



Trudoxhill Village Hall  
Foghampshire Lane  
Somerset  
BA11 5DG

Throughout this document, traditional terms are used but they are not intended to be gender specific. Thus, for example, the use of the title Chairman applies to incumbents and aspirants of either gender. Equally, he and his should be considered to imply she and hers, etc.

Policy: TVH001 – Constitution, Governance and operating procedures.

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## Part 1 - CONSTITUTION

### Introduction

Trudoxhill Village Hall is a Registered Charity (Number 1018152), run and maintained by Trustees, for the benefit of the residents of Trudoxhill. Its status arises from, and is defined in, a **Conveyance and Trust Deed dated TBC 19XX between the Wareham family and the Parish Council of Trudoxhill.**

The Charity is considered as the activities of, within, and on behalf of Trudoxhill Village Community Hall and the physical property as defined in the Trust Deed.

The Trust Deed sets down the administration and management provisions for the Charity, which are summarised below in the remaining paragraphs of this Constitution section.

### Object of The Charity

The Charity is to provide and maintain the Hall for the use of the inhabitants of the Parish and its environs without distinction of political, religious or other opinions etc, to advance education and provide facilities in the interest of social welfare for recreational and leisure time activities with the object of improving the conditions of life for said inhabitants.

### Committee of Management

The Charity is to be managed and administered by a Committee of Management, to act as the Charity Trustees within the meaning of Section 46 of the Charities Act 1960.

The Committee of Management (committee) is to comprise:

- 4 Elected Members including at least one member nominated by the Church PCC and Parish Council and
- up to two Co-opted members.

Any Member who:

- is adjudged bankrupt.
- Makes a composition or arrangement with his creditors.
- Is incapacitated from acting or fails to attend two meetings per year.
- Communicates in writing to the Committee a wish to resign

shall thereupon cease to be a Member.

All Members are to retire from office at the next Annual General Meeting (AGM) after they come into office but may be re-elected or re-appointed at the same meeting. Casual vacancies in Membership do not invalidate the proceedings of the Committee.

Members are to sign a declaration of acceptance of the Code & Practices and Responsibilities of being a Trustee to the Charity before they are entitled to act as Members. Those re-elected or re-appointed must make a new declaration.

Members are not to have any interest in property belonging to the Charity, other than as a Trustee.

## Part 2 - GOVERNANCE

### **Introduction**

The Committee is committed to operate within the provisions of the Trust Deed and where this appears to be archaic or lacking in guidance for the contemporary situation, within the spirit of the original Charity Commission Scheme and in accordance with the Charities Act 2006. When there is sufficient variance to warrant it, the Committee will apply to the Charity Commission for amendment to the existing Trust Deed. It is the opinion of the Committee that this point has not been reached.

### **Object of The Charity and Application of Income**

The Committee considers that it has a duty not only to maintain the Community Hall but also to improve the facility better to meet contemporary needs, including due attention to environmental issues.

### **Title to The Hall**

The title to the property is held in the name of the Official Custodian for Charities on behalf of the Charity/or/other holding trustees. The property is managed by the Committee on behalf of the Official Custodian for Charities/or/other holding trustees. Under the provisions of Section 22(2) of the Charities Act 1993 the Committee may carry out a transaction as if the property were held in the names of individual Committee Members.

### **Committee**

The Committee shall consist of 4 elected Representative Trustees to include Trustees who represent other appropriate bodies.

The Committee aspires to elect officers into the key positions of:

- Chairman
- Vice Chairman
- Secretary
- Treasurer

and also aspires to identify Elected Members or Representative Members who will lead on issues as the following titles imply:

- Booking
- Maintenance
- Fundraising
- Health and Safety

While the Trust Deed may list/s a number of defunct organisations and also organisations that no longer regularly use the Hall, the Committee considers that the following organisations are relevant and entitled to provided Representative Members:

- Parish Council

The Committee accepts that:

Where those organisations are already represented by an Elected Member, the organisation need not provide a Representative Member.

Those hirers who use the Hall for business purposes are not entitled to provide Representative Members.

The current Committee, their roles and their Representative interests are listed on page 7.

