

A regional group toolkit



Last updated: 19 November 2012

Contents

1	Starting your regional group.....	4
1.1	Defining your purpose	4
1.2	Who is responsible for your organisation	4
1.2.1	What is a management committee?	4
1.2.2	Who can be a management committee member?	4
1.2.3	How to find management committee members	5
1.2.4	What does a management committee do?	5
1.2.5	Management committee member role description.....	6
1.2.5.1	What is the role of the chair?	6
1.2.5.2	What is the role of the secretary?	7
1.2.5.3	What is the role of the treasurer?	7
1.2.5.4	What is the role of the vice-chair?.....	7
1.2.6	Management committee responsibilities.....	7
1.2.6.1	Understand your legal status and how to limit your liability	7
1.2.6.2	Annual Report and Accounts.....	8
1.2.6.3	Annual Return	8
1.2.6.4	Ensuring your group is abiding by its constitution.....	8
1.2.6.5	Recording decisions and taking minutes	9
1.2.6.6	Management committee meetings	9
1.2.6.7	Understanding your management committee's performance.....	9
1.3	Membership of your group	10
2	Developing your regional group.....	10
2.1	Keeping the group going.....	10
2.1.1	Group development summary	12
2.1.2	Setting the boundaries	12
2.2	Key relationships to develop.....	12
2.3	Become a Regional Neurological Alliance	12
2.3.1	Benefits of Neurological Alliance regional affiliation	13
2.3.2	Writing your governing documents.....	13
2.3.2.1	Who is the model constitution suitable for?.....	13
2.3.2.2	How to use the model constitution.....	14
2.3.3	Now you have formed your group, you can now become charity.....	14
2.3.3.1	What is a charity?.....	14
2.3.3.2	What are the main advantages of being a charity?	14
2.3.3.3	What are the limitations of being a charity?	14
2.3.3.4	Registering as a charity with the Charity Commission	14
2.3.3.5	Registering with HMRC	15
2.3.4	You can also become an incorporated organisation.....	16
2.3.5	Getting the right insurance	16
2.3.5.1	Guidance for insurance requirements	16
2.3.5.2	What to consider in choosing your insurance cover.....	16
2.3.5.3	Types of insurance cover	17
2.3.5.4	Providers of voluntary and charitable sector insurance cover	18
3	Becoming an affiliate member of the Neurological Alliance.....	18
4	Where to find more help	19

Dear All

This toolkit is for individuals who have a passion for improving services for neurological care in their area and who wish to set up a local group to do so. The toolkit will take you through the journey of setting up your group, the responsibilities involved, how to become a charity and how you would become a member of the Neurological Alliance.

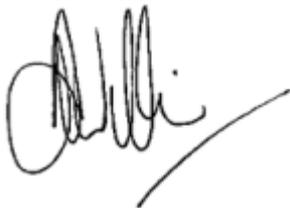
Decision-making increasingly takes place at a local level. Regional groups and individuals play a vital role in representing the views of those with neurological conditions at PCT and Social Services meetings, and in campaigning for improved services in their localities. Local commissioners prefer to deal with well-informed, local umbrella organisations and individuals that can help drive a considered and balanced agenda efficiently. This will remain the case when the Clinical Commissioning Groups take over.

A national network will provide vital opportunities for regional groups to share good practice, experience, ideas and successes, The Neurological Alliance believes that developing a partnership with a vibrant network of regional groups is the only way to ensure that conversations at national level about health and social care policy are informed by the lived experience of people with neurological conditions.

We have developed this toolkit to act as a set of guidelines for setting up and running an effective regional group. This guidance has been developed with support from York Council for Voluntary Service (CVS), with thanks. We strongly recommend that when you start work on forming a group you contact your local support and development organisation (LSDO) who is there to help develop, support and promote the work of voluntary organisations and community groups, helping them to be as effective and sustainable as possible.

I hope you find the guidance helpful and we wish you all the very best in your endeavours to improve neurological care in your area.

Best wishes

A handwritten signature in black ink, appearing to read 'Arlene Wilkie', with a long horizontal flourish extending to the right.

Arlene Wilkie
Chief Executive

1 Starting your regional group

1.1 Defining your purpose

Every group should have a mission statement. Your group may wish to adapt one of the following examples:

- We are the united voice across [name of area] of people with a neurological condition and those who work to support them and their carers. We aim to influence policy and provide a single, authoritative resource for commissioners who are working to increase the quality and range of services for all those living with a neurological condition. We campaign for changes that result in an improved quality of life.
- [Name of Region] Neurological Alliance unites individuals, groups and organisations affected by a neurological condition. We aim to influence policy, raise awareness and contribute to changes and improvements in service delivery.
- We are the united voice of all those affected by a long term neurological condition. We aim to raise awareness, influence policy, improve services and contribute to positive changes.
- Working together to improve the quality of life for people in [name of area] with a neurological condition.

