit from this concession, a charity must obtain an exemption certificate from an Inland Revenue Stamp Office (addresses in the phone book or on the Inland Revenue web site – www.inlandrevenue.gov.uk). The property transaction will still need 'stamping' but there will be no charge.

FURTHER HELP

All the taxes mentioned in this section are dealt with by the Inland Revenue. After consulting any financial adviser you may have, your accountant or auditor, the local office of Her Majesty's Inspector of Taxes is the starting place for more detailed information and advice.

Tolley's Charities Manual is a looseleaf service which provides detailed information and guidance on all aspects of the taxation, finance, accounting, legal and administrative background of running charities. It is, however, aimed at accountants and costs £115, and is therefore something you may want to try to borrow rather than buy. The Inland Revenue's booklet *Trading by Charities* (CS2) provides clear guidelines on the tax treatment of charity trading. Suggestions for further reading are given at the end of the chapter.

VALUE ADDED TAX

GENERAL

Value added tax (VAT) is something everyone knows about as it is added on to the bottom of many bills, whether for goods or services that we buy in the course of our daily lives.

VAT is levied on the purchases you make for your community building, just as it is on those you make for your personal use. The question for a community organisation to answer is: do we have to charge VAT on our goods and services?

In this respect VAT, like corporation tax, is only really relevant if you are involved in business activities. This phrase not only covers those activities we call trading but may also include things such as hiring out your hall. You may not think of this as a business activity but, for purposes of VAT, it is. To add to the confusion, whilst carrying out business activities may render you liable to register for VAT, this only applies if you exceed a VAT 'threshold' and in calculating this some activities are ignored.

Unlike the situation with corporation tax, charities are not exempt from the need to register for VAT simply by virtue of their charitable status. To all intents and purposes your community organisation is treated like any other body when it comes to considering whether you have to register and therefore separately account for VAT. So, if your community organisation does not engage in any business activity, that is provide goods or services for payment (even if the payment is less than the full value of the goods or services), then you need not worry any further about registering for VAT.

Customs and Excise calls the goods and services your organisation provides 'supplies' and designates them as 'exempt' or 'taxable'. If your organisation, like the vast majority of others managing community halls, is conducting business activities as defined above, it will only have to register for VAT purposes if at any time the total value of its taxable supplies (not its profit) for the previous twelve months (or less if you have been in business for less than twelve months) exceeds, or looks as if it is about to exceed, a certain limit (increased annually), which in 2000/01 is £52,000.

You may therefore be able to make a quick check on your organisation's need to register for VAT by taking its annual income and deducting the proceeds from lettings, bingo, grants and donations and interest and investment income, all of which are either exempt or non-business. If the total is clearly below the limit you need do nothing at all. If the total is nearing the limit and/or if you are not quite sure whether you need to register your organisation, then check with the local VAT office, as penalties for non-registration or late registration can be considerable. You may still be able to benefit from cer-

tain concessions for charities, however, even if you are not registered for VAT. (See: 'Purchases - some concessions for charities' later in this chapter.)

SOME DETAILS OF VAT

If you do exceed the limit and thus have to register you will be required to charge VAT on your goods and services and account for it on a quarterly basis to Customs and Excise. Your sales relate to things going out from your business and are therefore called 'outputs' in VAT terminology. Thus the tax you charge your customers is called **output tax**: you are collecting this on behalf of Customs and Excise and so have to pay it over to them.

By the same token what you have to purchase in order to be able to make your goods or provide your services are called 'inputs' in VAT jargon, and any VAT charged on them is called **input tax**. You can claim input tax back from Customs and Excise on all purchases associated with the goods or services you sell, unless they are exempt or related to non-business activities. What you do is subtract the amount of input tax from the amount of output tax and hand over the difference to the VAT office. If you pay more input tax than you charge in output tax you can claim the difference back from the VAT office.

There are three rates of VAT – standard rate (currently 17.5 %), some supplies of fuel and power – ie gas and electricity, and some other items – (currently 5%) and zero-rate (currently 0%). The reason for having a tax that amounts to nothing is that, although you do not have to charge tax on zero-rated items their value does count towards the overall value of taxable supplies that determines whether or not you have to register. And of course the zero rate may, at some time in the future, be changed.

If you are registered for VAT you have to keep detailed records and vouchers of all your business transactions in connection with both output and input tax. You will be subject to inspection by Customs and Excise officials. You have to keep detailed records of purchases and can only claim input tax for those for which you have proper tax invoices – ie an invoice or receipt from the supplier with its VAT number printed on it. This applies to petty cash

payments as well as other purchases. The inputs and outputs of all the activities of the organisation must be accounted for, including those of the different sections you may have. As the tax and the liability to register for the tax is calculated on the total amount of taxable supplies and not the profits, it is vital that sections inform the Treasurer of all their income and expenditure and not just the net surplus or deficit. (It is, of course, good accounting practice for this to happen regardless of VAT.)

ONE OR TWO SURPRISES

If you are registered for VAT you may not be aware of one or two items of your 'supplies' upon which you have to charge VAT, or at least account for and pay over to Customs and Excise. One is admission charges for certain activities (although charges for some fund-raising events are exempt – see 'Fundraising – some concessions for charities', page 103). Another is subscriptions or membership fees when members receive more than just the annual report and accounts in return, in other words when the membership fee buys some kind of service. Some organisations, however, have been successful in negotiating partial exemption on membership fees.

There may be more as, for example, reported in the cautionary tale. Be sure to clarify it all with your local VAT office.

VOLUNTARY REGISTRATION

If you are engaged in business activities but fall below the limit requiring you to register there may be circumstances in which it is beneficial to apply for voluntary registration. The reason is that the amount of the input tax that you claim might be more than the output tax that you charge. If you think this might be the case contact your local VAT office to find out whether you are eligible and how to apply.

It is important to check the VAT rating of your main goods and services which you supply for payment when considering applying for voluntary registration. If a significant proportion are zero-rated then it might be worth applying. It is, for example, useful to know that, for charities, sales of donated

goods are zero-rated. Another important consideration, however, is the time it takes to do the accounting. It can be considerable and many people think that if you do not need to register it is best not to bother. Also, if you register voluntarily you will have to charge VAT on all taxable supplies.

WHAT IS, AND WHAT IS NOT A TAXABLE SUPPLY?

To determine how much of your income is taxable in VAT terms, you need to sort out all your activities and the income they bring in into four categories: 'non-business' and therefore outside the scope of VAT; 'business' but exempt; 'business' and zero-rated; 'business' and standard rated.

The following list, whilst not exhaustive, categorises the most common activities of organisations running community buildings.

Non-business

These are not included in the calculation of the organisation's taxable income.

- Voluntary services given free of charge in accordance with the objects of the charity
- Supplies made for below cost for the relief of distress: these supplies must be made at least 15% below cost and effectively funded by the charity's own resources
- Proceeds of flag days or house to house collections
- Grants and donations which are not the consideration for services rendered
- The selling of advertising space in charity brochures to private individuals (but not to commercial organisations, and only if private advertisements make up at least 50% of the advertising)
- Dividends paid on shares owned by a charity
- Membership subscriptions to charitable and similar organisations – but only if the payment of a subscription secures for its members entitlement to nothing more than the right to receive copies of accounts of and reports on their activities, and the right to vote at general meetings

Exempt

VAT cannot be charged on exempt items **nor re-covered on related purchases**. Items which are exempt do not count towards the threshold.

- Hiring out a charity-run building, although there is an option to waive exemption (see page 104).
- Welfare services and related goods supplied by charities when made 'otherwise than for profit': this means that if a profit is made it is used entirely for the service on which it is made and not for any other charitable purpose
- Receipt of interest by charities on funds kept in building society or bank accounts
- Some fund-raising events by charities or other similar non-profit-making bodies (see 'Fundraising – some concessions for charities' – below)
- Subscriptions to non-profit-making youth clubs serving mainly members who are under 21. This can also include extra fees paid for facilities directly related to the club's ordinary activities, but not entertainment, goods which are sold, food, drink and purely recreational holidays
- Lotteries and bingo (but not gaming machines takings)
- Nurseries, crèches and playgroups which are registered under the Childminding and Day Care Regulations, 1992
- Education and training, if not carried out for profit
- Sporting and physical education services supplied by non-profit making organisations to individuals

Zero-rated

VAT is not chargeable on zero-rated supplies. They do, however, count towards the registration threshold and have to be accounted for after registration.

- Sales of donated goods by a charity or by any VAT-taxable body donating to a charity all the profits from the sale of donated goods (such as a charity's trading subsidiary)
- Sales of donated goods to the general public, to disabled people or to people receiving means tested benefits
- The hire of donated goods if the sale would have been zero rated

- Publications, including books and newsletters

Standard-rated

- Membership subscriptions, payment of which confers benefit other than those mentioned above under Non-business, such as free advice, information and the organisation of social activities. Membership fees of community associations and sections are likely to be taxable
- Admission charges, except for 'one-off' fund-raising events held by a charity
- Food and drink to be consumed on the premises, and hot take-away food and drink
- Certain items of cold take-away food, eg ice-cream, confectionery, chocolate biscuits, alcoholic drinks, soft drinks and crisps
- Sale of posters, diaries and calendars, greetings cards
- The selling of advertising space to commercial organisations

FUNDRAISING – SOME CONCESSIONS FOR CHARITIES

The Finance Act, 2000 extended VAT concessions on fundraising activities. Charities and some other non-profit making bodies are now exempt from paying VAT on up to 15 fundraising events of any kind held in any location, within a financial year. An exempt event is defined as one which is organised and promoted primarily for the purpose of raising money, and includes events accessible through electronic communication.

There is no restriction on the number of small-scale events of any one kind, such as coffee mornings, as long as weekly gross takings for such events do not exceed £1,000.

Any fundraising event that meets the criteria for VAT exemption will automatically also qualify for exemption for income tax and corporation tax.

PURCHASES – SOME CONCESSIONS FOR CHARITIES

If you are a charity (whether registered or not) certain goods and services which you purchase which otherwise would be standard-rated can be charged to you at zero rate. This zero-rating is usu-

ally dependent on you, the charity, providing the supplier with a written declaration of your eligibility for zero-rating.

Concessions include:

- Charity advertisements – including recruitment advertising – in all media (including a web site other than the charity’s). Recruitment can be for paid staff or volunteers, and advertisements no longer have to include a statement of the charity’s objectives
- Design and production services and other closely related services, excluding a charity’s overheads for producing its own adverts
- Providing, extending or adapting bathrooms for use by disabled people in day centres and other charity premises
- Talking books and radios for blind people
- Supplies of aids for disabled people to a charity for use by disabled people
- Donations by a charity of specified medical and scientific equipment to a health authority, hospital or charitable institution that provides medical care or treatment
- Catering for meals on wheels
- Construction of some new buildings – see below concessions on buildings and construction

Below is an outline of the concessions, but this is a particularly complex subject, and you should get professional advice before embarking on any construction project.

Zero rating can only apply to new buildings. The definition of a ‘new building’ is not always clear – particularly when part of an existing building is retained, or when the new structure is joined to an existing building. It includes those constructed:

- making use of the foundations of an existing building, when the whole of the former building has been demolished
- on the remains of a building, where all that remains is the foundation and façade, where the façade has to be retained to comply with planning consent

Qualifying Buildings

Buildings qualifying for zero rating includes:

- Construction of a building for a ‘relevant’ chari-

table purpose – either as part of the charity’s non-business activities or as a village or similar hall providing social or recreational community facilities

- Construction of a ‘relevant residential building’ – a residential building with shared facilities such as kitchens and bathrooms, for example a children’s home or an old people’s home
- Construction of an independent annex on to an existing building for a relevant charitable purpose (see above) – the annex must have its own entrance and be capable of functioning independently from the existing building
- Services related to the construction, excluding architects, surveyors, consultants or anyone acting in a supervisory capacity. However, it is possible for the contractor to agree an all-inclusive design and building contract that would include these services, which would therefore be zero rated.

The complete range of goods and services covered is set out in VAT notice 701/1/95 – *Charities* available free from your local VAT office (listed in the phone book under ‘Customs and Excise’). There are a number of other relevant VAT notices and leaflets, some of which are listed at the end of the chapter. Some material can be downloaded from the web site www.hmce.gov.uk/notices. Another useful publication is *A Practical Guide to VAT for Charities*, published by the Directory of Social Change.

You can, under certain circumstances, choose to waive exemption (ie opt for tax) on land or buildings. This would mean that income derived from lettings would then count towards your VAT threshold and your chances of registering for VAT, if you think that would be advantageous, would increase. The advantage of doing this could be that you could recover VAT on items related to managing the building. In return, however, you would have to charge VAT on all your lettings. Waiving exemption on land or buildings is a complicated matter, and once you have done it, you cannot go back. So if you decide to do it make sure you get detailed information about it first, and try to find someone else who has taken this route to learn from their experience.

FUEL AND POWER SUPPLIES

Fuel and power supplies to a building used entirely for domestic purposes or for non-business charitable activities ('qualifying purposes') are taxed at 5%. (Hiring out rooms is a business activity, so is membership which confers substantial benefits.) If at least 60% of the building is used for a qualifying purpose, then fuel and power supplies can be rated at

5%; if less, then supplies of fuel and power may be apportioned between qualifying and non-qualifying uses with the non-qualifying portion taxed at 17.5%.

Besides these instances, supplies of fuel and power below certain specified low quantities will automatically be rated at 5% whatever the use of the building.

RATE RELIEF

All organisations whose objects are charitable, whether registered or not, receive 80% mandatory relief on National Non-Domestic Rates. Clearly the easiest way to prove charitable status to the local authority is to register as a charity and send the authority a copy of your registration document. In any case, if your organisation is charitable, in most cases you have a duty in law to register with the Charity Commission (see chapter 2). The cost of mandatory rate relief for charities is met from the government-controlled non-domestic rate pool.

Local authorities have powers to grant additional discretionary rate relief to charities and can also grant discretionary rate relief of up to 100% to other voluntary organisations such as sports clubs. Each case must be considered on its merits. The government does not allow local authorities to take blanket policy decisions to give no discretionary relief. Twenty-five per cent of discretionary rate

relief to charities, and 75% of discretionary relief to non-charitable voluntary organisations is also met from the non-domestic rate pool.

Applications for discretionary rate relief are subject to certain criteria laid down by the Department of the Environment, Transport and the Regions. These include: open access – the active encouragement of participation by such groups as young people, people with disabilities, people from minority ethnic communities, older people; the type of services provided – for example, to help develop the skills of one or more of the above groups; and whether their provision directly or indirectly relieves the authority of the need to make its own provision. The criteria suggest that the provision of a bar in the community building should not, of itself, be a reason for refusing discretionary relief – the authority should look at the main purpose of the organisation.

WATER AND SEWERAGE CHARGES

Water and sewerage charges are made by the privatised water companies. There is no relief – either mandatory or discretionary – for charities.

You have the option of having your water consumption metered and paying for how much you use. Doing this may save you money (although you will still have to pay a standing charge, regardless of your usage) but if you are a heavy user it may not. Your water company should be able to give you a rough idea of how much water you will use, and the cost. You may have to pay for installation of the

meter (which could involve extra plumbing), but some companies will install a meter free of charge, and allow you a year to compare costs. Meter installation can be carried out either by the water authority or private engineers. Some firms offer guaranteed savings. As with all such offers it is crucial to read the 'small print' before signing any agreement.

OFWAT – the Office of Water Services – (address on page 106) is an organisation looking after water consumer interests. There are 11 regional offices.

RATES AND TAXES CHECKLIST

Has your organisation carried out the following rates and taxes tasks:

- checked the situation with regard to corporation tax liability
- registered with the Charity Commissioners if the purposes of your organisation are charitable
- informed your bank and building society that you are a charity (if applicable)
- separated off any significant trading activities – bar or charity shop
- set up Gift Aid arrangements between trading subsidiaries and main building association
- set up a system for ensuring that payments relating to covenants are adequate
- reclaimed tax on investments
- considered putting spare cash in investments that pay dividends gross ie before deduction of tax
- checked the situation with regard to capital gains tax
- checked the VAT position generally and looked at the following in particular:
 - the need to register for VAT ie zero and standard-rated business activities in excess of the current VAT threshold (£52,000 in 2000/01)
 - accounting for all the output tax you should be eg free drinks, if you are registered
 - whether voluntary VAT registration is advantageous
 - taking advantage of zero-rating concessions to charities wherever applicable
- checked your rates bill to ensure you have the best deal with regard to:
 - mandatory relief, if you are a charity
 - discretionary rate relief
- considered the economics of having your water metered

USEFUL ADDRESSES

Charities Tax Reform Group
 12 Little College Street
 London SW1 3SH
 ☎ 020 7222 1265
 e-mail helend@central-lobby.co.uk

Community Matters
 8/9 Upper Street
 London N1 0PQ
 ☎ 020 7226 0189
 e-mail communitymatters@communitymatters.org.uk
 web site www.communitymatters.org.uk

Community Trading Services Ltd (CTS)
 8/9 Upper Street
 London N1 0PQ
 ☎ 020 7226 0189
 e-mail cts@communitymatters.org.uk
 web site www.communitymatters.org.uk

Inland Revenue Financial Intermediaries and Claims Office (FICO)
 St John's House
 Merton Road
 Bootle
 Merseyside L69 9BB
 ☎ 0151 472 6036
 web site www.inlandrevenue.gov.uk

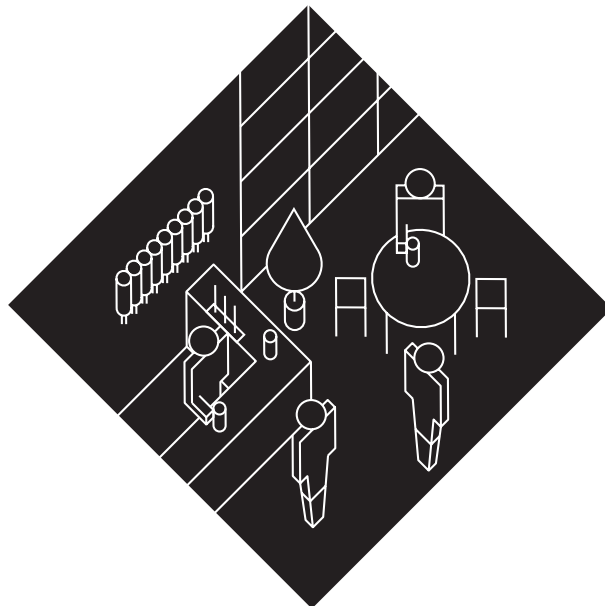
OFWAT
 4th Floor (South)
 High Holborn House
 52-54 High Holborn
 London WC1V 6RL
 ☎ 0845 758 1658
 e-mail Tmcs@ofwat.gtnet.gov.uk
 web site www.open.gov.uk/ofwat

FURTHER READING

- | | | |
|--|--|---|
| <p>Catalogue of VAT Publications
– 999
published by HM Customs and Excise</p> | <p>Filling in Your VAT Return –
700/12 (W)
published by HM Customs and Excise</p> | <p>The VAT Guide (Updates 1,2 and 3) – 900
published by HM Customs and Excise</p> |
| <p>Catering and Take-Away Food
– 709/2
published by HM Customs and Excise</p> | <p>Fuel and Power – 701/19
published by HM Customs and Excise</p> | <p>Land and Property (Updates 2 and 3) – 742
published by HM Customs and Excise</p> |
| <p>Charities (Update 1)701/1
published by HM Customs and Excise</p> | <p>The Ins and Outs of VAT –
700/15 (W)
published by HM Customs and Excise</p> | <p>VAT guide for Voluntary Organisations
published by the National Council for Voluntary Organisations</p> |
| <p>Charities and Fund-Raising –
CC20
published by The Charity Commission</p> | <p>A Practical Guide to VAT for Charities and Voluntary Organisations
published by the Directory of Social Change</p> | <p>All the Inland Revenue and VAT leaflets above are free and may be obtained from your local Inspector of Taxes and VAT office respectively. Some can be downloaded from the web sites www.inlandrevenue.gov.uk and www.hmce.gov.uk</p> |
| <p>Charities: Supply, Repair and Maintenance of Relevant Goods
– Information Sheet 8
published by HM Customs and Excise</p> | <p>Rates – Information Sheet 15
published by Community Matters</p> | <p><i>All Acts of Parliament referred to in the text can be purchased from the Stationery Office.</i></p> |
| <p>Clubs and Associations – 701/5
published by HM Customs and Excise</p> | <p>Should I Be Registered for VAT? – 700/1(W)
published by HM Customs and Excise</p> | <p>Publishers' addresses can be found on page 180.</p> |
| <p>Croner's Management of Voluntary Organisations
published by Croner Publications</p> | <p>Tolley's Charities Manual
published by Tolley Publishing</p> | |
| | <p>Trading by Charities
published by FICO</p> | |



Licences and other legal permissions



INTRODUCTION

When doing the research for this book it was this chapter that gave the most headaches. There are many sources of information and they all approach the subject in different ways. This creates the impression that the subject of licences is very complex, with many pitfalls for the managers of a community building.

I am sure that any management committee would confirm that, when you run community buildings with their great variety of activities, there is one golden rule for managers: 'Before starting any activity check whether there is a licence or other legal requirement.'

It is a simple rule and one that will help avoid the problems that can arise from breach of licensing and other regulations.

Whilst an overview of licences and legal permissions in this chapter may be frightening, the fact is that community organisations in general are properly managing their affairs. It is easy, however, to overlook an obligation requiring your attention and, for that matter, to overlook a benefit you may have (eg a waived fee) in respect of a licence.

As managers of public premises and public activities your overriding duty is the public interest and safety. The appropriate licences and legal permissions are there to ensure you have undertaken

the necessary steps to do that.

A community organisation will wish to pursue public and private activities on its own or other local premises. Management committees preparing for such activities will have to work on the basis that there will inevitably be a series of laws regulating the premises and activities, and they will have to apply for the necessary authority to ensure the premises and activities are adequately covered.

The organisation will need to ensure that lease conditions and its governing instrument (see chapter 2) do not prohibit such activities. It will also have to satisfy itself that the activities are really in the interest of the organisation and its objectives and will not bring the organisation into disrepute.

A SIMPLIFIED APPROACH

Because this chapter deals with legal requirements it would be possible to write in great detail about every aspect of licensing. That is not the intention of this book. If you want more detail ACRE and Community Matters have published a comprehensive book called *Licensing and Other Statutory Requirements for Village Halls and Community Centres*. Other, more detailed literature is referred to in the text and listed, with many other sources, under Further Reading at the end of the chapter.

A CAUTIONARY TALE

One community organisation, again nameless, ordered a Jackpot Games Machine: they thought it would provide an attraction for members and also a significant boost for their funds. They did their administrative homework properly and discovered they needed a licence from Customs and Excise. When they applied for this they discovered they required a Part III Gaming Certificate from the Licensing Justices first. So the machine could not start earning them revenue for six weeks, which was the time it took to get the certificate and the licence.

Each year they renewed the licence with Customs and Excise. After five years, by which time the machine had become an established feature of the community centre and was netting an income of about £400 a week, the time came for them to renew the licence and they were told that their Part III Certificate had expired and, therefore, the licence could not be renewed. Consequently they had to shut down the machine for a further six weeks while they renewed their five year Part III Certificate. Net effect: they lost a total of £2,400 very much needed income.

