



#TeamWilder Community Toolkit: Setting up a community group

Are you thinking about setting up a group in your community to look after a local green space or take action to improve the area for nature?

Contents:

1. Who do you need on board?
2. Creating a plan on action
3. Agree a name
4. Write a constitution
5. Open a bank account
6. Get insurance

Setting up a basic community group.

If you can't turn your ideas into action by joining an existing community group or improving an existing service, this guide will help you to kickstart a new one!

There are many different types of community group, each with different characteristics and ways of working – the guide in our appendix will help you to work out which is right for you, but the easiest group to set up is called an “unincorporated association” and this is what we'd normally recommend.

If you are planning to start a formal 'Friends of' group to carry out activity on an area of council-owned land, then you will need to contact the relevant council about this first.

It's always worth doing some research into other similar groups or organisations in your area. Could you share resources, premises, and expertise?

Follow these 7 simple steps to help you to set up your group successfully:

1. Consider who else do you need on board

Once you have established what type of activity it is you want to run, consider whether you want or need others to help make it happen. If you have the time, expertise, energy and commitment to do everything yourself you can get going. Alternatively, if you need organisers and volunteers, you could spread the word through social networking sites, advertise in local newspapers or notice boards in community buildings, local shops, post offices, libraries or surgeries. If you are setting up a group, you might need a committee with someone to chair the meetings, someone to write down what happens (a secretary) and someone who looks after any money (a treasurer).



2. Create a plan of action

It helps to be clear about all the jobs that you need to do and who is responsible for what activity, so it may be useful to create a plan of action. Ideally, your plan should explain what you or your group intends to do (otherwise referred to as Aims or Objectives), who you aim to help or serve and how you plan to do that. It may also help you to prioritise what you are doing. Make sure you include:

- what you hope to achieve or change as a result of the activity
- how often your activity will be run
- when and where the activity will be run
- who is involved, their position and what they are responsible for
- what resources you have available (individuals' time, specialist skills or equipment etc)
- the value of funds you need to find through donations or fundraising to offer your activity
- a timetable showing when you expect to get things done

3. Agree a name

Naming your group will make it easier to register it legally and promote your activities. You can use internet search engines to find out if anyone else is using the name. If they are operating in a different sector and their name is not a registered trademark, you may still be able to use it, but it's best to avoid duplication wherever possible.

4. Write a constitution

A constitution is a 'governing document' that sets out the rules for your group and says what your group's going to do, and how you're going to do it to help make this clear to everyone involved. As long as you are not a registered charity or a limited company, there are no legal rules about what your constitution should say. Once you have written and agreed it, it then becomes the 'governing document' of your group, and it should set out clearly how you intend to run it. A good constitution can help to resolve disputes and enable new members to fully participate in group activities. If you are going to apply for grant funding, this document will also show potential funders that you are well organised.

How to write a constitution (for groups that aren't charities):

- **Your name:** decide on a name for your group.
- **Your aims:** what do you want the group to do? Where does the group work, who will the group help, and how will the group help them?
- **Membership:** how can people join the group? Do members pay a fee? How can they leave the group?
- **Equality, diversity, and inclusion:** write about how you will make sure no one is left out.
- **The committee:** will you have a committee? A committee is a group of people who run the group. The group usually votes for them every year. You don't have to have a committee. You can share the jobs and take turns. If you do have a committee, how many people will be on the committee, and what will they do? Some committee jobs are Chair (leads the meetings), Secretary (writes down what is said at the meeting), Treasurer (looks after the money). Other



jobs include Press Officer (sends stories to the newspapers and answers their questions), Fundraiser (raises money), Membership Secretary (looks after the members). If you don't have a committee, then the whole group runs itself, but you'll need to decide who looks after the money, and who'll make notes at a meeting.

- **Group meetings:** every year, you'll need to have an AGM – an Annual General Meeting. Everyone can come, and you'll tell everyone what the group has done, and how much money has been spent. If you have a committee, then they'll be voted for. Write down in your constitution how you want the meetings to be run. Will you vote on decisions or try to "reach a consensus" by talking about it until everyone agrees?
- **Finances:** You need to write down how you'll handle money. Make sure you have a bank account just for the group. It's best to have three people who are called "signatories" which means that there are always two people to agree on payments. You'll need to keep records of money going in and out, and have a statement to show at the Annual General Meeting. You also need to make sure that if you raise any money, it's only allowed to be spent on the aims of the group.
- **Changing the constitution:** you'll need to write down the rules about how your constitution can be changed, and whether you need to vote on it.
- **Ending the group:** you also need to decide and write down who can make the decision to close the group, how that can happen, and what happens to money.