As a regional group, your group will have signed an agreement with the Neurological Alliance and your aims will reflect that of the Neurological Alliance:

- Campaign for consistently high quality neurological care
- Campaign for UK leadership and investment into neurological research
- Link the whole neurological community to ensure the service user voice is heard in the design, delivery and monitoring of local services
- Increase understanding of neurological conditions and of the lives of people with neurological conditions
- Execute effective governance and management and achieve more sustainable resourcing of the Neurological Alliance.

1.2 Who is responsible for your organisation

1.2.1 What is a management committee?

The management committee or trustees of a voluntary or community organisation are the people who come together to organise the group and decide how it will be run.

1.2.2 Who can be a management committee member?

Anyone who has an interest in improving neurological services and wants to support your group to do this in your area can be on the management committee, but refer to your constitution for the voting rights between members (section 2.3.2).

Certain statutory requirements must be fulfilled as specified in the [Charities Act 2011](#). Section E1 of the Charity Commission guidance [CC30 Finding new Trustees - What charities need to know](#) provides details of who is disqualified by law from acting as Trustee, including anyone described in sections 178-180 of the Charities Act 2011.

1.2.3 How to find management committee members

All groups need new management committee members from time to time. This can be to bring in new ideas, address gaps in skills, or to allow long standing committee members to retire. A good tool to help you plan your recruitment is provided by the [National Council for Voluntary Organisations](#) (NCVO).

1.2.4 What does a management committee do?

The management committee is the governing body of your group and is collectively and personally, ultimately responsible for all its administration and activities. The management committee needs to make sure that the organisation meets its objectives - the purposes for which the group is set up - and follows the procedures laid out in its constitution or rules.

The management committee needs to be governed by the seven principles of public life. These are:

- **Selflessness:** Your committee should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- **Integrity:** Your committee should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **Objectivity:** In carrying out your charity's business, including making appointments, awarding contracts, or recommending individuals for rewards and benefits, the committee should make choices on merit.
- **Accountability:** The committee is accountable for their decisions and actions to the members and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness:** The committee should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict privileged information
- **Honesty:** The committee have a duty to declare any private interests relating to their duties and to take steps to resolve any conflicts arising in a way that protects the members' interest.
- **Leadership:** The committee should promote and support these principles by leadership and example.

The management committee will:

- Set overall policy, objectives and work plan for the group
- Meet regularly and ensure that actions are taken and decisions made are in the interests of the group and its beneficiaries, and not for the personal benefit of the management committee
- Make sure the group manages its assets and resources correctly, and that accounts and reports are completed
- Make sure that the group operates within the law and the organisation's own rules
- Make sure that the management committee has the skills to oversee the work of the group, and can commit the time needed to develop it
- Promote the organisation.

Your management committee is responsible for everything that their organisation does. They are expected to discharge their duties of compliance, prudence and care and to accept ultimate responsibility for the affairs of the charity and for ensuring that it delivers its charitable objectives for the members benefit.

1.2.5 Management committee member role description

You may find it helpful to have a role description for management committee members. A good template is offered in NCVO's [Trustee Recruitment Toolkit](#). Training for your management committee is also available from your LSDO, which it is recommended you consider.

It may also be helpful to develop a person specification. Some desirable traits for a committee member are as follows:

- Ability to work effectively as part of a team and willing to listen to other people's opinions
- Able to act corporately and not in the interests of one particular group, and to reach objective and independent decisions
- An understanding of neurological conditions and the effects of living with them together
- Understanding and appreciation of good governance and the role of committee members
- Commitment to take part in management committee work and to attend meetings
- Ability to act as an ambassador for the group
- Commitment to diversity and equality of opportunity.

1.2.5.1 What is the role of the chair?

Depending on the size and nature of the organisation, there may be tasks around supporting or supervising staff, taking part in staff recruitment, acting as a spokesperson for the group, and making some decisions (depending on your governing documents). The chair might also be a signatory on the group's bank account. The chair's role will also involve planning and running meetings. This includes:

- Making sure meetings are held in accordance with the rules set out by the constitution
- Helping plan the agenda and papers and checking actioned items have been carried out as agreed
- Checking that the meeting is quorate
- Signing previous minutes and ensuring the agenda is adhered to
- Making sure voting procedures are complied with, key decisions are made and minutes taken
- Be able to clarify and sum up activities and decisions
- Consider everyone's suggestions, making sure everyone gets the chance to speak
- Be objective, unbiased and patient
- Stimulate group discussions.

1.2.5.2 What is the role of the secretary?

In an unincorporated group - a group that is not registered as a company - the secretary's role includes:

- Making sure meetings are called and papers circulated in line with the rules laid out in your governing documents
- Taking minutes of meetings
- Keeping records of members' details
- Making sure reports are written and accounts submitted
- Booking meeting venues/refreshments
- Dealing with any other correspondence and writing letters on behalf of the group
- Being organised
- Working with the chair.

1.2.5.3 What is the role of the treasurer?

The role of the treasurer revolves around management of finances, but the management committee as a whole are all jointly and individually responsible for the management of money. The treasurer's duties include:

- Financial management and keeping financial records
- Managing income, including collecting fees, and expenditure
- Financial planning and budgeting, with the rest of the management committee
- Being involved in fundraising applications and reports
- Dealing with banking arrangements - the treasurer is usually one of the signatories
- Preparing annual accounts and /or liaising with accountant
- Reporting regularly to the management committee about the group's finances
- Have an understanding of what can and can't be spent by the organisation and on what.

