### REGISTERED COMPANY NUMBER. 2202260 (England and Wales) REGISTERED CHARITY NUMBER: 327735

# REPORT OF THE TRUSTEES AND UNAUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 NOVEMBER 2009 FOR T.O.F.S.

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Lemans 29 Arboretum Street Nottingham NG1 4JA

# T.O F.S. CONTENTS OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 NOVEMBER 2009

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## T.O F.S. REPORT OF THE TRUSTEES FOR THE YEAR ENDED 30 NOVEMBER 2009

The trustees who are also directors of the charity for the purposes of the Companies Act 2006, present their report with the financial statements of the charity for the year ended 30 November 2009 The trustees have adopted the provisions of the Statement of Recommended Practice (SORP) 'Accounting and Reporting by Charities' issued in March 2005

#### REFERENCE AND ADMINISTRATIVE DETAILS

Registered Company number 2202260 (England and Wales)

### Registered Charity number 327735

#### Registered office

St George's Centre 91 Victoria Road Netherfield Nottingham NG4 2NN

#### **Trustees**

Gren Shepherd
Duncan Jackson
Sandra Hawkins
Graham Slater
Dennis Harvey
Sue Lewis-Jones
Christine Shepherd
John Pearce
Chair
Vice-Chair
Treasurer
Company Secretary
Company Secretary

#### Co-opted Member

Drew Bailey (resigned 10 05 09)

#### **Accountants**

Lemans 29 Arboretum Street Nottingham NG1 4JA

#### Bankers

Lloyds TSB Northfield Branch Ariel House 2138 Coventry Road Sheldon Birmingham B26 3JW

### TO F.S. REPORT OF THE TRUSTEES FOR THE YEAR ENDED 30 NOVEMBER 2009

#### STRUCTURE, GOVERNANCE AND MANAGEMENT

#### CONSTITUTION

T O F S is a charity which was also established as a Company Limited By Guarantee and not having a Share Capital on October 20<sup>th</sup>, 1987—Its Articles of Association describes its constitution, its Memorandum of Association summanses its objects as relieving in cases of needy children and young persons suffering from tracheo oesophageal fistula, oesophageal atresia and oesophageal and related disorders including the vater association

#### **ORGANISATIONAL STRUCTURE**

The overall direction and management of TOFS is overseen by the Trustees who form the Council of Management (C O M), and who are also Directors of the Company. This Council is accountable and legally responsible for the work of the organisation and for ensuring that all aspects of the management and work comply with current legislation. The Council is supported by administrative staff headed by the Office Manager, and by volunteers

#### **POLICIES AND DOCUMENTATION**

Appropriate policies and procedures are in place to support the effective operation of TOFS. These include, but are not limited to Health & Safety, Protection of vulnerable children, Financial management, Personnel, Guidance & Training, IT & Data Protection, and Communications.

#### **RISK MANAGEMENT**

The Trustees have a duty to identify and review the risks to which the chanty is exposed and to ensure appropriate controls are in place to provide reasonable assurance against fraud or error

Risks are reviewed and mitigated by

- An organisational commitment to standards of good management and operational practice
- · Established policies which commit to compliance with all relevant legislation and good practice
- Regular review of all policies and procedures
- · Establishing adequate financial reserves

#### RECRUITMENT AND APPOINTMENT OF TRUSTEES

TOFS welcomes eligible people who have an interest in helping the organisation achieve its objectives by becoming a Trustee. Whilst the majority of TOFS members are parents or grandparents of TOFS children, TOFS welcomes potential trustees from all walks of life.

The Articles of Association state the eligibility of Trustees, which, in summary, state that those eligible must

- be over the age of 18
- already be or become members of the organisation
- not be undischarged bankrupts

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### T.O F S. REPORT OF THE TRUSTEES FOR THE YEAR ENDED 30 NOVEMBER 2009

- not previously have been removed from trusteeship of a charity by a Court or the Charity Commissioners
- not be under a disqualification order under the Company Directors' Disqualification Act 1986
- not be disqualified by the Charities Act 1993 (Section 72) from acting as a charity trustee
- undertake to fulfil their responsibilities and duties as a trustee of TOFS in good faith and in accordance with the law and within the objectives of TOFS
- not have financial interests in conflict with those of TOFS (either in person or through family or business connections) except where formally notified in a conflict of interest statement

#### INDUCTION AND TRAINING OF NEW TRUSTEES

To ensure Trustees are fully competent, TOFS will

- Provide an up-to-date Trustee Induction Pack
- Support induction, in a manner tailored to the experience of the individual, by the use of a 'buddy' system whereby each new Trustee is guided by an experienced Trustee or recently retired Trustee
- Provide access to and where appropriate cover the costs of induction training
- Conduct de-briefing of retiring Trustees in order to review, and amend where necessary, the Induction of new Trustees
- · Provide a job description for honorary officers

#### **Objectives and aims**

The principal objective of TOFS is to improve the lives of individuals (hereinafter referred to as "TOF individuals") suffering from tracheo-oesophageal fistula, oesophageal atresia and oesophageal and related disorders including the VACTERL Association (hereinafter referred to as "oesophageal disorders"), as well as the families of such TOF individuals

Tracheo-oesophageal fistula and oesophageal atresia (OA) are rare congenital conditions of the oesophagus (food pipe) and/or trachea (airway) that affect newborn babies Babies with TOF/OA need to have intensive neo-natal care prior to corrective surgery, normally within days of birth. Some children have to undergo additional surgical interventions later on in their lives.

#### **Activities and Achievements**

#### Family support

We continued to supply information to TOF parents and carers with leaflets, brochures, 'The TOF Child' book and quarterly newsletter Membership increased by 87 members. The generic 'About TOF' leaflet was updated, redesigned and re-printed. Gradually, over the year, the new tofs logo was implemented as stocks of stationery with the old logo became depleted.

The TOFS website received 46,735 visits by 29,661 individuals, predominantly from the UK but also from all over the world. At the end of the financial year there had been over three and a half thousand postings on the community forum. Many members were instrumental in offering sound advice and guidance to new parents and the community forum played a key role in facilitating mutual support for members. Volunteers were appointed to moderate the content posted on the forum.

### T.O F.S. REPORT OF THE TRUSTEES FOR THE YEAR ENDED 30 NOVEMBER 2009

The website was further developed by the implementation of an electronic facility for new members to join online. A key objective for this investment was to make the administration process of becoming a member of TOFS more up-to-date and efficient. We hope in the long term this will attract more medical professionals. We supplemented members' claims for benefits with further information on TOFS when required.

Volunteers continue to play a key role in the support TOFS offers new parents and carers. We would not be the organisation we are without the valuable support from our parental telephone support team, our web, hospital and birthday fairies, forum moderators and users, and our volunteer members who assist with educational and benefits advice

In a bid to both offer further support to adults born with TOF, and raise awareness of the condition, one of our volunteers set up a TOFS group for adults on Facebook This had attracted several hundred members by the end of the current financial year

We are delighted that Sean Marven accepted our invitation to join our team of medical patrons

The second edition of 'The TOF Child' book progressed with authors from as far afield as USA and Australia A number of members sent contributions for inclusion. Thanks to Vicki Martin, work also began on a chapter for John Foker's book, on Oesophageal and gastric disorders in Infancy and Childhood.

We invested in our database, to enable a more comprehensive log of members' ongoing TOF-related problems. We were successful in a funding application to introduce TOF badges and these are now sent to new members with their information pack.

TOFS continues to employ two part time office staff, who stagger their hours so that the office is open for enquiries most days from Monday to Friday

#### **Awareness of TOFS**

Information was disseminated to practitioners from health, education and social care. We were assisted by members in distributing posters to 38 hospitals to display in their neo-natal ward to increase awareness of TOFS when new parents and carers most need help. We exhibited at the RCPCH Annual Spring Fair in University of York to raise awareness amongst medical professionals of TOFS.

Our members contributed to various articles and regional news stories with their TOF stories and fundraising efforts

#### Commitment to research

We sponsored research into a BAPS-CASS national study on the incidence of oesophageal atresia

Charles Shaw-Smith presented findings at our Conference from his current research into the Genetics of Oesophageal Atresia, which TOFS helped fund. This initial finding was also publicised in the prestigious American Journal of Human Genetics.

#### **Events**

Our 2009 conference was held in October 2009 in Newcastle-upon-Tyne It was attended by 46 families, 10 medical professionals and six of our sister groups from overseas

The open forum, chaired by Mr Edward Kiely of Great Ormond Street, concluded the day and was a particularly successful new addition to the conference

#### T O F.S REPORT OF THE TRUSTEES FOR THE YEAR ENDED 30 NOVEMBER 2009

53 adults and 41 children attended our Notts Children's Party, where the kids were entertained by Mary Fairy and Pirate Jules. Our raffle netted prizes for five lucky families of free family passes to Twycross Zoo and a Storyshaper party.

#### **European Collaboration**

We developed relationships with similar organisations in Germany, Switzerland, Austria, France and The Netherlands. We agreed with these organisations the principle of establishing a pan-European association of support groups and together we committed to support a medical conference on desophageal disorders to be held in France in May 2010.

#### Governance

During 2008-9 we updated our Memorandum and Articles of Association which were approved by Special General Meeting held on July 12<sup>th</sup>, 2009 Our thanks to TOFS patron Dave Griffiths at Geldards and colleague Simon Davers for their assistance. In addition we also reviewed our policies and as a result re-wrote existing policies and developed new policies for Governance, IT and Communications.

#### **Public benefit**

The Trustees have had due regard to the guidance published by the Charity Commission on public benefit when reviewing the charity's aims and objectives and in planning future activities

#### Financial Review and Reserves policy

TOFS requires reserves in order to operate in the short term and to satisfy legal obligations in the event of the end of funding, a major reduction of funding or a delay in further funding becoming available. The reserves will enable proper notice to be given to the beneficiaries and staff and for all legally due payments to be made to staff, volunteers and the organisations with which we do business. Trustees have set the minimum level of reserves at an amount sufficient to cover trading for a six month period.

Investment policy and objectives

Deposits are held at Lloyds TSB Bank Ltd and COIF Charities Investment Fund. These are organisations which identify with the Charity Sector and which are secure and pay interest on sums invested.

On behalf of the Council

G Shepherd (Chair) 25 April 2010

#### INDEPENDENT EXAMINER'S REPORT TO THE TRUSTEES OF T.O.F.S.

I report on the financial statements for the year ended 30 November 2009 set out on pages 7 to 13

#### Respective responsibilities of trustees and examiner

The Charity's trustees, who are also the directors for the purposes of company law) are responsible for the preparation of the accounts. The charity's trustees consider than an audit is not required for this year (under Section 43 (2) of the Charities Act 1993 (the 1993 Act)) and than an independent examination is required.

Having satisfied myself that the charity is not subject to audit under company law and is eligible for independent examination, it is my responsibility to

- examine the accounts under Section 43 of the 1993 Act
- to follow the procedures laid down in the General Directions given by the Charity Commission (under Section 43(7)(b) of the 1993 Act), and
- to state whether particular matters have come to my attention

#### Basis of independent examiner's statement

My examination was carried out in accordance with the General Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently no opinion is given as to whether the accounts present a 'true and fair view' and the report is limited to those matters set out in the statements below

#### Independent examiner's statement

In connection with my examination, no matter has come to our attention

- (1) which gives me reasonable cause to believe that, in any material respect, the requirements
  - to keep accounting records in accordance with Section 386 of the Companies Act 2006, and
  - to prepare accounts which accord with the accounting records, comply with the accounting requirements of Section 396 of the Companies Act 2006 and with the methods and principles of the Statement of Recommended Practice Accounting and Reporting by Charities

have not been met, or

(2) to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached

K Meel

K Mealand FCCA Lemans 29 Arboretum Street Nottingham NG1 4JA

25 April 2010

TOF.S.
STATEMENT OF FINANCIAL ACTIVITIES
(INCORPORATING AN INCOME AND EXPENDITURE ACCOUNT)
FOR THE YEAR ENDED 30 NOVEMBER 2009

		Unrestricted funds	Restricted funds	30 11 09 Total Funds £	30 11 08 Total Funds £
	Notes	_			-
INCOMING RESOURCES					
Incoming resources from generated funds					
Donations and gifts	2	41,591	-	41,591	40,635
Subscriptions	_	12,585	-	12.585	13,128
Sale of TOFS goods and other income		1,355	_	1,355	1,015
Investment income	3	1,017	_	1,017	2,852
Conference income	•	14,830	_	14,830	2,002
Somerence income		14,030	•	14,050	
Total incoming resources		71,378	-	71,378	57,630
RESOURCES EXPENDED Charitable activities					
Costs of TOFS goods sold		446	_	446	3,106
Fundraising and publicity		10,470	_	10,470	21,571
Administration costs		34,763	_	34,763	25,368
Other operating costs		25,207	_	25,207	13,513
Other operating costs		23,207	-	25,207	13,313
Total resources expended		70,886		70,886	63,558
NET INCOMING/(OUTGOING) RESOURCES before transfers	;	492		492	(5,928)
					,
Gross transfers between funds		-	-	•	-
Net movement in funds		492		492	(5,928)
- · - · · · · · · · · · · · · · · · · ·		· <del></del>		<del>-</del>	( · / · - · /
TOTAL FUNDS BROUGHT FORWARD		48,341		48,341	54,269
TOTAL FUNDS CARRIED FORWARD		48,833	-	48,833	48,341

T.O.F.S - COMPANY NUMBER 2202260 BALANCE SHEET AT 30 NOVEMBER 2009

	Notes		Unrestricted funds	Restricted funds	30 11 09 Total Funds £	30 11 08 Total Funds £
FIXED ASSETS Tangible asset		7	1,252 ——	<u>.</u>	1,252	508
			1,252	-	1,252	508
CURRENT ASSETS Stock Debtors amounts falling due v	vithin one year	8	703 3,414	<u>.</u>	703 3,414	1,149 2,640
Cash at bank	·		44,774	-	44,774	59,199
			48,891	-	48,891	62,988
CREDITORS Amounts falling due within one	year	9	1,310		1,310	15,155
NET CURRENT ASSETS			47,581	-	47,581	47,833
TOTAL ASSETS LESS CURR LIABILITIES	ENT		48,833		48,833	48,341
NET ASSETS			48,833	-	48,833	48,341
FUNDS Unrestricted funds Restricted funds		10	<del></del>		48,833	48,341
TOTAL FUNDS					48,833	48,341

The notes form part of these financial statements

### T.O F.S BALANCE SHEET - CONTINUED AT 30 NOVEMBER 2009

The charitable company is entitled to exemption from audit under Section 477 of the Companies Act 2006 for the year ended 30 November 2009

The trustees have not required the charitable company to obtain an audit of its financial statements for the year ended 30 November 2009 in accordance with Section 476 of the Companies Act 2006

The trustees acknowledge their responsibilities for

(a) ensuring that the charitable company keeps accounting records that comply with Sections 386 and 387 of the Companies Act 2006 and

(b) preparing financial statements which give a true and fair view of the state of affairs of the charitable company as at the end of each financial year and of its surplus or deficit for each financial year in accordance with the requirements of Sections 394 and 395 and which otherwise comply with the requirements of the Companies Act 2006 relating to financial statements, so far as applicable to the charitable company

These financial statements have been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small charitable companies and with the Financial Reporting Standard for Smaller Entities (effective April 2008)

The financial statements were approved by the Board of Trustees on 25 April 2010 and were signed on its behalf by

G Shepherd (Chair) - Trustee

SHawkins

S Hawkins (Treasurer) - Trustee

### T.O.F S. NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 NOVEMBER 2009

#### 1. ACCOUNTING POLICIES

#### **Accounting Convention**

The financial statements have been prepared under the historical cost convention and in accordance with the Financial Reporting Standard for Smaller Entities (effective April 2008), the requirements of the Statement of Recommended Practice, Accounting and Reporting by charities, SORP 2005, the Companies Act 2006 and applicable accounting standards

#### **Incoming Resources**

Voluntary income is received by way of donation and gifts and is included in full in the Statement Of Financial Activities when received. The value of services provided by volunteers has not been included

#### Resources expended

Expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all cost related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

#### **Tangible Fixed Assets**

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life

Office equipment

33% on cost

#### **Taxation**

The charity is exempt from corporation tax on its charitable activities

#### **Fund accounting**

Unrestricted funds can be used in accordance with the charitable objectives at the discretion of the trustees

Restricted funds can only be used for particular restricted purposes within the objects of the charity Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes

Further explanation of the nature and purpose of each fund is included in the notes to the financial statements

## T.O F S. NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 NOVEMBER 2009

#### 2. DONATIONS AND GIFTS

		30 11 09 £	30 11 08 £
	Chantable Trusts	8,589	758
	Individuals	2,790	6,738
	In memona	1,250	2,446
	Members and Friends	22,094	29,046
	Other	6,868	1,647
		41,591	40,635
3.	INVESTMENT INCOME Interest receivable	1,017	2,852
	interest receivable	1,017	2,032
		1,017	2,852
4	NET INCOMING RESOURCES		
	Net resources are stated after charging		
	Depreciation –owned assets	1,136	638
	Accountancy	1,090	1,329

#### 5. TRUSTEES' REMUNERATION AND BENEFITS

There were no trustees' remuneration or other benefits for the year ended 30 November 2009 nor for the year ended 30 November 2008

#### Trustees' Expenses

Trustees received reimbursed expenses in the year of £2,688 (2008 - £2,498)

#### 6. STAFF COSTS

The average number of full time equivalent employees during the year was one (2008 - one)

No employee received emoluments of more than £60,000

Employees emoluments can be analysed as follows

Wages & N I - £25,149 (2008 - £18,638)

# T.O.F.S. NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 NOVEMBER 2009

#### 7. TANGIBLE FIXED ASSETS

7.	TANGIBLE FIXED ASSETS		Office <u>Equipment</u> £
	COST At 1 December 2008 Additions		11,245 1,880
	At 30 November 2009		13,125
	DEPRECIATION At 1 December 2008 Charge for year		10,737 1,136
	At 30 November 2009		11,873
	NET BOOK VALUE At 30 November 2009		1,252
	At 30 November 2008		508
8.	DEBTORS: AMOUNTS FALLING DUE WITHIN		
		30 11 09 £	30 11 08 £
	Accounts receivable Prepayments	270 3,144	44 2,596
		3,414	2,640
9.	CREDITORS: AMOUNTS FALLING DUE WITH	IIN ONE YEAR	
	Accruals and deferred income	1,310	15,155
		1,310	15,155

T.O F S NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 NOVEMBER 2009

#### 10. MOVEMENT IN FUNDS

	At 1 12 08	Net Movement		At 30 11 09
Harriston de d'Écondo	£	<u>ın funds</u> £	between fun £	£
Unrestricted funds Accumulated Fund	48,341	492		48,833
Restricted funds	48,341 -	492	-	48,833
TOTAL FUNDS	48,341	492	-	48,833
Net movement in funds, included in	the above are as fo	ollows	<del></del>	<del></del>
	Incoming resources	Resources expended	Gains and losses	Movement in funds
Unrestricted funds Accumulated Fund	71,378	(70,886)	_	492
Restricted funds	71,378	(70,886) -	-	492 -
	<del></del>			

71,378

(70,886)

492

#### 11. ULTIMATE CONTROLLING PARTY

**TOTAL FUNDS** 

The charity is under the control of its trustees

T O F.S.

DETAILED STATEMENT OF FINANCIAL ACTIVITIES
(INCLUDING INCOME AND EXPENDITURE ACCOUNT)
FOR THE YEAR ENDED 30 NOVEMBER 2009

	2009			2008	
	£	£	£		£
Donations	0.500		7.0		
Charitable Trusts	8,589		758		
Individuals	2,790		6,738		
In Memoria	1,250		2,446		
Members and Friends	22,094		29,046		
Other	6,868		1,647		
		41,591			40,635
Other income		41,551			40,000
Subscriptions	12,585		13,128		
Conferences	14,830		10,120		
Grand Draw			-		
Sale of TOFS Goods	1,355		1,015		
Interest	1,017		2,852		
	.,		_,,,,_		
		29,787			16,995
Total Incoming Resources		71,378			57,630
Cost of TOFS Goods Sold					
Opening stock	1,149		2,336		
Purchases	(700)		1,919		
Closing stock	(703)		(1,149)		
		446			3,106
Fundraising & Publicity		440			3, 100
Leaflets & newsletters	5,058		12,920		
Printing, postage, stationery & publicity	5,412		8,651		
i finding, postage, stationery & publicity	5,412		0,001		
		10,470			21,571
Administration costs		,.,			
Wages	25,149		19,234		
Accountancy	1,090		1,329		
Professional charges	7,039		3,465		
Telephone	1,485		1,340		
•					
		34,763			25,368

This page does not form part of the statutory financial statements

TOFS
DETAILED STATEMENT OF FINANCIAL ACTIVITIES
(INCLUDING INCOME AND EXPENDITURE ACCOUNT)
FOR THE YEAR ENDED 30 NOVEMBER 2009

	2009		2008		
	£	£	£	£	
Other Operating costs					
Conference expense	8,113		-		
Donations	-		1,000		
Gifts and entertaining children	220		140		
Travel & meeting	4,120		3,755		
Rent & Insurance	3,544		3,532		
Sundry expenses	1,322		2,414		
Hire of equipment	-		324		
Depreciation	1,136		638		
Research costs	5,000		-		
Repairs and renewals	1,214		1,212		
Bank charges	83		6		
Credit card merchant service fees	455		492		
		25,207		13,513	
		25,201		13,313	
Total Resources Expended		70,886		63,558	
NET INCOMING/(OUTGOING) RESOUR	RCES		492		(5,928)
Funds brought forward		48,341		54,269	
Funds carned forward		48,833		48,341	

This page does not form part of the statutory financial statements