Governance Resources Part 2 – Organisational/Legal Structures

A package of governance resources to help you review and strengthen your organisational structure.

Have you ensured that everyone involved in managing your setting is adequately protected? We support all types of settings such as voluntary, private and school run settings. This package of resources sets out how you can review and strengthen your organisational structure, including providing greater protection to committee members and owners by limiting personal liability.

This supports our 'Governance Resources Part 1 – Building Business Strength and Resilience' for information on template policies and procedures, business skills support and child led resources.

For direct access to all resources listed below, please log into the members area of the website and open this document. Become a member (free until March 2022) and access all these resources for free.

Organisational/Legal Structure	You must choose the right legal structure to suit your childcare business and this defines your legal responsibilities. For example, an organisation might be unincorporated, or 'a company', and might have other legally defined characteristics such as being a charity. 1. Be clear about what type of organisation you want to run as it will affect: • the way management decisions are made; • the ways you can raise money; • your financial liability if the business runs into trouble; • which authorities you have to notify; • the tax and National Insurance that you pay and; • the records and accounts that you have to keep. 2. You may also want to think about how and why your organisation was set up originally; how it is working now; where is/what is your governing document; how many people you employ; whether you have contracts e.g. lease agreement or grant and; whether you are a charity. 3. Your Childcare Business Development Officer (CBDO) can help you review your legal structure and a good place for you to start is to complete the Out of School Childcare Assessment (google.com) (OSCA), particularly Section 3. 4. Section 3 of Stepping Out Stepping Out Cym 2020.pdf (clybiauplantcymru.org) gives an overview of the different structures Out of School Clubs can adopt for private and voluntary groups and your CBDO has access to more support resources such as 'Getting It Right Legally'.
Private Settings: Organisational /Legal Structure	We have information on: • Becoming a Limited Liability Partnership (LLP) • Private Partnerships- The importance of a strong agreement.

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Company limited by guarantee / Cwmni cyfyngedig drwy warant 4296436. Registered charity / Elusen Gofrestredig 1093260.

	• Becoming a Community Interest Company Further resources on becoming a limited company and to support sole traders to implement robust management processes are currently in development – keep an eye on our facebook page and on the our website's members' area for more information!
Voluntary Management Committees: Responsibilities	Would you like to find out more about the roles and responsibilities of running a Club? • Responsibilities of Voluntary Managaement Committees; • Section 3 of Stepping Out on our website's members' area provides practical guidance for voluntary management committees; • Step 12 includes specific committee role descriptions which is a useful tool for both new and existing committee members alike.
Voluntary Management Committees: Organisational/Legal Structure	Have you ensured that everyone involved is fully protected? Voluntary run Clubs that set up as incorporated organisations e.g. **Charitable Incorporated Organisations** (CIOs) offer greater protection to committee members as they limit their personal liability for any debts of the Club. There are also lots of other benefits such as reduced business rates, tax relief and access to more grants and funding. • Benefits of Becoming a CIO/Protecting Committee Members • Read our blog on becoming a Charitable Incorporated Organisation • If you are ready to make the switch you can access a pre-recorded webinar on the detailed steps involved in becoming a CIO by emailing webinar@clybiauplantcymru.org. Clybiau Plant Cymru Kids' Clubs can help you review your structure and have resources to take you through the steps involved in becoming a CIO which offers greater protection for volunteers running your club.
Voluntary Management Committees: Recruitment	A well governed setting needs sufficient numbers of engaged committee members as well as volunteers to fill the key roles of Chairperson, Treasurer and Secretary and more. Successful recruitment of members is crucial. • Top Tips for Committee recruitment • Committee recruitment – template letter to local businesses • Committee recruitment – template letter for community

Don't forget our staff are here to help you. Contact your local office and one of our staff will be in touch.
Keep smiling, keep playing #Diolch!
Cardiff Office:info@clybiauplantcymru.org
Colwyn Bay Office: info-nw@clybiauplantcymru.org
Cross Hands Office: info-ww@clybiauplantcymru.org

Adnoddau Llywodraethiad Rhan 2 -Strwythurau Trefniadol/Cyfreithiol

Pecyn o adnoddau ar lywodraethiad i'ch helpu i adolygu a chryfhau eich strwythur trefniadol

A ydych wedi sicrhau bod pawb sydd ynglŷn â rheoli eich lleoliad wedi'u diogelu'n ddigonol? Rydym yn cefnogi pob math o leoliadau megis lleoliadau gwirfoddol, rhai preifat a rhai wedi'u rhedeg gan ysgolion. Mae'r pecyn hwn o adnoddau'n gosod i lawr sut y gallwch adolygu a chryfhau eich strwythur trefniadol, yn cynnwys rhoi mwy o ddiogelwch i aelodau pwyllgorau a pherchnogion drwy gyfyngu ar atebolrwydd personol.

Mae hyn yn cefnogi ein 'Adnoddau Llywodraethu Rhan 1 – Meithrin Cryfder a Gwydnwch Busnesau' lle cewch wybodaeth ar bolisïau a gweithdrefnau templed, cefnogaeth sgiliau busnes ac adnoddau o dan arweiniad plant.

I gyrchu'r holl adnoddau a restrir uchod yn uniongyrchol, mewngofnodwch i ardal aelodau'r wefan ac agorwch y ddogfen yma. Dowch yn aelod (am ddim hyd at Fawrth 2022) a chewch gyrchu'r holl adnoddau hyn yn ddi-dâl.