1.2.5.4 What is the role of the vice-chair?

The vice-chair's main role is to chair meetings if the chair is absent. They may take on additional responsibilities, usually some of the chair's tasks, in the chair's absence or if the group decides to split the role.

1.2.6 Management committee responsibilities

Your group's legal status, liability and responsibility will differ depending on whether it is an incorporated or unincorporated organisation. Ensure the management committee has a copy of the Charity Commission's [The Essential Trustee: What you need to know \(CC3\)](#) and [Responsibilities of Charity Trustees: A Summary \(CC3a\)](#)

1.2.6.1 Understand your legal status and how to limit your liability

A key feature of an unincorporated association is that it does not have a legal identity of its own. The management committee have unlimited personal liability for the actions of the organisation. In some cases, this liability can be extended to the membership, for example if an unincorporated association was unable to pay £1,000 due for a venue, its management committee and even its members would be liable to cover this cost between them.

It is important to note that there are thousands of unincorporated groups. The vast majority are run by management committees who know what they have to do, and as such have no issues around their liability. The most important way of limiting your

liability is to run your group well. This means understanding your responsibilities, attending meetings, making sure you know what the group is doing, and asking questions if anything is not clear.

If, however, your organisation is taking on activities that carry a higher level of risk, you should consider becoming incorporated to limit your liabilities. These risks may include controlling substantial assets, employing staff or delivering activities that involve commercial risks.

You can limit your liability in several ways:

- Insurance cover is an important way of limiting your own liability; more information is available in section 2.3.5. Please note that in order to affiliate to the Neurological Alliance, you must ensure your organisation has insurance cover in place which indemnifies the Neurological Alliance, as outlined in the membership agreement (section 3);
- Incorporated organisations differ from unincorporated associations in that they exist as separate legal entities in their own right, and through this structure they limit the liability of their members. An incorporated organisation can carry out its business and enter into contracts in its own name as it is a separate legal person from the management committee. The directors will have limited liability for the activities of the incorporated organisation, provided they comply with all relevant legislation and duties. Further information is available in section 2.3.4.

1.2.6.2 Annual Report and Accounts

For Charity Commission registered charities, an Annual Report and Accounts must be submitted to the Charity Commission. The level of detail required will be dependent upon your charity's turnover. More information is available in the Charity Commission guideline, [Preparing your Trustees' Annual Report](#).

For incorporated organisations, an Annual Report and Accounts must be submitted to Companies House.

1.2.6.3 Annual Return

An Annual Return gives a snapshot of general information about a management committee, and registered office address for example.

If you are registered with the Charity Commission, depending on your turnover, the management committee must send either an Annual Return or to advise them of any changes. More information is available through the Charity Commission's guidance, [What information must trustees send us this year?](#)

If you are an incorporated organisation, you must deliver an annual return to Companies House. The Companies House [Life of a Company](#) provides detailed guidance for companies.

1.2.6.4 Ensuring your group is abiding by its constitution

The management committee should review the constitution regularly to ensure the group is adhering to its terms, in particular before your annual general meeting, general meeting or an extraordinary general meeting is called.

1.2.6.5 Recording decisions and taking minutes

The Charity Commission recommends accurate minutes are kept of all meetings. The minutes do not need to be a word-for-word record, but need to record information that is important to the charity.

There should be a dedicated minute taker at every meeting of your management committee. This allows you to record decisions made and track progress against these records at future meetings. More helpful advice is found in guidance from the Charity Commission [CC48 Charities and meetings](#)

1.2.6.6 Management committee meetings

The Charity Commission has published guidance, [Charities and Meetings \(CC48\)](#), for charities on the types of meetings they hold and how to run them.

1.2.6.7 Understanding your management committee's performance

There are a number of tools that management committees can use to consider how well they are performing. These include:

- Finance review - at the start of each financial year, the group should set a budget for income and expenditure. At every management committee meeting, the treasurer should report on the group's financial position against this budget using management accounts and a financial summary report.
- Skills audit - templates are available at [Reach](#), [ICSA International](#) and [Governance Pages](#).
- Review days - Holding a review day at least once a year is a good way to keep your group on track and review your group's progress to date. This might be against a work plan, project plan, or business plan. A good source for review day exercises is [Business Balls](#), which provides some free team building games and information and support with SWOT analysis. Third Sector Foresight's [web tool](#) also provides information and support with PEST analysis.
- Reading helpful literature:
 - Charity Commission's Hallmarks of an Effective Charity - More information is available through the [Charity Commission](#)
 - Good Governance: A Code for the Voluntary and Community Sector - more information is available at [Good Governance](#)
 - National Occupational Standards for Trustees - read more at [Skills Third Sector](#).

And remember...

Every member of the management committee is responsible for the decisions made by the group, even those that do not take on one of the above roles. All are accountable for the actions, spending and decision-making of the organisation. Remember also that your LSDO is there to help you all the way.

