

## A READ ME FIRST DOCUMENT

### Guidance Notes for FLVC's Specimen Governing Documents for Voluntary Organisations, Charities & Social Enterprises

#### Introductory Note

There is no such thing as an example or specimen governing document which is perfect for everybody. Nearly everyone has different needs and documents should be individually tailored - within the parameters of the law and taking note of sound professional standards - to suit the needs of each organisation. *Moreover, it is not advisable when constructing or tailoring a governing document, even a simple one, that it be undertaken without taking professional advice, as there are things which need to be known and understood if an organisation wishes to produce a proficient document of which it can be truly proud. Remember, we are voluntary but not amateur! Therefore, please consult FLVC before embarking upon this task.*

#### 1) Example Document for a Short Constitution (Ex 1 - Short Constitution)

This document is designed for voluntary organisations that either do not wish to become registered charities or for those not yet in the position where they are ready to apply for registered charity status. It is also suitable for voluntary organisations whose objects may not be considered charitable anyway. There are a number of organisations in the voluntary sector which, whilst being voluntary and serving certain community interests, do not really or completely fulfil the criteria required for a body to be accepted as a registered charity, despite the fact that nearly every voluntary or community organisation nowadays has certain "philanthropic" ideals and aims.

This document is not too brief and not too detailed, yet it should provide enough basic rules for the governance of an organisation.

2) Example Document for a Charitable Constitution (Ex 2 - Charitable Constitution)

This document is for organisations that wish or need to become registered charities. It is a full and complete document, initially based on one of the Charity Commission's specimens, but which has also been developed by FLVC to thoroughly serve the needs of our local organisations and trustees.

3) Example Document for a Charitable Company (Ex 3 - Mem & Arts for Char Comp)

This document is for those organisations that wish to enjoy the benefits of being both a company limited by guarantee and a registered charity.

4) Example Document for a Social Enterprise Company (Ex 4 - Mem & Arts for Soc Ent Comp)

This document is for those organisations that *only* wish to become social enterprise companies limited by guarantee and *not* also registered charities.

5) Example Document for a One Member Guarantee Company (Ex 5 - One Memb Guar Comp)

This document is designed for subsidiary trading companies and it may be used by all voluntary and community organisations including registered charities and social enterprise companies.

6) Example Document for a One Member Share Company (Ex 6 - One Memb Share Comp)

This document is also designed for subsidiary trading companies and it may be used by all voluntary and community organisations including registered charities and social enterprise companies. Unlike EX 5 above, however, it enables people to choose being limited by share (as opposed to guarantee) depending on preference and need.

**N.B. There will be a number of further changes to these documents over the next 12 months as the different stages of the Charities Act 2006 and the Companies Act 2006 are implemented.**

**JG/FLVC/MAR/2008**