

A GOVERNANCE FRAMEWORK FOR OLDER PEOPLE'S FORUMS AND GROUPS IN WALES

ADVISORY GUIDANCE – NO. 2

February 2022

Foreword

Cymru Older People's Alliance (COPA) is a **national registered charity run by older people for older people**. Its main purpose is to ensure that Older People's Forums and Groups at a local level can have their voice heard at the national level and their views represented to Welsh Government, councils and a range of other Public Bodies.

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Registered Charity 1174518

Following a Review of COPA and Forums undertaken in 2020, a Forum Development Programme was agreed by Trustees as a basis for co-productive implementation with partners including Councils. One of the elements of the Development Programme was to produce good practice that could be shared across Forums to achieve greater consistency and cohesion. This guidance – a Governance Framework for Older people's Forums and Groups - is the second product in what we hope will be a series of documents to bring together local ideas and projects for an audience of all involved with Forums across Wales. It is not meant to be directive or expect that all aspects will be required or achieved but it provides a basis for stronger and more effective forums to develop that ensure the voice of older people is heard and acted upon.

We hope you will find this guidance is helpful and we would welcome any feedback or questions

S G Milsom

Chair

Cymru Older People's Alliance

February 2022

Introduction

Why is a Governance Framework Needed?

Most of us will probably not rush to ensure our Forums governance is dealt with effectively! However, the realities of life are that accidents do happen and sometimes things go wrong. Whilst this is unlikely to be a regular occurrence, we all would want to be assured that we are "covered" if they do. This guidance therefore sets out a simple but comprehensive approach that has been developed by Caerphilly 50+ Forum to cover these circumstances.

The county-based 50+ Forums in Wales are Community Interest Organisations and therefore do not need to meet the governance standards of a registered charity but nevertheless should have in place, policies and practices that demonstrate they are a competent, properly run organisation whilst working with partners and utilising public funds. There is also a need to consider the personal liabilities of the officers working on behalf of the Forum and the safety and interests of older people engaging with Forums.

The coverage of this good practice on governance includes:

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- Obtaining Insurance cover for accidents events etc and personal liability of Forum Officers
- Meeting insurance requirements to have risk assessments and accident book etc
- Meeting health and safety requirements e.g. at events, Covid regulations and safe practices
- Undertaking short Risk Assessments to meet the above requirements and monitor them
- ensure good practice in the involvement of volunteers
- satisfy requirements to have a constitution and policies when applying for grants, opening a bank account etc
- Meeting GDPR requirements on handling information and data

Code of Conduct

- Show respect
- Recognise the Chair, only one person speaking at a time
- Pass on information / report back
 - Where possible provide a written summary to the Secretary or Chair for circulation prior to a meeting. This will help any discussion and reduce the workload in preparing the meeting minutes
- Own responsibility for tasks and jobs one agrees to do
- Stay on the subject when contributing to a discussion
- Collective responsibility; abide by and respect majority decisions
- Attend meetings as and when arranged or notify the Secretary or Chair with apologies if necessary
- Members should respect the confidential nature of documents and discussions

As far as possible, Steering Group communications will be via email. As a consequence, your email details may be circulated within the Steering Group membership. If you do **not** want your email address circulated within this group, please tick here

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As a member of Caerphilly County Borough 50+ Forum, I agree to adhere to the above principles, responsibilities and code of conduct.

Signed: Print

Date:

Management Policies – Overview

Caerphilly Over 50 Management Policies

12th February 2022

[First published 14th May 2021](#)

Policies and other important documents are held on

<https://www.caerphillyover50.co.uk/policy-documents/>

These documents are not accessible from the main menu Tabs. The link can be found in the Footer, “Policy Documents”.

Constitution

It is not a legal requirement for a voluntary organisation to have a constitution. However, the Forum Steering committee approved a revised version in October 2019. This serves to provide clear guidance on how the Forum will behave and is required to obtain a bank account and grant funding.

Insurance

The Steering Committee have agreed that the Forum will maintain an insurance policy covering Public Liability Insurance and Employer Liability, as advised by GAVO.

Documentation

Written Risk Assessments

It is a requirement of our insurance that we have “undertaken a COVID-19 risk assessment and have implemented written procedures which follow Government advice in relation to the working environment, staffing, service users and business continuity.”

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More broadly, a risk assessment must be completed for any event or activity run or organised by Caerphilly Over 50 and approved by the Chairman or Vice chairman. This should be a comprehensive assessment of risks including, but not limited to, covid-19.