1.3 Membership of your group

It is up to your group to decide who it will open up membership to, however, your membership may include:

- Individuals using neurological services, their carers, family and friends
- Local voluntary and charitable organisations, such as self-help groups for people with a specific neurological condition or local branches of single condition charities.

You may wish to recognise additional core participants as associate non-voting members, these may include:

- Medical and social care professionals
- Health and social care commissioners
- Staff of single condition charities working in the region
- Service providers including non-statutory / private care providers
- Other for-profit organisations.

2 Developing your regional group

2.1 Keeping the group going

To keep your group going, you need to:

- Find the energy and enthusiasm to keep the group going
- Work through problems together
- Support each other when facing difficulties
- Always remember why you started your activity in the first place.

To understand why groups go through difficult periods, it may be useful to understand the stages of group development. In 1977, Bruce Tuckman and Mary Ann Jensen revisited Tuckman's 1965 'Development sequence in small groups' model, publishing [Stages of small-group development](#). The updated model sets out five stages of group development for becoming an effective organisation. These are:

Stage 1: Forming

As the name explains, at this stage, the group is forming, or coming together as a group. Individual behaviour is driven by a desire to be accepted by the others. Everyone is on their best behaviour, avoiding controversy or conflict, serious issues and feelings. Instead, the group focuses on:

- Identifying and understanding goals and tasks
- Establishing routines and patterns of behaviour, such as who does what, when and where to meet, etc
- How the work is divided. This is a comfortable stage to be in, but the avoidance of conflict and threat can mean that little actually gets done. Mature members of the group may be seen as models of appropriate group behaviour.

Stage 2: Storming

The next phase can be a very creative but chaotic time. Lots of different ideas compete for attention as important issues are addressed. Group members start to get to know each other better, and may be less polite with each other. As different personalities emerge, initial patience can wear out. Minor confrontations arise, which may be brushed aside. Some may be small squabbles over who should be doing what, though there may be more fundamental disagreement about what the group is for. Some group members will be pleased that the group is finally getting into the real issues. Others may find this stage more challenging, and may even leave, feeling that the group isn't the same as when it started.

Whether the conflict is open or suppressed will depend much on the individual group members and the way the organisational culture develops, but conflict is likely to be present at some point. This can be unpleasant and turbulent, but is essential for the group's growth. To deal with the conflict, groups will need to establish systems, rules and boundaries for making decisions and exploring issues safely.

Stage 3: Norming

At the third stage, with systems, rules and boundaries firmly in place, the group's way of dealing with issues and each other becomes established. With many resolved conflicts behind them, the group members understand each other better. Group members have learnt to adjust their behaviour in order to function effectively as a team. The group gains more clarity around the scope of their tasks. The group also establishes roles with clear and agreed responsibilities. Working through problems has allowed them to appreciate each other's skills and experience. Individuals are prepared to listen to each other, and change their opinion or agree that things outside their own view are in the group's best interests. They appreciate the contributions others can make, and are mutually supportive. However, getting to this stage has meant collective and individual hard work. This can make groups resistant to change, as they fear more conflict. Also, the process of acting as a collective unit may stifle individual creativity and discourage healthy dissent.

Stage 4: Performing

It is possible for some groups to reach the performing stage. These groups get things done. They work as an effective unit, with no need for external supervision. The group avoids inappropriate conflict. Group members are motivated and knowledgeable. They are competent, autonomous and able to handle the decision-making process. Dissent is expected and allowed as long as it is done in a way the group has agreed as acceptable.

It is important to think of the four stages as a cycle that groups can move up and down, rather than a one-way journey. As membership changes or new challenges arise, groups may feel they are starting the process all over again. For instance, a change in key personnel may cause the team to revert to storming as the new people challenge the existing norms and dynamics of the team.

Stage 5: Adjourning

The adjourning stage is when a group achieves what it set out to do. The group ties up its loose ends and disbands. This should really be the place that all groups want to find themselves in – that the issue or problem they set up to address no longer exists through the changes they have made in the world – though may never reach it.

2.1.1 Group development summary

By understanding these stages, group can feel more confident about facing the challenges of developing and growing. It also helps to explain why groups should spend some time in the early stages undertaking team building exercises and setting some boundaries for how they will work. It may also be useful to consider the role of the chair of the group during each of these stages.

2.1.2 Setting the boundaries

There are simple things groups can do to establish the boundaries of how they work together, such as setting ground rules for meetings. There are some ground rules that all groups will find useful, such as agreeing to turn up on time, avoid jargon, and take turns to speak. For a set of suggested ground rules, visit [Shaping our Lives](#).