When you've written your constitution, get other people to read it and tell you what they think. Then ask everyone in the group to read it. When everyone agrees with it, at least two members need to sign and date it. Make sure everyone in the group has a copy, including members who join later on.

For more detailed information, visit: www.resourcecentre.org.uk/information/constitutions

5. Open a bank account

You will need to agree and record a way of handling money for your group. As well as protecting the person responsible for holding the money, this will also protect the group money itself. You'll need a bank account if your group's applying for grants and/or collecting donations or fees and using that money to buy things for your project. Don't be tempted to use a personal account! That can get very messy very quickly.

A bank account can take some weeks to open. If you can't wait that long, or you can't open an account, you can use a service called Accountable for a small fee which is run by The Social Change Nest CIC

www.thesocialchangeagency.org/what-we-do/support-for-groups-and-movements/accountable

Most traditional banks offer "community" accounts for non-profit groups. Some of them expect you to be a registered charity but many don't, so do shop around. You'll generally need to look under the "business" section of their websites.



What to consider:

- Look for an account without fees.
- Check you can meet their “eligibility criteria” – this may include checking that you can make their minimum deposit, for example.
- Do you want to manage things online? Is there a good app?
- Will you need to take card payments from people? Is it easy to set up?
- Will you use cash and/or cheques? How easy is it to get to a branch to pay cash or cheques in?
- Are there useful features like free accounting software?

People who need to be involved:

A “signatory” means someone who is named as being able to sign cheques for the account. Most accounts will need two signatories to give approval for transactions. This stops one person having all the power. It’s a good idea to have three people named as signatories, so that if one person is away, you still have two people left to give approval. Usually, one of these people will be your group’s treasurer.

Paperwork you need:

Although more banks are moving to online applications, many still need you to go into a branch. Every bank has different demands for paperwork, but you’ll usually have to take:

- The signatories’ proof of identity
- The signatories’ proof of address (the bank should have a list of what’s acceptable)
- Your group’s written constitution
- Completed application form

If you’re a registered charity, take the registration document or trust deed.

If you’re a limited company, you’ll need your Memorandum and Articles of Association.

6. Get insurance (this is not formal advice)

Insurance cover has two aims:

- It helps you and your group members if something goes wrong.
- It helps members of the public if something goes wrong.

Of course, insurance on its own won’t stop things going wrong – that’s what ‘risk assessments’ and ‘risk management’ are for. You can find out more about managing risk in our **#TeamWilder Community Toolkit: Managing Risk.**

If you don’t have any insurance, you should be aware that you might be in trouble if something goes wrong, even if you tell everyone that they are working at their own risk.

It’s always worth checking if another organisation’s insurance might cover you. If so, it’s up to you to ensure the cover is adequate for your needs and to share your risk assessment with them.



Your local council might also cover you with their insurance. Speak to them to find out what they need, and what they will cover.

There are different types of insurance - use this checklist to help you understand what you might need:

- Do you have volunteers, or do you interact with the public? You will need 'Public Liability Insurance' (PLI)
- Do you have employees? You will need 'Employer's Liability Insurance'
- Do you have cars or other vehicles? You will need motor insurance.

It is less likely you will need these other types of insurance:

- Do you have a board of trustees? You might need 'financial and administrative liability.'
- Do you have buildings and contents which need protecting? You will need 'material damage insurance' or 'buildings and contents insurance.'
- Do you hire out your premises to other groups? You will need 'hirers' liability insurance.'
- Do you deal with money? You could need 'money/financial insurance.'
- Can your organisation run if your building is damaged? You could need 'business interruption insurance.'
- Might you need legal help? You would need 'legal expenses insurance.'

The National Council for Voluntary Organisations (NCVO) has lots of help at:
www.knowhow.ncvo.org.uk/organisation/operations/insurance.

