



# Pre-school Governance

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## Interested in Finding out about Pre-school Governance?



Want to learn more about being a preschool committee member in Buckinghamshire?

Discover all you need to know in this committee information pack.

If you require additional support and guidance, please do not hesitate to contact a member of the Early Years Service on 01296 387111 or email [earlyyears@buckinghamshire.gov.uk](mailto:earlyyears@buckinghamshire.gov.uk)



## What is a Committee-run Preschool?

Some preschools are owned by 'sole traders' who own and manage their individual business however, many pre-schools are run by a group of people, often parents and members of the local community who together form a committee. Parents and carers who support their child's pre-school, particularly as committee members, are vital to its success.

The committee is responsible for ensuring the provision runs safely, efficiently and legally. Committee members have a crucial role in managing the pre-school, by ensuring it meets the needs of the children and other parents and carers who use it. By being a member of the committee you, as a parent or carer, are in an ideal position to help make this happen. There are a few restrictions, but generally, any parent or carer of a child who attends the pre-school can offer to be on the committee.

Committees need members with a variety of skills and experience such as; enjoying working as part of a team and essentially, being enthusiastic with a little time to offer. Support and training are available through Buckinghamshire Council Early Years Service. As a committee member you can make a valuable contribution to your child's preschool, have the opportunity to meet others, have fun and expand your skills.

If you are interested in joining your local preschool committee do chat to one of the current committee members. Your local preschool manager will be able to tell you who they are and explain about it a little more.

## Is being a committee member right for me?

There are a few questions that you need to consider before deciding whether to become a committee member:

- Do you have a little time that you can provide to support your local pre-school?
- Do you have enthusiasm and willingness to work as a part of a team?
- Do you have any key skills that you could offer – it does not matter if you do not, your opinion will always be valued.
- Are you willing to have a Disclosure & Barring Service (DBS) check to ensure your suitability and provide Ofsted with a few details about yourself?
- Are you able to put aside a little time for training as a committee member?
- Would you like to extend your current skills and expertise and learn new skills that may support a future change in employment?

If so, then you may be just the person that your local pre-school is looking for.

## **Do I need to complete a training course to be able to be a preschool committee member?**

Here in Buckinghamshire we offer information and support to help you in your new role. Generally, there is no need to attend specific courses although you may decide that it would be useful. New committee members will have an induction into their new role covering aspects such as Data Protection, Child Protection and Safeguarding, and the roles and responsibilities of being a committee member. This will probably be supported by the manager and chairperson of the committee. If you have a specific role such as Treasurer, Secretary or Chairperson, then you may wish to access some additional support.

Buckinghamshire Council Early Years Service has provided a number of video clips that you can watch in your own time that will support you in understanding your role. To view these YouTube clips go to the [Early Years website](#). Alongside this, we also offer Networking opportunities and meetings that you may wish to attend to receive the most up to date information about changes in the childcare environment. To find out about the dates of the networking groups go to the [Early Years website](#)

If you are willing to become the designated safeguarding officer on the committee there are courses available. Please go to the [Early Years Training portal](#) to find details of those you can undertake. All committee members should understand [Prevent Duty](#) through e-learning. To access a course, please go to the [Buckinghamshire Safeguarding Children Partnership](#).

## What are the different types of committees?

Within Buckinghamshire, we have committee-run pre-schools operating in 3 different ways. For each one, the committee makes up the 'Registered Person' for Ofsted purposes and as a committee must ensure that all legal requirements are met. Go to the [Ofsted website](#) for further information.

1. Committee – run unincorporated organisations (not charitable)
  - a. Usually not-for-profit organisations who are not registered with the Charities Commission
2. Charitable pre-school committees; registered with the Charities Commission
  - a. Charitable organisations
  - b. Able to access certain grants & financial incentives only offered to charities
  - c. Non-profit-making; profits are used to the benefit of the preschool
  - d. Insurance needs to be taken out to prevent personal liability of the committee members/trustees should the preschool become financially unstable
3. Charitable Incorporated Organisations (CIO)
  - a. Registered with the Charities Commission
  - b. Able to access certain grants & financial incentives only offered to charities
  - c. Non profit-making; profits are used to the benefit of the preschool
  - d. The members and trustees are usually personally protected from the financial and contractual liabilities incurred by the charity

For further information go to the [Charities Commission website](#)

## What are the different roles within a committee and what do they do?

The majority of committees have a minimum of a Chairperson, Secretary and Treasurer who are the 'officers' with others who are voted onto the committee being members. All may be called members or Trustees.

