



# BEN RHYDDING PRE-SCHOOL PLAYGROUP

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## TRUSTEE WELCOME GUIDE

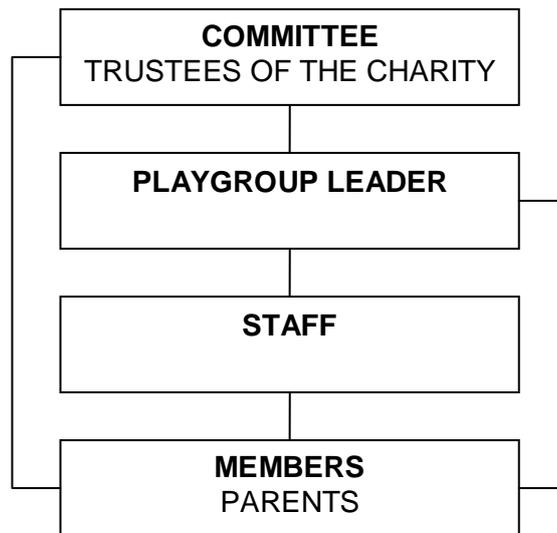
### WELCOME

Welcome to Ben Rhydding Pre School Playgroup (the Charity) and thank you for choosing to volunteer as a trustee. We extend a warm welcome to you and hope that your volunteering with the charity will be enjoyable, fulfilling and rewarding.

Our trustees are extremely important to us. The Charity thrives thanks to the dedication of many different people who work with us - our volunteers, our members and our paid staff. As a volunteer we value your contribution of time and skills as they are an essential ingredient to our continued success.

We are pleased to introduce this trustee guide. The purpose of this guide is to provide you with some valuable information: if you are, or are considering volunteering as a trustee for the charity.

### CHARITY STRUCTURE



### THE BENEFITS OF VOLUNTEERING

Volunteering to be a trustee of your child's setting is a great way to put something positive back into the local community and can have many rewards and benefits.

It offers you the opportunity to become more actively and practically involved in the learning and development of your child and it is widely recognised that when parents are actively involved their children can achieve more.

You will also have a chance to meet other parents, update existing skills and learn new ones. This can have valuable long-term benefits when applying for jobs or undertaking further training.



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## **ELECTION PROCESS**

The charity is committed to engaging a diverse committee of trustees which reflects the society in which we operate.

The trustees of the charity are elected each year at the charity's Annual General Meeting (AGM). Individuals over the age of 18 years who have either family or affiliate membership with the charity are eligible to be elected as a trustee. Each family or affiliate member has one membership and is entitled to one vote at the AGM.

A few individuals may be disqualified from acting as a trustee of a charity under the Charities Act 2003, such as those that have an unspent conviction for any offence involving deception or dishonesty, or who are undischarged bankrupts. If you are unsure if you are eligible, you can contact the Charity Commission on 0845 3000 218 for further guidance.

The trustee role is also subject to the requirements of satisfactory suitability checks by Ofsted, which include a criminal records check. Having a conviction will not necessarily bar you from volunteering with us. This will depend on the circumstances and background to the offence(s) disclosed.

## **TRUSTEE OVERVIEW**

The trustees of a charitable pre-school are jointly responsible for the effective running of the charity and making decisions regarding the management of the charity in order to further its charitable purposes. The trustees have an overriding duty to act lawfully and in the best interests of the charity and its beneficiaries.

As a volunteer you will not be issued with a contract of employment. There will be an expectation that you will meet the role's requirements – as a charity trustee, an employer and a registered childcare provider.

To ensure that this happens you have been provided with the following information

- An overview of your role (see 'Trustee Roles and Responsibilities' and 'Job Description');
- A copy of the charity's Constitution;
- A trustee code of conduct and other relevant rules can be obtained from the Charity Commission website (<http://www.charitycommission.gov.uk/publications/cc3.aspx>);
- Details of relevant training that you can access (see 'Training');
- Details of other relevant documentation you will need to carry out the role and where you can obtain support and guidance (see 'Further Information' and 'Useful Contacts')

Please ask the Playgroup Leader/ Chair for access to the following information

- The charity's policies: which include safeguarding children, confidentiality, diversity and equality and health and safety;
- Details of the employees you are responsible for;
- The *Early Years Foundation Stage* pack;
- How to claim reimbursements for appropriate expenses;
- The memorandum and articles of the company

Your first task as a trustee is to utilise the available information, advice and guidance to make yourself aware of your various responsibilities. A good place to start is to familiarise yourself with the Charity's Constitution, the terms of which will answer many of the common queries on how the



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Charity operates, and with the *Early Years Foundation Stage*, which is the framework outlining the requirements that must be put in place for the welfare, learning and development of the children attending the provision.

