

INFORMATION SHEET 2.1

BEING A CHARITY TRUSTEE



Charity trustees are the people who are legally responsible for the overall management and decision making in a charity. They are the volunteers who are elected by the membership to run the charity at the annual general meeting.

Your charity may call you something else - management or executive committee member, director, governor or some other title. Whatever you are called, if you are a member of the committee or board with overall responsibility for your charity, you are a charity trustee.

WHAT DOES A TRUSTEE DO?

Trustees carry out a range of roles and duties that ensure the organisation runs well.

Trustees make the major decisions affecting the organisation, giving it focus and direction. They are responsible for setting out the strategic direction of the charity and must be confident that it is well managed and meeting its objectives. It is the trustees' responsibility to ensure the organisation is financially secure and complies with all relevant legislation. There are a number of specific roles that trustees can undertake, which may require specialist knowledge or experience (see Executive Roles section below).

VODA's Information Sheet 2.2: What Do Trustees Do? lists 12 roles that trustees should carry out.

EXECUTIVE ROLES

Within each trustee board there are a number of specific (executive) roles; these are often taken on by people with experience or a specific skill or area of knowledge.

Chair: Takes a leadership role, setting the agenda and chairing meetings, taking on responsibility for the strategic vision of the organisation and acting as the link between staff and trustees. The Chair will meet regularly with the senior employee the

organisation and may attend events or official functions on behalf of the organisation.

Vice Chair: Stands in for the Chair when they are not available, and may take on specific responsibilities delegated by the Chair.

Treasurer: Works to ensure that proper accounts are kept and to develop financial policies and procedures.

Secretary: Supports the chair through making arrangements for meetings, taking minutes, following up to ensure actions have been carried out and circulating papers prior to a meeting.

For more information on these roles, see Information Sheets 2.4: Roles of a Chair, 2.5 Roles of a Secretary and 2.6 Roles of a Treasurer.

WHO CAN BECOME A TRUSTEE?

The short answer is that almost anyone over the age of 16 (18 for certain responsibilities) can become a trustee, but there are a few restrictions.

Those not legally allowed to be trustees of a charity include people who have previously been disqualified as a company director, or those who have been convicted of an offence involving dishonesty or deception.

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August 2018, the Charity Commission published additional disqualifications within Charities (Protection and Social Investment) Act 2016. Please refer to the Charity Commission guidance [CC3: The Essential Trustee - What you need to know](#).

Trustees come from all walks of life. You do not need to be a graduate or employed. You do not need to be a financial expert or have management experience. Different organisations are in need of different skills and knowledge, for example it may be that your knowledge of your local area or a particular cause would be a much needed contribution.

WHAT QUALIFICATIONS DO I NEED?

There are no particular qualifications or experience needed to be a charity trustee. However, there are a number of personal qualities you should have:

- a commitment to the charity and a passion for its work
- a willingness and the ability to devote the necessary time and effort
- honesty and integrity
- a clear commitment to equal opportunities and to involving everyone in the work of the charity
- the ability and judgment to make decisions
- the vision to take a long term view and plan for the future of the charity
- a willingness to contribute but also to listen to the views of others
- an ability to work as part of a team
- a willingness to learn and to take part in training
- an ability to provide positive feedback and constructive criticism to staff and other volunteers and to challenge sensitively
- an understanding and acceptance of the legal duties, responsibilities and liabilities of being a trustee
- a willingness to be involved in work outside of committee meetings, such as working groups

WHAT DO I NEED TO KNOW BEFORE BECOMING A TRUSTEE?

You need to be clear about what the charity does and how it does it.

If you've not already been given them, you should ask for:

- a copy of the constitution, which will tell you the objects of the charity and how it operates
- details of any sub-committees or working groups, what they do and who is on them
- a copy of the most recent annual report, which should tell you what work the charity has done recently and what its main plans are for the future
- a copy of the annual accounts, which should show you where the organisation gets its money from and how it spends it
- information about any property or investments the charity owns or manages
- details of any staff that the charity employs, what they do and how they are funded
- in a larger organisation, a copy of any business, strategic or development plan it has produced showing what it wants to do in the future
- information about the other trustees, who they are
- minutes of the last committee meeting which will give you an idea of the issues that are discussed
- details of the years meetings, how often and for how long, so that you can get a clearer idea of how much time and commitment is expected from you
- a copy of [CC3: The Essential Trustee - What you need to know](#) information produced by the Charity Commission
- a copy of the Declaration which is signed by all trustees, declaring that they understand the responsibilities of being a trustee and that they are not legally disqualified from being one.

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WHAT ARE MY ROLES?

Information Sheet 2.2: What Do Trustees Do? sets out 12 roles that trustees are expected to undertake. The primary role of a trustee is to make sure that the charity runs well, only does what it was set up to do and that it is run in accordance with its constitution. Trustees are also expected to:

- keep the charity within the law. In addition to charity law your charity may need to comply with other laws and regulations such as employment, discrimination, gaming, health and safety and data protection
- manage the charity's finances and affairs sensibly and wisely and protect the charity's assets for the future
- make sure the charity is properly insured and does not incur debts it cannot meet
- manage people including the supervision and support of volunteers and staff
- manage resources such as property, equipment, vehicles and computer systems
- act in the best interests of the charity, never in the interests of yourself or another organisation
- work closely with other trustees to oversee and manage the running of the charity
- be actively involved in decision making, attend meetings regularly and contribute to discussions
- monitor the work of the charity so that you know what it is doing; that it is meeting its legal requirements; whether it is working as well as it could and if it is actually meeting the needs it was set up to support
- get appropriate professional advice on anything you need help with or do not

understand - you are not expected to be a legal and financial expert

- do it all as a volunteer, on an unpaid basis (trustees can and should be paid for any out of pocket expenses but they cannot only be paid for acting as a trustee)
- have fun and enjoy your work as a trustee!

WHAT ARE MY LIABILITIES?

In principle, as a trustee you may be personally liable if your charity loses money as a result of a mistake you have made. However, this is very unlikely to happen if you have acted reasonably, worked within your constitution and taken proper and appropriate professional advice where you don't know enough to make a decision.

If the charity is also a company then you may also be liable for any unpaid taxes such as Income Tax and National Insurance. This usually occurs, however, if the charity is wound up.

RELATED DOCUMENTS

- 2.1 Being a charity trustee
- 2.2 What do trustees do
- 2.3 Roles of a committee member
- 2.4 Roles of a Chairperson
- 2.5 Roles of a Secretary
- 2.6 Roles of a Treasurer
- 2.7 Recruiting new trustees
- 2.8 Inducting a new trustee
- 2.9 Patrons, presidents and trustees

For more information, see the Charity Commission guide [CC3: The Essential Trustee - What you need to know](#)

North Tyneside VODA, Spirit of North Tyneside Wing, 2nd Floor,
Wallsend Customer First Centre, 16 The Forum, Wallsend, NE28 8JR
Tel 0191 643 2626, www.voda.org.uk, Charity number 1075060