A conflict of interest could occur where a committee member has multiple interests, one of whom could influence their decision-making within the management committee. You might also want to develop a conflict of interest policy. Again, there are good models online at [Governance Pages](#) and [Trusteenet](#). The Charity Commission has also published [A guide to conflicts of interest for charity trustees](#)

2.2 Key relationships to develop

Your group will need to develop relationships with:

- Users of services and their carers
- Neuroscience networks or other relevant health/social care networks
- Health and Social Care commissioners
- Neurology leads in the local Clinical Commissioning Groups
- Your local Health and Wellbeing Board, and Healthwatch
- Health and social care professionals who provide services for people living with neurological conditions
- Local health and social care voluntary organisations
- The Neurological Alliance

2.3 Become a Regional Neurological Alliance

A Regional Neurological Alliance (RNA) is an independent, local voluntary organisation with affiliate membership to the Neurological Alliance. All RNAs have a formal constitution and relevant insurance cover (see section 2.3.5).

Acting as an umbrella organisation, your RNA will bring together, in your designated locality, individuals and organisations with an interest in improving services for people affected by a neurological condition. RNAs are often led by people who use neurological services and their carers, but will include other members too.

Publicity and communication developed by your RNA will reflect this inclusivity and make clear it exists to benefit everyone affected by a neurological condition.

2.3.1 Benefits of Neurological Alliance regional affiliation

To officially be an RNA, your group will affiliate to the Neurological Alliance. As an affiliate member you are entitled to:

- The right to attend and vote at annual general meetings of the Neurological Alliance (each RNA has one vote and shall appoint a representative to attend and vote accordingly)
- The use of the Neurological Alliance's name and logo in accordance with the affiliate membership agreement
- Attend Regional Neurological Alliance Network meetings sponsored by the Neurological Alliance
- Nominate a representative from the Regional Neurological Alliance Network to which they belong to the Neurological Alliance regional committee which is responsible for advising on regional development and to participate in elections for this representative
- Participate in Neurological Alliance member meetings and operational group meetings
- Access to a range of resources and support provided by the Neurological Alliance, which may include:
 - A toolkit offering practical advice about managing an RNA
 - Support and advice on running an RNA
 - Training workshops
 - Website including the members only section
 - Policy briefing documents.

2.3.2 Writing your governing documents

A governing document is the formal document which sets up a charity and contains information about:

- What the charity is set up to do (objects)
- How the charity will do those things (powers)
- Who will run it (charity trustees)
- What happens if changes to the administrative provisions need to be made (amendment provision)
- What happens if the charity wishes to wind up (dissolution provision).

More information is available at the Charity Commission's [Choosing and Preparing a Governing Document \(CC22\)](#).

The Neurological Alliance has worked with the Charity Commission to develop a model constitution for regional groups who want to register as a charity with the Charity Commission as listed in their [Approved Governing Documents](#), available at www.neural.org.uk and as Appendix 1.

2.3.2.1 Who is the model constitution suitable for?

The model is suitable for groups with few liabilities, as explained in section 2.3.5, Limiting your liability. For groups who take on staff, premises or contracts to deliver services, you should consider becoming a charitable company, see section 2.3.4.

2.3.2.2 How to use the model constitution

You can adopt the model constitution with no changes. For those who want to register as a charity quickly, adopting the full model allows you to do this. Or you can adapt the model to reflect your specific needs. This may mean, however, that your charity registration takes longer and the Charity Commission may decide not to accept any changes you make, or propose they be amended.

This is your constitution and it is important that your group is happy with the model you adopt. Remember to work with your LSDO on getting the right constitution for you.

2.3.3 Now you have formed your group, you can now become charity

2.3.3.1 What is a charity?

To be a charity, an organisation must demonstrate that it has purposes that are exclusively charitable. It must also show that it provides a public benefit. The Charity Commission's [Registering as a charity \(CC21\)](#) guidelines lay out what it means to be a charity.

2.3.3.2 What are the main advantages of being a charity?

Charities:

- Can enjoy relief from some taxes
- Pay no more than 20% of normal business rates on the buildings which they use and occupy to further their charitable purposes
- Can be eligible for special VAT treatment in certain circumstances
- Are often able to raise funds more easily than non-charitable bodies
- Can formally represent, and help to meet the needs of, the community.

2.3.3.3 What are the limitations of being a charity?

There are restrictions on what charities can do, both in terms of the types of work they do, and the ways in which they can operate:

- A charity must have exclusively charitable purposes
- There are limits to the amount of lobbying activities that a charity can be involved in
- Strict rules apply to trading by charities
- Trustees are not allowed to receive financial benefits from the charity that they manage unless this is specifically authorised by the charity's governing document or by the Charity Commission
- Trustees must avoid any situation where charitable and personal interests conflict
- Charity law imposes certain financial reporting obligations, which vary depending on the size of the charity.

2.3.3.4 Registering as a charity with the Charity Commission

2.3.3.4.1 When must an organisation register as a charity?

If an organisation has exclusively charitable purposes and one or more of the following minimum requirements for registration, then it must register with the Charity Commission:

- An income of more than £5,000 a year
- The use or occupation of any land or buildings

- Assets which constitute permanent endowment, i.e. where there is a restriction on the expenditure of the capital. Normally, only the income generated from an asset can be spent on the charity's purposes, not the asset itself.

The Charity Commission will, in exceptional circumstances, consider registering a charity that does not meet these minimum requirements.