## **TRUSTEE ROLES AND RESPONSIBILITIES**

An overview of the role of the charity trustees is given below. The Chair, Treasurer and Secretary are given particular roles in order to ensure that a number of essential duties are completed.

### **General trustee responsibilities and duties**

- To set out the charity's direction; upholding and promoting its values and delivering its goals.
- To ensure that the charity does not breach any of the requirements of the Constitution / Memorandum and Articles and that it remains true to the charitable purposes and aims set out within this governing document.
- To liaise and work effectively as part of a team with the other trustees; whilst bringing your own ideas, perspectives and experience to the committee.
- To keep abreast of current developments that impact on the work of the charity and read relevant committee papers, in order to contribute to the decision making process of the committee.
- To regularly attend committee meetings and actively contribute to the effective management of the charity; ensuring that effective management, procedural and administrative systems are in place to govern the activities of the charity.
- To ensure that the charity complies with the Constitution / Memorandum and Articles, charity law and other relevant regulations that govern the work of the charity.
- To take reasonable care and skill as a trustee on all matters where there may be material risk to the charity.
- To declare when you, or any person or organisation connected with you, have a personal interest in an issue being discussed by the trustees and refrain from voting on the issue to prevent a potential conflict of interests arising.
- To work with the Treasurer to set priorities for the budget; ensuring that the charity applies its resources exclusively in pursuance of its charitable objectives.
- To authorise cheques in line with the charity's financial procedures.
- To recruit a Manager to take charge of providing the early years provision, and to work closely with them to support the successful management of the provision when needed.
- In consultation with the Manager, ensuring that the *Early Years Foundation Stage* and Ofsted registration requirements are met.
- To undertake Ofsted suitability checks as required.
- To work with the Manager to ensure the effective recruitment and induction of new employees and volunteers.
- To provide a link between the trustees, members and staff, ensuring that effective communication takes place.
- To work to ensure the provision is a safe place to be, for both children and adults.
- To support, help recruit and induct fellow trustees and encourage them to join the committee.
- To carry out all trustee duties in accordance with the Code of Conduct and the Constitution / Memorandum and Articles.



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### **CHARITY COMMISSION REGISTRATION**

Ben Rhydding Pre School Playgroup is a registered charity 1123710 with the Charity Commission, which is the regulator of charities in England and Wales.

Trustees must complete an annual return for the Charity Commission each year and ensure they are kept up-to-date with any changes to the charity or its trustees. In addition, trustees of charities with yearly incomes over £10,000 must by law send the Charity Commission their annual accounts every year within 10 months of the end of their year-end.

### **COMPANIES HOUSE REGISTRATION**

Ben Rhydding Pre School Playgroup is an incorporated charity, which means that it is also registered as a limited company with Companies House (6490820). The trustees of the charity also have responsibilities as the directors of the company to ensure that certain statutory documents are delivered to the Registrar of Companies as and when required. These include:

- Annual accounts;
- Annual return;
- Notice of change of directors or secretaries and their particulars; and
- Notice of change of registered office.

### **EMPLOYERS**

As a trustee you are the employer of the staff working for the charity, and must obey the laws on employment. These will involve you fulfilling responsibilities to your staff (by respecting employees' legal rights) and to the Government (by operating tax and other systems).

### **OFSTED REGISTRATION**

Ben Rhydding Pre School Playgroup is registered as childcare provision with The Office for Standards in Education, Children's Services and Skills (Ofsted). Ofsted inspect and regulate the quality and standards of care and education in early years settings. They look at how settings:

- Help children to be healthy;
- Protect children from harm or neglect and help them stay safe;
- Help children enjoy and achieve; and
- Help children make a positive contribution to your provision and the wider community.