- A member of the committee (usually the Chairperson) will support the manager through regular supervisions and an annual appraisal to ensure that they fulfil the management roles and responsibilities.
- A member of the committee will be responsible for ensuring that Safeguarding requirements are followed and would be required to liaise with Buckinghamshire Council Social Care should there be any allegations made against any of the staff within the setting. Go to the [BSCP website](#) for further information. They may also take a lead on the committee in ensuring safer recruitment of staff (go to the [BSCP website](#) to find out more) and must ensure the checking of new committee members (go to [DBS checks via Ofsted](#))
- Liaise with Ofsted – the committee, as a whole, is the 'registered person' with Ofsted, taking overall responsibility for ensuring all legal requirements are met. This includes those set by DfE, HMRC and the Charities Commission, as well as Data Protection and other legislation. One person on the committee, often the Chairperson, is the 'nominated individual' with Ofsted and receives and provides communication between Ofsted, the rest of the committee and the preschool.
- Data Protection – a member of the committee, sometimes the Treasurer, will be responsible for ensuring that the preschool is registered with the Information Commissioners Office (ICO) and that data protection requirements are met. Go to the [ICO website](#) for information
- The Secretary will ensure that communication between committee members is effective. They will arrange committee meetings, collate the minutes and reports from the other officers, and ensure that regular meetings, Annual General Meetings (AGM) or Extraordinary General Meetings (EGM) are held appropriately, fulfilling the requirements of the preschool's constitution.
- The Treasurer is responsible for the finances of the preschool. This will include budgeting and cash-flow forecasts, maintaining records of Early Years Funding Entitlement and other grants, income and expenditure. The Treasurer will ensure that as well as the day to day and monthly expenditures, annual subscriptions such as Ofsted, ICO, insurances etc are paid, and will report on the budget at committee meetings.
- The Chairperson leads the meetings and takes overall responsibility for the committee. However, they work with the support of all the other members.
- The roles of the Chairperson, Secretary & Treasurer are more fully described on our [website](#)

## Who is Ofsted and what do they do?

Ofsted is the Office for Standards in Education, Children's Services and Skills. It regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. Since 2001 it has had a legal duty to inspect all early education, group childcare and childminding settings that provide care for children under eight for more than two hours a day. This means that settings have to show how each individual child is learning through high quality play, that is tailored to them, as required by the Early Years Foundation Stage (EYFS). They also need to prove that they are keeping children healthy and safe (known as the Welfare Requirements). Go to the [Ofsted website](#) for all information about registration and regulation

## What is the difference between the Ofsted registers?

- The Early Years Register is for those who look after children from birth to 31 August after their fifth birthday
- The compulsory part of the Childcare Register is for those who look after children aged five to a child's eighth birthday
- Registration on both is required for those who look after all ages up to age eight.
- If you are caring for children aged eight and over, or you are a nanny, you can register on the voluntary part only of the Childcare Register
- Those childcare settings registered on the Early Years Register must meet the requirements of the EYFS, whilst those who are registered on the childcare register must meet those requirements. Go to the Foundation Years website for more information about [EYFS](#) and to the [Ofsted website](#) for the conditions of the childcare register.

## What is The Early Years Foundation Stage (EYFS)?

The Early Years Foundation Stage (EYFS) sets standards for the learning, development and care of children from birth to 5 years old. All schools and Ofsted-registered early years providers must follow the EYFS, including childminders, preschools, nurseries and school reception classes.

The EYFS supports an integrated approach to early learning and care. It gives all professionals a set of common principles and commitments to deliver quality early education and childcare experiences to all children.

