

LINK - ABILITY
(A COMPANY LIMITED BY GUARANTEE)
TRUSTEES REPORT
FOR THE YEAR ENDED 31 MARCH 2011

The Trustees, who are also directors of the charity for the purposes of the Companies Act, submit their annual report and the audited financial statements for the year ended 31 March 2011. The Trustees have adopted the provisions of the 'Statement of Recommended Practice' (SORP) "Accounting and Reporting by Charities" issued in October 2000 (revised 2005) in preparing the annual report and financial statements of the charity.

Structure, governance and management

Linkability is a charitable company whose Board of Directors are also Trustees of the Charity. Trustees are appointed to reflect the range of skills, experience, interests and capability needed for effective governance given the need of beneficiaries and nature of its activities. The board of Trustees hold responsibility for appointing Trustees.

The Memorandum and Articles of Association governs the activities of the Charity, which were last amended on 12th March 1998. There are regular board meetings to review and govern the business of Linkability. The Executive Director and Assistant Directors regularly report and account to both full and sub boards of Linkability concerning the agreed business plan and strategic direction for the company.

Steady growth of Linkability is seen as key to maintaining viability.

None of the Trustees has any beneficial interest in the company. All of the Trustees are members of the company and guarantee to contribute £1 in the event of winding up.

The Charity is a company limited by guarantee registered in England number 2350533. The Trustees who are also the directors for the purpose of company law, who served during the year, were:-

Mrs R Trustam

Mrs L Nolan MBE

Mr P Entwistle (Appointed 28 July 2010)

Mr R Crabtree

Ms J Holman

Ms D Judd

Mr B Fleming

Mr D Mitchell

Mr P Jonas

Recruitment / Selection of Trustee Directors

Trustee / Directors are sought whose skills build on the skill base of the existing board of trustees that include sector specific skills (Health & Social Welfare), Finance, Business, Marketing, Human Resources, Management, Information and Assistive Technology. Also, importantly stake - holder representation from parent carers. Presently Linkability has a board of eight Trustees and is seeking further stake - holder representation from parent carers.

Vacancies on the board are advertised on Linkability's website, in local newspapers and by approaching local networks.

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There is a process of application that includes taking references, undertaking background checks such as a Criminal Record Disclosure, attending / observing a number of board and / or sub board meetings. The applicant receives all the relevant information regards the organisation, Trustee Job Description, Guidance on Trustee Responsibilities and Trustee National Occupational Standards. This is further supported with verbal information from The Executive Director and / or Chair of trustees / an experienced trustee.

Once the prospective Trustee has attended a series of meetings the Chair discusses the applicant's suitability with other Trustees and will meet with the prospective Trustee prior to their appointment at the next board meeting. The appointment is confirmed formally at the next AGM.

Induction and training

The Induction and Training of Trustees continues with the provision of an induction pack comprising previous minutes, the latest audited financial report, organisational structures and plans, dates of meetings and a copy of the memorandum and articles of association.

Structure and Wider Network

Linkability employs professional managers with experience and expertise relevant to the business of the charity and the people it supports. The Trustees set and monitor the scale of delegated responsibility invested in the senior management team. Likewise it monitors and reviews the overall strategy and business plan.

The Board of Trustees meet regularly with The Executive Director, Company Secretary and Assistant Directors who attend quarterly full board meetings. Outside this Trustees also meet the professional managers at various sub board and add hoc sub board meetings.

The work of the board of Trustees continues to be supported by five sub boards, specifically, Human Resources, Quality, Training, Premises / IT and Finance. In addition there is a sub board that meets yearly, namely a remuneration committee that considers and recommends changes to pay and none pay conditions of service for all employees including the Executive Director.

Sub boards set and agree their own annual work plan contingent to the overall strategic direction as agreed by the board of Trustees. Trustees and senior managers work collaboratively within sub boards to ensure the effective and efficient management of the charity's activities / resources.

Relationships with related parties

Linkability continues to be a member of The Lancashire Learning Disability Consortium (LLDC) which is an Industrial and Provident Society with Charitable exemption. The LLDC was incorporated by a number of voluntary organisations in Lancashire, of which Linkability was a founding member. The aims of the Consortium are to share information, represent issues, share specialist training and offer representation on various Lancashire Council led consultative groups. Linkability's Executive Director is presently Chair of the board of the LLDC.