POSSIBLE LICENCES AND PERMISSIONS

ALCOHOL

Supply of Alcohol

Many organisations running community buildings are operating under a Club Registration Certificate (CRC). However, CRCs – issued under the Licensing Act, 1964 – only apply to private members' clubs and are primarily for the supply of alcohol between bona fide members of such clubs.

Since a charity provides services to the public, holding a Club Registration Certificate is a breach of trust by the management committee of the charity – an offence against charity law requirements. It will be subject to a six year back-dated liability to corporation tax. A charity cannot argue that any surplus arising from supply of alcohol to its members is not subject to corporation tax on the grounds that it arises from mutual trading. This is because it will be treated as though it sold, rather than supplied, alcohol.

A swingeing tax liability and breach of charity trust should be enough to convince all charities that they should take this issue very seriously. All members of the management committee could be held individually and personally liable. It is no good trying to argue that the bar is separately run by a 'sub committee' or a 'section'. For a bar to be separate it must be absolutely established as a distinct and separate organisation.

This is not, then, a matter to ignore or tinker with. You are well advised to contact Community Trading Services (CTS) Ltd, which specialises in advising charities on this subject and providing complete bar separation packages. You should also be aware that there is a considerable amount of poor advice offered on this subject, sometimes from professional advisors. Seek specialist advice and at all costs avoid DIY.

In the short term there will be a price to pay as there are the costs involved in separating a bar; but that price is far better than the penalties some organisations have faced and still face as a result of not doing things properly.

Sale of Alcohol

The sale of alcohol is not a charitable activity in pursuit of a charitable object and, therefore, can only be an activity that is 'incidental' or 'occasional'. The argument that sales of alcohol create profit to assist the charity in its charitable work will not change the requirements of charity law, nor will it change the view of the Inland Revenue that profits from sales of alcohol are liable to corporation tax.

A charity may not operate a regular/permanent bar activity under a justices on-licence. If a charity is directly operating a regular/permanent bar and/or the intention is to create profits for the benefit of the charity then the management committee is in breach of charity trust and the profits from sales of alcohol are liable to corporation tax (see above).

Charities operating a bar under a justices on-licence are strongly advised to seek specialist advice on the subject. The whole subject of bars in charities is a minefield. Solicitors have often represented applications for justices on-licences or Club Registration Certificates for charities without considering the implications of charity law. Courts have often granted justices on-licences or Club Registration Certificates to charities without considering the implications of charity law. Accountants have often considered that the surplus or profit arising from sales/supply of alcohol by a charity is not liable to corporation tax. They are all wrong. But the buck stops with the management committee of the organisation. Its members are the managing charity trustees and they are responsible for managing the organisation properly.

A charity can hive off a permanent/regular bar activity by establishing a distinct and separate organisation. This bar separation package is part of the service offered by Community Trading Services (CTS) Ltd. Charities with a bar on their premises are urged to seek advice on their specific circumstances.

Incidental and Occasional Sales of Alcohol

Charities may make sales of alcohol directly only in an extremely controlled way. Sales of alcohol which

are considered by the Charity Commission as ‘incidental’ or ‘occasional’ are those provided as merely supportive to particular charitable events and activities managed by a charity (for example, selling alcohol to participants and spectators at a sporting or theatrical event).

The usual methods for obtaining an authority to provide such sales are:

- an *Occasional Permissions Licence*: A charity or a voluntary not-for-profit organisation may make up to twelve applications for twelve events per year to the Licensing Justices under the provisions of the Licensing (Occasional Permissions) Licensing Act, 1983 as amended by the Deregulation (Occasional Permissions) Order, 1997. Occasional permissions are valid for up to 24 hours so, for example, to sell alcohol on the three successive evenings of a festival would require three permissions.
- an *Occasional Licence*: A charity may ask a current licensee (eg a local publican) to apply for an Occasional Licence for the purposes of a function on behalf of the charity. Sales of alcohol will then be under the control and responsibility of that outside licensee for the event.

Some charities are operating incidental and occasional sales of alcohol under a justices on–licence that they have been granted directly. It is rare for a charity to be authorised in charity law to operate a justices on–licence directly and it will only be permissible where a clear analysis of circumstances has been made and the Charity Commission has agreed. In such circumstances a charity will have to show that:

- its total income from sales of alcohol has not been greater than 10% of the total income of the charity
- it is neither the circumstance nor intention to operate a regular/permanent bar nor to view the bar activity as a charity fund-raising activity
- the operation of a bar is a support only for those people attending a charitable activity.

For further information see the Charity Commission’s leaflet CC27: *Providing Alcohol on Charity Premises*.

Other Restrictions on the Provision and Sale of Alcohol

In addition to observing the requirements of charity law, managing charity trustees must pay attention to several other factors when considering the provision of alcohol on charity premises or at events elsewhere. The following may also restrict the ability to provide alcohol:

- *Lease Covenants*: managing charity trustees should check themselves and where appropriate with their holding/custodian trustees whether there are any restrictive covenants regarding sale of alcohol or trading activities in leases, licences or rental agreements.
- *Restrictive Covenants*: managing charity trustees, whether owning, leasing, licensing, renting or hiring premises and/or land, should check that the land or premises are neither subject to local bye-laws restricting sales/consumption of alcohol nor subject to absolute covenants. Some land and property may be subject to trusts that have restrictive covenants on sale/supply of alcohol under any circumstances.
- *Public Image*: A matter for serious consideration is the public image of a charity providing alcohol. There is growing concern about increasing alcohol abuse and alcoholism generally and alcohol consumption by young people in particular. These are important matters for charities, as public organisations, to consider prior to providing alcohol facilities in their building. The issues of supervision, health and hygiene and fire precautions, should also be given proper attention. (More is said about all of these later in this chapter.)

ENTERTAINMENT LICENCES

In many cases, if you provide entertainment for the general public, for example dance, music, theatre or films, you will need to obtain a licence from your local authority. It has in the past been necessary to get a separate licence for each form of entertainment, but guidance was issued to local authorities in 1995 to simplify the process in some cases.

The guidance proposes that:

- it should be possible to apply in a single application for two or more licences
- renewal notices should be issued for annual licences
- local authorities should provide a named contact for enquiries
- local authorities should impose only those conditions and restrictions strictly necessary for public safety and the avoidance of nuisance

The guidance relates to applications from community premises catering for a maximum of 300 people but may also be used in relation to larger premises used infrequently (for example a school hall) or where a building is never used to its full capacity. Check with your local authority (district or borough council) whether your building falls into the latter category.

The licences are described below. For further details see the Home Office booklet *Licensing Your Community Building*.

At time of writing the White Paper *Time for Reform: Proposals for the Modernisation of our Licensing Laws* was being discussed. This proposes radical changes to licensing relating to alcohol and public entertainment. However, any proposals are unlikely to become law for some time. The White Paper is available from the Stationery Office (address on page 182).

Public Entertainment Licence

A public entertainment licence (PEL) is required for all places that are used for public dancing and/or music. Therefore if you or hirers of your building hold dances or discos or put on music shows of any kind then you must obtain a PEL.

The licence is required in order to ensure the safety of the public present at any entertainment in your building and to prevent a public nuisance. Consequently your building will be subject to safety checks, and conditions may be laid down before the granting of a licence (see 'Fire Precautions' and 'Health and Safety', later in the chapter). It is crucial that you make these conditions clear to all hirers of the premises and make it clear that they are required to satisfy them. This can best be achieved

by issuing a hiring contract and ensuring supervision (see chapter 2).

There are no fees payable for a public entertainment licence for a church hall, village or parish hall or for any similar community building. This is the same across the country although in London it is covered by a different regulation. Experience shows that many local authorities are not aware of this fee waiving regulation and community organisations should therefore draw it to their attention.

Public entertainment licences are normally granted for one year and you apply for these to the district or borough council. Occasional licences may be granted for one or more specific occasions. Applicants must usually give 28 days' notice. If you are in the process of constructing or altering your premises you would be well advised to consider applying for a Provisional Entertainment Licence. This is a good test of your plans and will avoid later problems. (This is also a good point to remember if you consider the need for a licence for a bar. An application for a Provisional Licence for the sale of intoxicants will be a further good test of your building plans and specification.)

In the process of obtaining a public entertainment licence the council, police and fire authority have powers of inspection. Fines can be imposed for offences against public entertainment licensing.

Theatre Licence

A theatre licence is required for stage performances, for example plays, ballets or opera. The application process is similar to that for a public entertainment licence but further conditions may be imposed.

No fee is payable if performances are of an educational nature or for a charitable purpose; otherwise a charge may be made.

Under the Theatres Act, 1968 you can have a bar selling alcohol during performances without an additional licence. You will need to notify the clerk to the licensing justices and keep to your district's licensing hours. For further information about selling alcohol see page 111.

Unless your community association puts on regular performances it may be more sensible to apply for an occasional rather than an annual theatre licence.

However, if your building is eligible, and your local authority is using the simplified licence process described above, you may want to include a theatre licence in your annual application anyway.

Once again certain safety standards must be met (see 'Fire Precautions' and 'Health and Safety' on pages 117 and 119.)

If you are putting on a performance you will also have to consider the author's and/or publisher's royalties (see 'Copyright and Royalty Permissions', below).

Film and Video Licence

You will need a licence if you show films or videos to the public and are not covered by the exemptions listed below. This licence is obtained from the local district or borough council. It is for a period of up to one year and you will probably be charged a fee. Occasional permissions can be obtained for up to six days a year. Conditions will often be attached to the licence and are normally to do with the suitability of films or videos for children.

Experience shows a considerable lack of understanding regarding the law on showing films and videos. People have become used to hiring pre-recorded video cassettes for home use and frequently have assumed that they can hire these for use in, for example, the community centre. This is not the case. The possession of a television licence is not an authority for use of a television to make programmes or videos available to the public. Furthermore, pre-recorded video cassettes are mostly only available to be used for domestic purposes. 'Domestic' does not extend even to a private members' club whether or not there is a charge for admission. It certainly does not allow for public performance, even if for charitable purposes.

The whole subject of providing films and videos in public premises (and, for that matter, in a private club) is one that will need considerable care and attention to the issues of licence, copyright and other special conditions. There are outstanding organisations who have pioneered their way through this complicated area. They may be able to help you avoid the pitfalls; but be careful as there are many organisations who are not good examples and their

advice could make matters worse.

Exemptions

You do not need a licence

- if there is no charge or private gain
- if the show is a private one and there is no private gain
- if the premises are used for no more than six film and video shows a year. In this case, however, you must give seven days' notice in writing to the district or borough council, the fire authority and the police authority
- if you have an exemption certificate from the Home Office. To get this certificate you have to prove that you are a non-profit-making organisation, and films/videos are shown for not more than three days in any seven-day period
- if you form a film or video society that is non profit-making and allows only its members to attend performances, and the takings are used only for the expenses involved in the showing of the films/videos.

You will need a licence for premises used for a children's cinema or video club unless the films or videos are shown as part of the activities of an educational or religious institution.

Inspections

The local authority will base its decisions about required safety standards and conditions for a licence on the recommendations of the fire authority and, if necessary, the police. It is important to ensure that an informed committee member is present when inspections are made, and to establish whether work recommended on the building is mandatory or advisory.

COPYRIGHT AND ROYALTY PERMISSIONS

You need special permission to use any copyright material in the entertainment you put on in your centre. Literary, dramatic, musical and artistic works are protected by the copyright laws from being reproduced, adapted, publicly performed or published without permission. Any performances in community buildings are considered to be public,

therefore it is certain that you will need this permission and will be liable to pay royalties.

It gets a bit complicated here. You could need several permissions – to protect the rights of the author, the performer, the composer, the publisher, or the recorder of the copyright material. This material can be a play, a song, a tune or an opera and it can be either live or recorded.

If, as is sometimes tempting, you resent all the complications of obtaining the various permissions, remember that this is how composers, authors, publishers and others make their living.

To get the permissions you need you will have to apply to one or more of the following:

- the author of a play
- the Performing Right Society (PRS) – for musical performances, whether live or recorded, on behalf of the composer or publisher (the PRS licence covers the building, as opposed to the PPL, which covers the performance – see above)
- Phonographic Performance Ltd (PPL) – for performances of sound recordings, on behalf of the recording company (but see below)
- Mechanical Copyright Protection Society – for making musical recordings, for example as part of a video or film
- Video Performance Ltd, or the owner of the copyright in music or film videos

The addresses of all these are given at the end of the chapter on pages 131-132.

As you can imagine the detail of these various licences is complex. If your centre or hirers of your centre give performances of any kind of music, be it live or recorded, if you put on plays, if you show videos or films you will need to comply.

Community Matters' Help with a PPL Licence

Clearly most community buildings will, if nothing else, use recorded music. For this you will need permits from the Performing Right Society (PRS) and the Phonographic Performance Ltd (PPL). There is some good news here. Charities running a community building can now obtain a PPL permission through Community Matters. The agency that Community Matters holds on behalf of PPL will reduce the costs and administration. Depending on

the particular circumstances of your centre the financial saving could range from ten to hundreds of pounds.

If your organisation is a charity, regardless of whether you are registered, the PPL licence requirement may be waived if, for example, you hold an event with an admission charge at which recorded music is played and **all** the proceeds, without any deductions, are put to the purposes of the charity. It can be quite complex to determine whether you are entitled to the concession. If there is any doubt in your mind, seek advice from Community Matters.

GAMING AND LOTTERY LICENCES

If you run any kind of raffle or lottery, organise bingo, have fruit machines or other gaming or entertainment machines including a snooker table, then you may have to obtain a licence. The basic details are given below. If there is any doubt whatsoever, contact the licensing department of your local authority for guidance.

Bingo

Community Matters' Information Sheet 26 – *Bingo* explains several ways that it is perfectly proper to run bingo in your community building without the need for a licence or to register with your local authority or incur liability to pay duty. Basically, if you wish to run bingo to raise funds for your building it is alright to do so as long as you observe certain conditions. Section 41 of the Gaming Act, 1968 is the governing legislation.

The admission fee and stake (cost of tickets) must not exceed £3 per person per session and the total value of all prizes, whether cash or kind must not be more than £300. All profits, after the deduction of reasonable expenses, must be devoted to purposes other than private gain. (See Community Matters' information sheet no 26.)

Gaming and Amusement Machines

If you have a bar you possibly also have a jackpot fruit machine or other gaming machine. You may also have one if you do not have a bar. In either case, in order to operate a gaming machine, you need to register the premises and obtain a machine duty

licence from Customs and Excise.

The firm that sells or leases you the machine is under a duty to ensure that your premises are authorised for gaming and that you have the licence, before releasing a machine.

Many people assume that the licence for the machine is all that is required or that a Club Registration Certificate or a justices on-licence permits games machines as well as the provision of alcohol. This is not so. You must apply to the local licensing justices for a Certificate of Registration under part III of the Gaming Act, 1968. This certificate will last for a five year period and must be kept posted in a conspicuous place along with any other appropriate licences, (justices on-licence and your machine duty licence). Club Registration Certificates may be issued for between one and ten years; justices on-licences normally for three years and machine duty licences for one year. The management committee is responsible for ensuring that these authorities are in place and maintained.

'Gaming', whether carried out on a machine or otherwise, means the playing of a game of chance, for winnings in money or money's worth. This applies whether or not the person playing the game is at risk of losing any money or money's worth.

The Gaming Act, 1968 states that a 'game of chance' does not include any 'athletic game of sport' nor any game of pure skill. A 'game of chance' is further defined to include any game which combines skill and chance. There are some fine distinctions that arise from these definitions, many of which are not of concern to managers of community buildings.

The most common potential gaming activities affecting community buildings are snooker, darts, cards and bingo. Snooker and darts are regarded as games of pure skill and so a Gaming Act registration is not required. If, however, you have a table for the public playing of billiards, snooker or pool, and the premises are not licensed for the supply/sale of alcohol, a Billiard Licence will be required. Games involving cards, played for winnings, are considered to be gaming regardless of whether the skill of players is involved in the outcome. Small scale gaming, including bingo and whist, may be carried on without

the need to register or obtain a licence but various conditions must be adhered to (see 'Bingo'). Gaming does not occur unless something of value – 'money or money's worth' – is staked on the outcome or received later as a result of trading in of some form of tokens (eg matchsticks).

Raffles and Lotteries

As far as committees of community buildings are concerned, the law, in the shape of The Lotteries and Amusements Act, 1976, as amended by the National Lottery etc Act, 1993, provides regulations for three categories of lottery: 'small', 'private' and 'society'.

Small Lotteries

'Small' lotteries are raffles and draws held as part of another event, for example at a dance or fête. As long as certain conditions are fulfilled you do not have to register.

The proceeds must not be for private gain and tickets can only be sold on the premises during the event that includes the raffle. The draw must be made and announced during the event. There must be no cash prizes and not more than £250 may be spent on the prizes, although there is no limit on the value of donated prizes.

Private Lotteries

A 'private' lottery is restricted to members only. Tickets must be printed with the price as well as the name and address of the promoter. They must also state that they can only be sold to members. Such lotteries cannot be advertised publicly nor may tickets be sent through the post.

Society Lotteries

'Society' lottery is the name given to a prize draw of a larger and more public nature that is still not a commercial lottery – for example a charity Christmas draw.

To run a lottery of this type you must register with the local authority and, if you plan to sell tickets to the value of more than £20,000, or the total value of tickets sold or put on sale in one calendar year exceeds £250,000, you also have to

register with the Gaming Board.

These lotteries can be run in support of a charitable, sporting or cultural institution. All of the proceeds, after deduction of reasonable expenses (not more than 35% of the proceeds), must be devoted to the purposes of the promoting association.

As with private lotteries the tickets must contain specific information. As the printing of tickets is a specialist job the Lotteries Council (address on page 131) holds a list of printers. No tickets in this kind of lottery may be sold to or by anyone under 16 years of age.

The promoter has to make a return to the local authority of all society lotteries, not more than three months after the date of the lottery.

KEEPING A CHECKLIST OF LICENCE RENEWAL DATES

Keeping track of all these possible licences and permissions can be eased considerably if you spend a bit of time drawing up a list of all the licences you need and their renewal dates. Whoever is appointed to look over these things can refer to the list at the beginning of each month and make any re-applications as they become due. As each one comes up check that it is still necessary. Of course, if you have been able to apply for a single annual licence, the local authority should inform you of the renewal date.

OTHER STATUTORY PERMISSIONS

There are a number of other legal requirements that your building must satisfy. Some are made as conditions for obtaining some of the licences and others are required in their own right. Some are both. Satisfying many of the regulations that are described below is simply good practice for any community building as they are all laid down to protect the environment and the safety of the public, your staff and members. So it's well worth checking your own practices against the list on page 130 to see whether your building and management procedures are up to scratch even if you do not legally need all the licences referred to.

HEALTH AND SAFETY MEASURES

Management committees of community organisations that manage a community building have a common law duty to avoid carelessly or recklessly causing personal injury to people or damage to property. This applies to all people who use the building – not just employees and volunteers – and even applies (although to a lesser degree) to trespassers.

There are several ways in which you may become aware of the requirements concerning the health and safety of your staff, volunteers and users. If you apply for a public entertainment licence you will be informed of conditions relating to fire safety, venti-

lation and sound insulation. Details can be obtained from the local environmental health department, the fire authority, the licensing magistrate's clerk and the Health and Safety Executive (address on page 131).

Other health and safety requirements affecting most community buildings arise from two pieces of legislation: the Health and Safety at Work Act, 1994 (HSW Act) and the Control of Substances Hazardous to Health Regulations, 1999 (COSHH).

HEALTH AND SAFETY AT WORK ACT, 1994 (HSW ACT)

The HSW Act will apply to your community building even if you have no paid staff, because it also covers others using an organisation's building and equipment, including members of the public, volunteers and committee members.

Regulations under the HSW Act cover seven areas:

- the management of health and safety
- health, safety and welfare in the workplace
- display screens (for example computer screens)
- personal protective equipment
- provision and use of work equipment
- manual handling (for example lifting)
- fire precautions

Use of computers is covered in chapter 9; brief details of the other regulations are given below. For further information see *Essentials of Health and Safety at Work*, published by the Health and Safety Executive and Community Matters' Information Sheet no 12 – *Health and Safety in Community Buildings*.

MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS, 1999

- Every employer must carry out a risk assessment exercise, which should be regularly reviewed and revised as necessary.
- There must be arrangements for effective planning, control, monitoring and review of preventative and protective measures, and if there are five or more employees, the arrangements must be in writing.
- There must be appropriate procedures to follow in an emergency – remember to ensure adequate means of escape for disabled as well as able-bodied people.
- Staff must have information about all the above – again, remember the needs of people with disabilities, people with learning difficulties, and those whose first language is not English.
- Before employing anyone aged under 18 an employer must carry out a risk assessment of the work hazards specific to that individual.

Workplace (Health, Safety and Welfare) Regulations, 1992

- Premises and equipment must be kept in a good state of repair.
- Ventilation must be effective and suitable (this could simply mean having windows that open).
- A reasonable temperature must be maintained (in most cases this means a minimum temperature of 16°C; there is no maximum – although the World Health Organisation recommends 24°C) and there must be a thermometer on the premises.
- Lighting must be suitable and sufficient — with natural lighting wherever possible.
- Premises must be kept clean and rubbish must not be allowed to accumulate (apart from in bins).

- Staff must be able to get to and from their desks and move around their workrooms easily and safely.
- Any workstation (eg desk, chair, computer) must be suitable for both the user and the work.
- Floors must be suitable and safe; staircases must have handrails and guards (except if they would cause an obstruction).
- Measures must be taken to prevent anyone being injured by a falling object and any hazardous areas must be clearly indicated.
- It must be possible to open and close safely and easily clean windows, skylights and ventilators.
- Pedestrians should not be in danger from vehicles.
- It must be possible to ensure that sliding doors cannot be derailed; upward opening doors must have devices to prevent them falling back; powered doors must have features preventing them from trapping anyone and enabling them to be overridden should the power fail; it must be possible to see through doors that open both ways.
- There must be suitable, adequately ventilated and lit WCs (at least one women-only for every 25 women and one men-only for every 25 men).
- Accessible drinking water and cups must be provided and clearly signed.
- Secure storage must be provided if staff have to change for work.
- Suitable and sufficient washing facilities must be provided if they are required by the nature of the work or for health reasons.
- Suitable rest facilities should be provided, with suitable arrangements to protect non-smokers from the dangers of tobacco smoke. The Health and Safety Executive recommends that all employers should have a written policy on smoking in the workplace, which should give priority to the needs of non-smokers.

Personal Protective Equipment

Where appropriate, personal equipment and clothing must be provided to protect staff against the weather and health and safety risks and employers must take reasonable steps to ensure the equipment is used.

Work Equipment

Work equipment must be suitable for the purpose for which it is used and kept in good repair. A full maintenance record must be kept and full training must be given to users and their managers.

Manual Handling

Employers should, wherever possible, avoid the need for staff to undertake manual handling which involves a risk of injury.

First Aid

All workplaces are legally required to have first aid provision; the exact form depends on a number of factors. Although legally you need have a trained first aider only if you employ 50 or more staff, it is advisable to have at least one (and preferably two) people with first aid training in the building.

First aid boxes must only contain items that a first aider is trained to use, and should not contain any medication (for example aspirin or paracetamol). Remember to ensure that all users know where the first aid box is kept and, if there are trained first aiders, who they are and how to contact them. Ensure someone has responsibility for keeping the first aid box stocked (keep a list on the box detailing what it should contain).

