

Members' Library Service Request Form

Date of Document	20/04/22
Originator	Sarah Fortune Per Jill Totney
Originator's Ref (if any)	
Document Title	Application for Common Good Funding

Please indicate if access to the document is to be “unrestricted” or “restricted”, with regard to the terms of the Local Government (Access to Information) Act 1985.

Unrestricted	<input checked="" type="checkbox"/>	Restricted	<input checked="" type="checkbox"/>
--------------	-------------------------------------	------------	-------------------------------------

If the document is “restricted”, please state on what grounds (click on grey area for drop-down menu):

Para 06 £ or Business Info

Additional information:

This report was approved in accordance with Election Recess Arrangements - Standing Order 15.6. The report was approved by Councillors McMillan and Akhtar.

Authorised By	Sarah Fortune
Designation	Exec Dir for Council Resources
Date	20/04/22

For Office Use Only:	
Library Reference	62/22
Date Received	25/04/22
Bulletin	May22

PRIVATE – NOT FOR PUBLICATION

Exempt Information – by virtue of paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A of the Local Government (Scotland) Act 1973



REPORT TO: East Lothian Council (Election Recess Arrangements – Standing Order 15.5)

MEETING DATE:

BY: Executive Director for Council Resources

SUBJECT: Application for Common Good Funding

1 PURPOSE

1.1 To determine an application for Common Good funding.

2 RECOMMENDATIONS

2.1 Members are asked to consider the funding application set out in sections 3.1 – 3.2 and attached at Appendix 1, and determine the amount of grant, if any, to be awarded taking into consideration the recommendation from the Executive Director for Council Resources alongside the request to consider additional information as set out in paragraph 3.4.

3 BACKGROUND

3.1 The Scheme of Administration for Common Good Committees administered by East Lothian Council states that Common Good Committees have the authority to award grants of up to £10,000. The Common Good Committees may make recommendations to the Executive Director for Council Resources in relation to expenditure in excess of £10,000; decisions on such applications will be taken by the Council. Given that the Council is currently in Election Recess, and in the absence of full Council and committee meetings, one such application is presented for approval in accordance with the Election Recess arrangements as set out in Standing Order 15.5 and approved by Council on 29 March 2022.

- 3.2 An application for funding of £95,000 has been submitted by The Hollies Community Hub SCIO, Musselburgh, and is attached at **Appendix 1**. The application has been reviewed for competence in line with the normal process for all common good funding applications and officers are content that the criteria for consideration for Common Good funding has been satisfied.
- 3.3 The application submitted is seeking emergency cash funding to support day to day running costs of the organisation, with the funding application commensurate to approximate 6 months running costs. The organisation is currently in pursuit of additional funding sources details of which are set out in section 21 of the application. The Hollies have confirmed that at the time of writing the report these applications remain pending, with the expectation that confirmation will be received for at least some of these applications in the next month.
- 3.4 In accordance with the approved Scheme of Administration, a recommendation has been sought from the Executive Director for Council Resources, who is recommending that a maximum of 2 months running costs (amounting to £32,000 based on the information set out in the application) could be provided given the concerns around the future financial sustainability of the organisation. This short period of funding would allow clarification on a number of the additional funding streams being pursued. In considering the application and concerns around the on-going financial sustainability of the organisation, the Executive Director for Council Resources has asked that members consider the following information alongside the application set out in **Appendix 1**:
- Given the funding application is being made to support on-going running costs of the organisation, there remains significant concerns around future financial sustainability of this organisation. Even if alternative funding applications to other organisations are successful, it remains unlikely that these alone will present a sustainable funding solution for the organisation, and as such the organisation should be encouraged to consider reviewing its business model to ensure it can operate in a financially sustainable manner.
 - Previous arrangement where support from the Health and Social Care Partnership (HSCP) was ended in 2019 at the request of the organisation. In addition, Council officers have supported Hollies in terms of onward connections to review the organisation business model.
 - The Council currently leases the building to The Hollies Day Centre for a peppercorn rent, with the responsibility for on-going maintenance and repair of the building resting with the organisation per the existing lease. Concerns have been raised relating to the state of the roof and wider repair of the building and the Council has recently commissioned external surveyors to provide an assessment of required repairs and consider this against the lease obligations. The surveyors report has indicated that there has been lack of evidence of on-going repairs and

maintenance by the tenant in line with the lease requirements, and are estimating costs in excess of £100k to ensure the building is repaired to required standard. The organisation will be required to consider meeting the cost of this repair in addition to the funding requirement set out in the application. Given this, there remains on-going concerns relating to how the organisation will continue to be able to fulfil and support the required maintenance and investment required within this asset, thereby placing further pressure on the future financial sustainability of the organisation.

- 3.5 Taking the above into consideration, should members agree to support an award of funding, the Executive Director for Council Resources has agreed that £24,000 of unallocated grant budget in 2021/22 can be carried forward into 2022/23. An indicative grant award budget of £150,000 for Musselburgh Common Good has been previously agreed, and full Common Good budgets will be considered by Council in June 2022 for formal approval.

4 POLICY IMPLICATIONS

- 4.1 None.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – the proposed grant funding can be accommodated within the Musselburgh Common Good budget. The indicative budget for grant funding for the Musselburgh Common Good Fund in 2022/23 is £150,000, with updated Common Good budgets for the period 2022-2025 to be considered formally by Council in June 2022.
- 6.2 Personnel - None.
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Members Library Service – 60/20 Common Good Budgets 2020-2023

AUTHOR'S NAME	Jill Totney
DESIGNATION	Team Manager – Democratic and Licensing
CONTACT INFO	jtotney@eastlothian.gov.uk
DATE	20 April 2022

COMMON GOOD FUND: APPLICATION FORM FOR GRANT FUNDING



Thank you for applying for Common Good Funding. By completing and signing this application form, you are noting all the content in the information and guidance notes and agree to all the requirements outlined in these.

INFORMATION and GUIDANCE NOTES

- East Lothian Council administers the assets of four Common Good Funds for Dunbar, Haddington, Musselburgh, and North Berwick. The area of each Common Good Fund is defined by Burgh maps from 1973 and **only residents or organisations that live or operate within these areas can apply for Common Good funding**. Click here to view the boundary maps: [East Lothian Common Good Boundary Maps](#)
- Applications must be submitted at least **one month in advance of the meeting** at which the application will be considered. Meeting dates can be found using the following links to the Council website:
 - Dunbar: [Dunbar Common Good Committee Meeting Dates](#)
 - Haddington: [Haddington Common Good Committee Meeting Dates](#)
 - Musselburgh: [Musselburgh Common Good Committee Meeting Dates](#)
 - North Berwick: [North Berwick Common Good Committee Meeting Dates](#)
- The amount of Common Good grant money available varies between the four funds; please apply for what you need and the Committee will decide the amount of any award.
- Applicants may be asked to provide additional information to support their application or to attend a Common Good committee meeting to provide further information.
- Applications will not be accepted from East Lothian Council (ELC) officers unless they are formally representing a community group as an appointed office bearer of that group. Applications will not be accepted from an Elected Member of East Lothian Council, even if they are an appointed office bearer of a group or organisation.
- Applications cannot be made retrospectively for events/projects that have already taken place or for a financial commitment to purchase goods or services that has already been made.
- Applications that benefit only an individual, or do not demonstrate the benefits to a wide range of people in the Common Good area/community, will be assessed as not meeting the criteria for Common Good funding. Full details of the application criteria can be found at: [Common Good - What Can and Cannot be Funded](#)
- Should an event or purchase not proceed, we will seek to recover the full amount of any grant that has been awarded. It is the responsibility of the applicant to ensure that event cancellation insurance, or some other means of recovering any outlays, is in place; applicants might be asked to provide evidence of this before grant funds are released. The applicant must advise ELC immediately an event or purchase does not go ahead.
- Where the applicant will be purchasing goods or services, or having work carried out by a contractor, two quotations must be provided.