Together, the charity trustees are the 'registered person' with Ofsted and have overall responsibility for the childcare provision; though the manager will be the person who is in charge of the day-to-day running of the provision.

The trustees must fill out a notification form (EY2) whenever there is a change to the individuals on the committee, which informs Ofsted that there has been a change to the 'registered person'.

All trustees have shared responsibility for the day care provision. However, one individual will be the 'nominated person', to represent the organisation as the main contact with Ofsted. Ofsted will carry out a number of checks on the suitability of the 'nominated/registered person'. These will include an interview, criminal records checks and health checks.



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Each new trustee will also need to complete a declaration and consent form (EY2) to apply for an enhanced criminal records check. The EY2 form asks for a self-declaration of criminal records and other matters that determine suitability to work with or be in contact with children. The forms should be sent to Ofsted who will liaise with the Criminal Records Bureau to carry out the checks.

Further information is given in the Ofsted *Guide to Registration on the Early Years Register* available at [www.ofsted.gov.uk](http://www.ofsted.gov.uk) or by telephoning on 08456 40 40 40.

### **EARLY YEARS FOUNDATION STAGE**

Ofsted regulate and inspect day care provision against the outcomes of the *Early Years Foundation Stage*, which is a mandatory framework for all registered childcare providers and schools caring for children from birth to five years. It was developed to ensure that all childcare services, whether they are new or established, provide a safe and secure environment for children and support children's learning through carefully planned play activities that are fun and appropriate to their needs.

You can order a copy of the *Early Years Foundation Stage* pack from DCSF Publications on 0845 60 222 60 or download a copy from the website [www.dcsf.gov.uk](http://www.dcsf.gov.uk).

### **TRAINING**

It is important to have a good handover between committees and an induction for all new trustees. Previous trustees can be invited to initial meetings to direct and support the new committee, or could be co-opted onto the committee for a time to provide advice.

Trustees may also be interested in attending the *Managing Effective Settings* courses and workshops, which are run by the Alliance and cover a range of topics to help prepare trustees to carry out the work needed to manage a setting.

You can contact the Information Service team at the Pre-school Learning Alliance at [info@pre-school.org.uk](mailto:info@pre-school.org.uk) or on 020 7697 2595 to request a training brochure or for contact details for the local Divisional Office co-ordinating training in your area.

### **HEALTH AND SAFETY**

The charity regards the management of health and safety as an integral part of its business and as a management priority. The aims of the charity's health and safety practices are:

- To provide and maintain, so far as is reasonably practicable, a healthy and safe environment for all adults and children;
- To take all reasonable steps to reduce health and safety risks to volunteers, paid staff and others;
- To provide appropriate information, training and instruction to staff and volunteers to ensure safe working; and
- To be proactive on health and safety issues as part of the continued development of the health and safety culture of the organisation.



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Trustees are expected to:

- Do everything they can to prevent injury to themselves, their fellow volunteers, paid staff, families, children and others affected by their actions or omissions whilst acting on behalf of the charity;
- Follow the guidance and instructions provided relating to good health and safety practice;
- Report any incidents which have or may have led to injury or damage;
- Report any serious or imminent danger, and also report any shortcomings that they see in the protection arrangements;
- Follow the guidance and instructions provided relating to safeguarding children;
- Work with the member of staff in the setting responsible for health and safety, to ensure that there are appropriate risk assessment procedures in place to identify, assess and take necessary steps to minimise any potential and reported hazards and risks to children and adults; and
- Ensure that the charity's insurance is adequate and up-to-date - informing the insurers of any material change that will affect the cover.

### **SAFEGUARDING CHILDREN**

It is the policy of the setting to ensure that children have a safe, positive environment where they can learn and develop. It is also the duty of the trustees to ensure that all staff and volunteers:

- Are committed to children's well-being and safety;
- Are clear about their responsibilities to safeguard and promote children's welfare;
- Know the procedures for highlighting any concerns; and
- Have appropriate guidance and training to undertake their roles.

### **CONFIDENTIALITY AND DATA PROTECTION**

As a trustee of the charity you will come into contact with and use confidential personal information about people, such as names and addresses or even information about children, families and other private matters. You must ensure that you do not breach the Data Protection Act, which provides strict rules in this area.