For further information see the Health and Safety Executive's publications *First Aid at Work* and *Basic Advice About First Aid at Work*.

Hazardous Substances

The Control of Substances Hazardous to Health Regulations, 1999 (COSHH) impose a duty on employers to assess whether there are any hazardous substances or risks present in the workplace and, if there are, to deal with them safely. Whether or not you are technically an employer, it is sensible to act as if you are. The initial check that the COSHH regulations require to be carried out is as follows:

- what substances are present and in what form?
- what harmful effects are possible?
- where and how are the substances actually used?
- what harmful substances are given off (if any)?
- who could be affected, to what extent and for how long?

- under what circumstances?
- how likely is it that exposure will happen?
- what precautions need to be taken in order to comply with the rest of COSHH regulations?

You must ensure that no one is exposed to any hazardous substances that are present on your premises or, where this is not possible, that the exposure is controlled. Practical guidance on the regulations and how to carry out the initial assessment is available from your local Health and Safety Executive. An approved Code of Practice is available from the Stationery Office. (See further reading at the end of the chapter.)

FIRE PRECAUTIONS

All public and community buildings have to meet specific standards so that the risk of fire is minimised and if there is a fire there is adequate time for all the occupants to get out of the building safely.

Your building will require a fire certificate from the local fire authority. Before the certificate is granted a detailed list of requirements will be given to you by the issuing authority following an inspection of the building. The requirements will cover building improvements to do with protecting the means of escape, the display of appropriate notices, the implementation of sensible building management practices in order to avoid fires, what to do in the event of a fire and installing suitable fire fighting equipment.

You will probably have been informed of the fire precautions requirement when building or converting the premises for community use and will therefore have a fire certificate. If not contact your local fire authority at once: the safety of everyone using your building is at stake.

Under the Fire Precautions (Workplace) Regulations, 1997 all employers must carry out a risk assessment relating to fire safety. For further guidance see *Fire Safety: An Employer's Guide*, published by HSE Books (address on page 181).

Another occasion you will come across the fire regulations is through an application for a public entertainment licence, the granting of which is conditional upon the building having proper fire precautions. In this connection the Home Office has published a helpful book: *Guide to Fire Precautions in*

IN CASE OF FIRE

- 1 In the event of fire, the person in charge of the hall or function will instruct all people to leave the building, using the nearest available exits
- 2 Call the Fire Brigade. The nearest available telephone is _____
Dial 999, ask for the Fire Brigade and give this address: _____

Phone number _____
- 3 Do not re-enter the building to collect personal possessions or for any other reason
- 4 On arrival of the Fire Brigade the person in charge of the building or function should report to the Officer in Charge informing him/her that all the users are safe or if not giving their last known position
- 5 Only attempt to extinguish the fire using the appliances provided, if it is considered safe so to do

END OF EVENT CHECKLIST

- 1 Search for smouldering fires or cigarettes left burning and clear waste paper
- 2 Check that heaters and cookers are turned off
- 3 Check that all electrical appliances are turned off and unplugged
- 4 Turn out all lights not required for security purposes
- 5 Close all internal doors
- 6 Secure all outside doors and windows

Existing Places of Public Entertainment and Like Premises (available from the Stationery Office – address on page 182). Note that this was published before the 1997 Regulations came into effect. Also see Community Matters' Information Sheet 38 – *Fire safety regulations and checklists for community centres*.

It is important that you have a procedure for

checking the building after each event to ensure that fire is prevented whilst the building is empty. This could be incorporated in a fire notice posted at exits and other suitable places. The following simple example may be of help:

Fire Practices

It is essential to have regular fire practices so that users of your building – whether staff, volunteers, committee members or regular hirers – are used to getting out in a regulated, efficient fashion without panicking. Fire fighting equipment and alarms are covered in chapter 9.

Further Information

I have highlighted some of the most important measures of the health and safety legislation. There is much more detail, however, and you are strongly urged to get hold of other guidelines and undertake a thorough check of the practices of your centre in this sphere. Two which are particularly useful are Community Matters' Information Sheet 12 – *Health and Safety in Community Centres* and *Writing a Safety Policy Statement: Advice to Employers*, published by the Health and Safety Executive.

If you are in any doubt about the health and safety requirements affecting your particular building, contact the environmental health department of your local authority or the local Health and Safety Executive.

FOOD HYGIENE REGULATIONS

The Food Safety Act, 1990, Food Safety (General Food Hygiene) Regulations, 1995 and Food Safety (Temperature Control) Regulations, 1995 aim to make sure that all food and drink offered to the public is safe to eat and properly described. The regulations apply to all premises where food and/or drink is stored, sold or supplied, whether for profit or not. They therefore apply to all types of food business, from hot dog vans to five star restaurants, including cafés in community buildings, and also cover events where food is supplied on a temporary basis, for example stalls at a fête. A food hygiene inspection will probably also be required before a public entertainment licence is granted.

HEALTH AND SAFETY CHECKLIST

- Are the premises adequately lit, heated and ventilated?
- Is there a thermometer on the premises?
- Are there means of escape in case of fire that are adequate for both disabled and able-bodied people?
- Is there an appropriate fire alarm system, and have you considered the needs of disabled people with learning difficulties? (see chapter 9)
- Is the fire fighting equipment sufficient and maintained? (see chapter 9)
- Is there access for a fire engine?
- Is the building clean and tidy?
- Is there an appropriately stocked first aid box — and clear notices about its whereabouts?
- Is someone responsible for ensuring the first aid box is fully stocked?
- Does anyone have up to date first aid knowledge?
- Are any dangerous or inflammable chemicals stored in a safe manner (including photocopier toner)?
- Are you especially careful about all electrical installations and appliances? (see chapter 9)
- Are your premises overcrowded at any time?
- Is the heating system regularly maintained?
- Do staircases have handrails?
- Do you inform staff of their rights under health and safety legislation?
- If you have five or more paid employees do you have a written health and safety policy statement?
- Are all necessary posters and notices displayed – in languages other than English when appropriate?
- Do you have an accident book, and are all accidents recorded in it?

The Food Safety Regulations aim to set out basic hygiene principles and focus on identifying and controlling food safety risks at each stage in the process of preparing and selling food.

Broad rules are given below; for further details see the Department of Health's booklets: *A Guide to the General Temperature Control Regulations*, *A Guide to the General Food Hygiene Regulations, 1995* and *A Guide to Food Hazards and Your Business* and Community Matters' Information Sheet 11 – *Food Safety and Food Hygiene*.

Two basic rules always apply, whether you are selling food on a permanent or temporary basis:

- there should be adequate facilities to prepare and serve food safely
- food handling procedures should avoid exposing food to risk of any contamination.

Anyone responsible for a food business must:

- make sure food and drink is prepared, stored, packaged, transported, handled, supplied or sold in a hygienic way

- identify food safety hazards
- know which steps in food preparation activities are critical for food safety
- ensure safety controls are in place, maintained and reviewed

There is no formal system for safety controls and they need not be complex. For example, they could simply mean buying from reputable suppliers; separating different types of food to prevent cross-contamination (for example uncooked poultry and ready-to-eat foods); using food within date marks; storing food in a fridge (where appropriate); ensuring food is cooked adequately; wrapping food appropriately; and having effective cleaning routines.

Food premises should:

- be clean and maintained
- be designed and constructed to allow good hygiene practices
- have an adequate supply of drinking water
- have suitable controls in place to protect against pests

FOOD HYGIENE CHECKLIST

- The premises, including all work surfaces, must be kept clean
- Tools and equipment must be cleaned (and disinfected if appropriate)
- Food must be washed properly
- Reasonable, practical steps must be taken to avoid the risk of contamination of food or ingredients
- Rubbish must be disposed of regularly, to avoid the risk of pests and contamination
- Where appropriate, ice must be made from drinking water
- Everyone in a food handling area must:
 - observe good personal hygiene
 - wear clean and, where appropriate, protective clothes
 - routinely wash their hands when handling food
 - apply waterproof dressings to open cuts and abrasions
 - not spit
 - never smoke in food handling areas
 - immediately report any illness such as infected wounds, skin infections, diarrhoea or vomiting to whoever is in charge

- have adequate lighting (natural and/or artificial)
- have sufficient ventilation (natural and/or mechanical)
- provide clean, adequately ventilated lavatories which do not lead directly into food rooms
- have adequate hand washing and drying facilities
- where appropriate, have separate food washing facilities
- be provided with adequate drainage

Rooms where food is prepared should have:

- easily cleaned surfaces (including windows and doors)
- adequate facilities for washing food and equipment
- adequate facilities for the hygienic storage and disposal of hazardous and/or inedible substances and food waste

Food handlers must receive adequate supervision, instruction and/or training in food hygiene. The details will depend on the nature of the business. A note 'Food Handlers Please Observe the Following Precautions' should be displayed in the kitchen.

Under the temperature regulations most hot food which requires a temperature control must be held either at or above 63°C and chilled food must be held at or below 8°C. There are exemptions and some flexibility: for further details see *A Guide to*

General Temperature Control Regulations. There should be adequate facilities and/or arrangements for maintaining and monitoring suitable food temperature conditions.

The environmental health service of your local council will be able to provide further help and advice; some also run training courses.

Remember that hirers of your community building must also satisfy the hygiene regulations (although, of course the building's management committee is ultimately responsible). Make sure you inform them of this and give them copies of any guidance produced. It is useful to have a leaflet listing the basic requirements; see the checklist below.

Under the Food Premises (Registration) Regulations, 1991 (as amended), food businesses must be registered with the local authority. This is a straightforward process, there is no charge, and registration cannot be refused. Check with your council's environmental health service whether you need to register.

Kitchens in centres registered as food premises have to meet higher standards. These may include having tiles or stainless steel on walls, power ventilation and increased provision of sinks.

TRADING

General

A charity may not directly undertake 'non-charity trading activities' other than as 'incidental' or on an 'occasional' (very limited) basis. A charity may directly undertake 'charity trading activities'. An example of bona fide charity trading would include the sale of donated goods, and converting gifts of artefacts into money. Thus jumble sales and charity shops operating solely on this principle are bona fide charity trading. Such charity trading does not incur a liability to corporation tax, does not offend against charity law, is treated by Customs and Excise as business zero-rated and is accessible to mandatory and discretionary rate relief. Under the Finance Act, 2000 charities are also exempt from paying income tax on small-scale non-primary purpose trading provided that the total turnover from all trading and other incidental fundraising activities does not exceed an annual turnover limit and the profits are used for the purposes of the charity. Further details are given in chapter 6. See also the Inland Revenue booklet *Trading by Charities*, and *Charities, Trading and the Law*, published by the Directory of Social Change.

Charities can also sell goods or services provided by the charity's beneficiaries. This could include goods made in sheltered workshop by people with disabilities or a café run by students with learning difficulties.

The distinction between charitable and non-charitable trading is complex. The issue of trading will continue to be a prominent subject for charities as more and more of them are directed towards such activities to extend their services, involve themselves in competitive tendering for local authority contracts and seek new means of financing their charitable activities from income from trading. If a charity is considering regular trading as an income-generating activity, it will need to set up a trading subsidiary. Community Trading Services Ltd, Community Matters' trading subsidiary, can help with this (see 'Setting Up a Trading Subsidiary', below).

Trading Standards

A jumble sale is one of the most typical activities of

a charity and voluntary not-for-profit organisation. However, even at this simplest level remember the golden rule: always check whether a licence or other legal consideration is required before you can undertake any new activity.

Sales of goods (donated or otherwise) at a jumble sale or car boot sale are subject to Consumer Protection Legislation. Community Matters has for years strongly advised organisations totally to avoid the sale (or even gift) of second-hand electrical and gas appliances. There are strong pressures to do otherwise because of the widespread activity by many other voluntary organisations. It still remains best to avoid the million to one chance of injuring, maiming or killing someone with a faulty gas or electrical appliance. It does happen. Seek the advice and support of local trading standards authorities. All toys must bear an EU mark unless it can be proved they were manufactured before 1990. To be absolutely safe it may be advisable only to accept toys with an EU mark.

Car Boot Sales

One form of trading by charitable and community organisations that has mushroomed over the past few years is the car boot sale. At its simplest this is where you let anyone sell their goods on your premises (more likely in the car park) from the boot of their car. Each stall-holder is charged to be allowed to participate. Thus the stall-holders make money and you make money. It is this fact, that not all the proceeds of the sale go to the purposes of the community organisation, that means that you should give notice of car boot sales to your local authority.

The precise requirements vary considerably from one area to another and also change from time to time. It is, therefore, important that you find out the exact requirements in your area well in advance of running a car boot sale. It is also advisable to let the police know as the sale may cause some traffic congestion.

You will also need to check your lease to see if there are any conditions which may affect trading.

Once again it is important to seek advice from the local Trading Standards authority as you could

get caught up, however innocently, in any nefarious practices which may be carried out by market stall holders who take pitches at your sale. Stolen goods may be on sale and dangerous goods may be being offered without you knowing it: goods that could harm children. If you are trading yourselves you would be well advised not to offer for sale: second-hand electrical goods, gas cookers or foam-filled furniture. Note that certain local authorities keep a register of second-hand traders.

Regular Trading

If you want to trade with the public in a more regular way perhaps through a charity shop, community shop or one day sale then there are other factors that you have to consider. Running a regular bar in your community centre also needs specific consideration (see page 111).

Setting Up a Trading Subsidiary

Probably one of the most important questions about regular trading of any kind is who formally carries it out. To repeat, if you are a charity (whether formally registered or not) you cannot engage in trading of any kind other than in strict pursuit of your charitable purposes – selling your own produce.

Thus, if your organisation wants to run a community shop, a charity shop (unless it sells only donated goods), or a bar, you have to set up a subsidiary organisation to do it. See chapter 2 for the kind of organisation that is appropriate. The way the charity benefits from the profits generated by the trading subsidiary is via a donation from the trading organisation to the charity, paid within nine months of the end of the subsidiary's accounting period. The subsidiary company makes the payment gross of tax and gets tax relief through covenants or Gift Aid. For further information see chapter 6. Community Trading Services Ltd provides a full package service on establishing trading subsidiaries (address on page 131).

It is important that in all trading, whether by your own organisation or by one that hires your centre you abide by any code of practice operated by the local Trading Standards authority. Indeed compliance with such a code of practice should be a

formal condition of letting your building for trading purposes. If there is no local code of practice, use the one supplied by the Office of Fair Trading (address on page 131).

STREET COLLECTIONS

If you plan to carry out a street or house to house collection (which can be an effective way of raising funds) you must obtain a licence from the local district council (or the Metropolitan Police in London). If you are unsure whether you need a licence always check before proceeding. Regulations vary: your licensing authority will give you details.

Part III of the Charities Act, 1992 was due to replace the old legislation with new, integrated controls dealing with all public charitable collections. At time of writing no date had been set for the implementation, and it seems unlikely that any such new rules will be in force before 2003.

PLANNING PERMISSION

If you want to change the use or appearance of your building or land you might well need planning permission before you are allowed to do it. If you do not own the building you would need to get the permission of the landlord before considering any changes that require planning permission.

The relevant legislation is the Town and Country Planning Act, 1971 as amended and updated. It is the planning department of the local authority that enforces and administers the planning laws locally; the section you will need is often called Development Control.

Basically there are four areas that require planning permission:

- certain changes of use of either buildings or land
- significant changes in the appearance of the outside of buildings
- changes to the internal appearance of certain listed buildings
- putting up new buildings

There are certain exceptions where planning permission is not required. These are for minor changes and some temporary changes of use. It is always best to check with the planning department before embarking on any change of use or change in the appearance

of your building. Even putting up a sign may require planning permission, dependent on its size and whether it is illuminated. If yours is a listed building there may be more permissions that are required.

Ordinary repairs and painting do not require planning permission.

If you are thinking of setting up a specialist service, for example a workshop, this too may require planning permission for change of use. A playgroup, however, will probably not require change of use in an existing community centre or village hall as the existing permission will be a general one including such activity. If in doubt, ask the planning department of your local authority. Remember also that if planning permission is required for a particular activity, it will be required by the organisation or group running the activity, whether that is you or a tenant group or organisation renting the premises from you. It is as well to remind tenant projects.

Although playgroups will not require planning permission in existing community centres they will have to be registered with the local authority under the Children Act, 1989. (See 'Protection of Children' on page 127.)

Applying and Appealing

Planning permission must be applied for on forms supplied by the planning department of the local authority. In addition you will need to submit a plan locating the building on the map as well as drawings of any proposed alterations.

With new building the application is carried out in two phases. First, application is made for outline planning permission. Here you ask for permission for the general use of the land with a general description of the type of building you propose to erect. If this is granted you then apply for detailed planning permission which, as the name suggests, requires far more detailed plans and drawings of the proposed building. Plans and drawings are not normally required for permission for change of use.

When permission has been granted, remember to renew planning consent if the start of any works is delayed beyond the period set.

If planning permission is turned down or granted with certain restrictions you have a right of appeal.

Remember that the appeal process can take a long time. It may be sensible to negotiate the lease or purchase of your building or land subject to the granting of planning permission.

There is always a fee for submitting a planning application. As the fee can be quite substantial it is wise to check out in advance what this is likely to be in your case, by asking the planning department of the local authority.

BUILDING REGULATIONS

If you are planning a new building or extending or structurally changing an existing one, the work will be subject to building regulations, which are controlled by the District Surveyor.

A number of matters are regulated, such as standards of materials used, structural stability, means of escape, access for people with disabilities and many more.

Usually you will not have to be directly concerned with supervising these things as your architect and builder will take care of them for you. In the normal course of events it is very unwise to undertake building works of any nature without the services of a qualified architect and builder.

The Construction (Design and Management) Regulations, 1994 (CDM)

The CDM Regulations relate to health and safety in construction projects. They apply to:

- any design work
- any work which includes demolition and to work:
 - which lasts for more than 30 days, or
 - involves more than 500 person days, or
 - involves five or more people on site at any one time

The CDM Regulations place a duty on everyone involved in a construction project – clients, planning supervisors, designers and contractors – to plan, coordinate and manage health and safety during all stages of the project.

Brief details of responsibilities are given below; for further information see *Construction (Design and Management) Regulations, 1994: The Role of the Client* and *A Guide to Managing Health and Safety in*

Construction, published by the Health and Safety Executive.

The client (eg the community association) must (as far as is 'reasonably practicable'):

- be satisfied that only competent people are appointed as designers, contractors, planning supervisor and principal contractor
- ensure that sufficient resources, including time, have been or will be allocated to enable the project to be carried out safely

The designer should ensure that structures are designed to avoid or (when not possible) minimise risks to health and safety while they are being built and maintained. Where risks cannot be avoided adequate information must be provided. Design applies to preparation of specifications as well as drawings.

The planning supervisor has overall responsibility for coordinating health and safety aspects of the design and planning phase and for the early stages of a health and safety plan (which provides the health and safety focus for the construction phase of a project) and health and safety file (a record of information for the client/end user, detailing the risks that have to be managed during maintenance, repair or renovation).

The principal contractor should take account of health and safety issues when preparing and presenting tenders and has to develop the health and safety plan and ensure the activities of all contractors comply with health and safety legislation.

Contractors and the self-employed should cooperate with the principal contractor and provide relevant information on the health and safety risks created by their work and how they will be controlled.

MINIBUSES

There are regulations covering the use of buses for hire or reward. These cover all buses except those that are exempt for various reasons under Section 9 of the Transport Act, 1985. The exceptions have to do with payment and with size and some exceptions require a permit. Permits are only required where

payment is made for the transport service. Payment is one thing, however, and profit is another. Running a service for profit is not permitted under these regulations. Permits will be granted to bodies concerned with education, religion, social welfare, recreation or other activities for the benefit of the community.

In summary the situation is as follows:

- if there is no payment for the use of the bus then no permit is required
- if the bus is adapted to carry eight or fewer passengers no permit is required
- if a bus is adapted to carry between nine and sixteen passengers ('small bus') you need a permit
- if a bus is adapted to carry more than sixteen passengers ('large bus') a permit is required but will only be granted to bodies which provide transport services for more than one organisation, that is to say umbrella bodies

Vehicles used under permit are not exempted from PSV (Public Service Vehicle) regulations with regard to fitness and so are still liable for spot checks like any other PSV. An initial certificate of fitness may be required.

Drivers of small buses need only their ordinary driving licence. Drivers under 21 cannot, by and large, drive such a vehicle at all. There are certain exceptions and if you have a driver in this category it is best to consult DVLA (Driver and Vehicle Licensing Agency) in Swansea.

Drivers of small buses aged 21 or over who passed their test on or before 30 June 1996 need only their ordinary driving licence. There are some exceptions to the age rule: for details consult the Driver and Vehicle Licensing Agency in Swansea.

Anyone who passed their first car driving test after 30 June 1996 will have to take a second test unless:

- they have two years' driving experience; and
- the vehicle is being used for social purposes; and
- they are volunteering; and
- the vehicle is under 3.5 tonnes

All drivers of large buses require a PSV licence.

You can obtain your permit from:

- a national body of which you are a member rec-

ognised for these purposes by the Traffic Area Office; or

- your local authority; or
- your region's Traffic Area Office (for address information see page 132)

A small fee is usually payable. For further information contact the Community Transport Association (address on page 131).

RECORD KEEPING

If you hold personal information about recognisable living individuals ('data subjects') you are almost certain to be affected by the Data Protection Act, 1998, and may have to register with the Data Protection Commissioner.

Unlike the Data Protection Act, 1994 the 1998 Act applies to manual records 'forming part of a relevant filing system' (eg a card index), as well as computerised records. Organisations that use only paper systems do not have to register. Organisations that use computerised systems are exempt if they use the information only for personnel and payroll purposes, accounts and related customer or supplier records, advertising, marketing and public relations. Voluntary organisations' membership records are also exempt.

Information can only be processed – ie collected, stored, used or destroyed – if it meets one of a number of specific conditions. There are stricter conditions to the processing of sensitive data (including information relating to racial or ethnic origin, political opinions, trade union membership, health, sex life and criminal proceedings and convictions).

Data subjects now have the right to see information about them held in manual as well as computerised systems.

New systems (both computerised and manual), created since 24 October 1998, must comply immediately with the new requirements. Computerised systems that existed immediately before that date, and information added to those systems, do not have to comply with the new Act until 23 October 2001, but must comply with the 1984 Data Protection Act. Manual systems in place immediately before 24 October 1998, and data added to those sys-

tems, have until 23 October 2007 to comply fully with the new Act, although access to manual records begins after 23 October 2001.

Sensitive Data

The 1998 Act introduces categories of 'sensitive personal data': data relating to:

- racial or ethnic origin
- political opinions, religious belief or other beliefs of a similar nature
- trade union membership
- physical or mental health (e.g. that an individual has a heart condition)
- sex life
- the commission or alleged commission of any offence
- any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

Additional conditions apply when dealing with such data, the main one being that the individual concerned (the data subject) must give their explicit consent.

For further information contact the Data Protection Commissioner (address on page 131) and see Community Matters' Information Sheet 16 – *Data Protection Act, 1998*.

PROTECTION OF CHILDREN

The Children Act, 1989 has consolidated and amended many other earlier pieces of legislation to do with children. Amongst many other things, this act imposes a general duty on local authorities to provide a range of services for children, ie the duty is not absolute and in some cases would depend on whether it would be practical to provide a particular service. The local authority will provide these directly via its social services department or indirectly via voluntary organisations and others. In any event certain standards are required.