- Successful applicants will be requested to provide feedback and evidence on how they have used the funding, and to actively promote the fact that they have been supported by Common Good funding. Failure to do so may jeopardise the outcome of any future applications for Common Good funding.
- If you require further information about the application process, please email your questions to meetings@eastlothian.gov.uk

Please indicate the Common Good Fund you are applying to	
Dunbar	
Haddington	
Musselburgh	x
North Berwick	

All questions in this form are numbered. Should you run out of space in a handwritten application, please continue on a separate sheet and number the question(s) you are answering

Applicant/organisation details	
1. Name of Applicant	Liz Shannon
2. Organisation	Hollies Community Hub SCIO
3. Position in organisation	Manager
4. Email address of applicant	Holliesmusselburgh@hotmail.co.uk
5. Daytime telephone number/s	01316655613
6. Postal address of applicant	183 High Street Musselburgh EH21 &DE
7. Website address (if applicable)	Facebook page – The Hollies Musselburgh
8. Please give a brief summary of the history of your organisation, including when it was formed, links to any parent body, and any other relevant information.	<p>The Hollies Day Centre SCIO was established in 1962 and from small beginnings in a hut in Musselburgh it has become the Community Hub for the older population of Musselburgh and surrounding areas. The lunch club is open to all over 60 years of age and for those who can make their own way in they can come from any area with a days notice for catering purposes. Our bus picks up from Musselburgh, Wallyford and Whitecraig.</p> <p>In 2022 we changed our name to the Hollies Community Hub to truly reflect the service we provide to the local community. Although the Trustees had discussed this change since 2019 the pandemic got in the way of our plans. However it gave us the opportunity to put this to the test with the only areas we could open safely for nearly 2 years was our cafe and hairdressers. Albeit on a smaller scale with the cafe resituated in our large hall to allow for social distancing and all other safety protocols in place at the time.</p> <p>The lunch club restarted in on the 4th August 2021 and is going from strength</p>

	to strength. Some of our members were housebound for nearly 2 years and are delighted to be back as part of the community and socialising with their peers. The only place in Musselburgh providing such a service to the local and older community.
9. What are the aims and objectives of your organisation, including its current role within the community, types of services provided, and the general benefits it brings to people in the local community?	<p>The ethos of the Hollies is to help older people retain their independence in a homely setting to which they can come Monday to Friday, where they can mix and meet their friends and with our voluntary effort and support, give that human touch which is so vital for older people. Our aim is to improve social inclusion and reduce social isolation in this vulnerable group by offering services they may enjoy in our centre. We also run a cafe open to the public as well as our older attendees where people can come Monday to Friday to meet friends and enjoy inexpensive meals and snacks</p> <p>We have our own bus to bring people into our lunch club and home pre pandemic we had expanded our afternoon activities with musicians coming in to play for members to sing along or dance.</p> <p>Our purpose and mission is to provide a safe place for the growing numbers of older people in the Musselburgh and surrounding areas to socialise with activities and talks on relevant safety and informative subjects as well as have fun.</p> <p>We also have an inexpensive ladies hairdressers salon in our premises.</p>

Payment details (for use if application is successful)

10. Name and address of bank	Bank of Scotland The Direct Business (802260) PO Box 1000 BX2 1LB
11. Name of account holder	Hollies Community Hub SCIO
12. Sort code (6 digits)	80-22-60
13. Account number (8 digits)	18827864

Common Good Application – Details

14. How much are you applying for? If your application is successful, what is the latest date by which you would require to receive the funds?	<p>95,000</p> <p>Six months funds</p> <p>As soon as possible</p>
15. What is the total cost of the project/event/asset you are	190,000

applying for?	
<p>16. Is this application in respect of a one-off project?</p> <p>If you answered no, please provide details of related past/future event/s or project/s.</p>	<p>Yes, it is a plea for emergency funding to allow us to provide a service to the local community whilst we try to generate an income and seek other funding sources.</p>
<p>17. If the application relates to an event or events, what is/are the event date/s?</p>	
<p>18. What will the money be used for? Please provide a detailed breakdown of all costs. Individual item costs, if applicable, must equal the total amount being applied for.</p> <p>Two quotations must be included for all goods, services and work to be done by a contractor</p>	<p>Core funding Gross Salaries £154,000 Utilities £ 10,300 Building insurance £1,430 Employer public liability £700 Accountant £2,800 HMRC £14,719 Pensions £5,200 Yearly - £189,149</p> <p>This does not include mini bus expenses and ongoing maintenance costs.</p>

Benefits to the Wider Common Good Community

19. Please provide a detailed explanation as to how this application will **benefit the wider community and residents** within the Common Good boundary area. This explanation need not be restricted to, but must cover, the following points:

- Who do you expect will benefit from the project/event/facility/asset?
- How many people will be able to access/use this project/event/facility/asset?
- What restrictions will there be on who can use the project/event/facility/asset (e.g. age limits, limits on the number of users)?
- What will the costs be for people (including membership fees) who are using the facility or accessing the project/event?
- If you have a membership scheme, how many members are there? Please provide data by membership category if applicable.
- How will you demonstrate or measure the benefits to the community of this facility/project/event/asset?
- What is the commercial nature of your application? Please provide details of any profit-making elements and/or any funds that will be raised, e.g. from entry fees or the sale of tickets.
 - The local, mainly older members of our community.
 - Approximately 250 people use our services weekly i.e. 13,000 per year
 - Age limits apply to the lunch club and hairdressers. The cafe is open to all and although used mainly by the elderly young mothers with their children use our services regularly as we are accommodating and inexpensive.
 - Customers pay for what they buy.
 - We don't have a membership as such however we refer to our lunch club customers as members it being a more friendly term.
 - We have a consultation being circulated to everyone who come through our doors we have also started a petition to gauge the feeling of the community to the threatened closure of this service.
 - Generated income comes from our cafe, hairdressers and lunch club hub. We are hoping to sub-let a couple of unused areas of our building when we hear back from ELC that we are allowed to do so. The sub-let would only be to similar charities and not to businesses.
 - With Covid restrictions easing we have a number of fundraising events ongoing. We have a Patsy Cline night, Jim Martin from Still Game is auctioning off a clapperboard signed by cast and crew of his very last performance on the show. One of our drivers is raising funds by doing a virtual walk from John O'Groats to Lands End.

Further event/project details

20. How much funding towards the project/event has already been raised by the applicant's own efforts (eg. through fundraising/use of reserves)?

The staff have all offered to take half pay for the first 2 weeks in April to try to extend our services a bit longer. We have a Go Fund me page which was set up for much needed roof repairs.


21. Please give details, including the amount, of any other funding you have applied for, either from elsewhere in East Lothian Council or from other sources, along with the decision/s on these

VCEL Communities Mental Health & Wellbeing Fund c £25K unsuccessful
 Tudor Trust – didn't reach 2nd stage of application
 Garfield Weston - £90k pending submitted on the 2nd February 2022 and is reviewed on a first come first served basis

<p>applications (granted/not/granted/pending)</p> <p>Where you are awaiting the outcome of other funding applications, please indicate the date that you anticipate receiving a decision on these applications.</p>	<p>Lottery Improving lives continuation funding - £90k over 2 years. Work in progress</p> <p>Peoples postcode Trust - £25k will be submitted on 1st April 2022</p>
<p>22. How will you proceed if you receive only part funding from the Common Good fund?</p> <p>Please provide information on the basis of receiving 75%, 50% and 25% of the funding you have applied for.</p>	<p>We will continue to fundraise and apply to other funding sources.</p>
<p>23. How will the project/event proceed if you do not secure any funding from the Common Good Committee?</p>	<p>In reality after 60 years service to the local community the Hollies will close.</p>
<p>24. If your financial position (latest accounts/financial statement) shows that you have funds that would allow you to proceed/part proceed without Common Good funding, please explain why these funds are not being used?</p>	<p>After March's expenditure we will have £12k left in our account.</p>
<p>25. Is the application for an event that potentially might not go ahead (e.g. due to bad weather or low numbers)?</p> <p>If yes, please provide details as to how you would intend to repay the funds that you have been awarded.</p>	<p>No</p>
<p>26. Have you previously received a grant or grants from a Common Good Fund for this or any other purpose?</p> <p>If yes, please provide the date/s, amount/s granted, and the</p>	<p>Yes</p> <p>2013 grant toward the refurbishing of our very old toilets £8,500</p> <p>2017 grant towards the refurbishing of the board room windows and towards a new boiler £9,128.80</p> <p>2019 Emergency funding for staff costs £10,000 to help us operate a full</p>

purpose/s of the award/s.	service whilst we applied to funding bodies now that ELC funding had stopped.
<p>27. Have you been in receipt of any other funding from East Lothian Council for this or any other purpose?</p> <p>If yes, please provide date/s, amounts, and purpose/s.</p>	<p>No</p> <p>We had a SLA with ELC to part fund the Hollies services, our last grant was £20,172 December 2018</p>
<p>28. If your application relates to an asset, do you/will you own the asset outright? If not, please provide details of ownership and your interest in the item.</p> <p>Please provide details of any lease arrangements.</p> <p>Please provide details of any ongoing maintenance obligations and costs, and explain how these costs will be met.</p>	<p>The Hollies is an asset of the local community of Musselburgh, mainly the elderly population. The building became the property of ELC on 29/10/2004.</p> <p>The Hollies Trustees were granted a 99 year lease until 28th October 2103 with a break option every 33 years. With a stipulation that the Tenant shall be bound to give ELC one years' notice of its intention to exercise said break option.</p> <p>Our lease states we as the tenant shall be responsible for all external and internal maintenance and repairs, and we have managed this over the years with a struggle. However this has been an onerous tasks year in year out especially now with the extraordinary external repairs needing done to our roof. Waiting to hear if ELC estates will contribute to the costs since 1st April 2021.</p>
<p>29. Is Planning Permission or a Building Warrant required in relation to your application?</p> <p>If yes, please provide details of any planning implications including any planning consent received (including the reference number)/applied for/still to be applied for.</p>	<p>No</p>
<p>30. Are there any Health & Safety implications in relation to your application? If yes, please provide details.</p>	<p>No</p>