Statuary powers provided to the Committee by the 1993 Act, as amended by the 2006 Act, enable the Committee to amend the constitution of the Committee by proposal to, and with the agreement of, an AGM. The record of such an AGM would need to be sent to the Charity Commission so that Register of Charities can be appropriately amended.

### **Part 3 - OPERATING PROCEDURES**

#### **Introduction**

The Committee of Trustees is committed to operating and maintaining Trudoxhill Village Community Hall in accordance with the law and the requirements of the Charity Commission for the benefit of the residents of Trudoxhill.

#### **Management Committee**

The Duties of the Management Committee are set down on page 7.

#### **FINANCE**

##### **Concept**

The Committee established the following enduring principles:

Letting income should be set at a level to cover all overheads plus a reserve fund. Banking of hiring deposits; Good financial practice is that you bank these at least two weeks before the event so that the hall can cancel or get cash if it bounces. Also, the deposit for an outside group/party should be equal to your insurance excess.

The Trust will operate financial procedures which comply with the Charity Commission guidance given in CC8 – Internal Financial Controls for Charities.

##### **Budget**

Each New Year (April) the Treasurer is to prepare a Financial Plan and Budget for the new financial year for consideration at Committee.

##### **Charity Commission**

It is the duty of the Charity Commission to take a close interest in the financial affairs of the Charity. The Vice Chairman is the principal point of contact for finance and therefore has a duty to update the Charity Commission on all matters. He possesses a login and password to complete certain updates on-line. The login and password are related to the Charity, and not the Vice Chair, and therefore may be used by other Officers of the Trust, as required.

##### **Bank Accounts**

The Community Hall maintains one bank accounts: a Current Account, at TSB Bank. All accounts are '2 signatory' accounts, whether for issuing a cheque for the Current Account or establishing regular payments. The current authorised signatories are:

- Chairman
- Vice Chairman
- Treasurer

##### **Reserve Funds**

The level of reserve funds will be reviewed by the Committee from time to time. At the present time, it has been agreed that a reserve fund will be maintained to cover unforeseen emergencies and requirements.

This sum is based upon the cost of replacing the limited life fittings and equipment. These reserves are in place. See Charity Commission website for RS5 – Small Charities & Reserves

It is recognised that future major maintenance requirements may from time to time require a review of these arrangements.

## In Year Accounting

The accounts will be kept in accordance with the Charity Commission requirements as expressed in CC15a/CC15b – Charity Accounts, The Framework. The accounts will identify income and expenditure categories in sufficient detail for the Trust to assess the financial situation as and when required.

## Utilities

It is noteworthy that the VAT rate for energy supplies to not-for-profit buildings such as the Community Hall is set at a non-standard rate. Neither is the Community Hall liable for the Climate Change Levy. Our current suppliers conform. If energy suppliers are changed, they may need to be advised of this provision before invoicing for services; since it is not an automatic provision.

**Electricity:** Electricity is supplied by SSE. A Direct Debit (DD) from the Current Account is established. The Treasurer will reconcile the DD account at the end of each Financial Year and adjust payments as necessary.

**Water:** Water is supplied by Wessex Water. There is a single, metered supply. Direct Debit (DD) from the Current Account is established. The Treasurer will reconcile the DD account at the end of each Financial Year and adjust payments as necessary.

**Rates:** The Hall currently enjoys Discretionary Non-Domestic Rate Relief from Somerset D.C..

## Spending Authority

The following spending authorities and limits currently apply:

**Treasurer:-** The Treasurer may: Settle conventional utility and other standard services bills (e.g. insurance premiums, licensing fees, PRS/PPL, etc.) regardless of amount.

Make minor purchases (e.g. accounting materials, stationery, etc) and procure minor services (e.g. postage, advertisements, cleaning materials etc) for necessary administration purposes up to the value of £250.

Agree and settle minor bills for maintenance and repair up to £500 provided such funds are available in the relevant sub account.

Agree and settle bills for administration, maintenance and repair up to £1,000 with the authorisation of a quorum the committee provided such funds are available in the relevant account. Items over the value of £1,000 will be authorised by the full Committee.

**Chairman:-** The Chairman may:  
Approve general, incidental, expenditures up to the value £250

**Management Committee:-** The Committee will

Discuss and agree expenditures in excess of those listed above.

Recognise that justifiable and expedient actions will sometimes be necessary.