These standards are checked by the requirement to register under the Act. Whilst there are certain exemptions (such as short term crèche provision) most day-care services for children under eight provided by community organisations must be regis-

tered with the local authority social services department which also has powers of annual inspection.

You are required to register where the service offered is for children under eight for a period, or total periods, of more than two hours in a day. This is irrespective of the time spent by an individual child – for example, when a crèche is open all day. This requirement to register applies to playgroups, crèches, out-of-school schemes and holiday playschemes, as well as other supervised activities.

In order to register, information on the organisation and the people in charge of the service has to be given and the premises are subject to certain standards.

The information you are required to give is as follows:

- name and address of the provider (in the case of an organisation this will include details of the management committee or directors and the person in charge)
- the type of service to be provided
- the number of children involved
- the premises, its facilities and access
- staff and people living on the premises if applicable
- previous experience of providing activities and relevant qualifications
- references for the provider
- state of health of the provider
- details of criminal convictions of the provider

The standards that are required of the premises are very technical and the local authority will tell you what precisely is required. They are set out in *The Children Act, 1989 – Guidance and Regulations Volume 2, Family Support, Daycare and Educational Provision for Young People*. The requirements are there to ensure that there is adequate and suitable space for the children’s activity, that the lavatory arrangements are satisfactory and that fire safety and food and hygiene standards are met.

When the Act first came into force, many local authorities were over-zealous in carrying out its requirements and many voluntary organisations were treated in an inflexible way. The Department of Health made it clear, in a circular to local authorities in January 1993, that many of the standards

should be seen as targets to be achieved by the managers of voluntary organisations and community buildings and not, of themselves, be the reason for not registering or, indeed, closing down a facility for children’s activities. Flexibility seems to be the key word of the circular, in applying the standards to voluntary organisations. The circular also makes it clear that in buildings shared with other activities, only the areas used by the children are subject to registration and inspection.

Two further points: you are required to register annually, and social services departments have to satisfy themselves that anyone associated with the children’s activity is a ‘fit person’. Management committees should ensure that they take up references when recruiting staff, and seek explanations of any gaps in the employment record. The point of this is, clearly, to satisfy yourselves that anyone working with children is going to treat them properly and has no record of abuse.

POLICE CHECKS

Currently local authorities are able to carry out police checks on staff or volunteers they employ. These arrangements do not, except in very rare circumstances, extend to voluntary organisations undertaking children’s work. This means that you cannot have police checks carried out on potential staff or volunteers. Nor can the local authority have them carried out as a condition of registration. However, a check can be made with the Department of Health consultancy service, which maintains a register of individuals considered unsafe to work with children (address on page 131). Always get permission from the individual before requesting a check. It is worth considering that, even if you could have police checks run on new staff or volunteers, you would only discover people who had a record; first offenders would not be discovered. It is sensible, therefore, with new people, not to leave them alone with children until after a suitable induction period – six months is suggested.

The local social services department will almost certainly have someone who can advise you on all the ramifications of the Children Act. Contact them before you decide to do anything.

The rules about police checks will be changing. The Protection of Children Act, 1999 and the Police Act, 1997 state that people working with children should be subject to police checks, and that it will be a criminal offence to employ someone – whether paid or unpaid – who is banned from working with children. The employer will be responsible for ensuring that the individual working with children has an up to date certificate (see below), but it will be up to the individual to get the certificate.

Neither Act is yet in force, but there are proposals to bring the legislation into force in 2001. A Criminal Records Bureau (CRB) has been established to deal with police checks under the Acts. Employers will not be able to apply for a check without the knowledge and consent of the individual concerned. There will be three levels of check (for which there will be a charge), depending on the likely level of contact between adults and children: Criminal Conviction Certificates (which show unspent convictions), Criminal Record Certificates (which also show spent convictions and cautions) and Enhanced Criminal Record Certifi-

cates (which also include relevant police intelligence that did not lead to a conviction). Criminal Conviction Certificates will only be issued to the applicant, who can decide whether to show it to a potential employer. The other certificates will be sent to the applicant, with a copy to the registered body (see below).

To obtain a copy of an Enhanced Criminal Record Certificate or Criminal Record Certificate you will have to register with the CRB. Registered bodies will be expected to have written policies on the recruitment of ex-offenders and will be expected to agree to store certificates securely and dispose of them once used.

The timing is not yet fixed but at time of writing the CRB expected to start registering employers in March 2001, with the first Enhanced Criminal Record Certificates being issued in July 2001. It was expected that other checks would be in operation by July 2002.

For further information contact the CRB (address on page 131).

LICENSING AND OTHER LEGAL PERMISSIONS CHECKLIST

Has your organisation carried out the following licensing and other legal permissions tasks?

- checked all the possible licences you may need: have you got them? Are they up to date?
 - sale of alcohol licence
 - separation of bar from main organisation – occupation licence
 - public entertainment licence
 - theatre licence
 - film and video licence
 - copyright and royalty permission with the author or author's agent
Performing Right Society
Phonographic Performance Ltd
(do not forget the Community Matters special deal)
 - gaming and lottery licences
 - gaming and amusement machines
 - raffles and lotteries
- set up a checklist of all licences required with renewal dates?
- checked your fire precautions?
 - equipment and premises
 - escape and checking procedures
 - notices
 - when did you last have a fire practice?
- checked your building, especially the kitchen and lavatories, against all the required health and safety and food hygiene requirements?
- checked your food handling practices?
- looked at all your trading activities?
 - do you have the necessary permissions?
 - do you satisfy recognised trading standards?
 - have you set up trading subsidiaries for regular trading?
 - have you taken out the necessary covenants?
- discovered if you need any planning permissions?
- registered with the Traffic Commissioner if you have a minibus?
- registered with the Data Protection Registrar, if necessary, if you keep personal information?
- registered your playgroup or other children's activities with the local social services department?
- registered the premises under the Food Premises (Registration) Regulations, 1991?

USEFUL ADDRESSES

Charity Commission
 Harmsworth House
 13-15 Bouverie Street
 London EC4Y 8DP
 (Responsible for national, local and overseas charities based in London and South East England including East Anglia)

2nd Floor
 20 Kings Parade
 Queens Dock
 Liverpool L3 4DQ
 (Responsible for national, local and overseas charities based in the Midlands, parts of Wales and the north of England)

Woodfield House
Tangier
Taunton
Somerset TA1 1BL
(Responsible for national, local
and overseas charities based in
parts of Wales, southern and
south western counties)
☎ for all offices)
0870 333 0123
e-mail [feedback@charity-
commission.gov.uk](mailto:feedback@charity-commission.gov.uk)
web site [www.charity-
commission.gov.uk](http://www.charity-
commission.gov.uk)

Community Matters
8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail [communitymatters
@communitymatters.org.uk](mailto:communitymatters
@communitymatters.org.uk)
web site communitymatters.org.uk

**Community Trading Service
Ltd (CTS)**
8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail
cts@communitymatters.org.uk
web site
www.communitymatters.org.uk

**Community Transport
Association**
Highbank
Halton Street
Hyde
Cheshire SK14 2NY
☎ 0161 351 1475
e-mail cta.man@dial.pipex.com
web site
www.communitytransport.com

**Criminal Records Bureau
(CRB)**
PO Box 91
Liverpool L69 2HU
web site www.crb.gov.uk

Data Protection Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
☎ 01625 545700
web site www.dataprotection.gov.uk

**Department of Health
Consultancy Service**
134 Wellington House
133-155 Waterloo Road
London SE1 8UG
☎ 020 7972 4056

Gaming Board for Great Britain
Berkshire House
168-173 High Holborn
London WC1V 7AA
☎ 020 7306 6269

Health Development Agency
Trevelyan House
30 Great Peter Street
London SW1P 2HW
☎ 020 7222 5300

**The Health and Safety
Commission**
Rose Court
2 Southwark Bridge
London SE1 9HS
☎ 020 7717 6000
web site www.hsc.gov.uk

**The Health and Safety
Executive**
Public Enquiry Point
Information Centre
Broad Lane
Sheffield S3 7HQ
☎ 0870 1545500
e-mail publicenquiries@hse.gov.uk
web site www.hse.gov.uk
The Lotteries Council
c/o Hon Secretary
Windermere House
Kendal Avenue
London W3 0XA
☎ 01457 872988

**The Mechanical Copyright
Protection Society**
Elgar House
41 Streatham High Road
London SW16 1ER
☎ 020 8769 4400
web site www.mcps.co.uk

The Office of Fair Trading
Field House
15-25 Breams Buildings
London EC4A 1PR
☎ 020 7211 8000
☎ 0845 7224499 (consumer
information)
web site www.oft.gov.uk

The Performing Right Society
29/33 Berners Street
London W1P 4AA
☎ 020 7580 5544
e-mail info@prs.co.uk
web site www.prs.co.uk

Phonographic Performance Ltd
1 Upper James Street
London W1R 3HG
☎ 020 7437 0311
web site www.ppluk.com

Traffic Area Office

Department of the Environment,
Transport and the Regions
Eland House
Bressenden Place
London SW1

☎ 020 7944 2127

web site www.detr.gov.uk

There are eight regions, covered by six offices – Eastbourne, Leeds, Edinburgh, Bristol, Birmingham Cambridge – you can get details from the above number if you cannot find them in the phone book.

Video Performance Ltd

1 Upper James Street
London W1R 3HG

☎ 020 7534 1400

FURTHER READING

5 Steps to Risk Assessment

published by the Health and Safety Executive

The 1998 Data Protection Act

published by LASA

Basic Advice in First Aid at Work

published by the Health and Safety Executive

Bingo – Information Sheet 26

published by Community Matters

Charities, Trading and the Law

published by the Directory of Social Change

Charity Shops

published by the Charities Advisory Trust, available from the Directory of Social Change

The Code of Good Practice – The Operation of Minibuses in the Voluntary Sector

published by the Community Transport Association

Croner's Management of Voluntary Organisations

published by Croner Publications

Data Protection Act 1998–

Information Sheet 16
published by Community Matters

Data Protection for Voluntary Organisations

published by the Directory for Social Change

Fire Safety Regulations and Checklist for Community Centres

– Information Sheet 38
published by Community Matters

First Aid at Work

published by the Health and Safety Executive

Food Safety and Food Hygiene Regulations

– Information Sheet 11
published by Community Matters

Guide to Fire Precautions in Existing Places of Public Entertainment and Like Premises

published by the Home Office, available from the Stationery Office

A Guide to Food Hazards and Your Business – Identifying and Controlling Potential Food Hazards

published by the Department of Health

A Guide to the General Food Hygiene Regulations 1995
published by the Department of Health

A Guide to the General Temperature Control Regulations
published by the Department of Health

Health and Safety in Community Centres – Information Sheet 12
published by Community Matters

The Health and Safety Handbook
published by the Directory of Social Change, available from Community Matters

Licensing and Other Statutory Requirements
published by ACRE and Community Matters

Lotteries and the Law
published by the Gaming Board for Great Britain

Management of Health and Safety at Work Regulations, 1999: Approved Code of Practice and Guidance
published by the Health and Safety Executive

Office Health and Safety – A Guide for Union Reps
published by the Labour Research Department

Officewise
published by the Health and Safety Executive

Passive Smoking at Work
published by the Health and Safety Executive

Planning Fees: Village Hall – Information Sheet 1
published by ACRE

Providing Alcohol on Charity Premises – CC 27
published by the Charity Commission

Public Entertainment Licences – Information Sheet 52
published by Community Matters

Safeguarding Children and Young People – Information Sheet 30
published by Community Matters

A Step by Step Guide to COSHH Assessment
published by the Health and Safety Executive

Trading by Charities – CS2
published by the Inland Revenue

VDUs: An Easy Guide to the Regulations
published by the Health and Safety Executive

Voluntary But Not Amateur
published by London Voluntary Service Council

Welfare at Work: Guidance for Employers on Welfare Provisions
published by the Health and Safety Executive

Working with VDUs
published by the Health and Safety Executive

Workplace Health, Safety and Welfare
published by the Health and Safety Executive

Workplace Health, Safety and Welfare: A Short Guide for Managers
published by the Health and Safety Executive

Workplace (Health, Safety and Welfare) Regulations, 1992: Approved Code of Practice and Guidance
published by the Health and Safety Executive

Writing a Safety Policy Statement: Advice to Employers
published by the Health and Safety Executive

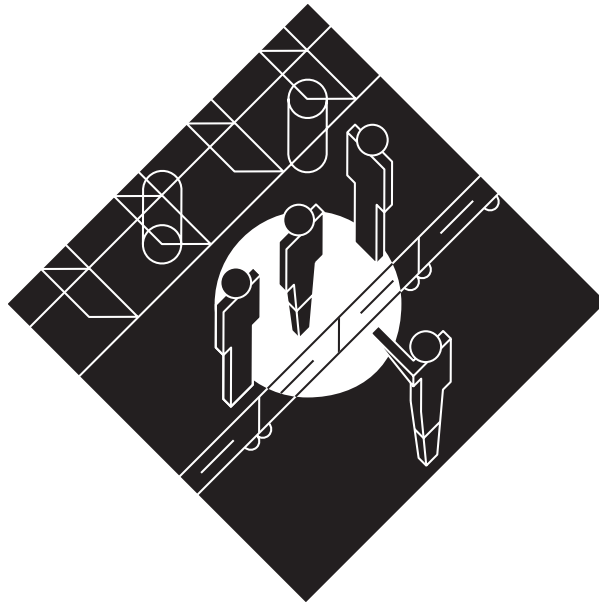
Your Minibus – Is It Legal?
published by the Community Transport Association

All Acts of Parliament referred to in the text can be purchased from the Stationery Office

Publishers' addresses can be found on page 180



Heating, lighting and cleaning



INTRODUCTION

Everyone does some cleaning in their life, everyone has responsibility for heating their home and making sure the lighting is both adequate and suitable to their taste. So why bother to have a chapter on it in a book about community buildings? In fact there are many reasons: a well maintained, clean and warm building is a place people like to use so your bookings will go up. Recycling waste can help save vital global resources that are rapidly diminishing. To some saving the planet can feel a somewhat distant objective, but saving money for the centre by having energy efficient insulation, heating and management systems helps you and the planet at the same time!

There are hazards to be avoided in the maintenance and cleaning sphere, the sorts of things that a little planning and thought can prevent. Cleaning, heating and generally caring for community buildings is a little different from doing the same for your home: the principles are the same but the scope is wider. This chapter points you in the direction of seeing heating, lighting and cleaning as an important part of your responsibilities in managing your building so that, by proper attention, the place can be pleasant, efficient and cost effective to use now, and you can prevent a build up of expensive problems in the future.

A CAUTIONARY TALE

A community sports centre had done particularly well in converting a former works canteen for its purposes. A well planned and successful fund-raising campaign had enabled the committee to provide a range of high quality facilities in an area devoid of sporting provision. The committee was particularly proud of its brand new, top of the range, composition main floor. It was a perfect surface for all sorts of indoor sports, easy to maintain and quick to clean.

The only problem with it, common to many floors, was that it became very slippery when wet, and ice skating was not one of the sports offered!

A badminton player came running out of the changing rooms shortly after the floor had

been cleaned. He slipped and broke his hip. There was a long drawn out compensation claim.

This is not a tale about a committee facing financial ruin because of bad insurance. Fortunately this particular community building had good insurance cover and all expenses were eventually met. But serious injury could have been avoided simply by better cleaning management – a prominent notice telling users that the floor was wet and therefore dangerous. Or, better still, a cleaning management programme that ensured that the floor had thoroughly dried by the time players wanted to use it.

DESIGN AND PLAN FOR EFFICIENCY

The majority of people reading this book will no doubt be managers of already existing community buildings. There may be a few who are planning a new one.

NEW BUILDINGS

In the latter case it is vital to give attention at the design phase to a range of features that ensure maximum efficiency in terms of energy consumption,

ease and efficiency of cleaning, hygiene and waste disposal. It is important to build adequate insulation into your building from the beginning, to make sure you get the right sort of heating system both from the point of view of doing the specific job you need – giving you controllable heat in all the rooms at all and only those times that it is required; and also from the point of view of cost – getting the lowest bills without losing quality. This book does not go into detail on designing new buildings. Rather you are referred to a good publication by ACRE called *Plan, Design and Build*. From the point of view of building in energy-efficient equipment and systems you might also find it well worthwhile to consult energy conservation specialists. Considerable savings in running costs can be made with only slightly higher capital costs than conventional buildings. Friends of the Earth is a good place to start to get the right source of advice. Their address is given on page 144.

CREATING A MAINTENANCE COMMITTEE AND PLAN OF ACTION

Planning and design do not only apply to buildings as yet unbuilt, however. It is important and practical

to consider these factors for existing buildings too. It is nearly always possible to improve the efficiency of heating, lighting and cleaning in your community building no matter how old it is.

A good suggestion is to appoint a person or sub-committee with special responsibility for maintenance and ask them to produce a plan of action on heating, insulation, cleaning, waste disposal, routine building maintenance and measures for managing the building with conservation and cleanliness in mind. The programme or plan of action should also include capital improvement measures, properly costed for fund-raising purposes. These will be seen as investments for future lower running costs. In addition the sub-committee should produce guidelines for effective and efficient day to day action on heating, lighting, cleaning, ventilation, insulation and refuse disposal.

The maintenance programme can be a cyclical one. That is it can set out its recommended actions over a period of time so that depending on finance and type of action, everything can be covered over a five year period, by which time much of it will have to be done again. This way of working enables you to plan financially in a much better way too.

HEATING AND LIGHTING

ENERGY CONSUMPTION

It is likely that the relative energy consumption of your community building is not much different from an average house. This means that you will consume energy as follows:

• space heating	66%
• water heating	21%
• cooking	10%
• appliances	3%
100%	

Clearly there are more savings to be made on the highest areas of consumption.

FEELING WARM ENOUGH

It is important to feel just warm enough, not too hot and not too cold. There are several factors affecting

this and not just air temperature as most people tend to assume. Whilst air temperature is certainly very significant, feeling warm enough is also determined by the temperature of things around us such as walls and the movement of air around us – draughts. In order to feel warm enough in the most efficient and energy saving way attention must be given to all of these factors.

PREVENTING DRAUGHTS

Heat loss through badly fitting doors and windows, and indeed doors and windows left partly or fully open, constitutes a very significant part of the overall heat loss of your building and yet its prevention is easier and cheaper than most other aspects of energy conservation. Simple but effective things to do include:

- train people to shut doors, especially external ones and doors between warm and cold rooms
- alternatively fit door closers
- do not open windows when the heating is on: if you are too warm turn the heating down or take some clothing off
- ventilate areas that need it, such as kitchens and lavatories, for timed periods only and keep the doors shut between these areas and other rooms
- check all windows to ensure that they are not jammed open, even a little – particularly high windows and roof lights
- check that any existing draught excluders are still functioning effectively
- fit new draught excluders to windows and doors as necessary

PREVENTING HEAT LOSS BY INSULATION AND SECONDARY GLAZING

In terms of saving the planet insulation and double or secondary glazing are always worth considering. In all but new buildings, however, the cost of installing double glazing will not be recouped by lower fuel bills for many years. In new buildings the ratio of capital cost to fuel saving is much more advantageous. Serious consideration should be given to every possible form of insulation and double glazing in excess of current building regulation requirements. Very significant savings indeed can be made. These savings can be magnified even more if solar heating is added. A school in Cornwall, designed with energy efficiency in mind, has heating bills more than 40% lower because of careful planning.

Double glazing is used to describe purpose built sealed window units with two layers of glass. Secondary glazing refers to second skins, be it of glass or some other material, which are fitted over existing windows. Double glazing is well worth fitting in new buildings. In existing buildings double glazing is only cost effective in the long term or where existing windows have to be replaced anyway.

Nevertheless there are many things that can be done to reduce heat loss in existing buildings by some form of insulation and secondary glazing. The important thing to remember is to use appropriate

technology rather than expensive factory made units. In addition concentrate efforts where they are most effective. By appropriate technology is meant simple but effective measures including DIY. Have you considered the following?:

- hanging heavy double-lined curtains over all external windows with one of the linings of a padded nature; (it is important to consider treating curtains with a flame retarding substance; if you have stage curtains your entertainments licence will require this; the most widely used product is known as Flame Bar manufactured by Flame Bar Ltd; their address is given at the end of the chapter)
- pulling curtains at night making sure to tuck them behind the radiators
- fitting your book-shelves and cupboards on exterior walls
- secondary glazing roof-lights (the heat loss here is particularly high as heat rises)
- secondary glazing other windows in a relatively cheap way by using polythene sheeting and wooden battens. The cheapest way is to use cling film and masking tape. It certainly works. This is because the insulation is the trapped air and not the film itself
- laying carpet with a good thickness of underlay. Several layers of newspaper are better than no underlay at all

Further insulation is also possible and will depend on your budget. Walls, roofs and floors can all be treated in a range of ways. Get proper advice and estimates – there can be expensive side effects of bad insulation. The prime one is increased condensation which can lead to outbreaks of rot.

TYPES OF HEATING SYSTEM

In addition to the largely conservation measures so far considered, further efficiency and cost saving can be gained by controlling the use of energy. This is done by getting the best heating system for your building, and by controlling its use sensibly.

New Buildings

If you are one of the fortunate few planning a new community building then you must give serious at-

tention to the type of heating system you require for your expected pattern of use. There is no single answer to all problems but there are a few general principles:

- go for maximum control and flexibility so that you can direct heat to those areas where you need it, when you need it
- consider safety and comfort factors
- consider price, availability and cleanliness of heat sources – gas and solar power can be used together and both are clean and environmentally friendly. Solar power is now available even if it is cloudy!

To repeat earlier advice: do consult an energy conservation specialist at the design stage. Do not just rely on your architect.

Existing Buildings

All the above factors apply to existing buildings too if you are thinking of renewing your heating system for any reason. Even if that is not the case, there are plenty of things you can do to improve the efficiency of the system that is already installed. Some of them will cost little or no money, others might involve you in a bit of expense:

- turn off heating in unused rooms
- bleed radiators regularly
- make sure that radiators are 'balanced' – all set at the right heat in normal functioning
- set room temperatures at the lowest comfortable level, remembering:
 - office/sitting temperature should be approximately 18°C
 - older people and toddlers need a higher temperature
 - turning down the setting by 1° could make a 6% saving in cost
 - sports and activity spaces require a lower temperature
- make one or more people (possibly members of your maintenance sub-committee) responsible for:
 - monitoring and experimenting with the setting of time switches and thermostats to achieve the most efficient heating programme
 - seeing that switches are actually set and used

at appropriate times

- lag or double lag the hot water tank and hot water pipes
- mend leaky taps – a one-drip-a-second tap can waste 3 gallons of hot water a day
- service your boiler regularly – this could save at least 10% of energy consumption
- fit a time switch on the boiler and make sure that it is set to its most efficient setting
- fit shelves above radiators to deflect heat to the centre of the room
- consider installing point of use water heaters for places where centrally heated hot water is uneconomical – usually where a long pipe run is required and hot water is only needed occasionally.
- switch to low energy light bulbs
- fit reflective foil behind radiators on outside walls – this could improve the efficiency of each radiator by 40%
- fit thermostatic valves on all radiators
- in large buildings consider fitting a control panel that allows zone heating, that is heating certain sections of the building independently of others
- consider the use of individual portable room heaters for those times when the whole building does not need to be heated
- investigate the economics and aesthetics of putting in a false ceiling in very tall halls and other rooms
- alternatively consider installing a de-stratification fan; this is a way of moving unused trapped heat from the top to the bottom of high rooms

If your building does not have a central heating system it may be worth examining the economics and convenience of installing one even though the capital costs will take a considerable period of time to recoup. Remember that gas is more environmentally friendly (and cheaper) than most other forms of fuel other than solar energy. Economy Seven heating systems use cheap electricity, storing it up during the night and using it during the following day. Such systems are cost effective but you have less control over the heat output. Electricity generation does much more damage to the environment than most other forms of energy.

