

## Magdalen Gates Preschool Trustees Roles and Responsibilities



Our charity preschool CIO is a group of people (volunteers) who ensure that the preschool fulfills all its legal obligations & operates efficiently & according to our constitution. As a governing body, we will have a shared vision of what the preschool is about and what its aims are.

The trustees are responsible (collectively as the registered person) for the overall management and organisation of the preschool. There are 5 trustees who share the roles of finance, safeguarding, HR, health and safety etc. We employ a bookkeeper.

- There will be at least 3 and no more than 12 trustees - enough members to carry out necessary tasks; too many members can result in the committee being unmanageable and ineffective. The PLA constitution (2013) states that at least  $\frac{2}{3}$  of trustees should be parents, but others can be appointed if parents are not willing or able to do this.
- The trustees meet half termly & when making decisions this has to be quorate, (this refers to the minimum number of committee members needed at a meeting - half of the trustees).
- Trustees and the nominated person trustee work with the Manager to develop a good working relationship to ensure that the legal requirements and education provision have suitable aims and objectives.
- Trustees are responsible for recruitment, staff training, development, paying salaries and managing contracts of employment. Trustees use safe recruitment procedures and work to Early Years Foundation Stage requirements to employ suitable adults to work with the children, ensuring all staff and committee members have clearly identified roles and responsibilities  
(<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2> )
- The trustees employ a Manager; supporting them to successfully manage the childcare provision and ensure that the Early Years foundation Stage and Ofsted registration requirements are met.

- Trustees delegate certain responsibilities to staff and allow them to undertake these delegated duties without over-interference. However, it is the responsibility of trustees to support, guide and lead the staff team.
- Trustees create fair staffing and employment policies that meet legal requirements; these protect the preschool and those that work within it. Trustees are responsible for monitoring activities to ensure that policy reflects practice, although they may delegate this to the manager. There are regular supervision meetings, appraisals, annual development plans, trustee / manager meetings and reflective practice discussions.
- Trustees write (with input from the expertise of the manager), review and update policies for the operation of the preschool. See website for policies [www.magdalengatespreschool.com](http://www.magdalengatespreschool.com).
- All trustees:
  - Act in the best interests of the charity; promoting its values and working to achieve its charitable objectives.
  - Work as part of a team with the other trustees; whilst bringing their own ideas, perspectives and experiences.
  - Regularly attend meetings thereby contributing to the effective management of the charity.
  - Read committee papers and contribute to the decision-making process of the committee.
  - Undertake Ofsted suitability checks as required.
  - Ensure that the charity complies with the rules in its constitution, charity law, and other relevant regulations that govern the work of the charity.

### **You cannot become a Trustee / committee member 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
- A paid member of staff can be elected onto the committee but with conditions attached (see model constitution 2013)

### **Legal obligations**

Statutory and common law obligations, which exist in law, must be met by the preschool; 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.

Although not an exhaustive list, relevant laws include:

- Contracts of employment and employment legislation
- Equalities act 2010
- Income tax, national insurance, VAT and /or other taxes

- Lease, license or tenancy agreements for premises
- Health and safety legislation (including Environmental Health)
- Insurance requirements
- Financial record keeping and information, fund raising, grants and awards, bank accounts, loans and overdrafts
- Service agreements or contracts for work undertaken
- Charity law (if relevant)
- Flexible Working rights (2009)
- Corporate Manslaughter Bill (2007)
- Ban on Smoking in the workplace (2007)
- Information and Consultation of Employees Regulations (2007)
- Maternity leave increases (2007)
- Statutory sickness pay (2009)
- UN Convention on the Rights of a Child 1989
- Children and families act 2014
- Special Educational Needs and Disability Act 2001
- SEND Code of practice 2014
- Working Together to Safeguard Children 2015
- Early Years Foundation Stage (EYFS) revised 2018
- The GDPR 2018
- Ofsted inspection criteria

Being a trustee 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.

