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### Happy New Year!

Sorry that Chair focus is a bit late this month. Christmas and the New Year got in the way of our publishing schedule.

news and opinion from a chair's perspective

## Health and Safety Review for Small, Low Risk Employers

Many small charities complain about the burden of Health and Safety regulations on them. Now there is an opportunity to provide evidence of the impact of Health and Safety regulations on your organisations and to propose ways that small employers can fulfil their health and safety responsibilities more easily.

This is through a review of the current health and safety regime for small, low risk employers which the Department for Business, Enterprise and Regulatory Reform has launched. Details of the review and how to respond can be found at -

[http://bre.berr.gov.uk/regulation/documents/health\\_safety/bre\\_review\\_hs\\_071127.pdf](http://bre.berr.gov.uk/regulation/documents/health_safety/bre_review_hs_071127.pdf)

The Review closes on 31 Jan 2008, but if you want to make your comments through CTN please do so via the Consultations page on our website [www.trusteenet.org.uk/your-voice/consultations](http://www.trusteenet.org.uk/your-voice/consultations) by Tuesday 29 January.

## Facing the worst

Following on from our November issue when Trevor Gay shared his experience of winding up a charity, Cherry Bushell, a charity consultant and, until recently, chair, shares her experience of the same situation.

Last year, as a very recent recruit to the long empty post of Chair to a small charity, I was faced with the decision most trustees dread – to close down or face insolvency.

We closed. We had literally a day or so to make the decision and a week to effect it, so it was a quick and brutal process. As the most experienced trustee, I took responsibility for ensuring we tried to do our best by everyone ie getting clients ongoing support, telling everyone, paying our bills. I also felt that I bore the brunt of the upset of volunteers and staff. It was a very painful process for all involved and only afterwards did I realise how stressed I'd been.

We did get some excellent advice and support from our local CVS, which certainly came in very useful later on when we had to complete the formalities of closing. However it all had to happen so quickly that we found there was little advice 'out there' on best practice – if that's the right word! Yes, there is very clear cut guidance around financial and legal requirements. But I found that there was no integration of these with the very practical steps that are just as important, such as negotiating outstanding payments to suppliers, finding support for distraught clients and volunteers etc. We had to work things out on our own. The lessons

**Tip:**

Training can sometimes be intimidating, and emphasise the vast amount that we don't know. In this light, think about offering 'trustee updates' rather than 'trustee training'.

Thanks to James Sinclair-Taylor of Russell Cooke solicitors for this tip.

learned that I would pass on to other trustees are:

- Don't be afraid to discuss closure scenarios. It's best to consider all options, what would prompt closure (there can be positive reasons!) and how you'd handle it.
- Check your governing document to determine what you can and can't do. Ours had no closure option and we had to apply to the Charity Commission for special permission.
- Be very clear about your individual liabilities! I took on the role as a 'stand-in' until a suitable Chair could be found, but didn't realise I had the same liabilities as a formally appointed trustee.
- Try to be open with everyone involved about the risks and consequences of being in a potential 'closure' situation. Yes, people get emotional but they can handle knowledge better than fear.

As it appears small charities do close down with reasonably unfair regularity, I suggest the guidance available could be better shared and integrated. We don't expect charities to live forever, but the bad taste left in the public's mouth by messy meltdowns is not to anybody's benefit.

## Chairing effective meetings

The Governance Hub offers useful pointers on chairing effective meetings. Successful chairing allows good decisions to be made that support the development of the organisation. You can make the difference between meetings that are productive and motivating for those involved or ineffective and frustrating.

### Purpose and leadership

Be clear about the purpose of the meeting and each item on the agenda. From this flow your decisions about who should be there, what information is needed, and what outcomes need to be achieved. Is the agenda item for information only, for ratification, to generate ideas, or for decision? Keep the meeting focused on its purpose. Arrange the agenda to ensure the most important items are given enough time. Manage overlong or rambling contributions by drawing discussions back to the purpose. Check that progress has been made on action points agreed at previous meetings.

### Practicalities

Venue, timing, accessibility, papers are all essential ingredients in a meeting. You may be able to delegate these tasks to the Secretary or perhaps to a member of staff – but you should ensure that they are properly dealt with. Check that practicalities are helping and not hindering your meetings:

- Are papers clear and to the point?
- Does the paper provide enough information to make a decision (if that is required)?
- Are risks and resource implications highlighted?
- Are there specific recommendations?
- Do you want to agree a standard format or approach for Committee papers?
- How will your decisions be recorded?

## ANY OTHER BUSINESS?

Do let us have your feedback on this e-newsletter by replying to this email. Let us know if we are getting it right or how we can improve this e-newsletter. Chair focus goes out bi-monthly, and we want as much content as possible to be from you - we would really welcome your ideas and submissions.

This newsletter is sent to you by CTN

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## Formalities

With formal meetings it is important to be aware if any rules and regulations apply e.g. minimum numbers required at the meeting. Mistakes made in calling or running a meeting could result in it being declared null and void and any decisions made invalid. The governing document may for example require specific procedures for the calling and conduct of an Annual General Meeting. Formality has its place especially when the Board is making decisions– but there is room for creativity when the Board is fulfilling other functions such as generating ideas. You could use other techniques during your meetings e.g. make use of presentations, brainstorming, group work and other techniques to make your meetings engaging and effective.

## Establish ground-rules and ensure they are respected

It helps to be clear about how participants in the meeting can contribute to its success. Agree ground-rules. For example agreement that mobile phones be turned off, only one person to speak at a time; the importance of declaring any potential or actual conflict of interest. You may wish to display the ground-rules in the meeting room.

## Check effectiveness

It's a good idea to review your meetings from time to time. For example at the beginning of the meeting let the board know you'd like their feedback at the end. Take 5-10 minutes at the end of the meeting to ask them what worked well, and what didn't. Ask for suggestions for what could be done differently in the future. Using a flip chart to quickly capture points is a good way to encourage pithy contributions and discourage repetition! Select one (or more) you can act on for next time.

## The key questions that a new Chair should ask on Finance: Questions to the Treasurer

- What are the strengths and weaknesses of our Finance function? (Can it do its job?)
- How would you describe your relationship with the Head of Finance (if there is one) and the senior staff member/Chief Executive, and how would you describe their working relationship? (Do you trust the competence and working relationships of our key people?)
- How would you describe our financial position? (Do the key people have a shared understanding, are our finances healthy?)
- Is the investment policy driven by the Charity's financial plan? Does it take into account the long, medium and short-term financial requirements? What is the risk profile of our investments?