

Committee Guide for Early Years and Childcare providers



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Being part of a committee can be both enjoyable and rewarding. Individuals bring with them various skills, talents, expertise and ideas that can be used to enhance the group. In return, opportunities to develop new skills in areas such as management, marketing and recruitment can be gained.

The New Committee

The Annual General Meeting (AGM) has taken place; new committee members have been elected and members have voted to adopt the most up to date constitution.

- In some instances committee members have already agreed to take officers roles. If this is the case they can be elected to these roles at the AGM.
- If not, a date for the first committee meeting should be agreed or take place straight after the AGM. At this meeting officers will be elected. If it is not held directly after the AGM then it should be held within two weeks.

It is a Charity Commission requirement that all trustees/committee members are eligible to serve on the committee therefore it is suggested that members sign a declaration of eligibility to be a trustee. <https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions>

New committee members may also find it useful to be given a members pledge. This will help them understand their role within the setting and the importance of confidentiality when dealing with important or sensitive issues regarding the setting.

Three officer positions should be filled, that of a chairperson, secretary and treasurer. Members will need to be nominated for the positions, the nominations must be seconded and the members must formally agree. If there is more than one person for a position then the committee will have to vote. Minutes of this procedure must be taken. **(Please check your governing document for further advice about the allocation of officer roles)**

It is good practice to agree and record which other committee members will take the lead on health & safety, child protection and safeguarding, fundraising etc.

New Committee Members Welcome Sheet

Thank you for volunteering to join our management committee.

Governing Document

Our constitution/Memorandum and Articles can be found

The group is registered with the **Charities Commission / Companies House**

The charity is a **Charitable Incorporated Organisation (CIO) / Unincorporated organisation / Company Limited by Guarantee (CLG)**

Our Charity/Company Number is

MEETINGS

We hold Meetings a year.

We hold open meetings a year, all parents/members are welcome

We hold an Annual General Meeting in the term to which all parents are invited.

ROLES AND RESPONSIBILITIES

The committee /directors :

- Are collectively responsible for managing the group.
- **MUST** complete DBS/EY2 process within 14 days – see Appendix 2 and 2a
- **MUST** notify OFSTED using EY2 who the new nominated person for the committee is
- Should appoint a Chairperson, a Secretary and a Treasurer.
- Must be aware of and comply with current legislation.
- Recruit following robust, safe recruitment procedures and line-manage staff.
- Must do their best to ensure the financial stability of the group.
- Must try to recruit future members of the committee!
- Can employ an administrator or bookkeeper.
- Can have a fundraising sub group.

FINANCES

As a charity or not-for-profit organisation, all of our finance is used for the benefit of the children who attend. However, we do hold a contingency fund in line with charity law. We hold a variety of fundraising events each year, new suggestions always welcome! Volunteers are welcome to claim back relevant and legitimate expenses.

We look forward to seeing you at the next meeting of the management committee which will be held at

- Please arrange a visit to the group so that you can have a chat with the manager about their role and responsibilities.
- The Chair of the management committee will also organise a convenient time for you to meet for an informal chat about our roles and responsibilities.

Thank you for your support. We do hope you will enjoy your time as a committee volunteer and remember to encourage your friends to join us too!

The retiring officers and the newly elected officers should make arrangements for a handover period and informal meetings to take place. At these meetings the new officers are updated on the business and employment procedures & practices of the setting, any outstanding work/actions are discussed and paperwork passed on. This could include a timeline of tasks. *(An example timeline copy is included as an appendix with this guide for your use).*

First Actions

Notifying Ofsted of changes to the registered provider

The first task is to inform Ofsted of the change in management. Ofsted must be notified in writing of changes to the committee within 14 days of the AGM by completing an EY3 form. All committee members must complete the DBS process and EY2 form (both online) again, within 14 days of election. This is a mandatory requirement, see EYFS 3.78 *(A guide for this process is included in the appendix)*

Informing the Charity Commission

Registration with the Charity Commission is required for settings with an annual income which exceeds £5,000.

You can register on line at www.charitycommission.gov.uk

You must update your charity's/company details online through their website. To do this, you need:

- A password. If you do not have one already, you can request one online.
- The registered number of your charity.

Keep your charity's password safe at all times. For security, you can't change it.

Updating the information entails naming your charity trustees.

See more at: <http://www.charitycommission.gov.uk>

Informing Companies House

If you are a Company Limited by Guarantee (CLG) you must also inform Companies House of the new directors. (Also known as trustees). A CLG is a charitable company and has dual registration with Companies House and Charity Commission.

- You will need the company number

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

Signatories

Change the signatories on the bank account. **A paid member of staff should not be a signatory.** Cheques must be signed by two committee members (trustees); for convenience name 3 people who may be signatories. Guidance for online banking is available from the Charity Commission. Ensure robust procedures are in place to prevent individual access to charity funds.