## **Trustee roles**

- trustees take turns to chair meetings and ensure that these meetings run effectively. Trustees are nominated to hold specific responsibilities such as finance, safeguarding.
- Ensure that the committee operates to its constitution and holds the correct number of meetings a year.
- Ensure that decisions are voted on by a quorum of members, either for or against a proposal
- Organise an AGM annually (October).
- Responsibility for staff line management - one trustee supervises the manager
- Recruitment of staff (with support from manager)
- work with the bookkeeper on finances
- Make quick decisions in the event of a crisis. Must try to canvass the opinion of as many trustees as reasonably possible before making a

decision if it is essential that a decision be made before the next meeting.

- Ensure registration with Information Commissioner Office (ICO) is up-to-date - manager to do this
- One trustee is the 'Nominated Person' for Ofsted purposes.
- authorise the work of the book keeper
- Write an annual report for the AGM and for submission to the Charity Commission
- Submit the annual update, or annual return and accounts, to the Charity Commission.
- Contribute to annual development plan - manager to lead on this
- To keep up to date with current legislation and developments in Early Years
- Attend necessary training such as, safer recruitment, safeguarding etc - safeguarding for committees
- **Documents trustees should be familiar with - the preschool's constitution, the latest ofsted report, the ofsted registration document, the preschool's current budget, the annual accounts for the previous year, lease, insurance documents, the annual preschool's development plan which includes the business plan, the Early Years Foundation Stage statutory framework 2018, Magdalen Gates Preschool Finance procedures - THESE DOCUMENTS / procedures should be introduced to new trustees by an existing trustee or the manager as part of an induction process.**
- Attend meetings - one trustee takes minutes, types them up, files them and passes on to staff and trustees
- Send and receive letters on behalf of the group and keep a record of correspondence
- Organise dates and times of meetings
- Organise AGM
- Arrange the venue for meetings if necessary
- Co-ordinate circulation of relevant documents to committee members

## **NEW TRUSTEES**

- New trustees should be added to the NCC portal (manager to do this). End dates MUST be input in the portal for retiring trustees (manager can do this)
- Be provided with access to trustees google drive
- Be provided to access to documents listed above (online or on paper)
- Complete DBS (with ofsted), EY2 and have suitability letter returned to nominated person BEFORE attending a committee meeting (not including the AGM)
- Complete online safeguarding training - EYA educare (will need a log in

with admin / nominated person can arrange by logging in to educare with admin log in)

- NCC safeguarding for committees is also available from NCC via the portal
- Receive copies of NCC newsletter from responsible trustee via the trustee WhatsApp group.
- Sign and return to nominated person - Code of Conduct, AUT policy, confidentiality policy (can be printed from the policy docs on the website)
- Be added to Charity commission website as a trustee via the preschool's login - details needed are full name, DoB, address, post code, phone number and email address.
- attend other training as required such as safer recruitment

**Trustee / Manager roles** - Trustees agree the extent of the delegated responsibilities of the manager in their job description. The role of the trustees is to ensure the preschool operates to the required standards. The role of the staff, under the direction of the manager, is to implement and carry out work that helps the preschool achieve its overall purpose.

**SEE DOCUMENT - TRUSTEE / MANAGER ROLES** for detail of job roles that are specific to manager or trustees.

Trustees entrust the day-to-day running of the setting to the manager, but a strong working relationship is essential.

Trustees and the manager should:

- Meet regularly
- Share information! Two-way communication is important, so both have an overview of the preschool as a whole.
- Trustees should seek the professional opinion of the manager when needed.
- Respect each other's views and opinions, be familiar with, and understand each other's roles.
- Trust each other to fulfill their obligations.
- Listen to each other.
- Be involved in reviewing policies, budgets etc.
- Conduct staff appraisals (a trustee for the manager, and the manager for the staff)
- Have responsibility for staff development and recruitment procedures.

