



Contact a Family incorporating The Lady Hoare Trust

Review Visit Report

12 July 2006

Contents

1. INTRODUCTION	4
2. CHARITY PROFILE	5
3. OBJECTIVE A - TO IDENTIFY GOOD PRACTICE AND INNOVATION IN OPERATION AT THE CHARITY	7
4. OBJECTIVE B – TO ASSESS RISK MANAGEMENT AND IMPACT MEASUREMENT AT THE CHARITY	8
5. OBJECTIVE C – TO REVIEW KEY ASPECTS RELATING TO THE CHARITY'S GOVERNANCE	10
6. OTHER AREAS FOR THE TRUSTEES' REFERENCE	11
7. OTHER AREAS FOR THE COMMISSION'S REFERENCE	12

This report was compiled on the basis of information provided to Commission staff before, during and after the visit to the charity on the date shown. Whilst the Commission has taken care to ensure the accuracy of the report and that it adequately reflects the charity's activities, we cannot guarantee the accuracy of the information received upon which this report is based.

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1. Introduction

This report has been prepared by the Charity Commission ('the Commission') following a Review Visit to Contact a Family on 12 July 2006.

The Review Visit was conducted by the following Commission staff: Leepika Dutta and Jit Chauhan, with David Walker observing.

The Charity was represented by: Imelda Redmond (Trustee/Vice-Chair), Peter Philips (Trustee/Treasurer), Francine Bates (Chief Executive), Paul Soames (Director of UK operations) and Dean Casswell (Finance Director/Company Secretary).

A Review Visit is one of the primary methods that the Commission uses to engage in dialogue with the charitable sector. The purpose is to:

- Ensure compliance with the legal framework within which the charity operates;
- Identify evidence of good practices already in place and advise on areas for improvement;
- Learn about how charities in different parts of the charitable sector operate, and what issues are currently influencing or concerning them.

A Review Visit cannot cover every aspect of a charity. It is instead based around agreed objectives, which relate either to particular issues arising from our analysis of background information on the charity, or to specific projects/interests of the Commission.

For this reason, a Review Visit should not be regarded as an audit or an inspection; nor does it provide an accreditation. Nor is the report intended to be a full record of all the issues or of the information considered or discussed.

The Commission aims to be a proportionate regulator: the report only addresses those matters which the Commission identifies as being of genuine regulatory concern or of significant regulatory interest.

In addition to any sources of information signposted in the report, we would encourage charities to take advantage of the wide range of advice and guidance available to the charitable sector from the Commission and other bodies. In particular, we would recommend the following sources of information:

- The Commission's guidance CC3 – *The Essential Trustee: what you need to know*;
- *CC60 Hallmarks of an Effective Charity*;
- Guidance from The National Hub of Expertise in Governance: *Good Governance: A Code for the Voluntary and Community Sector*¹

All of these publications signpost to further sources of information.

As far as it is compatible with the Commission's regulatory role, the Commission intends Review Visits to be based on co-operation between the charity and the Commission. We will seek to agree Recommendations with the charity and try to ensure that any deadlines for action are reasonable. The Commission can provide further guidance if the trustees require it.

¹ Published by the NCVO on behalf of the Hub and available on the Governance Hub website www.governancehub.org.uk

2. Charity Profile

2.1 Charity Details

Charity Names:

- (1) Contact a Family
- (2) The Lady Hoare Trust Ltd

Registration Numbers:

- (1) 284912
- (2) 1067492

Governing documents:

- (1) Memorandum and Articles of Association dated 5 May 1982, amended 6 December 1999 and 22 November 2004.
- (2) Memorandum and Articles of Association dated 17 December 1997.

Objects:

- (1) To promote the education, welfare and benefit of the disabled, more specifically, but not limited to, caring for children and young people with any kind of disability or special need.
- (2) For the care welfare treatment maintenance and education or otherwise for the benefit of any children suffering from any physical disablement or handicap ("the children") in such manner as the charity shall think fit provided always that no part of the capital or income of the charity shall be applied otherwise than for the purposes which would be charitable according to the law of England and Wales.

2.2. Management & other structures:

Those responsible for the management and administration of a charitable company are its directors. The Directors (called, respectively, 'Directors' in the case of Contact a Family, and 'Trustees' in the case of the Lady Hoare Trust Ltd) are also the charity trustees for the purpose of section 97(1) of the Charities Act 1993. They are referred to as 'trustees' throughout this report.

2.3 Background information (from charity sources):

Contact a Family is an organisation that was founded on the principle of mutual support between parents and families caring for disabled children. The organisation was founded in 1979 in Wandsworth and has since grown rapidly. It has built up an extensive network of local, regional and UK wide support groups which enable parents and families to come together, share information and offer support to one another. Its desire to influence change is informed by the direct experience of parents and families. The charity represents parents and families to local and central government, in order to achieve a review of government policies on disabilities and improving the level of services for their beneficiaries. Contact a Family was registered as a charity on 20 June 1982.