2.3.3.4.2 How do I register a charity?

You should only register your organisation if you believe that its purposes are exclusively charitable and it meets the minimum requirements for registering. Remember that your LSDO is there to help you work your way through this.

The Charity Commission only accepts online applications. [Register online](#). Before applying for charity status, the Charity Commission also recommends that you read their guidance [Application for registration: Guidance notes CC5b](#).

2.3.3.4.3 What happens after registration?

Registration leads to a number of ongoing duties and responsibilities, such as:

- Keeping your charity's accounts
- Telling the Charity Commission of any changes to your governing document
- Telling the Charity Commission of any changes to the details of your charity that appear on the Register of Charities, such as the name and address of the charity correspondent
- If your annual income or expenditure is over £10,000, you have a legal duty to send back the Annual Return issued by the Charity Commission. This should be accompanied by the charity's Accounts, Examiner's or Auditor's Report and Trustees' Annual Report.

More details on charity responsibilities are available in section 1.2.6.

2.3.3.5 Registering with HMRC

If you are unable to register with the Charity Commission because your annual turnover is likely to remain below the minimum required there are advantages in registering with HMRC. An HMRC number should be accepted by other organisations such as banks and grant funders as evidence of your charitable status. In addition it will be mean your group is able to apply for Gift Aid.

More information can be found through the [HMRC](#). We also recommend that you read the [HMRC guidance](#) on how to complete the [HMRC Charities application form](#). Remember that your LSDO is there to help you work your way through this.

2.3.3.5.1 Keeping HMRC informed of changes to your organisation

If you change your organisation's name, you must notify HMRC Charities as soon as possible using [ChV1 Charities Variations form](#).

If your management committee changes or if the bank account details change, you should notify HMRC using form [ChV1](#). It is important that you notify HMRC of any relevant changes at least one month before a claim using the new details is made. This means they can change your charity's records and make any repayment using the new details.

2.3.4 You can also become an incorporated organisation

Once your group is set up, you may wish to consider the benefits of becoming an incorporated organisation as well as a charity. A company exists as a legal person in its own right. This means it can employ staff, buy or lease property and enter into contracts. Management committee members of a company have limited liability for the group's activities as long as they comply with the law.

Companies House describes four types of company. To choose the right structure for your organisation, see the Companies House document [Incorporation and names GP1](#).

It is not possible to simply convert an existing organisation from being unincorporated to being incorporated. It is important to recognise that the process actually involves a number of steps that ultimately result in a completely new, incorporated organisation taking over the assets and activities of the old, unincorporated association. Your LSDO can support you as you apply for company status. Go to the [National Association for Voluntary and Community Action](#) (NAVCA) to find yours. Companies House also provides information and guidance on [Starting a new company](#). Remember that your LSDO is there to help you work your way through this.

Once you are clear on the process of incorporation, you can register your organisation with Companies House using form [IN01 Application to register as a company](#). Further information is available in Companies House's [Registering a New Company FAQs](#) and, if your organisation is a charity, the Charity Commission's [Incorporating an existing charity as a company - Questions and answers](#).

2.3.5 Getting the right insurance

Your management committee has a duty to protect your organisation's resources. All organisations face risks, and insurance can be an appropriate way of protecting you against any loss, damage or liability arising from these risks.

There are also certain types of activity where insurance is required by law; for example, if your organisation employs staff, you are required by law to buy employers' liability insurance, and if your group owns or operates motor vehicles, you are required by law to buy motor insurance.

2.3.5.1 Guidance for insurance requirements

As part of your membership agreement with the Neurological Alliance, you will also have to indemnify the Neurological Alliance against all losses, damages, costs or expenses and other liabilities. We recommend that the Neurological alliance is listed on your policy. Discuss with your insurance provider about using the following text:

'This policy extends to include indemnity to The Neurological Alliance, as the governing body, in the event that they are joined in any claim or proceedings for which indemnity is available under this policy arising out of accidental Injury, Damage or Nuisance which is caused by their Affiliate Member subject to the terms, conditions and limitations of this policy.'

2.3.5.2 What to consider in choosing your insurance cover

When you are thinking about taking out any type of insurance cover, you should carefully consider taking proper independent professional advice if you do not have the expertise amongst your management committee. For detailed information, the Charity Commission provides comprehensive guidance on [Charities and insurance \(CC49\)](#) and see section 2.3.5.4 for a list of recommended providers.

