



Making It Happen

The Voluntary Management Toolkit



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Introduction

It has long been accepted that good management leads to a happy and effective workforce. In the childcare sector, though, service providers often face a number of particular management challenges.

Childcare settings are run by a range of different management structures, many by a Voluntary Management Committee. Figures show that 79 per cent of committee members are parents driven by their own need for sustainable childcare who get involved sometimes without knowing exactly what their roles and responsibilities will involve. The value of the work undertaken by Voluntary Management Committees is crucial but to work effectively they need access to routes for development such as fundraising, management, legal knowledge and comprehensive training and information.

4Children (formerly Kids' Clubs Network) together with EQUIPE are pleased to offer you this resource to help you build and develop your Voluntary Management Committee. It aims to help new members, and those who are unfamiliar with the sector, to understand the context in which management committees in childcare operate and it is also a useful reference tool for those who are already committee members and keen to update their practice. It gives guidance on all aspects of managing a childcare setting with particular focus on employer responsibilities.

In this guide the following terminology applies

- **VMC or Management Committee** is used to describe the governance of any voluntary-run childcare organisation, and '**Committee Members**' to describe those groups who have responsibility for governance of a voluntary setting
- **Setting** is used to describe any childcare organisation
- **Childcare** is used to describe all of the services that offer care arrangements for children aged 0–16 through voluntary, private and public organisations
- **Senior Manager** is used to describe the senior paid member of staff in the setting
- **Purple Bold** words within the toolkit are further explained in the Glossary
- Organisations mentioned in the **further information boxes** at the end of each chapter are listed at the back of this toolkit.

4Children

4Children's mission is to ensure that all children and their parents get the support they need in their community – starting from the early years through to their out-of-school and teenage years. We are striving to put children and families at the heart of every community – with the support they need, from Government policy to local delivery.

All communities benefit if they are able to help children and families flourish. Yet there is still a major gap between what is available in most areas and what parents and children need. 4Children wants to see joined-up local support become a reality for all children, young people and families. By 2015, the organisation would like to see up to 10,000 centres for children 0-16, offering a wide range of activities and support – including childcare, in or around schools – backed up by a joined-up children's workforce and one major funding stream from Government.

4Children is a partner in a major programme of childcare, playwork and social enterprise support to provide stronger services for communities. The programme, known as EQUIPE (EQUal In Play and Enterprise), is funded by the European Union and is working with 11 partners. 4Children is developing support materials to empower Voluntary Management Committees as its contribution to the work. They help committees ensure that their setting is working to best practice and achieving sustainability.

4Children has worked with individuals and groups, including childcare providers and entrepreneurs and local authorities, to ensure that the support materials will meet specific needs. We are grateful to the Voluntary Management Committees that worked with us to help us get a clear understanding about the type of barriers they face, and the five areas of Derbyshire, Somerset, Lincolnshire, the Wirral and Rotherham, who piloted the programme with us. Thank you for your great commitment and support to the project.

Thanks also to the 'agents of change' who attended the five national seminars on the programme and contributed and influenced the final products. It would not have been possible to develop this resource without such extensive consultation.

EQUIPE Partnership

With EQUal funding the EQUIPE Development Partnership has created a partnership of organisations that are working to:

- Improve the services they provide by sharing knowledge and good practice on the social economy
- Drive the creation of sustainable social enterprise in the sector nationally
- Carry forward the professional development of the workforce

Childcare and children’s play are significant growth areas with rapidly developing professions, which face considerable challenges in the coming years in responding to Government strategies to improve the quality and quantity of play and childcare provision. The EQUIPE Partnership addresses this, piloting a range of ways that social enterprise thinking and approaches can inform the way the sector does business.


The Partnership aims to assist those who provide, or want to provide, services for children and young people to develop sustainable businesses and community enterprises. We will do this with technical support from organisations already providing advice and guidance to the social economy and use its network of established partners working at the neighbourhood level to engage with communities, facilitate the development of their business plans and strengthen infrastructure for providing services in the sector.

The Partnership is piloting this social enterprise development across England’s national regions, including a range of urban and rural locations. We will also undertake locally led research into ways of improving sustainability, and share with our partners and others in the field the resulting models of good practice.

Social enterprises providing services for children and young people are meeting community needs: they enable parents who are restricted by childcare responsibilities to develop careers, and also help the people whose lives are enhanced by their participation in these enterprises. This benefits not only the individuals but their whole community. EQUIPE seeks to exploit this ‘virtuous circle’ and disseminate its pilot results to policy audiences at national and European levels.

Section One

The voluntary sector and childcare

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Introduction

The voluntary (not-for-profit) sector is wide-ranging, varied and exists to provide much-needed services. The sector encompasses many different groups from small projects working within the local community to national groups such as 4Children and international agencies such as the Red Cross.

Groups may have an annual income ranging from a few pounds to many millions, they may be purely voluntary with no paid workers or they may have hundreds of employees; some are hugely influential politically at local, national and international level. Some voluntary groups provide services, and some campaign; others, such as 4Children, do both.

The voluntary sector includes charities (organisations that are exclusively charitable which may or may not be registered with the Charity Commission), as well as hundreds of other organisations that are not legally defined as charitable.

Nevertheless, most voluntary organisations run as **not-for-profit** businesses. This does not mean that a voluntary organisation cannot make a profit, but that any profit made will be reinvested by the organisation rather than being paid out to individuals. The organisation's constitution will outline how the profit will be reinvested. A successful **Social Enterprise** will invest its profit back into the organisation to strengthen its purpose and operations, enabling it to become sustainable.

The term 'third sector' is often used to describe the voluntary sector. The role of the voluntary sector, especially in childcare, is crucial and it provides services alongside the private and public sector.

The provision of childcare in the voluntary sector has often been led by the ethos of social need. Childcare groups, such as out of school clubs and playgroups in particular, have often been established as voluntary organisations.

In order to understand the crucial role childcare providers play and the opportunities available when delivering voluntary sector childcare services, it is important to understand the context in which they exist and how they meet the need.

The National Childcare Strategy

Since 1998, Government has invested in and led the development of childcare with the beginning of the National Childcare Strategy.

The strategy's aim was to ensure good quality, affordable childcare for children from birth to 14 years of age in every neighbourhood by:

- Tackling child poverty
- Enabling parents to move into work
- Improving educational attainment
- Encouraging a 'family friendly' work-life balance
- Providing the means for neighbourhood renewal and community development
- Addressing inequality

Responsibility for planning and implementation is delegated to local authorities, some of which have Early Years or Childcare teams. Local authorities are expected to:

- Provide information on services available
- Provide or access funding to support childcare
- Provide guidance to providers on legislative requirements
- Provide or enable access to training and development opportunities
- Support new childcare business and provide guidance on sustainability
- Network all childcare providers on a local level

The responsibility for childcare services comes under the Government's **Sure Start Unit**, whose remit includes early education, childcare, out of school care, health and family support and extended schools. Sure Start's overall aim is to help provide the best possible start in life for all children, and it plays a part in the Government's ambition to halve child poverty by 2010. It is also a significant contributor to the Government's aim of delivering opportunity and security for all.

The Sure Start vision is to achieve:

- A Sure Start for all children by providing **integrated** and high quality services, so they can grow up to contribute positively to their communities and society as a whole.
- Better outcomes for all children, and particularly closing the gap in outcomes between children living in poverty and the wider child population.
- Better outcomes for all parents, increased opportunity to participate effectively in the labour market, ensuring pathways out of poverty and strengthened families and communities.
- Better outcomes for communities, including less crime, higher productivity, a stronger labour market and the building of a civic society.

Types of childcare provision

The following types of childcare provision are available:

- **Day nurseries:** provide care and education for children aged from around six weeks up to when they go to school at four or five years of age. Opening hours vary, but tend to match an average working day of 8.00am to 6.00pm, though children can attend part-time depending on their parents' needs. Care is normally provided all year round.
- **Pre-schools and playgroups:** offer sessions of play and education during term time for children aged between three and five years old, though some do take younger children. The sessions, which provide learning experiences through structured play, are about two to three hours long, and playgroups run between two and 10 sessions per week.
- **Out of school hours childcare:** provides care for school-age children based around a programme of well-planned activities suitable for the ages of the children or young people involved. This type of provision includes:
 - > Out of school clubs providing term-time care and play opportunities for four or five days a week, either before school (breakfast clubs) or after school (after-school clubs) or both. These may be run from other premises such as church halls, community centres, etc.
 - > Holiday play schemes, which offer holiday activities and often daycare during some or all of the school holidays.
 - > Wraparound care, which provides childcare which more closely matches the working day, for example by 'wrapping' a breakfast club and after-school club round the school day or by providing childcare in addition to a free early-education place (consisting of five 2.5 hour sessions a week in term time) at a pre-school, playgroup or nursery/nursery school. The latter will usually include provision for the lunch hour, including lunch and the extra supervision required for the lunch and midday play time.
 - > All-year services, which combine out of school or wraparound care with holiday care.

Distinction between voluntary, private and public provision

Detailed information about organisational structures can be found in Section 4, but the following examples demonstrate the differences between these in terms of childcare provision.

Voluntary

Parents have highlighted demand for an after-school club in a rural area. A private-sector childcare business that runs a Day Nursery in a nearby town has researched the need and finds that because of relatively low numbers of children who require the services it cannot provide out of school care at an affordable level for commercial success. A group of parents, assisted by the local authority, decide to establish a voluntary group. A management committee, made up of parents and other local people, is established, and with the help of financial support from the local authority, sets up the group. Managed by the Committee, it employs staff and rents premises within the community or from the local school. It sets its fees at a level that makes it affordable for parents who cannot claim Child Tax Credit, but is adequate to meet the costs of the service.

Private

A new housing development has created the demand for a full day nursery providing care for babies and children up to five years old, as well as holiday and after-school care for older children. The demand for the service is perceived to be high enough to generate a profit and it is run as a privately owned business.

Public

A local authority offers a range of adult education opportunities for local people. To enable more adults to undertake learning activities, they offer crèche facilities. The crèche manager is employed by the local authority and provides the resources and personnel for the crèche wherever and whenever it is needed, free of charge to learners.

Developments in childcare services

Children's Centres

The Children's Centre programme is based on the concept that providing integrated education, care, family support and health services is a key factor in determining good outcomes for children and their parents.

The concept itself is not a new one; Children's Centres are about building on existing good practice, rather than starting afresh. A significant number of families with young children already benefit from good quality integrated services. Children's Centres enhance these services and extend the benefits to more families – bringing an integrated approach to service delivery to areas where it is most needed.

Children's Centre services

The majority of Children's Centres will be developed from **Sure Start local programmes**, **Neighbourhood Nurseries** and **Early Excellence Centres**. However, local authorities are also being asked to think innovatively about how to develop other local provision in the **maintained**, voluntary and private sectors. Since the Children's Centre programme is about building on existing provision, very few new Children's Centres will be built from scratch in the first phase.

Children's Centres in the first phase are based in the 20 per cent most disadvantaged wards in England. However, the aim is for this integrated approach to service delivery to be available for all children in time.

Local authorities have been given strategic responsibility for the delivery of Children's Centres. They are planning the location and development of centres in consultation with parents and other key partners.

Children's Centres will be expected to provide the following services to children under five and their families:

- Early education integrated with full day care
- Parental and family support
- Health services
- A base for childminders, and a service hub within the community for parents and providers of childcare services

- Effective links with Jobcentre Plus, local training providers and further and higher education institutions
- Effective links with Children's Information Services, neighbourhood nurseries, out-of-school clubs and extended schools
- Management and workforce training

Extended schools

In 2002, the Education Act gave new powers to governing bodies of schools to set up a range of services on school sites. An extended school brings together health, education and family support to a central place within the community.

In addition to the provision of statutory education, the types of provision that may be offered in an extended school include:

- Before- and after-school care
- Lunch clubs
- Full day care
- Pre-school and playgroups
- Holiday schemes
- Training and development opportunities for adults

They aim to:

- Raise achievement, confidence and self-esteem of children and young people
- Develop positive relationships leading to improved interpersonal and social skills
- Give children access to activities generally not available to them, to widen and enrich their experiences
- Give parents peace of mind, as the children are in an environment recognised as safe and secure, while they have opportunities to start or return to work, extend their working hours, or access training or further education
- Strengthen the bond between parents, the wider community and the school
- Reduce disruption to family life by enabling people to travel less
- Address problems of persistent late arrivals, poor attendance, and under-performance at school (e.g. via a breakfast club)

Further information on Children's Centres and Extended Schools can be obtained from: www.surestart.gov.uk and 4Children

Sustainability

The expansion of the childcare sector has led to more opportunities than ever for the development of childcare in the voluntary, private and public sectors. Many childcare providers, however, do face challenges and the long-term viability, or sustainability, of their organisations is in the balance.

Evidence shows that these key challenges are:

- **Under-occupancy:** The growth of the sector has meant that in some areas there is increasing competition for childcare places. Where local initiatives and regeneration programmes exist, some settings find they can no longer compete.
- **Staffing and development:** Attracting and recruiting experienced, qualified staff.
- **Business development:** A strategic and professional approach to business planning is more important now than ever.
- **Long-term dependence on public funding.**

Local authorities have a key role in developing sustainable schemes to help childcare settings in the voluntary, private and public sectors. The primary aim of sustainability support schemes is to provide short-term support during occasional periods of threatened business viability after start-up funding has expired.

These schemes include helping settings to:

- **Develop effective business planning processes and improve their business skills**
- **Market their childcare services effectively**
- **Improve and sustain the quality of provision and staff**
- **Encourage take-up of working tax credits so that parents can take advantage of the childcare provision available**
- **Seek funding to support their sustainability**

Further information on Sustainability can be obtained from: [4Children](#)

Regulation of childcare services

Since 2000 OFSTED has been responsible for the registration of all childcare provision. There is a set of standards for each area of childcare:

- Full day care
- Sessional daycare
- Crèches
- Out of school care
- Childminding

Each contains a set of 14 Standards that must be met before the setting may be registered. For example:

- Adults providing care, looking after children or having unsupervised access to them must be suitable to do so. This includes a vetting procedure such as a criminal records check
- The person in charge of the setting must have a Level 3 qualification (see Section 3) and at least two years experience of working in a daycare setting; and must ensure that at least half of all other child care staff hold a Level 2 qualification
- Adult:child ratios must be met; these vary depending on the ages of children:
 - > 1:3 children under 2 years
 - > 1:4 children aged 2 years
 - > 1:8 children aged 3–7 years

Further information on regulation of childcare services can be obtained from:
OFSTED
Local authorities

Children's participation

In order to operate effective children's services there needs to be a transparent process of consultation with children and young people about what they actually need.

Many providers and governing bodies are now recognising the value of such a process in determining local and national strategies of such services. If they are regularly consulted, children and young people are more likely to take ownership of these services and feel valued in the role they play. This in turn has numerous benefits for the community, the management and parents/carers.

Involving children in decision-making:

- Ensures that the service meets the needs of its client group
- Demonstrates a dedication to providing a service based on real knowledge of children and young people's issues
- Assists with setting long-term goals for the service
- Encourages children to get involved and work positively with adults
- Promotes ownership of services. If young people feel their views are respected they are more likely to value the setting provided for them
- Provides better access to funding opportunities by showing care for what children and young people need
- Enables children to have a voice, which is often denied to them

Further information on children's participation can be obtained from:

4Children – *Listen Up! Children's Participation Resource Pack* order online at www.4Children.org.uk

Quality assurance and self-assessment

Quality assurance

Quality Assurance (QA) in the childcare sector is a process by which childcare providers work towards a level of quality beyond the minimum standards required for registration by OFSTED.

The advantages of undertaking a QA scheme are:

- A setting can work towards **sustainability** by ensuring that it has good financial, organisational and staff management systems in place. Settings become more efficient and businesslike
- The achievement of a QA programme can help to demonstrate quality, increase **occupancy levels** and consistent income from fees. It is an effective marketing tool, and enables parents and carers to select a childcare setting with confidence
- A framework is established for development and continuous improvement
- QA schemes help to ensure that settings meet good practice and legal requirements within an equal opportunities framework
- The high cost of unacceptable staff turnover may be reduced, which in turn is reassuring for both children and their families
- Good employment practice evidenced in a QA scheme can help to safeguard the management committee in the event of an employment dispute
- By focusing on the role of the staff and the support offered to them, team working, and therefore performance, is more effective
- A quality award provides increased recognition for the complexities of running a childcare setting. It also encourages funders, employers and other agencies to support the setting
- A QA approved setting allows parents/carers using non-registerable settings (such as those running for under two hours or providing for over 8s) to access the Childcare Element of **Working Tax Credit**, thus aiding sustainability

QA structure

Quality assurance schemes can use a combination of

- Self-assessment
- A portfolio of paper evidence
- A final independent assessment to determine quality

Initial self-assessment is seen as central to facilitating improvements in quality. It encourages staff and management to examine their own areas of work and identify where practice can be improved. For each quality area, a standard is set that describes best practice, and quality indicators describe how that standard might be evidenced at each level.

Areas covered by childcare QA schemes may include:

- Working with children
- Activities
- Partnership with parents
- Staffing
- Management
- Administration
- Health and safety
- Equal opportunities
- Food
- Premises
- Access
- Local networking

Different childcare QA schemes will cover the same basic areas, although the headings and standards may vary. What they all share is the common aim of providing high quality, affordable, accessible childcare.

Support available

Childcare providers can work through a quality assurance programme alone. However, the process can, at first, seem quite daunting and the support of a mentor can help. The mentor will have the experience to guide settings to adopt best practice and advise on the collection and collation of evidence. Mentor support is available for most quality assurance schemes: some is provided free of charge, and some has to be paid for – this will vary from area to area. To find out what support is available in your area contact your local authority team who will usually have an officer with special responsibility for QA schemes.

Choosing a QA scheme

Government accredits quality assurance schemes to Investors in Children level. Quality assurance schemes that meet the ten criteria that typify a good quality assurance scheme will be endorsed by Government.

4Children's Aiming High was one of the first quality assurance schemes to be awarded Investors in Children, and is currently specifically for out of school settings. 4Children supports clubs through Aiming High with a dedicated helpline, website and a database of Quality Mentors. Feedback shows that the benefits to out of school clubs and other children's projects are: more improved services, motivated staff and increased sustainability.

For further information on 4Children's Quality Assurance Scheme call 4Children on the Service Support Line 0870 770 2498 or visit www.4Children.org.uk

Self-assessment

Self-assessment is a useful process for management committees to undertake in order to assess the effectiveness of the organisation. The process can:

- Identify areas of weakness
- Identify development needs
- Assist problem-solving
- Develop strategic thinking

When to carry out a self-assessment

This depends on the current position of the organisation and its maturity. It may be useful to do it at key points in the organisation's growth:

- Development of the Strategic Plan
- Undergoing changes in personnel, governance or delivery
- Development of new services
- To clarify roles and responsibilities
- To encourage management committee members to take ownership of the governance of a setting

The success of the self-assessment depends on:

- Willingness to accept the recommendations arising from the assessment
- Good working relationships between the management committee and the Senior Manager
- An awareness of the need to develop and improve

How to undertake self-assessment

Organisations may choose one of the many models for self-assessment that are available. It is worth noting, however, that there is often a cost attached to these. The National Council for Voluntary Organisations (NCVO) provides advice and guidance on choosing a self-assessment programme, but more importantly, it provides a free Workbook for organisations to follow.