Document checklist. You MUST attach the following to your application form:	
Copy of the organisation's signed and dated Constitution	x
Copy of the organisation's most recent year and prior year accounts/financial information	x
Copy of two estimates where goods or services are to be purchased or where work is to be carried out by a contractor	N/A

Please note:	
Applicants should refrain from canvassing any Elected Member of East Lothian Council about their application as this could preclude the Member from voting on your application.	
31. Have you discussed your application with any of the Local Councillors, or had any contact with one of the Local Councillors regarding this application? NO	
If yes, please provide details of any information/advice you received and any actions that were agreed.	
I confirm that the information on this form is correct and that all sections have been fully completed.	
Signature	
Please print name	Liz Shannon
Date	25 th March 2022

Incomplete application forms will be returned with the request to complete any missing information. This may result in the application being finalised too late for the next meeting of the Common Good Committee.

Applications that are received by email will receive an automated receipt advising that applications will be reviewed four weeks before the next Common Good committee meeting date. Paper applications will be acknowledged as soon as possible and will also be reviewed four weeks before the next Common Good meeting.

Please email your completed form, together with any scanned or PDF versions of your supporting documents to commongood@eastlothian.gov.uk.

Alternatively, paper copies can be posted to:

Committees Team

Democratic Services
John Muir House
East Lothian Council
Haddington
East Lothian
EH41 3HA

Hollies Day Centre SCIO
Unaudited Financial Statements
30 April 2021

CHARITY REGISTRATION NUMBER: SC010650

CHARLES BURROWS & CO

Chartered Accountants
7 Palmerston Place
Edinburgh
EH12 5AH

Hollies Day Centre SCIO**Financial Statements****Year ended 30 April 2021**

	Pages
Trustees' annual report	1 to 4
Independent examiner's report to the trustees	5
Statement of financial activities	6
Statement of financial position	7
Notes to the financial statements	8 to 15
The following pages do not form part of the financial statements	
Detailed statement of financial activities	17
Notes to the detailed statement of financial activities	18

Hollies Day Centre SCIO

Trustees' Annual Report

Year ended 30 April 2021

The trustees present their report and the unaudited financial statements of the charity for the year ended 30 April 2021.

Reference and administrative details

Registered charity name	Hollies Day Centre SCIO
Charity registration number	SC010650
Principal office	183 High Street Musselburgh EH21 7DA

The trustees

Mr R Knox
Mr D Grieve
Miss M McClymont
Ms Rosemary Moffat
Mr A Hadden
Dr F Kelly
Mr J Martin

Independent examiner	William A S Gunn 7 Palmerston Place Edinburgh EH12 5AH
-----------------------------	---

Structure, governance and management

Governing document

The charity is a charitable unincorporated trust and the purposes and administration arrangements are set out in the constitution. The charity converted to a SCIO on 12 April 2016.

Recruitment, appointment and training of trustees

The appointment of trustees is by the approval of the existing trustees. Before appointment, potential trustees are invited and encouraged to attend a series of committee meetings to familiarise themselves with the charity and the context within which it operates. The management committee determine the policy and direction of the charity.

Risk management policy

The trustees have assessed the major risks to which the charity is exposed and are satisfied that systems are in place to mitigate those risks.

Objectives and activities

The purpose of the centre is to give elderly people and others a place to socialise, see friends and feel part of the community.

Hollies Day Centre SCIO

Trustees' Annual Report *(continued)*

Year ended 30 April 2021

Achievements and performance

In these most difficult of times I am pleased to say that the Hollies have survived and I am hopeful for our future. I am sure you will join me in thanking Liz Shannon for her commitment and drive to keep the Hollies going in such difficult times. Also thank you to the staff and volunteers who have risen to every challenge over this past 18 months.

Liz Shannon secured a number of funding grants over the lockdown period as follows:

Third Sector Resilience Fund	£12,200
B.O.S. Foundation Scotland	£ 4,800
Community Recovery Fund	£25,000
TOTAL	£45,000

We have also received the final instalments from the Lottery Community Fund of £20,000 and Robertson Trust of £16,000, resulting in our funds being the healthiest they have been for many years.

We were also offered a micro grant from Neighbourly of £400 if we were still operating a service in the first lockdown which we were not. Liz contacted Neighbourly to enquire if we could give the grant to the Musselburgh Resilience Team who were operating a service to the local community and this was allowed, so the money wasn't wasted.

The staff were all furloughed on 100% salary (with the exception of one month where they were paid 80%) the period from April until mid August 2020, then part furloughed until mid October. On 19 August some staff returned to work to prepare for reopening the cafe the following week, initially on a 3 day basis. However in October we decided to open for the full five days in order to give it our best shot.

Immediately following Christmas and Boxing Day, the second lockdown came into force at the end of December. With the exception of Liz, all staff were once again furloughed at 100% salary until 3 May 2021 when we reopened. The cafe and hairdressers are doing very well and very much appreciated by our customers.

Our staff and volunteers have taken on the challenge of a new way of working and we are closely following Government guidance for when we can safely restart the Lunch Club. Cafe and hairdresser customers alike are happy and feel safe with our hygiene procedures and safety measures in place. Both our track and trace and one-way systems are working well.

The cafe continues to do well especially now that we are serving meals which have proved very popular and our very successful two days of Christmas lunches were a sell out. Additionally, the hairdresser salon continues to be popular although numbers are restricted to 2 clients at a time.

Building maintenance continued to take place with the boilers and gas hobs serviced. The front door got a fresh coat of paint and a deep clean was carried out before we reopened. The main roof continues to be a major problem as well as the hall roof. It was decided to have an independent survey undertaken to find out the exact extent of the work needing to be done. There is a lots of maintenance work required to maintain the integrity of the building, so we will be looking for sources of funding over the next months to enable us to carry out the works.

Hollies Day Centre SCIO

Trustees' Annual Report *(continued)*

Year ended 30 April 2021

Our bus was at Bradbury Motors when the first lockdown began and they kept it on their premises, maintaining it over this period of time free of charge and we are very grateful to them for doing this. At the end of the year our two bus drivers retired along with Petra, our hairdresser for more than 30 years. We wish them all the very best for the future.

Financial review

The results of the operation of the charity for the year are shown in the attached Statement of Financial Activities.

As a result of the surplus of £16,254 for the year (£16,456 - 2020), the charity held unrestricted funds of £67,761 (£31,725 - 2020) and restricted funds of £11,522 (£31,304 - 2020) at the year end.

Principal funding sources

The principal funding sources for the charity are currently grants from The Big Lottery Fund and The Robertson Trust also income from the café facility, lunch club, hairdressing and nearly new shop.

Reserves

The trustees have considered carefully the policy to be adopted and have determined that the unrestricted reserves of the charity should not be less than the cost of meeting three months of the charity's overheads. The reserves are needed to meet the legal obligations of the charity, and the trustees are confident that at this level they would be able to continue the current activities of the charity in the event of a significant drop in funding. The present level of reserves available to the charity falls significantly short of this target level. Although the strategy is to continue to build reserves through planned operating surpluses, the trustees are aware that it is unlikely that the target level can be reached for at least five years.

Trustees' remuneration and expenses

All trustees are working on a voluntary basis and have claimed no expenses for the year (£nil - 2020).

Plans for future periods

Slowly but surely we are re-opening and we are feeling very positive as we look towards the future. We hope that we will be able to resume some of our other activities, although cautiously.

Trustees' responsibilities statement

The trustees are responsible for preparing the trustees' report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

The law applicable to charities in Scotland requires the charity trustees to prepare financial statements for each year which give a true and fair view of the state of affairs of the charity and of the incoming resources and application of resources, of the charity for that period.