As well as being the core document for all professionals working in the foundation years, the EYFS framework gives parents/carers confidence that regardless of where they choose for their child's early education, they can be assured that the same statutory commitments and principles will underpin their child's learning and development experience. If you are also caring for children from 1<sup>st</sup> September following their 5<sup>th</sup> birthday up to their 8<sup>th</sup> birthday, you will also need to meet the requirements of the Compulsory part of the Childcare Register

## What is Early Years Funding Entitlement?

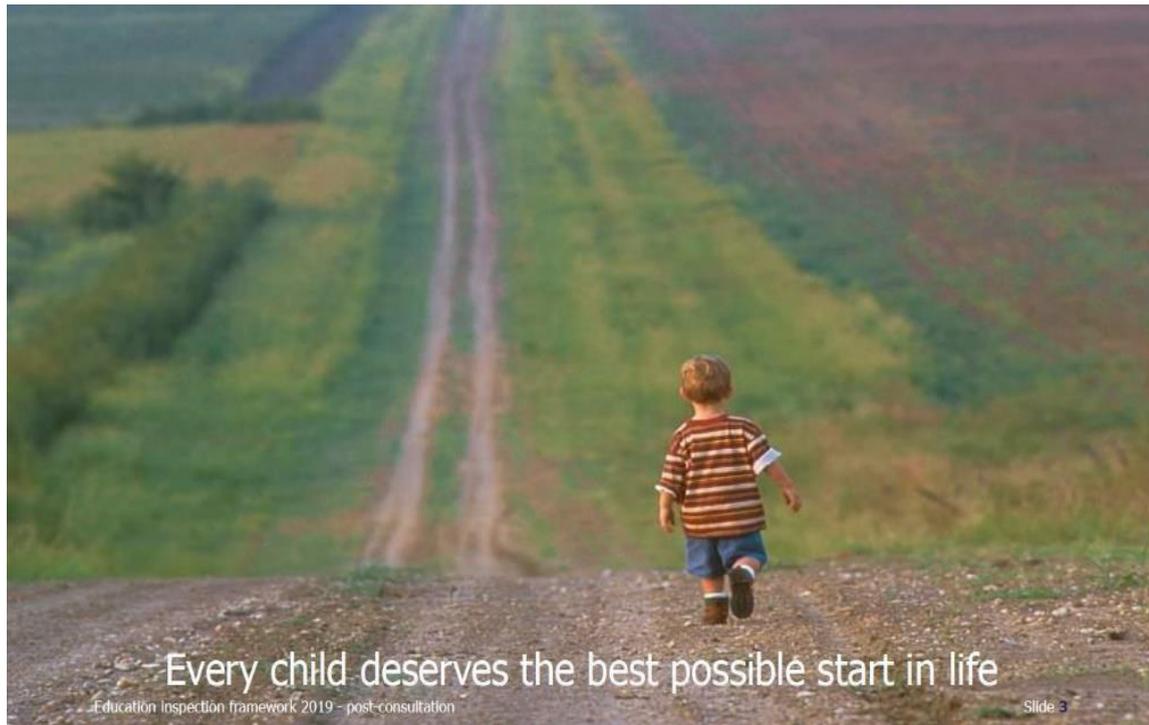
- **Funded childcare for 2-year olds**  
2-Year-old Funding is a government scheme designed to provide 15 hours of funded childcare to vulnerable or low-income families who have a child who is 2 years old.
- **Funded childcare for 3- and 4-year olds (15 hours)**  
All children are entitled to attend a funded part-time early education place from the term after their third birthday until they start school. Childcare can be offered by private, independent and voluntary providers as well as childminders and schools.
- **Extended Funded Entitlement (30 hours)** - the Extended Funded Entitlement for working parents of 3 & 4-year-olds provides eligible parents with a total of 30 hours of funded childcare per week, over 38 weeks or the equivalent number of hours across more weeks per year.

Go to the [Early Years website](#) for further information.

## Information Commissioners Office (ICO)

The ICO is the UK's independent public body set up to promote access to official information and protect personal information. The ICO enforces and oversees the Data Protection Act.

For further information you can call the ICO on **0303 123 1113** or go to the ICO [website](#)



## Committees – Frequently Asked Questions

### Starting Up

#### 1. Setting up a committee – how do we do it?

The government website has very useful guidance relating to different charity types and structures. Go to <https://www.gov.uk/guidance/charity-types-how-to-choose-a-structure>. As this will be the best place to start. You may also wish to read about setting up other types of business by visiting the [Government website](#) Once you have decided on the type of business you wish to operate, you could contact Buckinghamshire Early Years Business and Finance Advisors who will be pleased to talk you through the next steps

#### 2. What is a constitution? How do you get one?

A constitution is the governing document for the committee, explaining how it should operate. [Go to the Government website for a model constitution](#), and to the [Early Years Alliance](#) website for more information. There are documents to help support with this which can be purchased from their website, if you are a member.