## The Role of the paid bookkeeper

The book keeper-

- Is Responsible for reporting to trustees all matters to do with the groups finances.
- Keeps clear, accurate records of the group's financial transactions, **but is reliant for information about debits and credits being supplied promptly by the Manager/Finance Trustees in order to keep the financial situation accurate.**
- Assists trustees to prepare a budget and budget forecast
- Manages the group's budget, issues payment on behalf of the group.
- Manages the group's bank account in consultation with the committee. Trustees are cheque signatories, the book keeper is named on the account
- Presents a financial report to each trustee meeting.
- Pays staff wages and volunteer expenses.
- Arranges for annual independent examination of accounts prior to AGM
- Gives an annual financial report at the AGM
- Keeps an eye on the bank balance and reports on possible low points
- Monitors staff contracts to ensure they are up to date
- Makes sure the correct amount is kept in the deposit account to cover possible redundancy should it arise
- Subscribe to legal update service from Sandy Adirondack, point out relevant changes to legislation to the chair
- Make sure that any relevant legislation is brought to the committee's attention.
- Two trustees are account signatories, and they pay in to the bank, and withdraw petty cash, and sign cheques.

## Meetings

### General Meetings:

We hold at least 6 meetings in a year. Meetings have a standard template agenda that is circulated a week in advance of the meeting so that everyone knows what is expected of them and what issues will be discussed. One trustee draws up the agenda. The minute taker records attendees

### Annual General Meetings:

Trustees are elected for the coming year at the AGM in October. Voting is recorded by a show of hands or ballot. At this meeting the book keeper, trustees and manager give an annual report.

## **The agenda:**

Date, time, place of meeting

- Apologies for absence
- Minutes of the previous meeting
- Any matters arising from these minutes
- Trustees annual report
- Book keepers report
- Manager's report - what was it like for a child here
- Any important items for discussion
- The date, place and time of the next meeting
- Any other business- this should be kept to a minimum

## **A meeting has the following functions:**

- receive information
- consult members on their opinions, views and feelings
- discuss important policy decisions
- make decisions / review past decisions
- plan for the future

## **Effective meetings:**

- have detailed agenda
- items in a logical order
- most important agenda items to come at start of meeting
- clear reports given – information, discussion or decision
- time allocation for each item
- agreed time of meeting to end
- minutes to summarize main points – action by who & when
- people listen
- a chair is in control

## **Role of trustees before a meeting:**

- read agenda, read any relevant papers, think about issues to be raised, have any points they want to raise

## **Role of trustees in a meeting:**

- join in discussion, have constructive ideas, listen to others, try to find areas of agreement, avoid personal attacks, accept decisions made by the majority

## **Chairing a meeting effectively:**

- keep meeting focused
- draw out quieter people
- stimulate discussion

- control the group calmly
- recognise a potential decision
- stop discussion
- Keep to agenda and time-frame
- Ensure information is clear and relevant
- Control discussion and ensure full participation
- Ensure preschool's policies are applied
- Identify decisions taken and ensure they are recorded
- Ensure any actions allocated to individuals are recorded
- move on

### **Minutes Policy**

- minutes will be taken by the minute-taker
- minutes must be brief, to the point but accurate
- minutes will be typed up using the agenda / minutes template
- minutes will be typed up and emailed within one week of the meeting date.
- minutes are shared with all trustees and staff, and stored on the trustees' googledrive
- Confidential items – will be included in the typed up minutes. Confidential discussions will be removed from minutes to be distributed and replaced with the wording “confidential item”. Minutes which do not show confidential items will be distributed to staff.

### **Staff role at Committee meetings (manager is usually invited):**

- inform trustees of activities and raise issues
- advise trustees
- feedback items
- The constitution (PLA 2013) gives permission for paid members of staff to be elected onto the committee, as long as the trustees consider it to be in the best interest of the charity (e.g. providing best value)
- They should not feedback any confidential items & must withdraw before discussions on pay etc

### **Decision-making:**

Ensure all committee members have read or heard all relevant information, what choices are available and what are the constraints.