Hollies Day Centre SCIO**Trustees' Annual Report** *(continued)***Year ended 30 April 2021**

Trustees' responsibilities statement *(continued)*

In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the applicable Charities SORP;
- make judgments and accounting estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in business.

The trustees are responsible for keeping adequate accounting records that are sufficient to show and explain the charity's transactions and disclose with reasonable accuracy at any time the financial position of the charity and enable them to ensure that the financial statements comply with the Charities and Trustees Investments (Scotland) Act 2005, the Charity Accounts (Scotland) Regulations 2006, and the provisions of the Trust Deed. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The trustees' annual report was approved on 30 August 2021 and signed on behalf of the board of trustees by:



Dr F Kelly
Trustee

Hollies Day Centre SCIO

Independent Examiner's Report to the Trustees of Hollies Day Centre SCIO

Year ended 30 April 2021

I report to the trustees on my examination of the financial statements of Hollies Day Centre SCIO ('the charity') for the year ended 30 April 2021.

Responsibilities and basis of report

As the trustees of the charity you are responsible for the preparation of the financial statements in accordance with the requirements of the Charities and Trustee Investment (Scotland) Act 2005 (the '2005 Act') and the Charities Accounts (Scotland) Regulations 2006 (as amended). You are satisfied that your charity is not required by charity law to be audited and have chosen instead to have an independent examination.

I report in respect of my examination of the charity's financial statements as carried out under section 44(1)(c) of the 2005 Act. In carrying out my examination I have followed the requirements of Regulation 11 of the Charities Accounts (Scotland) Regulations 2006 (as amended).

Independent examiner's statement

Since the charity has prepared its accounts on an accruals basis your examiner must be a member of a body listed in Regulation 11(2) of the Charities Accounts (Scotland) Regulations 2006 (as amended). I can confirm that I am qualified to undertake the examination because I am a registered member of ICAS which is one of the listed bodies.

I have completed my examination. I confirm that no matters have come to my attention giving me cause to believe that in any material respect:

1. accounting records were not kept as required by section 44(1)(a) of the 2005 Act and Regulation 4 of the Charities Accounts (Scotland) Regulations 2006 (as amended); or
2. the financial statements do not accord with those records; or
3. the financial statements do not comply with the accounting requirements of Regulation 8 of the Charities Accounts (Scotland) Regulations 2006 (as amended).

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.



William A S Gunn
Independent Examiner

7 Palmerston Place
Edinburgh
EH12 5AH

30 August 2021

Hollies Day Centre SCIO**Statement of Financial Activities****Year ended 30 April 2021**

		2021		2020	
	Note	Unrestricted funds £	Restricted funds £	Total funds £	Total funds £
Income and endowments					
Donations and legacies	4	35,779	108,902	144,681	135,186
Other trading activities	5	17,586	–	17,586	66,940
Total income		<u>53,365</u>	<u>108,902</u>	<u>162,267</u>	<u>202,126</u>
Expenditure					
Expenditure on charitable activities	6,7	79,661	66,352	146,013	185,670
Total expenditure		<u>79,661</u>	<u>66,352</u>	<u>146,013</u>	<u>185,670</u>
Net income and net movement in funds		<u>(26,296)</u>	<u>42,550</u>	<u>16,254</u>	<u>16,456</u>
Reconciliation of funds					
Total funds brought forward		31,725	31,304	63,029	46,573
Total funds carried forward		<u>5,429</u>	<u>73,854</u>	<u>79,283</u>	<u>63,029</u>

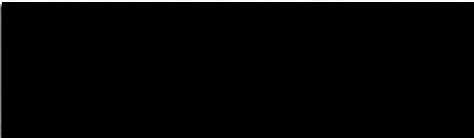
The statement of financial activities includes all gains and losses recognised in the year. All income and expenditure derive from continuing activities.

The notes on pages 8 to 15 form part of these financial statements.

Hollies Day Centre SCIO**Statement of Financial Position****30 April 2021**

	Note	2021 £	£	2020 £	£
Fixed assets					
Tangible fixed assets	12		1,453		1,938
Current assets					
Debtors	13	5,583		—	
Cash at bank and in hand		79,284		68,574	
		<u>84,867</u>		<u>68,574</u>	
Creditors: amounts falling due within one year	14	<u>7,037</u>		<u>7,483</u>	
Net current assets			<u>77,830</u>		<u>61,091</u>
Total assets less current liabilities			<u>79,283</u>		<u>63,029</u>
Net assets			<u>79,283</u>		<u>63,029</u>
Funds of the charity					
Restricted funds			73,854		31,304
Unrestricted funds			<u>5,429</u>		<u>31,725</u>
Total charity funds	16		<u>79,283</u>		<u>63,029</u>

These financial statements were approved by the board of trustees and authorised for issue on 30 August 2021, and are signed on behalf of the board by:



Dr F Kelly
Trustee

The notes on pages 8 to 15 form part of these financial statements.

Hollies Day Centre SCIO

Notes to the Financial Statements

Year ended 30 April 2021

1. General information

The charity is a public benefit entity and a registered charity in Scotland and is unincorporated. The address of the principal office is 183 High Street, Musselburgh, EH21 7DA.

2. Statement of compliance

These financial statements have been prepared in compliance with FRS 102, 'The Financial Reporting Standard applicable in the UK and the Republic of Ireland', the Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (Charities SORP (FRS 102)) and the Charities and Trustee Investment (Scotland) Act 2005 and the Charity Accounts (Scotland) Regulations 2006 (as amended).

3. Accounting policies

Basis of preparation

The financial statements have been prepared on the historical cost basis, as modified by the revaluation of certain financial assets and liabilities and investment properties measured at fair value through income or expenditure.

The financial statements are prepared in sterling, which is the functional currency of the entity.

Going concern

There are no material uncertainties about the charity's ability to continue.

Judgements and key sources of estimation uncertainty

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported. These estimates and judgements are continually reviewed and are based on experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

Fund accounting

Unrestricted funds are those which can be used within the charity's objectives, at the discretion of the trustees.

Restricted funds are those which can only be used for particular restricted purposes within the charity's objectives. Funds are restricted when their purpose is specified by the donor or where they are raised for a particular purpose or project.

Incoming resources

All income is included in the statement of financial activities when entitlement has passed to the charity, it is probable that the economic benefits associated with the transaction will flow to the charity and the amount can be reliably measured. The following specific policies are applied to particular categories of income:

Hollies Day Centre SCIO

Notes to the Financial Statements *(continued)*

Year ended 30 April 2021

3. Accounting policies *(continued)*

Incoming resources *(continued)*

- income from donations or grants is recognised in accordance with the terms of the offer, when receipt is probable and its amount can be measured reliably.

- income from donated goods is measured at the fair value of the goods unless this is impractical to measure reliably, in which case the value is derived from the cost to the donor or the estimated resale value. Donated facilities and services are recognised in the accounts when received if the value can be reliably measured. No amounts are included for the contribution of general volunteers.

Resources expended

Liabilities are recognised as resources expended as soon as there is a legal or constructive obligation committing the charity to the expenditure. All expenditure is accounted for on an accruals basis and includes attributable VAT which cannot be recovered.

Governance costs include those incurred in the governance of its assets and are primarily associated with the constitutional and statutory requirements.

Tangible assets

All fixed assets are initially recorded at cost. Assets below £250 are not capitalised.

Depreciation

Depreciation is calculated so as to write off the cost or valuation of an asset, less its residual value, over the useful economic life of that asset as follows:

Motor vehicle	- 25% straight line
Equipment	- 25% reducing balance

Impairment of fixed assets

A review for indicators of impairment is carried out at each reporting date, with the recoverable amount being estimated where such indicators exist. Where the carrying value exceeds the recoverable amount, the asset is impaired accordingly. Prior impairments are also reviewed for possible reversal at each reporting date.

Financial instruments

A financial asset or a financial liability is recognised only when the entity becomes a party to the contractual provisions of the instrument.

Basic financial instruments are initially recognised at the amount receivable or payable including any related transaction costs, unless the arrangement constitutes a financing transaction, where it is recognised at the present value of the future payments discounted at a market rate of interest for a similar debt instrument.

Hollies Day Centre SCIO**Notes to the Financial Statements** *(continued)***Year ended 30 April 2021****3. Accounting policies** *(continued)***Defined contribution plans**

Contributions to defined contribution plans are recognised as an expense in the period in which the related service is provided. Prepaid contributions are recognised as an asset to the extent that the prepayment will lead to a reduction in future payments or a cash refund.

