

RESPONSE TO QUESTIONS RAISED BY DAVID SLY 25.8.09

LOUGHBOROUGH CENTRE CLOSURE

1. A decision was taken by the Board of Trustees on 31st March for the groups to be approached regarding the future of the Loughborough building. Two subsequent meetings with the hard of hearing users in Loughborough took place on 16th and 30th April 2009 as part of the consultation process. The user groups at Loughborough were concerned about the building closing and explained that their preferred choice would be to keep the building open. It was explained that due to health and safety reasons and the high costs associated with refurbishment Action Deafness took the decision to close the building. The groups were kept informed throughout this process and were informed officially on June 29th of the closure of the building.
 - a) CAC only asked Hans and Jack to respect the confidentiality of the meeting and offered support for the group through consultation; they both declined it and the meeting notes of 16.4.09 and 30.4.09 and 2.7.09 reflects this.
 - b) No misinterpretation – a) applies
2. AD has no plans for Loughborough building other than offering the HOH group the opportunity to fundraise for the refurbishment for the building. There are no plans to sell the building.
3. There are no plans to sell the building.
4. Loughborough Mission for the Deaf and Leicester County Mission for Deaf People are two separate charities that are overseen by one Board of Trustees. The Board governs both charities. There are no plans to separate the charities at this time.
5. Action deafness applied for funding for this new service to meet the needs of the current users as well as attracting new users who would benefit from this service.
6. The service is split into two parts. The first is the IAG Service and the second is Community Liaison. This is restricted funding for a period of 12 months. The hard of hearing users are able to access both services should they so wish. The IAG funding comes from the European Social Fund (ESF) and the Community Liaison part is funded by Action Deafness.
7. We have already publicised the service in Charnwood and North West Leicestershire. Action deafness is updating its website and will ensure that this information is also advertised on there.

8. The Trustees have provided an explanation to DeMAG that it is not appropriate to release confidential documents to the public; there is no statutory notice served on Action Deafness.
9. As in question 3 we have no plans to sell the building.
10. The Loughborough charity and Leicester charity are both governed by one Board of Trustees.
11. As in question 5.
12. We have set up lipreading classes in Leicester and Loughborough and we are still looking at other areas as part of our action plan.

LEICESTER CENTRE CLOSURE

1. Trustees have not yet made any decision relating to the future of the Welford Road site.
2. Trustees will review all options regarding the Welford Road site and will communicate these to the groups when a decision has been made.
3. Action Deafness does not have a property policy.
4. Trustees have made no decisions about relocating operations from the Welford Road site.
5. This is confidential information and cannot be shared at this time.
6. This is a governance and operational matter.
7. This is a hearsay comment.

CHARITY

1. The Trustees are committed to updating the Constitution document of the organisation. This forms part of their governance work for the organisation. Action Deafness is still committed to providing services in Leicester, Leicestershire and Rutland. Action Deafness has also set up a Company Limited by Guarantee. This means that business activities that help to generate income can be undertaken. All generated income is used to further the services that are based in Leicester, Leicestershire and Rutland.

It is part of Action Deafness' remit to provide services to the Deaf, hard of hearing, deafened and deafblind communities. Part of the organisation's responsibilities is to offer suitable space for community groups to meet. This remains unchanged. Action Deafness provides services to the community, which meet the needs of members of the community, such as advocacy, interpreting, community support. Due to a lack of available funding for these services they therefore must be funded from the reserves of the organisation. Action Deafness continues to research additional funding opportunities to cover the costs of these additional services.

It is important for Action Deafness to foster links with other organisations such as the NRCPD, which oversees the registration of interpreters. These links are relevant and important to the organisation as they enable partnership working and the sharing of information.

2. Leicester has not lost its identity – Leicester Deaf Club is still supported by Action Deafness and we have an obligation to provide support to the deaf and hard of hearing communities as outlined by the constitution; however the constitution is currently outdated and governing document is in process of being revised. The company limited by guarantee that was established for the purpose of establishing trading opportunities that would increase the income to the organisation to then support the charitable activities covers the East Midlands Region. The constitution focuses on Leicester, Leicestershire and Rutland.
3. As stated above the services provided by the organisation are based in Leicester, Leicestershire and Rutland. Business ventures like Action Deafness Books trade outside of the area in order to bring in income to the charity.
4. Trustees believe that the strategic direction for Action Deafness is to focus on service delivery that increases the income of the organisation, in order to support the charitable objectives. This follows on from the research report 'Spotlight on Deafness' that made many recommendations of the growing needs of the community.
5. Trustees are in control of the use of the reserves and authorise all access to the funds. High reserves in the past have stopped Action Deafness from accessing many available funds as the Charity commission states that charities should not stock pile reserves and should therefore use them to benefit the communities that they serve. Action Deafness has abided by this and ensured that its building has stayed open and services are still provided on a regular basis to the community. Action Deafness has used its reserves to invest in new posts within the organisation in order to generate new income for the charity. These methods take time to develop and this year have borne fruit with the success of 6 new projects that will deliver a variety of services to the Deaf and hard of hearing communities.
6. Action Deafness has had a long-standing partnership with the diocese. The partnership they have shared goes back many years. Recently the Diocese have announced their own plans to review pastoral services to the Deaf and hard of hearing communities. This review is currently underway but no conclusion has yet been reached. Action Deafness still has a partnership with the Diocese. In addition to this the charity must also change with the times. It is important that the charity is open to all faiths and beliefs in order to truly represent the members of the community that it serves.

