

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	CSCPC/13/3
MEETING	COMMUNITY SAFETY & CORPORATE PLANNING COMMITTEE
DATE OF MEETING	19 JUNE 2012
SUBJECT OF REPORT	SAFE SOUTH WEST UPDATE AND APPOINTMENT OF TRUSTEES
LEAD OFFICER	DIRECTOR OF SERVICE SUPPORT
RECOMMENDATIONS	<p>(a) That the Authority be recommended to approve the appointment of the Chair and Vice Chair of Community Safety and Corporate Planning Committee as Ex Officio Trustees for SAFE South West, with the Charity Commission then being notified accordingly;</p> <p>(b) That, subject to (a) above, the report be noted.</p>
EXECUTIVE SUMMARY	<p>On 5 October 2012, it was agreed by Community Safety and Corporate Planning Committee that a recommendation to establish a charitable arm and employ a fundraising post be taken to the Fire and Rescue Authority. On 5 November 2012, the recommendation was agreed by the Fire and Rescue Authority.</p> <p>The application for the establishment of SAFE South West is in progress and is likely to be approved for charitable status late July. The initial application to the Charity Commission has been made with a board of trustees established from senior Community Safety Officers. To ensure the community is represented by the charity SAFE South West would like to offer the opportunity for two Fire and Rescue Authority Members to sit on the board of trustees.</p>
RESOURCE IMPLICATIONS	None
EQUALITY IMPACT ASSESSMENT	None
APPENDICES	None
LIST OF BACKGROUND PAPERS	<p>Report to the Community Safety and Corporate Planning Committee on 5 October 2012 - CSCPC/12/3 (Minute CSCPC/14 refers)</p> <p>Fire Authority - 5 November 2012 (Minute DSFRA/35 refers)</p>

1. **BACKGROUND**

- 1.1 Against the backdrop of diminishing funding to support Community Safety across both the public sector and through partnership sources, the Community Safety Department looked to alternative funding models. With some exceptions, such as Job Centre Plus, the Authority has had limited success in securing external funding to support Community Safety activities. However, limited capacity within existing staff, a lack of fundraising expertise and the status of the Authority as a statutory body were inhibiting opportunities to access external funding.
- 1.2 Research identified that opportunity existed to develop a charitable arm of the service. By employing a fundraising officer the service could support and develop the delivery of Community Safety in a cost effective and sustainable way.
- 1.3 On 5 October 2012, it was agreed by Community Safety and Corporate Planning Committee that a recommendation to establish a charitable arm and employ a fundraising post be taken to Fire Authority. On 5 November 2012 the recommendation was agreed by Fire Authority.

2. **UPDATE**

- 2.1 The Charity Constitution has been complete and agreed with the DSFRA solicitor. As approved by DSFRA, the constitution is for a Charitable Incorporated Organisation (CIO). The constitution along with the trustee declaration is in the process of being submitted to the Charity Commission (CC) which will take up to 40 working days to approve the application for CIO status.
- 2.2 As part of its constitution the charity must set its 'Objects' in order to establish its charitable principle, these have been set as:
- To promote, for the benefit of the public, the efficiency of the delivery of community safety.
 - To educate the community by fostering their awareness of safety issues in everyday life.
 - To promote good citizenship and greater public participation for the safety and resilience of the local community.
 - To develop the capacity and skills of local communities in such a way that they are better able to identify, and help meet their needs and to participate more fully in the safety and resilience of their community.
- 2.3 Initial work was undertaken to establish the potential for partnership appetite to sit on the board of trustees. Although time consuming this work has engaged partners with the creation of the charity. After consultation with these partners it has been decided to establish the board of trustees from within DSFRS whilst maintaining contact with partners to provide details of the charities progress. The partners contacted were Devon County Council, Plymouth City Council, Somerset County Council, Torbay Council, Avon and Somerset Police Constabulary, Devon and Cornwall Police, and the South West Forum (an umbrella organisation for the voluntary sector).

- 2.4 In order to make an application to the CC, a bank account has been opened with Unity Trust Bank (an ethical Bank) and a loan transferred from the DSFRA accounts as agreed by the Committee at its meeting on 5 October 2012 (Minute CSCPC/14 refers) . The loan will initially allow SAFE South West to register with the Charity Commission, then will be used as 'match funding'. Occasionally funding boards will only give grants where the charity can partially or fully match the amount given by the funding boards. This initial investment will open up additional grants to SAFE South West.
- 2.5 A successful recruitment process was undertaken to employ a Charity Co-ordinator with a substantial background in the voluntary sector. This person is now in post and has started work to support the establishment of the charity and research some initial sources of funding. The post has been appointed on a fixed term contract for 2013/14; the post will initially be reviewed on an annual basis against the success of the charity. It is anticipated that the initial investment into the salary of the post will be offset by the amount of additional funding generated by the post.
- 2.6 The brand name of 'SAFE South West' (Safety, Advice, Funding & Education) has been chosen for the charity after engagement and feedback from the networks established by the DSFRS Officer for the Voluntary Sector
- 2.7 Whilst the application is being considered by the CC work will now be undertaken to create a brand and complimenting webpages, complete paperwork for some initial funding applications and prepare for an official launch.

3. **COMPOSITION OF THE BOARD OF TRUSTEES**

- 3.1 The CC provides a wide range of information and advice regarding the role of Trustees, number of Trustees, appointment etc. However, in the main this is advice and each charity has considerable discretion regarding the number of Trustees, period for which they are appointed and the overall composition of the Board. All of this is set within a framework which includes some overall legal obligations e.g. ensuring the charity complies with charity law, remains solvent and that they act with integrity. The CC advocates establishing a Board of Trustees that is manageable in size, a minimum of 3 and a likely maximum of 9 members that have the necessary skills and knowledge to promote trust and can communicate with the communities we serve. Whilst the initial setting up of the Board is an important step, it should be remembered that the composition can be changed (by the Trustees) to reflect experience gained by and the development of the charity, the changing needs of the charity and of local communities.
- 3.2 Initially it is felt that the Board of Trustees should be appointed from within the Service and Authority. As stated above, if at a future date it is considered sensible to widen representation / bring in new skills e.g. financial expertise, then this can be done.
- 3.3 The Trustees will be Ex Officio these means they are appointed by the role they hold within an organisation. When they are appointed to that role as part of an organisation they will automatically qualify as trustee. When they are appointed to that role they can decline in writing and that space will remain vacant on the board of trustees until they leave that role and a new person is appointed.

- 3.4 The initial application to the CC has been made with the following Ex Officio Trustees;
- ACFO Director of Service Delivery Support (Chairman)
 - Area Manager Community Safety (Clerk)
 - Group Manager Community Safety Prevention
 - Community and Workplace Equalities Manager
- 3.5 To ensure the community is represented by the charity room has been left for two Authority Members to join the board of trustees, again as Ex Officio posts. At this stage it is proposed that this should be the Chair and Vice Chair for Community Safety and Corporate Planning Committee.
- 3.6 It is important that Area Commands with a responsibility for service delivery are linked to the charity. However, to maintain an effective Trustee Board (as detailed in 2.1) Area Commands will be represented along with Community Safety Managers based at SHQ on a sub-committee which will focus on project delivery. This will free trustees to focus solely on the governance alongside financial legislative requirements of the charity.

TREVOR STRATFORD
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