4. Donations and legacies

	Unrestricted Funds £	Restricted Funds £	Total Funds 2021 £
Donations			
Donations	4,706	–	4,706
Grants			
Other grants	2,876	90,324	93,200
Lunch club grant	–	5,780	5,780
Job retention scheme grant	28,197	12,798	40,995
	<u>35,779</u>	<u>108,902</u>	<u>144,681</u>

	Unrestricted Funds £	Restricted Funds £	Total Funds 2020 £
Donations			
Donations	18,236	3,000	21,236
Grants			
Other grants	25,000	76,000	101,000
Lunch club grant	–	980	980
Job retention scheme grant	–	11,970	11,970
	<u>43,236</u>	<u>91,950</u>	<u>135,186</u>

5. Other trading activities

	Unrestricted Funds £	Total Funds 2021 £	Unrestricted Funds £	Total Funds 2020 £
Nearly New Shop	–	–	5,297	5,297
Hairdressing	4,660	4,660	19,853	19,853
Sale of Teas	12,926	12,926	41,790	41,790
	<u>17,586</u>	<u>17,586</u>	<u>66,940</u>	<u>66,940</u>

Hollies Day Centre SCIO**Notes to the Financial Statements** *(continued)***Year ended 30 April 2021****6. Expenditure on charitable activities by fund type**

	Unrestricted Funds £	Restricted Funds £	Total Funds 2021 £
Day centre activities	75,427	66,352	141,779
Support costs	4,234	–	4,234
	<u>79,661</u>	<u>66,352</u>	<u>146,013</u>

	Unrestricted Funds £	Restricted Funds £	Total Funds 2020 £
Day centre activities	100,070	80,646	180,716
Support costs	4,954	–	4,954
	<u>105,024</u>	<u>80,646</u>	<u>185,670</u>

7. Expenditure on charitable activities by activity type

	Activities undertaken directly £	Support costs £	Total funds 2021 £	Total fund 2020 £
Day centre activities	141,779	–	141,779	180,716
Governance costs	–	4,234	4,234	4,954
	<u>141,779</u>	<u>4,234</u>	<u>146,013</u>	<u>185,670</u>

8. Net income

Net income is stated after charging/(crediting):

	2021 £	2020 £
Depreciation of tangible fixed assets	<u>485</u>	<u>646</u>

9. Independent examination fees

	2021 £	2020 £
Fees payable to the independent examiner for: Independent examination of the financial statements	<u>2,400</u>	<u>2,700</u>

Hollies Day Centre SCIO**Notes to the Financial Statements** *(continued)***Year ended 30 April 2021****10. Staff costs**

The total staff costs and employee benefits for the reporting period are analysed as follows:

	2021	2020
	£	£
Wages and salaries	100,050	124,983
Social security costs	5,205	5,234
Employer contributions to pension plans	3,931	4,123
	<u>109,186</u>	<u>134,340</u>

The average head count of employees during the year was 7 (2020: 9).

No employee received employee benefits of more than £60,000 during the year (2020: Nil).

11. Trustee remuneration and expenses

No trustees received any remuneration or reimbursement of expenses during the year (2020 - nil).

12. Tangible fixed assets

	Motor vehicle £	Equipment £	Total £
Cost			
At 1 May 2020 and 30 April 2021	<u>4,339</u>	<u>17,236</u>	<u>21,575</u>
Depreciation			
At 1 May 2020	4,339	15,298	19,637
Charge for the year	–	485	485
At 30 April 2021	<u>4,339</u>	<u>15,783</u>	<u>20,122</u>
Carrying amount			
At 30 April 2021	<u>–</u>	<u>1,453</u>	<u>1,453</u>
At 30 April 2020	<u>–</u>	<u>1,938</u>	<u>1,938</u>

13. Debtors

	2021	2020
	£	£
Trade debtors	<u>5,583</u>	<u>–</u>

Hollies Day Centre SCIO**Notes to the Financial Statements** *(continued)***Year ended 30 April 2021****14. Creditors:** amounts falling due within one year

	2021	2020
	£	£
Accruals and deferred income	2,402	2,702
Social security and other taxes	4,635	4,781
	<u>7,037</u>	<u>7,483</u>

15. Pensions and other post retirement benefits**Defined contribution plans**

The amount recognised in income or expenditure as an expense in relation to defined contribution plans was £3,931 (2020: £4,123).

16. Analysis of charitable funds**Unrestricted funds**

	At			At
	1 May 2020	Income	Expenditure	30 Apr 2021
	£	£	£	£
Unrestricted Fund	<u>31,725</u>	<u>53,365</u>	<u>(79,661)</u>	<u>5,429</u>
	At			At
	1 May 2019	Income	Expenditure	30 Apr 2020
	£	£	£	£
Unrestricted Fund	<u>26,573</u>	<u>110,176</u>	<u>(105,024)</u>	<u>31,725</u>

Hollies Day Centre SCIO**Notes to the Financial Statements** *(continued)***Year ended 30 April 2021****16. Analysis of charitable funds** *(continued)***Restricted funds**

	At 1 May 2020	Income £	Expenditure £	At 30 Apr 2021 £
The Robertson Trust	–	16,000	(16,000)	–
Big Lottery Fund	31,304	65,000	(27,250)	69,054
Job retention scheme	–	12,798	(12,798)	–
Corra Foundation	–	9,324	(9,324)	–
Foundation Scotland	–	4,800	–	4,800
Transport Scotland	–	980	(980)	–
	<u>31,304</u>	<u>108,902</u>	<u>(66,352)</u>	<u>73,854</u>

	At 1 May 2019 £	Income £	Expenditure £	At 30 Apr 2020 £
East Lothian Council	–	980	(980)	–
The Robertson Trust	–	16,000	(16,000)	–
Big Lottery Fund	20,000	60,000	(48,696)	31,304
Job retention scheme	–	11,970	(11,970)	–
Hendrie Trust	–	3,000	(3,000)	–
Corra Foundation	–	–	–	–
Foundation Scotland	–	–	–	–
Transport Scotland	–	–	–	–
	<u>20,000</u>	<u>91,950</u>	<u>(80,646)</u>	<u>31,304</u>

Purposes of restricted funds

The Robertson Trust - Salaries and lunch club expenses

Big Lottery Fund - Salaries and day centre expenses

Job retention scheme - Salaries

Hendrie Trust - Bus costs

Corra Foundation - Salaries and lunch club expenses

Foundation Scotland - Lunch club expenses

Transport Scotland - Bus costs

Hollies Day Centre SCIO**Notes to the Financial Statements** *(continued)***Year ended 30 April 2021****17. Analysis of net assets between funds**

	Unrestricted Funds £	Restricted Funds £	Total Funds 2021 £
Tangible fixed assets	–	1,453	1,453
Current assets	74,798	10,069	84,867
Creditors less than 1 year	(7,037)	–	(7,037)
Net assets	<u>67,761</u>	<u>11,522</u>	<u>79,283</u>

	Unrestricted Funds £	Restricted Funds £	Total Funds 2020 £
Tangible fixed assets	–	1,938	1,938
Current assets	39,208	29,366	68,574
Creditors less than 1 year	(7,483)	–	(7,483)
Net assets	<u>31,725</u>	<u>31,304</u>	<u>63,029</u>

Hollies Day Centre SCIO

Management Information

Year ended 30 April 2021

The following pages do not form part of the financial statements.

Hollies Day Centre SCIO**Detailed Statement of Financial Activities****Year ended 30 April 2021**

	2021	2020
	£	£
Income and endowments		
Donations and legacies		
Donations	4,706	21,236
Other grants	93,200	101,000
Lunch club grant	5,780	980
Job retention scheme grant	40,995	11,970
	<u>144,681</u>	<u>135,186</u>
Other trading activities		
Nearly New Shop	–	5,297
Hairdressing	4,660	19,853
Sale of Teas	12,926	41,790
	<u>17,586</u>	<u>66,940</u>
Total income	<u>162,267</u>	<u>202,126</u>
Expenditure		
Expenditure on charitable activities		
Purchases	3,797	16,119
Wages and salaries	100,050	124,983
Employer's NIC	5,205	5,234
Pension costs	3,931	4,123
Rates and water	2,721	792
Light and heat	6,988	6,643
Repairs and maintenance	9,352	11,870
Insurance	2,306	2,397
Motor vehicle expenses	4,626	4,736
Legal and professional fees	3,775	4,440
Telephone	1,427	2,429
Other office costs	190	156
Depreciation	484	646
Other interest payable and similar charges	459	514
Sundry expenses	702	588
	<u>146,013</u>	<u>185,670</u>
Total expenditure	<u>146,013</u>	<u>185,670</u>
Net income	<u>16,254</u>	<u>16,456</u>

Hollies Day Centre SCIO**Notes to the Detailed Statement of Financial Activities****Year ended 30 April 2021**