Remember: it's quite simple to set up insurance, and often it's reasonably cheap. It can be a legal requirement to have insurance, so don't try to avoid it.

As a #TeamWilder participant you are not covered by Yorkshire Wildlife Trust's insurance. It is your group's responsibility to insure yourselves and to ensure you have sufficient public liability insurance for the tasks you plan to carry out.



Appendix

A guide to different types of community group:

There are two types of community groups – unincorporated and incorporated:

An Unincorporated Association

If you're just a small group of volunteers, with no plans to employ staff or rent premises, then this is the one for you! An Unincorporated Association is the easiest group to set up. All you need is to write a "constitution" or "governing document". This is a list of rules for the group. It also says what your group's going to do, and how it's going to do it.

This kind of group:

- Doesn't have to be a charity (you will need to get official advice if you want to be a charity).
- Isn't a separate legal structure, which means the group can't enter into a contract or own property - but individual members can.
- Has members who vote on what the group should do.
- Can always become a different type of group or a charity later if things change.

Incorporated and Unincorporated Associations – what's the difference?

The difference between these two things is just whether your group has a separate "legal personality" of its own. An incorporated group can employ people, take on a contract or rent property. If there's any debt, that debt belongs to the group not the people running the group. This means an incorporated group is more regulated than an unincorporated one. You'll probably need help from accountants and solicitors.

On the other hand, an unincorporated group is just a group of individuals. If someone gets into debt on behalf of the group, then that person is liable for that debt. As most community groups are very small and don't handle a lot of money, the risk is actually low.

Examples of incorporated groups	Examples of unincorporated groups
<ul style="list-style-type: none">• Community Interest Company (CIC)• Company Limited by Guarantee• Charitable Incorporated Organisation• Community Benefit Society• Cooperative Society	<ul style="list-style-type: none">• Unincorporated Association• Charitable Trust

Is your group Charitable?

A charity is defined in law in England and Wales as a group which has only charitable purposes. It's regulated by the High Court. You've got to prove you exist for the public benefit. If your income is more than £5,000 a year or you're a Charitable Incorporated Organisation, you must register with the Charity Commission. Look at the official guidance on the Government website here:

www.gov.uk/government/publications/what-makes-a-charity-cc4/what-makes-a-charity-cc4

A "charity" is not a legal sort of group on its own. In fact, most charities are one of these:

- Unincorporated Association
- Charitable Trust
- Charitable Incorporated Organisation
- Company Limited by Guarantee
- Charitable Community Benefit Society



These groups can't be charities:

- Community Interest Company (CIC)
- Cooperative Society

Use the simple “Route Map” at the Resource Centre here to find out what your group’s legal structure should be. www.resourcecentre.org.uk/information/routemap

If this guide was too complicated, you can read it in a different way here:

www.mycommunity.org.uk/choosing-the-right-organisational-structure-for-your-group

Group Type	Incorporated or unincorporated?	Is it Charitable?	Do the members vote?	Is it regulated?	Other information
Unincorporated Association	Unincorporated	Can be Charitable or not	No	No (unless it is also charitable)	The simplest type of community group.
Charitable Trust	Unincorporated	Charitable	No	Yes – register with Charity Commission if income over £5,000	Must write a trust deed. Run by a small group of people called trustees.
Charitable Incorporated Organisation (CIO)	Incorporated	Charitable	If an Association, members vote. If a Foundation, members do not vote.	Yes – registered with Charity Commission whatever income.	Must use model constitution approved by Charity Commission. Registration takes up to 40 days. Simpler and cheaper than a Charitable Company.
Company Limited by Guarantee (Limited Company)	Incorporated	Can be Charitable or not	Yes	Yes – registered and regulated by Companies House	Controlled by directors. No shareholders. Can be a ‘not-for profit’, which reinvests income into the group.
Charitable Company	Incorporated	Charitable	Yes	Yes – registered with Companies House AND Charity Commission	A CIO might be simpler.
Community Interest Company (CIC)	Incorporated	Not Charitable, but still not for-profit such as a social enterprise	Yes	Yes – registered with CIC Regulator, a department at Companies House	Assets and profits are committed to the community, but you can have paid directors

This resource is made possible by funding from the NLHF creating a legacy for The Queen's Platinum Jubilee and has been created with credit to The Wildlife Trusts.

