

# Grimsby Cleethorpes & District Civic Society (GDCS)

Registered Charity number 505255

[www.grimsbycleecivsoc.com](http://www.grimsbycleecivsoc.com)

## Charity trustees are also known as:

- Directors
- Board members
- Governors
- Committee members – within GDCS, although all members of the Executive Committee are responsible for the management of the Society and all its varying projects, only those Officers voted in at AGMs are named as Trustees with Charity Commission

Charity trustees direct how a charity is run and help make sure it does what it was set to do. This includes making sure the charity:

- Sticks to its charitable mission
- Has the money it needs to operate
- Spends that money responsibly on the activities it was set up to do

**“As a trustee, you must run your charity in a way that complies with your charity’s governing document and the law.”** *Charity Commission*

The Charity Commission has a video introduction to ‘Charity Purpose and Rules’ 2022):

<https://www.gov.uk/guidance/charity-purposes-and-rules>

*The following is from various pages withing Charity Commission website – links below*

## What Charities do

Charities vary widely in terms of size and purpose. Most charities are very small and many don’t have paid staff. In small charities, trustees may be expected to essentially run the charity. In larger charities, staff take on the day-to-day work and trustees have a more strategic role.

The main purpose of a trustee is to decide the charity’s priorities and future plans. Some also give practical help with the charity’s activities. Charity trustees also make sure the charity achieves its plan effectively.

The role of charity trustee requires commitment and responsibility. It also allows you to see the charity’s positive effects on people and society. Being a charity trustee can also help you gain new skills and experience that can help you develop your paid employment.

## Becoming a trustee

You must be over 18 years to be a trustee (or 16 if the charity is set up as a company or Charitable Incorporated Organisation).

Charities need committed and enthusiastic people from a wide range of backgrounds. It depends on the charity whether you need any particular skills or experience.

Your charity should give you an introduction to its work, your role and advice about more training.

Charity trustees are almost always unpaid, but can receive 'out of pocket' expenses such as travel or other such costs brought about in the Charity's work. Any such expenses claim should normally be supported by receipt and accompanied with a completed *Expenses Claim Form*.

## Who can't be a trustee

Not everyone can become a trustee for example because they:

- Have an unspent criminal conviction for dishonesty or deception
- Are an undischarged bankrupt
- Have been banned from serving as a company director

## Chair and Treasurer trustee roles

Some trustees have special roles, such as Chair or Treasurer. They are known as Officers. You must comply with any specific provisions in your governing document about Officers. Officers don't automatically have any extra powers or legal duties than other trustees but may carry out specific responsibilities to them. *Don't forget – all trustees remain jointly responsible for the charity. For example, all trustees share responsibility for finances – not just the Treasurer.*

## Making decisions as a trustee

Charity trustees make decisions about charity altogether, working as a team. Decisions don't usually need to be unanimous as long as the majority of trustees agree. They usually made at charity meetings.

When you and your co-trustees make decisions about your charity, you must:

- Act within your powers
- Act in good faith, and only in the interests of your charity
- Make sure you are sufficiently informed, taking any advice you need
- Take account of all relevant factors you are aware of
- Ignore any irrelevant factors
- Deal with conflicts of interest and loyalty
- Make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances

Records should be kept on how you made significant decisions in case you need to review or explain them in the future. Such recording will normally be in the Society's Minutes.

## Trustees' 6 main duties

### 1. Ensure your charity is carrying out its purposes for the public benefit

You and your co-trustees must make sure that the charity is carrying out the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the charity's purposes as set out in its governing document
- plan what your charity will do, and what you want it to achieve
- be able to explain how all of the charity's activities are intended to further or support its purposes
- understand how the charity benefits the public by carrying out its purposes

Spending charity funds on the wrong purposes is a very serious matter; in some cases trustees may have to reimburse the charity personally.

## **2. Comply with your charity's governing document and the law**

You and your co-trustees must:

- make sure that the charity complies with its governing document
- comply with charity law requirements and other laws that apply to your charity

You should take reasonable steps to find out about legal requirements, for example by reading relevant guidance or taking appropriate advice when you need to.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update.

## **3. Act in your charity's best interests**

You must:

- do what you and your co-trustees (and no one else) decide will best enable the charity to carry out its purposes
- with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term
- avoid putting yourself in a position where your duty to your charity conflicts with your personal interests or loyalty to any other person or body
- not receive any benefit from the charity unless it's properly authorised and is clearly in the charity's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

## **4. Manage your charity's resources responsibly**

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. You and your co-trustees must:

- make sure the charity's assets are only used to support or carry out its purposes
- not take inappropriate risks with the charity's assets or reputation
- not over-commit the charity
- take special care when investing or borrowing
- comply with any restrictions on spending funds

You and your co-trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise you risk making the charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

## **5. Act with reasonable care and skill**

As someone responsible for governing a charity, you:

- must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary
- should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees' meetings

## **6. Ensure your charity is accountable**

You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:

- be able to demonstrate that your charity is complying with the law, well run and effective
- ensure appropriate accountability to members, if your charity has a membership separate from the trustees
- ensure accountability within the charity, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers

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### **The Nolan Principles: *The seven Principles of Public Life***

Introduced in 1995 by the UK government, Committee on Standards in Public Life, these important values are enshrined in codes of conduct across the public sector, from schools and government departments to hospitals.

- **Selflessness:** Holders of public office should act solely in terms of the public interest.
- **Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability:** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness:** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- **Honesty:** Holders of public office should be truthful.
- **Leadership:** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

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#### **sources:**

<https://www.gov.uk/guidance/charity-trustee-whats-involved>

<https://www.gov.uk/government/publications/the-7-principles-of-public-life>

additional reading

<https://www.good-governance.org.uk/about-us/good-governance>

<https://www.gov.uk/government/organisations/charity-commission>

<https://www.ncvo.org.uk/>