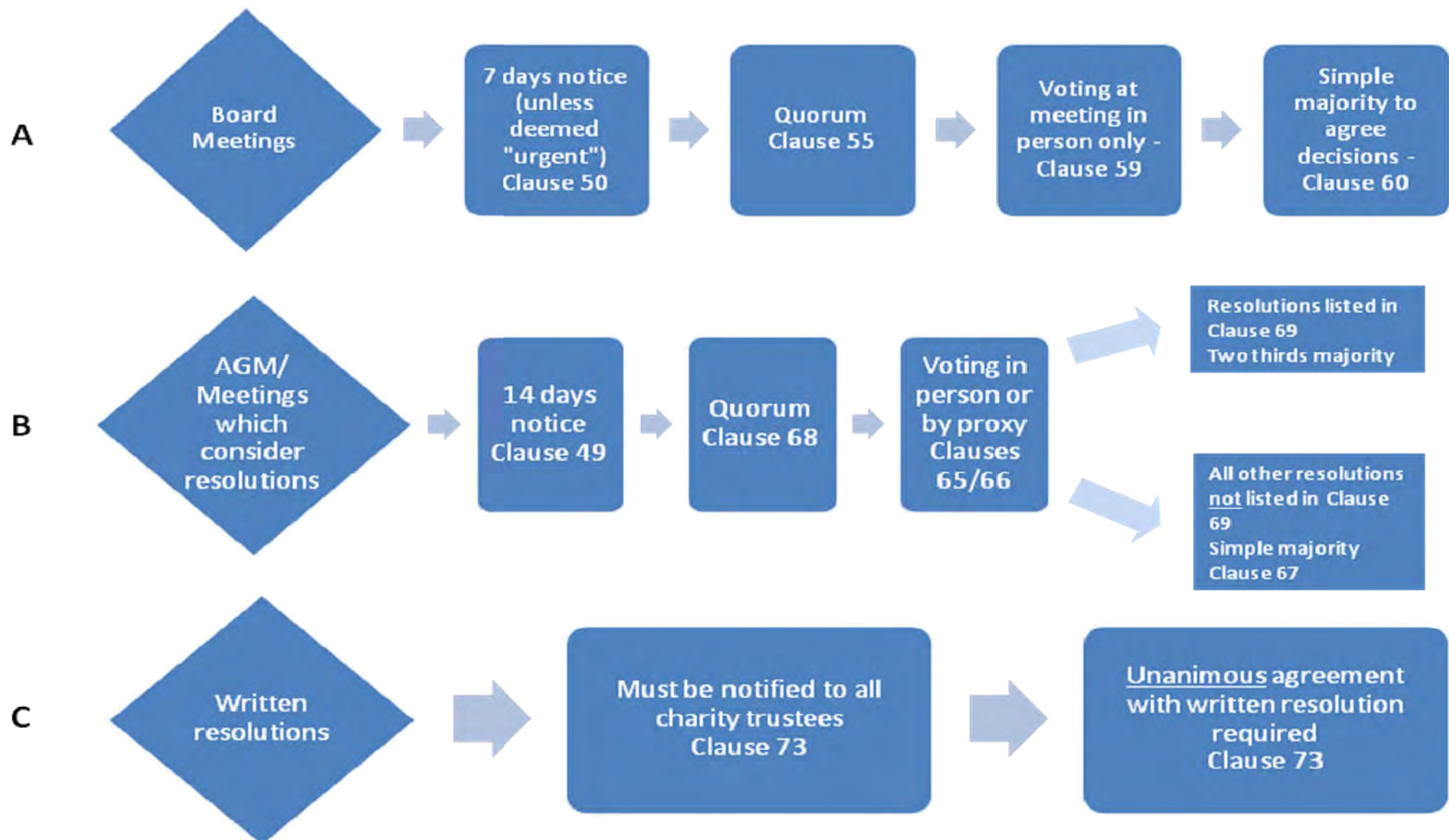
	2021 £	2020 £
Expenditure on charitable activities		
Day centre activities		
<i>Activities undertaken directly</i>		
Purchases	3,797	16,119
Wages and salaries	100,050	124,983
Employer's NIC	5,205	5,234
Staff pensions	3,931	4,123
Rates and water	2,721	792
Light and heat	6,988	6,643
Repairs and maintenance	9,352	11,870
Insurance	2,306	2,397
Motor vehicle expenses	4,626	4,736
Telephone	1,427	2,429
Office expenses	190	156
Depreciation	484	646
Sundry	702	588
	<u>141,779</u>	<u>180,716</u>
Governance costs		
Accountancy fees	3,775	4,440
Bank charges	459	514
	<u>4,234</u>	<u>4,954</u>
Expenditure on charitable activities	<u>146,013</u>	<u>185,670</u>



CONSTITUTION

HOLLIES COMMUNITY HUB SCIO

Decision Making – Single Tier SCIO



GENERAL

Type of organisation

- 1 The organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).

Scottish principal office

- 2 The principal office of the organisation will be in Scotland (and must remain in Scotland).

Name

- 3 The name of the organisation is "HOLLIES COMMUNITY HUB SCIO".

Purposes, Area of Benefit & Beneficiaries

- 4 The organisation is established for charitable purposes only, and in particular, the objects are:
 - 4.1 The objective of the Hollies is to prevent social isolation, loneliness and depression in the elderly in Musselburgh and surrounding area by offering services to them.
 - 4.2 To provide a safe environment for the physical and mental well-being and recreation for the elderly in Musselburgh and surrounding area.
- 5 The area within which the organisation shall operate (in this constitution referred to as the 'Area of Benefit') shall be Musselburgh and surrounding area.
- 6 The organisation shall promote (but not promote exclusively) its activities and delivery operations to people within the 'Area of Benefit' who are over 60 years old and live in Musselburgh and surrounding area. These people will be the organisation's beneficiaries.

Powers

- 7 The organisation has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so e.g. fundraise by promoting our nearly new shop, café and hairdressers as stated in Section 50 (5) of the Charities and Trustee Investment (Scotland) Act 2005.
- 8 No part of the income or property of the organisation may be paid or transferred (directly or indirectly) to the members/Charity Trustees - either in the course of the organisation's existence or on dissolution - except where this is done in direct furtherance of the organisation's charitable purposes.

General structure

- 9 The structure of the organisation consists of the CHARITY TRUSTEES who are also the organisation's only members and comprise the organisation's BOARD.

Liability of Charity Trustees (members)

- 10 The Charity Trustees (the only members) of the organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the organisation if it is wound up; accordingly, if the organisation is unable to meet its debts, the Charity Trustees will not be held responsible.
- 11 The Charity Trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 10 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

BOARD

Qualifications for Charity Trusteeship

- 12 Charity Trusteeship is open to;
 - 12.1 any person aged 16 or over; and/or
 - 12.2 any individual who has been nominated for membership by an unincorporated organisation; and/or
 - 12.3 any corporate body,who subscribes to the purposes of the organisation and wishes to see them fulfilled.

Application for Charity Trusteeship

- 13 Any person, nominated individual or body who/which wishes to become a Charity Trustee must sign a written application for Charity Trusteeship; and for a corporate body, that application must be signed by an appropriately authorised officer of that body who will remain as the representative of that corporate body until such time as the corporate body informs the Board otherwise.
- 14 The application will then be considered by the Board at its next Board meeting.
- 15 The Board may, at its discretion, refuse to admit any person, nominated individual or corporate body, or veto the proposed authorised officer acting as a representative of a corporate body, to Charity Trusteeship.
- 16 The Board must notify each applicant promptly (in writing, which includes by e-mail) of its decision on whether or not to admit him/her/it to Charity Trusteeship.

Subscription to the SCIO

- 17 No subscription will be payable.

Number of Charity Trustees

- 18 The maximum number of Charity Trustees is 12 [twelve].
- 19 The minimum number of Charity Trustees is 6 [six] (cannot be fewer than three).

Eligibility

- 20 A person will not be eligible for election or appointment to the Board if he/she: -
- 20.1 is disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
 - 20.2 has entered into a full time or part time employment contract with the organisation, with the exception of employment as described in clauses 42 and 43.

Initial Charity Trustees

- 21 The individuals who signed the Charity Trustee declaration forms which accompanied the application for incorporation of the organisation shall be deemed to have been appointed as Charity Trustees with effect from the date of incorporation of the organisation and its entry on the Scottish Charity Register.