Further actions

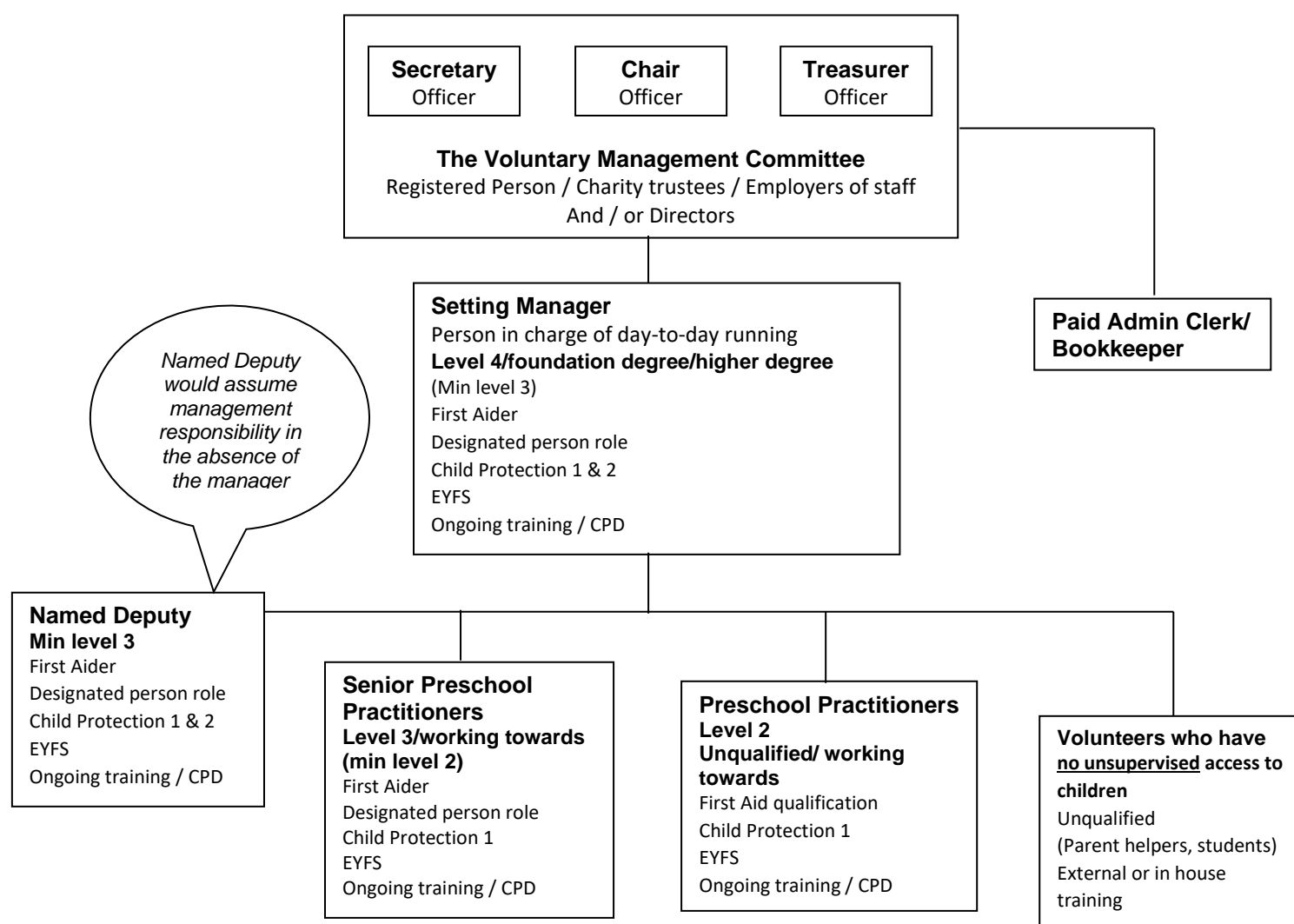
Notify Cambridgeshire County Council Early Years Communications Team of the change in any contact details & names to ensure information can be passed to the right people.

If the provision is a member of the Pre-school Learning Alliance or the National Day Nurseries Association, inform the membership department of the change in names and contact details.

All committee members must sign agreeing to abide by the rules governing trustees and the organisations confidentiality policy.

Read this document – **A Committee Guide for Early Years and Childcare Providers.**

Example Voluntary Managed Committee Run Organisation Structure



Committee Responsibilities

The committee is responsible for the overall management and organisation of the setting.

<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do>

You should check your governing document (The Constitution/Memorandum Articles) for information about committee membership, the roles of the trustees/directors, quorums etc.

- The committee will also need to ensure that an AGM is held every year.
- The committee has the power to create and adapt business aims and objectives for the setting, and to make policy decisions designed to assist with achieving these. If the aims and objectives have already been established, then each committee member must know what they are and understand how they are to be achieved.
- Committee members should work with the Day to Day Manager to develop a good working relationship to ensure that the legal requirements and childcare arrangements have suitable aims and objectives.
- The committee is responsible for ensuring robust business and employment practices are in place and followed, and that legal business and employment obligations are met. They must make sure that any actions taken consider the sustainability and viability of the setting.
- It is the committee's responsibility to ensure the setting has adequate funds to meet financial obligations. They must ensure income meets expenditure, keep accurate financial records, budget and forecast, and effectively monitor income and expenditure. They should also aim to hold funds in reserve. (Please see appendix 3 'Internal Financial Controls' factsheet)
<https://www.gov.uk/government/publications/trustees-annual-report-template-sorp-frs-102>
<https://www.gov.uk/government/publications/internal-financial-controls-for-charities-cc8>
- The committee are responsible for ensuring the Safeguarding and Welfare Requirements within the Early Years Statutory Framework are met. This is enforced by Ofsted (the regulatory body). This includes safeguarding children, safe recruitment, induction, supervision and staff training and development.
<https://www.foundationyears.org.uk/eyfs-statutory-framework/>

- The registered provider is responsible for ensuring Ofsted are notified of any change of the following (EYFS 3.77 mandatory requirement):
 - in premises which may affect the space available to children and the quality of childcare available to them (e.g., expansion or reduction in space)
 - in the name or address of the provider, or the provider's other contact information (e.g., a new committee or move to new premises)
 - to the person who is managing the early years provision (e.g., recruitment of a new manager)
- The committee can delegate certain responsibilities related to the day to day running of the setting to staff and should allow them to undertake these delegated duties without interference. However, it is the responsibility of the committee to support and guide when required, as the committee are accountable as the registered provider.
- The committee must have fair personnel and employment policies that meet legal requirements; these protect the organisation and those that work within it. The committee is responsible for monitoring activities to ensure that policies reflect practice. Please note that if the charity has insurance policies through Pre-school Learning Alliance membership, this usually includes free 24/7 legal advice from LAWCALL – 01455 255205
- The committee is responsible for and must hold regular supervision meetings and with the manager. They must also ensure that the manager is having regular supervision meetings with all staff. Supervision meetings should be held at least every half term and must provide support, coaching and training for the practitioner which promotes the interests of children. Supervision should foster a culture of mutual support, teamwork and continuous improvement, which encourages confidential discussion of sensitive issues. (EYFS 3.21/3.22 mandatory requirement)

The committee is required by Ofsted to appoint a 'nominated individual' who will act on behalf of the organisation in its dealings with Ofsted. This person can be the day to day manager, but they must be a member of the registered body (committee). Please note, Ofsted must be notified if a new 'nominated person' is appointed. Settings can appoint two additional named contacts, one of whom may be the manager of the setting, who can communicate with Ofsted on general matters relating to the setting.