Accident and Incident Book

Our insurance requires that we hold and maintain an up-to-date accident and incident book. An officer of Caerphilly Over 50 attending an event should have a book of accident/incident forms and complete if the need arises at the event.

Covid Policy

Covid-19 has had a significant impact on the ability of CO50 to meet as a Steering Committee, with members and to hold events. It has added a significant dimension to addressing Risk Assessments for events. In line with our insurance policy for Public Liability we have developed a specific covid policy to complement our other policies.

Volunteer Policy

This policy defines a "Volunteer" within the context of CO50. It is intended that this would also define the term in line with any liability covered by our Public Liability Insurance. Volunteers are also covered through the Employee indemnity cover in our policy since the law now views Volunteers as employees.

Operational Framework

This document provides a brief summary of 11 elements that describe how CO50 operates.

Code of Conduct

This document describes what is expected of Steering Committee members (Volunteers) both at and between meetings.

Dr Ralph Stevens

12th February 2022

Chair, Caerphilly Over 50

Governance Policy for Caerphilly Over 50

Introduction

There are many situations where a group of individuals come together to further a common aim or interest such as a sporting or other social activity, or community improvement. They have not been formed as a trust, limited company, partnership or other legally recognised entity. These groups are known in legal terms as an *unincorporated association*. Unlike many such organisations, CO50 has a constitution which sets out many of the rules by which it must operate.

However, without proper protection the officers and members have personal responsibility for any debts incurred and claims which may be brought against the association. So, officers of such organisations need to exercise caution.

An *unincorporated association* is often appropriate where personal liability is of limited concern.

The Risks

Unfortunately, with ever increasing legislation, members are at risk of claims for situations including health and safety, employment, discrimination, and child protection.

It is essential to ensure that the association has an up to date and effective Constitution and Rules. Members and, in particular, those who are members of its management committee need to be familiar with and conduct themselves in accordance with the Rules.

CO50 has appropriate Public Liability Insurance that includes employee liability cover. In general, any events we organise are held in locations such as a local school or council run facility. This significantly reduces any risk BUT it is essential that risk assessments are always documented and, where appropriate, reviewed.

While covid-19 represents an unusual risk, a specific covid policy has been developed, in line with our insurers requirements [Policy Documents - Over 50 Caerphilly \(caerphillyover50.co.uk\)](http://caerphillyover50.co.uk)

This policy applies to any activity, event or function that is undertaken on behalf of Caerphilly Over 50 (CO50).

Governance

1. The activity, event or function must be approved by the CO50 Steering Committee. Said approval must include the designation of the LEAD individual who will take overall responsibility for the governance of the activity, event, or function.
2. The LEAD will normally be an officer of CO50. Where another is assigned as LEAD, a CO50 officer will be nominated as support.
3. The terms and conditions of funding organisation must be complied with. Compliance must be documented and retained by the LEAD.
4. The LEAD must ensure that they are aware of, understand, and can comply with all the policy documentation approved and published by CO50. All approved documents are available on the website via this link [Policy Documents - Over 50 Caerphilly \(caerphillyover50.co.uk\)](http://Policy Documents - Over 50 Caerphilly (caerphillyover50.co.uk)) or in the Footer. Where clarity is required, the LEAD may consult the Chair or Vice Chair for clarification.
5. A Risk Assessment (RA) must be completed for each and every activity, event, or function and must include specific details about any risks and their management for covid-19. Although a similar activity, event, or function is being conducted for which an RA already exists, the RA must be reviewed, and the conclusion documented. Particular attention should be given to the RA when moving to an alternative venue.
6. The terms of the insurance policy that CO50 have taken out with Markel must be satisfied. When organising an event, it is essential to be aware of the “Declarations” we have made to Markel []. This location also has a number of examples of completed Risk Assessments and [Policy Documents - Over 50 Caerphilly \(caerphillyover50.co.uk\)](http://Policy Documents - Over 50 Caerphilly (caerphillyover50.co.uk)) our Covid Policy. In any circumstances where matters are not clear, approval from them should be sought in advance to maintain our cover.
7. Whilst some flexibility is possible, the general governance responsibilities of CO50 as a community organisation should always be met.
8. Photographs/Videos: It is essential that permission is sought whenever photographs or videos are intended to be taken of members of an audience. If possible, seek permission prior to the event. It may then be possible to get permission, in the case of lack of capacity, from the person deemed responsible for that person. Or it may be possible to ensure such individuals do not appear in the picture.
9. The benefits of the activity, event, or function for older people should be the focus and any necessary arrangements or conditions should be proportionate to the event.
10. Whilst the delivery of the activity, event, and functions is the responsibility of LEAD, there should be effective communications maintained with the Chair and other Steering Group members.

