

Responsibilities of the Management Committee

A guide to the key responsibilities of an organisation's management committee, trustees or other governing body.

Every community organisation has a group of people which manages its affairs – a governing body. This is often called a management committee, although your group may use a different name, such as executive committee, board of trustees or steering group. A very small group may not have a separate committee and, in this case, its entire membership is the governing body. Here we use the term management committee to describe the governing body of any community group.

Overall responsibilities

Broadly, the committee's job is to ensure that the group

- ♦ does what it was set up to do
- ♦ has enough money and does not get into debt
- ♦ works within the law

How you do this will depend a lot on the size of your group and the kind of work you do.

Specific responsibilities

For any particular group, the management committee may need to consider some or all of the following specific responsibilities. Information about each of these can be found on the following pages:

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Working together and making decisions

Key responsibilities

- ♦ Facilitate the group's decision-making processes, making sure people understand how they can participate and how decisions are made.
- ♦ Arrange regular committee meetings and general meetings of the group.
- ♦ Organise the annual general meeting, including elections to the committee.
- ♦ Take minutes, recording decisions and tasks clearly.
- ♦ Brief new committee members.

Things to consider

- ♦ If you have a constitution, it will set out things such as how often meetings should take place or who is entitled to attend. Although a group can run successfully without a constitution, it is useful for every group to have some written rules. These rules can be very basic, but your group will run more smoothly if everyone is clear about the aims of the group, how it works, and who does what.
- ♦ When new committee members join, make sure they understand how the group works, what its aims are, and what their individual role is.
- ♦ Be clear about what types of decision should be made by all the members at a general meeting, what can be decided by the committee, and what can be decided by individual committee members or small groups between meetings.
- ♦ Have a consistent, transparent process for decision-making. For example, be clear about whether decisions are made by consensus or by a majority vote.

Resource Centre information sheets you might find helpful

- ♦ *Roles of Officers*
- ♦ *Chairing a meeting*
- ♦ *The Secretary's role*
- ♦ *Taking Minutes*
- ♦ *The Agenda*
- ♦ *AGM Checklist*
- ♦ *Constitutions*

Keeping the group on track

Key responsibilities

- ♦ Review the group's activities – are you doing what the group is set up to do?
- ♦ Make plans for how to achieve the group's aims..
- ♦ Keep a record of decisions you make, and refer to them if you forget what you agreed.

Things to consider

- ♦ Ideally, everything your group does will help it achieve its aims. However it is easy to get side-tracked. For example, raising money may become your main

activity rather than the means to an end. It is a good idea for the committee to have a regular look at what the group is doing and assess whether it is achieving its aims.

- ♦ Having clear, agreed plans is useful because you can refer to them to check whether you are doing what you agreed to do. For example, at your AGM you could agree a particular project or activity which is a priority for the coming year. During the year, the committee can refer to this agreement when deciding how to use money, time and resources.
- ♦ It may be useful to have a systematic way of collecting information on how your activities are going, such as attendance records or feedback surveys.

Resource Centre information sheets you might find helpful

- ♦ *Monitoring and evaluation*
- ♦ *Reporting to a funder*
- ♦ *Taking minutes*
- ♦ *The Agenda*

Finances

Key responsibilities

- ♦ Keep proper financial records. Even if your committee works without formal roles, it is important that someone takes responsibility for writing down income and expenditure and keeping a running balance.
- ♦ Plan your expenditure to make sure you don't run out of money or build up debts you can't pay.
- ♦ Prepare end-of-year accounts, and have them examined if required by the constitution or charity law.
- ♦ Draw up basic financial rules.

Things to consider

- ♦ Every committee member is responsible for making sure that the group looks after its money properly. It's not just the responsibility of the Treasurer even though they deal with the money day to day.
- ♦ Agreeing a budget, and reporting on finances at each meeting, helps the whole committee to be involved in financial decision-making.
- ♦ If several different people are handling money or the group takes in regular amounts of cash, basic financial rules can help ensure that everybody does the same thing and that the money is properly looked after.

Resource Centre information sheets you might find helpful

- ♦ *Your group's money*
- ♦ *The Treasurer's role*
- ♦ *Budgets for community groups*
- ♦ *Financial rules*

Fundraising

Key responsibilities

- ♦ Work out a basic budget and decide how you will raise the money.
- ♦ Do your best to raise the money you need.
- ♦ Adapt your budget if you don't raise as much as you had hoped for.
- ♦ Take care to spend grant funding as agreed with the funder.
- ♦ Report to funders about your activities and expenditure.

Things to consider

- ♦ Fundraising is not separate from the group's activities. You need to have a clear idea of what your group will do in the coming year in order to work out how much you need and decide where you are most likely to get this money. So, try to involve lots of people in planning and fundraising.
- ♦ While it can be tempting to try to raise lots of money, don't forget to focus on your group's aims.

