

preVISIBLE** Review**

pre**VISIBLE**

Reviewed by
[Assessor name]
On [date]
Valid until
[assessment date + 3 years]

FOR
[Organisation name]

Feedback is given in

RED: if action is needed now, for example to comply with legal requirements

AMBER: if improvement is advisable

GREEN: where no change is necessary

Organisation Information

Assessment Name :
Organisation :
Address :
City :
Post Code :
Phone :
Fax :
Email :
Website :

Overview :

The Charity has been established relatively recently and it appears to be developing rapidly into an effective community anchor organisation. This review demonstrates that the Charity generally has robust policies and procedures in place and seems to be striving to follow good community work and community centre practice. There is good evidence that the organisation is well run, inclusive and community focused. The evidence provided indicated some excellent practice in many key areas. These include the Board's clear commitment to equal opportunities, health and safety, good employment practice and to developing an inclusive approach to governance. Its practice could be further improved and developed with reference to the commentary and suggestions provided in this review. The Review assumes that facilities are hired to occasional or regular users of the Board's facilities as well as provided directly by the Board's staff and volunteers.

Whilst there is some limited reference in the minutes of one Board meeting about this, the reviewer noted that no policies or procedures provided were dated or signed off or review dates set. This may be due to the way the information was provided in electronic format. Additionally, in a few instances there were examples of poor version control with separate versions of policies submitted which were not fully consistent. Unless this was due to the way the information that was requested for the review, it may be that some information that is included in the Director's Pack may not be available elsewhere to staff, volunteers or users. If it does not do so, the Board should consider an annual cycle for reviewing all of its policies and procedures to take account of legislative and other changes and to manage versions of documents contained in the Director's Pack and the Employee's Handbook. If it does not do so, the Board should also consider obtaining the written agreement of all casual and regular hirers to the core policies and procedures which affect the use of its facilities by hirers. This would in particular apply to the legal obligations on hirers in matters of health and safety, risk assessment, licences, equal opportunities and safeguarding.

Whilst this information may be provided elsewhere, if it does not do so, the Board may consider how it monitors both the impact of its policies, e.g equal opportunities, recruitment, volunteering, as well as its general impact and outcomes that benefit the local community. There are a number of ways in which policies can be monitored, e.g. collecting and amassing hard data from existing records, conducting surveys and interviews with users, hirers, staff and volunteers to collect soft data. There are several impact tools the Board could consider using, e.g Community Matters are currently developing a social impact tool which will be available after it has been piloted and which will complement VISIBLE. The Charity is due to or has recently submitted an initial annual return to the Charity Commission. If it has not done so, it could use this and subsequent annual returns, to celebrate its success and describe, with specific examples, how its activities and approach are enabling it to meet its charitable objectives and helping it to become a well run community hub.

Question 1

Does the organisation have an up-to-date governing document?

This should :

- Be in line with the organisation's activities
- Be democratic
- ensure accountability to the local community
- enable its independence and prevent undue influence from individuals, trading companies or external organisations.

Evidence request :

Please attach:

- Your current governing document
Relevant to Independent indicator 2 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Memorandum and Articles of Association (Final Draft) 090225.doc

Comments :

GOVERNING DOCUMENT: This is a relatively newly constituted organisation; the governing document is recent and up to date, reflects locally democratic processes and is compliant with the 2006 Charities and Companies Acts. The Charity Commission website shows that the Memorandum and Articles of Association provided were registered with the Commission on 18 May 2009 and with Companies House on 13 March 2009. Issues relevant to the 2006 legislation such as Proxy voting (article 6.2) are covered in the Articles of Association. The charitable objects in the governing document allow for a fully democratic and inclusive local membership and commendably refer to the association working in an 'inclusive manner' to further or benefit the local community.

AREA OF BENEFIT: The reviewer was unable to determine whether or not the definition of the Area of Benefit, as defined in the governing document, was sufficient to define a clear geographical area or if this would need fuller definition. This definition is sometimes critical for governance, local accountability and outreach, it may need to be further defined with the agreement of the Charity Commissioners, but this comment may not be relevant if the locality has a clearly defined geographical boundary.

ELECTION OF TRUSTEES: The evidence provided shows that the organisation is an independent and local accountable charitable organisation and the majority of Trustees are local community members. According to the minutes of the July 2010 AGM, this AGM was held in accordance with the governing document. It was particularly helpful that the minutes both name and define the members present and reflect the local accountability enshrined in the constitution, e.g the nine 'community directors' appointed being the majority of the Board. The annual set of Minutes of Board Meetings provided showed that Board meetings are open to and attended by non-Directors.

ELECTION OF DIRECTORS: Community Matters best practice would be that, to make the organisation fully accountable to members, Officers were elected by members at the AGM rather than by the Board. However the practice of the Board appointing the Officers at the first Board meeting following the AGM is acceptable and it is noted that the first Board meeting is usually held on the same day and immediately following the AGM.

ROLE OF LOCAL COUNCILLORS: Minutes of the July 2010 record the election of three Councillors as directors of the Board. Community Matters latest model constitution proposes that, in order to ensure

the independence of the charity, local councillors are not Directors but work closely as partners and supporters of the Board. The Board may want to further consider the position of local councillors and how they best support the charity as key local representatives. It is nevertheless apparent from Board minutes submitted to the review that the local authority representatives have provided a high level of support for the charity and any potential conflict of interest could be dealt with by the Board's Conflict of interest procedures.