Annual General Meeting

- 22 The Board must arrange a meeting of the Charity Trustees (an annual general meeting or "AGM") in each calendar year, reporting on the immediately preceding financial year of the organisation.
- 23 The gap between one AGM and the next must not be longer than 15 months.
- 24 Notwithstanding clause 22, an AGM does not need to be held during the calendar year in which the organisation is formed; but the first AGM must still be held within 15 months of the date on which the organisation is incorporated and entered on the Scottish charity Register.
- 25 The business of each AGM must include:-
- 25.1 a report by the Convenor on the activities of the organisation;
 - 25.2 consideration of the annual statement of account of the organisation, as prepared under Section 44 of the Charities and Trustee Investment (Scotland) Act 2005;
 - 25.3 the election/re-election of Charity Trustees, as referred to in clauses 26 and 27.

Election, retiral, re-election

- 26 At each AGM, all of the charity trustees must retire from office - but may then be re-elected under clause 27.
- 27 A charity trustee retiring at an AGM will be deemed to have been re-elected unless: -
- 27.1 he/she/it advises the Board prior to the conclusion of the AGM that he/she/it does not wish to be re-appointed as a charity trustee; or
 - 27.2 an election process was held at the AGM and he/she/it was not among those elected/re-elected through that process; or

- 27.3 a resolution under sub-clauses 28.5, 28.6, 28.7, 28.8 was put to the AGM and was carried.

Termination of office

- 28 A Charity Trustee will automatically cease to hold office if: -
- 28.1 he/she becomes disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
 - 28.2 he/she becomes incapable for medical reasons of carrying out his/her duties as a charity trustee - but only if that has continued (or is expected to continue) for a period of more than six months; or
 - 28.3 he/she enters into a full time or part time employment contract with the organisation, with the exception of employment as described in clauses 42 and 43; or
 - 28.4 he/she/it gives the organisation a notice of resignation, signed by him/her/its authorised representative; or
 - 28.5 he/she/it is absent (without good reason, in the opinion of the Board) from more than three consecutive meetings of the Board - but only if the Board resolves to remove him/her/it from office; or
 - 28.6 he/she/it is removed from office by resolution of the Board on the grounds that he/she/it is considered to have committed a material breach of the code of conduct for Charity Trustees (as referred to in clauses 46 and 47); or
 - 28.7 he/she/it is removed from office by resolution of the board on the grounds that he/she/it is considered to have been in serious or persistent breach of his/her/its duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or
 - 28.8 he/she/it is removed from office for any other reason by resolution of the Board.
- 29 A resolution under sub-clauses 28.5, 28.6, 28.7, 28.8 shall be valid only if: -
- 29.1 the Charity Trustee who is the subject of the resolution is given 14 days written notice of the grounds upon which the resolution for his/her/its removal is to be proposed;
 - 29.2 the Charity Trustee concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and
 - 29.3 at least two thirds (to the nearest round number) of the Charity Trustees vote in favour of the resolution as set out in clause 69.

Register of Charity Trustees

- 30 The Board must keep a register of Charity Trustees, setting out
- 30.1 for each current Charity Trustee:

- 30.1.1 his/her/its full name and address; and
- 30.1.2 the date on which he/she/it was appointed as a Charity Trustee; and
- 30.1.3 any office held by him/her/it in the organisation; and
- 30.2 for each former Charity Trustee - for at least 6 years from the date on which he/she/it ceased to be a Charity Trustee:
 - 30.2.1 the name of the Charity Trustee; and
 - 30.2.2 any office held by him/her/it in the organisation; and
 - 30.2.3 the date on which he/she/it ceased to be a Charity Trustee.
- 31 The Board must ensure that the register of Charity Trustees is updated within 28 days of any change:
 - 31.1 which arises from a resolution of the Board; or
 - 31.2 which is notified to the organisation.
- 32 If any person requests a copy of the register of charity trustees, the Board must ensure that a copy is supplied to him/her within 28 days, providing the request is reasonable; if the request is made by a person who is not a Charity Trustee of the organisation, the board may provide a copy which has the addresses blanked out. The SCIO may, if it is satisfied that including the names of any or all of the charity trustees is likely to jeopardise the safety or security of any person or premises, remove the name(s). Such a decision must be taken on a case by case basis, justified and minuted at a meeting of the Board of charity trustees.

Office-bearers

- 33 The Charity Trustees must elect (from among themselves) a Convenor, a Treasurer and a Secretary.
- 34 In addition to the office-bearers required under clause 33, the Charity Trustees may elect (from among themselves) further office-bearers if they consider that appropriate.
- 35 All of the office-bearers will cease to hold office at the conclusion of each AGM, but may then be re-elected at the first Board meeting after the AGM, under clauses 33 and 34.
- 36 A person/nominated individual/corporate body elected to any office will automatically cease to hold that office: -
 - 36.1 if he/she/it ceases to be a charity trustee; *and/or*
 - 36.2 if he/she/it gives to the organisation a notice of resignation from that office, signed by him/her/its authorised officer.

Powers of Board

- 37 Except where this constitution states otherwise, the organisation (and its assets and operations) will be managed by the Board; and the Board may exercise all the powers of the organisation.
- 38 A meeting of the Board at which the appropriate quorum (as set out in clauses 55 and 68) is present may exercise all powers exercisable by the Board.

Charity Trustees - general duties & remuneration

- 39 Each of the Charity Trustees has a duty, in exercising their functions as a Charity Trustee, to act in the interests of the organisation; and, in particular, must:-
- 39.1 seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes; and
- 39.2 act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person; and
- 39.3 in circumstances giving rise to the possibility of a conflict of interest between the organisation and any other party:
- 39.3.1 put the interests of the organisation before that of the other party; or
- 39.3.2 where any other duty prevents him/her from doing so, disclose the conflicting interest to the organisation and refrain from participating in any deliberation or decision of the other Charity Trustees with regard to the matter in question;
- 39.4 ensure that the organisation complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.
- 40 In addition to the duties outlined in clause 39, all of the Charity Trustees must take such steps as are reasonably practicable for the purpose of ensuring: -
- 40.1 that any breach of any of those duties by a Charity Trustee is corrected by the Charity Trustee concerned and not repeated; and
- 40.2 that any Charity Trustee who has been in serious and persistent breach of those duties is removed as a Charity Trustee as described in clause 28.7.
- 41 Provided he/she/it has declared his/her/its interest - and has not voted on the question of whether or not the organisation should enter into the arrangement - a Charity Trustee will not be debarred from entering into an arrangement with the organisation in which he/she/it has a private interest; and (subject to clauses 42 and 43 and to the provisions relating to remuneration for services contained in Sections 67, 68 and 68A of the Charities and Trustee Investment (Scotland) Act 2005), he/she/it may retain any private benefit which arises from that arrangement.
- 42 No Charity Trustee may serve as an employee (having entered into a full time or part time contract) of the organisation with the only exception being as stated in clause 43.

- 43 For the avoidance of doubt, it is permissible for a Charity Trustee to be employed as a temporary sessional worker, provided that:
- 43.1 such employment is explicitly authorised by the Board; and
 - 43.2 it is temporary; and
 - 43.3 it be in accordance with the rules laid down in clause 41.
- 44 No Charity Trustee may be given any remuneration by the organisation for carrying out his/her/its duties as a Charity Trustee.
- 45 The Charity Trustees may be paid all 'out of pocket' travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings. The Charity Trustees must have a written policy and approved procedure on such matters.

Code of conduct for Charity Trustees

Each of the Charity Trustees shall comply with the code of conduct of the organisation (incorporating detailed rules on conflict(s) of interest) adopted by the Board.

- 46 The code of conduct referred to in clause 46 shall be supplemental to the provisions relating to the conduct of Charity Trustees contained in this constitution and the duties imposed on Charity Trustees under the Charities and Trustee Investment (Scotland) Act 2005. All relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct which must be annually reviewed by the Board.

DECISION-MAKING BY THE CHARITY TRUSTEES

Notice of meetings

- 47 Any Charity Trustee may call a meeting of the Board *and/or* ask the secretary to call a meeting of the Board.
- 48 At least 14 clear days' notice must be given of the AGM, or of a Board meeting at which the business of the meeting includes consideration of any resolution.
- 49 At least 7 clear days' notice must be given for other Board meetings unless in the opinion of the Convenor there is a degree of urgency which makes that inappropriate.
- 50 The notice calling an AGM or a Board meeting at which the business of the meeting includes consideration of any resolution, must specify in general terms what business is to be dealt with at the meeting; and
- 50.1 in the case of any other resolution falling within clause 69 (requirement for two-thirds majority) must set out the exact terms of the resolution.
- 51 The reference to "clear days" in clauses 49 and 50 shall be taken to mean that, in calculating the period of notice,
- 51.1 the day after the notices are posted (or sent by e-mail) should be excluded; and

51.2 the day of the meeting itself should also be excluded.