- The committee must ensure that organisational issues are dealt with efficiently at regular meetings and is responsible for development plans of the setting.
- It is expected that the registered provider understands how to appoint appropriately qualified and suitable staff following robust safe recruitment practices.

Legal Obligations

Statutory and common law obligations, which exist in law, must be met by all organisations. It is the committee's responsibility as the employer to keep up to date with any changes in legislation, as you are not formally informed.

- Contracts of Employment and Employment Legislation
- Equal Opportunities Legislation
- Income Tax, National Insurance, VAT and /or other taxes
- National Minimum Wage and National Living Wage
- Lease, License or Tenancy Agreements for premises
- Health and Safety (including Environmental Health)
- Insurance requirements in addition to public liability insurance, including Employers liability and Trustees indemnity insurance. *Please see below link for further information:*
<https://www.gov.uk/government/publications/charities-and-insurance-cc49/charities-and-insurance#why-a-charity-might-need-insurance---the-basic-considerations>
- Financial record keeping and information, fund raising, grants and awards, bank accounts, loans and overdrafts
<https://www.gov.uk/government/publications/trustees-annual-report-template-sorp-frs-102>
<https://www.gov.uk/government/publications/internal-financial-controls-for-charities-cc8>
- Service agreements or contracts for work undertaken
- Data protection legislation
- Charity law (if relevant)
- Companies Acts (if registered)
- Flexible working rights
- Equality and human rights
- Minimum statutory holiday entitlement
- Ban on smoking in the workplace
- Information and consultation on Employees Regulations
- Maternity/Paternity/Adoption leave
- Statutory sick pay

Contact your membership service for further guidance and legal advice

Chairperson

Job Description

- The public face of the committee, the Chairperson is expected to represent the group in an official capacity at public events and open meetings.
- Chairs all committee meetings and ensure that these meetings run effectively.
- Ensures that the committee operates to its constitution.
- Ensures a quorum of members attend meetings so that proposals can be discussed and voted on and decisions made in accordance with the setting constitution.
- Presents a report at the AGM.
- Has an overview of the setting's
 - Business & employment practices.
 - Responsibilities to Ofsted.
 - Financial position.
- Ensures that staff line management and effective supervision regularly occurs. Line management may be delegated.
- Is responsible for recruitment and induction of staff (with support from other members & leader).
- Supports the treasurer and secretary and ensures they are managing their roles and responsibilities.
- Makes quick decisions in the event of a crisis. You must try to canvass the opinion of as many of the committee as reasonably possible before making a decision if it is essential that a decision be made before the next committee meeting.
- Acts democratically and not as a dictator.

Basic Checklist for the Chairperson

<i>What do I need to see?</i>	
A copy of the governing document	
A copy of the latest Ofsted report	
Ofsted registration document	
List of DBS certificate numbers and dates received (committee and staff)	
The minutes of previous meetings	
Copies of annual reports and annual budget	
The annual accounts	
Staff records/personnel files/staff supervision records/staff induction records	
Copies of rental or partnership agreements	
Insurance certificate (public liability, trustees indemnity and employers liability)	
Business plan	
Operational plan	
2017 Statutory Framework inc. Section 3 The safeguarding and welfare requirements	
Copy of any current action plans	

Treasurer

Job descriptions will vary from setting to setting as some employ a paid bookkeeper, administrator or payroll company. The treasurer has many tasks to perform and it is essential that the rest of the committee recognise this and support the role.

Job Description

- Is responsible for reporting to the committee all matters to do with the group's finances.
- Keeps clear, accurate records of the group's financial transactions.
- Prepares a budget and budget forecast.
- Manages the settings budget, issues bills, receipts and payment on behalf of the group.
- Manages the setting's bank account in consultation with the rest of the committee and signs cheques on behalf of the setting, as one of two signatories.
- Presents a financial report at each committee meeting.
- Pays staff wages and volunteer expenses.
- Arranges for annual independent examination of accounts prior to AGM.
- Presents an annual financial report at the AGM.

Basic Checklist for the Treasurer

<i>What do I need to see?</i>	
The accounts/financial reports for current year	
Copies of the last three years accounts	
Current budget and cash flow forecast	
Current receipts and payments documentation (cash book)	
Bank or building society statements	
Paying in book	
Bank reconciliation	
Digital accounts access and passcodes (<i>where applicable</i>)	
Photocopy of bank/building society mandates	
File of paid and unpaid invoices	
Payment of fees policy and benefits information	
Late payment policy and procedure	
List of unpaid fees (if any)	
Contact details for <ul style="list-style-type: none"> • Independent examiner • Bank or Building Society • Early Years Funding team • Cheque signatories 	
Business continuity plan and procedure	
Payroll information and records of payroll contracts (if any)	
Financial diary (what should I expect and when should I expect it?)	
Cambridgeshire County Council Funding Agreement	
Milk claim information	
Waiting list to prepare new budget	

Secretary

Job Description

- Prepares the agenda for meetings with input from the chairperson, committee members and the leader/manager. Circulates to committee members.
- Attends committee meetings and any other meetings where it is required to take minutes.
- Sends and receives letters on behalf of the group and keeps a record of correspondence.
- Informs committee of dates and times of meetings.
- Informs every one of dates and times of open and annual meetings.
- Arranges the venue for meetings and AGM.
- Co-ordinates circulation of relevant documents to committee members.
- Prepares and circulates documents for AGM.
- Some secretaries also
- Manage the settings waiting list and arrange visits.
- Type the changes to policies, procedures, and prospectus and marketing materials.
- Type the settings/committee newsletter.