RULES AND BYE LAWS: The organisation has the good basis for sound governance arrangements for its future development. The Reviewer notes that Article 16 of the governing document permits Directors to make reasonable and proper Rules or Bye Laws for the conduct of the business of the Charity. No Rules were requested as part of this review. If no such rules, bye laws or standing orders exist at present, it is likely that this relatively new organisation may devise them as it develops and in order to clarify its working arrangements and to continue to meet its charitable objectives .

Question 2

Do the members of the management committee understand their roles and responsibilities and have a written document setting this out?

Do they understand that they are the organisation's Trustees/Directors if it is a Charity and/or company?

Evidence request :

Please attach:

- Trustee/Director/Board Member induction policy/procedure.
- Trustee/Director/Board Member declaration form re disqualification, if appropriate.

Relevant to Independent Checklist 1 Indicator 1 from the main VISIBLE Standard

Answer : Yes

Attached Evidence :

- Sample Chair Job description.doc
- Successful partnership.doc
- welcome pack.doc
- What is the PARTNERSHIP set up to do.doc

Comments :

GENERAL : The Directors Induction Pack provides Trustees with clear and full information concerning the roles and responsibilities of trustees under Charity and Company law .

SIGNING OFF AND REVIEW OF POLICY AND PROCEDURE: If it has not done so, the Board may wish to consider formally signing off the Induction Pack at a Board meeting and ensuring that all Trustee's sign to acknowledge receipt of their copy. If this is not current practice, it was also proposed that all trustees receive and sign to acknowledge receipt of the Board's governing document. The Pack also includes several of the Board's policies, e.g financial procedures, Recruitment. Some of these need updating, e.g. the Financial Regulations refer throughout to a separate organisation. It is also suggested that a full list of the organisation's current policies and procedures with their individual sign off and review dates is included in the pack so that trustees are aware of the full range of policy and procedures and the process for sign off and review. The status of the corresponding documents 'Successful partnership', 'What is Partnership' is also not clear: they are not signed off and it may be helpful if they are signed off by the Board and individual trustees sign to agree receipt.

DECLARATION ON TRUSTEE DISQUALIFICATION: Whilst a good explanation is given of issues effecting Trustee disqualification, no Declaration Form Re Trustee Disqualification was provided. It is

possible that this critical declaration is provided to Trustee's separately but if not it should be provided for and signed by all trustees. A sample / template declaration re disqualification can be obtained from the Charity Commissioners website:

<http://www.charity-commission.gov.uk/library/supportingcharities/pdfs/sampledeccc30.pdf%20>

CONFLICTS OF INTEREST The governing document provides comprehensive information on several other critical issues effecting trustees, e.g remuneration of trustees, Conflicts of Interest involving Directors (clause 5 Memorandum of Association). It is noted in the minutes September 2009 Board Meeting that a conflict of interest was declared by a director so it would appear that this process works well. However, the Directors may consider whether this could be usefully enforced by including a standard agenda item at the beginning of each Board meeting to allow any potential conflicts of interest to be declared at the start of each meeting.

Question 3

Does the organisation have an elected Chair, Secretary, Treasurer and any other officers, in accordance with its governing document?

Evidence request :

Please attach:

- AGM minutes showing election of officers And, if applicable
- copy of minutes of first management committee meeting following AGM if Chair elected at this meeting.

Relevant to Independent Checklist 1 Indicator 1 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Minutes of Annual General Meeting 2010.pdf, Notices for Meetings.doc

Comments :

The Director's Induction Pack includes some very useful and clear documents defining the roles of the Chair, Secretary, Treasurer and trustees without a named office.

The governing document does not appear to specify which Officers of the Charity should be appointed or how they are elected. There is reference in the governing document to recording the appointment of Officers. The Definitions and Interpretation section (1) of the Articles of Association defines 'Officers' as 'includes the Directors and the Secretary'. It is noted from other documents provided as part of the review that the Offices of Chair, Secretary and Treasurer are in existence and their role defined and there are indications that they are appointed or elected at the first Board meeting following the AGM.

Advice: Rules and Bye Laws were not requested as part of this review. Unless the appointment or election process is covered in Rules or Bye Laws of the Partnership there may be no written procedures for appointing Officers of the Board and the Partnership should consider amending the governing document or developing Rules or Bye Laws concerning the election of Officers of the Partnership . The Charity Commission publication CC48 ' Charities and meetings' and other Charity Commission publications provide useful guidance concerning these points.

Question 4

Does the organisation have an Annual General Meeting (AGM) in accordance with its governing document?

Is due notice given of time, place and agenda for the AGM?

Evidence request :

Please attach:

- Minutes of the last AGM And
- Evidence of how and when the AGM is publicised e.g. Copy of public notice, distribution list for public notices, notice advert in local paper, invitations, agenda etc.

Relevant to Independent Checklist 1 Indicator 5 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Notices for Meetings.doc Minutes of Annual General Meeting 2010.pdf

Comments :

ARRANGEMENTS FOR THE AGM: The Board gives due notice of its AGM and the Minutes of the 2010 AGM provide a very clear and concise statement of the proceedings.

Although it is required by Article 6.3 of the governing document and by the 2006 Charity Act, the Notice of the July 2010 AGM does not include details of voting by proxy at the AGM. The notice did not include other information such as the Agenda of the meeting though it is stated that this would be available at the Centre well in advance of the meeting.

ADVICE . It was not clear if the Board takes other steps to publicise meetings, e.g via public notices, notice boards, adverts, e mails to members. The Board should consider reviewing its notices of meetings and how it publicises general meetings. If it does not already do so, the board may also consider using other means to attract attendance at AGMs, e.g link the meeting to a presentation from a guest speaker, provision of food or refreshments.