AN EDUCATIONAL OPPORTUNITY

All the measures described amount to an Energy Management Programme. The development of such a programme will take considerable time and work; but it will definitely save you money. It can also be very interesting and educational. The maintenance sub-committee could consider involving teachers and young people from the local school: environmental studies is becoming very popular. Making a case study out of your heating management could

benefit you, the young people and the community in general, particularly if an environmental display board in the building is included. Friends of the Earth have lots of helpful material specially prepared for schools. The Department of Environment, Transport and the Regions' Energy, Environment and Waste Directorate also has schools' information packs (address on page 144).

CLEANING

Good cleaning and waste removal systems are essential in a community building for health and hygiene reasons and for comfort and presentation purposes. People who work in or use your building will feel better in a clean environment and achieve their goals with that much more ease than in a dirty, scruffy and dowdy one. There seem to be three important aspects to achieving a good cleaning programme: technical, staffing and management.

TECHNICAL ASPECTS OF CLEANING

The technical aspects of cleaning are as follows:

- the things that need cleaning and its frequency
- the materials required
- the equipment required
- the replacement of consumables – soap, lavatory paper and towels
- the removal of waste

Most cleaners have not been trained in commercial or indeed community building cleaning. They would welcome the opportunity to work out systematically with someone from the committee, the precise cleaning requirements for each room. This enables the cleaners' job to be more structured which in turn will help with the management of the cleaning staff. This includes making it easier to supervise and check the work; and, if it comes to it, it makes disciplining them easier as well. If you have not done it already, delegate a member of your Maintenance Sub-Committee to go through the process for every room of the building.

Opposite is a sample programme for a washroom/lavatory area, in this case divided into preparation,

cleaning and disinfecting, finishing, and occasional.

A similar schedule should be worked out for each room. Based on this the right kinds of cleaning products and equipment can be ascertained and stocks kept replenished. It is important that an adequate cleaning storage space is designated.

If you feel you would like some professional help with this process there are at least two ways you can go about it. Firstly you can get hold of the, often very helpful, publicity material produced by the manufacturers of commercial cleaning products. This sometimes contains room by room suggestions linked to cleaning products. Secondly you can ask the representative of such a firm to visit you and advise on your specific cleaning requirements. This would probably be free of charge in the hope of a regular order for that particular firm's products. Never forget that manufacturers will favour their own products so a second opinion from a large cleaning materials supplier would be helpful too.

A NOTE ON FLOORS

There is a wide range of different floors available for different purposes and to suit different budgets. If you are planning a new building or thinking of putting in a new floor in an existing one, then special attention should be given to choosing the right kind of floor(s) for your use. You will need to consider a whole range of factors including ventilation, durability, price, ease of cleaning, safety and comfort. The detailed consideration of choosing a new floor is beyond the scope of this book. ACRE publishes a very useful booklet devoted to floors

SAMPLE CLEANING SCHEDULE FOR WASHROOM/LAVATORY AREA

Preparation

- flush WCs and urinals
- apply germicidal cleaner
- tidy and remove litter: ashtrays, paper, waste bins

Cleaning and Disinfecting

- dust light fittings
- damp clean and sanitise: shelves, cistern tops, taps, lavatory seats, flush handles, window sills, tiles and other hard surfaces and accessories
- remove deposits, de-scale, clean and disinfect: sinks, splashback,
- clean and polish: mirrors, windows and other glass surfaces

Finishing

- replenish: lavatory paper, soap/wash cream, hand towels, deodorant blocks
- spray air freshener into corners
- sweep and damp-mop floor
- brush and re-flush WCs and urinals

Occasional

- clean paintwork
- sanitise plastic blinds
- spray insecticide into corners

You will need to specify more closely the frequency for carrying out the various tasks. This will vary depending on the specific use of your building and the availability of cleaning time.

called *The Village Hall: Floors*. One conservation point: if you decide on a wooden floor make sure you buy it from a supplier who uses timber from a renewable source.

Looking after your floor can be a relatively specialised job. Bad care can be expensive as the surface might be damaged and need replacing much earlier than if it had been well looked after. Prevention is undoubtedly better than cure and much cheaper too. The following suggestions will help to preserve the attractiveness and the life of your floor:

- fit shoe cleaning gratings, of the type that cannot be avoided, outside the building entrances
- lay a large area of matting just inside the entrances
- beat the entrance matting regularly and clean out the well in which it is set
- move chairs and tables on wheeled trolleys
- fit plastic or rubber ferrules to chair and table legs
- keep ventilation channels clear of debris
- restrict use of stiletto heels and studded boots
- restrict smoking or, at least, provide plenty of ash trays and put up notices to prevent stubbing out cigarettes on the floor
- use protective mats and sheeting for sand-play and water-play areas and other areas such as the strip in front of the bar
- institute a thorough and regular floor maintenance and cleaning programme including:
 - sealing
 - cleaning
 - polishing
 - re-sealing
- seek advice from the manufacturer of your specific floor, or from a supplier (not a manufacturer who will favour its own products) of industrial cleaning materials on the type of sealer and polish most suitable. You can also seek advice from your local authority on floor maintenance. The caretaking section of one local authority has been very helpful to community organisations in its area.

STAFFING ASPECTS OF CLEANING

Most cleaners are taken for granted. Most community buildings do not have enough cleaning staff time to do a proper job. Cleaning community buildings can be a lousy job (metaphorically and actually!) Most cleaners are locally recruited women without training or experience of cleaning community buildings. Most cleaning staff do the job when no one else is around.

All these factors conspire in giving most cleaners a pretty poor time. Proper supervision, management and guidance of the kind set out here and in chapter 3 will make your cleaners' lives and your life much happier. The building will undoubtedly benefit too.

MANAGEMENT ASPECTS OF CLEANING

The management aspects of cleaning referred to here are treating cleaning and waste disposal as a system which needs careful management rather than something that just happens.

An important part of this systematic approach has already been referred to under technical aspects. There are others equally important. These include measures to educate the users of the building. You might, for example, want to include in your guidelines for users/hiring agreement, requirements to leave the place as it was found, (putting back rearranged furniture can take up a lot of valuable cleaner time), sweeping through the main hall, ensuring rubbish is put in the right place in the right way and so on. If this is the case it is useless to assume that groups will do it all to your satisfaction unless you provide the necessary implements and rubbish bags. Paid staff and volunteers need to be educated in the particularities of your system too.

It is to be hoped that you have policies for ecological waste disposal (see following). This needs managing as well. Of course someone has to manage the notices for wet floors too!

CLEANING OUTSIDE THE BUILDING

In chapter 11 – *Reaching Out* the importance of having an open and attractive image is stressed. Creating a good first impression is vital in this process. It is not, in fact, very difficult or time-consuming to keep the outside of the building clean and tidy, but for some reason it often tends to get forgotten. Here are some suggestions:

- create an enclosed space for your refuse area with separate containers for glass, paper, cans and everything else
- always clean up as soon as the council has collected the refuse
- provide plenty of litter bins
- make it someone's responsibility regularly to sweep up remembering not to forget the crisp packets caught in the bushes
- have the windows cleaned regularly
- clean off or paint out graffiti as soon as they appear (graffiti remover is available from industrial cleaning materials suppliers)
- clean out shoe scrapers regularly

WASTE DISPOSAL**RECYCLING**

Here's another opportunity to help save the planet. Much of your waste can be recycled thus helping to prevent the destruction of our environment by using up scarce natural resources. By recycling glass, cans and paper you can make your contribution to this vital process. The knowledge that you have contributed and the good feelings that come from that are your reward: it is unlikely that you will make or save any money for your community building funds.

It is all really quite simple and just takes a little managing. You need four receptacles to put your waste, one for paper, one for glass, one for drinks cans and one for all the rest! Once again a little internal management with well marked bags or bins will make the separation of rubbish a fairly simple matter. Waste Watch operates a recycling information line which can advise you on the best way of recycling

specific types of waste (address on page 144).

You may be able to arrange for the local authority to collect your recyclable waste and they will make sure that it is properly dealt with. If you cannot do this then you will need to take it to the nearest appropriate 'banks'. There are increasing numbers on the streets or your area may have a council 'dump' which will probably have all the necessary recycling containers. If the Council does not yet make such provision then perhaps you will want to put pressure on them so to do.

If you are in touch with a local school, recycling could be part of a practical education programme. Friends of the Earth will again help with literature.

REFUSE CHARGES

In the good old days it did not seem to matter how much rubbish you put out. It would still be taken

away by the local authority and paid for out of the rates. By and large that still is the case for most domestic charge payers.

Although the situation varies from authority to authority things are now different for business rate payers whether genuine 'businesses' or charitable and other community organisations. Most authorities now make a charge to such bodies for taking away their refuse. In most cases it is graduated. In other words the charge is made according to how much rubbish you put out.

There are various ways this arrangement can work. The simplest is that the charge is levied by the sack of rubbish. Another is that a paladin scheme can be arranged. A paladin is an extra large dustbin that can be fitted to the back of the dust cart and mechanically emptied. Consult your local authority for details of the particular schemes available in your area to work out the most economic one for your community building.

Local authorities have discretionary powers to waive some or all refuse collection charges. The current situation is that some exercise this power favourably when it comes to charitable organisations and many more do not. Thus it is sensible to try to negotiate with your local authority for lower charges, reminding them of their powers and referring to the fact that some authorities are generous in this respect. It is the kind of issue that is likely to be dealt with positively if you get together with other voluntary organisations in your area.

HEATING, LIGHTING AND CLEANING CHECKLIST

Has your organisation considered the following tasks ?

- setting up a maintenance sub-committee/giving responsibility to an individual for the oversight of all maintenance matters
- producing a detailed cyclical maintenance plan of action
- taking all appropriate measures to reduce energy bills and particularly:
 - draught prevention
 - insulation
 - secondary glazing
 - heating system maintenance
 - heat control systems
- having an energy management programme
- turning energy conservation into an educational project
- giving cleaning the attention it deserves particularly:
 - producing detailed schedules for cleaners
 - treating your cleaning staff as human beings and professionals like all other staff and volunteers
 - managing the cleaning programme (not just expecting it to happen!)
 - giving attention to outside the building
- going green on waste disposal

USEFUL ADDRESSES

ACRE

(Action with Communities in Rural England)
 Somerford Court
 Somerford Road
 Cirencester
 Gloucestershire GL7 1TW
 ☎ 01285 653477
 e-mail acre@acre.org.uk
 web site www.acreciro.demon.co.uk

Community Matters

8/9 Upper Street
 London N1 0PQ
 ☎ 020 7226 0189
 e-mail communitymatters@communitymatters.org.uk
 web site www.communitymatters.org.uk

Contract Flooring Association

4c St Mary's Place
 The Lace Market
 Nottingham NG1 1PH
 ☎ 0115 9411126
 e-mail info@cfa.org.uk
 web site www.cfa.org.uk

Energy, Environment and Waste Directorate

The Department of Environment, Transport and the Regions
 Ashdown House
 123 Victoria Street
 London SW1E 6DE
 ☎ 020 7944 3000
 web site www.detr.gov.uk

Energy Saving Trust

☎ 0345 277200 (energy efficiency hotline)
 web site www.est.org.uk

The Environment Agency

Rio House
 Waterside House
 Aztec West
 Bristol BS32 4UD
 e-mail enquiries@environment-agency.org.uk
 web site www.environment-agency.gov.uk

Flame Bar Ltd

Unit 1
 Croydon Road
 Beckenham
 Kent BR3 4BL
 ☎ 020 8658 2299
 web site www.bolloms.com

Friends of the Earth

26-28 Underwood Street
 London N1 7JQ
 ☎ 020 7490 0881
 e-mail info@foe.org.uk
 web site www.foe.org.uk

Neighbourhood Energy Action

St Andrew's House
 90-92 Pilgrim Street
 Newcastle upon Tyne NE1 6SG
 ☎ 0191 261 5677

Waste Watch

Europa House
 13-17 Ironmonger Row
 London EC1V 3QN
 ☎ 020 7253 6266
 ☎ 0870 243 0136 (helpline)
 web site www.wastewatch.org.uk

FURTHER READING

Community Recycling

published by Waste Watch

Energy Efficiency in Community Buildings

published by Neighbourhood Energy Action

The Green Energy Guide

published by Waste Watch

Maintaining Your Hall

published by ACRE

The National Recycling Directory

published by Waste Watch

Plan, Design and Build

published by ACRE

The Village Hall: Floors

published by ACRE

The Village Hall: Heating

published by ACRE

Waste and Recycling

published by Friends of the Earth

Work at Waste at Work

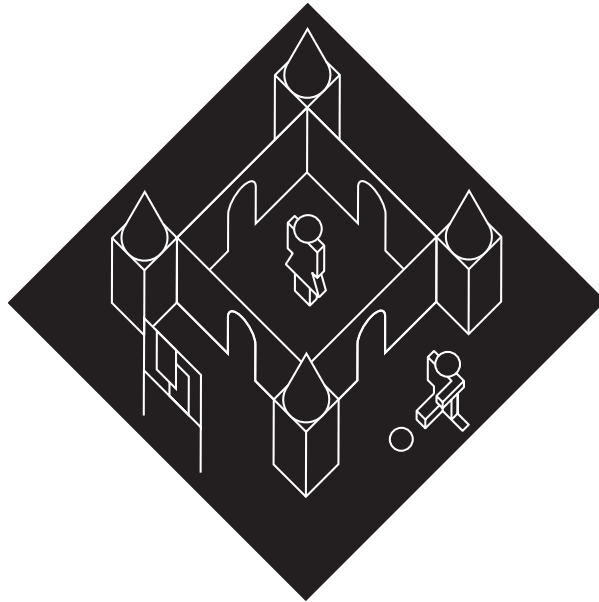
published by Waste Watch

The Environment Agency publishes a wide range of useful publications.

Publishers' addresses can be found on page 180.



Furniture and equipment



INTRODUCTION

Unless you are among the lucky few who are developing new community buildings or the unfortunate few who have just had a fire, the provision of furniture and equipment will be an on-going operation. As needs demand and funds permit, you will replace different items of equipment or provide totally new ones for new activities. Whether equipping a brand new centre or thinking of doing out a single room you may find the checklist at the end of the chapter useful.

Certain large items of equipment, such as photocopiers, are usually leased. This is an area where it is

possible to get caught out with an agreement that is very disadvantageous. Some information and tips are given about the various possibilities so that you can get the best possible deal.

Before buying anything it is important to make sure that you are quite certain about what is needed and to have a full discussion at committee level. Consultations with specialist users and interest groups are also wise before purchasing particular equipment which only they might really know about. If anything needs to be signed always get a second person to read it through before you sign.

A CAUTIONARY TALE

One particular community building which, as ever, shall remain nameless decided it needed a new photocopier. The decision was taken at committee and the honorary treasurer was charged with making the necessary arrangements for having the copier installed.

The treasurer contacted a local business equipment firm and a representative called. Although the treasurer was somewhat confused by the array of ways of getting the use of a photocopier and the features and prices of different makes and models, he eventually decided on a machine he thought suitable. The representative produced an agreement for the treasurer to sign. It was covered in small print. The representative explained what it all meant and asked for a signature. He took the agreement away saying

that the community association would receive its copy when the machine was delivered the following day.

The machine duly arrived and worked perfectly. As promised, a copy of the lease agreement was also delivered. When the treasurer saw this he thought it was slightly different from the one he had signed but he could not be sure.

When the bills came in the secretary said that the machine was very expensive. The treasurer thought so too but knew that they were in line with the changed agreement which he had not queried. Too embarrassed to say anything, he advised that the bills were not paid. The firm took the community association to court and won.

GENERAL CONSIDERATIONS

The community building should be warm, inviting and comfortable. If it is not, people might only make one visit. So it is important to furnish and equip the place with this in mind. Basically this means buying

good quality equipment that is attractive as well as serviceable.

Some of your users may be frail and not up to moving heavy tables and chairs. So as well as buying

something that is tough you need to consider weight and ease of assembly. Whilst it is not the purpose of this book to give a list of preferred suppliers or make specific recommendations it does seem to be the case that many community organisations have found that Gopak tables fulfil all these requirements. For ease of movement and to avoid damaging floors it is advisable to have a trolley designed to move stacks of chairs or tables.

A small, but important point to remember when buying crockery is that inevitably there will be breakages. It is therefore sensible to ensure that you buy from a range that will continue to be made. Otherwise you will join those centres which look as if they have been fitted out from several different jumble sales.

Sometimes the need for durability and reliability in a piece of equipment will mean spending more on it than you would spend on a similar item for domestic use. A particular example is the vacuum cleaner and polishing equipment. Experience in many community centres and village halls has shown that paying extra for an industrial quality machine is well worth it. It is also important to make sure that you get the right equipment for the purpose. With floors again make sure that you follow the installers' recommendations when it comes to polish and polishers.

Keep an updated inventory of all your furniture and equipment. This will be valuable when it comes to revaluing the amount of your contents insurance. (See chapter 5.)

DISABILITY DISCRIMINATION ACT

PROVIDING GOODS AND SERVICES

Under Part III of the Disability Discrimination Act, 1995 (DDA) unless different treatment is justified under one of the exceptions set out below it is unlawful for a service provider to:

- refuse to serve a disabled person, or deliberately not serve that person for reason(s) relating to their disability
- provide a disabled person with a service on less favourable terms, for reason(s) relating to their disability
- treat the person less favourably by offering a lower standard of service provision, or for reason(s) relating to their disability

This applies to all service providers – whatever their size – and whether the service is free or charged for.

In addition, unless different treatment is justified under one of the exceptions service providers must:

- **review policies, practice and procedures** – this would involve taking reasonable steps to amend any practices, policies and procedures which make it impossible or unreasonably difficult for disabled people to make use of a service
- **take reasonable measures to provide auxiliary aids and services** to enable disabled people to make use of a service or to use it more, for example:

- produce information on audio tape, in Braille and in large print
- provide induction loops, textphones and sign language interpreters
- use simplified text
- have well designed, clear signs, portable ramps and designated car parking.

- **take reasonable steps to provide services by alternative means** where the design or construction of a building or access to a building makes it impossible or unreasonably difficult for disabled people to make use of a service. Examples would include providing services which normally require a person to come into an office at other locations, at home, by telephone or by videolink.

From 2004 providers must take reasonable measures to remove or alter any physical features in their premises which make it impossible or unreasonably difficult for a disabled person to use a service or provide a reasonable means of avoiding the feature.

DEFINITION

The DDA defines disability as a physical or mental impairment that has a substantial, long-term adverse effect on a person's ability to carry out normal day to day activities. Some disabled people will definitely be

included in the definition, for example someone who is blind, deaf, has an amputated limb, is a long-term wheelchair user, or has a severe, long-term medical condition such as AIDS, multiple sclerosis or insulin dependant diabetes. Other cases are not so clear cut, for example someone with partial sight, impaired hearing, impaired mobility, learning difficulties, a disfigurement, or a frail older person may or may not fall within the Act's definition.

EXCEPTIONS

A disabled person may be treated less favourably than anyone else if you reasonably believe:

- the health or safety of the disabled person or someone else may be in jeopardy if you provide the same service or facility
- the disabled person is not capable of understanding the terms of a contract, ie the nature of the agreement or his or her legal obligations
- providing the service, or the same standard of service to the disabled person would stop you from providing any service at all

- it would cost you more, in materials or labour, to provide a service to meet a disabled person's particular needs. If this is the case you may charge more to reflect the increased cost.

An event open to the public which is being held in a community building is classed as a service. In such cases the centre would not be considered as a 'premises' to be made available under the Act's provisions regarding access to premises. However, the event organisers would need to consider making reasonable adjustments to enable access for disabled people.

Community Matters' Information Sheet 17 – *Disability Discrimination Act 1995* – goes into further detail about all aspects of the DDA, including definitions of disability. For further details of the requirements for service providers and examples of their effect, see the *Code of Practice: rights of access, goods, facilities, services and premises* available from the Stationery Office or from the Disability Rights Commission (DRC) web site www.drc-gb.org/drc or *The Disability Discrimination Act 1995: what service providers need to know*, available from the DRC web site.

STORAGE SPACE

Adequate storage space is vital to the success of an efficient community building. It is important for reasons of tidiness, security and safety.

In the office you will need a fire-proof locking filing cabinet for your confidential records and a sturdy fire-proof locking cupboard for stationery and valuable pieces of equipment. It is also important to offer staff and volunteers a place to keep personal valuables. A safe is also essential to store any cash securely. It is crucial to get expert advice before buying a safe as even the apparently most secure ones are capable of being taken away without too much difficulty. Unless it is absolutely necessary never keep large amounts of cash on the premises overnight.

In buildings that are regularly used by different groups it is sensible to provide a lockable space for each group to keep its own materials and equipment. This can avoid disputes about items disappearing from a communal storage area.

There is never enough storage in community buildings. If you are having a new building designed double the amount that your architect suggests. Have plenty of built-in cupboards and storage rooms. If you have a stage have storage containers on wheels made so that they can easily slide underneath and do not take an huge effort to retrieve each time they are needed.

RENTING OFFICE EQUIPMENT

Equipment leasing is an area often misunderstood by voluntary management committees, and it is a common cause of problems for community associations if they find they cannot meet the lease payment – as demonstrated in the cautionary tale. In some circumstances this can mean that the officers who signed the lease may find themselves personally liable to thousands of pounds in settlement charges.

Photocopiers

There are several ways of acquiring a photocopier. It is always wise to do a considerable amount of market research before committing your association. Here are some of the things to look out for:

- are you dealing with a manufacturer or a dealership? the difference is by no means always obvious
- if it is not the manufacturer is it a reputable firm?
- are you buying a machine on a lease purchase agreement or simply renting? (in the former it will one day be yours)
- does the agreement include service – parts and labour?
- does the agreement include consumables – paper, toner etc.?
- does the price include all your copies or is there a separate charge per copy?
- if there is an agreed copy count are extra copies charged at the same rate or a higher rate?
- what is the duration of the agreement? is it prohibitive to change machines prior to its expiry? is it possible to cancel it entirely without a prohibitive penalty?

A lease is a binding legal agreement. In the case of a photocopier lease, the agreement usually involves the association paying a quarterly charge for six years. The agreement will also include a service

element, where supplies and servicing are provided as part of the deal. The lease will sometimes be called a ‘rental plan’, ‘service plan’ or ‘copy plan’. The terms of a lease can seem very attractive, and are often made to seem so by a persuasive sales pitch from the supplier. By taking out a lease, the association can afford to have a photocopier which it could not (it believes) afford to buy.

However, the association is taking out a long term liability which it will have to honour. Though the photocopier itself comes from a photocopier supplier, once negotiated the lease will be managed by a finance company, who will strictly enforce the terms of the lease. The most onerous term is that, if the association defaults on any of the quarterly payments, the whole of the unexpired portion of the lease becomes payable. If the association is unincorporated, liability will fall on whoever signed the lease.

Shop around checking each of the questions above with several suppliers. Compare agreements with manufacturers and dealerships.