7. The Diocese have not been involved in hands-on role for more than 10 years. In the last four years the involvement of 'church nominated' trustees has declined. The current trustees have been recruited and appointed following the modernisation of the governance of the organisation. A Skills Matrix was created to ensure that new Trustees bring much need skills to the Board to enable the greatest variety of skills and knowledge to be represented at this level.
8. David Mumford was recruited and appointed by the Board of Trustees following the correct procedure of the skills matrix. David Mumford was then recommended for this position to the Diocese, who were in agreement with this process.
9. Trustee Meetings have always been quorate. On the occasion when there were not six Trustees present then no decisions are made that will affect the organisation. All decisions are then postponed until the next Trustee meeting, in line with Charity Law.
10. Action Deafness agrees that the Constitution needs to be up dated. A separate Governance Sub-Committee has been established for this very reason. The Trustees are reviewing the Constitution and will report back to the full Board with recommendations for discussion and decision.
11. Previous Trustees had not attended Deaf Awareness courses. With the recruitment of the recent new Board of Trustees, who have a training day once a year, have agreed that they would like to be given Deaf Awareness training at their next training session.
12. Redundancies have been as a direct result of restructuring the organisation to make it more streamlined and cost effective. All restructuring plans are submitted to the Board who discuss the information, ask relevant questions and then make a decision about what they believe will be the best option for the charity. All restructuring plans can only be approved by the Board. A restructuring involves reviewing the posts within an organisation to determine if they are still financially viable or relevant to the organisation's needs. As part of this process some elements of posts are deemed no longer required where as other elements are still needed. The duties that are still required by the organisation are restructured into new roles, which are then open to those people whose posts are at risk to apply for. Some people choose not to apply for these new positions and some are redeployed into these new roles. At times some posts are made redundant and the post holders are not reemployed within the organisation. This is a great loss for a charity such as Action Deafness but the organisation must ensure that the duties of the organisation are carried out effectively and efficiently.

FINANCE – QUESTIONS DIRECTED TO GRAHAM SMITH

1. The organisation's accounts are audited on a yearly basis by an external, independent company. The accounts are then submitted to the Charity Commission. It is the role of the Auditors to scrutinize the accounts and highlight any irregularities that it finds. If an organisation is not able to justify its use of certain funds the Auditors then report this to the Charity Commission. The Auditors of Action Deafness have not reported Action Deafness to the charity commission as they have reviewed and passed the accounts. In line with Charity Law Action Deafness has passed its accounts over to the regulators who hold copies that are available to the general public. These can be viewed from the Charity Commission website.
2. The organisation has both assets and reserves. This information can be obtained from the charity's accounts.
3. The organisation will still have a deficit budget at the end of this financial year.
4. The Trustees govern the charity and authorise all access to the reserves. They cannot be accessed without prior approval from the Board, as has been the case for the last ten years. The Trustees will deliberate on the future of the organisation and the best use of the reserves.
5. The first thing to explain is that the Interpreting Service is the largest department in the organisation. Each department is allocated support costs. These support costs are what pays for the administration and the core services, such as the core service officers and the costs of running the building. A formula is used to allocate out all of the running costs of the organisation to each department. The formula is based on a head count for each department, meaning how many staff are in the department. The figures that have been quoted in question 5 states that they are from the accounts year ending 2009. These accounts have not yet been released and therefore we are assuming that what is being referred to is from the accounts year ending 2008. During the financial year 2007 – 2008 the interpreting service employed seven members of staff and is by far the largest department in the organisation. Therefore the 'admin and Core costs' that are being quoted are what the interpreting service is expected to pay back to the organisation to pay for things like core service staff members, the buildings running costs as well as general admin. This is why the figure is high for the interpreting service.
6. Action Deafness has received legacies and donations from a variety of sources. These monies are used for a variety of reasons within the organisation. The monies go towards the running costs of the building, towards the free services that are offered to the Deaf and hard of hearing communities, such as Advocacy and Lip Reading classes in previous years. This money is also used to ensure that groups can

continue to keep accessing the building for the social activities in the same way as they have done for many years. The monies are not swallowed by the organisation, but rather have been used to ensure its continuation, therefore providing the groups and social clubs with a place to continue to meet.