#### 3. Roles of officers – what are they and how many do we need?

This will be stated in the constitution. There is normally a Treasurer, Secretary and Chairperson, with usually at least 2 others but, often there can be more. In addition to the officers, there will also be members or trustees, usually parents of children attending the pre-school but can be made up of other members of the community depending on the requirements of the constitution.

### General issues

#### 4. What if there are no committee members and no-one will join?

The Committee is the registered person for the purposes of Ofsted registration – the setting cannot remain registered without a committee and so the Committee Members cannot all resign without others being elected.

#### 5. How do you resign from a committee?

If you are one of the Officers (Secretary, Treasurer, Chairperson) you cannot resign without someone being elected into your place. This would normally happen at the AGM / EGM and formal written notice will be required. Check your constitution for the correct process for your committee.

**6. Is there any personal liability to becoming a committee member?**

As a committee member you form part of the ownership of a committee-run pre-school. You have personal liability for any financial and contractual liabilities for the pre-school. Insurance can be taken out by the pre-school committee to mitigate this. It is suggested that 3 months running costs are always held in reserves. If you are also a registered provider with Ofsted in another registration (such as a childminder) an 'Inadequate' judgment, especially should it lead to suspension or closure of the pre-school may also have an impact on your other registration.

**7. I'm new onto a committee what do I have to do first?**

All new committee members must ensure that Ofsted is aware that they have been voted onto the committee. The Ofsted 'Nominated Individual' will do this, using an on-line form – you can go to the [Ofsted website](#) to access this. As a new committee member you will need to complete a DBS application by going through the [Ofsted portal](#) and also go to the [Ofsted website](#) to complete an on-line EY2 form

**8. How often should committee meetings be held?**

This is determined by the constitution (governing document), but normally termly or half termly depending on need

**9. How often is an AGM?**

Annually

**10. How many do you need for a Quorum? What is a Quorum?**

A quorum is the minimum number of committee members required to vote on any issues. The number required to make up a quorum is specified in the constitution

**11. What are the differences between a Committee –run pre-school, a charitable committee & CIO?**

Go to the [Government website](#) to gain considerable information about different charitable structures and the benefits of each. A pre-school can be run by committee but not registered as a charity (charitable status can give some financial benefits)

**12. How many do you need in a committee?**

Secretary, Treasurer and Chairperson and however many more that are stipulated in the constitution

### **13. Can a staff member be on a committee? Do they have voting rights? Could there be a conflict of interest?**

This is determined by the constitution. If they are able to be on the committee they would need to declare a conflict of interest over some issues and abstain from voting (e.g. pay)

### **14. What training is available for committees?**

Whole committee training is hopefully to be provided as needed through the Early Years (EY) internal training programme, and other management training courses will be within the EY Service training guide. Some additional safeguarding training relating for example to Prevent Duty and FGM (Female Genital Mutilation) is available on-line through the Buckinghamshire Safeguarding Children Partnership, if you go to [BSCP](#). There are also a range of you-tube clips that will be valuable that are specified at the bottom of this information sheet

### **15. What is the difference between the AGM & an EGM?**

- AGM - Annual General Meeting: held at the same time each year.
- EGM - Extraordinary General Meeting : held when significant and urgent decisions have to be made at short notice. Both meetings are held openly with all members invited whether or not they are on the management committee (eg a parent of each child in pre-school normally has a voting right at these meetings). Details are specified within the constitution.

## **Conversion to Charitable Incorporated Organisation (CIO)**

### **16. What do we do if we want to convert to CIO?**

Full instructions are available when you go to the [Government website](#). You will also need to apply for a new registration with Ofsted and ensure that new funding applications are completed to enable you to continue to offer the funding entitlement to 2, 3 and 4-year olds. Do get in touch with your Key Contact or the Early Years Business & Finance Advisors

### **17. Who can help?**

Your Buckinghamshire Early Years Key Contact will put you in touch with our Early Years Business & Finance Advisors initially then the Consultant with expertise in committees will be able to support. If you have membership go to the [Early Years Alliance](#) website, their HR department will be able to help with the process. Remember that this will be a change in ownership and rules of TUPE apply.