In order to protect yourself and the association, take great care before signing an equipment lease. You must be clear about how much you will be paying and what will happen if you cannot meet the lease payments. Would it be cheaper to wait another year or two and save up to buy a piece of equipment outright, rather than leasing? Always read the small print and if in any doubt take legal advice before signing. Only then can you be satisfied that you have done all you can to avoid the kind of disaster related in the cautionary tale.

For further information see *Photocopier Selling Practices*, published by the Office of Fair Trading (address on page 182).

FIRE FIGHTING EQUIPMENT AND ALARMS

The legal requirements of the fire regulations are covered in chapter 7. Public buildings require a fire certificate from the local fire authority. In the proc-

ess of obtaining the certificate an inspection of your building will be made and the authority will give you a detailed description of the type, number and

location of fire extinguishers that are required. This will normally be given on a plan of the building which is eventually appended to the fire certificate itself. Full details of the legal requirements for fire fighting equipment can be found in *Fire Safety – an Employer’s Guide*, available from the Stationery Office (address on page 182).

Although it is possible to buy and fit your own appliances it is advisable to get an experienced firm to do it for you. Many companies will rent you the equipment or you can buy it outright. In either case you must make sure that you take out a maintenance agreement. The firm will recharge and check all your extinguishers on a regular basis. You will also be certain that the right appliance for the particular job has been installed. Fires involving electrical equipment and flammable gases and liquids require different extinguishers, either of the carbon dioxide or dry powder variety, than other fires. Kitchens should also have a fire blanket to smother fat fires as well as non-water type extinguishers.

Deciding which company to choose can be difficult. There is a tendency to believe that the large, well-known firms such as Chubb, Nu Swift and ADT must be the best and the safest. This is not necessarily the case. What is the case is that they are probably the most expensive. You will find many smaller and cheaper companies in *Yellow Pages*, and it is worth asking other local organisations who they have used. Many smaller companies will give you a reliable and cheaper service. Before choosing a firm check the following:

- that their engineers are qualified and members of the Fire Extinguishers Trade Association (FETA)
- that the firm has public liability insurance at least to the value of £5 million (ask for a copy of the insurance certificate)
- that all appliances supplied have the British Standard Kite Mark

The fire authority will also have given you details about the kind of fire alarm required together with the number and the siting of call points. Normally it has to be installed with fire resistant cable and powered with a secondary electricity supply in case the mains are burnt out. You need a qualified electrician

to install it. It is both common sense and a statutory requirement that you test the alarm system regularly. It is advisable to make this the duty of one person and to make sure that it is done every week. It takes a minute or less but the alarms in many community buildings are hardly ever tested. Test a different call point each week.

NOTICES, TRAINING AND FIRE DRILLS

You may have the best equipment and the best alarm systems, but if the regular users of the building do not know how to use them they will not be as effective as they ought to be. The law requires that notices are displayed prominently, by each appliance and at other significant points, giving precise instructions on what to do in case of a fire. There are many other notices available covering every aspect of fire safety. These range from bold signs indicating a call point or an extinguisher to a simple recognition chart for the different types of fire appliance. It is well worth scanning a supplier’s catalogue and choosing the appropriate ones for your centre. Signs & Labels Ltd produces a full range of notices for fire and other purposes. Their address is given at the end of the chapter.

Staff and other users of the building should be given training and instruction in what to do if they discover a fire, including using the fire fighting equipment. Very clear information about the content and regularity of such training is given in *Fire Safety – an Employer’s Guide*.

A practice fire drill should be carried out at least once a year – more often in larger premises where the public regularly use the building. Vary the day of the drill so that different users are involved.

SECURITY ALARMS

Increasingly management committees of community buildings are considering fitting intruder alarms. There are many types on the market, and most can be programmed for different areas of a building at different times. Some can be connected to a central monitoring station (subject to inspection by an independent inspectorate body), which will contact the police if the alarm is activated (but this service will add to the cost). Ensure your

supplier is a member of NACOSS – the National Approval Council for Security Systems. Alarms must conform to a number of British Standards and codes of practice and will be identified by a ‘unique reference number’, to ensure they have been approved.

There will need to be at least two keyholders who can be contacted by phone and are able to get to the building within 20 minutes. Under the Local Authorities Act, 1991 you will need to give the local police the keyholders’ names, addresses and phone numbers within 48 hours of having an alarm installed (or taking over an existing system). You also need to tell the local authority that you have had an alarm installed and give them the address of the police station which has keyholder details. Your supplier should provide you with the appropriate

forms. The 1991 Act also requires that alarms must be fitted with a 20 minute cut off. Under the Metropolitan Police’s Intruder Alarm Policy, 1995, if there have been more than four false alarms in 12 months police attendance may not be immediate until there have been three months free of false alarms. Following seven false alarms in 12 months, police response will be withdrawn.

Before making a decision about having an alarm installed you need to weigh up the cost of installation and maintenance against the potential loss and the possible reduction in insurance rates.

The crime prevention officer attached to the local police station will be more than willing to visit your building and give advice about security matters, including intruder alarms.

EQUIPMENT FOR PLAYGROUPS

Attention to the safety of furniture and equipment is an important factor generally when considering what to buy for your community building. When equipping a playgroup it is essential. The Children Act, 1989 sets out standards that have to be met before a playgroup can be registered. The standards cover much more than equipment and furniture of course. If you are considering running a playgroup or other children’s activities it is advisable to get a copy of *The Children Act, 1989: Guidance and Regulations Volume 2 – Family Support, Day Care and Educational Provision for Young Children*. It is published by the Stationery Office and is not expensive.

Generally the following points apply:

- equipment should be suitable to the ages and stages of the children
- where a British Standard exists, the equipment and furniture should conform to it
- the amount of equipment and furniture and their quality and type should be adequate for the number of children attending the facility and the adults working there
- the organisation of the kitchen equipment must comply with environmental health regulations (see chapter 7)

KITCHEN EQUIPMENT

The equipment you buy for your kitchen will depend on how often it is used and for what purposes – e.g. whether you regularly serve light snacks and meals or whether it is mainly used for tea and biscuits.

You must take account of the Food Safety (General Food Hygiene) Regulations, 1995, the Food Safety (Temperature Control) Regulations, 1995,

and the Food Premises (Registration) Regulations, 1991. Further information about these is given in chapter 7 and your local environmental health department will offer assistance as well as inspecting the premises under the acts.

The regulations concentrate more on the siting of equipment rather than type, but in general terms it is wise to buy commercial grade equipment as it is

more durable and often easier to keep clean. The main requirements for siting of kitchen equipment are given in chapter 7.

As the temperatures for the storage of food are now prescribed (see chapter 7) it is wise to have a thermometer constantly available in the kitchen with a notice setting out the legal requirements.

ELECTRICAL EQUIPMENT

It has always been sensible to have regular safety checks on electrical equipment; it is now required. The Electricity at Work Regulations, 1989 require precautions to be taken against the risk of death or personal injury from electricity in work activities. Whether you have paid staff or not you employ volunteers and thus come under the regulations. The main steps you should take with all your electrical equipment are as follows:

- ensure that existing electrical equipment is sound and that it has been properly installed
- ensure that any electrical work you have done is carried out by competent electricians
- seek advice on how to set up a maintenance programme and a system to ensure that it is carried out; it will include:
 - regular testing of all wiring and electrical appliances, whether fixed or portable
 - labelling equipment once it has been tested with a date and a date for the next test

- making a catalogue of all electrical equipment and wiring
- having a written programme of testing with a central record of tests carried out
- alert users of the building that they are required to comply with the regulations with regard to electrical equipment that they bring on to the premises
- consider putting a disclaimer about liability for electrical equipment in your hiring agreement. Such a disclaimer does not absolve the committee from checking equipment regularly brought on to the premises
- check whether a circuit breaker is required/advisable for some items of electrical equipment (ask a competent electrician or the environmental health officer)

The Health and Safety Executive has a free leaflet about the regulations: *Electricity at Work: Safe Working Practices*.

COMPUTERS

WHAT COMPUTERS CAN DO

Most voluntary organisations – whatever their size – now use computers in their everyday work. Using different types of computer programs (software) it is possible to perform a wide range of tasks simply, effectively and efficiently. The following is the standard range of things that you can use a computer for:

- word processing
 - typing letters, reports etc., keeping copies electronically
- mail merging
 - sending out large numbers of letters for fund raising or marketing purposes; each letter can be fully personalised

- desk top publishing
 - designing leaflets, posters, booklets and newsletters to a designer standard, using either a word processing program or desktop publishing software
- accounting
 - doing an organisation's accounts
- budgeting
 - using a spreadsheet program to help plan the organisation's financial future
- databases
 - storing and manipulating information, including names and addresses, staffing records and membership records
- on-line databases

- access to outside information useful to your organisation's needs

All these tasks can be performed simply and quickly on a computer, once it has been set up properly and the users trained.

FINDING THE RIGHT COMPUTER

Needless to say there is a host of equipment on the market at widely different prices. This book cannot tell you which will be best for you but it can give you basic guidance on how to go about the job of choosing one:

- do not be rushed: it is a cut-throat market and you could end up with something that looks good but in fact has serious problems for your purposes
- discuss fully just what you want to achieve from your computer; involve the whole committee in

the discussion; the complexity and cost of the computer and the training necessary for its effective use depends on what you require it for

- ask others in your field about their experience with computers: learn from their mistakes
- remember that you will need consultancy and training to get maximum benefit and to avoid endless frustration from not quite knowing how to do things, or put them right when they go wrong
- try and find a consultant who is familiar with voluntary organisations
- compare prices and terms: it is a very competitive field
- include virus checking software in your budget
- make sure you get a proper maintenance and service agreement

ELECTRONIC COMMUNICATION

More and more organisations are using electronic mail (e-mail) and the Internet and the World Wide Web for communication and information.

e-mail is a cheap, fast and convenient way of sending messages from one person to another, or from one person to many people at the same cost. Messages are sent via the Internet – an electronic network of computers, sited all over the world. The cost is the same whether you send an e-mail to Australia or to someone in your building, and whether you write to one or one hundred people.

Using the Internet/World Wide Web is it possible to access a vast amount of information – about other organisations, funding, your local authority, government programmes, campaigns, jobs – the list is endless.

Community organisations, once they are online (ie connected to the Internet) can play a key part in the development of area-wide initiatives.

WHAT YOU NEED TO GET CONNECTED

To get access to the Internet and use electronic mail, you need a computer, a modem, a telephone line and an Internet Service Provider.

Most computers these days are sold with an inter-

nal modem already fitted, although it is also possible to buy an external one. The higher the speed, the lower your phone bills. You do not need a separate telephone line, but if you are 'online' – using e-mail or the World Wide Web – your telephone will be engaged.

As well as buying the equipment you need to sign up with an Internet Service Provider. Many offer free subscriptions and most don't charge for the time you spend online. You will nearly always still have to pay for your telephone calls – but in most cases this will be the price of a local call.

For further information see Community Matters information sheet 31 *The Internet, the World Wide Web and Community Networking*.

CONSULTANCY AND TRAINING

Computers are highly complex machines. While they can do all sorts of wondrous things for your organisation they can also cause a lot of headaches if you do not know what you are doing. Most of the headaches can be avoided by getting expert advice from the outset. It will cost you money initially but in the long run it will be worth it. Many small organisations are tempted to save on initial consul-

tancy. It is rarely a wise move.

Training in the basic operations of the machine as well as in the particular applications – word-processing, databases etc – is readily available. Many courses are put on specifically for voluntary organisations. Your council for voluntary service or rural community council will know of the nearest one to you. Remember to include the cost of training in your computer budget.

WORKING CONDITIONS AND HEALTH MATTERS

Working on computers can cause ill health or aggravate existing health problems. Users can suffer from eyestrain and a range of muscular problems, including backache and wrist, hand and neck pains, and repetitive strain injuries (RSI) can develop from doing the same physical motions over and over again.

The Health and Safety (Display Screen Equipment) Regulations, 1992 cover design of workstations, including screens, keyboards, chairs and desks, the working environment, task design and software. It must be possible to tilt screens and keyboards, chairs must be stable and fully adjustable, footrests and document holders must be supplied if required, and software should be designed or adapted to be user friendly. An employer must pay for eyesight tests for any VDU ‘user’ and tests should be carried out regularly. All users must receive information and training on all aspects of use of their workstations. The definition of ‘user’ is quite restrictive – you may want to pay for eye tests for all staff and volunteers who regularly use computers.

Work on computers must be interrupted by breaks or changes of activity: short breaks of five to ten minutes every 50-60 minutes are suggested as being more satisfactory than occasional longer breaks.

Full details of the regulations are given in *Health and Safety (Display Screen Regulations), 1992: Guidance on Regulations*, available from the Stationery Office. The leaflet *Working with VDUs* is a useful guide for people who work with VDUs, and their employers. It is available, free, from HSE Books, and can be printed off from their web site www.hse.gov.uk/pubns.

DATA PROTECTION

The Data Protection Act, 1998 is concerned with ‘personal data’, ie information about living, identifiable individuals. The 1998 Act is more wide ranging than the 1994 Act, and covers *all* such personal data held on a computer – even if it is just names and addresses – and also applies to manual records. Although many existing activities don’t have to comply fully until 23 October 2001 any information system set up after 23 October 1998 must comply immediately. For further details see chapter 7.

Publishers’ addresses can be found on page 180.

CHECKLIST OF FURNITURE AND EQUIPMENT FOR COMMUNITY BUILDINGS

Furnishing and General Equipment

Curtains, fittings and pelmets
 Stacking chairs
 Chair trolley
 Upholstered chairs (for club rooms or lounge)
 Tables (folding or stacking)
 Card tables
 Lamp shades, light fittings and diffusers
 Fitted carpets / carpet tiles
 Floor tiles or vinyl
 Fireguards
 Clothes racks, pegs
 Waste paper bins
 Wall clock
 Mirrors
 Pictures and posters
 Ash trays – table and floor
 Coffee tables
 First aid equipment
 Fire extinguishing equipment
 Notice boards
 Exit notices
 Folding steps, ladders
 Tea trays, trolleys
 Storage shelving
 Leaflet rack

Kitchen Equipment

Cooker, gas or electric
 Boiling ring
 Sink water heater
 Immersion heater
 Kettles
 Tea urn and tea pots
 Cups and saucers
 Sugar basins and milk jugs
 Plates and dishes
 Tumblers and wine glasses
 Large jugs
 Cutlery
 Table cloths

Saucepans
 Crockery cupboards
 Food cabinets
 Kitchen chairs, tables, stools
 Refrigerator/freezer
 Swing bin
 Microwave oven

Stage

Curtains, curtain ropes, fittings
 Spotlights, floodlights, dimmers
 Backcloth
 Flats (for permanent sets)
 Drop curtain
 Portable staging
 Lighting boards
 Steps to platform

Playgroup

Small tables and chairs
 Protective mats
 Safety socket covers
 Unbreakable beakers
 Sand tray
 Water tray

Disability

Braille signs
 Induction loops (fitted and portable)
 Ramps

Cleaning and Lavatory Equipment

Buckets – ordinary and mop
 Polishing and wet mops
 Vacuum cleaner and polisher
 Deck scrubbing brush, ordinary scrubbing brushes, squeegees and wash leathers
 Hard and soft brooms, wide broom
 Dusters, dustpan and brush
 Tea towels, washing-up materials

Mirrors
 Towels – continuous towel holders, roller towel holders, hot air hand dryers
 Formica shelving
 Lavatory brushes and containers
 Lavatory paper holders
 Sanitary towel disposal unit

Heating (other than permanent heating system)

Gas fires or convectors
 Electric heaters or radiators; infra red radiants
 Fire guards and pegs to secure them
 Storage for fuel

Activities Equipment

Piano
 Microphone, amplifier and speakers
 Disco equipment (Don't forget the licence.)*
 Record, tape, CD player
 Slide projector, stand and screen
 TV, radio, video (Don't forget the licence)*
 Games equipment: darts; table tennis; badminton; snooker; cards; dominoes; carpet bowls; swing-ball etc.
 Gymnasium equipment – judo mats etc.
 Bingo equipment
 Outdoor games equipment
 Storage space

* see chapter 7

Office

Desk and chairs
 Typewriter/word processor
 Photocopier/duplicator
 Filing cabinet
 Locking cupboard
 Safe
 Card index

Filing trays
 Key cupboard
 Answerphone
 Fax machine

Outdoor

Foot scrapers and door mats
 Dustbins (separated for recycling)

Lights
 Notice boards
 Shed, gardening tools and lawn mower
 Cycle racks and dog hitches
 Play structures with protective flooring
 Rails for people with disabilities

FURNITURE AND EQUIPMENT CHECKLIST

Has your organisation carried out the following tasks?

- carried out a review of your furniture and equipment needs
- developed a policy of buying attractive, comfortable and durable furniture and equipment that suit the needs of your users
- discovered the best sources for your purchases
- satisfied yourself that storage provision is as good as it could be for your particular centre
- checked and double checked any leasing arrangements on equipment before signing
- checked that you have efficient and cost effective fire-fighting equipment with suitable arrangements for maintenance, training and sign-posting
- thought about installing a security alarm system
- ensured that the equipment and furniture and other arrangements for child-care facilities comply with the Children Act, 1989
- ensured that your kitchen equipment and arrangements comply with the Food Hygiene Regulations, 1970 and 1990, the Food Safety Act, 1990, the Food Safety (General Food Hygiene) Regulations, 1995 and the Food Safety (Temperature Control) Regulations, 1995
- undertaken a review of your arrangements for ensuring that all electrical wiring and appliances are safe and conform to the Electricity at Work Regulations, 1989
- considered how computers can help improve the operation of your community building

USEFUL ADDRESSES

ACRE

(Action with Communities in Rural England)
 Somerford Court
 Somerford Road
 Gloucestershire
 GL7 1TW
 ☎ 01285 653477
 e-mail acre@acre.org.uk
 web site www.acreciro.demon.co.uk

Centre for Accessible Environments

Nutmeg House
 60 Gainsford Street
 London SE1 2NY
 ☎ 020 7357 8182
 e-mail cae@globalnet.co.uk
 web site www.cae.org.uk

Community Matters

8/9 Upper Street
 London N1 0PQ
 ☎ 020 7226 0189
 e-mail communitymatters@communitymatters.org.uk
 web site www.communitymatters.org.uk

Community Trading Services Ltd (CTS)

8/9 Upper Street
 London N1 0PQ
 ☎ 020 7226 0189
 e-mail cts@communitymatters.org.uk
 web site www.communitymatters.org.uk

Computercraft

25 Bruges Place
 Randolph Street
 London NW1 0TF
 ☎ 020 7284 6980
 e-mail enquiries@computercraft.co.uk
 web site www.computercraft.co.uk

Directory of Social Change

24 Stephenson Way
 London NW1 2DP
 ☎ 020 7209 5151
 e-mail info@dsc.org.uk
 web site www.dsc.org.uk

Gopak Ltd

Range Road
 Hythe
 Kent CT21 6HG
 ☎ 01303 265751
 e-mail gopak@gopak.co.uk
 web site www.gopak.co.uk

Data Protection Commissioner

Wycliffe House
 Water Lane
 Wilmslow
 Cheshire SK9 5AF
 ☎ 01625 545700
 web site www.dataprotection.gov.uk

The National Centre for Volunteering

Regent's Wharf
 8 All Saints Street
 London N1 9RL
 ☎ 020 7520 8900
 e-mail centrevol@aol.com
 web site www.volunteering.org.uk

Signs and Labels Ltd

Douglas Bruce House
 Corrie Close
 Bredbury Industrial Park
 Stockport
 Cheshire SK6 2RR
 ☎ 0161 494 6125
 e-mail sales@signsandlabels.co.uk
 web site www.safetyshop.co.uk

FURTHER READING

Access Publications Lists published by the Centre for Accessible Environments

In addition to a comprehensive set of publications and information sheets on access for people with disabilities, the Centre for

Accessible Environments has an Architectural Advisory Service – a database of architects and other practitioners with experience of designing for people with disabilities

The Children Act, 1989: Guidance and Regulations Volume 2 – Family Support, Day Care and Educational Provision for Young Children published by the Stationery Office

Community

Newsletter published by
Community Matters

Computanews

published by LASA

Computanews is a bimonthly newsletter for advice and information workers and others in the voluntary sector. LASA also publishes factsheets on various aspects of computing:

- Buying IT
- Data Protection
- E-services: the Voluntary Sector Goes Online
- Getting Connected – the Internet and all that
- Health and Safety
- Managing IT

Electricity at Work: Safe Working Practices

published by the Health and Safety Executive

Fire Safety – an Employer’s Guide

published by the Stationery Office

Food Safety and Food Hygiene – Information Sheet 11

published by Community Matters

Furnishing and Equipment in a Community Centre –

Information Sheet 35
published by Community Matters

Photocopier Selling Practices

published by the Office of Fair Trading

RSI – a Trade Unionist’s Guide

published by Labour Research Department

Upper Limb Disorders – Assessing the Risk

published by the Health and Safety Executive

Working Safely with VDUs

published by Labour Research Department

Working with VDUs

published by the Health and Safety Executive

VDUs: an Easy Guide to the Regulations

published by the Health and Safety Executive

VDUs and Health and Safety – a User’s Guide

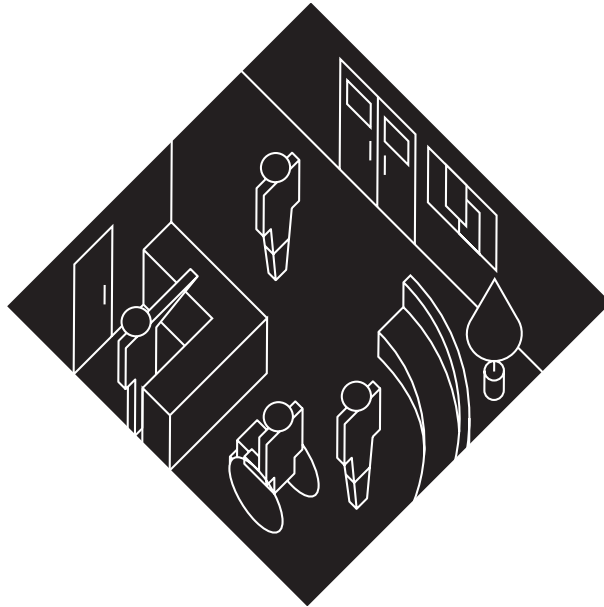
published by Labour Research Department

The acts of parliament and regulations referred to are all available from the Stationery Office

Publishers’ addresses can be found on page 180.



Rules and relationships



INTRODUCTION

This chapter is about how you handle yourselves as managers of your community building and how, in turn, you expect staff and users to handle themselves. The standards of behaviour expected of people in your centre need to be clearly set out in various documents.

You will need a set of rules for all who use the building and a hiring agreement for groups and individuals who hire the building or rooms within it, whether on an occasional or regular basis. You will need an equal opportunities policy document with procedures for behaviour and action. This will ensure that everyone in the community is not only welcome but is able to benefit from that welcome in

practical ways – in other words a policy that ensures no one is discriminated against. Part of the equal opportunities policy will be a code of conduct which sets out how people are expected to treat all other users of the building. Finally it is important to have a clear disciplinary procedure setting out the standards of behaviour, apart from equal opportunities considerations, expected within the building and the procedures to deal with members whose behaviour is unacceptable.

This chapter discusses these matters and gives sample documents that you may find useful to adapt for your own purposes.