In essence, data protection means that organisations that process personal data, must comply with certain data protection principles and the rights of the person about whom data is processed (e.g. children, staff and volunteers). There are eight principles put in place by the Data Protection Act (DPA) which specify that data must be:

- Fairly and lawfully processed;
- Processed for limited purposes;
- Adequate, relevant and not excessive;
- Accurate;
- Not kept for longer than is necessary;
- Processed in line with your rights;
- Secure; and
- Not transferred to countries outside the EU without adequate protection.

It is against the law if any organisation does not keep to these principles.

The DPA applies to personal data in computerised, manual or any other format, as long as the data is in a system that allows the information to be readily accessible. This means that most files relating to children, staff and volunteers will be covered by the DPA.



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If you are in any doubt about what you may or may not do under the DPA, seek advice from the Information Commissioners Office, who can be contacted on 08456 30 60 60.

## EXPENSES

Trustees are entitled to claim reasonable out of pocket expenses incurred while carrying out their trustee duties for the charity. The expenditure must be approved by the committee and will only be approved and reimbursed if it has been incurred wholly and necessarily for the setting's business whilst carrying out a volunteering role.

Volunteers are responsible for:

1. Ensuring that they get the best value for the charity, including by travelling by the most economic route;
2. Making claims for reimbursement on a timely basis; and
3. Ensuring that all expenditure is supported by a valid receipt.

## LIABILITY

Ben Rhydding Pre School Playgroup is an incorporated charity. This means that the organisation is both a charity and a company. Each member's liability for the debts of the company is therefore limited to a fixed financial amount (usually £1) above which a member has no further liability to contribute to the debts of the company in the event of insolvency.

## USEFUL CONTACTS

- Pre-school Learning Alliance, T. 020 7697 2500 W. [www.pre-school.org.uk](http://www.pre-school.org.uk)
- Charity Commission, T. 0845 3000 218 W. [www.charity-commission.gov.uk](http://www.charity-commission.gov.uk)
- Ofsted, T. 08456 40 40 40 W. [www.ofsted.gov.uk](http://www.ofsted.gov.uk)
- Business Link, W. [www.businesslink.gov.uk](http://www.businesslink.gov.uk)
- Lawcall is a 24 hour, confidential legal helpline that provides legal advice for the trustees, directors or owners of Alliance member groups. Contact details for Lawcall are given on your Alliance membership card or you can contact the Information Service team on 020 7697 2595 or [info@pre-school.org.uk](mailto:info@pre-school.org.uk) with your membership number for Lawcall's details.

## FURTHER INFORMATION

Roles and Responsibilities of Charity Trustees:

*The Essential Trustee* (Ref: CC3) Charity Commission

*Managing a Charitably Constituted Setting* (Ref: A123) Pre-school Learning Alliance

Business and Management:

*Employment in Early Years Settings* (Ref: A121) Pre-school Learning Alliance

*Finance in Early Years Settings* (Ref: A078) Pre-school Learning Alliance

*Effective Marketing and Publicity for Early Years Settings* (Ref: A075) Pre-school Learning Alliance

*Risk Management in Early Years Settings* (Ref: A079) Pre-school Learning Alliance



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Providing Childcare:

*Guide to Registration on the Early Years Register* (Sept 2008) Ofsted

*Early Years Foundation Stage Pack* (May 2008) Department for Children, Schools and Families

*Policies and Procedures for the Early Years Foundation Stage* (Ref: A080) Pre-school Learning Alliance

To order Pre-school Learning Alliance publications please visit [www.pre-school.org.uk/shop](http://www.pre-school.org.uk/shop) or telephone 0870 603 0062.

The Pre-school Learning Alliance is a leading educational charity specialising in the early years. We provide practical support to over 15,000 early years settings and make a positive contribution to the care and education of over 800,000 young children and their families each year. We actively involve parents and families in all aspects of our work.

Our products and services include specialist publications, childcare services, quality assurance, campaigning, research, training and family programmes. We also offer a range of independent professional information, advice, support and guidance tailored especially to meet the needs of young children and their families, students, early years practitioners and professionals.

If you would like to find out more about the work of the Alliance, please do get in touch.

Information Services

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