## **18. What are the benefits?**

The members and trustees are usually personally protected from the financial and contractual liabilities incurred by the charity – this is not the case for an unincorporated charity. However insurance can be taken out to solve this

## **19. If we change from our charitable organisation to CIO what happens to our Ofsted registration?**

A new Ofsted registration will be required as well as a new funding application completed for the Funded Entitlement with Buckinghamshire, and go to [Tax-Free Childcare](#) for information about registration with HMRC

## **20. What happens to our Ofsted grade?**

The old registration will still show on the Ofsted website as 'closed'. The new registration will be un-graded for up to 30 months until first inspection. You cannot continue to advertise as 'Good' or 'Outstanding' once the old registration is closed but can refer to the fact that it was in the past.

## **Closing a committee-run setting**

### **21. How do you close a committee – run setting? We haven't got enough money to stay sustainable, we are going to have to close, what do we have to do? Is there any money available?**

If you are concerned about finances always firstly complete a 2-year budget forecast, consider the business model you are using, whether your marketing could be improved and complete a SWOT analysis. Once this has been done get in touch with the Buckinghamshire Early Years Business and Finance Advisor via your Key Contact. There may be some grant funding available, but if not, our advisors will always consider your business plan and may be able to provide ideas to help you maintain sustainability.

### **22. What if it's also a charity?**

First complete the steps above

### **23. How do you wind up a charity?**

Full details are available. Go to the [Charities Commission website](#)

### **24. We want to close the pre-school but what do we do with the money & resources? Does it all belong to the committee members?**

If it is a charity you must first go to the [Charities Commission website](#). Disposal of assets will depend on the constitution of the charity. If the pre-school is using an Early Years Alliance / Pre-school Learning Alliance constitution normally assets are released to other

local charities who are operating in a similar way, for example another pre-school – refer to Early Years Alliance

**25. Is there anything else we need to do?**

If there is no way the preschool can remain sustainable then the Early Years Service funding team must be made aware, and once the business has been wound up officially the Ofsted registration must be resigned.

## Further sources of information and support

There are a number of YouTube clips that you may find useful for additional information, these include:

- Governance of a Committee-run Preschool Part 1: Governance & Ofsted: Buckinghamshire Council Early Years

Go to <https://www.youtube.com/watch?v=RrGGve33wnw&feature=youtu.be>

- Governance of a Committee-run Preschool Part 2: Roles and Responsibilities: Buckinghamshire Council Early Years

Go to: <https://www.youtube.com/watch?v=YPnDFMCGPdQ&feature=youtu.be>

- Governance of a Committee-run Preschool Part 3: Recruiting new Committee Members: Buckinghamshire Council Early Years

Go to: <https://www.youtube.com/watch?v=PgUHsYaRAC4&feature=youtu.be>

- How to set up a charity:

Go to [https://www.youtube.com/watch?v=iYi\\_hachlgo](https://www.youtube.com/watch?v=iYi_hachlgo): Charity Commission

- How to register a charity webinar: Regulator of Community Interest Companies

Go to <https://www.youtube.com/watch?v=5n-gn9PlogY>

- Exploring the chairs role in Governance: Charity Commission

Go to <https://www.youtube.com/watch?v=IIPFZz5HTxw>

- The Essential Trustee: Charity Commission

Go to <https://www.youtube.com/watch?v=5iW0tW42mck>

- Changing your charity structure: Charity Commission

Go to <https://www.youtube.com/watch?v=HI3ONGy3yds>

- Charity Welcome Pack: Charity commission

Go to <https://www.youtube.com/watch?v=aAOtCLlr6BM>

- Apply to register if you are connected with a childcare or daycare setting: Ofsted

Go to <https://www.youtube.com/watch?v=eaa0Jh55WSg>

- Apply to register a nursery or other daycare setting: Ofsted

Go to [https://www.youtube.com/watch?v=oP-qSD\\_gzsA](https://www.youtube.com/watch?v=oP-qSD_gzsA)

## **Other Support**

- All areas of support for Early Years Childcare Providers in Buckinghamshire:

Go to [Buckinghamshire Council Early Years Service](#)

- Government Website providing information relating to all types of business including charities:

Go to [The Charities Commission - Gov.uk](#)

- The Early Years Alliance providing support and information particularly to preschools:

Go to [Early Years Alliance](#)

- Free impartial advice on workplace rights, rules and best practice as well as free on-line training for employers and employees:

Go to [ACAS](#)

- Support for new and growing businesses across Buckinghamshire providing knowledge, support and opportunities for growth:

Go to [Buckinghamshire Business First](#)