RULES GOVERNING THE USE OF THE BUILDING

Everyone is governed by rules. Many of them are written down – the laws of the land, the procedures for using public amenities; and many are unwritten – rules of behaviour at home. The unwritten ones work well when there is regular communication between a small group of people who know each other. A community building is open to all sorts of different groups of people and, if it is successful, will have large numbers of people using its facilities. All manner of disputes and difficulties can occur if there is no basic set of rules governing conduct and behaviour.

Community Matters has developed a model set of rules based on its many years of experience covering most of the situations that are found in community buildings of one kind and another. These include matters relating to licences, fire regulations and insurance covered in other chapters of *Managing Your Community Building*.

As with everything else in this book, it is important to put your own stamp on the rules and not just adopt them as set out, without detailed considera-

tion of whether they suit all your particular needs.

It is the General Committee or Management Committee which usually has the power to make rules governing the use of a community building. The committee should also ensure that the rules are widely known and that they are a condition of use of the building. A copy should be prominently displayed on the premises. A copy should be sent to each hirer, section and affiliated organisation.

The sale and consumption of alcohol in a community building is a complex matter. This is covered in more detail in chapter 7. Your building will be in one of three categories: there might be restrictive covenants in your lease or constitution preventing the sale of alcohol altogether; you may sell alcohol occasionally or regularly with or without a permanent bar area in the building; or you may have a licensed bar or social club. In the set of rules that follow it is assumed you make occasional sales only. You will have to adapt rule 8 to the particular terms of the licence if you have a licensed bar or social club.

GENERAL RULES GOVERNING THE USE OF THE COMMUNITY CENTRE

Preamble

The management of the Community Centre is vested in the General Committee¹ of the Community Association, whose powers and composition are defined in the constitution, a copy of which may be obtained from/consulted at² _____. Under the provisions of the constitution, the General Committee is empowered to make rules, or to withdraw or amend them.

1 Use of the Centre

Use of the Community Centre and its facilities is subject to the following rules and, in the case of hirers, to certain standard conditions incorporated in the hiring agreement.

2 Equal Opportunities

The Community Centre shall be open to all members of the community regardless of race, gender, sexual orientation, age, disability, religious or political beliefs or marital status.

3 Applying to Use the Centre

- a) Application for use of the Centre shall be made to the CA Secretary.³
- b) The right to refuse any application for the use of Centre facilities is reserved to the General Committee, or the Secretary, provided that the Secretary reports his/her action to the next meeting of the General Committee. The General Committee may refuse an application to use the Centre's facilities if the use by a particular organisation or individual presents a risk of public disorder or of alienating the Association's beneficiaries or supporters.
- c) All arrangements for the use of Centre facilities are subject to the Association reserving the right to cancel bookings when the premises are required for use as a Polling Station or are rendered unfit for the intended use.

- d) Sections and affiliated groups of the Association shall normally have priority use of its facilities, but all arrangements to hire facilities made with outside bodies and individuals shall be honoured by the Association, except as provided for in (c) above.

4 Hours of Opening

Facilities at the Community Centre are normally available for the use of its members and of outside hirers between the hours of _____ and _____ on weekdays,⁴ and _____ and _____ on Sundays. In exceptional cases, these hours may be extended on application to the General Committee.

5 Maximum Capacity

The Centre hall has a maximum capacity of _____ seated or _____ dancing (these figures include helpers and performers), and on no account shall these figures be exceeded.⁵

6 Safety Requirements

All conditions attached to the granting of the Centre's Public Entertainments Licence, stage play or other licences shall be strictly observed. Nothing shall be done which will endanger the users of the building, and the policies of insurance relating to it and to its contents. In particular:

- a) obstructions must not be placed in gangways or exits, nor in front of emergency exits, which must be immediately available for free public egress;
- b) the emergency lighting supply must be turned on during the whole time the premises are occupied, and must illuminate all exit signs and routes.⁶
- c) fire-fighting apparatus shall be kept in its proper place and only used for its intended purpose;

- d) the Fire Brigade shall be called to any outbreak of fire, however slight, and details of the occurrence shall be given to the Association Secretary;
- e) performances involving danger to the public shall not be given;
- f) highly flammable substances shall not be brought into, or used, in any part of the premises. No internal decorations of a combustible nature (e.g.: polystyrene, cotton, etc.) shall be undertaken or erected without the consent of the General Committee;
- g) no unauthorised heating appliances shall be used on the premises;
- h) the First Aid box shall be readily available to all users of the premises. It is located in _____ . The Association Secretary shall be informed of any accident or injury occurring on the premises.
- i) all electrical equipment brought into the building shall comply with the *Electricity at Work Regulations, 1989*. The Management Committee disclaims all responsibility for all claims and costs arising out of any such equipment that does not so comply.

7 Supervision

The hirer or person in charge of the activity shall not be under 18 years of age and shall be on the premises for the entire period of hire, or duration of the activity. The person in charge shall not be engaged in any duties which prevent him/her from exercising general supervision.

When the premises or any part of them are used for the purpose of public entertainment, there shall be a minimum of two persons, neither of whom shall be less than 18 years of age, on duty.

All persons in charge or on duty shall have been informed of the procedure for evacuation of the premises and shall be familiar with the fire-fighting equipment available.

8 Intoxicating Liquor⁷

No intoxicating liquors are permitted to be bought, sold or consumed on any part of the premises without the express permission in writing of the General Committee, whose consent must also be obtained prior to seeking any Occasional Licence or Permission for the sale of alcoholic liquor.

9 Betting, Gaming and Lotteries⁸

Nothing shall be done on or in relation to the premises in contravention of the law relating to betting, gaming and lotteries, and the persons or organisations responsible for functions held in the Centre premises shall ensure that the requirements of the relevant legislation are strictly observed.

10 Stage Plays⁹

The Association Secretary must be given at least four weeks' notice of a stage play production, so that the appropriate licence may be obtained from the local council, which itself requires three weeks' notice.

11 Recorded Music Licence

It is the responsibility of any independent user group which uses recorded music in its activities to check if it requires a licence from Phonographic Performances Ltd (PPL) and, if so, to obtain one.

12 Storage

The permission of the General Committee must be obtained before goods or equipment are left or stored at the Community Centre, except that the Secretary is authorised to grant permission for the overnight storage of goods and equipment brought to the Centre for a particular function or event.

13 Loss of Property

The Association cannot accept responsibility for damage to, or the loss or theft of, Centre users' property and effects.

14 Car Parking

Cars shall not be parked so as to cause an obstruction at the entrance to, or exits from, the Centre. Where parking accommodation is provided and available, this must be used, and in any case users of the Centre should avoid undue noise on arrival and departure.

15 Nuisance

- a) Litter shall not be left in or about the Centre premises.
- b) Except in the case of trained guide-dogs for the blind, dogs shall only be permitted on the Centre premises in connection with organised activities such as dog training or dog shows.
- c) Hirers and organisers of events in the Community Centre are responsible for ensuring that the noise level of their functions is not such as to interfere with other activities within the building nor to cause inconvenience for the occupiers of nearby houses and property.

16 Cleaning and Security

All use of Centre premises and facilities is subject to the users or hirers accepting responsibility for returning furniture and equipment to their original position, and for securing doors and windows of the premises as directed by the Association Secretary. All users shall also leave the premises and surrounds in a

clean and tidy condition, as may be directed by the Association Secretary.

Notes

- 1 The main committee of the CA. If yours is called by a different name, such as "Council" or "Management Committee", amend the rules accordingly.
- 2 Delete one alternative and complete sentence to suit your own requirements.
- 3 If appropriate, replace with "Warden" or "Lettings Secretary" here and in later references to the CA Secretary.
- 4 If later closing is allowed on Saturdays, it will be necessary to add to this rule.
- 5 If there are other large rooms in your Centre subject to Fire Regulation maximum attendance figures, it will be necessary to add to the rules to define these clearly for each room.
- 6 This rule is not strictly necessary where an automatic mains failure switching device is in operation.
- 7 It may be there are restrictive covenants on your building, preventing the sale and consumption of alcohol on the premises. If so, rule 7 will have to be replaced with ones prohibiting drinking in the Centre.
- 8 If restrictive covenants prevent gaming on the Centre premises, this rule should be replaced with one which simply prohibits such activities.
- 9 This rule is unnecessary if your Centre has a current licence under the Theatres Act, 1968.

HIRING OUT YOUR BUILDING

Hiring out your building (or parts of it) is a useful way of raising funds and providing a service for the community. It is, however, important to remember that every time you hire out your premises you are entering into a business contract. Terms of hire must be clearly set out - usually in a standard hiring agreement with conditions of hire attached (Community Matters produces a model hiring agreement and conditions of hire). Ensure the hirer reads the terms of the agreement before signing and that both parties sign, and retain a copy.

A number of points need to be considered when hiring out premises: complying with the law; security; safety; and retaining control. It is also important to check whether there are any restrictions in your lease or licence, for example relating to playing music or serving alcohol. Legislation to consider includes licensing laws (if alcohol is to be sold); planning laws (for example there may be a time limit on use of the building); and noise limits (under the Environmental Protection Act, 1990).

MODEL HIRING AGREEMENT AND STANDARD CONDITIONS OF HIRE FOR A COMMUNITY BUILDING

Hiring Agreement for _____ Community Building

THIS AGREEMENT is made on _____ day, _____ 20 ____, between the _____ Community Association, hereinafter called *the Association*, and the Hirer named below whereby in consideration of the sum(s) mentioned in paragraph 4 below:

A THE ASSOCIATION agrees to permit the Hirer to use that part of the premises designated in paragraph 3 for the purposes, period(s) and at the fee described below, namely:

1 Purpose of Hiring _____

2 Period of Hiring

Date(s) _____ Hours from _____ to _____

3 Description of room(s) _____

and facilities to be hired _____

4 Hiring Fee £ _____

Less deposit received £ _____

Balance £ _____ payable on or before _____

5 The Association's authorised official: _____

Address _____

_____ Telephone No _____

B THE HIRER agrees to observe and perform the provisions and stipulations contained or referred to in the Association's Standard Conditions of Hire for the time being in force and as annexed hereto, and in the Rules governing the use of the Community Centre.

6 Hirer

Organisation (if applicable) _____

Name of individual hirer or organisation's authorised representative:

Address _____

_____ Telephone No _____

THE COMMUNITY ASSOCIATION

Standard Conditions of Hire of the Community Centre

- 1 THE HIRER shall pay as deposit at least one third of the cost of his or her booking. Such deposit shall normally only be refundable to the Hirer in the event of the Association cancelling the booking in pursuance of Rule 3 c.
- 2 THE HIRER shall pay the balance of fees due before the conclusion of the booking, as may be directed by the Association Secretary. If the Hirer wishes to cancel the booking and the Association is unable to conclude a replacement booking, the question of the repayment of the fees (less the deposit) shall be in the discretion of the Community Association. In the event of the Association cancelling the booking in accordance with rule 3 c, all fees (including the deposit) paid by the Hirer shall be refunded to him/her.
- 3 THE HIRER shall ensure that the General Rules governing the use of the Community Centre, as supplied to him/her, are complied with.
- 4 THE HIRER shall, on making the booking, inform the Association Secretary of his/her requirements as to the provision of refreshments or of canteen facilities, and shall be responsible for any extra charges thereby incurred.
- 5 THE HIRER shall, during the period of hiring, be responsible for supervision of the premises, protection of the fabric and contents, safety from damage however slight, or change of any sort, and the behaviour of all persons using the premises whatever their capacity, including proper supervision of car-parking arrangements so as to avoid obstruction of the highway.
- 6 THE HIRER shall be responsible for obtaining any licences necessary in connection with the booking, other than those already held by the Association.
- 7 THE HIRER shall be responsible for making arrangements to insure against any third party claims which may lie against his/her organisation whilst using the community centre. (The Association is insured against any claims arising out of its own negligence.)
- 8 THE HIRER shall be responsible for the observance of all regulations appertaining to the premises stipulated by the Licensing Justices, the Fire Authority in accordance with Rule 4, the Local Authority or otherwise.
- 9 THE HIRER shall not sub-let or use the premises for any unlawful purpose or in any unlawful way nor do anything or bring on to the premises anything which may endanger the premises, their users, or any insurance policies relating thereto.
- 10 THE HIRER shall indemnify the Association for the cost of repair of any damage done to any part of the property including the curtilage thereof or the contents of the building during or as a result of a booking.
- 11 THE HIRER shall, if selling goods on the centre premises, comply with Fair Trading Laws and any local code of practice issued in connection with such sales. In particular, the Hirer shall ensure that the total prices of all goods and services are prominently displayed, as shall be the organiser's name and address, and that any discounts offered are based only on Manufacturers' Recommended Retail Prices.

AS WITNESS the hands of the parties hereto:

Signed by the person named in paragraph 5 of the hiring agreement, on behalf of the Association

Signed by the person named in paragraph 6 of the hiring agreement, on behalf of the hiring organisation:

EQUAL OPPORTUNITIES

Equal opportunities for staff has been covered in chapter 3, but equal opportunities does not stop there. Everyone connected with the community building, whether staff, committee members, volunteers, users or visitors, has a right to be treated equally and fairly.

At heart the majority of the British people are generous to their fellows and do not intend to discriminate or exclude anyone. In practice, however, years of doing things in a particular way has blinded us and in fact we all have prejudices against various sections of the community. It is these prejudices, of which we are often unaware, that lead to the considerable inequalities in terms of attitude and treatment of different groups in society.

All sorts of people are discriminated against: people from ethnic minorities; women; older people; homosexuals; disabled people; HIV+ive people; young people and many more.

A written policy and monitoring procedure are essential to change these inequalities.

An equal opportunities policy cannot instantly change how people think and feel deep down, but it can change how they are required to relate with each other and it can change how people are treated. Ultimately the process of evolving and implementing an equal opportunities policy, with the high level of discussion and training that is essential, will also have a significant effect on beliefs and attitudes.

DEVELOPING THE POLICY

It is important to stress again the need to see the job of developing an equal opportunities programme as a process that involves everyone concerned with the community building. Only in opening up issues of prejudice and discrimination to widespread discussion will people become aware of how others think and how difficult it can be to be a victim of discrimination. The discussion will not always be easy as it will also involve people becoming aware of their own prejudices.

Learn from what others have done before you but make sure that your policy is uniquely yours and

applies to the particular circumstances of your organisation and your community.

Have lots of open discussions about all aspects of equal opportunities. A useful and common practice is to have a sub-committee, meeting for the duration of the process, to co-ordinate it all and to put the outcome of the discussions into the appropriate wording for your policy document.

EQUAL OPPORTUNITIES POLICY DOCUMENTS

The equal opportunities policy documents will eventually comprise your statement of intent, a section on the objectives of the policy, and a code of practice containing detailed measures that will ensure the implementation of the policy. It will also contain a code of conduct and a mechanism for monitoring and reviewing the policy and its implementation.

STATEMENT OF INTENT

The first actual policy document you should produce is a statement of intent. This is a simple summary statement saying that you aim to be an equal opportunities organisation and that it is your policy not to discriminate against anybody, (whether staff, volunteers, committee members, users and the community in general) on the grounds, for instance, of race, gender, sexual orientation, age, disability, religious or political beliefs, or marital status. The statement of intent should also state that a more detailed policy on equal opportunities is being prepared and codes of practice and conduct are being developed which will contain measures to implement the policy.

Your statement of intent should be prominently displayed in the building and sent out with appropriate correspondence. All users of the building should be made aware of it. Committee members and staff, whether paid or voluntary, should have copies.

EQUAL OPPORTUNITIES POLICY OBJECTIVES

Once again the objectives of your policy will be uniquely yours, reflecting the community which you serve and the people involved with and the circumstances of your particular organisation. Thus the following list is only to be seen as a prompt:

- to ensure that no user, potential user, committee member, volunteer or member of staff is treated less favourably than others
- to ensure that everyone concerned with the community building understands the issues surrounding discrimination
- to increase the numbers of users from traditionally disadvantaged groups
- to ensure that the committee and all decision making structures contain people from all sections of the community
- to ensure that all staff are recruited, and if appropriate, promoted on merit regardless of background and other traditionally discriminatory factors
- to ensure that all is done to make the premises accessible and welcoming to all sections of the community
- to ensure that services are provided that reflect the needs of all sections of the community
- to consider special projects to combat discrimination in the community outside the building
- develop a code of practice containing detailed measures to ensure implementation of the policy; these measures should cover:
 - your activities and services
 - the way your organisation is managed, who is involved and how people become involved
 - how you recruit and support volunteers
 - the way in which you appoint staff and their conditions of employment
- publish the equal opportunities policy to all people concerned with the building
- make compliance with the policy a condition of hiring rooms
- make acceptance of the policy a condition of service of all staff. Make it a duty of all staff, written into their contract of employment, that they explain the policy to users and, where necessary, insist on it within the premises and the organisation's activities
- organise a series of training events in aspects of equal opportunities practice for committee members, staff and volunteers: try, at least, to cover equal opportunities awareness, and equal opportunities recruitment if you employ staff and/or volunteers
- make sure that all publicity material and notices can be read by everyone in the community by having versions in the main languages of your particular community; if necessary interpreters and signers should be available at community meetings
- undertake a review of the premises and produce a schedule of alterations and adaptations required to enable people with disabilities to join in the activities; this will include ramps and handrails, lavatories suitable for people with disabilities, Braille door signs, induction loops for hearing impaired people, a place to park push-chairs, a space and facilities for a creche and guide rails for blind and visually impaired people
- regularly check the make up of the committee(s) and take steps, wherever it is possible, to change the membership to ensure a balance of all the different groups within the community; do not forget the officers!

IMPLEMENTING THE POLICY

It is possible to have a perfect written policy, pat yourselves on the back for all the hard work in developing it but then put it in the file and forget it. Implementing the policy is when it starts hurting as you will have to face difficult issues, for example: disciplining someone for making racist jokes and offending someone; spending money on adapting the building so that people with disabilities can get in; ending the male domination of the decision making process.

To make your community building truly open to all there are many practical things that need to be done:

- develop a procedure, or code of conduct, for dealing with instances of discrimination and abuse

- make sure that your canteen caters for the various different cultures in the community
- ensure that publicity material and posters do not portray people in traditional one-culture stereotypes: ie be sure to have pictures of women doing 'men's' jobs and vice versa; make sure that there are images of peoples of all different ethnic backgrounds and ages
- establish an equal opportunities monitoring Committee to check that everything that was agreed to be done is being done and to change and develop the policy as experience determines

EQUAL OPPORTUNITIES CODE OF CONDUCT

Community Matters has a Code of Conduct for equal opportunities that makes quite clear how it expects relationships within the organisation to be governed and sets out a procedure for those contravening it. Community Matters, in the implementation section of its own equal opportunities policy undertakes to urge all member organisations to adopt the Code of Conduct.

POSITIVE ACTION

In the recent history of the development of equal opportunities practice two phrases have emerged to describe action to compensate for past and present discrimination. The first is 'positive discrimination' and the second is 'positive action'.

Positive discrimination is illegal although often well intentioned. It means reversing discrimination. Thus jobs would be given to, for example, black people rather than white regardless of ability to do the job. The thinking is that if it was once alright to do this for white people then only by reversing the discrimination will the balance be redressed and a fairer society emerge.

Positive action is quite different. It means providing services that recognise and develop potential in people which has not been used because of discrimination. The services might be opportunities and training for people from disadvantaged groups to help fit them for particular work or voluntary responsibilities so that they can compete equally with other candidates.

MODEL CODE OF CONDUCT

- People will be treated with dignity and respect regardless of race, nationality, gender, sexual orientation, disability and age.
- At all times people's feelings will be valued and respected. Language or humour that people find offensive will not be used, eg sexist or racist jokes or terminology that is derogatory to someone with a disability.
- No one will be harassed, abused or intimidated on the grounds of their race, sex, age, nationality or sexual orientation. Incidents of harassment will be treated seriously. If the matter cannot be resolved by way of an acceptable apology and an undertaking that the offence will not be repeated, the following action will be taken:
 - in a case involving staff, disciplinary action will be taken according to the procedure outlined in their conditions of service;
 - in a case involving a member of the community organisation, he or she shall be suspended from membership until such time as he or she can appear before the Committee in accordance with the constitution or established procedures.*

** The Community Matters' model constitution for a community association (see chapter 2), provides for suspension of members who offend against the organisation's objects and policy, as should any good constitution for an organisation running a community building.*

Positive action is about taking steps to ensure that people from disadvantaged groups have access to all the facilities and services of the society they live in.

Go back to your list of equal opportunities objectives and the list of practical actions to be taken. Achieving these steps towards equal opportunities is positive action.

STANDARDS OF BEHAVIOUR AND DISCIPLINARY PROCEDURES

Behaviour can be offensive in many ways, regardless of equal opportunities and it is important to have written statements of the kind of behaviour that is expected and of what action will be taken if these

CODE OF BEHAVIOUR AND DISCIPLINARY PROCEDURE

The _____ Community Organisation expects a high level of good conduct from its members and other users. Everyone deserves respect and to be able to enjoy the peace, friendship and facilities of the Centre without disturbance. Members and users are therefore required to refrain from offensive behaviour, offensive language, and loud and unruly behaviour. Members and other users will respect the premises, avoid damage to property and unnecessary mess.

In the event of a complaint being made against a member or other user for contravention of the above standards of behaviour the following steps shall be taken to resolve the dispute:

- the alleged offender shall be suspended from the centre pending a hearing by the committee or a sub-committee appointed for such a purpose
- the secretary shall call a meeting of the committee or sub-committee within seven days of receiving a complaint
- written notice of the alleged offence and the time and date of the hearing by the committee shall be given to the alleged offender
- the alleged offender shall be allowed to have a friend present at the hearing
- the alleged offender shall be allowed to call witnesses to the hearing
- no member of the committee or sub-committee hearing the case shall be a party to or witness of the alleged incident
- the alleged offender shall have the right to an appeal to an independent arbitrator, acceptable to both sides of the dispute
- the decision of the independent arbitrator shall be final.

standards are not adhered to. Offence can be given through language, noise or physical violence both to property and people. If someone is alleged to have behaved in an unacceptable way there needs to be a clear and fair way which determines the facts of the case and the action that will be taken. The organisation and the alleged offender both have rights to be heard openly, fairly, and quickly. The procedure for this is sometimes called a disciplinary and grievance procedure and is similar to the ones used for dealing with paid staff (see pages 46 and 47).

You will need to draw up your own code of behaviour and disciplinary procedure. It could be something like the one opposite, suitably adapted to your own circumstances.