52 Notice of the AGM and Board meetings must be given to all the Charity Trustees; but the accidental omission to give notice to one or more Charity Trustees will not invalidate the proceedings at the meeting.

53 Any notice which requires to be given to a Charity Trustee under this constitution must be: -

53.1 sent by post to the Charity Trustee, at the address last notified by him/her to the organisation and on the register of charity trustees as described in clause 30; *and/or*

53.2 sent by e-mail to the Charity Trustee, at the e-mail address last notified by him/her to the organisation. It is the responsibility of each Charity Trustee to keep their personal email details up to date.

Procedure at Board meetings

54 No valid decisions can be taken at a Board meeting unless a quorum is present; the quorum for Board meetings is 4 [four] Charity Trustees, present in person, except for Board meetings at which a resolution(s) is to be considered, as described in clause 68.

55 If at any time the number of Charity Trustees in office falls below the number stated as the quorum in clause 55, the remaining Charity Trustee(s) will have power to fill the vacancies - but will not be able to take any other valid decisions.

56 The Convenor of the organisation should act as convenor of each Board meeting.

57 If the Convenor is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as Convenor), the Charity Trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.

58 Every Charity Trustee has one vote, which must be given personally except in the case of a vote with regard to a resolution under clause 65 and 66.

59 All decisions at Board meetings will be made by majority vote. (For procedure on resolutions either at Board meetings or AGMs see clauses 65 - 72).

60 If there are an equal number of votes for and against any decision, the Convenor or the chairperson of the meeting (in the circumstances described in clause 58) will be entitled to a second (casting) vote.

61 The Board may, at its discretion, allow any person to attend and speak at a Board meeting notwithstanding that he/she is not a Charity Trustee - but on the basis that he/she must not participate in decision-making. The minute of that meeting must make the status of any such person clear for the avoidance of doubt as to their status.

62 A Charity Trustee must not vote at a Board meeting (or at a meeting of a sub-committee) on any decision which relates to a matter in which he/she/it has a private interest or duty which conflicts (or may conflict) with the interests of the

organisation; he/she/it must withdraw from the meeting while an item of that nature is being dealt with as described in clause 39, 46 and 47.

63 For the purposes of clause 63: -

- 63.1 Any private interest held by an individual who is “connected” with the Charity Trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister and their spouses etc) shall be deemed to be held by that Charity Trustee; and/or
- 63.2 a Charity Trustee will be automatically deemed to have a private interest in relation to a particular matter, if a body in relation to which he/she is an employee, director, member of the management committee, charity trustee, officer or elected representative has an interest in that matter.

Voting on Resolutions

- 64 Every Charity Trustee has one vote with regard to voting on resolutions, which (whether on a show of hands or on a secret ballot as described in clauses 71 and 72) may be given either personally, or by proxy given to a fellow Charity Trustee.
- 65 A member who wishes to appoint a fellow Charity Trustee as their proxy to vote on his/her/its behalf with regard to (and only with regard to) resolutions, must lodge with the Convenor or the chairperson of that meeting (in the circumstances described in clause 58), prior to the time when the meeting commences, a written proxy authorisation form, signed by him/her/its authorised representative.
- 66 All decisions on resolutions will be made by majority vote - with the exception of the types of resolution listed in clause 69.
- 67 The quorum for meetings (AGMs or Board meetings) at which a resolution(s) is to be considered is 6 [six]. For these meetings, and these meetings only, this quorum shall include proxies as described in clauses 65 and 66.
- 68 The following resolutions will be valid only if passed by not less than two thirds of those voting (either on person or by proxy as described in clauses 65 and 66) on the resolution at an AGM or at a Board meeting (or if passed unanimously by way of a written resolution under clause 73) and will also be subject, (with the exception of clauses 69.2 and 69.3) to clause 89:
 - 68.1 a resolution amending the constitution (including changing the name of the organisation); or
 - 68.2 a resolution expelling a person from Charity Trusteeship under clauses 28.5, 28.6, 28.7 or 28.8; or
 - 68.3 a resolution directing the Board to take any particular action (or directing the board not to take any particular action); or
 - 68.4 a resolution approving the amalgamation of the organisation with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation); or

- 68.5 a resolution to the effect that all of the organisation's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities); or
- 68.6 a resolution for the winding-up of the organisation.
- 69 If there are an equal number of votes for and against any resolution, the Convenor or chairperson of the meeting (in the circumstances described in clause 58), will be entitled to a second (casting) vote.
- 70 A resolution put to the vote at an AGM or Board meeting will be decided on a show of hands - unless the Convenor or chairperson of the meeting (or at least two other Charity Trustees present at the meeting, whether voting personally or as proxies), ask for a secret ballot.
- 71 The Convenor or chairperson of the meeting will decide how any secret ballot is to be conducted, and he/she will declare the result of the ballot at the meeting.

Written resolutions by Charity Trustees

- 72 A resolution agreed to in writing (including by e-mail) by all the Charity Trustees will be as valid as if it had been passed at an AGM or Board meeting; the date of the resolution will be taken to be the date on which the last member agreed to it and it must be unanimous.

Minutes

- 73 The Board must ensure that proper minutes are kept in relation to all Board meetings and meetings of sub-committees.
- 74 The minutes to be kept under clause 74 must include the names of those present; and (so far as possible) should be signed by the Convenor of the meeting.
- 75 With due reference to all applicable statutory requirements, it is wholly at the discretion of the Board as to whether or not the minute of a meeting, or any excerpt from the minute of a meeting, is to be made available to members of the public or any body.

ADMINISTRATION

Delegation to sub-committees

- 76 The Board may delegate any of their functions or powers to sub-committees; a sub-committee must include at least one Charity Trustee, but other members of a sub-committee need not be Charity Trustees.
- 77 The Board may also delegate to the Convenor of the organisation (or the holder of any other post) such of their powers (but not their responsibilities) as they may consider appropriate.
- 78 When delegating powers under clause 77 or 78, the Board must set out appropriate conditions (which must include an obligation to report regularly to the Board).
- 79 Any delegation of powers under clause 77 or 78 may be revoked or altered by the Board at any time.

- 80 The rules of procedure for each sub-committee, and the provisions relating to membership of each sub-committee, shall be set by the Board.

Operation of accounts

- 81 Subject to clause 83, the signatures of two out of three signatories appointed by the Board will be required in relation to all operations (other than the lodging of funds) on the bank and building society accounts held by the organisation; at least one out of the two signatures must be the signature of a Charity Trustee.
- 82 Where the organisation uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 82.

Accounting records and annual accounts

- 83 The Board must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements.
- 84 The Board must prepare an annual statement of account, complying with all relevant statutory requirements; which includes deciding the correct format of the accounts, and the appropriate external scrutiny requirement by either a registered auditor or an appropriately qualified independent examiner.

MISCELLANEOUS

Dissolution and wind-up of the organisation

- 85 If the organisation is to be dissolved and wound-up, the dissolution and wind-up process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005 and the Scottish Charitable Incorporated Organisation (Removal from Register and Dissolution) Regulations 2011.
- 86 Any surplus assets available to the organisation immediately preceding its winding-up must be used for purposes which are the same as - or which closely resemble - the purposes of the organisation as set out in this constitution.

Alterations to the constitution

- 87 This constitution may (subject to clause 89) be altered by resolution of the Charity Trustees passed at an AGM or Board meeting (subject to achieving the two thirds majority referred to in clause 69) or by way of a unanimous written resolution of the members (as described in clause 73).
- 88 The Charities and Trustee Investment (Scotland) Act 2005 requires that consent is sought from the Office of the Scottish Charity Regulator (OSCR) to action the following changes: change of name, an alteration to the purposes, amalgamation and/or winding-up.

Interpretation

- 89 References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 and other statutory regulations should be taken to include:


89.1 any statutory provision which adds to, modifies or replaces that Act or the regulations; and

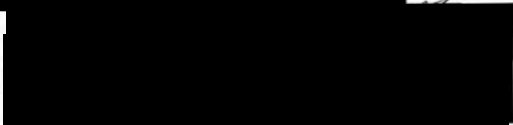
89.2 any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph 90.1 above.

In this constitution:

89.3 "charity" means a body which is either a "Scottish charity" within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a "charity" within the meaning of section 1 of the Charities Act 2006, providing (in either case) that its objects are limited to charitable purposes; and

89.4 "charitable purpose" means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.

Signed  Print name CAROLYN E. GORDON

Signed  Print name ROSEMARY MOFFAT

Date: 10th February 2022