Basic Checklist for the Secretary

<i>What do I need to see?</i>	
Contact details of all staff and committee members	
Group events diary	
List of contact details for advisory and support agencies	
Copies of past agendas, minutes and officer reports	
Correspondence and details of correspondence sent and received.	
AGM information- including process and forms for nomination of new committee members	
Venue for meetings & booking information	
As you will need to circulate these, you should also be given the following documents: Policies and procedures Copy of the constitution Safeguarding and Welfare Requirements Ofsted report Copies of general letters and newsletters sent to parent/carers	
Waiting list – optional	

Frequently asked Questions

What is the role of the manager/named deputy at committee meetings?

The purpose of committee meetings is to discuss committee business; there is not a requirement for staff to attend unless they are a member of the committee. It is, however, good practice to invite the day to day manager, or named deputy in their absence, for part of the meeting, to:

- Inform committee of activities and raise issues
- Advise committee on Early Years Foundation Stage
- Feedback items – not confidential matters

It is good practice to pay staff if they do attend committee meetings

A paid employee of the pre-school (e.g., the manager) may be eligible for election to the committee subject to agreeing to certain conditions and governing document guidance.

To avoid conflicts of interest, this person should withdraw, then re-join the meeting once discussions affecting staffing and employment have taken place. It is advisable for the setting to adopt a conflict of interest policy and for all committee members to complete a conflict of interest declaration

What would prevent me from becoming a trustee?

You cannot become a Trustee if you are:

- Under 18 years of age (unless the Charity is a registered company).
- Disqualified under section 72 of the Charities Act 1993 because for example, you are an undischarged bankrupt or have an unspent conviction for an offence of dishonesty or deception.

What makes me eligible to become a trustee?

- Are you a member of the charity.
- Are you 18 years or over / I am 16 years or over (for charitable companies and CIOs).
- Are you capable of managing my own affairs.
- Will you be prepared to act in the best interests of the charity.
- You do not have an unspent conviction involving dishonesty or deception.
- You are not an undischarged bankrupt.
- You have not been removed from being a trustee because of misconduct.
- You are not disqualified from being a company director.
- You are not included on a barred list of individuals who are unsuitable to work with children and I understand I will need to submit to Ofsted checks, including an enhanced criminal records disclosure, to determine my suitability.

Can related individuals be trustees?

Each family of a child attending the setting counts as one member, therefore, one family member could be elected as a trustee through their family membership. For another individual from the same family to stand for election, they can be invited by the committee to become an affiliate member. Conflicts of interest may arise under such circumstances, so it is advisable for no more than one of the individuals to undertake an officer role and for one individual to abstain from any controversial votes.

Does the setting have to close if it hasn't got an elected chair, treasurer or secretary?

Settings should always aim to have all officer positions filled. But when this isn't possible, the charity can remain open whilst recruitment activities take place, and the remaining trustees undertake any important duties.

Can setting managers be the nominated person with Ofsted?

Setting managers can be the nominated person, however, Ofsted requires that they are also a member of the governing body, i.e. a charity trustee. This is only possible where the charity is running to a constitution which allows this.

I am a director of a Company Limited by Guarantee therefore I am not a trustee?

If you are involved in running a charity but do not know whether you are a trustee, check the charity's governing document. (This is the document that sets out the charity's rules; it may be a constitution, trust deed, articles of association or similar document.) It will tell you which body has ultimate authority and responsibility for directing and governing the charity.

All properly appointed members of this body (a charitable company) are charity trustees in law, whatever they are called (trustees, directors, committee members, governors or something else).

If you are a member of that body, you are automatically a charity trustee. You share, with all members of that body, equal responsibility for the charity

<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do>

Appendix 1

Essential Documents

Document	Where is your copy?
<i>Ofsted will expect to see the following evidence:</i>	
DBS disclosure number logs (staff & committee)	
EY2 – individuals must register own login https://www.gov.uk/guidance/apply-to-join-a-nursery-or-other-daycare-organisation-ey2	
EY3 – completed by the nominated person to notify OFSTED of changes to registered provider	
OFSTED Registration certificate	
Safer Recruitment procedures	
Staff Induction	
Staff Supervision	
Policies and Procedures (inc. Safeguarding)	
Insurance documents	
Evidence of setting self-evaluation process	
Record of complaint log	
<i>Other important documents:</i>	
Constitution / Memorandum & Articles	
Charity/Companies House number/details	
Lease or Licence agreement	
Organisation Handbook	
Organisation handover information and checklist	
Provider Agreement / EY Funding Agreement	
Safeguarding and Welfare Requirements April 2017	
Employment policies and staff code of conduct	
Statement of Terms and Conditions of employment for Staff	
Staff Job descriptions	
Jigsaw Magazine	

Appendix 2

DBS/EY2 Dec 17 update for Committee Members and Nominated Persons

New Committee members or Nominated Persons are required to complete a Disclosure and Barring Service (DBS) check online **before** they can be added to an Ofsted registration. They are also **strongly advised** to join the online update service.

<https://www.gov.uk/government/publications/disclosure-and-barring-service-dbs-checks-for-childcare-providers-who-register-with-ofsted> (link is external)

Please note: If you already have a DBS check through another organisation, this must be 'Child Workforce', Enhanced and you must be signed up to the DBS Update Service.

Instructions on how to apply for the DBS check and join the Update Service can be found at the following link: <http://ofsteddbsapplication.co.uk>

This portal outlines all the steps required to process your DBS application as part of your registration process with Ofsted.



You must read and complete all four steps for your DBS application to be successful. If you fail to follow all four steps, this will cause a delay in your DBS application and Ofsted registration.

After reading the guidance on the site you will be asked for a 'Capita Organisation Reference', this is: OfstedA

You will also be asked to enter a password, this can be left blank.

Full instructions and guidance on how to apply for a check are available on the website.

You can complete this form via the Ofsted website.

<https://online.ofsted.gov.uk/onlineofsted/Default.aspx>

You must inform Ofsted within 14 days of your AGM with a list of names and DBS applications (Statutory Framework 3.78 mandatory requirement*)

EY2 declaration and consent form has to be filled in online. This is to ensure Ofsted are provided with the necessary information to enable them to carry out their suitability checks.

