

If your group has fairly simple aims and doesn't intend to employ staff or to lease or buy either a property or land then being unincorporated (the simplest informal structure for a voluntary group) is probably sufficient. It is always possible to move to a more formal incorporated legal structure at a later stage in your groups development if the need arises.

Sometimes it is clear from the outset that your group intends to own a building or buy land and/or employ staff. Perhaps your group is looking at securing a community asset and running this as a social enterprise? In this case the committee will be advised to limit their personal liability and give the group a separate legal identity in its own right - *for example becoming a Company Ltd by Guarantee or a Community Interest Company.*

Whichever structure your group decides will determine the format of your constitution. The word 'constitution' may make you want to run for the hills but it is important that the group has a set of rules. When things go wrong it is the constitution which will be referred to- it will become the groups 'governing document'.



The Community Toolkit on www.slcvo.org.uk includes sample constitutions which you can download and adapt.

Don't be tempted to simply copy a template. Your governing document must be what your group wants and it needs to fit your group's purpose.

Your groups committee will need to be formally nominated/elected at your first General Meeting. This is also when your groups constitution will be formally adopted. Once your constitution is adopted your group can open a bank account.

If your group has decided to become incorporated—perhaps as a Company Ltd by Guarantee—they will need to register the new company with Companies House.

What about becoming a charity?

Charitable status is a kind of 'optional 'extra' that may be applicable for the group depending on it's aims and objectives.

Both incorporated and unincorporated groups can apply for charitable status (*with the current exception of Community Interest Companies*) for which they have to satisfy the OSCR Charity Test.

There are some financial advantages to having charitable status (including some tax breaks, Gift Aid on donations and wider access to grant funding) plus the group may gain greater public credibility or trust. These benefits do in a sense have to be earned though, and there are significant legal responsibilities and reporting obligations to consider. If the group is considering applying for charitable status at this stage then it makes sense to think about this when the steering group are drafting the constitution.

NEED MORE HELP?

For more information and further assistance on any aspect of setting up a community group

contact Skye & Lochalsh CVO **01478 61291**

email info@slcvo.org.uk

Visit our website www.slcvo.org.uk which has regularly updated and verified information on the award-winning Community Toolkit - details on legal structures, charitable status, writing a constitution etc with live links with take you to Companies House and OSCR websites for even more.

Every care has been taken to ensure information given is accurate and current. SLCVO cannot accept any responsibility for claims arising from error or misinterpretation.

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Setting up a community group

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SETTING UP A COMMUNITY GROUP

You and your friends have an idea for a community project, activity or even a service - *can you make it work?*

This leaflet will give you a basic overview of some of the early stages involved in setting up a community group or project. Sometimes you will find that these stages happen simultaneously - they are not necessarily a step by step process, although sometimes there will be a logical progression from one stage to another as a group develops.

Working together and identifying the need

First of all - don't work in isolation. A community project or activity is never going to get off the ground or work successfully if there are only two or three of you talking about it. Involve the rest of the community - and clearly identify that there is a need for this idea of yours!

One way to do this is to hold a public meeting - in the community hall or other suitable venue.



Advertise your meeting in the local paper, put posters up, and get it on the Skye & Lochalsh CVO website.

At the meeting discuss your ideas and get people's opinion on them - are they for or against it? If they too think it's a good idea - ask for volunteers to form a steering group to take the ideas to next stage. Ideally these people should be able to commit time, energy, skills and knowledge to be able to 'steer' things forward! They should aim to meet as soon as possible after the first meeting - to make sure they don't lose either the momentum or enthusiasm!



the steering group could benefit from becoming a member with Skye & Lochalsh CVO to ensure access to a wide range of information and services. Ask us about Membership!

Ground work and research

It is crucial that the steering group act as a team. They will need to do the ground work. First, they need to decide how to organise themselves. Very often the steering group members will need to be doing several things at once and it helps to allocate specific tasks to individuals. It can be very like trying to juggle several balls at the same time!

It may help to nominate someone to act as 'chair' and someone to take on secretarial duties.

They will need to decide how they are going pay for things like venue hire for meetings, postage, phone calls or copying - these small costs add up and the group won't be able to open a bank account until they are formally constituted.

Agree broad aims and purpose

The steering group needs to be in agreement about what its trying to achieve, why it exists, who is going to benefit and how it intends to conduct itself. At the very least it is should aim to have a clear vision, a clear mission statement and shared belief and values to form a framework for the operation of the group.

Make a plan of action

The complexity of the plan will depend on the nature of what your steering group is aiming to achieve - it will be informed by the vision, mission and values of the group. Write down all the things the group need to do and then go out and start talking to people!



Speak informally to any agencies which can offer advice, support or future funding (e.g. Skye & Lochalsh CVO, Highland Council, HIE, SNH).

Gathering information

Depending on your project idea this might mean organising a targeted community consultation or feasibility study. Ask Skye & Lochalsh CVO about sourcing funding for this type of research.



Ask Skye & Lochalsh CVO about the Community Groups Register containing contact details for over 190 local community groups.

It is also a good idea to identify similar projects or services/activities already being run in other areas and talk to the groups responsible. *How did they get started? How are they funded? Is their group successful?*

BE PATIENT Setting up a new community group takes time because you need to keep talking not only to each other, but also your wider community, agencies and anyone else that can help along the way.

Don't lose sight of the community need that started it!

Formalising the Group

Consider all the advice and information given by agencies and other groups that the steering group are in contact with and remain focused on the groups aims and mission.

There are a number of basic questions that the steering group can ask itself to help decide on the structure of the group:-

- *Will the group need to apply for grants?*
- *Will the group be looking at ownership of land/building or leasing either of these?*
- *Will the group want to employ staff?*