



## 2.6

### **Roles of the Trustees**

#### **Policy statement**

The Management Committee is made up of a very warm, welcoming group of individuals from many different backgrounds. The Committee is a great way of getting to know other people and staff better as we all work together towards a common goal: to make our Nursery the best place it can be for the benefit of our children.

Little Gillies thrives thanks to the dedication of the many different people who work with us - our volunteers, our members and our paid staff.

As a volunteer, the contribution of your time and skills are hugely valued as they are an essential ingredient to our continued success.

#### **Charity Structure**

In 2023 Little Gillies was open and we became a charitable incorporated organisation ("CIO"), which means that its trustees are not personally liable for it.

#### **The role of the Trustees**

The trustees of a charitable pre-school are jointly responsible for the effective running of the charity and making decisions regarding its management in order to further its charitable purposes. The trustees have an overriding duty to act lawfully and in the best interests of the charity. The Constitution is the legal governing document for our charity. It outlines the rules that the trustees must follow to run the charity efficiently and in accordance with the law.

#### **Managing the Finances**

The trustees are responsible for ensuring that the charity's finances comply with relevant legislation and are managed in accordance with the Constitution. This



## 2.6 Role of the Trustees

involves keeping accurate accounting records, preparing the accounts at the end of the financial year and having them audited or examined by an independent person to ensure the money is appropriately accounted. The accounts must be accompanied by an annual report, prepared by the trustees, describing the activities of the charity in the year and providing some basic administrative information about the management and operation of the charity.

### Managing Employees

As a trustee you are one of the employers of the staff working for the charity and must obey the laws on employment. These will involve you fulfilling responsibilities to your staff (by respecting employees' legal rights) and to the Government (by operating tax and other systems).

### Appointing trustees

The trustees at Little Gillies are elected each year at the charity's Annual General Meeting (AGM). The trustee role is also subject to the requirements of satisfactory suitability checks by Ofsted, which include a criminal records check. All of our policies and procedures are found on our website and hard copies can be obtained from the manager

### Trustees Duties and Responsibilities

An outline of the responsibilities of the charity trustees is given below.

The Chair, Treasurer and Secretary are given particular roles in order to ensure that a number of essential duties are completed.

### General trustee responsibilities and duties

- To ensure that Little Gillies complies with its Constitution, charity law and other relevant legislation and regulations.
- To work effectively as part of a team with the other trustees, bringing your own ideas, perspectives and experience to the committee.



## 2.6 Role of the Trustees

- To regularly attend and contribute to the decision-making process of the committee, keeping up to date with developments that impact on the work of Little Gillies and reading relevant committee papers.
- To actively contribute to ensuring that effective management, procedural and administrative systems are in place to govern the activities of the charity.
- To take reasonable care and skill as a trustee on all matters where there may be material risk to the charity.
- To declare when you, or any person or organisation connected with you, have a personal interest in an issue being discussed by the trustees and refrain from voting on the issue to prevent a potential conflict of interests arising.
- To work with the Treasurer to set priorities for the budget.
- To undertake Ofsted suitability checks as required.
- To recruit a Manager to take charge of the day to day running of the early years provision and to give them clear direction, agreeing policy and targets to support the successful management of the provision.
- In consultation with the Manager, ensuring that the Early Years Foundation Stage and Ofsted registration requirements are met.
- To work with the Manager to ensure the effective recruitment and induction of new employees.
- To provide a link between the trustees, staff and members of the charity, ensuring that effective communication takes place.
- To work to ensure the provision is a safe place to be, for both children and adults.
- To support and help recruit fellow trustees and encourage them to join the committee
- To carry out all trustee duties in accordance with the Constitution.



## 2.6 Role of the Trustees

### Chair

- To facilitate and chair meetings of the charity; including committee meetings, and general meetings, such as the Annual General Meeting (AGM).
- To set the agenda for meetings.
- To co-ordinate the work of the committee to ensure effective administration of the charity.
- To act as the 'Nominated Person' for Ofsted purposes.
- To line manage the employees of the charity.
- To support other committee members and the Treasurer.
- To support and delegate the production of the Pre-School newsletter to staff and parents.

### Treasurer

- To ensure the trustees are aware of the financial position of the charity, providing an up-to-date written statement of accounts at committee meetings.
- To ensure that all trustees are aware of their financial responsibilities and comply with the charity's financial procedures and those required by the Constitution.
- To ensure that accounts are prepared, audited or examined as appropriate.
- To present accounts to the members at the AGM.