Complete EY3a form to notify Ofsted of changes within 14 days:

<https://www.gov.uk/government/publications/early-years-and-childcare-providers-ey3-changes-to-individuals> *Reference to Statutory Framework for the Early Years Foundation Stage April 2017

Changes that must notified to Ofsted or the relevant childminder agency

3.77. All registered early years providers must notify Ofsted or the CMA with which they are registered of any change:

- in the address of the premises (and seek approval to operate from those premises where appropriate); to the premises which may affect the space available to children and the quality of childcare available to them; in the name or address of the provider, or the provider's other contact information; to the person who is managing the early years provision; in the persons aged 16 years or older living or working on any domestic premises from which childminding is provided; or to the persons caring for children on any premises where childminding is provided⁵⁷
- any proposal to change the hours during which childcare is provided; or to provide overnight care
- any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children
- where the early years provision is provided by a company, any change in the name or registered number of the company
- where the early years provision is provided by a charity, any change in the name or registration number of the charity
- where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual'
- where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body

⁵⁷ A person is not considered to be working on the premises if none of their work is done in the part of the premises in which children are cared for, or if they do not work on the premises at times when children are there.

3.78. Where providers are required to notify Ofsted or their CMA about a change of person except for managers, as specified in paragraph 3.77 above, providers must give Ofsted or their CMA the new person's name, any former names or aliases, date of birth, and home address. If there is a change of manager, providers must notify Ofsted or their CMA that a new manager has been appointed. Where it is reasonably practicable to do so, notification must be made in advance. In other cases, notification must be made as soon as is reasonably practicable, but always within 14 days. A registered provider who, without reasonable excuse, fails to comply with these requirements commits an offence.

Appendix 2a

Committee members DBS /EY2 update March 2020

What the consequences are of newly elected committee members (also known as Trustees or Directors, and known by Ofsted as the Registered Provider) not completing the EY2/DBS process and informing Ofsted of changes to the Registered Provider?

Answer: Inadequate or Requires Improvement Ofsted outcome

All members of the committee must have their suitability checked by Ofsted. This means that you must apply for a DBS check; the up-date service; and complete an EY2 to generate a letter confirming your suitability as soon as you are elected or co-opted onto the committee.

How do I apply for a DBS through Ofsted?

You will need to go on-line to access the application process –click the following link:

<http://ofsteddbapplication.co.uk/Step-One.aspx>

To complete the **EY2 process**, you will need your Registered Provider URN, which begins with RP and can be found on the back page of your Ofsted Inspection report. This number is unique to the whole committee and must be entered on each individual EY2.

<https://www.gov.uk/guidance/apply-to-join-a-nursery-or-other-daycare-organisation-ey2>

<https://www.gov.uk/guidance/apply-to-join-a-nursery-or-other-daycare-organisation-ey2#how-to-apply>

You will need to set government gateway log in and then Sign in using Government Gateway log in details <https://childcare-support.tax.service.gov.uk/par/app/trialmessage>

Changes that must be notified to Ofsted (EYFS 3.77) ***Changes that must be notified to Ofsted or the relevant childminder agency***

https://www.foundationyears.org.uk/files/2017/03/EYFS_STATUTORY_FRAMEWORK_2017.pdf

Complete an Ofsted EY3a if there are **any** changes to the people on the committee

<https://www.gov.uk/government/publications/early-years-and-childcare-providers-ey3-changes-to-individuals>

To tell Ofsted about changes, call 0300 123 1231 or email the appropriate form to **enquiries@ofsted.gov.uk**

As soon as the Nominated Person receives the letter from Ofsted confirming your suitability to be on the committee you are ready to become a full member of the committee.

The newly elected committee will also need to up-date trustee details on the **Charity Commission or Companies House website** depending on your legal structure

www.gov.uk/change-your-charitys-details

<https://www.gov.uk/file-changes-to-a-company-with-companies-house>

Take this information sheet to the AGM

Appendix 2b

Procedures for appointment and notification of new trustees/directors onto a management committee.

- New trustees/directors voted on to committee / board at AGM after expressing an interest through a nomination form. Nominees may be asked to provide a short written profile of themselves.
- At the AGM new appointees will be given the relevant Ofsted information in order to be able to begin the required statutory DBS and EY2 checks within 14 days of appointment.
<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>
<https://www.gov.uk/guidance/apply-to-join-a-nursery-or-other-daycare-organisation-ey2>
- Appointees provided with Welcome Sheet and a copy of the CCC committee guide.
- Newly appointed trustees / directors should be added to charity commission / companies' house information. Resigned trustees should be removed. This process has to be completed so that EYA/DBS process can begin without delay.
- New trustees should inform Nominated Individual (**NI**) when they have submitted both forms and supply them with acknowledgement from Ofsted. NI to record dates of submission / acknowledgement.
- NI notifies Ofsted by email / or EY3a form with changes to the committee. Statutory requirement.
<https://www.gov.uk/government/publications/early-years-foundation-stage-framework-2>
- New trustees to check status of their application and inform the NI so that status can be updated on committee record sheet.
- NI to monitor progress of checks weekly / fortnightly with individuals to update with any outstanding issues in order to be able to resolve quickly.
- Individual Trustees will be notified when DBS complete and will be given a DBS number which will then enable them to further complete EY2 process for suitability check by Ofsted. The EY2 process will have begun whilst the DBS check is being completed. <https://www.gov.uk/guidance/apply-to-join-a-nursery-or-other-daycare-organisation-ey2>
- During this process new trustees can attend committee meetings but cannot be present when sensitive information is being discussed. Their attendance at the meeting should be recorded and then further recorded when they have to leave the meeting.
- Once checks has been completed the individual trustee will sent a letter and should let the NI know.
- NI will also receive EY2 suitability letters. And will ensure that records are updated , and keeps in records in accordance with GDPR policy.
- When all checks completed and NI notified new trustees can attend full committee meetings and carry out their allocated duties.
- **Any appointed trustees who fail to submit DBS and EY2 forms within the allocated timescale (14 days from date of election) will be asked to stand down until they have done so. Potentially this could affect the required minimum quorum required for committee meetings and put the setting at risk of not being able to meet its statutory requirements.**

Where the registered **person** is an organisation, it must appoint a '**Nominated Individual**' who will be responsible for all matters relating to the registration and who will act on behalf of the organisation in its dealings with **Ofsted**. The **Nominated Individual** must be a member of the organisation's governing body

Appendix 3

Internal financial controls

In these uncertain times when charities may feel obliged to change the way they work quickly and complete more transactions on-line than ever before, reviewing your financial controls is more important than ever.