May occasionally give purchasing authority (within an agreed limit), to a particular Committee Member (or Members) to act on its behalf for a specific purpose.

### **Hire of The Hall**

The Terms of Hire and the Application and Approval process are set down in a separate document. Applications to hire the Community Hall are made using the appropriate form. If the Application is approved, the document amounts to a contract between the Committee and the Hirer of the Hall for the activity or event described. The mechanics of the Application and Hire process are set down in the relevant document. The Committee may use its discretion to waive or vary the standard charges set down in the Hire Agreement, as it deems appropriate. However, in all cases of any use of the Community Hall, the Application procedure is to be diligently followed.

### **Maintenance**

All routine maintenance is closely monitored by Trustees and notifies the Chairman of issues as required. The Chairman is to direct an annual maintenance audit and, through the Committee, establish a Maintenance Plan for the coming Financial Year.

### **Strategic Development**

Similarly, the Chairman is to direct an annual strategic development review and, through Committee, establish a Development Plan covering a rolling 5 year cycle.

### **Alcohol**

The rules concerning the consumption of alcohol during an activity or event in the Hall is subject to specific application by the Hirer and specific approval by the Committee. See separate document.

(Appendix - Conditions of Hire).

The default position is that alcohol is not to be supplied and consumed on the premises without approval of the management committee.

### **Performing Right Society and Phonographic Performance**

Option one: - The Committee purchases an annual licence from the Performing Right Society (PRS for Music) together with the Phonographic Performance Licence (PPL) for incidental music and the like in the Hall.

Option 2: - It is the Hirer's responsibility to obtain the appropriate further licensing where music, such as a disco, or other media-based entertainments are a significant element of their event or activity.

Such Applicants are to refer to Phonographic Performance Ltd to see what kind of licence may be required and what the charge is. Applicant's representing regular use leisure groups are also required to satisfy themselves as to whether a PPL licence is required for their activity and, if so, are responsible for licensing their activity appropriately.

### **Protection of Young and Vulnerable People**

Events where children, young and vulnerable people are present must conform to the Law. Hirers must ensure appropriate supervision and that supervisors are properly accredited.

Hirers must ensure that young and vulnerable people are protected from alcohol abuse.

Drugs and substances that can be abused are not permitted on the Community Hall premises and Hirers are responsible for appropriate supervision of their event to prevent drugs and substance abuse. (see – Safeguarding Policy and Hire Agreement).

### **Fire**

The Committee is committed to operating and maintaining Trudoxhill Village Community Hall in accordance with The Regulatory Reform (Fire Safety) Order.

The Fire Safety Policy, together with the Assessment from which it arises and other supporting material is  
Revision Date: 01/08/2023

### **Health and Safety**

The Committee of Trustees recognises its responsibility, in law, to maintain a safe environment for Users and Hirers of the Hall. It will review its Risk Assessment and the provisions arising annually in August. The Committee will elect a H&S Officer.

The Committee of Trustees cannot be fully responsible for the Health and Safety aspects of activities that are not under its control. However, it will do all that it can to alert Hirers of the Hall to recognise their own responsibilities regarding the Health and Safety in regard to their own activities.

The Health and Safety Policy, together with the Assessment from which it arises is shown separately (See Health and Safety Policy and RIDDOR).

### **Kitchen**

The kitchen is maintained principally to support the activities of the local clubs. The kettle, water heater, oven, fridge utensils etc. can be used free of charge on site but a hiring charge is levied for items removed from the site (see - Condition of Hire / Hire Charges).

## Part 4 - THE CURRENT COMMITTEE OF TRUSTEES

As at August 2023

The Current Committee Comprises the following Elected Members:

Position	Current role holder
Chair	Chris Taylor
Vice Chair	Francis Gomer
Treasurer	David Regan
Secretary	Sam Winstanley

### **Duties of The Committee**

#### **Introduction**

The responsibilities of Committee members as Charity trustees, is set down in The Charities Act 2006 and is more readily accessible in both:

- The Charity Commission booklet 'The Essential Trustee'
- ACRE's Village Hall Information Sheet 17 – Trustees: Roles and Responsibilities

Committee Members of Trudoxhill Village Community Hall are Charity (or Managing) Trustees; those people who manage the Charity on a day to day basis. They are required to act always for the good of the Charity and in compliance with the Trust Deed and prevailing legislation.