Question 5

Does the organisation make all the required Charity Commission and Companies House returns and notifications, (where applicable) including notification of any change of Trustees?

Evidence request :

Please attach:

- Copy of the latest annual return sent to the Charity Commission (if applicable). And/or
- Copy of the latest return sent to Companies House (if applicable) And
- Notification of change of trustees sent to the Charity Commission (if applicable) And/or
- Notification of change of directors sent to Companies House

Relevant to Independent Checklist 1 indicator 10 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Annual accounts 0910.pdf

Comments :

The organisation fully complies with these requirements. The Annual returns submitted to the Charity Commission and Companies House are up to date and compliant with Charity and Company law Changes in Directors, e.g following the 2010 AGM , changes in Directors details are submitted in a very timely way and are good examples of the application of this requirement.

Question 6

Does the organisation have ways to avoid conflicts of interest and issues of "connected persons" within the committee?

Evidence request :

Please attach:

- Conflict of interest policy which includes statement or knowledge re. connected persons.
Relevant to Independent Checklist 1 Indicator 1 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Directors Induction Pack.doc

Comments :

The Director's Induction pack includes a very clear job description and duties for trustees and the specific responsibilities of the Chair, Secretary and Treasurer. Directors' remuneration, Conflicts of Interest and Declarations of Interest are very well covered in Articles 14, 17 and 18 respectively of the governing document which include much useful and practical information which will assist Directors. See also response to Question 3 concerning Conflicts of Interest.

The issue of connected persons is not covered in the Induction Pack and, if this is not covered in any Rules or Bye Laws, Directors should consider developing and signing off a short statement re connected persons. If it is not covered by Rules or Bye Laws, Trustees may also consider including a standard agenda item at the start of each Board meetings where conflicts of interest can be declared. To make all of this information readily accessible, the trustees may consider developing a Conflicts of Interest Policy and procedures which includes all this information and which may help with the development of procedure in this respect. Please also see Charity Commission Publication CC11 for guidance, or www.charity-commission/library/guidance/cc11text.pdf.

Question 7

Do all the committee members (and staff where applicable) meet regularly, satisfying the minimum required number of meetings as set out in their governing document?

Evidence request :

Please attach:

- A complete set of minutes from the past year. Minutes should indicate that the lead member of staff was present where appropriate. If meetings were missed please feel free to add an explanation
Relevant to Independent Checklist 1 Indicator 4 from the main VISIBLE Standard

Answer : Yes

Attached Evidence :

Minutes of Meeting of Board of Directors 26Jun 09.doc
Minutes of Meeting of Directors on 6 Aug 09.doc
Revised Minutes of Board Meeting 15 Sept 09.doc
Minutes of Board of Directors 17 Nov 2009.doc

Comments :

The Board keeps appropriately detailed yet concise Minutes of its meetings the minutes including details of all those attending and which are well laid out and easy to understand. The frequency of its

meetings was in accordance with the governing document. Meetings of the Board are open to others and are attended by staff as well as partners as this is a commendable example of openness and inclusiveness.

Question 8

Do the committee members all understand the published objectives and aims of the organisation?

Evidence request :

Please attach:

- Trustee/Director/Management Committee Member induction policy or procedure
Relevant to Independent Checklist 1 Indicator 4 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Directors Induction Pack.doc

Comments :

The Directors Induction Pack contains thorough and clear information on the roles of trustees. The charity has an excellent and attractive website which confirms that its activities are consistent with meeting its aims and objectives. The Minutes of all Board meetings are included on the site. There is clear information on the induction process for new trustees and evidence of the active participation of Trustees in a comprehensive subcommittee structure to meet the Charity's objectives. The presentation of information on its website in this open and clear way is indicative of clear accountability and of what the Board is doing to meet its objectives.

Question 9

Does the organisation understand how their work relates to the aims and objectives of their Local Authority?

Evidence request :

Please attach:

- A chart relating your organisation's objectives from your governing document, to your activities and services, to the Corporate Objectives of your local council, and to targets set out in your Local Area Agreement. (You will find a chart template to use on the Resources page of the Visible Communities website)

Answer : Yes

Attached Evidence : ChartGovernance.doc

Comments :

PARTNERSHIP WORK: The Chart information provides a useful start in determining organisation's role in the local partnership through contributions to meeting the corporate objectives of the County Council. There is limited information provided about its links with other local partnerships. The Charity has focused on the Council's objectives of being customer focused, of engaging and empowering communities and of partnership in service delivery. The Charity should consider developing this process further with reference to locally agreed National Indicators as shown in the County Council's published 2008-10 Local Area Agreement and the Council Plan 2010-13. Both of these documents are downloadable from the Council's website. The Local Area Agreement would help the charity determine its contribution to the County's current targets for National Indicators in areas such as health and

wellbeing, Safety, Achievement, Positive Contribution, Economic Well Being. This would help to build and further define charity's role in developing its commendable local partnership approach.

Question 10

Does the organisation understand their community and its current needs, monitor the quality and relevance of its services, seeking feedback, and ensure that its services are fully accessible and appropriate to their community?

Evidence request :

Please attach:

- Community Profile, consultation, audit or survey or other form of evidence showing knowledge of your local area. and
- Some form of evidence showing your organisation seeking user/community feedback on the services you offer

Relevant to Service indicators 5 and 6 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : June 08.pdf, Findings for parent consultation 09-10.doc

Comments :

The Charity has provided quality evidence produced by partners such as the former District Council that it accesses and uses needs and other demographic data in developing its services. This is evidenced by the way the community activities and programme shown on its website match most of the needs identified in the Local Authority community profile for the locality, e.g services for children and families, older people, young men, credit union.