The approach employed in the Workbook is loosely based on the European Foundation for Quality Management's (EFQM) Excellence Model, a framework that enables organisations to assess and diagnose their performance.

The benefits of this self-assessment model are that it allows the organisation to:

- Systematically examine everything the organisation does
- Generate discussion that gets everyone involved in problem-solving, and sharing good practice and improvement ideas
- Improve communication and ease disagreements
- Provide an opportunity to celebrate and build on achievements
- Give a focus for improvement
- Offer no hiding place for problems
- Be inclusive and democratic
- Link what the organisation does with the results it achieves
- Look at the evidence that it is working well

It can be completed by one individual, or as a group. Working alone, it may take up to three hours. However, it does not need to be completed in one sitting. Working in a group will probably take longer but will also give more thorough information and a better chance of long-term commitment to acting on the Areas for Improvement identified. If the organisation decides to do the exercise as a group, it may still be worth asking people to work through it individually beforehand. The group can then discuss the areas that are the source of the biggest differences in views or experience. The group might include any or all of the following:

- Trustees/committee members
- Volunteers
- Staff
- Customers/parents
- Other relevant stakeholders

Further information on self-assessment schemes can be obtained from: NCVO

Policies

A policy is a statement of beliefs and principles, collectively agreed by an organisation, and the programme of actions needed to realise it.

A procedure is the established means by which a policy is implemented.

The duty of the management committee is to:

- Develop policies that are required by regulating bodies
- Develop policies that promote good practice both by, and for, children, their families, the setting, staff, volunteers and the management committee

The advantages of having clear policies and procedures in place are:

- Less likelihood of conflict about what someone should (or should not) have done in a particular situation
- Greater consistency – this is very important when new people join the organisation, or as the organisation expands
- Work becomes more straightforward, and this means time can be saved. Mistakes are less likely to be made

Policy areas

The policies needed by an organisation depend on:

- Statutory/legal requirements (such as National Standards)
- Local agreements (such as Service Level Agreements with other organisations)
- The nature of its work
- The size of the organisation
- The degree of formality

The chart overleaf details all the areas you need to consider in policy and procedure development.

Policy areas

Those policy areas that are required under the National Standards are marked in ***bold italics***

Objectives and priorities

What the organisation believes – its ethos and values

An Operational Plan

What the organisation does – its priorities, what it wants to achieve, whom it will and will not work with, etc.

Participation and decision-making

Decision-making methods and procedures – who, when and how

Authority to make decisions – in absence of elected officer

Resolving disagreements about a decision

Children's or other people's involvement in decision-making

Services, activities and facilities

Procedures for lost or uncollected children

Child protection

Registration systems

Children's activities

Operational procedures for outings

Administration of medicines

Prior parental consent to administer medicines

Records of medicines administered

Prior parental consent for emergency treatment

Accident records

Sick children policy

No smoking policy

Individual children's dietary needs

Behaviour Management

Anti-bullying

Incident records

Admissions

Comments and ***complaints – policy and record keeping***

Opening hours – when services are available, closures, holidays, etc.

Standards – how quality is monitored.

Risk Assessment

Record of visitors

Health & Safety – requirements for children, premises, staff, volunteers

Dealing with breaches of policy

Confidentiality – access to records, breaches of confidence
 Access for people with disabilities – how services are made available to people with disabilities under the Disability Discrimination Act
 Access for speakers of other languages
 Fees and charging for activities
 Equipment safety
Vehicles – insurance, responsibility, expenses, etc.
List of named drivers
 Dealing with the media

Equal opportunities

Equal opportunities – statement of intent, code of practice and Equal Opportunities will be implemented and monitored
Written statement about special needs
 Recruitment and selection of staff
 Recruitment and placement of volunteers
 Conditions of employment
 Access to training and development
 Conditions of volunteering
 Recruitment of members of the Management Committee
 Promoting and publicising the organisation
 Dealing with racist, sexist, or other personally abusive actions by staff, volunteers, children, members, committee members and visitors
 Active promotion of different cultures and ethnic backgrounds

Financial control

Financial decision-making – who, what, how, when
 Budgets – how they are drawn up, how variances (expenditure or income above or below budget) are dealt with, who has responsibility
 Expenditure – authority, requests for equipment
 Cheques – signatories
 Dealing with cash – petty cash procedures, security of cash on premises
 Financial record-keeping – documentation required, and access to financial records
 Gifts made to workers – declaration, limits

Premises: The lease or licence will be the starting point for all policies

Use of premises – by whom, time, activities
Security – access to keys, burglar alarm codes
Responsibility for cleaning and maintenance
Health and Safety requirements
Fire safety
Fire safety records and certificates
Procedures for bookings, deposits and security

Personnel issues

Recruitment and selection procedures
Induction programmes
Probationary period – reviews and dealing with unsatisfactory performance
Pay – salary scales, increments, reviews, payment methods
Pensions – eligibility, Stakeholder Pensions, transfer of pension rights
Transfer of Rights if change of ownership
Expenses – claim procedures, limits
Timekeeping – dealing with poor timekeeping, flexible working, time off in lieu, overtime
Sickness – pay, long-term illness
Holidays and leave – allowance, bank holidays, religious and cultural leave, period of notice to take leave
Maternity, paternity, adoption and dependants leave
Compassionate or discretionary leave
Arrangements for performance management – supervision, support, annual review
Access to training and development opportunities
Disciplinary procedures
Grievance procedures
Retirement and redundancy
Dismissal
Relationship between manager, management committee and unions

Further information on policy development can be obtained from: 4Children

Section Two

The voluntary management committee

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What is a Voluntary Management Committee?

A Voluntary Management Committee is a group of individuals who have the key role of ensuring that an organisation fulfils all its legal obligations and operates efficiently and according to the organisation's constitution. A legal structure and the organisation's aims and objectives should be decided and agreed before trading. All voluntary organisations will want to ensure that there is minimal risk of personal liability, and choosing the right legal structure will prevent liability as far as possible. If a voluntary organisation becomes a registered charity the members will be known as trustees of that charity. In some cases a voluntary committee may be referred to as the Board. (For information on organisational structures see Section 4)

A successful organisation will have a strong voluntary management committee which ensures it plans for the future by developing a long-term business plan to meet its aims and objectives. Being part of a voluntary management committee can be both enjoyable and rewarding, offering individuals the opportunity to develop new skills in areas such as management, marketing and recruitment. It can assist them to return to paid employment or full-time education.

What does a Voluntary Management Committee do?

The majority of Voluntary Management Committees have a core group of people who will have specific roles and responsibilities in addition to those of a general committee member. These roles are often known as:

- Chairperson
- Secretary
- Treasurer

A Voluntary Management Committee can vary in size. It needs to ensure that it has enough members to carry out all necessary tasks, but if it is too big it becomes unmanageable. When making all decisions, including agreeing policy, the committee has to meet its quorum. This refers to the minimum number of committee members needed at a meeting, and it is set down in the constitution.

The table overleaf gives an overview of the 12 essential responsibilities of a management committee.

12 essential responsibilities of a management committee

- 1 Determine the organisation's aims and objectives

The committee has the power to create and adapt an organisation's aims and objectives. Every policy decision they make is designed to assist the achievement of the organisation's aims.

- 2 Strategic Planning

Committees make strategic policy and work with the Senior Manager to develop long-term strategic plans, normally in the format of a business plan. Ideally meetings are tied to the strategic plan to ensure key issues are dealt with.

- 3 Formulate policy

The committee creates policies to govern the organisation's activity, e.g. guidance for staff, systems for reporting, monitoring and establishing an ethical framework for those who work for or on behalf of the organisation. The policy-making must also apply to all aspects of committee business.

- 4 Approve and monitor the organisation's programmes and services

The committee ensures that the organisation's services meet all legal requirements and serve the organisational aims and objectives.

- 5 Ensure financial stability

The committee must make sure that it has the resources to carry out the organisation's objectives.

- 6 Provide fiscal oversight and sound risk management

The committee approves the annual financial statement and budget. It monitors spending, creates policies to manage and protect assets and property, and ensures finances are handled according to the law. It also has to protect the organisation from liability by providing adequate insurance and creating policies designed to minimise risk.

- 7 Select and support of staffing and review performance

The committee recruits the staff and is in charge of their annual review. The committee is also responsible for staff development and support.

- 8 Understand and respect the relationship between committee and staff

The committee needs to recognise areas of staff responsibility and avoid interfering in matters that are the domain of the staff. At the same time it creates policy to guide staff activities and safeguard the interests of the organisation.

- 9 Act as a responsible employer

The committee creates fair personnel policies that meet legal requirements. These protect the organisation and those who work within it. It monitors organisational activity to make sure practice lives up to policy.

- 10 Enhance the organisation's public image

Through their own behaviour, their governance and activities on behalf of the organisation, the committee enhances and protects the organisation's reputation.

- 11 Select and induct new members

The committee ensures the quality of governance by carefully selecting and developing new members. It recruits individuals who can provide good leadership for the organisation.

- 12 Conduct efficient committee meetings

Productive meetings are held where key organisational issues are dealt with in an efficient way. It creates effective decision-making opportunities by providing adequate information. It has regular appraisals and periodic self-assessment and development activities to strengthen its activities.

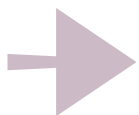
Recruiting committee members

Voluntary Management Committee members often include parents. They are therefore highly motivated to ensure the organisation succeeds, and also to ensure that members are able to continue with their employment or full-time education. These members will also have good knowledge of the community and so will be aware of local needs and demands. Every member of a Voluntary Management Committee has something important to offer and they all need to be recognised for the work that they do. Even though the organisation is managed by a voluntary committee it must be run like a business, and members must view it in this way.

It is rare for a governing document of a voluntary organisation to insist that its committee members must be parents/carers of the children. It is recommended that any advertising for new committee members is done beyond the organisation's members in the wider community to ensure widespread support and consistency for the project.

- **Community newsletters, community and hospital radio and noticeboards:** Use as many opportunities as possible to attract other members of the community. This may include: Sure Start projects, health centres, community centres, places of worship, parent and toddler groups, credit unions, regeneration projects, and so on. A postcard in a shop or post office window is a cheap but effective way of attracting people

Good practice



Community notice boards: the benefit of these is that they are usually free, and attract interest, especially in places where people have to wait, and have nothing else to do except read the notices! A word of caution, however: if you put a notice up, remember to check on it from time to time and make sure it is still there, hasn't been defaced and isn't looking shabby (that won't attract anyone). It's worth remembering too to update the information, change the style, or simply remove it when it is no longer needed. People can tire of seeing the same things, and will eventually not even notice it.

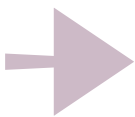
- **Statutory agencies:** Members of staff who work in public service (police, health, social care and so on) may well be interested in joining a management committee. Furthermore, existing members of other organisations often sit on more than one committee
- **Commerce and industry:** Many local and national commercial organisations have policies on staff involvement in the community. Some actively encourage staff to undertake voluntary work and this may be an opportunity to introduce special skills (HR, finance, marketing, etc.) into the committee
- **Colleges and places of further and higher education:** Most governing documents will have a lower age limit on membership (often 18) but educational establishments are useful places in which to advertise. Joining a committee may be part of a Millennium Volunteer or Prince's Trust programme, and students studying social care courses may wish to be involved in a community venture as part of their studies

Understanding what motivates people to give up their free time and join a management committee is a key factor in knowing how to attract new members. People join committees because:

- They want to do something socially responsible and worthwhile and put something back into the community
- They want to support a service that, without their involvement, would otherwise not exist
- They are encouraged to by their employer
- They have free time (because of unemployment, retirement, career breaks, family responsibilities, etc.) and want to put that time to good use
- Despite the challenges and hard work involved, they enjoy the social aspect of being a member of a committee (It is worth noting, too, that, some enjoy the status)
- They enjoy committee work and are already members of several others
- They want to gain skills and experience to seek paid work
- They work in the commercial sector and want to contribute to the voluntary one in their free time
- They are dissatisfied with their job and want to do something rewarding
- Employers increasingly recognise the worth of voluntary work and it is often something to add to a CV

The example of Bal, given in the panel here, is fairly typical of many people who are asked to join management committees and find themselves performing way in excess of their own expectations.

Case study



Bal left her job as an admin assistant five years ago and since then has been raising a family. She wants to get back to work but is finding that she lacks confidence, and feels that the world of work has moved on and she has been left behind, especially in terms of new technology. Not only that, but her CV is slim, and she doesn't have any recent referees she can use when she applies for jobs.

Initially, Bal agreed to join the Committee at her youngest child's playgroup because she was told that if the project didn't have an effective committee, it might have to close. And anyway, they wouldn't make too many demands on her, and there were only six meetings a year ...

Over the course of the year (when actually there were many more meetings and many more demands) Bal became the Committee Secretary. And because for a while the Committee lost its Treasurer, Bal also supported a co-opted member to make sure that financial systems were in place. And when funds needed to be raised, and marketing campaigns needed to be launched, Bal also got involved with those.

Committee roles

Within a committee there will be a range of roles which will determine the number, length of office and voting status of each role. In general, committees will comprise:

- Committee Members, both elected and co-opted
- Officers
 - > Chair
 - > Vice/Deputy Chair (optional)
 - > Treasurer
 - > Secretary

Elected members and officers will be elected at the **Annual General Meeting (AGM)** and will usually hold office until the next AGM. A co-opted member will act in an advisory capacity and will normally not have voting rights.

Role description: management committee member

- Role:** Management committee member
- Remuneration:** The work is unpaid but travel and other expenses will be paid
- Responsible to:** The management committee

Role summary

The role of the management committee is one of responsibility, trust and strategic planning to ensure the effective management of the organisation.

General duties:

- Strategic planning and guidance aimed at ensuring the organisation is working to achieve its aims and objectives
- Ensure all decisions made are in line with the organisation’s constitution
- Ensure the organisation complies with its governing documents and meets all legal requirements
- Ensure the organisation is managed effectively and operates within its guidance, budget and business plan
- Respect confidentiality
- Ensure the organisation uses its resources effectively to meet its aims and objectives
- Attend meetings and give firm strategic direction, setting policies, defining goals, setting targets and evaluating performance against the targets
- Ensure financial stability of the organisation
- Recruit and manage all staff including volunteers
- Protect and manage the property of the organisation and ensure proper investment of its funds

Role description: Chair of the management committee

To be used in conjunction with the management committee member role description.

Role summary

The role of the Chair is to lead the management committee, developing and maintaining an effective working relationship between the committee and its staff and volunteers.

General duties:

- Ensure meetings are run effectively, enabling democratic decision-making and full participation by the committee
- Lead the development, and monitor implementation, of policies and strategic plans
- Liaise with the setting's senior manager to work together to achieve the aims of the organisation and provide support as appropriate
- Sign, and/or write, letters on behalf of the Committee and the organisation
- Sign cheques and liaise with the Treasurer
- Conduct annual appraisal of the manager's performance and jointly establish training and development needs
- Attend selection panels and disciplinary panels as appropriate, for committee members, paid staff and volunteers
- Act as an ambassador of the organisation by attendance at functions, meetings, liaising with the press and acting as a spokesperson as appropriate
- Set and manage the agendas of all meetings
- Ensure a **quorum** at meetings as set out in the governing document

Role description: Treasurer of the management committee

To be used in conjunction with the management committee member role description.

Role summary

The role of the Treasurer is to maintain an overview of the financial affairs of the organisation, ensuring that proper financial records and procedures are maintained.

General duties:

- Present accounts, financial statements and budgets to the committee at meetings, and at other times as requested
- Ensure the financial viability of the organisation and monitor financial resources to ensure they are adequate to meet the organisation's present and future needs
- Ensure that financial procedures and controls are in place
- Check bank statements and reconcile them with the cash book on a regular basis
- Ensure that bills are paid promptly and all income is banked regularly
- Offer advice on the financial implications of the organisation's strategic aims
- Ensure that the organisation has an approved investment policy and that there is no conflict between this and the objects of the organisation
- Liaise with the manager of the organisation on financial matters
- Ensure that accounts are prepared, disclosed and submitted to the relevant bodies in line with the constitution and statutory requirements
- Maintain an inventory of equipment, e.g. computers, resources and so on

Role description: Secretary of the management committee

To be used in conjunction with the management committee member role description.

Role summary

The role of the Secretary is to support the Chair by ensuring the effective administration of the committee.

General duties:

- Together with the Chair, produce the agenda and circulate to members, along with supporting papers, in good time
- Ensure all the arrangements are made for meetings including booking venues, arranging equipment and refreshments and making arrangements for those with special needs
- Take, write and circulate minutes following meetings and circulate promptly to all committee members
- Make sure the minutes of the previous meeting are agreed and signed by the Chair
- Inform any members who were absent of any actions they need to take
- Maintain the membership list
- Produce a written annual report, as required
- Ensure that the organisation has adequate insurance
- Receive correspondence and report to the committee
- Ensure necessary documents are completed and submitted in accordance with statutory regulations and the organisation's constitution
- Keep the constitution, copies of minutes and other records in a safe place and in accordance with Data Protection principles
- Send out publicity about the organisation
- Ensure members of the organisation are provided with copies of the annual reports and policies

Relationships with the Senior Manager

All responsibility lies with the management committee, but day-to-day management is usually delegated to the **Senior Manager**. In this way, the Senior Manager can get on with the running of the organisation.

The committee must be able to entrust the senior manager with the general management of the organisation, but a strong working relationship is needed.

Working together

The Chair of the committee and the Senior Manager should:

- Meet regularly, and at times and venues that are appropriate. It is useful for the Chair to recognise that it may not be possible for the Senior Manager to leave the setting for lengthy periods of time
- Share information. The Chair may feel undermined if information is kept back. Similarly, the Senior Manager must be aware of the direction the Committee are moving in
- Share the values of the organisation. The Chair (and other committee members), working outside the sector, may have very strong opinions about how the setting should be run. The Senior Manager, however, understands the context more fully, and should help the committee to understand this context. The committee should seek the professional input of the Senior Manager when it is needed
- Reach agreement between policy issues (committee) and matters of management (Senior Manager) and have a clear understanding of the amount and type of information that the Chair needs from the Senior Manager. The committee will make policy decisions and the senior manager will ensure they are implemented
- Be familiar with, and understand, each other's job description
- Recognise the unique pressures and the limits placed on each other: the Chair is undertaking a responsible position in his/her own time, and unpaid; the Senior Manager is balancing the day-to-day running of a complex organisation that is ultimately led by a management committee
- Respect each other's views and opinions, and try to build positive, professional relationships
- Trust each other. The Chair trusts the Senior Manager and staff team to get on with the day-to-day running of the setting; the Senior Manager must trust the Chair and committee to uphold the values of the organisation and work in its best interests, which may often mean leaving personal agendas and opinions aside
- Listen to each other

The relationship between the committee and the staff team may be helped by:

- Involving the staff team in the planning and self-assessment process
- Getting to know each other through the induction programme
- Planning 'away days' and events that bring the committee and the staff team together. An effective activity that can be undertaken at a joint away day is the SWOT analysis:

SWOT Analysis

A SWOT analysis is a useful tool to identify and analyse the **S**trengths and **W**eaknesses of the organisation, as well as **O**pportunities and **T**hreats.