It is a duty of charity trustees to ensure that the charity's resources are protected in order that the charity can fulfil its aims. Making controls work should not be seen as the sole responsibility of one or two trustees. As a trustee you must take steps to make sure that your charity's money is safe, properly used and accounted for. Every trustee has to do this. Even if your charity has an expert to manage its finances, you are still responsible for overseeing your charity's money.

Protect your charity's money

Make sure that money is only spent on what is allowed by the charity's governing document and policies. If it is not, you and the other trustees need to put it right.

Internal financial controls are just part of a charity's overall control framework and should aim:

- To protect the charity's assets
- Identify and manage risk of conflicts of interest, loss, waste, bribery theft or fraud
- To ensure that financial reporting is robust and of sufficient quality
- To ensure the trustee's comply with charity law and regulation relating to finance

Having sufficiently rigorous controls provides some protection for charity's assets and is the best defence for the trustee's against the charge of failing to protect the charity's assets and funds.

The **Charity Commission guidance and checklist CC8** provides a simple starting point for reviewing your procedures : CC8 <https://www.gov.uk/government/publications/internal-financial-controls-for-charities-cc8>

This is an extract of the CC8 checklist:

4.1 Controls and authorisation of expenditure on goods and services	Yes	No
Is there a written policy on the authorisation of expenditure?		
Are invoices received checked against orders confirming pricing and the receipt of the goods or services ordered?		
4.4 Payments by debit/credit/charge card	Yes	No
Does the charity have a policy for the use of payment cards, including the criteria for their issue, spending limits and security?		
Does the charity communicate the policy for the use of cards to all trustees and staff using them?		
Are cards cancelled when the holder ceases to work for the charity?		
Is all card expenditure supported by vouchers and invoices and recorded in the accounting records each time the card is used?		
Are card statements sent to the charity finance team and checked to supporting records and invoices?		
Is the cardholder's use of the card independently reviewed periodically to confirm its use is consistent with the policy?		

4.5 Payments by direct debits, standing orders and BACS direct credit	Yes	No
Are only named individuals authorised to set up direct debits, standing orders and direct credits?		
Does the charity use a dual authorisation system for BACS payments?		
Does the charity monitor the arrangements to ensure that automatic payment arrangements are cancelled when the goods and services are no longer being supplied to the charity?		

Once you have completed [the full checklist](#) and identified any potential financial risks/actions you can add these to your settings **Risk Register**, if you don't have one there is a sample template on our website: [Support for Childcare Business and Governance - Learn Together \(cambsllearntogether.co.uk\)](#) . The committee should then agree the priority and responsibility for implementation of the actions identified e.g. updating bank signatories, spending limits and financial procedures in order to minimise the risks.

When you come to complete your **Trustee's Annual Report (FRS 102) to the Charity Commission** <https://www.gov.uk/government/publications/trustees-annual-report-template-sorp-frs-102> you will then have additional evidence to demonstrate that trustees have discharged their duties responsibly.

Appendix 4

Quick A –Z for Committees

A

Appraisal: A method to evaluate an employee on a yearly basis using an agreed format and procedure.

Annual General Meeting: An AGM is held every year to elect the committee and to inform the members of previous and future activities. It is an opportunity for the shareholders and partners to receive copies of the company's accounts and asking any questions regarding the directions the business will take in the future.

Annual audited accounts: The process of examination of annual accounts of an organisation. Charities with a gross income of more than £25,000 and less than £500,000 can have accounts independently examined rather than audited.

ACAS: employment-advice-bureau.co.uk/acas Tel: 0800 810 8765

Affiliate member: Committee member who does not have parent membership

B

Bank Statements: It is best practise to have a duplicate bank statement sent to the committee Chair.

Business Administration: The process of managing a business or non- profit organization so that it remains stable and continues to grow.

C

Charity Commission: The body with which all UK charities must be registered.

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

Companies House: Incorporate and dissolve limited **companies**. Register company information and make it available to the public. enquiries@companies-house.gov.uk

Constitution: The governing document of a charitable organisation

Continuous professional development: A requirement for all staff and committee to ensure you are up to date with best practise and organisational updates.

Chair of the Committee: Person elected to lead the management committee and develop and maintain an effective working relationship with staff. Ensures all decisions made are in line with policy and constitution.

CIO: Charitable Incorporated Organisation <https://www.gov.uk/government/organisations/charity-commission>

COSHH: Control of Substances Hazardous to Health Regulations. These Regulations require employers to control exposure to hazardous substances to prevent ill health. www.hse.gov.uk/coshh

D

DBS: Disclosure Barring Service .All persons involved in providing childcare and working in childcare require an enhanced DBS check. <https://www.gov.uk/government/publications/disclosure-and-barring-service-dbs-checks-for-childcare-providers-who-register-with-ofsted>

Day to Day Manager: Person employed by the committee to oversee the day to day running of the setting must Level 3 qualified or above and have at least two years suitable experience.

Designated Person : Statutory requirements state early years settings must have a named designated person for Child Protection present at all times, a named SENCo (Special Educational Needs Co-ordinator) and named ENCo (Equality Needs Co-ordinator). At each session, a paediatric first aider must also be present at all times.

Director : A member of the board of people that manages or oversees the affairs of a business (Company Limited by Guarantee) Can also be trustees, if a registered charity. <https://www.gov.uk/running-a-limited-company>

E

Early Years Foundation Stage: A Framework which sets out the standards for Early Years development, learning and welfare from birth to five years of age.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

Early Years and Childcare Advisor: Local Authority early years advisor assigned to support settings within the Quality Assurance team.

EY2: All committee whom make up the registered person must complete this form as part of their suitability check with Ofsted. Must be completed online alongside the DBS check process.

EY3: Form to be completed to notify Ofsted of changes on the committee/nominated person.