General

The success and benefits of the activities, events, or functions are widely acknowledged and welcomed. Opportunities for suitable publicity on our web site and face book page, as well as the wider entities such as Caerphilly Council and local press, will be taken whenever possible. This governance note is intended to ensure

effective delivery of the activities, events, or functions whilst enabling the wider responsibilities of CO50 to be upheld.

Caerphilly Over 50 Steering Group
January 2022

COVID-19 (SARS-CoV-2) Policy

This policy applies to Caerphilly Over 50 (CO50) also known as Caerphilly Borough 50+ Forum.

CO50 will follow the rules or guidelines applicable to covid-19 as set out by Welsh Government and amended by them over time (see <https://gov.wales/covid-19-alert-levels>). This applies to all members of the CO50 Steering Committee on Forum business. Any Steering Committee member responsible for a contractor, group or organisation acting on behalf of CO50 must ensure that they are aware of and have agreed to accept this policy.

Before resuming face-to-face meetings, CO50 must conduct a risk assessment. The outcome of the assessment must be discussed by the Committee and obtain unanimous agreement that risks have been minimised and are acceptable to all.

Since CO50 does not have its own premises, any activity/event will be held in venues managed by other entities. The CO50 officer organising the activity/event must obtain and evaluate the risk assessment and rules used by such entity. They must also undertake a risk assessment that evaluates how to safely use the venue for the purpose.

Care Homes

A statement by Welsh Government outlines that Care Homes form a special case:

In general, the law does not prevent visits to people who do not live in private homes. So, for example, indoor visits to care homes, and hospices are permitted under the law. This does not mean that any of these places are obligated to be open - individual settings will need to ensure they are able to support visits safely. These visits will need to be in accordance with the rules put in place by the setting you are visiting.

Members acting on behalf of CO50 must check with the relevant location for their specific visiting arrangements for the activity/event being planned. Discussion should include the screening protocol, possible need to take a Lateral Flow Device (LFD) test, wearing a face covering and following their infection control measures, for example, sanitising hands.

This should also include the numbers attending. It might be helpful if members of the group visiting the Care Home are prepared to give details of their vaccination history and disclose if they are clinically vulnerable. However, this information is private, and the organiser will have to assume the worst case if this information is not available.

Steering Committee
Caerphilly Over 50
May 2021

Volunteer Policy

Introduction

Caerphilly Over 50 (CO50), formerly known as Caerphilly 50+ Forum, is legally defined as an unincorporated association. It is a voluntary organisation. Our aim is to help older people throughout Caerphilly Borough. This may be through a wide variety of events or projects, or through dissemination of information to members or by making representation to local or national government on their behalf.

CO50 activities are managed by a Steering Committee that is elected from members attending the Annual General Meeting. The members forming the Steering Committee are defined as the "Volunteers" of CO50. This elected body of Volunteers are then responsible for electing the Officers of the Committee as defined in the Constitution.

The range and extent of what can be undertaken by CO50 depends on the ability to attract volunteers to seek election to the Steering committee. Volunteers help enhance the objectives achieved by CO50 by putting their time, skills, knowledge, or experience at its disposal. They help keep CO50's work relevant by bringing a range of personalities, backgrounds and experience into the organisation.

This policy is intended to ensure good practice in the involvement of volunteers in CO50's work and promote understanding of the respective roles of Committee Volunteers and Officers in the organisation.

1. Governance

The Constitution describes most of the ways in which CO50 will operate. However, since the Constitution can only be modified via the AGM (or, exceptionally, through an extraordinary General meeting), some matters of Governance are described in our approved policies that are available on our website. [Policy Documents - Over 50 Caerphilly \(caerphillyover50.co.uk\)](#)

It is important that volunteers understand that they must act objectively in a manner that is NOT party political. CO50 has many positive links and contacts within Caerphilly Borough Council but Volunteers must be aware that CO50 is an independent entity and that, where necessary, we will make constructive criticism of policies and actions from the Council.

CO50 has a Public Liability Insurance policy that includes Employee cover. This is essential for the protection of Volunteers as they are now regarded in law as "employees". It is the responsibility of all Volunteers to understand the Insurance cover, especially the "Declarations" which describes what we have disclosed to the Insurer what we do NOT do.

