



Supported Partner Dissolution Policy			
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United Way Perth Huron will protect it’s reputation in the event a Supported Partner dissolves or a program for which funds are allocated or a location from which program delivery occurs is closed.

1. Principles

United Way of Perth Huron (UWPH) shall not be put at risk when a Supported Partner:

- a. dissolves the Supported Partner in its entirety (dissolution);
- b. closes a UWPH funded program/service (closure); or
- c. closes a location where the the UWPH funded program/serivce is delivered (closure).

Steps of reassurance may be taken offering guidance and support to the Supported Partner. However, UWPH will not assume any liability from the Supported Partner dissolution or closure of a UWPH funded program/service.

UWPH recognizes that guidelines are essential for the Supported Partner and in the interests of both parties will:

2. Procedure

- 2.1. Require notice from any Supported Partner contemplating dissolution or closure of a UWPH funded program/service, as soon as this step is considered.
- 2.2. Require a plan for dissolution or closure. The plan is to show at a minimum when the final decision on dissolution or closure will be made, and the steps that will be taken with due dates for actions to effect the dissolution or closure.
- 2.3. Provide a checklist, (Appendix - Supported Partner Dissolution Procedure) which gives a brief outline of some of the more important issues that Directors and/or Executive Staff of the Supported Partner agency (whether incorporated or not) may want to consider in ensuring due diligence in a Supported Partner’s dissolution or closure.
- 2.4. Provide a response to the plan outlining how funds already released to the Supported Partner for the current quarter may or may not be used by the Supported Partner undergoing dissolution or closure. This response will be recommended through the Community Impact & Allocations Committee (CIAC) and approved by the UWPH Board, or at a minimum (when time lines are pressing) by the Executive Committee of the Board.
- 2.5. Provide for the continued allocation of funds into the next quarter(s) with specific restrictions on their use OR give notice that no further funds will be allocated. Funds may be released to:

- a) Pay for materials already received for the program for which funds were allocated;
 - b) Pay, within the allocated amounts, salaries of the program staff for a period when instead of delivering the program they are informing clients and any delivery partners of the intention to dissolve or close and referring clients to other service providers where possible; and/or,
 - c) Other approved expenses decided on a case-by-case basis.
- 2.6. Allocated funds will not be released to cover items such as:
- Debts for programs other than that for which the allocation was approved;
 - The discharge of leases or other encumbrances;
 - The cost of employer obligations to employees such as those covered under the Employment Standards Act; or,
 - Any other item for which prior approval has not been given by UWPH.
- 2.7. A Media release indicating that the Supported Partner agency is dissolving or closing must be prepared to inform the public, and to refer clients to other resources they can access. Normally the media release will be shared with UWPH prior to being published.

In the case of an Internal Supported Partner closure, the above will be applied in principle but it is recognized that the Executive Director of UWPH (or designate) will be involved in the plan for closure. CIAC will be informed immediately of any concerns related to an Internal Supported Partner, whether or not the concern leads to a dissolution.

3. Indemnification and Liability

The Supported Partner shall, as part of the plan for dissolution or closure, execute a release in favour of UWPH providing that, both during and following the funding period, the Supported Partner indemnifies and saves the UWPH, its directors, officers, employees and representatives harmless from and against all claims, losses, damages, costs, expenses and other actions made, sustained, brought, threatened to be brought or prosecuted, in any manner based upon, occasioned by or attributable to the relationship between the Supported Partner and UWPH, or by any wilful or negligent act, omission or delay on the part of the Supported Partner or its employees, agents or third parties, and participating employers or program/service participants, if any, in connection with anything purported to be or required to be provided by or done by the Supported Partner pursuant to the Supported Partner Funding Agreement or done otherwise in connection with the implementation of the program/service. UWPH is not liable for any actions and/or decisions made by the Supported Partner, including its Board of Directors and/or staff.

Appendix
Supported Partner Dissolution Procedure

Purpose of Checklist

The purpose of this management checklist is to provide a brief outline of some of the more important issues that Directors and/or Executive staff of Not-for-Profit organizations, whether incorporated or not, may want to consider in ensuring due diligence in a Supported Partner's closure or dissolution.

Please complete and return to United Way Perth Huron.

Supported Partner Name: _____

Action	Lead Person(s)	Completed (Yes/No)	Date of Completion	Remarks
Agency Membership Requirements				
Hold a meeting of members of the agency to vote on dissolution (following any specific requirements as outlined in the agency Bylaws).				
Canada Revenue Agency Requirements				
Write to CRA to request revocation of registered charity status. This letter must be signed and dated by one of the charity's Directors/trustees or by another person authorized to sign on behalf of the charity. Mail or fax the letter to Charities Directorate, CRA, Ottawa.				
Follow the requirements provided by CRA in the response to your revocation request.				
Ensure that you disperse your agency's assets according to CRA requirements and any rules contained in the Letters Patent, By-laws and governing legislation.				
Government of Canada Requirements for Federally Incorporated Non-Profits				
Ensure all necessary approvals have been obtained by resolution from members and directors in accordance with the Canada Not-for-Profit Corporations Act and the By-laws and Letters Patent of your organization.				
Complete a 'Statement of Intent to Dissolve' under the Canada Not-for-Profit Corporations Act.				
Contact Corporations Canada to find out the turnaround time for receiving a Certificate of Intent to Dissolve.				

You must complete the federal form called 'Articles of Dissolution' available from Corporations Canada.				
Government of Ontario Requirements for Provincially Incorporated Not-for-Profits				
Ensure all necessary approvals have been obtained by resolution from Members and Directors in accordance with the Ontario Corporations Act and the By-laws and Letters Patent of your organization.				
Notice of the resolution must be filed with the Minister of Government and Consumer Services and be published in the Ontario Gazette by the corporation within 14 days after the resolution has passed.				
Complete an Application for Surrender of Charter, which is available from the Ministry of Government and Consumer Services.				
Government of Ontario Requirements for Provincial Charitable Corporations				
Submit the Application for Surrender of Charter to Public Guardian and Trustee who will review it and once accepted will forward to ServiceOntario.				
Supported Partner Requirements				
Inform UWPH that your agency is considering dissolving or winding down.				
Arrange for the storage of the records and document of the agency. This information is required for the Articles of Dissolution Form. This must include copies and approval of all dissolution related documentation.				
National/Provincial Body Requirements				
* Required only for agencies with membership under a national/provincial body (such as Big Brothers Big Sisters Canada)				
Inform the national/provincial body that your agency is considering dissolving or winding down.				
Fullfill any requirements specified by the national/provincial body for dissolution.				