The year has seen collective work on a number of issues such as:

- A review of the benchmark rate paid to learning disability providers.
- Finalising of the draft and unified contract, between LCC and learning disability providers.
- Production of a report on good practice guidelines for staff-related charges to people with learning disabilities.
- Delivering a specialist communications training project. (Intensive Interaction)

Linkability continues to be a member of The South Lancashire Learning Disability Training Consortium who deliver and administer essential employee training for our sector on a local basis. The Training Consortium also draws down government funding in order to subsidise the true cost of training the workforce.

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Similarly Linkability is a member of The Lancashire Workforce Development Partnership and in return for grant funding for staff training and development, has produced reports on the impact and outcomes. This includes updating workforce training records on 'Lancashire Plan'. This is vital data frequently requested by LCC preferred provider contracts monitoring, The Care Quality Commission or Investors in People UK.

Linkability continues to work in partnership with a training cohort named 'PLURISA' the initials individually indicating the identity of the organisation for example L is Linkability. This training cohort delivers BILD accredited training under an agreement with PRT, (Positive Response Training) who accredit the trainers regularly providing training in Physical Intervention and prevention techniques. Linkability has 2 senior practitioners and 1 assistant director as accredited Trainers working with the cohort.

Linkability enjoys a mutual and positive relationship with Integrate (Preston & Chorley) Ltd. Integrate is a charitable organisation working primarily in Preston with adults and young people who experience learning disabilities. As has been the case reaching back to the incorporation of Linkability (February 1989) both organisations support each other by sharing information, joint working and mutual support in sector related issues.

Housing partners such as Chorley Community Housing, Places for People and Progress Housing Association, Golden Lane Housing, Rochdale Borough Housing and Regenda Housing Association continue to support the objects of Linkability. They are also stakeholders to the various supported living tenancies we have, for which there is either a service level agreement or management agreement.

Linkability has recently become a sponsoring subscriber to Community Living magazine. The quarterly magazine gives the opportunity for Linkability to share and learn on sector issues on a national as well as local basis. The Executive Director is an advisor to its editorial board.

Reviewing Major Risks

Major risks are normally reviewed annually at a full board meeting and thereafter by the sub boards in relation to activities associated with that specific sub board. For example, any major risk concerning the potential for fraud is primarily reviewed by the Finance sub board. Other ways in which Linkability manages risks is by employing suitably qualified and experienced staff at each level in the Charity. This includes providing appropriate training and supporting continual professional development. In addition, the development, review and implementation of policies and procedures, regular risk assessment, monitoring of key areas and having a plan to cope with the downside impact of the main organisational risks.

Linkability invests in an outside consultant to complete an annual external Health and Safety audit. For internal audit Linkability has a committee of Health and Safety staff representatives that meet at least four times a year to strengthen ongoing monitoring.

Linkability is CHAS registered and compliant which is an external Health and Safety quality assurance scheme. CHAS means The Contractors Health and Safety Assessment Scheme and registration is re assessed at three yearly intervals. Linkability is due for re accreditation in September 2011.

The Charity also takes out and maintains comprehensive insurance to cover a range of potential risks such as Trustee and Officers professional indemnity. The cover extends to and includes litigating advocacy that may be needed to defend any court action. For example the defence of an employment related issue.

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As required by our commissioners (Rochdale Metropolitan Borough Council and Lancashire County Council) Linkability has a business continuity plan to cope with the impact of such risks as flu pandemic, severe weather conditions and other related areas. Continuity of staffing to those service users presenting the highest risk in such events is of paramount importance.

Five years ago Linkability was concerned for the quality and value for money and over reliance on external agency to bridge staffing voids. In response the Trustees and management devised a strategy to counter this trend by developing its own internal staffing agency. Linkability now has a robust and effective internal relief agency with relief staff matched to specific services or clusters of services. This has resulted in an almost total eradication of reliance on External agency workers. This year the only purchasing of external agency has been to supply qualified nurses to a specialist service. Although significant progress has been made in the recruitment and retention of a fully staffed nurse team the realisation of this goal is expected to be achieved in the next financial year.