Resource Centre information sheets you might find helpful

- ♦ *Fundraising ideas*
- ♦ *Budgets for community groups*
- ♦ *Planning a funding application*
- ♦ *Writing a funding application*
- ♦ *Reporting to a funder*

Equality and diversity

Key responsibilities

- ♦ Create a safe and inclusive atmosphere for your members and people who access your services.
- ♦ Do all you can to help ensure people are treated fairly and not discriminated against.
- ♦ Have an agreed process to help you manage a situation in which someone has been treated unfairly or disrespectfully within your group.

Things to consider

- ♦ It is useful to write down your agreements about how you will make people feel welcome and how you will deal with any discrimination and harassment in your group. These agreements can form an Equality and Diversity policy.
- ♦ The Equalities Act 2010 identifies a list of "protected characteristics". It is illegal for an organisation to harass or discriminate against anyone because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

Resource Centre information sheets you might find helpful

- ♦ *Equality and diversity policies for small community groups*

Health and safety, safeguarding and insurance

Key responsibilities

- ♦ Take steps to remove unnecessary risk to people taking part in your activities.
- ♦ Ensure your volunteers/workers understand how to help keep children and vulnerable adults safe from abuse (if you work with children or vulnerable adults).
- ♦ Ensure you don't allow people who are legally barred from working with children or vulnerable adults to do so (by using the Disclosure and Barring Service (DBS)).
- ♦ Consider whether you should have insurance in place in case someone is hurt on your premises or during the course of your activities.

Things to consider

- ♦ A Health and Safety Policy and a Safeguarding Policy can be useful for recording your agreements about keeping people safe, and making sure you review and discuss these regularly. Some funders require organisations to have these policies in place.
- ♦ Risk assessments provide a framework to think through ways you could make an activity or place safer for people.
- ♦ It is a legal requirement to get an Enhanced DBS disclosure for volunteers or workers doing certain types of work with children and vulnerable adults (known as "regulated activity").
- ♦ Safety Net¹ provide safeguarding training for community groups in Brighton & Hove
- ♦ If you have paid workers you are legally required to have Employers' Liability Insurance and to comply with the Health and Safety at Work Act.

Resource Centre information sheets you might find helpful

- ♦ *Health and safety*
- ♦ *Risk assessments*
- ♦ *Using the Disclosure and Barring Service (DBS)*
- ♦ *Public Liability*

¹ www.safety-net.org.uk

Regulations and licences

Key responsibilities

- ♦ Ensure the group has any necessary licences or registrations, and works within regulations.

Things to consider

- ♦ Your group might engage in activities that are subject to regulation or licensing. These include, for example, producing food, selling alcohol, providing childcare, playing live or recorded music, collecting donations, and running raffles.
- ♦ Getting the right licences or permissions in place is often quite cheap and easy, especially for small groups running small events.

Resource Centre information sheets you might find helpful

- ♦ *Licensing and regulations for events*
- ♦ *Running a crèche*

Charity registration and reporting

Key responsibilities

- ♦ If your group has charitable aims, you may be required by law to register with the Charity Commission.
- ♦ Registered charities must report to the Charity Commission every year.

Things to consider

- ♦ Organisations which have charitable aims (as defined by law) and work for the public benefit are, by definition, charities (whether registered or not).
- ♦ Charities must register with the Charity Commission if their income is over £5K per year, or if they are incorporated (a Company or Charitable Incorporated Organisation).

Resource Centre information sheets you might find helpful

- ♦ *Charity registration*
- ♦ *Responsibilities of Registered Charities*
- ♦ *Charity reporting and accounts*
- ♦ *Finding a legal structure to suit your group*

Legal liability of committee members

Key responsibilities

- ♦ Ensure committee members understand their liabilities.
- ♦ Consider which options (if any) for protecting committee members are appropriate for the size and activities of your organisation.

Things to consider

- ♦ The extent to which committee members are personally liable for an organisation's debts mostly depends on whether the organisation is *incorporated* or *unincorporated*. Incorporated organisations have "legal personality", which means they can enter into contracts, and have debts, in their own right (so the committee members are not personally liable for paying them).
- ♦ Running an incorporated organisation is generally more work than running an unincorporated organisation, because they are more heavily regulated. Many groups that are unlikely to incur great debts choose to remain unincorporated.
- ♦ Being incorporated does not protect committee members from personal liability for being negligent or breaking the law.
- ♦ Examples of incorporated organisations are Companies or Charitable Incorporated Organisations. Examples of unincorporated organisations are Unincorporated Associations and Unincorporated Charitable Trusts.
- ♦ Some insurers offer "indemnity insurance" to protect committee members, but there are lots of types of liability that this insurance doesn't cover, so it may not always be good value for money.
- ♦ NCVO have produced a guide on trustee liability²