### Financial records



## 2.6 Role of the Trustees

- To open and maintain the group's bank account, updating the list of signatories as necessary.
- To prepare in advance an annual budget, as agreed by the trustees; to advise the Manager of the financial implications of the budget and to monitor it regularly against financial progress.
- To ensure that the charity's financial records are maintained accurately and updated on a timely basis.
- To liaise with staff on behalf of the trustees to ensure effective control of the charity's finances.
- To ensure that bank accounts are reconciled to the charity's financial records at least once a month.

To review the bank reconciliation and sign it.

- To ensure that any funds held by the committee are used in accordance with the terms of the charity's reserves policy.
- To manage staff payroll and expenses.

### Secretary

- To take comprehensive and accurate minutes during meetings, type up and send out to all attendees in a timely manner. Sometimes the administrative tasks mentioned above may be carried out by an employee, or by a trustee other than the Chair or Treasurer. However the trustees collectively have overall responsibility for putting appropriate systems and controls in place to ensure the tasks are carried out correctly and that all legal requirements are met.

### Charity Commission Registration

Little Gillies is a registered charity **1204377** with the Charity Commission, which is the regulator of charities in England and Wales. The trustees must complete an



## 2.6 Role of the Trustees

annual return for the Charity Commission each year within 10 months of their year-end, to ensure they are kept up-to-date with any changes to the charity or its trustees. In addition, trustees of charities with yearly incomes over £25,000 must also by law send the Charity Commission their annual report and accounts.

### OFSTED Registration

Little Gillies is registered as a childcare provider with The Office for Standards in Education, Children's Services and Skills (Ofsted). Ofsted inspect and regulate the quality and standards of care and education in early years settings. Together, the charity trustees are the 'registered person' with Ofsted and have overall responsibility for ensuring the childcare provision meets the terms of Ofsted registration and the requirements of the Early Years Foundation Stage framework. For the most part the requirements will be delivered through effective leadership of the staff; particularly the Manager, who is the person who is in charge of the day-to-day running of the provision.

The trustees must fill out a notification form (EY3) whenever there is a change to the individuals on the committee, which informs Ofsted that there has been a change to the 'registered person'.

All trustees have shared responsibility for the day care provision. However the Chair, will be the 'nominated person', to represent the organisation as the main contact with Ofsted. Ofsted will carry out a number of checks on the suitability of the 'registered person'. Each new trustee will need to complete a declaration and consent form (EY2) to apply for an enhanced criminal records check (DBS). The EY2 form asks for a self-declaration of criminal records and other matters that determine suitability to work with or provide childcare for children.

### Safeguarding children

It is the policy of the setting to ensure that children have a safe, positive environment where they can learn and develop. It is also the duty of the trustees to ensure that all staff and volunteers:

- are committed to children's well-being and safety;



## 2.6 Role of the Trustees

- are clear about their responsibilities to safeguard and promote children's welfare;
- know the procedures for highlighting any concerns;
- have appropriate guidance and training to undertake their roles.

### Confidentiality and Data Protection

As a trustee of little Gillies you will come into contact with and use confidential personal information about people, such as names and addresses or even information about staff, children, families and other private matters. You must ensure that this information is treated with absolute confidentiality at all times and that you do not share personal information unless you are legally required to or have obtained consent from the individual to do so. Otherwise you could breach of the General Data Protection Regulation 2018 and the Data Protection Act, which provides strict rules in this area.

### Expenses

Trustees are entitled to claim reasonable out of pocket expenses incurred while carrying out their trustee duties for the charity. The expenditure will only be approved and reimbursed if it has been incurred wholly and necessarily for little gillies business whilst carrying out a volunteering role. Any expenses claimed must be brought on a timely basis and supported by a valid receipt.

### Liability

Little Gillies is an incorporated charity. This means that the organisation is both a charity and a legal entity. Each member's liability for the debts of little gillies is therefore limited to a fixed financial amount (usually £1) above which a member has no further liability to contribute to the debts of Little Gillies in the event of insolvency.

This policy was adopted at a meeting of Little gillies

Held on.....



## 2.6 Role of the Trustees

Date to reviewed .....

Signed on behalf of the provider.....

Name of signatory.....

Role of signatory.....

Reviewed by Sarah Beresford

Date February 2024