### **Keeping members**

- Keep all existing members informed of all matters (positive and negative)
- Recognise the good work, skills and support that members contribute



- Ensure roles and responsibilities are clear
- Expectations are comprehensive and achievable
- Some organisations offer out of pocket expenses- travel etc
- Offer training to fulfill trustee roles
- Team building – fun events to strengthen team

**The whole group is known as:** the board of trustees or the “registered person” in terms of Ofsted

**The individual members are known as:** trustees. It is a voluntary role with a legal responsibility to ensure all legal obligations are kept

**Registered Charity:** means that we have a registration number from the Charity Commission.

- All groups that are ‘charitable in their aims’ and have a turnover of more than £1000 need to be registered with the Charity Commission. We are a CIO - a charitable incorporated organisation

**Ofsted Inspections - Ofsted will inspect us on:**

- quality of education (including cultural capital)
- behaviour and attitudes (including the characteristics of effective learning)
- personal development
- leadership and management

The board of trustees is referred to as the PROVIDER or REGISTERED PERSON by Ofsted. The following statements are what Ofsted will inspect us on which specifically refer to the PROVIDER (especially in the leadership and management section)

For the full list of criteria that Ofsted will inspect us on, see the document “Early years inspection handbook for ofsted registered provision from september 2019” which can be found online here - [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/801375/Early\\_years\\_inspection\\_handbook.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/801375/Early_years_inspection_handbook.pdf)

**Being a voluntary trustee of a preschool –benefits and opportunities**

- Research shows clear benefits for children when parents become actively involved in their child’s learning and development from an early age.

- Parental involvement has been recognised by the Government as being key to a child's successful development too.
- volunteering for the committee offers an ideal opportunity for parents to become more actively and practically involved in this aspect of their child's life.
- Members can make a real difference to how the preschool is managed.
- Members will personally benefit by meeting other parents, updating existing skills and learning new ones, as well as putting something positive back into the local community.

## Code of Conduct

The Code of Conduct is to help everyone who works in any capacity in our setting to consistently maintain the highest possible standards of professional conduct and to clearly identify to users of our setting what they can expect. All adults who work with children at Magdalen Gates Preschool and committee members have a personal responsibility to be aware of, and abide by, this Code of Conduct.

Our code of conduct complies with the Government's guidance on safer working practice. Magdalen Gates Preschool, its staff and volunteers will:

- ☺ Prioritise the safety and well-being of children, and maintain a focus on their needs
- ☺ Treat children, parents, carers and colleagues with dignity and respect
- ☺ Provide good role-modelling – in respect of professional behaviour
- ☺ Communicate effectively and professionally – including avoiding inappropriate language, remarks and gestures
- ☺ Maintain confidentiality as appropriate, and be clear about when information will be shared.
- ☺ Maintain professional integrity and recognise appropriate boundaries – including not sharing phone numbers with children and parents and not using social networking sites to communicate with anyone regarding our setting or any aspect of work in our setting.
- ☺ Present themselves appropriately in a work context – including wearing safe and appropriate clothing and footwear.
- ☺ Behave appropriately in our work setting – including being appropriate in terms of promoting healthy eating, drinking and all other behaviour.
- ☺ Behave appropriately outside our setting.
- ☺ Not misuse substances such as drugs and alcohol that might have a detrimental effect on children or an individual's suitability to work in an early years and childcare setting.
- ☺ Take responsibility for informing the line manager of any information about any health / personal issues that might have a detrimental effect

on suitability to work with children.

☺ Access relevant training, and ensure it is embedded in practice.

### **Preschool Policies**

Magdalen Gates Preschool has a set of policies that set out how preschool works. These are reviewed by the committee regularly and updated as new legislation and guidance come into force. Committee members should be familiar with the content of our policies as they show how our preschool operates. All our policies can be found on our website.

[www.magdalengatespreschool.com](http://www.magdalengatespreschool.com)

### **Magdalen Gates Preschool Constitution**

We have adopted the model constitution of the Preschool Learning Alliance (2013), with some variations approved by the Charity Commission. This details our overall purpose and aims. See constitution -

<https://drive.google.com/open?id=0B-DPuJy8cLf7VmFqM0RjcFk4d0k>

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