EY0: Form to register a new Early Years or childcare provision

EYF : Early Years Funding : An entitlement for all 3 and 4 year olds of 570 hours of free early education or childcare each year, often taken as 15 hours each week for 38 weeks of the year. Some 2-year-olds are also eligible.

EGM: Extraordinary General Meeting: a meeting of the members or shareholders of a club, company, or other organization, held at short notice, especially in order to consider a particular matter.

F

Fundraising : The planning and arrangement of events or activities with the aim of collecting or producing additional funds to supplement the income of a registered charity. Registered charities are accountable to the Charity Commission and must ensure charity fundraising rules are followed.

Food Standards Agency: www.food.gov.uk Tel: 0207 276 8829

Furlough : A temporary leave of absence from work. This can be due to economic conditions affecting one company, or matters affecting the whole country. Until March 2020 the expression has not carried any meaning in UK employment law but has been temporarily introduced in response to the unprecedented situation presented by the COVID-19 pandemic. Furloughed staff are kept on the payroll, this is different to being laid off without pay or being made redundant.

G

Grants: A sum of money charitable organisations can apply for, from a variety of sources to finance a specific project or to assist with sustainability.

Good: Ofsted inspection judgement of the overall quality and standards of the early year's provision, taking into account three key judgements. Meets the requirements of Early Years Foundation Stage and Learning and Development Requirements and/or Safeguarding and Welfare Requirements.

GDPR: General Data Protection Regulations (effective 25th May 2018) <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

H

Handover: Process of transfer of information regarding roles, responsibilities and documentation from outgoing to incoming committee.

Health and Safety Executive: www.hse.gov.uk

I

Insurance: Protection for the organisation from claims for injury, damage to property / equipment, employment tribunal. All Early Years and Childcare providers must hold adequate insurance.

Induction: Training provided to new employees by the employer, in order to assist in adjustment to their new job tasks and to help them become familiar with their new work environment and the people working around them

Improvement team: A team of Early Years advisors to support settings judged by Ofsted as Required to Improve or Inadequate to make rapid progress to good. This team also support settings at risk of closure or with a safeguarding concern.

ICO: Information Commissioners Office www.ico.gov.uk Tel : 0303 123 1113

Inadequate: Ofsted inspection judgement of the overall quality and standards of the early years provision, taking into account three key judgements. This outcome highlights the setting are not meeting the requirements set out in the Early Years Foundation Stage Learning and Development Requirements and/or Safeguarding and Welfare Requirements.

Incorporated: A registered charity/company with limited personal liability for the decisions and financial affairs of the organisation.

J

Jargon: Don't be put off or intimidated by council jargon. If you are not sure or, don't understand the jargon then ask, or question the advisor to check your understanding.

K

Key Person: The named member of staff with whom a child has more contact than other adults. This adult shows a special interest in the child through close personal interaction 'day to day' and should be assigned to the child on their entry to the Early Years and Childcare provision.

L

Liability: Trustee's legal and financial responsibility for the affairs of the organisation.

Law call : Free 24/7 legal advice helpline available to Pre-school Learning Alliance members. Tel: 01455 255205

Lease: A legal agreement between landlord and tenant for use of the premises. Lease agreements should specify rent, times of use, length of notice and conditions of use.

M

Minutes: A record of factual information of issues discussed, decisions taken and actions agreed. Records should include present and apologies, date and time of the meeting and agreed expenditure.

Memorandum and Articles of association: A company's articles of association is a document which, along with the memorandum of association form the company's constitution

N

Nominated Person (or individual): A person whom has been selected by the group as the point of contact for Ofsted, generally the Chair or Manager. Must be a member of the governing body (committee).

Named Deputy: The person named, whom in the provider's judgement is capable and qualified to take charge of the setting in the absence of the manager.

National Day Nurseries Association: An early years membership organisation providing support, information, advice, training and publications to its members. <https://www.ndna.org.uk/>

O

Ofsted: The regulatory body responsible for the inspection of early years, educational and childcare provision.

Tel: 0300 1231231 enquiries@ofsted.gov.uk

Operational Plan: A working file of key information, documentation and instruction as to the operations of the organisation.

Outstanding: Ofsted inspection judgement of the overall quality and standards of the early years provision, taking into account three key judgements. Meets over and above the requirements of Early Years Foundation Stage and Learning and Development Requirements and/or Safeguarding and Welfare Requirements.

P

Policies and Procedures: Essential documents which outline processes and protocols which must be followed with regards to safeguarding, early years and childcare practice and staff employment, to ensure compliance with the EYFS Framework and employment legislation.

Probation period : A process of assessment of a new employee's progress in key areas, setting objectives and identifying issues and training needs, highlighted by the assessment process.

Parent Membership: Parents of children attending the early years and childcare provision.

Q

Qualifications: In early year's settings, the manager must hold a full and relevant level 3 qualification and 50% of the rest of staff must hold at least a level 2 qualification. It is a statutory requirement for staff to continue their professional development as practitioners.

Quorum: The number of committee members needed to attend a meeting and vote.

R

Reserves: A sum of money ring-fenced for use as a contingency to cover emergencies e.g., closure costs and redundancy. This sum is recommended to amount to at least 3 months running costs.

Registered Person: The individual or group of people (e.g., committee) or a formal organisation (e.g., limited company) whose name appears on the Early Years or Childcare Register(s). Responsible for providing childcare and legally responsible for ensuring that the place where they provide childcare, and everyone who cares for children, meets the requirements of the Early Years Register or Childcare Register.

Risk Assessment: An evaluation of hazards and any risks posed to users of the setting to ensure the environment, furniture, equipment and toys are safe and suitable for purpose.

Ratios: The number of suitably qualified staff required to care for children to ensure they are adequately supervised at all times.

Required to improve: Ofsted inspection judgement of the overall quality and standards of the early years provision, taking into account three key judgements. This outcome highlights the setting are not yet delivering good-quality

practice as set out in the Early Years Foundation Stage Learning and Development Requirements and/or Safeguarding and Welfare Requirements.