Reporting Serious Incidents - Declaration to Annual Report

Linkability Trustees reasonably believe they have taken all reasonable steps to assess and manage risks to the activities of the Charity, beneficiaries, property, work and reputation. In this regard the Trustees of Linkability make a declaration that there are no serious incidents or other matters relating to the Charity concerning the previous financial year that should be brought to the attention of The Charity's Commission or has failed to do so.

Charitable Objectives

Linkability's broad objective is to provide services to adults (including young people in transition from children's services) who have learning disabilities so as to enable them to live in and be part of the local community.

The communities in which Linkability presently provides services are situated in Chorley and South Ribble, Lancashire and Rochdale, Heywood and Middleton.

People in Linkability's care and support services may also experience physical and sensory impairment; they may also have behavioural support needs and / or mental ill health.

Linkability currently discharges this objective through the regulated provision of Registered Care or Domiciliary Care and support to adults or younger people within the provisions of The Health and Social Care Act 2008. The independent regulatory body responsible for inspection of our services is The Care Quality Commission.

Review of Activities, Achievements and Performance

- Provided person centred care and support services to sixty adults with learning disabilities using supported living and domiciliary care models of support delivered within their own homes. The people concerned are living in the communities of Chorley and South Ribble, Rochdale, Heywood and Middleton.
- Support all these people as per the plan of support to access universal services, colleges, training activities, volunteering and speaking to social work students attending the University of Central Lancashire.
- Provided person centred care and support for four persons with learning disabilities and complex health needs who occupy the one residential care home (with Nursing) managed by Linkability.
- In order to legally deliver such services Linkability needed to become registered by The Care Quality Commission pursuant to The Health and Social Care Act 2008. Linkability has within the year met the essential quality standards for providing regulated activities associated with providing registered care, domiciliary support and supported living. There are presently two Registered Managers and plans are in hand to register a third to cover Rochdale over the forthcoming year.

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- Offering training to staff both within and external to Linkability, working with other providers to enhance the competence of the workforce locally and across the sector. For example, the Intensive Interaction Communications Training Project.
- Linkability in partnership with The LLDC has delivered training to Senior Managers, Team Leaders and Key-workers concerning the legal implications of personalisation. Specifically training on the legal rights of adults with a disability. For example, the right to assessment of needs, which needs fall within the councils 'eligibility' criteria and what are the risks to the persons right to independence if unmet and who else can be consulted depending upon the persons 'capacity' to choose.
- Training service users to become 'Quality Checkers'
- Training and involving service users in staff recruitment
- Supporting service users to contribute to the work of the Central Lancashire Partnership Board and attend service user network meetings / valuing people task groups.
- Work is in progress to develop our presence and reputation as a trusted provider in Rochdale. Evidence of this can be drawn from attending Provider consultation meetings, attendance at Partnership meetings in Rochdale, satisfactory Supporting people assessment and reviews and a regular interface with the commissioners in Rochdale.
- Within the year Linkability was successful in being admitted to Lancashire County Council's Preferred Provider Scheme for its learning disability providers.
- Linkability met with Contracts and Commissioners on three occasions during the year. The meetings are a proactive means to refer issues of mutual concern and refer people with changed needs for unscheduled reviews.
- Linkability has appropriate staff representing on The Central Lancashire Partnership Board, Local Forums for Chorley and South Ribble and Valuing People Task groups. For example, The Communications Task Group.
- Capital investment in computerisation in Rochdale to mirror resources for staff and service users in Chorley and South Ribble.
- Funding a staff training resource complete with computers, interactive smart board and furniture. Linkability would like to acknowledge with thanks that this equipment was provided by using a cash donation from 'ROOTS' the former carer led charity for Rochdale
- With help from the South Lancashire Learning Disability Training Consortium Linkability has 'fast tracked' essential training for the TUPE transferred workforce in Rochdale.
- During the year Linkability used further donations from ROOTS to provide assistive technology at one of the supported living schemes in Heywood that has improved the tenant's security.
- Linkability retained the Investors in People UK recognition that has been a quality benchmark held for over ten years.
- Linkability continues to support The Social Work Education Faculties at UCLAN and Salford Universities. During the year it provided 12 placement opportunities to students from each University from which 3 had placements in Rochdale.
- Linkability continued to monitor the negative impact of maintaining two sets of conditions of service both for employees and the organisation. In addition the potential cost of retention by having a section of the workforce (due to TUPE transfer conditions) remunerated at rates less than the remaining workforce. The Human Resource Sub Board and Remunerations Group supported a plan from The Executive Director, to redress this subject to full and procedurally fair consultation during the next financial year. The anticipated outcome (subject to affordability) is to equalise
- Pay and conditions across all grades of employees and a more easily administered scale for progression.
- As a result of the resignation of an Assistant Director in the year this has offered the opportunity to review structure at all levels. Consequently Linkability has decided not to replace this post but utilise freed resources to part fund the new structure effective from 1st April 2011.
- The above activities evidence that Linkability continues to meet public benefit requirements as laid down by The Charity Commission, in relation to its charitable work and objectives. For example, in relation to its involvement, contribution and influence to local communities, promoting awareness, equality and inclusion for disadvantaged groups, alongside its main activity to support adults with learning disabilities.
- Linkability's business plan and strategic objectives for the year in review have largely been achieved. The organisation will be developing a new business plan over the forthcoming year.