The Lady Hoare Trust Ltd was originally set up in 1962, by Lady Mary Hoare, to raise money and help children who were born with missing limbs whether due to the Thalidomide drug or not. After The Thalidomide Trust was set up any money The Trust had been given purely for thalidomide children was passed to The Thalidomide Trust. The Lady Hoare Trust Ltd continued to work with children with missing limbs but also began to specialise in conditions affecting limbs such as juvenile idiopathic arthritis. The Trust employed a team of professional social workers across the UK to provide support to families both in hospital clinics and at home. It was registered as a charity on 16 January 1998.

Following an approach from The Lady Hoare Trust Ltd and after consideration of the potential benefits, Contact a Family entered into a transfer of charitable undertakings with the Trust on 1 December 2004. It is hoped that by

combining the resources and expertise of both organisations, a better service can be offered to disabled children and their families across the UK. The Trust's services have been integrated into existing Contact a Family structures. All staff and Trustees of the Trust were invited to join Contact a Family. A team of Family Workers based around the UK joined Contact a Family from the Trust, establishing a new Family Support Service that provides one to one emotional and practical support to families in their own homes.

Other services provided by Contact a Family include;

- The London borough-based projects also provide long term one-to-one support to families.
- A wide range of training workshops, meetings, information events and social events enabling families to get support from each other.
- A lot of support given to families is given over the telephone via a free helpline. Every call is unique and some require intensive research to answer. Enquiries are also achieved by email.
- Keeping parents and professionals informed through a range of newsletters, factsheets, booklets and research reports.
- The charity's website (www.cafamily.org.uk) is a comprehensive resource for all families with disabled children, and contains the equivalent of over 10,000 typed A4 pages of information. It is the most visited rare disorders website in the world.

The Lady Hoare Trust Ltd is still on the register of charities in order to be able to receive any legacy income, and its assets are accounted for as general funds of Contact a Family. A clear distinction is made between the business of the two charities and meetings are minuted accordingly. Trustees are appointed by

each charity for each charity according to the appropriate mechanisms. Trustees are appointed at the AGM's for both Contact a Family and The Lady Hoare Trust Ltd separately and minuted accordingly.

For the year ended 31 March 2005 Contact a Family's income was £3,535,938 and its expenditure was £3,599,311.

3. Objective A - To Identify Good Practice and Innovation in Operation at the Charity

The general impression, reinforced at the visit, was of a charity that already had many of the characteristics of an effective charity. Evidence of this includes:

- (a) No legal requirements, and only one recommendation, highlighted in this report.
- (b) A strategic planning process, which provides a clear focus on timescales and desired outcomes.
- (c) Strong governance policies, with specific reference to the charity's Standing Orders which include trustee role descriptions, a code of conduct for trustees, conflicts of interest policy and committee terms of reference. In addition, a trustee pack and formal induction process are being developed.
- (d) Agreeing the future vision of the charity with the trustees of The Lady Hoare Trust before the merger took place. Subsequently, a complete Governance Review was also carried out by the designated Steering Group.
- (e) All trustees undergo Criminal Record Bureau checks and are required to sign self-declarations regarding their eligibility to serve as trustees.
- (f) Staffing and operational policies which include a grievance procedure for staff and a volunteers' policy².
- (g) A risk management culture, evidenced by a comprehensive risk register, detailed evaluation of major risks, risk assessments for each activity and six-monthly reviews of the register.
- (h) A developed culture of impact measurement, evidence of which is detailed later in this report.
- (i) The helpline works closely with the Telephone Helpline Association to ensure quality standards. The charity also works closely with Charity Evaluation Services on some of its projects.
- (j) The charity received the Community Legal Service Quality Mark General Help Level (full award) for its helpline
- (k) As a parent focussed organisation, working towards increasing parent representation on sub-committees.
- (l) The trustees regularly discuss the charity's financial position, management and budgetary planning.
- (m) The charity has recognised the need to diversify its income and recently introduced a successful door-to-door fundraising campaign, which is regularly monitored. The charity ultimately aims to be self-financing.
- (n) The charity's accounts for the year ended 31 March 2005 were found to be generally compliant with the Charities SORP³.

² For further guidance and up-to-date information on issues around volunteering, including volunteer agreements, the charity is referred to the *Volunteering England* website at www.volunteering.org.uk.

³ Accounting and Reporting by Charities: Statement of Recommended Practice.

4. Objective B – To Assess Risk Management and Impact Measurement at the Charity

4.1 Context

Following changes to the format of the Review Visit programme, many of our visits, as well as continuing to aim at benefiting the individual charities concerned, are also part of wider projects which may lead to the publication of topical or sector reports. In the case of this review visit, we are collating information on behalf of the Commission's Research Reports team. Research Reports focus upon a variety of governance and finance issues currently affecting the sector. The reports' purpose are to provide an overview of what is currently happening in the sector and to strengthen accountability by assessing how far best practice is being followed in relation to each topic.