As a minimum the committee must ideally include a Chairman, Vice Chairman, Treasurer, Secretary, Booking Secretary, H&S Officer and Website Co-ordinator.

#### **General Duties**

The General Duties of each of the Members of the Committee of Trustees are to:

- Acknowledge their responsibilities as set down in the guidance literature, the trust Deed and this Charter and certify the fact at the beginning of each year of office.
- Act reasonably and prudently and not speculate with the Charity's assets.
- Ensure that the Charity is fully insured against loss and claim.
- Comply with "all and every" legal requirement.
- Maintain financial stability of the Charity.
- Act together.
- Avoid a conflict of interest. Trustees must remain beyond reproach.
- Extend apologies to the Secretary prior to any Committee Meeting which they may be unable to attend.



## Liability

Trustees may be liable for their actions if they have acted:

- In breach of the governing document.
- Unwisely with Charity assets resulting in a loss to the Charity.
- Illegally.

Where a loss occurs despite the best and reasonable efforts of the Trustees it is not probable that they will be held liable.

## Good Practice

ACRE's Information Sheet 17 offers the following guidance:

- Follow the governing document.
- Attend meetings.
- Act collectively.
- Keep written minutes of decisions.
- Ensure the treasurer presents regular financial reports and prepares a budget each year.
- Ensure that the property and committee are adequately insured.
- Obtain professional advice.
- Act with due care and prudence.
- Ensure the property is adequately maintained.
- Keep all licences up to date.

When preparing correspondence on behalf of the Committee, the Registered Charity Number 1018152 should always be quoted (or incorporated in the letterhead).

## Trustee Liability Insurance

Committee Members should be alert to the availability of this sort of insurance and should review their posture in conjunction with the principal insurance policy, which may also provide such cover.

The current view of the Committee is that liability risk to them as Trustees, including Public Liability, is included within the conventional Insurance Policy.

## Additional Duties

- Appoint one or two people to act as H&s Officers to draw up and review policies and ensure records are maintained and filed correctly.
- Ensure risk assessments are performed at regular intervals as noted in the Fire Assessment and H&S operating procedures.
- Prepare a H&S file which is kept in the hall.
- Discuss findings from the above, as appropriate, at full committee meetings.
- Ensure Booking Secretary highlights relevant H&S policy to Hirers and completes a written and signed hire agreement.

## Duties of the Chairman

In addition to the General Duties of a Member of the Committee of Trustees, as set out in Annex B, the Chairman is to:

- Be the principal Trustee and 'face' of the Charity to external organisations.
- Guide and mentor other Committee Members as required.
- Chair Meetings of the Committee.
- Guide and steer discussions at Meetings.
- Use a second or casting vote as required at Meetings.
- Keep Meetings focussed and completed within the 2 hours target duration whenever possible.
- Approve the Secretary's draft Agenda for a future meeting so that it may be issued one week prior to the Meeting.
- Be principal second signatory to the Treasurer's actions on behalf of the Committee.
- Review and maintain the Insurance policies in accordance with the law and the current needs of the Charity and its Committee.

### **Duties of the Vice Chairman**

In addition to the General Duties of a Member of the Committee of Trustees, the Vice Chairman in the absence or non-availability of the Chairman is to

- Assume the duties of the Chairman as set out above.
- Including the second-signatory role and approval of the Treasurer's bill paying actions.

### **Duties of the Secretary**

In addition to the General Duties of a Member of the Committee of Trustees, the Secretary is to:

- Maintain the formal records of Meetings.
- Maintain the principal files and records of the Charity, including the Trust Deed.
- Hold and maintain the Trustee's copy of the Charity Act 2006 and The Essential Trustee.
- Hold and maintain the Trust's Constitution, Governance and Operating Procedures for the Community Hall.
- Ensure that Trustees are issued with a copy of the pamphlet The Essential Trustee on appointment, or advise where to obtain it by email from the Charity Commission, and sign the Code of Practices & Responsibilities to acknowledge their acceptance of their responsibilities on an annual basis.
- Provide each Trustee with a copy of the Constitution, Governance and Operating Procedures for the Community Hall.
- Provide the Trustees with any amendments to the Constitution, Governance and Operating Procedures.
- Prepare and despatch correspondence as required by the Committee.
- Maintain copies of incoming correspondence, alert the Committee as required as to its content and respond as required by the Committee.
- Write to entitled User organisations and groups annually to elicit Representative Membership for the coming year.
- Issue draft Minutes to Members within one week of any Meeting.
- Prepare a draft Agenda for the Chairman's approval in time for it to be issued to Members one week prior to any Meeting.