2. Role of Volunteers

Volunteers are expected to make a long-term commitment to CO50 of at least 2 years. They are expected to attend Steering Committee meetings on a regular basis. In order to make a positive contribution, they must maintain an awareness of current topics under discussion. COPA have published several Position Papers on their website on key topics to which CO50 have contributed and agreed. Following developments from the local Council and relevant National debates as well as having general discussions

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with neighbours and local group members will assist in forming objective views. By maintaining a level of awareness, they should bring items to the committee to discuss and formulate future positions.

All volunteers will need a reasonable level of IT skill being able to communicate via email and video conference. In general, communication with and between Volunteers will be via email. Responses should be made in a timely manner on receipt of any communication from Officers requesting comments or contributions even if it is to confirm a "nil response".

The Steering Committee will be responsible for developing a Business Plan and for maintaining and, where necessary, modifying the plan.

Steering Group members should take reasonable steps to ensure that they operate their computer securely to prevent compromising other members to whom they send email. Training can be provided to help with this where necessary.

Volunteers will be made aware of the code of conduct that has to be exercised in Steering Group meetings.

3. Officers

The desirable posts to be filled are defined in the Constitution. A role description outlining the general tasks, required skills or qualities will be agreed for each post. Training in support of each role will be catered to the experience of the volunteer/officer appointed.

Operational Framework

Purpose – CO50 is an independent organisation, promoting the interests, participation and engagement of older people in the County Borough and providing them with an opportunity to express, publicise and present their views, opinions or complaints. We promote the creation of Age Friendly Communities in Wales and support Covid recovery.

Constitution - CO50 has a constitution that has been “approved” by GAVO that is intended to ensure good governance of the Forum. Because the Constitution can only be amended by a General meeting of members, other policy papers have been agreed that may be modified when appropriate by the Steering Committee.

Appoint Forum Officers – officers are elected annually by voting members on the Steering Committee to provide leadership to the Forum which is administered by the

Steering Group. All executive powers of the Forum are exercised through the Steering Group voting members.

Meetings – Regular meetings of the Steering Group are held periodically as determined by the Steering committee. Such meetings are minuted. Attendance and participation by the Council and Third Sector organisations and others is welcomed with observer status. CO50 will hold an Annual General meeting and, exceptionally, General meetings, as defined in the constitution.

Membership – residents in the County are encouraged to become members. This makes it possible to contact them directly to provide information or seek their opinion. The Steering committee should seek to promote contributions from members. A register of members is maintained in accordance with the provisions of the Data Protection Act 1988.

Communications – It is important that Committee members regularly review their emails and respond and interact with other Committee members. Members should also raise awareness of CO50 through their general contacts and provide information and guidance relevant to older people. CO50 should establish adequate resources to provide regular communications through a website, social media, written form, leaflets etc or through contributions to other organisations.

Projects – The Steering committee will approve undertaking (subject to funding and/or support) local projects in partnership with others to improve the lives of older people, including intergenerational work.

Finance – CO50 will maintain a Bank Account. The Committee will maintain an awareness, through partners, of the availability of grants and make applications where appropriate.

Local Council – While CO50 is an independent organisation, it will seek, where it considers it beneficial to local residents, to support the local Council in its initiatives. This is epitomised currently as the initiative on developing an Age Friendly Community. We will encourage officers from across relevant Council teams to continue to attend our meetings and share information, as well as assisting in projects. Attendance at meetings and interaction with our Older Persons Champion is encouraged.

As well as working with and supporting appropriate Council initiatives, we will continue to seek their support for our activities. This would include support for special events e.g., AGMs, conferences, and seminars etc.

Consultation – CO50 will comment on various relevant consultations from national and local government to ensure our local voice is heard.

National Representation – CO50 will fully participate in interactions with Cymru Older People's Alliance. This will ensure that older people's views are represented to Welsh Government, The Older People's Champion and Age Cymru.

Operating Plan

Introduction

In 2004 the Welsh Assembly Government's Strategy for Older People recommended each of the 22 Local Authorities in Wales should establish a 50+ forum to enable older people across Wales to have the opportunity to get their voices heard on issues that matter to them.

The success of Forums was demonstrated in a document produced by the Wales Local Government Association (WLGA) in 2011 "Local Implementation of the Strategy for Older People in Wales". It detailed what it referred to as "Demonstrating value for money and efficiency in a period of economic austerity".