Resource Centre information sheets you might find helpful

- ♦ *Finding a legal structure to suit your group*

Paid workers and volunteers

Key responsibilities

If you pay people to work for your organisation:

- ♦ Be clear about whether any person who works for your organisation is a worker, an employee or is self-employed. This is defined by law. You can find information on the government website³.
- ♦ Make sure key pieces of legislation are being adhered to, such as the Employment Rights Act 1996, Health and Safety at Work etc. Act 1974, and Equalities Act 2010.
- ♦ Provide Terms and Conditions of employment to each worker or employee.
- ♦ Have transparent grievance and disciplinary procedures, and follow them.

² <http://blogs.ncvo.org.uk/wp-content/uploads/guest/trustee-liability-guide.pdf>

³ <https://www.gov.uk/employment-status/selfemployed-contractor>

- ♦ Register with HMRC to pay workers and employees through PAYE.
- ♦ Ensure workers and employees receive appropriate training and support.
- ♦ Agree a clear contract with self-employed people, and ensure they understand that they are responsible for their own tax and national insurance arrangements.

If you use volunteers:

- ♦ Ensure they understand their role, and receive appropriate training and support.
- ♦ Provide them with terms and conditions, and information about what to do if they have a concern or complaint.
- ♦ Provide clear information about what expenses can be reimbursed.
- ♦ Do not give them token payments or gratuities, as this could be seen as paying them for their work, which would mean you need to adhere to employment law (such as paying minimum wage).

Things to consider

- ♦ The responsibilities you have towards people you pay to work for you depend on their employment status. The HMRC provide guidance about how to tell what someone's employment status is, and therefore what rights they have (and what responsibilities you have)⁴.
- ♦ Employment is a substantial financial commitment. Organisations that employ people may wish to incorporate so to limit the financial liability of individuals on their management committee (see page 7).
- ♦ Volunteers do not have the same rights as people who are paid, but it is still the organisation's responsibility to make sure their health and safety is protected, and that they are not discriminated against. HMRC provide information about volunteer rights and expenses⁵. Community Works have a Good Practice Guide on managing volunteers⁶.

Resource Centre information sheets you might find helpful

- ♦ *Health and safety*
- ♦ *Risk assessments*
- ♦ *Equality and diversity policies for small groups*
- ♦ *Finding a legal structure to suit your group*
- ♦ *Resource Centre policies*

⁴ <https://www.gov.uk/employment-status>

⁵ <https://www.gov.uk/volunteering>

⁶ <http://www.bhcommunityworks.org.uk/members/advice-support/good-practice-guide/>

Owning or leasing premises

Key responsibilities

- ♦ Take measures to make sure the premises are as safe and hygienic as possible, and comply with Health and Safety and Public Health legislation.
- ♦ Have procedures to minimise risk of fires and provide adequate fire exits and fire alarms.
- ♦ If you hire out rooms, provide clear information and conditions of hire.
- ♦ Make sure the premises and their contents are secure.
- ♦ Ensure maintenance and repairs are carried out.
- ♦ Do everything you can to ensure access for disabled people.

Things to consider

- ♦ People using your premises (workers, volunteers, members of the public) have a right to be protected from undue hazards and dangers.
- ♦ Fire safety regulations are outlined on the Government website⁷. It is a crime not to comply with these.
- ♦ The Equalities Act 2010 requires organisations to “make reasonable adjustments” to make their premises and activities as accessible as possible. There may be physical changes that take time and money to put into place, such as installing a ramp and an accessible toilet. You are not required by law to make these changes if you don’t have the money to do so, but it is a good idea to start thinking about how you can work towards them (e.g. planning, fundraising), so that you can welcome wheelchair users to your building in the future. There may also be much smaller, cheaper things you can do very easily, such as providing clearer signage.
- ♦ Brighton & Hove City Council Health and Safety Team⁸ is responsible for monitoring and advising on health & safety legislation in work premises.
- ♦ Leasing, owning or managing a premises is a substantial financial commitment. Organisations that own or lease premises may wish to incorporate so as to limit the financial liability of individuals on their management committee (see page 7).

Resource Centre information sheets you might find helpful

- ♦ *Health and safety*
- ♦ *Risk assessments*
- ♦ *Equality and diversity policies for small groups*
- ♦ *Fundraising ideas*
- ♦ *Finding a legal structure to suit your group*

⁷ <https://www.gov.uk/workplace-fire-safety-your-responsibilities>

⁸ <https://www.brighton-hove.gov.uk/content/business-and-trade/health-and-safety>