It is often used by teams to influence their business planning and decision-making processes, but can also work as an effective team-building tool, especially in identifying the strengths of teams and individuals.

Strengths and Opportunities may indicate areas for development, and actions to address Weaknesses and Threats can be considered. Be honest and realistic about the strengths and weaknesses of your organisation and try to be specific.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths</p> <ul style="list-style-type: none"> • What do you do really well? Either as teams or as individuals • What are the best aspects of your organisation? • What have been your successes? • What do you do that adds quality to your service or product? 	<p>Weaknesses</p> <ul style="list-style-type: none"> • What areas of expertise are lacking in your organisation? • Are there staffing or resource difficulties? • Do people see you in a negative light? • Are you in a poor location, or have premises problems? • Are there weaknesses, or breakdowns, in the relationship between the staff and the committee?
EXTERNAL	<p>Opportunities</p> <ul style="list-style-type: none"> • What factors exist outside the organisation that might improve your business? • Do you have the chance to develop a new product or service? • Is there a potential for new customers? • Do members of the committee bring skills to the organisation that can be developed? 	<p>Threats</p> <p>What factors threaten your success? These may be:</p> <ul style="list-style-type: none"> • Competition • Withdrawal of funding or sponsorship • Legal implications of staffing or service delivery • Difficulties in recruiting committee members

Effective meetings

Meetings are a significant part of committee work, although they should not be the only time that members have contact with the setting or their committee colleagues. Between meetings, time will be spent in:

- Following up action points
- Finding information
- Meetings with the Senior Manager
- Administration, correspondence and paperwork
- Visits and functions, especially for the Chair

Purpose of meetings

Effective meetings enable a group to:

- Make decisions
- Get and exchange information
- Agree action
- Check progress
- Talk things through
- Resolve conflict
- Communicate swiftly and effectively to a number of people
- Contribute towards team building and enhance motivation

Meetings should have common factors. These are:

- **Goals:** These are identified aims which the meeting hopes to achieve
- **Outcomes:** The members of the meeting have an interest in the outcomes of the meeting
- **Interests:** Participants represent different points of view and bring their own skills and experiences to the group
- **Action or Information:** A problem, situations, plans or attitudes need to be resolved or crystallised; information needs to be given or shared
- **Deadlines:** The business of the meeting takes place within a limited timescale which affects the potential effectiveness of decisions or the relevance of information

Preparation

Preparation is crucial to the success of the meeting. The section on Committee roles highlights the key actions for the Chair and Secretary, but all members have a contribution to make to the smooth running of the meeting.

- **Agree the purpose of the meeting:** This will usually be contained within the constitution or governing document, but it is important that meetings (other than the AGM) do not run just because the committee feel they have to. If there is nothing substantial for the agenda, then the meeting will simply waste everyone's time
- **Plan:**
 - > **Timing**

Many committee members have other jobs. This means that some can only attend meetings in the evening. For others, caring responsibilities may make evening meetings difficult. Make sure that everyone has been asked what the best times are, and if necessary, alternate between daytime and evening

Without a well-planned and well-managed agenda, meetings can run on for an unnecessarily long time. Meetings that last longer than two hours are rarely productive
 - > **Attendance**

The governing document will set out the requirements for a quorum

All members are expected to attend as many meetings as possible
 - > **Format**

It is important to remember that if staff members are expected to attend, and this is outside their working hours, an agreement should be reached on how they will be paid for their time. If, however, they choose to attend in their own time, it would not be necessary to pay them, or give time off in lieu

More information on the format of meetings is given in the section on agendas
- **Arrange:**
 - > **The date**

Ensure that dates are set for the whole year (or period of office). Remember that if there is nothing significant to discuss, the meeting should be cancelled, but having dates set ahead of time will make it easier for members to plan their other responsibilities
 - > **Venue**

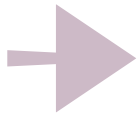
Like the issue of timing, the committee should try to meet everyone's needs and, if necessary, alternate venues
- **Communicate**
 - > A key role for the Secretary is to make sure everyone receives information to give them time to research, read and prepare
 - > Avoid discussing important issues outside the meeting. Everyone needs to be kept informed

The responsibility of all members

- To participate appropriately
- To attend, and arrive on time
- To display a positive attitude
- To provide information
- To provide feedback
- To achieve full understanding
- To assist in meeting objectives

- To commit to action where appropriate
- To offer support and guidance
- To offer the benefit of skills or knowledge

Good practice



Try, where possible, to arrange venues that are comfortable. Child-sized chairs may not encourage the decision-making process!

You won't get the best out of people if they are tired and hungry. Nevertheless, arrange for a meeting to end at lunch or dinnertime. This is a good motivator to stick to the agenda and not let the meeting run on unnecessarily

The agenda

The agenda is the most important communication tool for the management committee because it should tell people:

- Where and when the meeting will be held
- How long it will last
- What will be discussed
- What is expected of participants

It is the Chair's role to manage the agenda and the model opposite is recommended:

Sample agenda

Name of meeting

Venue

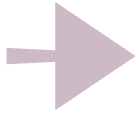
Date

Time (start and finish)

Chair – name and contact details

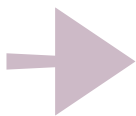
ITEM	PURPOSE	RESPONSIBLE	TIME
1 This will probably deal with receiving apologies and agreeing the minutes of the last meeting	Information	Chair	How long will it take? Try to set a time limit and stick to it
2 This may be the most important item on the agenda. The information here should be adequate to enable people to reflect on the issue, plan and prepare. This is important if they are to be asked to make a decision	What will participants be expected to do? Get information? Be consulted? Make a decision?	Who will lead on this item?	Allow time for this important item, but if an agreement is not reached within the time limit, can the item can be postponed until the next meeting, or must a decision be reached?
3 Subsequent items will appear on the agenda in order of their importance. The least important items may be left until last, in case people begin to leave, or time runs out			
4 Any Other Business needs to be managed well. The Chair should know at the start of the meeting what these items will be so that he/she can assess their importance, and plan time. It is not acceptable to use this as an opportunity to raise any issue without the prior knowledge of the Chair. If the Chair does not know what will be dealt with here, the meeting will not finish on time			
5 Date and time of next meeting			

Good practice



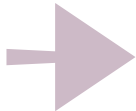
Any Other Business

AOB can be used to manipulate the meeting. Controversial issues may be raised at the end of the meeting when other people want to leave, and some may already have done so. If it is an important item, it may need to be deferred to the next meeting when it can be given full consideration, and when people have had the time to consider their viewpoint. Some Committees have abandoned this category altogether and will only accept agenda items in advance!



Apologies

The *apologies* item can suggest that it is acceptable not to attend as long as you say you're sorry. Each member of the Committee has a duty to attend meetings and should try to ensure they do this. Giving apologies is appropriate sometimes, but Committees should monitor attendance and have a procedure for regular non-attendance. And finally, if someone doesn't attend, and hasn't sent their apologies, the minutes should note that they were *absent*.



Never recap for latecomers. This will waste time and may annoy those who were there on time!

Minutes and actions

Minutes are not a word-for-word account of what happened and what was said, but should clearly and concisely set out notes about the meeting

Common areas to include are:

- Date and time
- Who was there
- Decisions made
- Actions agreed
- Who will carry out actions
- Deadlines
- Date and time of next meeting
- How to submit agenda items

Sample minutes

Minutes

Name of meeting

Venue

Date

Time

Present:

Absent:

Apologies:

ITEM	DISCUSSION	ACTION	RESPONSIBLE	TIMESCALE
The items in this column should reflect the format of the agenda	What were the key points discussed?	What was agreed?	Who is responsible for the action agreed for this item?	Set deadlines for action

Committee meeting minutes are a true record containing points and actions. These must be kept, as they are a legal document proving all decisions made by the committee have been in line with the organisation's constitution and policies and procedure. It is recommended that at the beginning of each meeting the Chair signs and dates the minutes of the previous meeting once agreed by the committee as true record.

What is a business plan?

A business plan is a document which clearly outlines the fundamental role of an organisation, allowing you to think and plan ahead. It states who is involved, how the service is researched, marketed and delivered and also how it will be financed.

It is easy for a small number of people to produce a business plan but it is the responsibility of the whole management committee/team to approve the final version and to ensure that an evaluation is carried out.

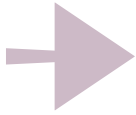
A business plan

- Captures long-term objectives, assumptions and forecasts
- Identifies areas of weakness and restriction
- Enables you to challenge assumptions that create barriers when trying to achieving fundamental aims and objectives
- Is a reference document to ensure you don't lose focus, and alerts you to any potential unforeseen problems
- Provides a means to monitor and evaluate
- Allows you to estimate your future financial needs

The business plan will help set out whether the organisation has the resources, knowledge, skills and time to succeed. The plan should include the following:

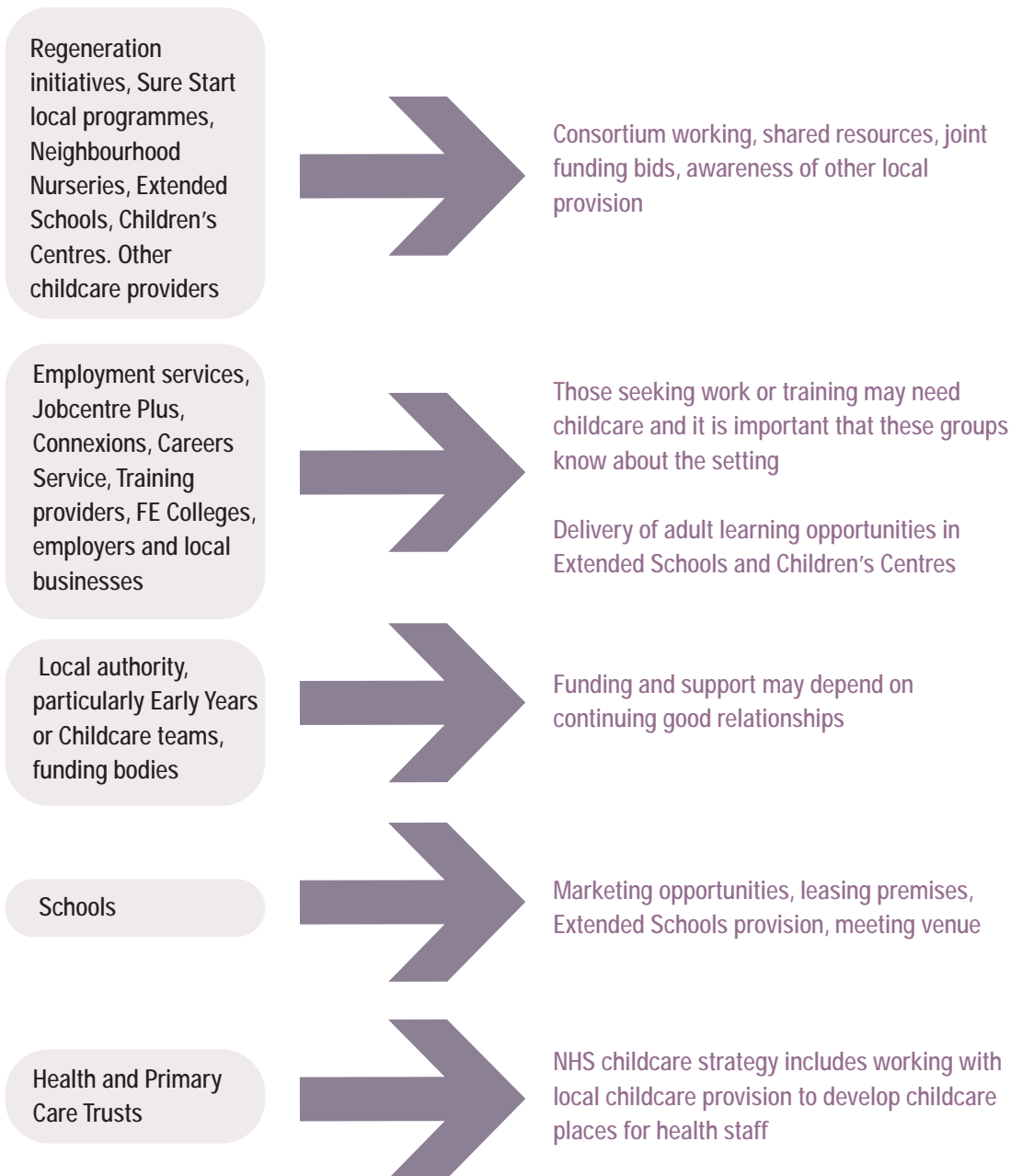
- **Executive summary** – looking at the organisation and what it is aiming to achieve
- **Your business** – the background, history, aims and objectives, including organisational structure
- **Services** – the service on offer and to whom. What makes the organisation unique?
- **Aims and objectives** – to ensure the objectives are measurable
- **Market size** – show the market exists to sustain the organisation
- **Organisation and management** – detail of the organisational structure, management, including staff skills, skills gaps and set of policy and procedures
- **Premises and equipment** – size and design of the premises and reasons for its choice, lease or buy as well as health and safety
- **Financial information** – costs, pricing, cashflow, profit and loss, balance sheet projections
- **Action plan** – timeline with targets, dates and actions
- **Monitoring and evaluation** – describes how all the plans, including the action plan, will be monitored and evaluated
- **Appendices** – CVs and market research as well as a marketing strategy, OFSTED registration certificate, equal opportunities statement/policy, policies and procedures, insurance documents

Good practice Involving stakeholders in the business planning process

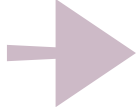


Stakeholders are individuals or groups who have an interest in what the organisation does. The following explains who these groups might be, and why they have an interest in a childcare setting. Who the committee decide to involve, or develop good relationships with, may decide the future direction of the setting.

The setting



Good practice



Reputation is crucial in a childcare organisation. Anyone who comes into contact with the setting is a stakeholder, because how they are treated and what their impression is will affect future business. This includes the landlord, suppliers, contactors, parents and carers, taxi companies, and so on

Further information on business planning can be obtained from:
[4Children](#)

Section Three

The committee as an employer



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Introduction

The most valuable resource in a childcare organisation is the people that it employs as staff and volunteers. The management committee has ultimate responsibility for:

- Selecting and recruiting staff
- Operating within legal and good practice frameworks
- Staff development
- Managing performance
- Ensuring equality of opportunity

In practice, many of these tasks are delegated to the Senior Manager of the setting, who will in turn undertake these duties within the staff team. Nevertheless, the committee will still have:

- Direct involvement in appointing and managing the performance of the Senior Manager
- Involvement in the recruitment and appointment of other staff and volunteers
- Responsibility for developing personnel policies and procedures
- Responsibility for ensuring legal compliance

This section deals with the key aspects of the role of the committee as an employer.

Ensuring equality of opportunity

The theme of equality cuts across all childcare organisations and applies equally to:

- The development and delivery of services
- Children
- Parents and families
- Staff
- Volunteers
- Committee members

Childcare settings will, as part of their OFSTED registration process, have in place a policy of equality and it is important that this is applied to the organisation as an employer. The organisation must:

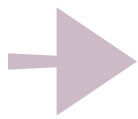
- Recognise and value the diversity of staff and volunteers and of the individuals and groups participating in its activities. Recognise that people are individuals, with their own needs and values, and that this diversity is valued and celebrated.
- Work to ensure that people are not discriminated against on the grounds of disability, sex, race, colour, ethnic origin, age, religion, belief, culture, nationality, sexual orientation or on the basis of belonging to any socially excluded group. Ensuring that staff reflect the diversity of the local community.
- Recognise that people face disadvantage and discrimination both in employment and in relation to access to services/activities.
- Commit to the empowerment of staff and volunteers through inclusion in planning and decision-making at every stage of service design, development, delivery, monitoring and evaluation.

Legal and good practice frameworks

Having in place a policy on equality, and monitoring its effectiveness, is one way in which childcare organisations can ensure that they meet legal requirements and operate in a good practice environment.

Understanding equal opportunity legislation and complying with the law is crucial for a management committee, but simply complying with the law is not enough. Equally important is an understanding of the context of equality, and the reasons why it is so important to provide opportunities to all sectors of society. This is particularly important in terms of recruitment.

Good practice



Do you monitor equality in terms of recruitment? Is your staff team predominantly white, young, female and able-bodied? Recruiting good quality childcare practitioners is a challenge for most childcare organisations, and few can afford to ignore groups of people who can offer their skills, expertise and experience to enrich the staff team. Next time you recruit, use Positive Action; in adverts say that you welcome applicants who are male, older, disabled or from ethnic minorities because these people are under-represented in your workforce. One day care provider used Positive Action to encourage older workers to apply – and was delighted and astonished by the result. They appointed two workers who were both in their late 50s. One of them said “It would never have occurred to me to apply for this job until I saw that advert and I thought maybe I stood a chance. Well, I got the job and now I’m doing an NVQ – I never thought that this is what I would do at my age!”

The following gives an overview of the relevant legislation and good practice in relation to equal opportunities. Management committees, as employers, have a duty to inform their staff of their rights, and it is important that up-to-date information and advice is sought as the law can, and does, change. The European and British parliaments will introduce new legislation and information is given about these changes, where known. Contact details are given for relevant agencies from whom updates can be obtained. The following is provided for information. It does not constitute legal advice.

Disability

The Disability Discrimination Act (DDA) 1995 (and subsequent amendments) is the first legislation in the UK to address the issue of discrimination against disabled people. Further changes will be introduced in 2004.

The Act protects people from discrimination in employment and places a duty on an employer to make reasonable adjustments to working arrangements.

The Disability Rights Commission can offer guidance on the Act, and support for employers to help them to meet the needs of disabled people. The Commission has also developed, along with the Government, Codes of Practice explaining legal rights and requirements. These Codes offer practical guidance rather than definitive statements of the law.

Further information on Disability rights can be obtained from: [Disability Rights Commission](#)

Sex

The Sex Discrimination Act 1975 (SDA) and the Equal Pay Act 1970 (EPA) set out the basic principle that men and women should not receive less favourable treatment on the grounds of sex or marital status. Discrimination on the grounds of sexual orientation in employment is unlawful under the Employment Equality (Sexual Orientation) Regulations 2003.

The Equal Opportunities Commission (EOC) has published Codes of Practice that give guidance on the interpretation of the legislation and advice on good equal opportunities practice.

Further information on sex discrimination can be obtained from: [Equal Opportunities Commission](#)

Race

Under the Race Relations Act 1976 (RRA) it is unlawful to treat a person less favourably than another on racial grounds in relation to employment and the provision of services. The Race Relations (Amendment) Act 2000 includes a duty on public authorities to promote equality of opportunity and good relations between different racial groups. The Employment Directive of the European Union (2000) outlaws discrimination on grounds of religion or belief and the Employment Equality (Religion or Belief) Regulations 2003 came into force in December 2003.

The Commission for Race Equality (CRE) publishes Codes of Practice providing interpretation of the legislation and guidance on best practice.