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Financial review

Financial performance is monitored by The Finance Sub Board bi-monthly, by full Board Quarterly and by The Executive Director and Financial Controller monthly.

The financial prospect in consideration of only .05% inflation uplift on fees from one major funder and 0% from the other left Trustees in no position to review staff pay and as a result all pay was frozen at the previous years levels. Trustees did however award an additional discretionary payment to all employees in April. This was possible due to two significant factors the first being very careful and prudent management of resources and the company wide effort in bringing external agency spending to almost zero expenditure in real terms. This is evidenced by comparing the increase in the numbers of people employed from 130 in 2010 to 151 in 2011. The growth of numbers employed is primarily indicative of the numbers of staff employed to Linkability's own internal relief agency.

This also enabled Linkability to deliver on its stated objective to pay the best possible rates to employees and maintain good conditions of service.

The new block contract with Rochdale Metropolitan Borough Council has made a contribution to the overall result and any downside financial risk provided for in reserves has not materialised.

In the final quarter of the year, following the resignation of a senior manager, Linkability's senior management team implemented a new structure in time for the new financial year.

Linkability continues to have a strong commitment to staff training and development and some training cost have been offset by funding from LWDP and via The South Lancashire Learning Disability Training Consortium. Linkability anticipates for the year ahead these funding streams will come under pressure and may even be withdrawn. The Trustees of Linkability have already identified a plan to manage this risk if required. In summary Linkability has a workforce of whom over 75% are trained or in the process of being trained to national workforce objectives. This excludes all the additional specialist training such as PRT, Intensive Interaction and The legal Framework of Social Care.

Having provided for a discretionary additional employee payment made in March 2011, the financial performance for the year ended 31 March 2011 delivered a surplus £13,942. The audited accounts show this to be an increase of approximately £10,000 on the previous year's financial surplus.

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Policy on Reserves:

Linkability maintains two reserves, namely a General Operating Reserve and an Asset Purchase and Improvement Reserve. Neither reserve is defined as being restricted. The Trustees are minded of their responsibility, to at least yearly review the levels of reserves and consider whether reserves are appropriate in view of the charity's financial commitments. The reserves at 31 March 2011 were as follows:

General Operating Reserve (£175,796)

- (Voids) Tend to be long term in filling as it is important to give the time for service users to adjust to someone having moved on or in our recent experience of the death of a service user. This covers long periods of loss of fees / rents and a consultation period before new service users move in.
- (Office's) To cover outstanding leases and equipment contract agreements, such as the lease provisions for full reinstatement of the office including carpets and decoration before leaving. This amount varies depending on the amount of unexpired lease each year until the break clause.
- (Housing Provisions) To cover reinstatement costs on any premises covered by housing management agreements or service level agreements.
- (Redundancies) To cover maximum exposure to redundancy payments aligned to an exit strategy in case of winding up the charity and helping all our vulnerable service users to find a soft landing to alternative provision.

Asset Purchase and Improvement Reserve (£379,000)

- (Capital Improvements) To meet the development needs of Linkability such as the purchase of accommodation or equipment for administration of Linkability either at its registered office (presently leased) or branch office (also leased). Alterations to such premises do require further capital expenditure.
- (Renewals and Maintenance) Replacement and renewal of office equipment, equipment in homes, meeting health and safety requirements. Staff related equipment in supported living.
- (Improvements to Tenancies) For example, in previous years Linkability has paid for a sensory garden, a conservatory, a kitchen improvement, specialist bathing and hoisting equipment.
- (Development Provision) Needed to invest in new technologies such as assistive technology to assist service users maintain safety and independence but live life to the full
- (Training fund) To front load new staff training needs, support training partnerships and staff's continual personal development.