7. Action Deafness would respectfully request clarification to this question as we are uncertain as to the meaning of this
8. No the donation book is not up to date. Records of all donations are kept by the Finance department and all parties that donate are responded to by the organisation.
9. Craig Crowley was employed by the organisation as he was the most suitable candidate for the position. As part of his duties the Board of Trustees tasked Craig with identifying new sources of income for the organisation as it had lost the Social Services contract, worth £410,000 per year, prior to Craig's arrival. The Board approved plans to use some of the reserves to invest in new positions within the organisation to generate income. It was explained to the board at that time that new positions such as Business Development and Fundraising are not quick fixes to generate income but take time to reap benefits for the organisation. This has been proved this year with the success of 6 new bids that will bring new services to the deaf and hard of hearing communities.
10. The building costs a high sum of money to run each year. Craig Crowley did allow the main hall and other rooms to be hired out during the last year. This has brought in £2807 during 2007-2008. During 2008-2009 this figure has risen to £7923, a rise of approximately 283%.
11. Question 11 was missing from the list.
12. Before this question can be answered fully we would need to know the details of which groups you are referring to.
13. The Business Development consultant has indeed applied for funding associated with the groups. He has been successful in securing IAG funding for the Loughborough area as well as other bids. The Events Coordinator has also engaged the community groups in fundraising activities that have brought in income to the organisation. These events have included the Bollywood Night, Ladies Night, Fashion Show, Bike Ride, (Jane Holden) lots of user groups started to benefit from AD Fundraising Projects such as Bollywood, Fashion Show, Bike Ride, etc. The money raised from these events goes towards the up keep of the building and the core costs.
14. Monies raised by fundraising is put into a central pot that goes to pay for a variety of things within the organisation, such as building costs, staff time, running costs, administration etc. Without these functions the building would not be able to remain open.

SERVICES

1. The Trustees believe that Action Deafness should continue to provide services to the Deaf and hard of hearing communities. The services that we provide are used by a wide range of people and are considered to be necessary. In addition the organisation has undertaken research that has shown gaps in services provision to the Deaf and hard of hearing communities throughout Leicestershire. This evidence that was collected from deaf and hard of hearing people directly proves that services are required. The organisation has a responsibility to service the community and this is done by providing services as well as through the provision of accommodation for user groups to meet.
2. Funding applications do indeed draw on evidence to support the documentation. Action Deafness uses a range of sources of information, from its own research to research undertaken by other organisations on local, regional and national levels. All information used by Action Deafness is currently in the public domain.
3. Funding information is available in the audited accounts that are held with the Charity Commission.
4. Action Deafness has held forums in the past, but numbers of attendees had dramatically reduced over the last year. Action Deafness did cancel one forum this year. The next forum meeting was held on September 19th. Future forums will be held and community groups will be informed of the dates of these at a later stage.
5. Action Deafness has used forum events in the past to communicate information about the organisation to user and community members. These have followed a structured programme, as the organisation believes it is important to communicate what work the charity is undertaking to the community.
6. Action Deafness is aware that the Advocacy service is one of its most popular services. This service is not funded from outside of the organisation; therefore the money to pay for this vital service comes from the reserves. Action Deafness wishes to increase the availability of the service and has made several bids to a variety of funds to attempt to get more money to increase the service. The organisation has been unsuccessful with these bids to date, but will continue its efforts to supplement the service.
7. Unfortunately Action Deafness is not in a position to comment directly on staff members and their performance within the organisation due to matters of confidentiality.

CEO

1. The Board of Trustees is comprised of a group of volunteers who give up their free time to the Charity. Many of the Board Members have fulltime employment or run businesses of their own. Craig does voluntary work of a similar nature. The board of Trustees line manage Craig and oversee his time with the organisation. If they were unsatisfied with any aspect of the CEO's work then it would be raised by following official organisational procedure.
2. Craig has used his annual leave, and therefore his own time, to attend the Deaf Olympics.
3. Craig Crowley receives the same amount of holiday entitlement as other staff members within the organisation. He does not receive special or different treatment than other staff members and is expected to follow organisational procedure when taking time off.
4. Trustees can confirm that the CEO does not use any funds from the charity to support his voluntary work.
5. This question has been answered above.
6. Craig announced his intention to take up a fundraising activity that involved trekking in Nepal. Craig required Communication Support during this trip and requested that both of his interpreters, Russell James and Peter Shilston, accompany him to ensure that he would be able to communicate. The interpreters agreed to give up their time voluntarily to attend the trip and agreement that the organisation would pay the initial registration fee for all three was granted. Due to illness Craig was not able to attend the trip and instead stayed in England to work and required his interpreters to stay with him. The organisation paid a small registration fee for the three people, but did not have to pay £9,000. It was the aim of the trip to raise £9,000, but due to Craig's illness all three were unable to attend. This therefore meant that the fundraising activity could not be done at this time. Since this has occurred Craig and both of his interpreters have been involved with a number of other fundraising activities for the organisation that have brought in income for the charity. All three have given their time voluntarily to ensure that money is raised for the organisation.
7. The Trustees have been tasked with overseeing the governance of the organisation and its future direction. The Trustees recognise the importance of involving the community in their plans and future efforts and will therefore ensure that they improve their communication between both groups.