USER FEEDBACK AND IDENTIFYING COMMUNITY NEED The Charity has made use of a parent based consultation conducted locally in developing its services.

It did not provide comprehensive evidence that it seeks and obtains formal or informal feedback from groups and individuals who use its services or via community outreach as to the relevance and usefulness of these services and to how they should be developed. The charity may have this needs based information but it was not provided as part of this review. This form of feedback, e.g from users, or involving local surveys of the needs of residents, should, for example, help the charity meet its objectives, assist in developing new services, being accessible to all sections of the community and help in setting up new groups. Some evidence can simply be obtained via a suggestion box or from feedback forms provided for users. Further information about undertaking surveys is available from Community Matters, e.g the Information Sheets on 'Neighbourhood Surveys', 'Leisure Interest groups' and 'Starting New Groups'.

Question 11

Does the committee have access to ongoing specialist support to keep them informed and up to date? Particularly:

- Charity Law
- Other legislation
- Employment issues
- Charity Accounting
- Children and Young People and Safeguarding
- Health and Safety

- Funding Opportunities
- Charity Accounting
- Children and Young People and Safeguarding
- Health and Safety
- Funding Opportunities

Evidence request :

Please attach:

- a statement of how your organisation gets support and information for area listed in the question, and giving membership number or reference where appropriate

Relevant to Independent Checklist 1 Indicator 3 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Support.doc

Comments :

The Charity identified four local and national organisations from the community and voluntary sector from whom it obtains information or specialist support to keep up to date with legislation and other developments .This provides the Board with information from a comprehensive range of sources of specialist information concerning the running of community buildings.

The information listing these four organisations could be helpfully expanded to explain how the charity uses any updates, e.g process for updating or person and/or sub committees responsible, how information is considered by the Board or any subcommittees. The Policies and procedures generally submitted as part of the Review did not contain sign off or review dates: If the committee does not do this, it may consider instituting an annual cycle of review for all policies and procedures, perhaps linked to subcommittee and Board meetings so that all policies and procedures are reviewed at least annually.

Question 12

Does the committee receive and monitor regular financial updates for the organisation?

Do the Trustees/Directors/Management Committee Members understand that it is a legal requirement to:

- Keep the organisation solvent and not operate without funds?
- Use its funds wisely and only in furtherance of the organisations objects?
- Obtain a licence for any street collections?

Evidence request :

Please attach:

- 2 copies of a financial report or statement produced for committee meetings And
- A copy of the most recently approved annual budget And (if applicable)
- A copy of licence for street collection

Relevant to Independent Checklist 3 indicator 3 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : organisation 1011.xls, organisation 1011 Budget.xls

Comments :

The organisation compiles and works to an annual budget which provides a good summary and effective financial planning tool. Restricted funds are reported separately. As there was no response to the issue of street collection, the reviewer has assumed that the charity does not organise these. The

Excel spreadsheet submitted provided a through means of recording all individual items of expenditure for the bookkeeper or treasurer though this was only recorded for one month (April 2010) .

FINANCIAL REPORTING TO THE BOARD: organisation did not provide the reviewer with copies of regular financial reports as presented to Board meetings. According to Board minutes, a six monthly financial report was presented to the November 2009 Board and a quarterly report was presented to the July 2010 Board meeting and these took account of variances between budget and actual spend. Based on the information provided the reviewer was unable to track actual as against budgeted income and expenditure but these should be provided to the Board. The reviewer would stress that, now that reporting systems have been set up, financial management reports are provided at least quarterly to the Board to keep track of and to take action on variances, restricted funds, cash flow and other variables and to ensure that the Board can exercise its financial responsibilities as a charity.

Question 13

Does your organisation produce annual accounts, appropriately examined or audited, and containing the Annual Report?

Evidence request :

Please attach:

- Copy of most recent annual Accounts And (where applicable)
- Copy of examiner's or auditor's report with the annual report

Relevant to Independent Checklist 3 indicator 2 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Community Partnership Account 0910.pdf

Comments :

The charity has produced independently examined annual accounts and an annual report in accordance with Clause 20 of the governing document and with Charity Law.

According to the Charity Commission website accessed on 23rd August 2010 the annual accounts had been submitted on 27th July 2010 but the annual return had not yet been received by 23.8.10. Any overdue annual return is permanently recorded as such by the Commission on its website. This is the first year since its formation that the charity is due to submit its accounts to the Commission and the delay may be due to these accounts still being processed by the Charity Commission. However, this should be checked out by the Board in case the accounts have not been submitted or have been mislaid by the Charity Commission.

Question 14

Does the organisation have written policies covering payment of Trustees/Directors/Management Committee Members and volunteers which are clearly communicated?

Evidence request :

Please attach:

- Copy of policy or trustee induction procedure covering payment of Trustees/Directors and volunteers.

Relevant to Independent Checklist 3 indicator 12 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Directors Induction Pack.doc

Comments :

There is clear information in the Articles and Memorandum re the payment of Directors. This is consistent with the Charity's Financial Regulations. The Financial Regulations are clear, helpful and comprehensive, and provide a thorough process for all aspects of the financial management of the charity's affairs and of fully safeguarding its charitable income. The Regulations are consistent with the Charity's other policies for managing payments to staff and volunteers, provide clear means of control funds in its bank accounts and for managing petty cash and are in line with Charity law.

The Financial regulations should however be amended as they appear to relate to a different management structure to that of the current charity.

Question 15

Does someone in the organisation understand all the tax, national insurance and VAT requirements and have procedures for paying/re-claiming the correct amounts?