In the ensuing 10 years, austerity cut deeper into the fabric of society and many Forums ceased to exist or, at best, struggled to survive.

2022 has seen the latest Welsh Government strategy for older people published with "Age Friendly Communities (AFCs)" as a central theme. Through Cymru Older People's Alliance, AFCs are seen as the core around which Forums or older people's groups can regenerate after the period of austerity and the covid-19 pandemic. A brief overview of AFCs is available [Age Friendly Communities - Cymru Older People's Alliance \(copacharity.com\)](https://copacharity.com).

WHO look for the commitment from an elected representative with the authority to implement and shape priorities as a signatory to any application for accreditation to the scheme. But it is important to recognise that while AFCs may involve macro programmes to improve such areas as Transport, Housing and Health Services there are numerous things that are appropriate to address by groups such as CO50. COPA have developed with the Commissioner's Office, a practical guide for creating such improvements at a very local level. Here is an updated version https://olderpeoplewales.com/Libraries/Uploads/AFC_guide_eng_-_v2_-_FINAL.sflb.ashx

CO50 Chair and Vice chair are members of the AFC Steering Group led by Caerphilly Council. Hopefully we have contributed to an imaginative way of seeking the view of the widest possible range of residents of the Borough of all ages about what is good and where improvements might be made.

We also need to focus on what CO50 can do. The priority is to recruit volunteers to join us in this endeavour. To this end we are focusing on promoting our organisation, advertising the need for recruits culminating in our Annual General Meeting.

General Data Protection Regulation (GDPR)

A lot of the GDPR legislation is very similar to the previous Data Protection Act. It is in place to ensure that organisations respect and take care of people's personal data and do not keep any information that they do not need.

Personal data is information about a person which is identifiable as being about them, including names and addresses, as well as more sensitive information. It can be held on paper or electronically.

It is important to make the distinction between personal data that belongs to your forum and contact details that belong to you personally. If you met a person and received their information through your involvement with the forum, the data belongs to the forum and should not be used for personal reasons without consent.

Your forum needs to have a clear purpose for collecting and storing personal data. For example, if you need to send information to all your members about upcoming meetings, you will need their names and addresses or email addresses. However, you do not need other information about people, such as their marital status or gender.

According to the GDPR legislation, your forum should only collect, store and use personal data if you are doing so for one of the following reasons:

- To serve your forum's 'legitimate interests'
- Your explicit consent from the person whose data it is
- To fulfil a contract with the person whose data it is
- To meet a legal obligation
- To protect someone's life
- To perform a public task

Legitimate interests means that you can use data in ways that are necessary in order to run your forum. You should only keep and use the minimum amount of data that you need and you should give people the option of having their data removed from your records.

For example, if your forum needs to contact local over 50s about meetings that all are entitled to attend, it is in the forum's legitimate interests to send them a letter or email with information about the forum and its meetings. This should include contact details for the forum and clear information explaining that they can ask to be removed from the mailing list if they do not want to continue receiving information.

'Cold' contacting, such as general mailings, are acceptable as long as they meet legitimate interests and the recipient is full informed as to why the contact was made and how to have their data removed from your records.

Your forum can use personal data if you have explicit recorded consent. Consent is only valid for the particular purpose it was gained. For example, if you have consent to send someone a newsletter, it doesn't mean you have consent to send any other information.

Consent must be given by signing or ticking a box – it cannot be an opt-out option. Records need to show when and how consent was given, and the specific purpose.

When your forum collects personal data, you should provide them with a privacy notice which tells them why you need or have their data. It should include:

- The name of your forum
- What the data will be used for
- Which basis you have for using the data
- How long the data will be kept
- Whether the data will be shared with a third party
- That individuals can ask to have their data removed at any time

All personal data must be kept securely. If you use electronic storage, your computer should be password protected and have up-to-date virus software. If your forum stores data on paper, it should be filed securely. All reasonable steps must be taken to protect personal data.

You should request explicit consent if you want to share personal data with a third party. This might be another organisation, but it could also be members of your own group. For example, if you send a group email, make sure that the email addresses are typed into the Bcc field to ensure that all email addresses are hidden.

Once you have finished using personal data for the purpose it was collected, it should be deleted.

Your forum should have a Data Protection Policy. There are many sources to help you write a policy, so please get in touch if you need help.

Here is a link <https://www.resourcecentre.org.uk/information/data-protection-for-community-groups/#legitimate> to resources that Forums can use to deal with their data protection responsibilities, including how to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. This includes sample Data Protection policies and procedures that can be utilised