S

Statutory Framework: A Framework which sets out the standards for Early Years development, learning and welfare from birth to five years of age.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

Supervisions: Regular meetings between staff and their line manager to provide support, coaching and training for practitioners which promotes the interests of children.

Suitable Person : A process of checks into individual's history to ensure all persons involved in providing childcare and working in childcare are suitable to fulfil the requirements of their roles. Includes identity and criminal records check.

Safeguarding and Welfare requirements: Legislation within the Early Years Framework which sets out the legal requirements to ensure providers create high quality settings whereby children are healthy, safe and secure and their individual needs are met.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

Secretary: Person elected to undertake the effective administration of the committee. Responsible for writing correspondence, preparation of agendas and minute taking.

T

Training: Workshops and courses designed to educate staff and committee, to inform their roles and responsibilities, including induction training, early years qualifications and designated person training. Staff training needs should be identified through regular supervision to assist them to meet the needs of the children.

Treasurer: Person elected to maintain an overview of the financial affairs of the setting, keep appropriate financial records of transactions and ensure committee are kept informed of the financial status of the organisation

Trustee : Individuals who take decisions at the governing body of the charity, responsible for compliance with the organisation's governing document and Charity Law. <https://www.gov.uk/guidance/charity-trustee-whats-involved>

U

Unincorporated: A registered charity whereby all trustees are equally and personally liable for the decisions and financial affairs of the organisation. <https://www.gov.uk/government/organisations/charity-commission>

V

Vice Chair: Person elected to support the Chair in their duties to lead the management committee and develop and maintain an effective working relationship with staff. Ensures all decisions made are in line with policy and constitution

W

Working together: Good communication and equally sharing the workload is key to a successfully run voluntary managed setting.

Y

Year end: A process of accumulating a full trading year of income and expenditure accounts to show turnover, profit and loss

Appendix 5

Example Committee Calendar of Events

Month	Date <i>(insert as applicable)</i>	Action	Whom Responsible
September		Academic & Accounts year end	Treasurer
		Public Liability/Employers Liability Insurance due	Chair/Treasurer
		Autumn Term Commences – invoices to parents	Treasurer
		Accounts to be closed and examined from previous year	Treasurer
		Supervision meetings	Chair/Manager/Staff
		Committee Meeting – budget review for year ahead and AGM planning	Committee
October		AGM - New committee appointed	Committee
		DBS checks and EY2 forms to be completed for new committee members (within 14 days of AGM)	Chair/Committee
		EY3 form completed to inform Ofsted of changes to registered provider (inc. changes to nominated person)	Nominated Person
		Half Term Holiday – invoices to parents	Treasurer
November		Committee handover meetings	Officers
		First Committee Meeting	Committee
		Appointment of Banker Mandate Form to be completed - signatories	Officers
		Attend Roles and Responsibilities of the Registered Provider training – see training brochure	Committee
		Supervision meetings	Chair/Manager/Staff
		Christmas fundraiser	Fundraising Team
December		Christmas activities	Staff
		Staff / Committee Team building	All
		End of Autumn Term	-
January		Spring Term Commences – invoices to parents	Treasurer
		Half termly Supervision meetings	Chair/Manager/Staff
		Committee Meeting	Committee
February		Half Term Holiday – invoices to parents	Treasurer
March		Supervision meetings	Chair/Manager/Staff
		Committee Meeting	Committee
		Fundraising event	Fundraising Team
April		Annual Return due to HMR&C/End of tax year	Treasurer/Chair
		End of Spring term - Easter	-
		Summer Term Commences – invoices to parents	Treasurer

May		Supervision meetings	Chair/Manager/Staff
		Committee Meeting	Committee
		Whitsun Half Term Holiday – invoices to parents	Treasurer
June		Transition to Primary School begins	Staff
		Annual Summer Trip (if applicable)	Staff/Committee
		Supervision meetings	Chair/Manager/Staff
July		Deadline for Annual Accounts Submission to Charity Commission	Treasurer
		Staff Appraisals (if applicable)	Chair/Manager/Staff
		Committee Meeting	Committee
		Staff Pay Review Meeting (if applicable)	Treasurer/Committee
		End of Year Party/Leavers Party/Graduation Ceremony	Staff
		Summer Term Closes	-
August		Staff Holiday Pay	Treasurer/Bursar
		Set budget for next year	Treasurer/committee

The above is just an example of events and your setting dates/events will vary. Use this document as a guide to set your own events calendar to add to your operational plan to ensure important actions like insurance renewal, independent examination of accounts, AGM, committee meetings, supervisions are never missed.

Appendix 6

Committee Member's Pledge - EXAMPLE

Name of Setting _____

I pledge that:

As a committee member elected for the period of _____ to _____, I will fulfil my responsibilities as a committee member until such time that a new committee is elected.

I have read and fully understand the confidentiality policy of the above named setting and understand the importance of discretion when discussing anything of a confidential nature.

I will under no circumstances discuss confidential information relating to the setting outside committee meetings.

At the end of my term of office I will keep confidential all matters that arose during my time as a committee member.

Any information or equipment that I have in my possession as part of my role on the committee will be returned to the setting. Any copies will be destroyed. This includes electronic information.

I understand that no committee member may gain financially from the work they do for the setting

I am aware that all committee members must act in a professional manner towards all members of the community despite any personal feelings.

I am committed to ensuring that the needs of the children at the setting are paramount.

I agree that committee members must always act in the best interests of the setting and the Community and in accordance with the constitution.

Name: (print) _____

Signature: _____ Date _____

Witness Name: (print) _____

Signature: _____ Date _____

Useful Links

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

<http://www.diycommitteeguide.org/>

<https://www.cambslearntogether.co.uk/early-years-and-childcare>

<https://www.eyalliance.org.uk/educare>

<https://www.ndna.org.uk/>

<https://www.gov.uk/government/organisations/ofsted>

<https://www.gov.uk/browse/employing-people/contracts>

<http://www.acas.org.uk/index.aspx?articleid=1461>

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

www.outofschoolalliance.co.uk

<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do>

<https://www.gov.uk/government/publications/trustees-annual-report-template-sorp-frs-102>

My Notes

(Use this space to write your own notes)