Evidence request :

Please attach:

- example of PAYE slip or other monthly pay statement showing Employers and Employees National Insurance and (if applicable)
- copy of a recent VAT return

Relevant to Independent Checklist 3 indicator 16 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : County Council deals with all PAYE.doc

Comments :

The Charity use the services of the County Council to manage its PAYE and National Insurance operations as an employer. Whilst the charity is not currently registered for VAT, if it has not done so, it should seek advice as to whether it is close to reaching the threshold of VAT taxable income or if this eventuality may arise in the coming years in line with any projected increase in turnover.

Question 16

If the organisation is a Registered Charity, does it have a Reserves Policy in line with Charity Commission requirements?

Evidence request :

Please attach:

- Copy of the reserves policy. Or
- Copy of the Annual Financial report including the Reserves Policy Or
- Minutes of a meeting deciding the level of the Reserves Policy

Relevant to Independent Checklist 3 indicator 15 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : organisation is working towards a six month reserves policy as recommended by the Charity Commission.doc

Comments :

The Charity's Reserves Policy is included in its financial regulations. This is in line with Charity Commission recommendations that it should have a reserve covering six months running and winding up costs including statutory redundancy obligations. The charity currently has a reported reserve of £10,000 and is working towards building this reserve in line with its policy statement.

Question 17

Does the organisation operate a consistent charging and hiring policy that balances the needs of the organisation with the needs of local groups?

Evidence request :

Please attach:

- Copy of charging and hiring policy or tariff showing rates for charitable and non-charitable use.
Relevant to Independent Checklist 3 indicator 1 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : charging hiring.pdf

Comments :

SCALE OF HIRE CHARGES: The Charity has a standard scale of hiring charges with a 50% reduction for 'small groups' compared to the fee charged for 'other organisations' and a separate hourly fee for party hire. This does not appear to take account of other issues which organisation should consider as a community charity, such as discounted rates for organisations/charities with similar objectives, reduced rates for members or newly formed groups just becoming established or premium rates for commercial organisations. If it does not have one, organisation should consider devising a hiring policy and including considerations such as activities for public benefit in this policy and any scale of charges. Further information about this is available for the Charity Commission at www.charity-commission.gov.uk/publicbenefit/pbfeecha.asp#c.

HIRE AGREEMENT: The charity was not asked to provide a copy of its hiring agreement which regular and occasional users should understand and sign. The charity may already have such an agreement in place. The agreement clarifies roles, responsibilities and practical arrangements for both parties. It should cover key requirements and responsibilities for all practical issues including fees, setting up and storage of equipment and furniture, cleaning and tidying up, security of the building, food, parking as well as Health and Safety, Licences, Insurance, safeguarding of children and vulnerable adults, CRB checks and equal opportunities. Please see Community Matters Information Sheet on 'Rules and Hiring Agreement for a Community Centre'.

Question 18

Does your organisation have a separate trading company where this is necessary - i.e. where charitable exemptions for trading goods or services do not apply?

Does it have a clear legal relationship with the separated company?

Evidence request :

Please attach:

- Copy of registration document for Trading Arm And
- Accounts for wholly owned trading subsidiaries included in audited accounts for the charity.
Relevant to Independent Checklist 1 Indicator 17 from the main VISIBLE Standard

Answer : Not Applicable

Attached Evidence :

Comments :

This question does not apply as the Charity does not have a trading arm and its governing document prevents it from undertaking permanent trading activity.

Question 19

Does the organisation have a policy stating how it will recruit any employees?

This should cover:

- a) checking their entitlement to work, and
- b) an up to date Job Description and Person Specification for each post

Evidence request :

Please attach:

- Recruitment policy
- Policy or Statement on how you check eligibility to work in the UK
- Sample job descriptions

Relevant to Independent Checklist 2 indicator 1 and 3 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Equal Opportunities Policy.doc, Development Worker Job Description and Person Spec.doc

Comments :

The Recruitment process described very commendably covers the majority of key points to ensure the recruitment process is open, fair and equal. The Board adopts good practice in ensuring that Equal Opportunities issues figure prominently in the process of staff recruitment. The short listing statement in the Equal Opportunities Policy (EOP), where it is stated that a job application form and an accompanying monitoring form is used, as well as shortlisting proceeding on the basis of skills and experience without reference to the candidate's personal details and monitoring form. This is excellent shortlisting practice. The Board's practice of inviting disabled candidates to the workplace to enable candidates to assess the suitability of the working environment is also very good practice.

LINKS TO EQUAL OPPORTUNITIES POLICY: Whilst in some respects it is very useful to have the recruitment process fully documented in the Equal Opportunity Policy and there may be some historical and contextual reason why it is so located, the Board should consider publishing it separately as a Recruitment policy or include it in a staffing or employment handbook. This may help to delineate the two issues and would allow the EOP policy and Statement to be more accessible and relevant to other users such as members, hirers for whom it is also intended.

ENTITLEMENT TO WORK: A point of concern is that, based on the information provided as part of this Review, the charity does not appear to carry out the required checks for the entitlement to work of any candidate before they are confirmed in post. This check is a statutory requirement as part of the Asylum and Immigration Act. The Board should amend its written recruitment process/policy to take this into account. It should ensure that it carries out this check before employing any new staff and should check the status of existing staff.

JOB DESCRIPTION AND PERSON SPECIFICATION: Concerning the Job Description and Person Specification provided, the Job Description is a clear and easy to read document.