2.3.5.3 Types of insurance cover

Activity	Insurance needed
I have employees or volunteers	<p>Employers Liability To cover your legal liability for injury to employees, including volunteers, caused during the period of insurance, arising out of and in the course of their employment.</p>
I have business assets or property. I sell or supply goods. I hold public meetings or events	<p>Public and Products Liability To cover your legal liability for injury to the public or damage to their property, including liability arising from the sale or supply of goods and maintenance of your premises occurring during the period of insurance.</p>
I provide a professional service	<p>Professional Indemnity To cover your legal liability for costs and damages arising from any actual or alleged failure in the performance of specified professional services or breach of professional duty.</p>
My management committee makes strategic decisions	<p>Trustees Indemnity To cover costs and damages including defence and investigatory costs for which you are legally liable resulting from any 'wrongful act' committed by a trustee in that capacity, such as breach of duty or breach of trust.</p>
I have contents	<p>Contents To cover business assets including computer equipment, stock and rent payable (used in connection with your business such as computer equipment).</p>
I have computer equipment	<p>Computer Breakdown To cover repair following sudden and unforeseen breakdown of computer equipment and additional expenses for the replacement or reinstatement of data.</p>
I trust my board and employees	<p>Fidelity Guarantee To cover claims made in any one period of insurance in respect of loss of money or property arising from the dishonest or fraudulent conduct of a trustee or employee which is not reasonably recoverable from the person responsible.</p>
I send goods by parcel post, road or rail courier	<p>Goods in Transit To cover loss of or damage to your goods being transported by your vehicles or sent by parcel post or rail or road haulier.</p>
I keep petty cash or receive cash for services that are kept in my office or taken to the bank by employees or volunteers	<p>Money To cover cash on your premises and in transit to the bank and in the custody of authorised employees.</p>
I am concerned that I may incur additional costs to set up temporary premises in the event of 'damage' at my premises	<p>Business Interruption To cover additional expenditure incurred such as removal and alternative accommodation costs.</p>
I have equipment which is used away from our premises	<p>All Risks Specified Equipment To cover specified equipment which are used away from the premises e.g. laptops.</p>

This insurance cover information was given by York CVS and was originally prepared by Illingworths Insurance & Financial Services, York.

2.3.5.4 Providers of voluntary and charitable sector insurance cover

The Neurological Alliance is unable to endorse or recommend insurance services. We are happy to provide contact details for a number of insurers that specialise in providing insurance to voluntary organisations.

Access Underwriting	www.accessunderwriting.co.uk	0845 257 1355
Aon Insurance	www.charities.aon.co.uk	0845 740 2003
CaSE Insurance	www.caseinsurance.co.uk	01372 227620
Ecclesiastical Insurance Group	www.ecclesiastical.com	0845 777 3322
Illingworths Insurance and Financial Services	www.illingworths.co.uk	01904 631622
Ladbroke Insurance	www.ladbroke.co.uk	01909 565858
O'Connor & Co Insurance	www.oconnorinsurances.co.uk	01604 630003
PB Curran	www.pbcurren.co.uk	01904 436600
Simply Business Insurance	www.simplybusiness.co.uk	0845 450 9959
Tennyson Insurance	www.tennysoninsurance.co.uk	08450 822446
Towergate MIA	www.towergatemia.co.uk	01438 739 741

3 Becoming an affiliate member of the Neurological Alliance

Once you have developed your formal constitution, you are eligible to become an affiliate member of the Neurological Alliance.

To join the Neurological Alliance, read all the information available on our website:

- Read the membership application pack
- Complete the affiliate member application form
- Read the affiliate membership terms and conditions. This is a legally binding document, so make sure your group can follow the terms it sets out.
- Send your completed documents to the Alliance
- The Neurological Alliance trustees will review your application to ensure you comply with all membership requirements
- Once approved, the Neurological Alliance will inform you and send you the membership agreement for you to sign
- Now you can become an active member – network with the network of regional groups, participate in consultations, inform the Alliance of what is going on in your area, attend meetings and events and vote on AGM resolutions, such as trustee elections.

4 Where to find more help

Your LSDO can give you ongoing support as your voluntary organisation grows. Go to the [NAVCA](#) to find yours. They may be able to:

- Provide support with being a well run group
- Help you find training or support to develop your roles, improve your performance, and support you with planning a review day
- Provide information and advice on all aspects of running different meetings.
- Help you to complete the charity registration process; remember to keep a copy of everything you send to the Charity Commission. Hopefully, your application will be straightforward, but if you have any problems during registration the LSDO may be able to liaise with the Charity Commission on your behalf.
- Help you identify suitable organisations to approach for funding, although they can't help you fill in funding applications.

This guidance has been developed with support from York CVS. Guidance sheets are updated regularly, so please check you have the most recent version before copying and passing to anyone else. We hope you find it useful.

Good luck and we look forward to hearing from you.

The Neurological Alliance

Appendix 1 Charity Commission approved model constitution

[Logo]

[Name of region] Regional Neurological Alliance Constitution

1. Name

The name of the charity is [Name of region] Regional Neurological Alliance.

2. Objectives

Within the region of [Name of region], the aims of the charity are:

- a. The relief of those persons who are receiving or have received treatment for a neurological condition, and their families and carers.
- b. To advance the education of the public in all matters concerning neurological conditions.

3. Powers

The charity shall have the following powers, which may be exercised only in promoting the above objectives:

- To invite and receive funds;
- To work with other organisations at local, regional and national level;
- To promote the work of the charity and its activities;
- To hire or buy equipment or premises;
- To employ paid or unpaid staff, volunteers and advisers;
- To affiliate to the Neurological Alliance, and contribute to the regional network of Neurological Alliances;
- To advance the wellbeing of people affected by a neurological condition by ensuring they have a strong voice in all matters that affect their lives;
- To campaign, in furtherance of the objects and purposes of the charity, to improve the lives of people with a neurological condition, their families and carers;
- To do any other activity within the law that allows the charity to meet its aims and objectives.