In the next financial year, April 2006 to March 2007, two of the topics to be researched are Risk Management and Impact Assessment. In this context, we were interested to note the following:

4.2 Points of interest for the Commission

(a) *Risk Management*

The charity's representatives were aware of the potential risks to the charity, in particular in relation to major risks, such as child protection, health and safety, reputation, financial and operational risks. More detailed evaluations are done for major risks and appropriate policies and procedures are in place, and regularly reviewed, to mitigate these risks. The Business Affairs Committee has primary responsibility for managing risk and provides regular detailed reports to the trustees for their consideration.

The charity has a comprehensive Risk Register multiplying a 'severity' score by a 'likelihood' score to give a 'priority'

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score to enable risks to be ranked. Risk assessments are carried out for each activity, in particular those involving children, as this is a requirement from the charity's insurance providers.

Guidance and information on Risk Management can be found on our website⁴.

(b) *Impact Measurement*

The charity's representatives take seriously the importance of measuring the impact of the charity's work on its beneficiaries and the wider community. The charity has included performance indicators within its Corporate Strategy for each of its aims that reflect the need to evaluate its impact.

The charity's Operations and External Affairs teams are working together to develop an impact tool to measure parental support group development, for example, tracking parents' experience of paediatric services. Once this tool has been developed it will be used to measure the impact of the charity's other services. The charity has also produced a paper that attempts to measure the impact of its national policy work. This work will be developed further.

The charity does measure quantitative output, such as the number of people taking part in each activity. All activities are evaluated through a variety of questionnaires for service users, and an in-house database has been developed to record statistics. This information

⁴ Under the heading 'Charities and Risk Management' at: <http://www.charitycommission.gov.uk/investigation/s/charrisk.asp>

gathered is collated and analysed to identify trends and weaknesses and to inform the charity's future development. Funders are another driver for measuring impact, as they require regular evaluation reports and expect continued monitoring

Innovatively, the charity will be introducing a new reporting mechanism at trustee meetings. Senior staff will be required to deliver progress reports to the trustees against each strategic aim. This will ensure that measuring impact forms the core of the charity's activities, planning and reporting. Similarly, the trustees' annual report will detail the charity's achievements against each strategic aim.

4.3 For reference

The Commission will be publishing a *Research Report* on the subject of Impact Measurement in the next 12 months which should provide guidance, as well as examples of methods of impact measurement used by other charities. In the meantime, the charity may be interested in NCVO's (National Council for Voluntary Organisations) publication *'Measuring Impact: A Guide to Resources'*⁵.

⁵ Available on their website <http://www.ncvo-vol.org/research/index.asp?id=1198>

5. Objective C – To Review Key Aspects Relating to the Charity’s Governance

5.1 Action Points

Recommendation 1: The trustees should periodically review the status of The Lady Hoare Trust and its position as a separate charity on the Commission’s register of charities.

The Trust is still on the register of charities in order to be able to receive any legacy income, receivable since the merger. Any restricted funds transferred to Contact a Family at the time of the merger have all been expended appropriately. The charities’ representatives were aware of the need to review regularly the position of the Trust with the ultimate aim, in the future when satisfied that no more legacy income will be forthcoming, of removing The Trust from the register of charities.

5.2 For reference

- (a) The Charities Bill, which is currently before Parliament contains provisions simplifying the transfer of legacies from defunct charities to their successor bodies. If the Bill is enacted with these provisions, there may be no further need to keep The Lady Hoare Trust in existence or on the Register of Charities.
- (b) We generally recommend, as a matter of good practice, that trustees periodically review (every 3-4 years) the charity’s governing document to ensure that its provisions are still relevant to the working practices of the charity and keeps pace with the charity as it grows and develops.
- (c) We note that the charity’s trustees are required to sign self-declarations in relation to their eligibility to serve as trustees. The charity maybe interested in the Commission’s example

declaration which is available on our website⁶.

5.3 Points of Interest for the Commission

In December 2004, Contact a Family ‘merged’ with The Lady Hoare Trust. As part of this process, the Memorandum and Articles of Association were reviewed and amended, and thereafter a review of governance arrangements was undertaken. As a result Standing Orders were agreed by the Board in January 2006. These Standing Orders are comprehensive and include the charity’s aims, trustee role descriptions, code of conduct for trustees, a conflicts of interest policy, financial governance and committee and regional council structure and membership.

⁶<http://www.charitycommission.gov.uk/library/supporingcharities/pdfs/sampledeccc30.pdf>

6. Other Areas for the Trustees' Reference

Given the good practice already in existence, we would encourage the charity to consider, in time, ways in which to export its expertise and share its good practice with other parts of the sector.

7. Other Areas for the Commission's Reference

Having discussed Risk Management and Impact Measurement with the charity, their representatives explained that they would like the Commission to consider including the following in the Research Reports;

- A clear definition of the terms risk management and impact measurement
- Practical guidance for smaller organisations on how to incorporate

risk management and impact measurement into their activities.