### **Duties of the Treasurer**

In addition to the General Duties of a Member of the Committee of Trustees, the Treasurer is to:

- Maintain accounts on behalf of the Committee.
- Make a financial statement (Treasurer's Report) at each Committee meeting. In his absence from any Meeting he should endeavour to provide a written report.
- Regularly review, research and advise the Committee regarding the most suitable banking arrangements for the purposes of the Charity.
- Prepare a Financial Plan and Budget for the new Financial Year for consideration at Committee.
- Arrange for the necessary review of the accounts at the year end.
- Notify all regular users in advance of any change of the hire rates.
- Review and maintain the Insurance policies in accordance with the law and the current needs of the Charity and its Committee.

The Treasurer is authorised to:

- Hold the cheque books and receive statements from the Bank.
- Issue cheques in settlement of all bills properly invoiced to the Charity for services provided. A second signatory is required; usually the Chairman.
- Issue written instructions to the Bank to move assets between accounts. A second signatory is required; usually the Chairman.
- Establish and amend Direct Debit / Standing Orders for routine bills regardless of the amount.
- Settle conventional utility and other standard services bills regardless of amount.
- Agree and settle minor bills for administration, maintenance and repair up to £500 provided such funds are available in the relevant sub account.

- Agree and settle bills for administration, maintenance and repair up to £1,000 with the authorisation of a quorum of a relevant sub-committee provided such funds are available in the relevant sub account.
- Make minor purchases (e.g. accounting materials, stationery, etc) and procure minor services (e.g. postage, advertisements, etc) for necessary administration purposes up to the value of £100.
- Act as the principal contact between the Committee and The Charity Commission regarding the yearly Financial Statement.

With the exception of conventional utility and other standard services bills, the Treasurer is not to settle bills in excess of £1,000 without the authorisation of the full committee.

### **Duties of the Health and Safety Officer**

- In conjunction with the Committee, create new policies as required either because of changes in the law or due to existing policies becoming outdated.
- Carry out fire and safety risk assessments, at regular intervals, as noted on the appropriate forms.
- Ensure all forms are stored in an orderly and easily recoverable fashion.
- Keep the H&S file updated and stored in an easily identified place in both the hall with an exact copy stored off-site.
- Present any findings at regular full committee meetings.
- Ensure fire extinguishers are maintained at regular specified intervals.
- Ensure first aid kit is easily available and is complete.
- Ensure accident forms are readily available, are fully completed, and copies are provided to all relevant people. Ensure a RIDDOR report is completed and action is taken to prevent a reoccurrence.

### **Duties of the Booking Secretary**

- To be responsible for keeping an up to date record of the booking calendar, including on-line.
- To ensure the Chairman/Vice Chairman is kept up to date with all new bookings.
- To be able to address all enquiries relating to booking the hall inc. method of entry and keeping up to date with the entry key number.
- To ensure the relevant booking form is fully completed and signed.
- To ensure hirers are aware of the Terms and Conditions when hiring the hall.
- Ensure all Hirers and other Users are aware of the H&S policies which can be found on- line.
- Liaise with the hirer and treasurer to ensure monies are received.

### **Duties of the Representative Members**

- In addition to the General Duties of a Member of the Committee of Trustees, a Representative Member is to represent the particular interest of the User organisation or group represented.
- Representative Members are full voting Members of the Committee and, accordingly, are expected to participate fully in the activities of the Committee. In law, they have a first duty to the Community Hall Charity and not to their organisation or group. (Reference Charity Commission - The Essential Trustee)
- Representative Members may, and are encouraged to, take a lead role for a specific function, as set out under Committee in Part 2 – Governance.
- Elected Members may also act as Representative Members in respect of a particular User organisation or group.