Changes in fixed assets

- The movement in fixed assets shows a decrease from £32,546 to £30,899 arising from purchases of new assets during the year less depreciation as explained in note 1.4 of Linkability's accounting policies.

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Employee involvement and employment of people with disabilities

Linkability continues its work to train service users to be paid quality checkers and to train service users to appraise their staff. In some circumstances this is also undertaken with involvement from parents, carers and advocates. During this financial year and moving forward Linkability has made available resources to support tenants to meet amongst each other and at least twice a year have a meeting with the Quality Sub Board.

Employees continued to be consulted on issues of concern to them by means of consultative meetings/team discussions and in person with respective supervisors. Senior management and operational management meetings produce a staff briefing note following all such meetings as a means to improve communication and specifically make staff aware of internal and external change in the care sector.

Staff at various levels in Linkability continue to network with the local partnership boards and, in particular, on the sub groups concerned with 'Housing and Accommodation', 'Workforce Planning', 'Quality Framework', 'Workforce Training Confederation', 'Person Centred Planning' and Health Action Plans.

All of this serves to ensure that people with disabilities take a rightful place at the hub of local services design and delivery. Many of the concepts found in local and national social policy hold true to Linkability's principles and core values set down over 20 years ago.

The national occupational training agenda that has been embraced and incorporated into Linkability's training plan, has been reviewed and updated by the training sub board. Staff training data sets are uploaded onto Lancashire Plan and with Skills for Care.

Linkability, in accordance with its equal opportunities policy has long established recruitment, retention and training protocols.

Linkability has a number of detailed policies in relation to personnel matters, such as: -

- Equal Opportunities Policy
- Health and Safety Policy
- Harassment, and Bullying Policy (Including Whistle Blowing)
- Staff Handbook, Conditions of Service

The arrangement for review and updating the staff handbook is provided under a contract for services with RBS Mentor. The staff handbook has been updated in 2010/11 to reflect changes to employment law. The procedural guidance for Equal Opportunities takes account of an individual staff or prospective employee's strengths and approach to fair employment practice.

The senior management team have a plan for annual review and updating statements on policy and procedures.

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Statement of Trustees responsibilities

Statement of Trustees' responsibilities

Charity and Company law requires the Trustees to prepare financial statements that give a true and fair view of the Company as at the end of the year and the results of the charitable company for that period. The statements must distinguish any material special trust or other restricted funds of the charity. In preparing these financial statements the Trustees are required to:

- Select suitable accounting policies and then apply them consistently
- Make judgements and estimates that are prudent and reasonable
- State whether the policies are in accordance with the appropriate SORP, (Statements of Recommended Practice) on Accounting by Charities and Accounting Regulations and meet applicable accounting standard, 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 charitable company will continue in operation.

The Trustees are responsible for maintaining proper accounting records that disclose with reasonable accuracy at any time, the financial position of the charity/company. They are also responsible for ensuring that the financial statements comply with applicable Accounting Standards and Statements of Recommended Practice and regulations made under s44 of the Charities Act 1993 and the Companies Act 1985. The Trustees 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 confirm that the financial statements comply with these requirements.

The Trustees specifically consider the various risks faced by the Company. As well as generally monitoring financial and operational management, as indicated under Governance, the main trading and operational risks are assessed and addressed through the Business Plan process. Through a quality assurance policy and individual support plans for each service user, the Trustees seek to discharge the risks faced by the Company in the care of vulnerable individuals. Similar risks associated with the employment of staff are addressed through the development of staffing, training and health and safety policies, and by placing responsibility on the Executive Director to carry out the required risk assessments.

Disclosure of information to auditors

Each of the directors has confirmed that there is no information of which they are aware which is relevant to the audit, but of which the auditor is unaware. They have further confirmed that they have taken appropriate steps to identify such relevant information and to establish that the auditors are aware of such information.

Auditors

A resolution proposing that R P Smith & Co be reappointed as auditors of the Charity will be put to the members.

On behalf of the board of Trustees



Mr P Jonas

Dated: 20 September 2011