Strwythur Trefniadol/Cyfreithiol	Rhaid i chi ddewis y strwythur cyfreithiol cywir sy'n addas i'ch busnes gofal plant, ac mae hyn yn diffinio'ch cyfrifoldebau cyfreithiol. Er enghraifft, efallai y byddai'ch sefydliad yn un anghorfforedig, neu'n 'gwmni', ac efallai y bydd ganddo nodweddion eraill wedi'u diffinio'n gyfreithiol, megis bod yn elusen. 1. Byddwch yn glir ynghylch y math o sefydliad yr ydych am ei redeg gan y bydd hyn yn effeithio ar: • y ffordd y gwneir penderfyniadau rheoli; • y ffyrdd y gallwch godi arian; • eich cyfrifoldeb ariannol os yw'r busnes yn mynd i drafferthion; • pa awdurdodau y mae'n rhaid i chi eu hysbysu; • y dreth a'r Yswiriant Gwladol yr ydych yn eu talu, a'r • cofnodion a'r cyfrifon y mae'n rhaid i chi eu cadw. 2. Hefyd efallai y byddech am ystyried sut a pham y ffurfiwyd eich sefydliad yn y lle cyntaf; sut y mae'n gweithio yn awr, ym mhle mae/beth yw eich dogfen lywodraethol, faint o bobl yr ydych yn eu cyflogi; a ph'un a ydych yn elusen ai peidio. 3. Gall eich Swyddog Datblygu Busnesau Gofal Plant (SDBG) eich helpu i adolygu eich strwythur cyfreithiol, a lle da i chi ddechrau fyddai i gwblhau'r Asesiad Gofal Plant Allysgol (google.com) (AGPA), yn enwedig Adran 3. 4. Mae Adran 3 o Camu Allan (clybiauplantcymru.org) yn rhoi trosolwg o'r gwahanol strwythurau y gall Clybiau Allysgol eu mabwysiadu ar gyfer grwpiau preifat a gwirfoddol, ac mae gan eich SDBG fynediad at fwy o adnoddau cefnogi megis 'Ei Chael Hi'n Iawn yn Gyfreithiol'.
Lleoliadau Preifat: Strwythur Trefniadol/Cyfreithiol:	Mae gennym wybodaeth ar: • Ddod yn Bartneriaeth Atebolrwydd Cyfyngedig (PAC)

	• Partneriaethau Preifat - Pwysigrwydd cytundeb cryf • Dod yn Gwmi Budd Cymunedol Mae adnoddau pellach ar ddod yn gwmni cyfyngedig, ac er mwyn cefnogi masnachwyr unigol i roi prosesau rheoli cadarn ar waith, yn cael eu datblygu ar hyn o bryd – am fwy o wybodaeth, cadwch lygad ar ein tudalen facebook ac yn ardal aelodau ein gwefan!
Pwyllgorau Rheoli Gwirfoddol: Cyfrifoldebau	A hoffech ddod i wybod mwy am rolau a chyfrifoldebau rhedeg Clwb? • Cyfrifoldebau Pwyllgorau Rheoli Gwirfoddol; • Mae Adran 3 Camu Allan yn ardal aelodau ein gwefan yn rhoi arweiniad ymarferol i bwyllgorau rheoli gwirfoddol; • Mae Cam12 yn cynnwys disgrifiadau rôl penodol i bwyllgorau, sy'n gymorth defnyddiol i aelodau newydd o bwyllgorau a'r rhai presennol fel ei gilydd.
Pwyllgorau Rheoli Gwirfoddol: Strwythur Trefniadol/Cyfreithiol	A ydych wedi sicrhau bod pawb sydd ynglŷn â'r rhain wedi eu diogelu'n llawn? Mae Clybiau a reolir yn wirfoddol sy'n ffurfio'u hunain fel sefydliadau corfforedig e.e. **Sefydliadau Corfforedig Elusennol** (SECau) yn cynnig mwy o ddiogelwch i aelodau pwyllgorau gan eu bod yn cyfyngu ar eu hatebolrwydd personol am unrhyw ddyledion o eiddo'r Clwb. Mae hefyd nifer o fanteision eraill megis ardrethi busnes gostyngol, rhyddhad trethi a mynediad at fwy o grantiau ac ariannu. • Manteision Dod yn SCE/Diogelu Aelodau Pwyllgorau • Darllenwch ein blog ar ddod yn Sefydliad Corfforedig Elusennol • Os ydych yn barod i newid gallwch gyrchu gweminar wedi ei recordio ymlaen llaw ar y camau manwl sydd ynglŷn â dod yn SCE drwy ebostio webinar@clybiauplantcymru.org. Gall Clybiau Plant Cymru Kids' Clubs eich helpu i adolygu eich strwythur a chael adnoddau i'ch cymryd drwy'r camau sydd ynglŷn â dod yn SCE, sy'n cynnig mwy o ddiogelwch i'r gwirfoddolwyr sy'n rhedeg eich clwb.
Pwyllgorau Rheoli Gwirfoddol: Recriwtio	I gael ei lywodraethu'n dda, mae ar leoliad angen digon o aelodau pwyllgor ymgysylltiol yn ogystal â gwirfoddolwyr i lenwi'r rolau allweddol o Gadeirydd, Trysorydd, Ysgrifennydd a mwy. Mae llwyddiant o ran recriwtio aelodau yn hollbwysig. • Cynghorion Campus ar recriwtio i Bwyllgorau • Recriwtio i bwyllgorau – llythyr templed i fusnesau lleol • Recriwtio i bwyllgorau – llythyr templed i'r gymuned

Peidwch ag anghofio bod ein staff yma i'ch helpu. Cysylltwch â'ch swyddfa leol a daw un o'n staff i gysylltiad â chi.

Daliwch i wenu, daliwch i chwarae #Diolch!
Swyddfa Caerdydd:info@clybiauplantcymru.org
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Swyddfa Cross Hands: info-ww@clybiauplantcymru.org