The accompanying Person Specification does not distinguish between 'essential' and 'desirable' criteria for the post: this distinction is a requirement of section 6.2.3 of the Director's Induction pack , is recommended employment practice as it helps candidates determine their suitability for a position and whether they are under or over qualified. The person Specification could also helpfully include a heading on 'Qualifications'. Please see the ACAS website for further information.:
www.acas.org.uk/CHttpHandler.ashx?id=148&p=0

If the issues outlined above are addressed the Board would have a very robust recruitment process.

Question 20

Does the organisation have contracts of employment with any staff covering at a minimum:

- Name of employer and employee
- Date employment began
- Job location
- Pay
- Hours of work
- Annual leave entitlement
- Reference to any other conditions of service
- Notice requirements
- Line management arrangements
- Probation period

Evidence request :

Please attach:

- Copy of your model contract of employment.
Relevant to Independent Checklist 2 indicator 5 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Terms of Employment and Employee Handbook- Final Draft.doc

Comments :

The Employee Handbook is a useful and comprehensive document which provides information for staff in a readily accessible and clear form on their conduct and critical matters including Discipline, Grievance, Harassment.

The information in the specimen Contract of employment concerning staff leave is not fully up to date with current legislation; a clause need to be included that staff need to take all statutory leave within n the given leave year and cannot carry this forward to the following leave year .For full time employees, the current statutory minimum leave is 28 days including 8 days public holidays. The Contract should be amended to reflect this legal point.

With this amendment, the Board would have in place a robust standard Contract of Employment for use with all staff.

Question 21

If they are not covered in the contract of employment does the organisation have written conditions of service covering:

- Induction, development and support?
- Pension arrangements?
- Sickness leave, maternity/paternity leave, compassionate leave?
- Disciplinary and grievance procedures?

Evidence request :

Please attach:

- Staff Manual or document with terms and conditions of service Or
- Employee Inductions Procedure Or
- Other suitable piece of evidence covering policy in these areas

Relevant to Independent Checklist 2 indicator 4 and 6 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : organisation Terms of Employment and Employee Handbook- Final Draft.doc

Comments :

EMPLOYMENT AND EMPLOYEES HANDBOOK: The Employment and Employee Handbook is full and wide ranging and addresses most staff and manager requirements in a very understandable way. Very clear Rules for the conduct of staff in most work activities are provided.

DISCIPLINE AND GRIEVANCE PROCEDURES: Whilst development and support are covered, the handbook could be further enhanced by a short section on Staff Induction. The Discipline and Grievance Procedures could merit review in the light of the ACAS Guidelines, 'Discipline and Grievance at Work', November 2009, which are available on the ACAS website. For example the Disciplinary and Grievance Procedures are very formal and do not make sufficient mention of trying to resolve matters informally and at the lowest possible level, especially for minor cases of misconduct, or through the use of mediation. The inclusion of these points may help make them more approachable for staff. As is stated in the PreVisible guidance, organisations who do not apply the ACAS standard may have higher awards made against them should any matter proceed to an Industrial Tribunal.

With these suggested amendments the organisation would have a very robust employment process in place.

Question 22

Does the organisation have written procedures for the recruitment, induction and support of volunteers?

Evidence request :

Please attach

- Copy of volunteer induction procedure or policy

Relevant to Independent Checklist 1 indicator 2 and Engage indicator 5 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Volunteering Policy.doc

Comments :

The Volunteering Policy is clear and concise. It makes provision for job descriptions in the form of a 'voluntary work outline' to be issued to volunteers, and for volunteer recruitment, support, development, appraisal in line with good equal opportunities practice. It sees meeting the requirements and expectations of both parties as a 'two way' process.

LINKS TO OTHER POLICIES: Whilst the volunteering policy is concise and comprehensive and reference is made to the Equal Opportunities Policy, it could be further enhanced by reference to other key policies such as discipline and grievance, health and safety being issued to the volunteer.

VOLUNTEERING AGREEMENT: If this is not practice or if there is no volunteering agreement form, the volunteer should sign to acknowledge receipt and understanding of the policy or be issued with a separate volunteering agreement to sign.

REHABILITATION OF OFFENDERS ACT: Whilst there is reference to CRB checks, and even if this issue is covered in other organisation documentation, it would greatly enhance the policy and the organisation's work with ex-offenders as volunteers if the provisions of the Rehabilitation of Offenders Act are covered within the policy.

Question 23

Does the organisation comply with relevant equal opportunities legislation in their work and recruitment/employment of staff, including:

- The Race Relations Amendment Act?
- The Sex Discrimination Act?
- The Disability Discrimination Act?
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003

Evidence request :

Please attach:

- Copy of Equality and Diversity policy and procedure.

Relevant to Independent Checklist 1 indicator 11 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Equal Opportunities Policy.doc, Equal Opportunities.doc

Comments :

The equal opportunities policy confirms the importance and commitment of the charity to equality and equal access to its provision and to relevant issues such as the law and regulations on disability, religion, race and sexual discrimination. Commendably, the policy applies to all involved persons in the activities of the organisation including Directors, staff, volunteers and service users. The Policy contains a very useful section on recruitment including the detailed process of recruitment of staff (and volunteers).

SIGN OFF OF THE POLICY: The policy would, however, benefit from some rationalisation and sign off as there may be a version control issue. From reviewing the documents there appear to be at least two versions of an equal opportunities policy document and references to an EOP statement. These versions include a section in the employee handbook, two documents entitled 'Equal Opportunity' and 'Equal Opportunities Policy' and a section in the Directors Induction pack. There is much consistent and common but some separate information and wording between these various documents, e.g the clauses numbered 2.5 and 2.6 are missing in the service delivery section of the version of the policy where clauses are not numbered. No document made available to the reviewer was signed off as the definitive version and subject to future review even though one version of the policy contains these headings.