### **Maintenance**

- The Committee will have general overall responsibility for the hall and its fixtures and fittings.
- The Committee will meet as required but normally monthly
- The Committee will submit a schedule of planned maintenance as part of the Annual Budget.
- Minor unplanned repairs/maintenance will be carried out by any Committee member having the appropriate skill. If it is beyond this level the Chairman will call out the appropriate approved repairer after discussion with Treasurer.

- The Treasurer can authorise maintenance and repair up to £500 provided such funds are available in the relevant sub account.
- The Treasurer can authorise maintenance and repair bills up to £1,000 with the authorisation of a quorum of the Maintenance sub-committee provided such funds are available in the relevant sub account.
- Major repairs/maintenance should, whenever possible, be subject to 3 estimates which will be submitted with a recommendation to the main Committee.
- Review annually:
  - Fire Safety Policy
  - Fire Risk Assessment
  - Hire of Hall
  - Health & Safety Policy
  - Basic Risk Assessment
  - Booking of Hall
  - Routine Community Hall Tests & Checks
- Organise the annual cleaning day(s) for both the inside and outside of the hall.
- Organise the maintenance required if the hall is closed for a period of time.
- Appoint and supervise cleaner/window cleaner/handyman/electrician/plumber etc. as considered necessary

#### Additional Duties

- Take a lead in organising and managing events and deal with extra-ordinary events if requested by the Trust Committee.
- Take a lead in any additional task(s) which require regular on-going management.
- Take a lead in marketing the hall to achieve additional income.
- Upkeep and development of the Website.
- Keep the local population updated with any changes/improvements to the hall.

#### Appendices:

The Governing Document above is the substantive document regarding the management of Trudoxhill Village Community Hall. However, the documents noted below are supporting papers which are to be intended to be used in conjunction with the aforesaid:

- Health and Safety
- Conditions of Hire
- Fire Risk Assessment
- Safeguarding
- Maintenance

### **Annual General Meeting (AGM)**

There is to be an AGM in the month of April or as soon as practical thereafter. Public notice is to be given at least 14 days before the date of the AGM. All inhabitants of the area of benefit over 18 are entitled to attend and vote.

The standing Chairman will preside over the AGM until the election of the new Committee.

The accounts of the Charity for the preceding year are to be presented to the AGM.

### **Meetings of The Committee**

In addition to the AGM, the Committee is to hold at least 8 Ordinary Meetings per year. A Special Meeting may be summoned at any time by the Chairman or by any 2 Members with 7 days clear notice being given to all the other members of the matters to be discussed.

The committee, at their first meeting in each year after the Annual General Meeting, and before any other business is transacted, shall elect a Chairman and may also elect a Vice-Chairman from amongst their Members.

Chairman and Vice-Chairman are always eligible for re-election.

A quorum at Committee is not less than one-third of the total number of Members.

In the absence of both Chairman and Vice-Chairman, the members present may choose one of their numbers to be Acting-Chairman for the meeting.

Decisions are determined by a majority of votes cast by Members present at a meeting. The Chairman shall hold a second or casting vote if required.

A Minute Book and Books of Account are to be kept.

### **Rules**

The Committee is empowered to:

- Set the terms and conditions for use of the Hall and to set the charges (if any) for such use.
- Appoint a Booking Clerk, Treasurer and other unpaid officers as considered necessary.
- Engage and dismiss paid officers and servants of the Charity as considered necessary.

A quorum at Committee is not less than one-third of the total number of members

The Committee may accept donations or property for the direct or indirect support of the general purposes of the Charity.

### **Insurance**

The Committee is required to insure the building, furniture and effects to their full value against fire and the usual risks and suitably insure against risks arising from the ownership of property and the employment of persons.

### **Income**

The income of the Charity is to be applied as the Committee decide in insuring, maintaining and repairing the property, furniture and effects, and paying rates and taxes as required in furthering the object of the Charity.

Surplus cash may be invested.

### **Meetings**

Committee Meetings are currently held monthly, by prior arrangement, starting at 7.30pm.

In order to allow sufficient time for the closure of accounts, the AGM will take place annually in June or as soon as practical thereafter. The AGM will be followed, as soon as possible, by a Committee Meeting.

Having elicited any inputs from Members and cleared a draft with the Chairman, the Secretary will circulate the Agenda to Members one week before any Meeting.