

Friends of Windmill Gardens
Response to Member Resolution – 24 January 2024 EGM

The Board of Trustees has received the [resolution](#) submitted by its members – Viv and Jean, and thanks them for sharing this in advance.

The Board disagrees with the Resolution of No Confidence in FOWG Treasurer.

Context

- The Treasurer has been a long serving member of the board for 6 years and was re-elected at the last AGM (October 2023).
- The petition singles out the Treasurer unfairly – there is no suggestion of wrongdoing or inability of the Treasurer to discharge their duties and responsibilities as Treasurer and Trustee.
- The annual accounts were not ready / presented at the AGM in October 2023 due to transitional arrangements with a new Treasurer and handover not taking place in a timely fashion, both the current and new Treasurer's lack of capacity resulting in the new Treasurer not able to take on the role of Treasurer and declining to join the board at that time to focus on work and studies instead and proposal to join again later / in the new year when they were less busy and handover was in place.
- The lack of annual accounts was explained at the last AGM with a proposal to mitigate this by holding an EGM to sign off the accounts ahead of the Charity Commission deadline of 5th February 2024 – see EGM chair Report.
- The Treasurer has expressed for some time a desire to step down from this role and take on other responsibilities instead, however this has proved to be a difficult role to recruit to and no other Trustee is able to take on these duties at present.
- In order to ensure FOWG Executive is quorate, the Treasurer has agreed to remain in post until such time as the role is successfully handed over.
- The role is currently [advertised](#) and we welcome any recommendations to ensure we are successful in this endeavour.

Responsibilities and Lessons Learned

<i>From the Resolution</i>	<i>Response</i>
<ul style="list-style-type: none"> FoWG's constitution clearly says that the annual accounts must be presented to the membership at the AGM. This was not done at the October 2023 AGM. No convincing explanation or apology was given. Questions were raised about this and I subsequently sent 3 emails asking how this situation would be rectified. I received no response from the Treasurer, nor an acknowledgement. 	<ul style="list-style-type: none"> Yes, this was raised at the October AGM and a very clear response was provided i.e. that the Accounts were still being worked on and whilst there had been a delay, they would be presented to the membership via an EGM and will be submitted to the Charity Commission within the prescribed timeline. The Chair has also since spoken to both Viv and Jean regarding this and provided explanation. It is unfortunate that we did not provide a timely response the first email to the Chair and the follow up emails to the Board and would like to take this opportunity to apologise. An email response / update on the accounts was provided on 3rd January. An acknowledgement email should have gone out earlier even if a response was not available at that time.
<ul style="list-style-type: none"> FoWG Financial policies and procedures had not been updated, in spite of numerous requests. The text of the Reserves Policy was not updated since 2020. Financial controls have not been amended since 2020, and Cash Handling has not been amended since 2021. These policies are outdated and not fit for purpose for current operations. Support has been offered to do these tasks and a bookkeeper was engaged to do the day-to-day tasks but there has been no high level input. Relations with the bank have not been kept up to date, in particular, signature changes and cheque book handling procedures. 	<ul style="list-style-type: none"> The Reserves Policy has been updated and made available to the Fundraising Subgroup. Whilst the Reserves Policy was not formally updated until October 2023 and approved by the Board in January 2024, it was reviewed in September 2022 and the Reserves amount was increased from £5,000 to £20,000 following Board approval at the September 2022 Board. This was also reported at the AGM in November 2022. The updated drafts of the other policies have been with the Board for comments and there has been a slight delay due to delays in the new incoming Treasurer.

	<ul style="list-style-type: none"> • The book-keeper has been very useful and produces regular MI, help with the accounts, quickbooks analysis and does book-keeping.
<ul style="list-style-type: none"> • Gift Aid has not been claimed, potentially losing us funding 	<ul style="list-style-type: none"> • This was raised at the AGM and answered. Answering it again - (1) FoWG is registered for GiftAid and also claiming GiftAid is WIP - as previously stated. • However, the process for receiving the funding takes time as with HMRC related activities.
<ul style="list-style-type: none"> • Trustees have a duty to act in FoWG's best interests but the Treasurer has not acted according to the Constitution, or to the role description which states the Treasurer should be active in the role, protect assets, fulfill responsibilities assigned at Board meetings, prepare and present regular financial reports. 	<ul style="list-style-type: none"> • There is no basis for this assertion. Some actions have been delayed in anticipation of the incoming Treasurer but given the delay in that, the current Treasurer has taken them back on - despite other ongoing commitment and wanting to step down from the Treasurer role for almost 6 months. • Thanks to the bookkeeper, who as the members may recall was bought in at the insistence of the current Treasurer, regular financial reporting is being produced and provided to the Board; there is a clearer process for the three-year budget etc.
<ul style="list-style-type: none"> • No handover has been made to a prospective new Treasurer who was due to take over the role at the 2023 AGM, in spite of many reminders. 	<ul style="list-style-type: none"> • The advert for a new Treasurer is currently live. • The handover pack has been prepared since September 2023 and is regularly updated until such time as the Board is able to appoint a new Treasurer.