Further information on race discrimination can be obtained from: [Commission for Race Equality](#)

Age

The Employment Directive of the European Union (2000) outlaws discrimination on grounds of age in employment and vocational training and new legislation will be introduced at the end of 2006.

Further information on age discrimination can be obtained from: Department for Trade and Industry (DTI)

Selecting and recruiting staff

Recruiting a childcare team that has the right balance of skills, expertise and qualifications is a challenge for many childcare settings. Having in place a sound recruitment process, and recognising the need to attract staff from as wide a pool as possible (see 'Ensuring equality of opportunity' above), will help settings overcome some of these challenges. You will increase your chances of finding the right person, you will avoid falling into legal traps around equality of opportunity, and knowing what to do will help give you confidence.

Do we really have a vacancy?

For most employers, the resignation of a member of staff, especially one who is valued and competent, is a great loss. This is particularly the case for childcare providers who must have regard to staffing ratios, and who know that there is a limited pool of experienced, qualified staff. The tendency is to try to fill the vacant post as quickly as possible, but it is important that the committee, along with the Senior Manager, takes time to reflect on the vacancy and considers the options. Rushing the recruitment process can have serious consequences both financially and in terms of your reputation. It is important to answer the following questions first, whether replacing an existing staff member or filling a new post.

How much will it cost?

Recruitment of staff can be expensive, in terms of both time and money. Think about:

- The time it takes to recruit someone (which could be two or three months from resignation to appointment)
- The time it will take from appointment until the new member of staff is confident and competent – and can start earning you money
- The cost of supply or agency staff who may have to cover a vacant post
- The cost of advertising
- The new person's salary and **on-costs**
- If you can't recruit first time round, you will have to absorb all these costs again

Reallocation of duties

Does the post need to be filled? Or can the tasks and responsibilities be distributed amongst the remaining staff team?

Recruitment from within

Have you considered recruiting the post from within, providing the current staff with the opportunity to develop by implementing an internal recruitment process. If this is a senior post, this may give junior staff the opportunity for promotion. 'Backfilling', or recruiting inexperienced and unqualified staff, is often easier than trying to recruit to a more senior position.

Nature of the post

If this was a full-time post, can the job be done on a part-time or job-share basis? Recruiting to a part-time post can often be more attractive to potential applicants who may have family commitments of their own. **Flexible working** is often far more attractive to potential applicants and so you should consider different options – term-time working, part-time, annualised hours, flexitime, and so on. Are the tasks and responsibilities still the same? Take time to reflect on the needs of the business and ask if this job needs to be reconsidered in light of different services and changing cultures.

New posts

Is the new post in the business plan and have costs been set aside? Is there enough demand to sustain a permanent post?

If you then decide that a job really needs filling, you can start to think more clearly about what the job looks like, and what sort of person you want to fill it.

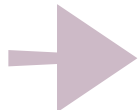
What's the job?

A job description is exactly what it says – a description of the job! It should be accurate and up-to-date so if you are filling a vacant post, you should make sure it is reviewed beforehand.

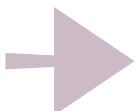
A job description is important because it will help you:

- Draw up an advert
- Brief Jobcentre Plus or other employment agency
- Draw up a shortlist
- Select the right applicant
- Plan an effective induction that focuses on the job that needs doing
- Manage the performance of the post holder by setting out key tasks and **competencies** that can be assessed

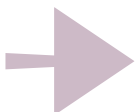
Good practice **It's not my job!**



An accurate and up-to-date job description is important because it tells the post holder what is expected of them



If the post has supervisory responsibility, be flexible. Better to say “Responsible for a small staff team” than “Responsible for three members of staff”. Allow for change and growth.



The best person to write a job description is the person doing it. If possible, before a staff member leaves, carry out an exit interview, and ask them to review the job and say how it has changed.

Recruiting volunteers

Some organisations that use volunteers tend to avoid using the formal processes used to recruit paid staff. This applies particularly to the use of job descriptions. The drawback of not designing an effective job description for a volunteer role is that this essential and valuable member of the team is not clear about what they should do, and consequently will not be able to contribute to the organisation's effectiveness. You are more likely to attract and recruit volunteers if they are fully aware of their role and responsibilities.

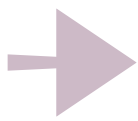
What should be in the job description?

<p>Title</p>	<p>Think about the title of the post and remember that some people are very influenced by this and by the status that it may confer. What would you prefer?</p> <ul style="list-style-type: none"> > Playgroup assistant or Childcare Practitioner? > After-school club worker or Play Co-ordinator? > Supervisor or Manager?
<p>Purpose</p>	<p>This sets out in one or two sentences the overall purpose of the job</p> <ul style="list-style-type: none"> > “To co-ordinate the day-to-day organisation and operation of the breakfast club” > “To provide good quality play and care for children”
<p>Who the post holder will work for or report to</p>	<p>For a Senior Manager, this will be the management committee. It is important that potential applicants understand where the job fits into the organisation</p>
<p>Who will report to them (if any)</p>	<p>If the post holder has supervisory responsibility, make sure this is clear</p>
<p>What are the tasks and responsibilities of the post?</p>	<p>This should set out, in descending order of importance, the main tasks and responsibilities. These are descriptive statements:</p> <ul style="list-style-type: none"> > Ensure the delivery of creative play opportunities > Collect children from school > Provide refreshments > Work within agreed budgets > Monitor the performance of the staff team > Plan and provide stimulating play environments > Work effectively as part of a team
<p>Any other information</p>	<p>This is an opportunity to set out what else is expected of the post holder:</p> <ul style="list-style-type: none"> > Undertake continuing professional development > Attend staff meetings and participate actively in the business planning process

The person specification

A person specification describes the ideal person for a post and sets out the skills and characteristics that are needed. Having a clear person specification will allow you to make decisions based on facts, not feelings.

Good practice



Age restrictions

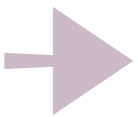
Employees need to be at least 18 to work with children. However if young people aged 16-18 have a real interest in the sector, they can start by doing an introductory course or work placement organised through their school/college. Local training providers also offer opportunities in preparation for working in the sector.

The following areas may be included in a person specification:

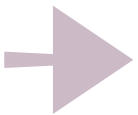
Qualifications and experience	What are the essential requirements for the post? If this is the person in charge, they must have a Level 3 qualification (see QCA framework), but be careful not to put people off by asking for unrealistic qualifications. Unless it is an essential requirement for the job, a willingness to undertake training and development can be more important than a qualification.
Special skills	This might include languages spoken, First Aid, organisational skills, knowledge of Daycare Standards and so on
Personal attributes	Good team worker, ability to work with little supervision, self-motivated, etc.

Good practice

Keep the door open for as many applicants as possible.



Unless it is essential, avoid rigid qualification requirements. Better that a potential applicant rings you and asks if their qualification is suitable, than for them to reject the advert because they don't have the particular qualification asked for.



Avoid asking for personality traits: For example, "Bubbly, extrovert, outgoing person with good sense of humour". Some people may read this as "young". And anyway, how are you going to use this in the selection process? Use criteria that you can measure.

The advert

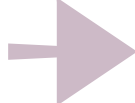
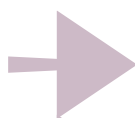
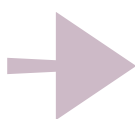
It is important that as many people as possible know you have a vacancy. Use the following formal and informal outlets to advertise:

Within the setting	Staff, volunteers and parents are all potential applicants
Local community venues	Doctors' surgeries, clinics, health and community centres, local schools, other childcare groups
Local shops	A postcard in a shop window is an effective and low cost way of attracting local people
Jobcentre Plus	The Jobcentre offers a free service to any employer who has a post to fill. Their databases reach a huge number of people. In addition they can help you draw up a shortlist, and sometimes can provide interview facilities
Children's Information Services	Usually managed by the local authority, the free CIS is part of a national database
Careers services, Connexions, Colleges and schools	Free, and useful for attracting people who may have qualifications but little experience.
Community and sector newsletters	Usually free, and often read by those already involved or working in the local community or sector Newspapers and magazines, local radio Expensive, but local papers reach a wide audience.

Good practice

Using the press effectively

- > Make your advert stand out from the rest
- > Avoid too much information – cramped adverts may put people off
- > The cost is high – so make sure the advert sells the setting at the same time
- > Try to negotiate the cost. Newspapers have to sell space, and may be flexible on price. If you are a registered charity, make sure you ask the paper for a reduced rate



Always include a closing date. This will motivate people to submit an application

Don't be shy about the salary. Some people think that if it isn't included in the advert it must be really bad. Ask yourself, would you apply for a job if you didn't know how much they were paying?

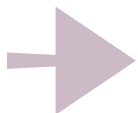
Recruiting volunteers

The usual method for recruiting volunteers is through word of mouth, and this means that you should try to tell as many people as possible that you have a vacancy for a volunteer. However, you may find you are limiting the pool of potential volunteers who will make a valuable contribution to the organisation. The methods of advertising for paid staff apply equally to the recruitment of volunteers.

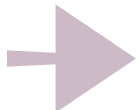
The application process

	ADVANTAGE	DISADVANTAGE
Telephone or visit Letter of application	Quick response	Difficult to select people based on the criteria in a job description. Good for initial contact but should be followed up with application form
CV	Relatively quick	Difficult to compare with other CVs People tell you what they choose Difficult to see gaps in employment/training history
Application form	Easy to compare and select based on information that you need, rather than what a CV chooses to give you Together with shortlisting criteria, it can demonstrate how you have reached a decision and so equal opportunities breaches can be avoided	Can delay process so need to ensure that applications are sent out as soon as possible

Good practice



Always check for gaps in a person’s employment or education history. Ask at interview if you need this clarified. If an applicant spent time with their family, that’s all you need to know. What must concern you is if someone can’t account for a break.



Remember that the Sex Discrimination Act forbids discrimination on the grounds of marital status, which also includes childcare responsibilities. It is not appropriate to ask at interview any questions about childcare.

Recruiting volunteers

A formal interview may be off-putting for some people who wish to volunteer and you may prefer instead to invite a potential volunteer in to see you for an informal meeting. Nevertheless, apply the same principles to volunteers as to paid staff: encourage people to feel comfortable (remember that they are choosing you as well!), and they are much more likely to tell you about themselves; make sure you are not interrupted; be prepared to answer questions; be honest about the role.

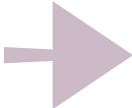
Shortlisting

Shortlisting is one of the most important aspects of the recruitment process, and if you have a job description this will be relatively straightforward.

Use the job description and person specification to go through the application form and check who does, and doesn't, meet your requirements. You can devise a form for this, and a grading process. The following example uses three marking criteria: 2 = meets criteria, 1 = partly meets criteria, 0 = doesn't meet criteria

Criterion	Grade	Comments	Invite for interview
Level 3 Qualification	2		
Two years experience	2		
Organisational ability	1	<i>Check at interview</i>	
Experience of managing a staff team	0	<i>Training need</i>	
Score	5		<i>Yes</i>

Those who meet the criteria can be invited for interview. Those who have been rejected may ask for feedback, and you should be prepared to give this. Using a form like the one above is a useful way of giving this feedback.

Good practice  **Keep all the applications and shortlisting forms for at least a year. These will demonstrate the process you have followed and will help you to avoid allegations of unfair treatment. A rejected applicant can make a complaint up to a year afterwards.**

The interview

The interview is the most common method of selecting staff. It is used to:

- Get information
- Give information – remember that they are also choosing you!
- Demonstrate that people have been treated fairly
- Give people a good impression of your business – you may want them to apply for another job in the future, and they might be a potential customer!

Guidelines for effective interviews

- Prepare well: agree beforehand what questions you want to ask and remember that these should be the same for each applicant so that you can compare answers
- Use a grading form – similar to the selection form (above). You can decide after each interview what grade you would give the candidate (with reasons). Again, you may need to use this to explain why you have reached your decision
- Don't be constrained by set questions – you can probe. For example, if someone said they weren't happy in their last job, ask them why
- Never interview alone: make sure that you interview with at least one other person. This will enable notes to be taken, and decisions to be shared. It will also protect you from allegations of unfair treatment
- Put people at their ease – you want to get the best from them so start off with something that they feel comfortable with; for example, "Tell us what you are doing at the moment"
- Use open questions – avoid questions that require only a yes or no answers and are built upon the key elements of the job description and person specification.
- Interview in private and remove any distractions
- Always allow people to ask questions

Appointment

Hopefully, you have reached a clear decision and are able to offer the candidate the job.

Troubleshooting – what can go wrong?

You can't make a decision	Interview again, perhaps more informally. Invite the candidates into the setting and ask them to lead a session. This can often help you make up your mind
The preferred candidate may turn down the job	This is very frustrating but try to find out why they have turned it down. Is there anything you can do to persuade them to reconsider? Try to have a reserve – this is a person who was appointable, and met the criteria, but didn't score as well as the preferred candidate
No one seemed good enough	Never feel pressured into offering the job to someone you are not confident about. In the long it run it may be a costly mistake. You may have to start again, reviewing the job, and the process. Offering a job on probation may not be the ideal solution. Be confident

References

References are essential in confirming your decision. However, there are some issues about references that you should bear in mind.

<p>You can't get a reference from a previous employer</p>	<p>This could be for several reasons:</p> <ul style="list-style-type: none"> • The employer may no longer exist – see below • The employer may have a policy of not providing references – this is not uncommon, and should not be seen as a refusal to give a reference • The employer may not wish to give a reference – some employers feel that if they can't give a good reference they won't give one at all. You could try ringing them, but you may have to pursue other referees. Discuss with the candidate the reasons for this and try to find out what the issues are.
<p>The candidate has been out of the workplace for many years and cannot give a recent referee</p>	<p>This is not uncommon for returners to the job market. You should try to follow up references, even old ones, but failing that you may have to rely on character references. The value of these is dubious, however – they may not be able to tell you anything about a person's ability in the workplace</p>
<p>A candidate has no work history</p>	<p>Young people often rely on referees within the education/learning environment. You should always follow these up, but many young people will have had some work experience that they may not feel is relevant and you should ask the candidate about these.</p>

Recruiting volunteers

It is appropriate and acceptable to expect volunteers to provide references. These may be from paid or unpaid employment, or character references. In addition, volunteers are subject to Criminal Records Bureau (CRB) checks. Volunteers are usually eligible for free disclosure checks provided they meet the following definition: "A person who performs any activity which involves spending time, unpaid (except for travelling and other out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives".

Criminal records checks

People or organisations registered by OFSTED as daycare providers who wish to employ others to work with children must judge if potential employees are suitable to do so. The **Criminal Records Bureau (CRB)** can help make this judgement by carrying out a criminal records check. But the overall responsibility for the judgement remains with the employer, and this may be the Voluntary Management Committee. Wherever possible, the CRB check should be made before the person starts work. If this is not possible, the employer must not let anyone have **unsupervised** access to children until they have a satisfactory criminal records check.

The CRB

The government set up the CRB in 2002 to help organisations make their recruitment decisions, by providing access to criminal record information. The CRB service replaces the system of obtaining police checks, which was available to only a limited number of organisations.

Disclosure

The CRB provides a service known as 'disclosure'. This involves providing information held on a person's police record. Daycare providers registered with OFSTED can get this information to help them make sure that the people involved in a daycare setting are suitable to be in contact with children. Applicants to become new daycare providers can also use this service.

Enhanced disclosure

The CRB provides three levels of disclosure information:

- Basic
- Standard
- Enhanced

Enhanced disclosures are required for particular positions of trust such as working with children or the vulnerable. An 'enhanced disclosure' contains details of all convictions held on the Police National Computer including current and '**spent**' convictions as well as details of any cautions, reprimands or final warnings.

If the individual intends working with children, the Disclosure will indicate whether the individual is on the lists held by the Department of Health and Department of Education and Skills of those people banned from working with children.

Applying for an enhanced disclosure

There are two ways:

- Through OFSTED, as OFSTED is a body registered with CRB and can countersign applications on your behalf. There are other bodies registered with CRB that can countersign disclosure applications, and these can be used if they are more convenient.
- By becoming a body registered with CRB to have direct access to CRB disclosures. Organisations that wish to do this should contact the CRB.

Which individuals need a CRB disclosure?

CRB disclosures are required for the following individuals involved in a daycare setting:

- Partners, committee members, directors or members of the governing body who either:
 - > work on daycare premises
 - > look after children
 - > have management or supervisory responsibility for an individual looking after children
 - > have regular contact with children on daycare premises.
- Person in charge of the setting
- Person(s) living or working on the premises
- Person(s) looking after children.

The application procedure

As a registered provider, the management committee must inform OFSTED if they intend to employ a paid or voluntary member of staff. This may include a member of the management committee (see above). OFSTED will then tell the individual how to contact the CRB.

The individual will be asked to provide:

- An 11-digit registered body number (OFSTED's registered body number is 200 964 000 08)
- Full name and any other name that they may have been known by
- Full addresses covering the last five years
- Date and place of birth
- National insurance number
- Other information such as passport/driving licence details
- Bank account details

This is not a complete list, as the questions asked by CRB will depend upon the answers given by the individual during the telephone call. The CRB will ask for information to ensure that individuals have given their true identity and current address.

The CRB sends a partly completed disclosure application form for checking and signing to the individual, along with an information booklet called *Applying for a disclosure*. When individuals receive a partly completed disclosure application form they should:

- Check that information on the form is correct; if anything is incorrect, they should amend the form, referring to the *Applying for a disclosure* booklet sent by CRB
- Complete any unanswered questions in sections A to F; the *Applying for a disclosure* booklet sent by CRB will help them do this
- Complete section H, signing in two places and dating the form.
- Note: They should not complete sections X or Y.
- Give the form to you, along with original documents to enable you to verify their identity.

The CRB will send one copy of the disclosure to OFSTED, and one copy to the subject of the disclosure request to their home address. Providers do not get a copy – only the subject of the actual disclosure request.

Once OFSTED has received the disclosure, they will contact you if there are issues that they feel need to be brought to your attention. In any case, employers should ask the individual to show them a copy of the disclosure.

It is then for the provider, which may be the Voluntary Management Committee or the Senior Manager of the setting, to decide whether an individual is suitable to work in, or be connected, with a daycare setting. There may be matters not directly connected to day care, for example, convictions for fraud or theft, which may be of interest. If the individual refuses to let the employer see their copy of the disclosure, then the employer should judge whether they wish to employ them.

More information is available in the following documents:

- **What to do with CRB disclosure forms**
- **A guide to registration for daycare providers**

These are available from OFSTED's free publications helpline on 07002 637 833 or from the website www.ofsted.gov.uk

Further information on CRB and OFSTED can be obtained from:

CRB
OFSTED
4Children

Induction

People invariably feel a little anxious starting a new job, and how they are welcomed can have an effect on how quickly they start to perform in their new role. A good induction programme assists the new employee by:

- Helping them settle in quickly
- Providing them with the information they need to fulfil their role
- Giving them a sense of belonging
- Putting their role into the context of the organisation

The committee as an employer has a responsibility for making sure that the new employee is supported during the induction programme. This may involve them directly in inducting the Senior Manager or other members of the committee, or indirectly with other members of the staff team.

The following information should be made available during the induction process:

- The employee's job description
- Terms and conditions of employment (written statement) (See Employment Law)
- An explanation of the organisation's objectives and how the new person fits in
- Learning and development policy
- Probation period
- The organisation's Performance Management process

Timescales for induction should be agreed and the following checklists on pages 71 and 72 may be used.

Manager's Induction Checklist

Induction activity	Suggested timescale
Set up timetable for first two weeks of induction and diary in dates for reviews, visits, one-to-one meetings with other colleagues	2 weeks prior
Inform staff of new employee and date they will be starting	2 weeks prior
Welcome them to the setting	1st day
Introduce induction programme	1st day
Explain their new role – discuss the job description, clarify roles and responsibilities, outline what is expected of them, agree on-the-job training/coaching	1st week
Explain the team and organisation – structures and relationships, introduce them to relevant colleagues and members of the Management Committee, explain team and organisation's objectives	1st three weeks
Conduct regular review meetings	Weekly
Discuss and agree short-term objectives	1st month

Individual Induction Checklist

Induction activity	Person responsible	Timescale Completed
Induction packs issued / discussed	Manager	Day 1
Timetable for first two weeks discussed	Manager	Day 1
Introductions to team members and Management Committee	Manager	Day 1
Tour of the building	Manager/Colleague	Day 1
Health & Safety induction completed	Manager/Individual	Weeks 1–4
Introduction to job and clarify role, responsibilities and standards expected	Manager	Weeks 1–4
Introduction to team roles	Manager	Weeks 1–4
Weekly review meetings with manager arranged and conducted	Manager	0–3 Months
Learning needs identified and action agreed	Manager/Individual	0–3 Months
Equal Opportunities training received	Manager/Individual	0–3 Months
Individual objectives and individual development plan discussed and agreed	Manager/Individual	At 3 Months
Induction programme reviewed and evaluated and induction checklist signed off.	Manager/Individual	At 3 Months

Employment Law

There follows an overview of the main pieces of relevant legislation and good practice in relation to employment law. Management committees, as employers, have a duty to inform their staff of their rights, and it is important that up-to-date information and advice is sought as the law can, and does, change. Contact details for relevant agencies from whom updates can be obtained are given at the end of this section. The following is provided for information. It does not constitute legal advice.

Contract of employment

A contract of employment is an agreement entered into by an employer and an employee under which they have certain mutual obligations. If no contract of employment exists beforehand, one will come into existence as soon as an employee starts work and demonstrates that he or she accepts the job on the terms offered by the employer. The contract need not be in writing. Its terms can be written, oral, implied or a mixture of all three. But it is good practice to have written terms, signed and agreed by both the employer and employee.

Written statement of employment particulars

All employees taken on for one month or more are entitled by law to be given, within two months of the date the employment starts, a written statement setting out the main particulars. This statement will not necessarily cover every aspect of the contract, but will constitute important evidence of the principal terms and conditions.

Advice on the contents of a written statement, including a pro-forma, can be obtained by contacting the DTI.

The minimum wage

In October 2004 the National Minimum Wage rate for workers aged 22 or over increased to £4.85 per hour. For workers aged 18 to 21 the rate rose to £4.10 per hour. Children would recommend that providers pay £8-£10 an hour for an assistant and £12 per hour for a manager to ensure a quality workforce.

Working time

The Working Time Regulations 1998 rights include:

- Four weeks paid holiday
- No obligation to work more than 48 hours per week
- At least one day off per week
- 11 hours uninterrupted break between the end of one working day and the start of the next
- A rest break of at least 20 minutes when the working day is more than six hours. This should be a break taken in working hours and not to be taken at the start or the end of a working day

Part-time workers

In July 2000 regulations were introduced to improve the working conditions of Britain's part-time workers, of whom over 80 per cent are women. They give part-timers the same rights as full-time colleagues including equal:

- Treatment in access to training
- Hourly rate of pay
- Access to company pension schemes
- Entitlements to annual leave and maternity/parental leave on a pro-rata basis
- Entitlement to contractual sick pay
- Entitlement to staff discounts and bonus schemes

Fixed-term contracts

In 2002, the Government introduced regulations to improve the quality of fixed-term work and limit abuses such as the use of successive fixed-term contracts.

Agency workers

Temporary agency workers have a number of 'Day One' rights including restrictions on working time and the introduction of the National Minimum Wage. In addition, the Government has produced specific proposals to tighten the conduct of employment agencies.

TUPE (The Transfer of Undertakings (Protection of Employment) Regulations)

TUPE is legislation that protects employees' rights when the business they work for is transferred to a new owner.

Family friendly policies

People often experience difficulty balancing their many work and family responsibilities. In April 2003 the Government introduced a package of new laws to provide parents with more choice and more support. These include:

Flexible working

Parents with children aged under 6 (or with disabled children under 18) have the right to apply for more flexible, family friendly working arrangements and employers have a legal duty to consider these requests seriously. Employers can only refuse such a request where there is a clear business case to do so.

Maternity leave and pay provisions

In April 2003 Ordinary Maternity Leave was extended to 26 weeks. Payment of Statutory Maternity Pay and Maternity Allowance was also extended to 26 weeks. The standard rate payable has increased to £100 a week. The qualifying service for additional unpaid maternity leave (a further 26 weeks) has been reduced so most mothers will be able to choose to take a year off work.

Paternity leave

From April 2003 new fathers have the right to two weeks paid paternity leave.

Adoptive parents

Adoptive parents also gained new rights to adoption leave and pay from April 2003. Adopters can take 26 weeks paid adoption leave and 26 weeks unpaid leave.

Parental leave

Parental leave is a right for parents to take time off work to look after a child or make arrangements for the child's welfare. Most parents are entitled to 13 weeks parental leave in respect of each child, which they can take up to their child's fifth birthday. Parents of children for whom an award of Disability Living Allowance has been made can take 18 weeks parental leave up to their child's 18th birthday.

Time off for dependants

Employees have the right to a reasonable amount of time off work in order to deal with emergencies involving someone who depends on them such as a child, husband, wife or parent.

Notice periods

An employer is required to give an employee:

- At least one week’s notice if the employee has been employed by the employer continuously for one month or more but for less than two years;
- At least two weeks notice if the employee has been employed by the employer continuously for two years and
- One additional week’s notice for each further complete year of continuous employment for a period of less than 12 years continuous employment; and at least 12 weeks notice if the employee has been employed by the employer continuously for 12 years or more.

Notice to be given by an employee

An employee is required to give his or her employer at least one week’s notice if employed continuously for one month or more by that employer. This minimum is unaffected by longer service.

Annual leave

Every worker – whether part-time or full-time – is entitled to four weeks paid annual leave. A week's leave should allow workers to be away from work for a week. It should be the same amount of time as the working week: if a worker does a 5-day week, he or she is entitled to 20 days leave; if he or she does a 3-day week, the entitlement is 12 days leave.

- Workers must give the employer notice that they want to take leave
- Employers can set the times that workers take their leave, for example for a Christmas shutdown
- If a worker's employment ends, he or she has a right to be paid for the leave time due

Bank holidays

The leave entitlement under the regulations is not additional to bank holidays. There is no statutory right to take bank holidays off. Therefore a worker who is not otherwise paid in respect of bank holidays may take bank holidays as part of his or her annual leave entitlement in order to receive payment for these holidays.

Any right to time off or extra pay on bank holidays depends on the terms of an employee's contract of employment. Even when entitlements of this nature are not explicitly written down, they may sometimes be incorporated by custom and practice (for example, where they have become part of the customary terms of employment in a particular industry).

Dismissal and disciplinary procedures

Every year many employees leave their jobs – usually by mutual agreement with their employer. Very often the employer is sorry to see them go. At other times it is because the employer has dismissed them. The purpose of the unfair dismissal provisions is to protect employees against the hardship resulting from being dismissed unfairly.

Legislation provides that an employer may dismiss an employee if:

- He or she has a valid reason for doing so; and
- He or she acted reasonably in dismissing the employee.

The ACAS Code of Practice on disciplinary and grievance procedures aims to help employers to set up fair procedures for dealing with the type of problem which may lead to dismissal. It is intended to help both employee and employer and is based on good management practice.

Where to go for help

Employers have access to a wide range of free and accurate advice and should aim to seek this help before paying for support through a solicitor or HR Service.

ACAS (Advisory, Conciliation and Arbitration Service)

ACAS is a free service available to employers and employees to give accurate, impartial, confidential and up-to-date employment relations advice.

Employers can call the national helpline number on 08457 47 47 47 and in addition there is a comprehensive website at www.acas.gov.uk.

ACAS also produces a range of publications and can help with dispute resolution, training and one-to-one support.

Department for Trade and Industry (DTI)

The DTI provides a range of employment fact sheets and guides that are free of charge. In addition, the website offers comprehensive guidance on all aspects of employment law, as well as links to relevant agencies. TIGER, the Tailored Interactive Guidance on Employment Rights, provides information on minimum wage, maternity, paternity and

adoption rights and is an excellent resource for employers. The DTI is moving towards all information becoming available online but it may still be possible to obtain the information you need in paper copy if you do not have access to the website.

Business Link

If you are a UK registered small or medium sized company looking for help and advice about developing your business, get in touch with your local Business Link by calling: 0845 600 9006

4Children Business Support Services

4 Children offers a range of business support services for childcare providers, including:

- Payroll Services
- Accounting Services
- Budget Service
- Human Resources
- Management Committee
- Charity Governance Support

For more information contact Business Support on 020 7522 6949

Training and workforce development

Developing the team so that they achieve their potential and help you meet your objectives is a key role for employers and managers of children’s services. The management committee as an employer usually delegates the responsibility for team development to the Senior Manager but will agree the organisation’s policy towards workforce development, retain direct involvement in developing the Manager and indirect involvement in the team through the development of policies and allocation of funds.

Statutory needs

The Government is committed to delivering additional childcare places and this has a direct impact on workforce development needs. When more qualified people are needed, there is in turn a greater need for training and development.

The National Standards for Under Eights Daycare and Childminding set minimum standards for qualification and training as a precondition for OFSTED registration, including:

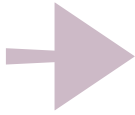
- All leaders and supervisors in full daycare, sessional care and out of school childcare settings are qualified to level 3
- At least 50 per cent of other staff are qualified to level 2 appropriate to the care or development of children

Other important priorities include:

- Training to meet other requirements of the national standards, such as first aid training
- Continuous professional development (such as inclusion)
- Management and leadership training
- Business support
- Basic skills
- Tutor and trainer training

Management committees have a duty to ensure that the above requirements are implemented, but they should also recognise that training and development are among the most important investments an organisation can make in its staff. Not only this, but they aid recruitment and retention by offering attractive career opportunities.

Case study



Jane and Harprit have recently set up an out of school club in their local school. They have experienced difficulties in recruiting qualified staff and contacted the local authority childcare team. They were sent a copy of the Training Directory, which gave information and contacts for local delivery in early years, childcare and playwork. In addition they were informed about a bursary system with the local authority that was able to assist with funding staff development. From this they were able to create a training and development plan for the staff in the setting that enabled them to meet national standards and provide development opportunities for the team

Training and development of staff can take other forms, such as:

- Job shadowing and sharing
- Coaching
- Team training, in-house training, information sharing at staff meetings
- Cascading knowledge
- Cluster meetings with other settings
- Secondments
- Work-based learning
- Books, videos and journals
- The Internet and e-learning
- Observation

Case study

During a supervision session with the leader of the setting the Chair of the management committee becomes aware that there are issues of conflict within the team. It is causing problems with attendance and lateness that are having an immediate effect on the quality of the service being delivered. A new committee member has recently come on board who has experience in delivering training and agrees to provide some in-house training that will support the team in more co-operative working.

The training is delivered as a series of evening sessions and the team find that not only do they begin to understand each other better but that they enjoy the direct contact with the management committee who they rarely see. The benefit was two-fold as it gave the committee an insight into the roles within the setting and the importance of these thus providing communication pathways that previously did not exist.

The consequences of not developing the team are serious

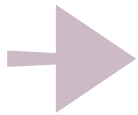
- What if the setting fails to meet the standards required by law?
- What if staff leave to go to another setting that will develop their skills and talents?
- How will you recruit staff if they know that they will not have development opportunities?
- What if staff are demotivated and have low morale?
- What if staff don't know how to do their job, and make mistakes that go uncorrected?

Financial support may be obtained from various bodies including:

The local authority or Sure Start Team

- The local Chamber of Commerce or Business Link, who may offer subsidised training courses
- Local colleges and Adult Learning Centres who may provide free or subsidised training (many funded through the Learning and Skills Council)
- Job Centre Plus as pre-entry into employment
- The Inland Revenue offers free business support training sessions in most parts of the country

Good practice



The people you employ are your most valuable resource. Make sure that budgets have regard for the training and development needs of the staff team. A quality team that knows how to do their job well is more important than any other resource.

How to identify development needs

Everyone involved in the development of staff must be aware of the aims of the organisation. All training and development needs must link to these aims.

The identification of training needs often takes place during the staff review process. Needs can be broadly placed into the following four categories, and some examples are given. Settings will identify their own needs:

Business needs (What might be holding the business back? What is important for the organisation?)

- Management skills such as recruitment and selection
- Marketing and promotion skills
- Financial management

Quality development (What should we be doing well to offer best quality care and education?)

- Foundation Stage Skills
- Behaviour Management
- Child Development
- Building Relationships
- Working with Parents
- Equal Opportunities

Personal needs (What do team members want to do to develop themselves?)

- Gain qualifications
- Gain new skills
- Develop their career

Using a skills matrix to identify needs

A skills matrix can be one of the most useful tools for a management committee and Senior Manager to have to hand.

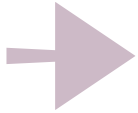
A skills matrix sets out all the skills, knowledge, experience and qualifications that are essential for the setting. Against these skills, the names of team members and volunteers can be noted. In this way, gaps can easily be identified. The following example shows how this can work:

	Jo-Mgr	Rav	Donna	Sarah
Skill				
Level 2 Qualified	•			
Level 3 Qualified	•	•		•
SENCO Training	•	•		
Behaviour Management	•			•
Foundation Stage Training	•	•		
Recruitment and Selection				
Health & Safety	•	•		
Child Protection	•			•
Equal Opportunities	•	•	•	•
Working with Parents	•			

The example shows:

- Everyone on the team has undertaken Equal Opportunities training but only two members of staff have had any Child Protection training
- Only one member of the team has a Level 3 Qualification – what happens if this person is away, or leaves?
- None of the staff has had any training in recruiting staff, and the matrix shows that management skills have been neglected
- The Senior Manager has the most skills – perhaps the skills of the rest of the team are being neglected

Good practice



Design a skills matrix for the management committee. What are the skills the committee needs, and what does it lack? This is also a good opportunity to highlight skills that individuals bring to the committee and may have been hidden!

Personal Development Plans (PDP)

A PDP can be compiled at the annual review and simply sets out:

- What development is required?
- What the outcome will be (What will I be able to do that I can't do now?)
- How will the need be met? (What learning method will be used?)
- What will the contribution be to the business?
- Who is responsible for arranging it?
- When will it be completed?
- Will any resources be required?

The PDP can list all the areas for development identified, and should be reviewed at least annually to ensure that actions have been taken. In addition, once completed, all the PDPs for the team can be brought together into a team development plan. It is essential that the management committee have this information in order to plan and budget for the forthcoming year.

Early Years, childcare and playwork qualifications

The range of qualifications in the sector has been assessed by the Qualifications and Curriculum Authority (QCA) and they have produced a framework setting out the range of qualifications at Levels 2, 3 and 4. The framework is correct at the time of writing, but is subject to change. This is an area of considerable growth so it is important to keep abreast of national developments by checking resources such as the Sure Start website – www.surestart.gov.uk

Remember that someone from another country who wishes to work in childcare may have a qualification that is equivalent to a British one.

Further information can be obtained from www.qca.org.uk

Further information on equivalent and overseas qualifications can be obtained from: UK NARIC

Performance management

Good practice and performance is based on how people are managed, and good supervision and support will enhance the performance of your Senior Manager. In turn, this will have a ripple effect on those he/she is managing.

Performance management, as a process, may include:

- Induction (see *Selecting and recruiting staff*, above)
- Performance review meetings
- Annual review

Performance review meetings

A designated member of the management committee (usually the Chair) should have regular performance review meetings with the Senior Manager of the setting. The meeting provides opportunities to:

- Discuss performance
- Raise any difficulties
- Develop confidence and competence
- Deal with private issues at work

Meetings should always be confidential, but notes should be taken to ensure that discussions and actions are recorded. Other staff or committee members should not have access to these notes.

The areas for discussion may be based on the following format:

- What was agreed at the previous session and what has happened since
- What has gone well, and what has been difficult
- What learning and development needs have been identified
- Date and time set for the next meeting

Annual review

The annual review builds on the performance review sessions and usually takes place formally once a year. Extra time is set aside to discuss:

- Performance throughout the year
- Successes and challenges
- Attitude and behaviour
- Development needs

- Possible changes to the role and a review of the job description

Attached is a form that can be used for the review meeting. It is useful to identify four or five key tasks and focus on those. Part B can be copied and used for each of the key tasks identified.

Management skills

The demands on a management committee are great. Being a manager requires a broad range of skills and knowledge, and the following highlights some of these areas, and signposts to publications and courses that may be helpful.

- Developing the role of the manager: assertiveness and confidence, challenging assumptions; understanding your management style; self-knowledge
- Delegation
- Giving and receiving feedback
- Coaching and mentoring
- Influence and negotiation skills
- Managing and planning change
- Building the team
- Communications
- Dealing with conflict
- Leadership
- Customer service
- Marketing
- Motivation
- Strategic planning
- Managing resources
- Problem solving

Training courses

There are many courses on management skills at different levels and the course you choose will be determined by:

- Cost
- Time
- Subject
- Level

Many management programmes are delivered part-time and may require some form of assessment.

Further information about management skills training courses can be obtained from:

Local authority

Local FE colleges

Business Link

Inland Revenue

Local training providers

Chartered Institute of Personnel and Development

Institute of Leadership and Management

Publications

There are a vast range of publications on all aspects of management and your local library or bookshop will help you to identify those that will be relevant. The principles of management are the same for all sectors, whether voluntary or commercial, and so you should not feel daunted by the seemingly commercial focus that some of these publications appear to have. In essence, in terms of managing people, the issues are often the same.

The following publications, however, are aimed at voluntary organisations and charities and may not be as readily available.

Employment Records Handbook For Voluntary Organisations

Paul Ticher with Gill Taylor, 2004

Published by Directory of Social Change ISBN 1 903991 39 0

Unlike many books on personnel practice, this book concentrates on the question of record-keeping: both the 'what?' and the 'how?' Covering both paid staff and volunteers, this practical book gives a comprehensive picture of what employment records should look like. The book covers:

- The main legal requirements in areas such as employment contracts, pay and discrimination
- Practical areas where you may need to record evidence that you have followed the correct procedures
- Good practice, both for the employing organisation and for the wellbeing of staff.

Managing at the Leading Edge: New challenges in managing non-profit organisations

Mike Hudson, 2003

Published by Directory of Social Change ISBN 1 903991 43 9

This book is the result of research by the author in America, home to the largest nonprofit sector in the world. This research involved interviews with leaders of American nonprofits, which helped the author identify cutting-edge issues where managers can have greatest impact on increasing their organisations' effectiveness. These issues are discussed in eight chapters, covering:

- Setting the context
- Building organisation capacity
- Managing performance
- Creating strategic alliances
- Exploiting changing patterns of funding
- Leading with integrity
- Strengthening governance
- Learning from each other.

The book is supplemented by a full glossary defining management terms

Managing Without Profit

Mike Hudson, 1999

Published by Directory of Social Change ISBN 1 903991 28 5

The key elements of successful management for non-profit-making organisations are covered in the second edition of this popular title. Managers from voluntary, arts, housing and campaigning organisations will learn how to:

- Establish strong boards
- Strengthen strategic management
- Develop a mission
- Manage and inspire people
- Create a learning organisation
- Manage change.

The Complete Guide to Creating & Managing New Projects for Voluntary Organisations

Alan Lawrie, 2002

Published by Directory of Social Change ISBN 1 903991 15 3

If you are intending to provide new services or activities, creating a new project is often the most effective way forward and is likely to appeal to funders. This practical guide offers invaluable advice on how to both create and manage a voluntary sector project. The new edition has been fully revised, updated and expanded to include new material on project management and on monitoring and evaluation.

- Suitable for use within existing organisations or for independent projects.
- Covers design, development, testing and establishment of new projects.
- Shows ways to tackle common problems.
- Features case studies, checklists and exercises to help with feasibility planning.

The Complete Guide to Business and Strategic Planning for Voluntary Organisations

Alan Lawrie, 2nd edition, 2001

Published by Directory of Social Change ISBN 1 900360 87 X

The new edition of this best-selling management title has been fully revised and updated, drawing on the greater experience of business planning that many voluntary organisations now have. A solid business plan is an essential requirement for applications to key funders such as the National Lottery, and managers increasingly recognise the importance of strategic planning to the effectiveness of their organisation. Features of this edition include:

- new exercises, activities and case studies
- more coverage of how funders see and use business plans
- additional material on the context and process of business planning
- larger A4 format to better accommodate the exercises and templates

Developing your Organisation

Alan Lawrie, 2000

Published by Directory of Social Change ISBN 1 900360 66 7

A key title from a respected author and consultant for managers and trustees – particularly those who feel their organisation is getting stale and needs to adapt to meet new challenges. Using case studies, practical exercises and questionnaires, the book examines ways in which you can identify blocks and barriers, strengthen and develop your organisation, and achieve real change.

Just about Managing?

Sandy Adirondack, 3rd edition, 1998

Published by London Voluntary Service Council, available from Directory of Social Change ISBN 1 872582 17 6

The standard guide and essential reference book for managers and management committees of small and medium-sized voluntary and community organisations.

The Health & Safety Handbook For Voluntary & Community Organisations

Al Hinde & Charlie Kavanagh, Edited by Jill Barlow, 2nd edition, 2001

Published in association with Health @ Work, available from Directory of Social Change ISBN 1 903991 01 3

This step-by-step guide to health and safety is specially written for the voluntary sector. The new edition has been fully revised and updated to take account of recent legislation, covering:

- Duty of care
- Insurance
- Risk assessment
- First aid
- Stress
- Conflict in the workplace
- Food hygiene
- Recording sickness and accidents
- Fire certificate and procedures

By working their way through the book, completing the checklists as they go, readers can compile their own complete health and safety policy, covering volunteers as well as staff.

Information Management for Voluntary & Community Organisations

Paul Ticher & Mike Powell, 1st edition, 2000

Published by Directory of Social Change ISBN 1 900360 48 9

This practical guide will help managers use information as a positive resource for their organisation. This book will help you:

- Store and retrieve the information you need
- Cut down on the information you don't need

- Share information effectively
- Use information technology sensibly

Managing Conflict

Gill Taylor, 1st edition, 1999

Published by Directory of Social Change ISBN 1 900360 28 4

This book for voluntary sector managers and their teams examines conflict at work and offers strategies for dealing with it. Disagreements between managers and employees, members of a team, or workers and clients can have destructive effects on the individuals concerned and on the work of the organisation. Adopting the same lively, scenario-based approach as in her previous books, Gill Taylor provides helpful advice, and reassurance that everyone can improve their conflict resolution skills.

Managing Recruitment & Selection

Gill Taylor, 1st edition, 1996

Published by Directory of Social Change ISBN 1 873860 85 4

This scenario-based handbook aims to equip managers and interview panels with the skills needed to manage the recruitment process successfully. Reference to equal opportunities good practice is integrated throughout, with tips for introducing suitable policies and procedures.

A Management Companion for Voluntary Organisations

Tim Cook & Guy Braithwaite, 1st edition, 2000

Published by Directory of Social Change ISBN 1 900360 67 5

This supportive guide examines a wide variety of challenges faced by the Chair, committee and director, as well as team members and managers, in voluntary organisations. The authors draw on their extensive experience in the sector to reflect on working relationships, including the personal element so often unexplored in management handbooks. The book highlights instantly recognisable problems and offers helpful insights and ideas for positive ways forward.

The Good Management Guide for the Voluntary Sector

John Harris, 1st edition, 2002

Published by NCVO, available from Directory of Social Change ISBN 0 7199 1589 9

This new guide addresses the range of skills required for effective management within the voluntary sector, especially in smaller organisations.

As well as personal management competencies, it covers managing activities, people, quality, finances, and marketing and PR. It can also be used as a development and training resource, as each chapter contains its own learning objectives and exercises.

Managing Absence: A Handbook for Managers in Public and Voluntary Organisations

Sarah Hargreaves, Christina Morton & Gill Taylor, 1st edition, 1998

Published by Russell House Publishing Ltd, available from Directory of Social Change
ISBN 1 898924 17 1

Staff absence can have a major impact on service delivery. This useful book will help managers and trustees ensure quality of service whilst maintaining a commitment to good employment practice.

Voluntary Matters

Published by the Media Trust, available from Directory of Social Change

Series 4

Improve your communications (Video and set of booklets). This new series follows four organisations dealing with common communications problems:

- Giving a TV or radio interview
- Getting a story into the press
- Pitching for sponsorship from business
- Staging a successful fundraising event

Series 3

A resource covering all aspects of volunteering. As well as the video, an e-learning website is available on <http://www.voluntarymatters3.org>

Also still available:

Series 2

Six programmes for the voluntary sector, covering management issues, contracts and partnerships, funding, conflict resolution, IT and communication.

Series 1

Covers management issues and good practice in the voluntary sector

Being an effective change leader

1st edition, 2003

Published by the Charity Management Consortium, available from Directory of Social Change

This new management training resource has been developed specifically for the not-for-profit sector. It contains a video, a 24-page booklet written by Mike Hudson, and a set of 10 cards to be used as a guide by trainers and facilitators.

Marketing for the Non-Profit Sector

Tim Hanagan, April 1992

Published by Palgrave Macmillan ISBN 0333525825

- What is Marketing?
- Marketing in the Non-Profit Sector
- The Marketing Plan in a Non-Profit Organisation
- Marketing Research
- Products and Services in Non-Profit Organisations

Effective Customer Care

Amanda Knight, 1st edition, 1999

Published by Directory of Social Change

If you work in a voluntary or community organisation, you have 'customers', whether they are users, clients or beneficiaries, funders, donors or buyers. This original and practical book outlines the 14 basic rules of good customer care and includes sample questionnaires to help you check the quality of your communication and service

Managing People in Charities

John Burnell, April 2001

Published by ICSA Publishing ISBN: 1860721257

Managing People in Charities provides an overview of personnel management for the busy charity manager.

It offers practical advice and guidance on the recruitment, management and development of staff and volunteers. Written in an easy to read, non-technical style, it combines 'how to' guides to basic personnel practices with advice on best practice.

Section Four

Organisational structures



Section 4 Contents

97	Introduction
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101	Charitable Trust
103	Company Limited by Guarantee
106	Industrial and Provident Society (IPS) / Co-operative
109	Social Enterprise
110	Community Interest Companies (CICs)
111	Consortia

Introduction

This section will focus on the different types of legal structures that can be adopted by non-profit making organisations. The Voluntary Management Committee is the most widely used management structure in childcare, but other options are open to childcare groups.

Whether it is large or small, an organisation needs a set of rules which are set out in the governing document and will define what the organisation sets out to achieve. The form of the governing document will depend on the selected legal structure.

Legal structure	Governing document
Unincorporated Associations	Constitution
Charity	Declaration of trust or Trust deed
Company Limited by Guarantee	Memorandum and articles of association
Industrial and provident society	Rules

Charity status

Should your scheme be a non-profit organisation, your voluntary organisation may be able to register as a charity with the Charity Commission if your aims and objectives are exclusively charitable, your annual income is over £1000 and you own or occupy land and have permanent endowment. For more information about charitable status, please contact the Charity Commission.

Reform of Charities and non-profit-distributing organisations

The Charities Bill, currently going through Parliament*, will make significant new changes to the regulation of charities and other non-profit distributing organisations.

Proposed changes include:

- First definition of a charity in British Law based on the concept of 'public benefit'
- Twelve new proposed charitable purposes
- The creation of a new legal structure: The Charitable Incorporated Organisation (CIO)

* at time of going to press, October 2004.

Charitable Incorporated Organisations (CIOs)

The new structure will feature:

- An alternative to the company limited by guarantee status for charities
- Corporate status and limited liability to members
- The removal of dual registration with both Charities Commission and Companies House

Unincorporated Association

A group run as an Association is not required by law to seek approval of any kind before setting up and does not need to register with any regulatory body. However, before operating it may have to register with some bodies such as Inland Revenue, Environmental Health, etc.

Suitable for groups that:

- Have short-term goals
- Anticipate very low income
- Do not intend to employ staff
- Do not intend to acquire property

Corporate status

Unincorporated

Governing document

Constitution (see example in 4Children's publication *Ready, Steady, Go!*)

The group may need only a set of basic rules under which members operate. These should state the group's aims, powers and management procedures.

Governing body

Usually called 'the Management Committee'. If the association also has charitable status, they may be called 'the Trustees'.

Governance

Members usually have voting rights at general meetings and will elect all or some of the governing body.

Membership

- May comprise individuals and/or other organisations.
- The constitution should set out eligibility for membership (e.g. parent or carer of child in the setting), or may simply say that 'anyone who supports the objectives' may apply for membership.
- An association must have a minimum of two members.

Governing legislation

No specific statute

Charitable status

May qualify as a registered charity if aims are charitable

Profit distribution

Not permitted

Advantages

- Quick and cheap to set up
- No fees to pay unless legal advice is sought, for example to draw up a constitution
- Privacy, which means that the group does not have to answer to an external authority
- Flexibility to design a democratic constitution
- Groups can be wound up relatively easily at a members' general meeting (the constitution must allow for this)

Disadvantages

- The group cannot acquire property in its own name; property must be held by individuals or an incorporated body acting on behalf of the group
- Legal proceedings cannot be taken against the group in its own name, but against individuals representing the group
- Individual members of the management committee can be held personally responsible for the organisation's debts and obligations.
- Registering an unincorporated group as a charity does not provide protection from members' liabilities
- No separate legal entity, only a collection of individuals
- An unincorporated association may find it difficult to borrow money. Loans can be made to individuals, who become personally responsible

The committee members of an unincorporated association that is a charity may apply to the Charity Commissioners to become trustees of an incorporated committee. If permitted, this overcomes some of the disadvantages listed as the charity property is then held in the name of the organisation and the committee can take proceedings in the name of the incorporated body.

Charitable Trust

If an organisation does not have a need for members, and wants a simple structure where a small number of people manage money or property for a charitable purpose, it could consider setting up as a Trust. Only groups with charitable aims may use this structure and it is essential to register with the Charity Commission.

Trusts establish a formal relationship with three parties:

- The donors of money or property
- The Trustees (at least three) who become the nominal owners of the Trust property
- The beneficiaries – the people who benefit from the Trust

Corporate status

Unincorporated

Governing document

'Trust deed' or 'deed of trust'

Governing body

'The trustees' or 'the board of trustees'

Governance

No members other than the trustees

Membership

- The only members are the trustees
- No minimum membership size, but as most trusts will be registered as charities they will normally have to have at least three trustees.

Governing legislation

- No specific statute
- The trust deed is the main source of regulation

Charitable status

- Aims should be charitable and therefore register for charitable status

Profit distribution

- Not permitted

Advantages

- Trusts can be set up quickly and cheaply (although legal advice may be sought)
- Other than asking the Charity Commissioners to approve the constitution (Trust Deed), and paying stamp duty at the local Inland Revenue Stamp Office, other regulatory bodies need not be involved in the setting up process (although once operating they may need to involve Inland Revenue, Environmental Health, etc.)
- Small Trusts are cheap to administer
- If there is provision in the Trust Deed, amendments can be made fairly easily (if approved by the Charity Commissioners)
- Trustees can acquire and manage property on behalf of the trust
- The Trust Deed can give Trustees the power to raise and borrow money to fulfil the aims of the organisation

Disadvantages

- Trusts must register as charities, and therefore have all the restrictions of this status
- Trusts are essentially non-democratic organisations. There is generally no membership structure – although the deed can be written in such a way that it allows for members. Trustees generally have the only legal power to make decisions relating to the trust
- The Trust can apply to the Charity Commissioners to be incorporated, however, Trustees can still be personally liable. They are not protected from personal liability by registering as a charity. The only way to do this is to set up as a Company Limited by Guarantee, or as an Industrial and Provident Society
- Property is vested in the Trustees as individuals, transferring it to new Trustees may be complicated and expensive (the trust deed needs to allow for this change)

Company Limited by Guarantee

There are two types of limited company. In a company limited by shares, the members (shareholders) invest money in the hope of gaining a profit; this type of company is generally found in the commercial sector.

The second kind is a company limited by guarantee. This is appropriate for organisations that aim to pursue some social or political cause. There are no shareholders and any profits are reinvested in the company. All members must guarantee to pay a nominal sum (usually £1, and almost always no more than £5) if the organisation becomes insolvent.

Corporate status

Incorporated

Governing document

'Memorandum and articles of association', usually abbreviated to 'mem and arts'.

Governing body

Usually 'The directors' or 'the board of directors'. If it becomes a registered charity, the directors may be described as 'trustees'.

Governance

- Members have voting rights at general meetings and will elect all or some of the directors.
- All companies are required to have a company secretary. This may be a member or director, but need not be.

Membership

- Eligibility will be set out in the company's articles
- May comprise individuals and/or other organisations.
- The constitution should set out eligibility for membership (e.g. parent or carer of child in the setting), or may simply say that 'anyone who supports the objectives' may apply for membership.

Governing legislation

- Companies Acts 1985 and 1989

Charitable status

- A company limited by guarantee may qualify as a registered charity if its aims are charitable

Profit distribution

- The articles will specify whether or not profit distribution is permitted
- If registered as a charity profit distribution is not permitted.

Advantages

- A company limited by guarantee is an incorporated organisation with a separate legal entity
- It can buy and sell property in its own name
- It may take or defend legal proceedings in its own name
- It can protect individual members of the organisation and, in almost all circumstances, members of the Management Committee, from personal liability unless they act fraudulently, act in breach of trust or continue running the company when they know there is no reasonable chance of avoiding liquidation (insolvent)
- Companies are democratic organisations
- They are required to have a membership, which has the power to elect and remove committee members
- Owning and transferring property is relatively simple, even when the committee or membership changes. Ownership of the property remains in the name of the company, therefore documents do not have to be amended
- Once the constitution is agreed, company registration (with the Registrar of Companies) takes 2–3 weeks and the cost is relatively low
- It may be easier for a company to borrow money because the lender knows that the organisation rather than a changing group of individuals is responsible for payment (banks may ask for personal guarantees that may make committee members liable if the company defaults)

Disadvantages

- Companies' activities are regulated by the Companies Acts and are usually subject to more controls and bureaucracy than other legal structures
- Annual returns and accounts must be submitted to the Registrar of Companies. There is a cost for this, and these are available to the public. Registers of members and directors must be kept and are also available to the public
- Companies limited by guarantee have to notify the Registrar of Companies whenever a committee member leaves, a new one is appointed, or personal details change.
- The Registrar must also be notified if any legal agreement is entered into (such as a bank loan when the bank has a mortgage over the company's property)
- Companies limited by guarantee may come under the definition of 'a local authority influenced company'. This means that when entering into any kind of contract/service level agreement, for example, the company must ensure that they retain operational and financial control and avoid 'dominance'

Industrial and Provident Society (IPS)/Co-operative

To qualify for registration under the Industrial & Provident Societies Act 1965, a society should carry on an industry, business or trade and be either a bona fide co-operative society or be acting for the benefit of the community.

Corporate status

Incorporated

Governing document

'Registered Rules'

Governing body

Usually 'The committee'

Governance

Members have voting rights at general meetings and will elect all or some of the directors.

All IPSs are required to have a company secretary. This may be a member or director, but need not be.

Membership

- All members of an IPS must acquire the minimum stipulated shareholding (which will often be one share)
- In a co-operative:
 - > Eligibility criteria will be set within the registered rules
 - > Eligibility for membership will be based on sharing a common economic relationship with the society, e.g. as workers
- In a society for the benefit of the community:
 - > Eligibility criteria will be set within the registered rules
 - > Eligibility for membership may be specified (e.g. parent or carer of child in the setting), or may simply say that 'anyone who supports the objectives' may apply for membership
- An IPS must have a minimum of three members (except where the members are themselves IPSs, when the minimum is two)

Governing legislation

- Industrial and Provident Societies Acts 1965 to 2002

Charitable status

A society for the benefit of the community (but not a co-operative) may qualify as an exempt charity if it meets the necessary criteria

Profit distribution

- Only permitted in a co-operative
- Not permitted in a society for the benefit of the community

Advantages

- Industrial and Provident Societies (IPSs) are incorporated organisations, so they can hold property and take legal action in their own name
- Committee members are protected from personal liability under contracts and are only liable if they act fraudulently or breach trust, etc.
- IPSs use a set of Rules to register with the Registrar of Friendly Societies. (A number of organisations – 'sponsoring bodies' – have model Rules approved by the Registrar. A list is available through the Registrar of Friendly Societies)

Disadvantages

- If model Registered Rules (see above) are not used, registration can be lengthy and expensive
- Registration involves loss of privacy (as with Companies Limited by Guarantee). Annual returns/accounts and membership details are all open for public scrutiny. There are also fees payable for submission of this information
- An IPS cannot register with the Charity Commission. This may affect funding.
- A charitable IPS must submit its constitution to the Inland Revenue for recognition as charitable otherwise it will not benefit from tax advantages (Charitable status allows eligibility for rate relief)
- IPSs have seven months to submit their annual return after the end of the financial year; a shorter period than for a Company Limited by Guarantee
- IPSs may come under the category of a local authority influenced company (see Company Limited by Guarantee, above) to a greater extent than a Company Limited by Guarantee

Social Enterprise

A Social Enterprise is a business with primarily social objectives and the surpluses (profits) are reinvested in the business or the community. Social Enterprises tackle a wide range of social and environmental issues and have a valuable role to play in helping create a strong, sustainable and socially inclusive economy.

Social Enterprises are diverse. They include:

- Local community enterprises
- Credit Unions
- Social firms
- Mutual organisations such as co-operatives
- Large-scale organisations operating nationally and internationally such as the John Lewis Partnership, Café Direct and The Big Issue.

There is no single legal model for social enterprises. They can be:

- Companies Limited by Guarantee
- Companies limited by shares
- Industrial and Provident societies
- Unincorporated Associations
- Registered charities

Well known social enterprises such as the Eden Project Limited in Cornwall and the Furniture Resource Company in Liverpool (FRC) are great examples of success. Even commercial businesses such as the Body Shop have long been promoting the importance of 'social business' as a responsibility that should be undertaken by the corporate world.

The Social Enterprise model is particularly well suited to children and young people's services. Entrepreneurs who start up innovative childcare schemes for example, that are managed as businesses with financial gains, can have a clear social mission that benefits the children and young people that the service is aimed at, and the wider community. The business aspect ensures sustainability of the service.

Community Interest Companies (CICs)

The Community Interest Company (CIC) will be a new type of company, designed for social enterprises that want to use their profits and assets for the public good. CICs will be easy to set up, with all the flexibility and certainty of the company form, but with some special features to ensure they are working for the benefit of the community. CICs will report to an independent regulator on how they are delivering for the community and how they are involving their stakeholders in their activities.

CICs will require legislation, covering a regulator, a community interest test, and community interest reports. Subject to Parliament, the earliest date for registering as a CIC will be early 2005. (For further information contact the Department of Trade and Industry.)

Corporate status

Incorporated

Governing document

'Memorandum and articles of association' ('mem and arts')

Governing body

Usually 'the directors' or 'the board of directors'

Governance

A CIC must first be registered as a limited company; CIC status will be an additional 'badge' overlaid on the basic company structure.

Membership

See Company

Governing legislation

Companies Acts 1985 and 1989
New legislation not yet passed

Charitable status

No

Profit distribution

Not permitted

Consortia

Whatever their legal structure, voluntary-run childcare organisations may work together as a consortium. The benefits would be to:

- Share 'critical mass' resources (e.g., payroll and accounting services, IT contracts, employees and volunteers)
- Share administration and marketing
- Collaborate on strategies and in partnerships
- Share ideas and solutions to problems
- Carry out joint funding applications

The following example shows how this might work in practice.

A consortium includes:

- > Two out of school settings, one run as a charitable trust, and the other as an unincorporated association
- > A pre-school playgroup run as an unincorporated association
- > A nursery run as a company limited by guarantee
- > A holiday scheme run as a workers' co-operative

Each setting operates independently but a formal structure has been put in place to ensure that all groups feed into the central hub. Members pay a fee for services that can be shared – in this case, payroll and accountancy services. Representatives from each management board or committee sit on the consortium board to work on the strategic plan of the consortium, develop joint bids and marketing strategies.

Section Five

Financial management



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Introduction

Managing the finances is one of the key functions of the management committee. The description of the role of the Treasurer in Section 2 explains the responsibilities of this post; the purpose of this section is to explain the essential financial procedures that the Management Committee should be aware of.

Financial accounts

Financial accounts are a historical record of the organisation's performance over a past period (usually one year) for the benefit of external users, such as stakeholders, employees, suppliers, bankers and tax authorities.

Financial accounts normally comprise a:

- **Cashflow statement**
 - > A cashflow statement shows how your business has generated and disposed of cash and liquid funds
- **Profit and loss account**
 - > The profit and loss account measures the business's performance over a given period of time, usually one year
 - > It compares the income of your business against the cost of goods or services and expenses incurred in earning that revenue
- **Balance sheet**
 - > A balance sheet is a snapshot of your business's assets and liabilities on a particular day – usually based on your accounting year

Legal requirements

Unincorporated organisations

Unincorporated businesses are required by the Inland Revenue to maintain proper books and records to support annual income tax returns. These must be kept for a minimum of six years.

Incorporated organisations

Companies are obliged by law to prepare and publish a set of financial accounts each year by filing a copy to Companies House. Accounts must be filed within 22 months of the business's formation, and thereafter within ten months of each financial year-end.

There are statutory penalties for late or incorrect filing, for which the management committee is responsible.

There are different requirements for small, medium and full companies.

Small companies

A small company is one which meets at least **two** of the following criteria:

- annual turnover must be not more than £5,600,000
- the balance sheet total (fixed and current assets) must not exceed £2,800,000
- the average number of employees must not exceed 50

Small companies must deliver the following to Companies House:

- abbreviated balance sheet and notes
- special auditors' report – if required

Medium companies

A medium-sized company must meet at least two of the following criteria:

- Annual turnover must not exceed £22,800,000
- The balance sheet total must not exceed £11,400,000
- The average number of employees must not exceed 250

Medium-sized companies must deliver the following to Companies House:

- Full balance sheet
- Abbreviated profit and loss account
- Special auditors' report
- Directors' report
- Notes to the accounts

Full companies

A full filing company must meet at least two of the following criteria:

- Annual turnover exceeds £11,200,000
- The balance sheet total exceeds £5,600,000
- Employs more than 250 employees

A full filing company must deliver the following to Companies House:

- A profit and loss account
- A balance sheet signed by a director
- An auditors' report signed by an auditor
- A directors' report signed by a director or the secretary of the company

Financial planning

There are organisations that can provide you with models to use for your financial planning activities:

- **4Children's Business Support Service** can provide information and advice on financial management
- **Business Link** can provide information on:
 - > Setting up a simple profit and loss account for your business
 - > Balance sheets: the basics
 - > Cashflow management: the basics
 - > Setting up a basic record keeping system
 - > Choosing and managing an accountant
 - > Accounting and audit exemptions for small companies
 - > Filing accounts at Companies House
 - > Budgeting and business planning
- **Inland Revenue**, as part of their new business start-up pack, provide models and advice free of charge
- **Companies House** provides information on preparing and filing accounts
- **Banks** – most banks provide business start-up packs which contain models for financial planning tools. These are usually free of charge

Getting started with the basics

Cashbook

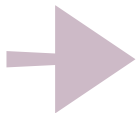
- A cashbook records all the money coming in (income) and money going out (expenditure)
- Income may include fees from parents, funding, and grants, for example
- Expenditure includes any payments you make relating to the business: rent, rates, heat, light, wages, resources, etc.
- Record each of these items – income is usually shown on the left, expenditure on the right

Bank reconciliation

Each month you need to carry out bank reconciliation, as your cashbook may not show which direct debits, standing orders, cheques and deposits have been cleared. When you receive your statement:

- Transfer all this information to the cashbook
- Take the balance on the bank statement, add deposits in your cashbook that do not appear on the bank statement
- Deduct cheques written but not yet shown on the bank statement
- The balance should be the same figure as the cashbook.

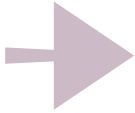
Good practice If you can't reconcile your bank statement, check for any errors you may have made. If you can't find any, remember the bank may have got it wrong – it can, and does, happen.



Petty cash

- Petty cash is used to buy small items.
- Keep a float (£50 for example) and make sure that when a request for money is made a petty cash slip is filled out and authorised. These slips are available from stationers
- Attach the receipt to the voucher and record this in a petty cash book (this need only be a notebook)
- When petty cash is running low, add up the vouchers and write out a cheque for cash to bring the float back to the original amount
- Enter this in the cashbook

Good practice Try to limit the number of people who can administer petty cash. This should cut down on errors.



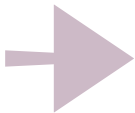
Cashflow

The cashflow is one of the most important tools in sustaining your business, as it gives a month by month account of predicted (and actual) income and expenditure.

Forecasting

- The first step is to be realistic about expected income and expenditure
- Each month, monitor cashflow, and fill in the actuals next to estimates. This will help you to identify potential problems as they arise.
- The attached form gives an example of the headings you are likely to use

Good practice When predicting income, if in any doubt, underestimate
When predicting expenditure, if in any doubt, overestimate



Profit and loss account and balance sheet

- The profit and loss account is a summary of all income and expenditure over (usually) the year. It forms the basis of a tax return and helps you to identify the profits or losses in the business
- A Balance Sheet is a statement of all the assets a business owns, and the liabilities (debts) the business owes.

The Budget

Each year the organisation should create a budget – an estimate of how much it expects to pay out and receive during the financial year, which will be used to monitor income and expenditure. Organisations can sometimes produce a long-term financial plan covering up to three years, which will include any planned developments. It is important to estimate the costs as accurately as possible and this could be done by using the profit and loss accounts for the previous year.

When preparing a budget allow for:

- Salaries, future increases including annual increments, overtime if paid and use of temporary staff
- Sick pay – statutory and contractual
- Maternity, paternity and adoption pay
- Cover staff for holidays, maternity, paternity, adoption and dependants' leave
- Employer's National Insurance contribution
- Employer's Pension contribution
- Recruitment costs
- Staff, volunteer and committee induction and training
- Insurance
- Travel costs
- Capital expenditure
- Heating, lighting, water, telephone
- Office expenditure such as stationery
- Auditors/examiner's fees, bank charges
- Building costs including rent, rates, repairs and maintenance
- Equipment costs
- Costs of providing the service
- Health and safety requirements
- Quality assurance
- Marketing and publicity
- Other – inflation

It is important that everyone on the management committee understands what is being presented and should be free to ask questions. A balanced budget will ensure that the predicted income is equal to the predicted expenditure and any excess is shown as 'surplus transferred to reserves' to balance the budget.

Entering into contracts

It is likely that from time to time the voluntary organisation will enter into contracts with other businesses for goods or services:

- Leasing premises
- Hiring equipment
- Hire purchase
- Buying equipment
- Employing a consultant
- Acquiring services, such as IT support, cleaning or personnel
- Service Level Agreements (SLAs)
- Funding agreements
- Local authority contracts

The organisation will want to ensure that it gets the best quality, and have redress if things go wrong. Organisations must recognise, however, that they do not have the same rights as individual consumers.

The rights of the organisation and the rights of the consumer

In general, organisations have the same implied rights as a consumer. However, while these basic rights can't be excluded from contracts with consumers, they can be excluded from contracts between businesses.

This means that the onus is on the Management Committee to make sure that the terms and conditions of the contract don't put the organisation at a disadvantage.

Under the Sale of Goods Act 1979, you can expect that goods:

- Correspond with the seller's description of them
- Are of satisfactory quality – safe, in working order and free of defects
- Are fit for their purpose – capable of doing what they're meant to do

Likewise, you can also expect that services you contract will be carried out with reasonable care and skill, within a reasonable time and for a reasonable charge.

The Committee must ensure that the terms and conditions are carefully read before entering into any contract for goods or services. The principle of *buyer beware* applies: remember the rights that apply in the case of consumer contracts can be excluded from contracts between businesses. Look in particular for what are known as exclusion clauses – these are clauses which the seller might use to exclude certain liabilities from the contract.

If you wish to check the terms of a contract, you may wish to contact your local Trading Standards office.

The Unfair Contract Terms Act (UCTA) 1977

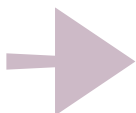
UCTA restricts the contract terms businesses can agree to. For example:

- It is not permitted to exclude liability for death or injury
- It is permitted, only if reasonable, to exclude losses caused by negligence
- It is permitted, only if reasonable, to exclude liability for defective or poor-quality goods

Negotiating contracts

It is possible for the organisation to negotiate the terms and conditions of a contract to ensure it is in the best interests of the business. Furthermore, you should also insist on the removal of exclusion clauses limiting the seller's liability for defective goods or for losses due to negligence.

Good practice



Don't assume that Contracts or Service Level Agreements (SLAs) with local authorities and statutory organisations don't need checking. Treat all contracts equally, and remember, you are the buyer.

Breach of contract

As businesses may exclude certain rights, you may be able to challenge that the exclusion clause is unreasonable under the Unfair Contract Terms Act 1977(UCTA).

If exclusion clauses have not been added, and you find that goods aren't fit for their purpose, are of unsatisfactory quality, or don't match the seller's description, you're entitled to reject them under the Sale of Goods Act, within a reasonable time, and to recover the cost

Similarly, if services aren't carried out with reasonable skill, you're entitled to ask for the work to be redone at no extra cost. Or, if your supplier won't do this, you're entitled to ask another supplier to put the work right and then claim the cost from the original supplier. Where a price has been agreed as part of the contract, you aren't obliged to pay any more. And where a deadline for the carrying out of the services has been agreed and has not been met, you are entitled to compensation for any foreseeable losses you suffer as a result.

Glossary

Annual General Meeting (AGM)

The governing document will establish the nature of the AGM. Usually the AGM will present financial accounts, and nominations and elections for officers will take place.

In addition to the AGM, management committees will usually hold 'ordinary' meetings frequently throughout the year. Occasionally a 'Special General Meeting' will be held for business that can not wait for the AGM

Areas of disadvantage

Areas defined as falling within the 20% most disadvantaged wards. However, many Sure Start programmes include 'pockets of deprivation', i.e. areas within non-disadvantaged areas that fall into the category of disadvantage

Association An organisational structure. A group run as an Association is not required by law to seek approval of any kind before setting up, nor does it have to register with any regulatory body. See Section 4

Balance sheet

A balance sheet is an assessment of the business's assets and liabilities on a particular day – usually based on the accounting year. See Section 5

Big Lottery Fund

The Lottery-funded organisation set up to allocate funds to new initiatives in areas of health and education. Created by merging the New Opportunities Fund with the Community Fund

Board

The Committee may also be referred to as the Board. See Section 4

Cashflow statement

A cashflow statement shows how the business has/will generated and disposed of cash and liquid funds over a period. See Section 5

Charitable Trust

An organisational structure to describe a business with charitable aims. See Section 4

Childcare

A childcare setting is one that is open for at least two hours a day either in term time or throughout the year. It includes provision for 0–5 year olds as well as for school-age children, for example, nursery out-of-school clubs and holiday play schemes. See Section 1

Children's Information Service

CISs provide face-to-face or phone advice on all aspects of childcare to enable parents and carers to find the right information. In addition, there is the Government ChildcareLink helpline and website set up in December 1999 as part of the National Childcare Strategy

Children's Centres

Centres providing integrated education, care, family support and health services. See Section 1

Community Interest Companies (CICs)

An organisational structure. The Community Interest Company (CIC) will be a new type of company, designed for social enterprises that want to use their profits and assets for the public good. See Section 4

Company Limited by Guarantee

An organisational structure. The Company Limited by Guarantee is appropriate for organisations that aim to pursue some social or political cause. There are no shareholders and any profits are reinvested in the company. See Section 4

Competencies

Competencies may be developed for employees within sectors, such as Childcare. They are statements that describe expected performance

Connexions

A national initiative providing information and advice for young people aged 13–19

Consortia

In this guide, a group of autonomous, but voluntary-run childcare organisations working together. See Section 4

Constitution

A governing document. See Section 4

Co-opted members

Members who bring expertise to a committee but who are not elected and do not generally have voting rights. See Section 4

Corporate status

Incorporated or unincorporated. See Section 4

Criminal Records Bureau (CRB)

Government-run organisation to provide access to criminal record information. See Section 3

Day nurseries

Provide care and education for children from around six weeks up to when they go to school at four or five years of age

Disclosure

The CRB provides disclosure information held on a person's police record. See Section 3

Early Excellence Centres

The Early Excellence Centres programme was set up in 1997 to develop models of good practice in integrating services for young children and families

Early Years grant

An early-years education place comprises five 2.5 hour sessions a week for 33 weeks (three terms) and is an eligible provider that follows the Foundation Stage curriculum

Early Years Development and Childcare Partnerships (EYDCPs)

EYDCPs are local partnerships established by some local authorities. In some areas this may be a Sure Start Team

Exit interview

An opportunity when a member of staff leaves to find out how they felt about their role and the organisation

Exclusion clauses

In contract terms, these are clauses which the seller might use to exclude them from certain liabilities. See Section 5

Extended schools

The Education Act 2002 gave new powers to governing bodies of schools to set up a range of childcare and other provision on school sites. A Government initiative to extend access of schools. See Section 1
Government has said that it wants all primary schools to open from 8am to 6pm in the future

Flexible working

A term used to describe different ways in which employees may work, and might include: part-time; job share; term-time; annualised hours; flexitime, etc. All parents with children under 6 years of age (and parents of children with disabilities under 18) have the right to ask their employer if they can work flexibly. Employers have a duty to seriously consider such requests

Foundation stage

The foundation stage was introduced as a distinct phase of education for children aged 3-5 in September 2000.

Governance

The way in which an organisation is managed and governed. Usually sets out the status, number and rights of members of the committee or board. See Section 4

Governing body

The term used to describe the group of members who are responsible for governance in a charity or school. See Section 4

Governing document

The document which sets out the details of the governance of an organisation. This may be a constitution, trust deed, registered rules, etc. See Section 4

Governing legislation

The statutes (Acts of Parliament) and other regulations which provide the framework for the legality of the organisation. See Section 4

Incorporated

A group that is formed into a legal organisation, such as a Company Limited by Guarantee. See Section 4

Industrial and Provident Society (IPS) / Co-operative

An organisational structure. A society which carries on a business, either as a co-operative, or as acting for the benefit of the community. See Section 4

Integrated services

In this guide, the term integrated services is used to describe a range of services for families and children. Integrated services may include childcare, health and learning, as well as access to agencies such as Jobcentre Plus and Social Services. Integrated services may be provided through a Children's Centre, Extended School, Sure Start local programme, and so on.

Learning and Skills Council

The national organisation responsible for funding post-16 education and learning

Maintained sector

The term used to describe state maintained schools (i.e., not independent or private), for example, through a Local Education Authority

Memorandum and articles of association

Usually abbreviated to 'mem and arts', the governing document for Companies Limited by Guarantee, or Community Interest Companies. See Section 4

Neighbourhood Nurseries

The Neighbourhood Nurseries Initiative created nurseries in the most disadvantaged areas of England.

Not-for-profit

Usually used to describe the range of voluntary, charitable and community organisations in which no one shares in profits. Some organisations may make a profit, but these profits are used to benefit the organisation or the community, and not individuals.

Occupancy levels

The number of children using the service in proportion to the number of places for which the setting is registered

OFSTED

The Office for Standards in Education, was set up in 1992. OFSTED is a non-ministerial government department to assess the quality and standards of education and childcare through independent inspection and regulation. See Section 1

Out of school hours childcare

Care for school-age children includes out-of-school clubs and holiday play schemes. See Section 1

Positive action

The term 'positive action', frequently confused with positive discrimination (which is unlawful), refers to a variety of measures designed to counteract the effects of past discrimination. Under this broad definition positive action may include initiatives such as the introduction of non-discriminatory selection procedures, training programmes or policies aimed at preventing discrimination and stereotyping. This may include encouraging under-represented groups to apply for employment, for example. See Section 3

Pre-schools and playgroups

Pre-schools and playgroups offer sessions of play and education during term time for children aged between three and five years old, though some do take younger children. See Section 1

Profit and loss account

The profit and loss account measures the business's performance over a given period of time, usually one year. See Section 5

QCA framework

QCA maintains and develops the national curriculum and accredits and monitors qualifications in colleges and at work. The QCA have assessed the qualifications in childcare, early years and playwork and produced a framework of accredited qualifications. See Section 3

Quality assurance

Quality assurance (QA) in the childcare sector is a process by which childcare providers work towards a level of quality beyond the minimum standards required for registration by OFSTED. See Section 1

Quorum

The governing document will establish the quorum – the number or members of staff who must be present (usually a percentage of membership) in order for a meeting to run

Registered rules

A governing document used by an IPS or Co-operative

Senior Manager

The term used in this guide to describe the Senior Manager of a Childcare setting who is a paid member of staff. May also be described in the voluntary and charity sector as Director or CEO

Setting

In this guide describes any organisation that provides childcare, early years or playwork services

Social Enterprise

An organisational structure. A Social Enterprise is a business with primarily social objectives whose surpluses (profits) are reinvested in the business or the community. See Section 4

Spent convictions

Under the Rehabilitation of Offenders Act 1974, broadly speaking, anyone who has been convicted of a criminal offence and who is not convicted of a further offence during a specified period (the 'rehabilitation period') becomes a 'rehabilitated person' and the conviction becomes spent. This means it does not have to be declared for most purposes, such as applying for a job. However, there are some exceptions to the Act (which relate broadly to work with children, the sick, disabled people and the administration of justice). Where an exception applies, an individual must, if asked, disclose all convictions including spent ones.

Sure Start Programme

Sure Start is a programme from the Government's Children, Young People and Families Directorate. The Sure Start Programme works with local authorities, Children's Trusts, Primary Care Trusts, Jobcentre Plus, local communities and voluntary and private sector organisations. It aims to ensure delivery of free early education for all three and four year olds, affordable, quality childcare and after school activities in every area, and children's centres and health and family support in disadvantaged areas where they are most needed with extended schools. It works with parents to build aspirations for employment and for their children's education

Sure Start local programmes

Sure Start local programmes are an area-based initiative with the aim of improving the health and well-being of families and children from before birth to four. Local programmes are concentrated in neighbourhoods where a high proportion of children are living in poverty. All agencies (local authorities, NHS,

voluntary sector and others) are encouraged to work together to provide better services focused on the needs of families and young children. Many Sure Start local programme are now known as Children's Centres

Sustainability

The aim of a childcare provider to continually maintain a viable business, building reserves and forward planning. The organisation may receive financial help in the form of sustainability funding from their local authority/Sure Start Team, as well as business skills advice and support, often in the form of training or mentoring. Sustainability is a key focus of the Sure Start Unit, which recognises the difficulties faced by childcare providers, often, but not exclusively in the voluntary sector. See Section 1

Trust deed, or deed of trust

The governing document for a charitable trust. See Section 4

Trustees

If the organisation becomes a registered charity, the members will also become trustees of the charity

Voluntary

In this guide, any organisation that is run as a not-for-profit organisation

Voluntary Management Committee

The group of people that are ultimately responsible for the general control and management of a voluntary organisation

Working Tax Credit

Working Tax Credit is for people who are employed for at least 16 hours or more a week and who have a child or are disabled. Claimants on a lower income may also qualify for help towards the costs of childcare

Where to get further help

4Children

4Children (formerly Kids' Clubs Network) aims to ensure that all children and their parents get the support they need in their community – starting from the early years through to their teenage years. Our work will be for all children – including vulnerable children who may need particular support. We are striving to put children and families at the heart of every community – with the support they need – from Government policy to local delivery.

All communities benefit if they are able to enable children and families to flourish. Yet there is still a major gap between what is available in most areas and what parents and children need. 4Children wants to see joined-up local support a reality for all children, young people and families. By 2015, the organisation would like to see up to 10,000 centres for children in or around schools – backed up by a joined-up children's workforce and one major funding stream from Government – for children.

4Children is also an EQUIPE partner

Switchboard: 020 7512 2112

Fax: 020 7512 2010

Information and Membership Helpline:
020 7512 2100

Email: Info@4Children.org.uk
www.4Children.org.uk

ACAS (Advisory, Conciliation and Arbitration Service)

ACAS is a free service available to employers and employees to give accurate, impartial, confidential and up-to-date employment relations advice.

Acas also produces a range of publications and can help with dispute resolution, training and one-to-one support.

National helpline number: 08457 47 47
www.acas.gov.uk

Business Link

If you are a UK registered small or medium sized company looking for help and advice about developing your business, get in touch with your local Business Link.

Helpline: 0845 600 9006
www.businesslink.gov.uk

Charities Advisory Trust

The Charities Advisory Trust is a registered charity with Home Office funding, to provide an impartial source of advice on all aspects of trading for charities.

Telephone: 020 7794 9835

Fax: 020 7431 3739

Email:
people@charitiesadvisorytrust.co.uk
www.charitiesadvisorytrust.co.uk

Charity Commission

The Charity Commission is established by law as the regulator and registrar for charities in England and Wales.

Telephone: 0870 333 0123

Minicom: 0870 333 0125

www.charity-commission.gov.uk

Chartered Institute of Personnel and Development

The Chartered Institute of Personnel and Development (CIPD) is the professional body for those involved in the management and development of people.

Telephone: 020 8971 9000

Fax: 020 8263 3333

www.ipd.co.uk

Commission for Racial Equality

Head Office

Telephone: 020 7939 0000

Fax: 020 7939 0001

email: info@cre.gov.uk

www.cre.gov.uk

Scotland (Edinburgh)

Telephone: 0131 524 2000

Fax: 0131 524 2001

Textphone: 0131 524 2018

email scotland@cre.gov.uk

www.cre.gov.uk

Wales (Cardiff)

Telephone: 02920 729 200

Fax: 02920 729 220

www.cre.gov.uk

Cymru (Caerdydd)

Ffôn: 02920 729 200

Ffacs: 02920 729 220

www.cre.gov.uk

Community Accountancy project

Provide free services such as:

Financial Health Checks

1 to 1 Training and Support

Telephone support

E-mail support

1 to 1 consultancy

Factsheets and Publications

Telephone: 020 7249 7109

Fax: 020 7249 6310

Email: caphackney@aol.com

Community Action Network

Community Action Network is the organisation for the development and promotion of social entrepreneurs. The central CAN team deliver high-quality projects in almost every field of social change and service delivery, from homelessness to schools and from healthcare to recycling.

Telephone: 0845 456 2537

Fax: 0845 456 2538

Email: canhq@can-online.org.uk

www.can-online.org.uk

Community Matters

Community Matters is the nationwide federation for community associations and similar organisations, with 1100 member organisations across the UK. Originally established as the National Federation of Community Associations in 1945, Community Matters has played a key role in promoting and supporting action by ordinary people in response to social, educational and recreational needs in their neighbourhoods and communities.

Telephone: 020 78377887

Fax: 020 7278 9253

www.communitymatters.org.uk

Companies House

The main functions of Companies House are to: incorporate and dissolve limited companies; examine and store company information delivered under the Companies Act and related legislation; and make this information available to the public.

Telephone: 0870 33 33 636

Email: enquiries@companies-house.gov.uk

www.companieshouse.gov.uk

Cornwall Neighbourhoods for Change

Cornwall Neighbourhoods for Change (CN4C), as an EQUIPE partner, is developing a new play scheme with training opportunities for residents of social housing estates in Cornwall.

Telephone: 01209 219246

Fax: 01209 214183

Email: info@cn4c.org.uk

www.cn4c.org.uk

Criminal Records Bureau

The CRB is set up to help organisations make safer recruitment decisions. By providing wider access to criminal record information, the CRB helps employers in the public, private and voluntary sectors identify candidates who may be unsuitable for certain work, especially that involving contact with children or other vulnerable members of society.

General Telephone enquiries:

0870 90 90 811

Minicom:

0870 90 90 344

Disclosure Application Line:

0870 90 90 844

Registration Line:

0870 90 90 822

www.crb.gov.uk

Daycare Trust

Daycare Trust is a national childcare charity which provides information for parents, childcare providers, employers, trade unions, local authorities and policy-makers.

Telephone: 020 7840 3350

Fax: 020 7840 3355

Email: info@daycaretrust.org.uk

www.daycaretrust.org.uk

Department for Trade and Industry (DTI)

The DTI provides a range of employment fact sheets and guides that are free of charge. In addition, the website offers comprehensive guidance on all aspects of employment law, as well as links to relevant agencies. TIGER, the Tailored Interactive Guidance on Employment Rights, provides information on minimum wage, maternity, paternity and adoption rights and is an excellent resource for employers. The DTI are moving towards all information becoming available online but it may still be possible to obtain the information you need in paper copy if you do not have access to the website.

Telephone: 020 7215 5000

Minicom: 020 7215 6740

www.dti.gov.uk

Development Trusts Association

The DTA encourages the exchange of information and good practice by supporting nine regional networks and numerous specialist forums. They conduct research, publish a quarterly information bulletin, and a range of publications.

The DTA promotes the work of development trusts, advocates on their behalf by commenting on and contributing to public policy developments, briefing and lobbying central and local government, and liaising with a wide range of organisations at regional, national and European level.

The DTA's mission is to bring about a successful development trust in every community that wants one.

Telephone: 0845 458 8336

Fax: 0845 458 8337

Email: info@dta.org.uk

Web: www.dta.org.uk/index.htm

Directory of Social Change

Source of information and support to the voluntary and community sector.

Telephone: 08450 777707

Fax: 020 7391 4804

Email: books@dsc.org.uk

www.dsc.org.uk

Directory for Social Entrepreneurial Organisations (The)

This website has been created by social entrepreneurs for social entrepreneurs and those who work with them to raise the profile of social entrepreneurial organisations and help them to deliver even more cutting edge solutions.

www.seo-online.org.uk

Disability Rights Commission

The Disability Rights Commission (DRC) is an independent body established by Act of Parliament to stop discrimination and promote equality of opportunity for disabled people.

Telephone:08457 622 633

Textphone:08457 622 644

Fax: 08457 778 878

www.drc.org.uk

Equal Opportunities Commission

The Equal Opportunities Commission is the leading agency working to eliminate sex discrimination.

0845 601 5901 for all general enquiries.

Great Britain

Telephone: 0845 601 5901

Fax: 0161 838 1733

Email: info@eoc.org.uk

www.eoc.org.uk

Wales

Telephone: 029 2034 3552

Fax: 029 2064 1079

Email: wales@eoc.org.uk

www.eoc.org.uk

Scotland

Telephone: 0845 601 5901

Fax: 0141 248 5834

Email: scotland@eoc.org.uk

www.eoc.org.uk

EQUIPE

The aim of EQUIPE is to work in partnership to bring childcare, playwork and social enterprise together to provide better services for communities.

EQUIPE Partners:

4Children; Cornwall Neighbourhoods for Change; Gatsby Children's Communication Project Gloucestershire Resource Centre; Joint National Committee on Training in Playwork;

London Play; Single Parents Action

Network; Social Enterprise London;

SkillsActive; Suffolk Social Care Services;

University of Gloucestershire

Telephone: 01242 543555

Fax: 01242 230413

Email: team@equipe.org.uk

www.equipe.org.uk

Financial Services Authority

From 1 December 2001 the FSA took over the functions of the Central Office of the former Registry of Friendly Societies and those of the Assistant Registrar for Scotland. These functions include: Registering new industrial and provident societies; registering and recording documents on behalf of industrial and provident societies; Registering and recording documents on behalf of friendly societies and certain other types of mutual societies registered under the Friendly Societies Act 1974; Registering and recording documents on behalf of building societies; Registering new credit unions and registering and recording documents for existing credit unions

Telephone: 020 7066 1000

www.fsa.gov.uk

Gatsby Children's Communication Project

Gatsby Children's Communication Project, as an EQUIPE partner, is researching local groups' potential to develop social enterprise to increase their sustainability.

Telephone: (01223) 370028

Email: roz.eadon@playingwithwords.org
www.playingwithwords.org

Gloucestershire Resource Centre

Gloucestershire Resource Centre (GRC), as an EQUIPE partner, is running anti-discriminatory awareness training.

Telephone: 01452 504442

Fax: 01452 504442

www.gloucestershireresourcecentre.com

Health & Safety Executive

Telephone: 08701 545 500

Fax: 02920 859260

Minicom: 02920 808537

Email:

hseinformationservices@natbrit.com

www.hse.gov.uk

ICSA Publishing

ICSA Publishing is the publishing company of the Institute of Chartered Secretaries and Administrators (ICSA). They publish essential business information and advice for managers in the corporate, not-for-profit and public sectors.

Tel: 020 7612 7020

Fax: 020 7612 7034

Email: icsa.pub@icsa.co.uk

www.icsapublishing.co.uk

Inland Revenue

www.inlandrevenue.gov.uk

Institute of Leadership and Management

ILM is a professional body which supports the development of leaders and managers.

Telephone: 020 7294 2470

Fax: 020 7294 2402

Email: info@i-l-m.com

www.i-l-m.com

Joint National Committee on Training in Playwork (JNCTP)

As an EQUIPE partner, JNCTP is acting as an additional dissemination conduit by integrating EQUIPE into its national conference programme.

Email: contact@jnctp.org.uk

Learning and Skills Council (LSC)

The Learning and Skills Council is responsible for funding and planning education and training for over 16-year-olds in England.

Telephone: 0845 019 4170

Fax: 024 76 49 3600

Email: info@lsc.gov.uk

www.lsc.gov.uk

London Play

London Play, as an EQUIPE partner, is developing a quality assurance scheme for play settings through mentoring.

Telephone: 020 7272 2464

Fax: 020 7272 7670

www.londonplay.org.uk

National Childminding Association (NCMA)

The National Childminding Association (NCMA) is a national charity and membership organisation that speaks on behalf of registered childminders in England and Wales. They promote quality registered childminding so that children, families and communities can benefit from the best in childcare and education.

Working in partnership with the Government and the Wales Assembly Government, local authorities, Early Years Development and Childcare Partnerships, OFSTED and other childcare organisations, they aim to ensure that every registered childminder has access to services, training, information and support to enable them to do a proper job.

They also aim to ensure that everyone who supports registered childminding has access to the information, training and support they need

Telephone: 020 8464 6164

Fax: 020 8290 6834

Email: info@ncma.org.uk

www.ncma.org.uk

National Day Nurseries Association (NDNA)

National Day Nurseries Association is a membership association of day nurseries in the UK, offering support, training and representation at national level.

Telephone: 0870 774 4244

Fax: 0870 774 4243

Email: info@ndna.org.uk

www.ndna.org.uk

National Housing Federation

The National Housing Federation is the body that represents the independent social housing sector and has approved Registered Rules.

Telephone: 020 7278 6571

Fax: 020 7833 8323

Email: info@housing.org.uk

www.housing.org.uk

NCVO

The National Council for Voluntary Organisations (NCVO) works with and for the voluntary sector in England by providing information, advice and support and by representing the views of the

sector to government and policy-makers.

Telephone: 020 7713 6161

Fax: 020 7713 6300

Helpdesk: 0800 2 798 798

Email: ncvo@ncvo-vol.org.uk

www.ncvo-vol.org.uk

OFSTED

The Office for Standards in Education was set up in 1992. OFSTED is a non-ministerial government department whose main aim is to help improve the quality and standards of education and childcare through independent inspection and regulation, and provide advice to the Secretary of State. In 2001, OFSTED took over responsibility under the Care Standards Act 2000 for the regulation and registration of all early years childcare and education.

Telephone: 020 7421 6800

www.ofsted.gov.uk

Opportunity Links

Opportunity Links is a not-for-profit-organisation, limited by guarantee. Their aim is to enable access to high quality social information for all. This includes direct provision of information, enhancing the capability of other organisations across the UK, outreach and community work as well as work with businesses and employers. Opportunity Links is dedicated to the effective delivery of the Government's National Childcare Strategy, aiming to improve accessibility to quality and affordable childcare, reduce child poverty and raise the profile of the Early Years Sector.

Telephone: 01223 566 522

Fax: 01223 500 281

Email: info@opp-links.org.uk

www.opp-links.org.uk

Palgrave Macmillan

Publishing company

Telephone: 01256 329242

Fax: 01256 328339

www.palgrave.com

Pre-school Learning Alliance (PLA)

The Pre-school Learning Alliance represents and supports 15,000 community pre-schools in England. Registered as an educational charity, the Alliance is the national dimension of the pre-school movement, which began in 1961 when, in the absence of state provision, parents started their own self-help nursery schools.

Telephone: 020 7620 0550

www.pre-school.org.uk

QCA

Non-departmental Government body sponsored by the Department for Education and Skills (DfES). QCA maintains and develops the national curriculum.

Telephone: 020 7509 5555

Minicom: 020 7509 6546

Fax: 020 7509 6666

Email: info@qca.org.uk

www.qca.org.uk

Single Parents Action Network (SPAN) UK

SPAN, as an Equipe partner, is developing a childcare service targeted at excluded groups, with opportunities for social enterprise development.

Telephone: 0117 9514231

Fax: 0117 9355208

Email: info@spanuk.org.uk

www.spanuk.org.uk

SkillsActive

SkillsActive, as an EQUIPE partner, will be improving the training and opportunities for all playworkers by:

Introducing equal opportunities training and practices

Improving training materials and opportunities

Strengthening the infrastructure of delivery through the development of regional centres.

Telephone: 020 7632 2000

Email: skills@skillsactive.com

www.skillsactive.co.uk

Social Enterprise London (SEL)

Social Enterprise London promote community, best practice, advocacy and development. They represent the social enterprise movement among London's strategic agencies and regional government to ensure the creative growth and expansion of London's social enterprise sector.

As an EQUIPE Partner, they are testing the childcare consortium model in the playwork setting.

Telephone: 020 7704 7490

Fax: 020 7704 7499

Email: info@sel.org.uk

www.sel.org.uk

Suffolk Social Care Services

Suffolk Social Care Services, as an EQUIPE partner, is developing a new service for vulnerable children, and looking at ways of increasing the tendering opportunities for social enterprises.

Telephone: 01638 686000

Fax: 01638 606019

www.suffolkcc.gov.uk

Sure Start Unit

The Sure Start Unit is part of the Government’s Children, Young People and Families Directorate. The Sure Start Unit works with local authorities, Primary Care Trusts, Jobcentre Plus, local communities and voluntary and private sector organisations. It aims to ensure delivery of free early education for all three and four year olds, affordable, quality childcare and after school activities in every area, and children’s centres and health and family support in disadvantaged areas where they are most needed. It works with parents to build aspirations for employment and for their children’s education.

Telephone: 0870 0002288

Email: info.surestart@dfes.gsi.gov.uk

www.surestart.gov.uk

Trading Standards

To find out about the Sale of Goods Act 1979, as well as a range of information on consumer and other rights.

www.tradingstandards.gov.uk

UK NARIC

For information on overseas qualifications

Telephone: 0870 990 4088

Fax: 01242 258611

Email: info@naric.org.uk

www.naric.org.uk

University of Gloucestershire

University of Gloucestershire, as an EQUIPE partner, is developing and testing out distance learning materials for a playwork DipHE and Degree programme.

Telephone: 01242 532700

Fax: 01242 532810

www.glos.ac.uk



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www.4Children.org.uk