MONITORING OF THE POLICY: The reviewer would also be interested to know how the policy is monitored and what is monitored. There is good reference to this in the recruitment section. However no monitoring forms or procedures were attached to the policy. The policy refers to the monitoring of the policy and producing regular reports for the Board and a report on the operation of the policy in the Annual Report. There may be a separate Annual Report which was not requested as part of this Review but a report on the EOP policy could not be traced in the set of Board meeting minutes or in the annual

Financial Report provided as part of the review.

EQUAL OPPORTUNITIES STATEMENT: Although this was not requested as part of the review, an EOP statement is referred to in some of the documentation and the position of an EOP statement should also be clarified and /or a new Statement developed. The "Statement" is usually a one page statement displayed throughout the centre to give visibility to the EOP principles and a summary of the practice which the organisation's policy seeks to promote.

If these points are addressed the Board's clear commitment to equal opportunities would be greatly enhanced.

Question 24

Does the organisation have the legal right to occupy/manage the building they occupy? For example: lease or licence

Evidence request :

Please attach:

- a copy of the lease, licence or other occupation agreement or a statement from the landlord about the organisation's legal status in relation to its building

Relevant to Independent Checklist 1 indicator 7 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : draft lease 2008 Aug.doc

Comments :

STATUS OF LEASE/OCCUPANCY: The Charity has been offered a 99 lease on the premises from County Council for a rent of £1 per annum. The Draft Lease appears to provide for the Council to undertake all external repairs to the building, a very beneficial clause for the Charity if this is agreed.

The Reviewer notes that the lease is still classed as a 'draft' so it is not clear if the Charity is still negotiating some of the clauses in the lease. If the draft lease is not signed or agreed or if the charity does not have some other form of occupancy agreement such as a licence, the charity may not have the right to occupy the premises. If the lease has not been signed some of the clauses in the draft lease would merit some clarification or negotiation before the lease is agreed, e.g the proportion of expenses referred to in Part 1 clause 1.2 Insurance, clause 3. The break clause is only operational after 10 years and the prospective tenant may wish to seek a break clause prior to this. If it has not done so and the lease is not yet signed, the charity should consider seeking expert legal advice to assist with any negotiations of the draft lease.

Question 25

Premises licence - Do you serve alcohol, allow gaming or present entertainment in your building(s)? If so do you have the correct licences and permissions?

Evidence request :

Please attach:

- Copy of current Premises Licences covering all appropriate activities.
Relevant to Independent Checklist 1 indicator 7 and 11 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Village Hall.pdf

Comments :

The Charity has a comprehensive and up to date premises licence in place to enable and support a full range of community activities and events. This includes a licence to sell alcohol on the premises only between 7 am and 10.30 pm on Sundays and 8 am and 11 pm on other days in the presence of a person who holds a personal licence.

Question 26

Do you or anyone connected with your building use live and/or recorded music. If so, do you have the correct licences to do so?

Evidence request :

Please attach:

- Copy of Performing Rights Society (PRS) licence and/or
- Copy of Phonographic Performance Ltd Licence (PPL).

Relevant to Independent Checklist 1 indicator 7 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : GLD12 form.xls

Comments :

Although the charity may have them in place, the evidence submitted was a blank Phonographic Performance Ltd Licence application form and there is no mention made of a Performing Rights Society Licence. Both PPL and PRS licences are required for the relevant activities. This is in addition to a Premises Licence. For further information please see www.ppluk.com and www.prs.co.uk. Community Matters also runs a PRS and PPL licensing scheme and details can be found at www.communitymatters.org.uk/Advice+and+Support/phonographic-performance-ltd-licensing-scheme-2010

Question 27

Does the organisation have the required insurance cover and any additional cover that is felt necessary? For example:

- Public liability
- Employers liability (if applicable)
- Building and contents cover
- Vehicle (if applicable)
- Lift insurance (if applicable)

Evidence request :

Please attach:

- A statement of what insurance cover is held, listing policy number and provider, and why other insurance is considered unnecessary.

Relevant to Independent Checklist 1 indicator 8 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : PL Cert.pdf, Policy Schedule.pdf, EL Cert.doc

Comments :

The charity has adequate and up to date insurance cover to support its activities and meet its legal

requirements for insurance. This includes Material Damage Property Insurance of £1.47M, £10M Employers Liability Insurance, Contents insurance, £5M Public Liability and Business Interruption and Hirers Liability. The reviewer notes that the organisation does not have insurance cover for any motor vehicles or for lift insurance including dumb waiters. These are legal requirements if such facilities are provided and the reviewer has assumed that the charity does not have either facility.

Question 28

Does the organisation comply with good health and safety practice and legislation? For example:

- Risk assessment
- Maintenance & regular checks of equipment
- Fire protection
- First aid
- Food hygiene
- Cleaning
- Control Of Substances Hazardous to Health (COSHH)

Evidence request :

Please attach:

- Health and Safety Policy and any completed risk assessments. And
- Copies of any First Aid procedures and certificates
- Copies of any Food Hygiene procedures and certificates if applicable.

Relevant to Independent Checklist 1 indicator 12 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Health & Safety at work.doc, New Fire Risk Assessment.doc, risk assessment-drama 1.doc, General Risk Assessment Form, Sponsored Walk.doc

Comments : The Charity has a full Health and Safety Policy and very useful procedures. It has a designated Safety Officer and appears to undertake a full risk assessment of each activity organised by the Charity.