RULES AND RELATIONSHIPS CHECKLIST

Has your organisation carried out the following tasks:

- agreed a proper set of rules for the building
- produced a hiring agreement for lettings
- produced a set of conditions of hire for lettings
- developed an equal opportunities policy with:
 - a statement of intent
 - policy objectives
 - a code of practice
 - a code of conduct
- set up a monitoring and review sub-committee to check that the equal opportunities policy is in fact being implemented
- established a programme of positive action for sections of the community which are regularly faced with discrimination
- arranged discussions and training on equal opportunities awareness
- produced a code of behaviour and disciplinary procedure

USEFUL ADDRESSES

Commission for Racial Equality

Elliot House
10-12 Allington Street
London SW1E 5EH
☎ 020 7828 7022
e-mail info@cre.gov.uk
web site www.cre.gov.uk

Community Matters

8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail communitymatters@communitymatters.org.uk
web site www.communitymatters.org.uk

Community Trading Services Ltd (CTS)

8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail cts@communitymatters.org.uk
web site www.communitymatters.org.uk

Equal Opportunities Commission

Overseas House
Quay Street
Manchester M3 3HN
☎ 0161 833 9244
e-mail info@eoc.org.uk
web site www.eoc.org.uk

RADAR

12 City Forum
250 City Road
London EC1V 8AF
☎ 020 7250 3222
e-mail radar@radar.org.uk
web site www.radar.org.uk

Royal National Institute for the Blind (RNIB)

224 Great Portland Street
London W1N 6AA
☎ 020 7388 1266
☎ 0345 669999 (helpline)
e-mail rnib@rnib.org.uk
web site www.rnib.org.uk

Royal National Institute for Deaf People (RNID)

19-23 Featherstone Street
London EC1Y 8SL
☎ 020 7296 8119
☎ 0870 6050 123 (helpline – voice)
☎ 0870 6033 007 (helpline – text)
e-mail helpline@rnid.org.uk
web site www.rnid.org.uk

FURTHER READING

Emphasize the Positive
published by Community Matters

Equal Opportunities in Voluntary Organisations
published by the National Council for Voluntary Organisations

Equal Opportunities – Information Sheet 19
published by Community Matters

Just About Managing?
published by London Voluntary Service Council

Terminology for Race and Equal Opportunities Work – Information Sheet 25
published by Community Matters

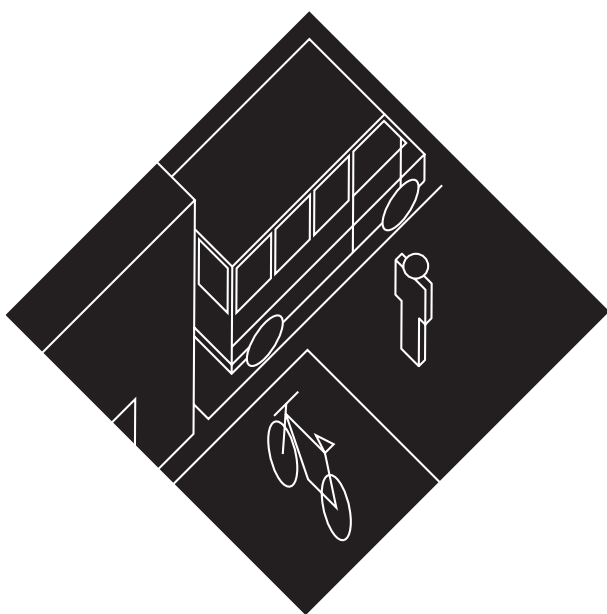
Voluntary But Not Amateur
published by London Voluntary Service Council

Also see the reading list for chapter 3 - Staffing

Publishers' addresses can be found on page 180.



Reaching out



INTRODUCTION

One of Community Matters' objectives is *"to encourage community organisations to be more outward looking, to become more aware of social needs in their community, to initiate activities to meet those needs through a community development approach"*.

An assumption of this book is that the managers of most community buildings believe that they are open to all in their neighbourhood: they have a philosophy of a welcome for everyone. Indeed the vast majority of community buildings have as one of their formal aims the intention of providing services that are open to all the community. Even those that are more specialised will want to recruit new members.

Does the reality match up to the theory? Actions speak louder than words and sometimes those actions say, often unintentionally but nevertheless very clearly, that in fact newcomers are not particularly welcome. The actions tend to speak especially loud to sections of the community who are different, in one way or another, from the majority of well-established building users. Current activities within the building tend to serve the needs of existing members and are sufficient and quite satisfactory – thank you!

You can also unintentionally give a message of exclusion to people by a lack of provision of basic facilities, for example no handrails for people with disabilities or no induction loops to help hearing impaired people feel more part of things.

Whether this is the case with your building or whether, quite simply, you wish to improve the quality, range and relevance of your services but are not quite sure how best to go about it, this chapter gives information and tips on how to reach out into the community around your building in ways that will help you to respond to real and current local needs.

As with everything else in a community building, reaching out is the responsibility of the committee. It is a fact of life with most community building committees that the membership changes fairly regularly. New committee members will not normally be as experienced as existing or retiring ones

in all the different aspects of managing the building. Thus one committee may be very keen on reaching out but its successor following the AGM may not. It is therefore vital that the subject be on the committee agenda as a regular item and that any training events be repeated for new members.

REACHING OUT STARTS WITHIN

There is a host of ways that an organisation can reach out into its local community in order to find out what people want and to attract more people to its building and services, but without a basic open attitude on the part of everyone already involved in the centre, these methods will achieve very little. Just as charity begins at home so does reaching out.

What this means in practice is that everyone concerned with shaping the programme and running the building should be committed to an open, welcoming approach and exercise friendliness and courtesy in all their dealings with users of the building whether in person or on the telephone. Aim for high standards in presentation, administration and human communication. Doing this puts you well on the way to developing an image that is attractive to people.

ENHANCING YOUR IMAGE

This open and attractive image can and should be developed still further in physical and organisational ways as follows:

- ensure that the building is well signposted and advertised so people know that it exists and how to find it
- the reception area should be inviting and interesting
- notice boards, leaflets, letters and advertisements should be tidy, well presented and up-to-date
- publications must indicate that the centre caters for people of different ages, gender and race; have some publications available in languages other than English, that are used in your area
- the notice board should advertise events outside the building
- develop a basic approach to people that listens to what they have to say and makes it clear that

their contribution is valued

- have a poster within the building displaying the aims and objectives of the organisation and how it is managed
- have copies of your equal opportunities statement and code of conduct clearly displayed (see chapter 10)
- make sure the building is warm and welcoming and clean and tidy
- make sure the building is accessible to all including those with disabilities: this means considering handrails, ramps, doors that accommodate wheelchairs, induction loops and direction and location signs with large characters which contrast with the background
- have things clearly marked and signed, especially entrances, exits and facilities for people with disabilities
- have a rota of people to welcome visitors and new members
- keep members informed of what is going on and encourage them to talk to their friends and get them involved
- encourage young people with special events and activities
- have crèche facilities so that people with children can easily participate

- always aim for a high standard in all your activities

- always aim for as comprehensive a range of activities as possible – something to suit everyone

If you have adopted a basic approach of openness and friendliness to everyone as exemplified in all the practical ways listed above you will be much more than half way towards being able to reach out into the community in more formal and organised ways.

Arriving at the basic approach will, however, take considerable discussion. It is very easy to write about it but much more difficult to achieve it in practice. Perhaps you can have a special meeting or series of meetings of the committee devoted specifically to creating an open and welcoming image. Be prepared for difficulties and obstacles, even obstinacy: some people simply do not immediately want to be generous to others and include them. Change can be very uncomfortable and as you will see below, taking a thorough look at reaching out can have very far reaching implications for change within your organisation and your community building. Once you have established the basic approach consider having reaching out as a regular item on the agenda of your committee meetings.

A REACHING OUT ACTION PLAN

Things do not just happen, even if you have had sufficient discussion to get agreement on a basic image and approach. Putting the approach into practice requires careful planning and management. Again it might be very worthwhile to set up another sub-committee or working party with the task of developing a reaching out action plan.

KEY ELEMENTS OF THE PLAN

Clearly each reaching out action plan will be particular to each community building and its local area. Local communities differ considerably and so, therefore, will the plans to reach out into them. Whatever the differences of detail between various plans may be, they will all need to ensure that

certain key elements are covered. They will all also benefit from seeing the creation of the plan as an on-going process that involves as many people as possible as it evolves, and not just remaining the province of the sub-committee until it is complete. This ensures that changes in the organisation that will inevitably result from the implementation of the plan are effected as simply as possible since people will be carried along as the process unfolds.

The key elements that any reaching out action plan will need to include are as follows:

- a clear statement of objectives of reaching out; these will include some or all of the following and maybe a few more of your own:
 - increased membership/attendance

- development of new, more relevant activities
- involvement in community issues and activities and not just activities within the building
- response to changes in composition and economy of your community
- a programme for consulting with and involving the committee, members and other users in the planning process
- a programme for discovering the needs of the community using one or more of the following methods:
 - door to door canvassing
 - surveys using a questionnaire
 - public meetings
 - newsletters and community newspapers
 - correspondence columns in local newspapers
 - talks with existing groups
- measures for informing key people of progress as the action plan unfolds: the community; councillors; local authority officers; community organisation members
- the development of appropriate publicity policies and practices
- a programme for tackling access matters including physical adaptations of the building for people with disabilities and publicity in locally used languages other than English
- a programme of education and training required for adequate implementation of the action plan covering:
 - helping people to adapt to new roles
 - bringing about necessary attitude changes
 - fostering teamwork and better communication
- a schedule of tasks and duties: who will carry out what aspects of the plan, with what help and by when
- a list of the resources required to implement the plan:
 - people
 - equipment
 - finance
 - expertise
- a timetable for agreeing the plan and putting it into action

A WORD OF CAUTION

Some people are very good at planning, so good in fact that they can get entirely wrapped up in producing a wonderful plan on paper that any community organisation would be proud of but that is totally impossible when it comes to putting it into action because the organisation does not have the resources. Do not over-plan. Do just enough to suit the size and nature of your particular community building. The effect of too much planning can to avoid change rather than create it!

MORE DETAIL ON SOME ASPECTS OF THE ACTION PLAN

DOOR TO DOOR CANVASSING

Reaching out **means** reaching out: there is no substitute for physically getting out there and meeting people. It shows that you are prepared to put your beliefs into action and give time to the people you say you are there to serve. So whether it is in the shopping centre, the launderette or on people's front doorsteps, go out and meet them, listen to them, show an interest in what they would like to see in the community and tell them about what is already going on in your community building.

Most of us are wary of people selling things on our doorstep, however, whether it be politics, reli-

gion, double-glazing or floor polish. There are also far too many horror stories of thefts arising from people gaining entry to homes in the disguise of some kind of service person. So it is important, from the outset, to do anything you can to allay people's fears and unease. Carry some official identification from your organisation and do not attempt to get inside the house. Even if asked it is better to be reluctant.

People will, in the main, be pleased that you have bothered to visit them but they might not show it. Uncomfortable feelings arise if there is nothing to focus attention on other than

conversation. So have a leaflet ready, or news about some specific activity that you would like to share. Even if a formal survey (see following) is not the main purpose of your visit a simple questionnaire can provide that focus of attention that breaks the ice.

SURVEYS USING A QUESTIONNAIRE

Surveys and questionnaires are useful in many ways. They are an apparently neutral device for beginning a conversation with someone. They can be a good means of discovering facts and opinions about your locality. How many older people are there? Is there an unmet need for all the young people in the area? What numbers of people with disabilities live in our community? How many of them attend activities in the Community Centre? How many more would if transport or escorts were arranged? What would be the level of support for the new women's group we are thinking of starting?

Survey results can also be very valuable for planning a new programme of activities for your centre, for helping to convince funders that their money would be very well spent, or for discovering new sources of active help for the community building.

People in community organisations often have one of two rather extreme views about questionnaires and surveys based on them. The first is that they are totally reliable tools for fact and opinion finding and can be used for anything by just about anyone. People in this group also tend to think that just because the survey asserts something the desired action that should flow from it will be automatic. The second is that surveys are far too complicated and difficult for the likes of us and to be of any value at all they have to be 100% perfect: therefore we will not bother.

The truth is contained in neither of these views. If common sense is applied and a few basic rules adhered to surveys with questionnaires can be a very valuable means of achieving various different objectives within a community setting. It is simply important to remember that results are not a cast iron support to a particular viewpoint and that even if there is support for an idea you will still need to put in a lot of hard work to make it happen.

BASIC RULES IN UNDERTAKING A COMMUNITY SURVEY

- be clear what it is you want to discover
- be clear in advance to whom the results of the survey will be submitted
- ask open ended questions and not those that lead the respondent to a predetermined answer
- always have a question asking if the respondent is willing to become involved as a helper in the activities in which she or he has expressed an interest
- deliver a leaflet in advance of the interviews, briefly telling people about the survey, its purpose and timing
- make sure you get a good coverage of the area – either every household or a good representative sample, say every fifth household
- wherever possible see the respondent yourself: there will be a significantly higher response and, equally if not more important, respondents will have seen a member of your community organisation and see the building as one with a human face
- make sure you get a good coverage of groupings within the community, by age, gender and ethnic background
- plan your approach in terms of person-hours, giving each interviewer a manageable number of interviews allowing 30 minutes for each one (some will take much less time)
- have a trial run or pilot for the questionnaire and make adjustments to simplify and clarify the questions accordingly
- brief interviewers carefully, covering the need to be neutral, friendly and thorough
- write a report on the survey outlining the method, summarising the findings, and drawing conclusions and recommendations for action
- send it to local organisations and/or present it to a public meeting

Much more could be said about surveys and questionnaires. The aim of this section is to convince you that it is very valuable to undertake them and that you do not have to qualify as a professor of sociology to be able to do it.

More help can be found in two information sheets published by Community Matters: *Neighbourhood Surveys* and *Leisure Interest Surveys*, and their publication simply called *Reaching Out* is very valuable too.

PUBLIC MEETINGS

Holding a meeting to which the local community is invited can be valuable in a number of ways. It can be the galvanising point for a local campaign. It can help to gauge the interest in a proposed new activity. It can contribute to letting the authorities know the strength of feeling in the community. Also it will let the community know what the inside of your building is like and show you to be an organisation that is open to their views.

There are a few practical points to remember when planning the meeting:

- prepare a clear and simple agenda
- have clear publicity leaflets and posters in all the appropriate languages
- get the seating right: rows for formal meetings, circles or semi circles for a more informal approach
- make sure you have a good chairperson who can control the meeting, keeping it to its agenda but enabling everyone to have their say; this is more difficult than you may think and it may be worth asking someone with particular experience to do it for you
- provide signers for people who are hearing impaired, and interpreters if necessary
- make sure that the room is not distracting from the main purpose of the meeting
- make sure that other activities in the building do not distract from the main purpose of the meeting
- provide a covered table and water for the chairperson and other speakers
- provide a visual display of any material relevant to the purpose of the meeting
- have a list at the entrance for people to give their name and address
- find a way of reporting back the main conclusions of the meeting and any action proposed; this could be in the form of a follow up leaflet to all those who attended or were invited to the meeting

NEWSLETTERS AND COMMUNITY NEWSPAPERS

Whole books have been devoted to this subject and some are listed at the end of the chapter. Particularly helpful are *Making News* published by Community Matters and *Charity Newsletters* published by the Directory of Social Change.

In summary, newsletters and community newspapers can be very useful tools in keeping people informed about what is going on both within the community centre and in the community around it. They can also become a tremendous burden and cost and even counter-productive if they are badly produced. There are important points to bear in mind:

- be clear about the specific aims of the newsletter: information? debate? community cohesion?
- who is it meant for?
- who will write, edit, produce and distribute it?
- how much will it cost? where will the money come from?

Once these questions have been satisfactorily answered you can set about producing the newsletter or community newspaper. The main thing to take account of is to produce something that will achieve your aim, not that matches up to some external idea of what a good community newspaper should be like.

As with all publicity, keep the copy simple and concise and have clean, easy to read printing. Make sure there is lots of white space as well as the text on the page. This will make it much more attractive and readable. Consider whether you should produce versions in any locally used languages other than English.

If you sincerely want to be outward-looking the newsletter must provide news and views (and not just yours!) about the community as a whole and not just your building.

TALKS WITH EXISTING GROUPS

There will probably be quite a lot of agencies and groups in your area that will be able to give you invaluable information about the community. This will fill out the profile you gain from your surveys and also help you to make useful contacts for mutual support. Reach out to them too. The following

checklist may be of help:

- social services department
- housing department
- schools and colleges
- libraries
- youth service
- local councillors
- health centre
- doctor's surgeries
- health visitors
- training and enterprise councils
- churches
- synagogues
- mosques
- other religious organisations
- advice centres
- voluntary service council
- law centres
- ethnic minority groups
- police consultative groups
- disability groups
- youth clubs
- pensioners groups
- tenants associations
- residents associations

DEVELOPING APPROPRIATE PUBLICITY POLICIES AND PRACTICES

Despite the fact that it seems to have acquired a bad name in many circles public relations is a very important management task for a community building. All it really means is making sure that you use all reasonable means to get across to the public (or publics) the message that you want to get across. In the case of most community buildings this message will no doubt be some variant of the following:

We are a friendly place with a policy of providing, insofar as money will permit, services for all sections of the community. We are run by the community. So this is your building. We want to hear from you what you think of the place and how it could be improved. We try to be efficient without being officious. We try to support other activities and causes in the community, not just those that go on in the building.

That's the message. In order to get it across you need

to go back to the section on page 172 'Enhancing your Image' and check that you really have done all you can to implement the suggestions there. There is, however, much more you can do to promote your building and its activities.

PUBLICITY OFFICER AND PUBLIC RELATIONS

Good public relations are so important, both from the point of view of improving your service and the take up rate and in order to help you with raising funds, that it is well worth considering designating one of your committee or staff as *publicity officer*. This person will co-ordinate all the public relations aspects of the building's programme and be able to advise and exhort everyone else to be conscious of publicity and image.

The following checklist of public relations tasks will be overseen by the publicity officer. If you do not have such a person find another way of implementing them in your community building:

- build up good relationships with individuals in the local press, radio and TV before you want anything publicised so that they are on your side when you do
- write careful and concise press releases
- have someone designated to be the spokesperson for the press
- create a mailing list divided into different sections for the different groups of people and organisations you will need to contact at different times depending on the occasion
- create a distribution network for your leaflets, posters and newsletters using voluntary help wherever possible
- create a house style for all your printed documents: that is a distinctive way of presenting all your publicity material so that they are immediately recognisable as coming from your community building
- try to get local journalists on a voluntary basis to write material for you from time to time that you can use in publicity documents
- make sure all your publicity is clear and explicit
- make sure your publicity material goes to where the 'public' will see it

- try and get publicity by association by having TV, sporting or other personalities involved in some of your events and activities, or giving you a photograph with a message to publish in your publicity material
- invite local dignitaries to events, including, for instance, the Mayor, the MP and your local councillors
- organise open days
- make sure that all your publicity can be read by everyone in the community: in other words print it in minority languages as well as English and produce it on audio tape
- consider organising specific campaigns (but remember that charity law puts some limits on what you can do)

TRAINING FOR REACHING OUT

It bears repeating that if you take a thorough going approach towards being outward looking then you will undoubtedly ruffle some feathers. Some of them will be yours and your helpers'. Reaching out is not easy – we all have something to learn. The best way to deal with this is to organise some kind of training event.

A good start would be simply to have a series of group discussions, preferably with a facilitator from outside the organisation, focusing on the changes proposed. Everybody should be given an opportunity to air her/his views and to explore what training would be helpful. Training that is undertaken willingly is ten times more effective than training that is virtually imposed.

A sensible training programme would provide a mix of sessions on human relations, talks and workshops on technical skills such as poster making, or newsletter production, and equal opportunities awareness sessions.

Such a training programme need not cost very much as there are many people around in local community organisations and local authorities who offer advice and assistance on many aspects of this kind of training at low or no cost. Start your search for such help with the council for voluntary service, rural community council or local federation of community organisations.

There are also more and more private consultants in the training field. Most of these charge more because they are not grant-aided, but it may be worth 'buying in' at least some initial training to set you on the right track. NCVO has a list of accredited trainers and consultants and, again the local council for voluntary service or rural community council will also be aware of such professionals in your area.

REACHING OUT CHECKLIST

In addition to checking all the checklists already given in this chapter has your organisation considered the following Reaching Out tasks:

- become conscious of the need to be outward-going
- developed a basic welcoming approach in everyone involved in all your activities
- taken positive steps to enhance your image
- set up a reaching out sub-committee
- produced a reaching out action plan including some or all of the following:
 - door to door canvassing
 - surveys using a questionnaire
 - public meetings
 - newsletters
 - talking to other groups
- developed a detailed publicity policy
- appointed a publicity officer
- considered a special training programme for reaching out
- established evaluation and review mechanisms for your reaching out action programme
- put reaching out as a regular item on the agenda of the management committee

USEFUL ADDRESSES

ACRE

(Action with Communities in Rural England)

Somerford Court

Somerford Road

Gloucestershire

GL7 1TW

☎ 01285 653477

e-mail acre@acre.org.uk

web site www.acreciro.demon.co.uk

Centre for Accessible Environments

Nutmeg House

60 Gainsford Street

London SE1 2NY

☎ 020 7357 8182

e-mail cae@globalnet.co.uk

web site www.cae.org.uk

Community Matters

8/9 Upper Street

London N1 0PQ

☎ 020 7226 0189

e-mail communitymatters@communitymatters.org.uk

web site

www.communitymatters.org.uk

FURTHER READING

Access Data Sheets

published by RADAR

The Campaigning Handbook

published by the Directory of Social Change

Community Profiling – Auditing Social Needs

published by the Open University Press, available from Marston Book Services

DIY Guide to Charity

Newsletters

published by the Directory of Social Change

DIY Guide to Marketing

published by the Directory of Social Change

The DIY Guide to PR

published by the Directory of Social Change

Getting Your Message Across

published by Community Matters

Leisure Interest Surveys –

Information Sheet 49

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Making News: Producing a Community Newspaper

published by Community Matters

Neighbourhood Surveys –

Information Sheet 48

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Publishers' addresses can be found on page 180.

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(Action with Communities in Rural England)
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Community Accountancy Project

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☎ 020 7249 7109
e-mail caphackney@aol.com

Community Matters

8/9 Upper Street
London N1 0PQ
☎ 020 7226 0189
e-mail communitymatters@communitymatters.org.uk
web site communitymatters.org.uk

Community Transport Association

Highbank
Halton Street
Hyde
Cheshire SK14 2NY
☎ 0161 351 1475
e-mail cta.man@dial.pipex.com
web site www.communitytransport.com

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web site www.dfee.gov.uk

Department of Health

PO Box 777
London SE1 6XH
fax 01623 724 524
web site doh.gov.uk/pointh.htm

Department of Social Security

Richmond House
79 Whitehall
London SW1A 2NS
☎ 020 7210 3000
e-mail peo@ms41.dss.gsi.gov.uk
web site www.dss.gov.uk

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☎ 0161 833 9244
e-mail info@eoc.org.uk
web site www.eoc.org.uk

FICO (Inland Revenue Financial Intermediaries and Claims Office)

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Merton Road
Bootle
Merseyside L69 9BB
☎ 0151 472 6036
web site www.inlandrevenue.gov.uk

Friends of the Earth

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web site www.foe.org.uk

The Gaming Board for Great Britain

Berkshire House
High Holborn
London WC1V 7AA
☎ 020 7306 6269

Hamilton House Mailings

Earlstrees Court
Earlstrees Road
Corby NN17 4AX
☎ 01536 399016

The Health and Safety Executive

Public Enquiry Point
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Sheffield S3 7HQ
☎ 0870 1545500
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London E1 7SA
☎ 020 7377 1226
e-mail info@lasa.org.uk
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communication@nacro.org.uk

**The National Centre for
Volunteering**

Regent's Wharf
8 All Saints Street
London N1 9RL

☎ 020 7520 8900

e-mail centrevol@aol.com

web site www.volunteering.org.uk

**National Council for Voluntary
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- see Hamilton House Mailings

Neighbourhood Energy Action

St Andrew's House
90-92 Pilgrim Street
Newcastle upon Tyne NE1 6SG

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The Office of Fair Trading

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