4. Membership

4.1 Membership is open to everyone with an interest in the work of the charity.

4.2 The charity has the following categories of membership:

- Full membership
This includes voting rights (one per branch/organisation) and is open to voluntary sector and charitable organisations whose primary aim is to improve the quality of life for people affected by a neurological condition;
- Associate membership
With no voting rights, membership is open to organisations with some responsibility for the provision, commissioning or development of services for the welfare of people affected by a neurological condition;
- Full individual membership

This includes voting rights and is open to anyone diagnosed with a neurological condition or directly affected by such a diagnosis, including families, friends and carers;

- Associate individual membership
With no voting rights, membership is open to anyone not directly affected but interested in a personal or professional capacity in neurological conditions and the support of people affected by them.

4.3 Members will pay a subscription fee, which will be decided by the management committee ("the committee").

5. General meetings

5.1 The charity shall each year hold a general meeting as its annual general meeting ("AGM") to discuss the activities and management of the charity.

5.2 Annual accounts will be presented at the AGM.

5.3 Voting by members at the AGM shall be open and decided by simple majority.

5.4 Extraordinary general meetings ("EGMs") can be called to discuss urgent matters. Five voting members need to request an EGM for it to take place.

5.5 Notice of general meetings, EGMs and the AGM will be given to members at least 21 days before the meeting is to be held.

5.6 In addition to the AGM, the charity shall hold at least one other general meeting each year.

5.7 Minutes will be taken at all meetings and be distributed to the membership after the meetings.

6. Management committee

6.1 The committee is the body responsible for the management of the charity and shall meet as required but not less than four times a year. They are the trustees of the charity.

6.2 The committee will consist of at least three and no more than 15 members. Two committee members or one third of the committee, whichever is the greater, are needed at meetings for them to be quorate.

6.3 The committee has the power to co-opt other members onto the committee during the course of the year.

6.4 The committee will be elected by members at the AGM every year. In their first meeting following the AGM the committee will appoint its own chair, treasurer and secretary.

6.5 A committee member can step down at any general meeting if they give at least 21 days notice that they intend to leave.

6.6 Committee members can step down temporarily during periods of ill health or caring responsibility and come back automatically without re-election with the agreement of the chair.

6.7 If a committee member fails to attend three consecutive meetings without giving apologies, the charity will take this as their resignation.

7. Finances

7.1 The income and property shall be applied solely towards the promotion of the objectives of the charity as set forth in the constitution and no proportion of them shall be paid or transferred directly or indirectly by way of profits to members of the charity.

7.2 This provision shall not prevent the payment in good faith by the charity of out of pocket expenses reasonably and properly incurred on behalf of the charity if required by volunteers, employees, and members of the charity.

7.3 The charity will have a bank account in the name of [Name of region] Regional Neurological Alliance. The account will have a minimum of three signatories, two of which will be required to authorise payments and sign cheques. These two people must not be related or living together.

8. Dissolution

8.1 If the members resolve to dissolve the charity the committee will remain in office and be responsible for winding up the affairs of the charity in accordance with this clause.

8.2 The committee must collect in all the assets of the charity and must pay or make provision for all the liabilities of the charity.

8.3 The committee must apply any remaining property or money:

- a. Directly for the objects;
- b. By transfer to any charity or charities for purposes the same as or similar to the charity;
- c. In such other manner as the Charity Commissioners for England and Wales ("the Commission") may approve in writing in advance.

8.4 The members may pass a resolution before or at the same time as the resolution to dissolve the charity specifying the manner in which the committee are to apply the remaining property or assets of the charity and the committee must comply with the resolution if it is consistent with paragraphs (a) - (c) inclusive in sub-clause (3) above.

8.5 In no circumstances shall the net assets of the charity be paid to or distributed among the members of the charity (except to a member that is itself a charity).

8.6 The committee must notify the Commission promptly that the charity has been dissolved. If the committee members are obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send to the Commission the charity's final accounts.

9 Amendments.

9.1 Clauses 1, 2, 7, 8 and 9 of this constitution may only be amended provided that:

- a. No amendment may be made that would have the effect of making the charity cease to be a charity at law;
 - b. No amendment may be made to alter the objects if the change would not be within the reasonable contemplation of the members of or donors to the charity;
 - c. No amendment may be made to clause 7 without the prior written consent of the Commission;
 - d. Any resolution to amend any of the above-mentioned clauses in this constitution is passed by not less than two thirds of the members present and voting at a general meeting.
- 9.2 Any other clause in this constitution may be amended, provided that any such amendment is made by resolution passed by a simple majority of the members present and voting at a general meeting.
- 9.3 A copy of any resolution amending this constitution must be sent to the Commission within 21 days of it being passed.

10. Adoption of the constitution

This constitution was adopted by the members present at the meeting held on:

Date:

Committee member 1

Name: Signature:

Committee member 2

Name: Signature: