



Managing Trustees' Responsibilities on Re-Opening Pre-School

Managing Trustees' responsibilities and considerations in relation to re-opening pre-schools will vary depending on whether they provide early years provision themselves (Church Project Pre-Schools) OR allow a third party to provide early years provision on their premises under a licence (Third Party Pre-Schools - Licence) OR under a lease (Third Party Pre-Schools - Lease).

A summary of Managing Trustees' responsibilities for allowing Church Project and Third Party Pre-Schools to re-open and steps to take, highlighting some of the main differences, are summarised in the table below.

Please use this table in conjunction with TMCP's article; "[Re-Opening Pre-Schools During COVID-19](#)" and the Connexional Team's guidance; "[Education in early years settings in Methodist property following government advice from the 13th May 2020](#)" (Connexional Team's Pre-School Re-Opening Guidance).

	Church Project Pre-Schools	Third Party Pre-Schools - Licence	Third Party Pre-Schools - Lease
Making the decision to re-open	<p>Consider the points set out in the Connexional Team's Pre-School Re-Opening Guidance to decide whether the Managing Trustees would like to re-open and can do so safely.</p> <p>The following links are especially helpful for Church Project Pre-Schools:</p> <ul style="list-style-type: none"> • https://www.eyalliance.org.uk/coronavirus-info-for-nurseries - Nursery specific guidance from the Early Years Alliance with links to appropriate Government early learning specific guidance. 	<p>Consider the points set out in the Connexional Team's Pre-School Re-Opening Guidance to decide whether the Managing Trustees would like to re-open and can do so safely.</p>	<p>In most cases Managing Trustees will have no right not to allow their tenant to re-open a pre-school which is run from the church building under a lease. It is the tenant's rather than the Managing Trustees' decision to make. Speak to your tenant remotely to ascertain their intentions and discuss arrangements including those highlighted in this Article.</p>

	<ul style="list-style-type: none"> • Actions for early years and childcare providers during the coronavirus outbreak – Government guidance detailing actions to be taken by early years providers which would include Church Project Pre-Schools. 		
Re-opening safely	Complete the general property re-opening steps set out in the Re-Opening a Building Checklist (pdf) in relation to the parts of the building that will be used by the pre-school.		Complete the general property re-opening steps set out in the Re-Opening a Building Checklist (pdf) in relation to any common areas over which your tenant enjoys rights under the lease e.g. shared corridors/access, shared kitchen and/or restrooms and any areas for which the landlord is responsible. Check the lease if you are unsure and speak to TMCP Legal .
Re-opening safely – pre-school specific	Take the pre-school specific steps to plan for re-opening set out in the following sections of the Connexional Team's Pre-School Re-Opening Guidance ; Section 3 (Planning Process Prior to Opening) and Section 6 (Main Considerations for Managing Trustees in Reopening parts of their Building). Make plans to fulfil the steps in italics set out in Section 7 (Other Considerations for Working with your Educational Provider) on the basis that you are the educational provider.	Take the pre-school specific steps to plan for re-opening set out in Sections 3 and 6 of the Connexional Team's Pre-School Re-Opening Guidance . Consider whether you can assist your licensee to fulfil the steps in italics set out in Section 7 (Other Considerations for Working with your Educational Provider).	Consider the pre-school specific steps to plan for re-opening set out in Sections 3, 6 and 7 of the Connexional Team's Pre-School Re-Opening Guidance . Take any steps that you need to take in relation to common parts and parts of the building for which you as landlord are responsible.

<p>Risk assessments</p>	<p>Complete risk assessments in relation to the specific risks posed by COVID-19 both in relation to use of the building and operating the Church Project Pre-School.</p> <p>Use the Covid-19 Risk Assessment, v3 (pdf) template produced by the Connexional Team.</p> <p>Consider any additional risk-assessments that you need to carry out as the provider of early years education, employer and in relation to safeguarding. (Speak to the Connexional Safeguarding Team and Development and Personnel at MCH).</p>	<p>Complete a risk assessment in relation to the specific risks posed by COVID-19 in relation to use of the building by the Third Party Pre-School under licence.</p> <p>Use the Covid-19 Risk Assessment, v3 (pdf) template produced by the Connexional Team.</p> <p>Remember to consider shared facilities and use of the whole premises under a licence including keys and cleaning between sessions etc.</p> <p>Check that the third party has carried out their own risk assessment – ask to see this.</p>	<p>Complete a risk assessment in relation to the specific risks posed by COVID-19 in relation to any areas of the building that the tenant is permitted to use under the lease EXCEPT for areas that they use exclusively – this is the tenant’s concern. The considerations under column 3 of this table apply for common areas including shared entrances etc.</p> <p>Use the Covid-19 Risk Assessment, v3 (pdf) template produced by the Connexional Team.</p>
<p>Government requirements</p>	<p>Managing Trustees would need to fulfil all requirements imposed on providers of early years education set out in Government guidelines from time to time. See links and guidance in Section 5(a) of this Article.</p> <p>The Conference Office will also be able to answer any governance based questions that you may have on running the pre-school itself in the current circumstances.</p>	<p>Managing Trustees need to ensure their Third Party Pre-School has considered the Government guidelines and taken steps to address the COVID-19 specific requirements. Written confirmation of the plans they have in place would be helpful. See TMCP’s COVID-19 FAQ 3.</p>	<p>The onus is on the tenant to ensure that all requirements are met. Managing Trustees should continue to communicate with their tenants to address any COVID-19 specific requirements and consider tenant requests to enable them to comply with Government requirements carefully. Refer to Lease COVID-19 FAQ 7.1 in relation to rights and communal space under a non-residential lease and contact TMCP Legal before agreeing to anything that requires landlord consent.</p>
<p>Safeguarding and Employment consideration</p>	<p>Follow any guidance relating to re-opening specifically or COVID-19 more generally provided by the Connexional Safeguarding Team and the Personnel and Development Team at MCH.</p>	<p>The onus is on the licensee within the setting but work with your licensee to consider whether you can assist with any specific concerns.</p>	<p>As above.</p>

<p>Insurance</p>	<p>Insurance concerns relate not only to the building (and claims arising from third parties using the building e.g. parents and children) but also to the additional liability on the Managing Trustees as provider of early years provision, safeguarding the users of such provision, and as employer. Managing Trustees need to check with their insurer to ensure their cover protects them and any specific insurer requirements are fulfilled. Please refer to the Methodist Insurance website.</p>	<p>Insurance concerns relate to the building and claims arising due to use of the building by third parties. Please refer to the Methodist Insurance website for information.</p>	<p>Insurance concerns relate to the building and claims arising due to use of the building under the lease. Please refer to the Methodist Insurance website for information.</p>
<p>Financial</p>	<p>Many early years providers are already in touch with their parents to ascertain how many children will be attending early years provision once they re-open. Managing Trustees will be anxious to ensure that Church Project Pre-Schools are viable.</p>	<p>Considerations would include the cost of facilitating re-opening and the income from the Licence Fee.</p>	<p>Rent will have continued to accrue throughout the COVID-19 crisis under the lease. Managing Trustees should refer to the Non Residential Leases – requests from Tenants to a rent concession in relation to any requests from tenants for rent concessions in view of COVID-19.</p>
<p>Legal</p>	<p>Managing Trustees need to ensure they are fulfilling the legal responsibilities placed on them as early years educational providers. Please refer to the Connexional Team’s Pre-School Re-Opening Guidance and external links in row 2 of this table. As a Church Project Pre-School is run as a Local Church project, this type of pre-school does not have the same “third party use of property” type</p>	<p>Please refer to TMCP’s COVID-19 FAQs and FAQ 3 in particular.</p>	

	considerations as Third Party Pre-Schools and TMCP would not therefore usually be involved.		
Future closure	As a Local Church Project it is the Managing Trustees who are running the provision and their responsibility to ensure that Government requirements are adhered to as the COVID-19 situation evolves.	Licences are at the Managing Trustees' absolute discretion and can be terminated or use suspended as required, as many pre-school licences were at the start of the COVID-19 crisis. Please refer to COVID-19 FAQ 1 and 2 .	It would be unusual for the introduction of stricter COVID-19 restrictions to permit the Managing Trustees or the tenant to terminate the lease. Please refer to COVID-19 FAQ 6.1 and 6.2

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