

**Terms of Reference for the Management Committee of  
St. Margaret's Institute Community Centre  
Dated March 2013**

**Principles**

1. The building known as St Margaret's Institute (SMI), 30 Polstead Road, Oxford, is the freehold property of St John's College, Oxford. It was originally built by public subscription on St John's land.
2. Lease: The Institute is leased by St John's College to the Diocesan Trustees (Oxford) Ltd (the Diocesan Authority under the PCC (Powers) Measure 1956) and the Parochial Church Council of St Philip and St James with St Margaret (the Lessee, hereafter referred to as the PCC of St Margaret's). The 999-year lease commences on 3 April 2008.
3. Charitable Status: St Margaret's PCC has charitable status, but is an excepted charity with the Charity Commissioners, by virtue of The Charities (Exception from Registration) Regulations 2002. There is therefore no Charity Commission Registration Number applicable. The Operation of SMI derives its charitable status from its relationship to the PCC.
4. The PCC of St Margaret's has final authority and responsibility for all financial and managerial matters of St Margaret's Institute.
5. The PCC delegates authority to The Management Committee to act on behalf of St Margaret's PCC to manage the affairs of St Margaret's Institute.
6. The affairs of the Institute are run for the benefit of both the church and community in this area of Oxford

**Composition of Management Committee**

1. The Vicar will be an ex-officio member of the Management Committee. In the event of an interregnum, this position will be taken by the curate, or by a member of the PCC elected by the PCC.
2. There will be two further members or appointees of the PCC who are also members of the Management Committee. One or more of these must attend every PCC meeting and be able to cover relevant matters.
3. There will be no more than eleven full members and up to four co-opted members of the Management Committee. Co-opted members will not have voting rights.
4. The majority of members of the Management Committee must be drawn from the church electoral roll of St Margaret's Church. The Committee is to appoint its own chairman, treasurer and secretary but these appointments must be approved by the PCC, following provision of adequate information on the persons appointed. The Chairman should preferably be on the electoral roll of St Margaret's Church and must either be a member of the PCC, or agree to attend PCC meetings to discuss Institute business.
5. Officers of the Management Committee (the Chairman, Treasurer and Secretary) are elected for a term of three years, which may be renewed with the approval of the PCC.
6. A list of the people serving on the Management Committee must be given to the PCC before the annual APCM.

**Meetings of the Management Committee**

1. The Management Committee must meet at least quarterly.
2. The Secretary will keep full minutes of all Committee meetings, including final decisions taken and actions agreed. Members may ask for differing views to be minuted.

3. Provision will be made to keep files of all correspondence and agreements. These may be kept by either the Chairman, Treasurer or Secretary as appropriate
4. The minutes of the Management Committee meetings must be circulated to members of the Management Committee and to the PCC Secretary for circulation to the Standing Committee of the PCC within one month of the meeting.

### **Reporting Procedures**

1. The Management Committee will refer back to the PCC in writing on major matters of policy for discussion and approval.
2. The Management Committee will make a report at the Annual Parochial Church Meeting for St Margaret's. This report will be included in the Annual Report of the Church.
3. A report on the affairs of the Institute will be made to the next meeting of the PCC, following each meeting of the Management Committee.

### **Financial Matters**

1. The Treasurer will keep the books of account of the Institute, and deal with all monetary transactions on an accrual or receipts and payments basis as appropriate.
2. Each year, the Management Committee will present a revenue and capital budget to the PCC in November for discussion and approval.
3. Budgeted expenses or costs, including contractual obligations, will be approved as part of the budget. The Management Committee shall operate within its agreed budget and consent will be required from the PCC before total costs can exceed 120% of the budgeted revenue and capital amount for the year.
4. Non-budgeted costs must be approved by the PCC if greater than £5,000. In emergencies consent may be sought by email via the Vicar.
5. The Treasurer of the Management Committee shall report on receipts and payments and other financial matters at least three times a year to the Management Committee. The Secretary will record such matters in the minutes. The PCC's External Examiner must approve annual Accounts by the end of February each year. This will allow the Cash/Bank Balances and total Receipts and Payments or accruals to be included in the PCC accounts, where they will be treated as a Restricted Fund. The full PCC accounts, duly examined, must be approved at the PCC meeting prior to the APCM.
6. Any likely shortfall in income exceeding 5% of the total budgeted income for the year shall be notified to the PCC as soon as possible.
7. The Management Committee may have separate bank accounts from the PCC and will be responsible for receipts and payments regarding the Institute. The Management Committee will seek the approval of the PCC before opening or closing any account. The Treasurer will be authorised to pay bills and incur costs on behalf of the Institute, all cheques requiring two signatures by authorised Signatories

### **Letting and Licences**

1. Room lettings are to be managed by the Management Committee in accordance with permitted use.
2. The rental level and fees for lettings should be reported to and approved by the PCC annually.
3. The broad nature of the lettings should be reported at the APCM of St Margaret's.
4. The PCC and the Diocese must give their approval to any lease or sub-lease proposed by the Management Committee before it can come into effect. Room lettings are excluded from this provision and may be conducted at the Management Committee's discretion..

**Maintenance of the fabric**

1. The Management Committee is charged with carrying out the maintenance of the building as indicated within the terms of the lease.
2. A budget and schedule of works for the maintenance should be included in the annual budget for approval by the PCC.
3. Where an item of maintenance is to be undertaken that will cost £2000, or over, the Management Committee must obtain at least two estimates from different contractors.
4. The Management Committee will ensure that adequate and appropriate insurance is in place to cover the building, its contents and public liability.
5. Work on the building may be carried out by working parties organised and supervised by the Management Committee subject to health and safety requirements.

**Employees of the Management Committee**

1. A proposal to engage paid staff should be discussed first with the PCC, with costings and a full job description supplied by the Management Committee, before negotiations are entered into by the Management Committee. Any employment contract, or regular use of self-employed persons, recommended by the Management Committee must be approved by the PCC of St Margaret's before being undertaken. Any contract of employment is with the PCC.
2. Professional advisors may be employed by the Management Committee to assist with the management of the property.

**Other Responsibilities**

1. The Management Committee shall report annually to the PCC to confirm that the conduct of the Institute complies with:
  - a) Public Liability and Employee Insurance requirement
  - b) Health and Safety Regulations
  - c) The Children Act and allied matters.
  - d) Any other applicable legislation which may be enacted

**Contracts (for services and supplies)**

The Management Committee may enter into contracts for a maximum period of five years. Longer-term contracts will require the approval of the PCC.

As agreed by the PCC at its meeting on 21<sup>st</sup> March 2013