RISK ASSESSMENT FORMAT: The reviewer noted that the 2 sample risk assessments provided appear to use slightly different criteria and were formatted differently. It was not clear if this was because they were undertaken by separate user groups working to their own criteria. For the sake of consistency and ease of communication, it is recommended that the charity adopt a standard set of criteria for all risk assessments.

HIRERS AND THE POLICY: If this is not current practice, the reviewer would suggest that the charity ensures that all hirers are provided with and sign to agree to the Health and Safety policy, that they also provide risk assessments of their own activities which are approved by the Charity before the activity takes place.

ACCIDENT AND INCIDENT FORMS: The reviewer noted that accident/incident forms are in single sheet format and this is very beneficial and very good practice to ensure confidentiality.

HEALTH AND SAFETY MONITORING CHECKLIST AND REPORTING TO BOARD: The Charity organises regular monthly inspections of the premises to enforce the policy and to note hazards or action needed. This is excellent practice.

However, whilst a non-exhaustive list of hazards and issues to inspect is provided as part of the policy, the charity should consider developing this into a template. The use of a template would help to ensure that all hazards are inspected and reviewed consistently. For example Appendix D of the Community Matters July 2009 specimen Health and Safety policy and procedures contains a useful checklist and the Safety Officer may consider adapting this or a similar template. The reviewer noted that the Safety

Officer reports their findings and recommendations back to the Board, but there was little or no reference to this in the minutes provided of Board meetings.

FIRE RISK ASSESSMENT: The Fire Risk assessment was up to date, compliant with current requirements and contained a full list of hazards requiring action to prevent fire.

It was not clear from the documentation if the measures requiring action had been carried out (e.g PAT testing procedure, burns kit in kitchen) but this information may be held elsewhere by the charity.

The Emergency Procedures make reference to procedures which should include Fire Drills and a Fire Evacuation Procedure. This information was not specifically requested as part of this review, but, along with Fire Exit signage, should be actioned and notices displayed throughout the building.

FIRST AID: There is little or limited reference to First Aid in the procedures, including First Aid procedures and training, but this may be held elsewhere by the charity.

MANUAL HANDLING: Whilst there is some reference in the Policy to manual handling, the charity may consider further developing this procedure. Heavy or bulky furniture or other equipment may need to be stored or moved around the building by hirers, users, staff or volunteers, and this can sometimes be a cause of accidents.

LONE WORKING: There is limited or no reference to Lone Working arrangements in the building or safe unlocking or securing of the premises. If this is relevant to its activity and the information is not documented or available elsewhere, the charity should consider developing a procedure to address these points.

CONTROL OF HAZARDOUS SUBSTANCES: The COSHH guidance provided is very helpful. The review did not ask for the results of the COSHH assessment which the charity has undertaken but the reviewer assumes that issues such as the safe storage of chemicals,(e.g cleaning fluids), is covered as part of the protective and preventative measures referred to.

FOOD HYGIENE: the documentation refers to Food Stock and Storage but appears to indicate that the charity has a kitchen where hot and cold food are prepared. It is commendable that food hygiene certificates are a minimum requirement for all food handlers and preparers. The review did not specifically require this information but the reviewer assumes that the kitchen is managed with advice from the local environment health officer and that other procedures and clear instructions are in place in the kitchen for the provision of separate cutting boards and tools to avoid risk of food cross contamination if food is prepared or stored . The Board appears to take its duties for Health and Safety very seriously and, subject to these points being addressed or clarified, the charity would appear to have some excellent Health and Safety practice in place.

Question 29

Does the organisation comply with The Children's Act and The Safeguarding Vulnerable Groups Act 2006?

Evidence request :

Please attach:

- a copy of your Child Protection or Safeguarding Vulnerable Groups policy And
- a statement of whether you carry out Criminal Record Checks for any staff/volunteers/trustees and whether some staff are vetted by the Independent Safeguarding Authority

Relevant to Independent Checklist 1 indicator 11 and 13 from the main VISIBLE Standard

Answer : Yes

Attached Evidence : Child & vulnerable adult protection Policy.doc All staff.doc

Comments :

The Charity has a clear and concise policy statement to support its practice with children and vulnerable adults. A separate note is provided that all staff, volunteers and directors have an enhanced CRB check. This is in compliance with the current advice provided by the Independent Safeguarding Authority (ISA) and the Charity should consider including this and reference to the ISA in the policy document.

THE ROLE OF THE ISA : The Charity should also note that although the Vetting and Barring Scheme due to be introduced from July 2010 was halted whilst the new coalition government undertakes its review of the Scheme, new safeguarding regulations introduced in October 2009 continue to apply and this should be noted in the policy. These include: A person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with those groups. An organisation that knowingly employs someone who is barred to work with those groups will also be breaking the law. If an organisation works with children or vulnerable adults and dismiss a member of staff or a volunteer because they have harmed a child or vulnerable adult, or would have done so if they had not left, as well as taking other measures they must tell the Independent Safeguarding Authority. Please see www.isa-gov.org.uk

USE OF THE POLICY WITH HIRERS AND USERS: If it does not do so, the charity should ensure that all hirers and users of the building understand and sign to agree to operate the charity's safeguarding policy and that CRB checks are carried out on all hirers and users who have regular contact with children and vulnerable adults.

ADDITIONAL INFORMATION RE.CHILD PROTECTION : The reviewer also notes that the Charity's Directors Handbook includes an extensive section entitled 'keeping Children and Young People Safe from Abuse '. This statement contains much useful guidance re child protection and the charity should consider how this information could be included in the safeguarding policy so that it is available to other users of the centre.