

# AVOCADO Lite - Foundation Series

Delivering operational excellence and funding success for small charities

**“Growing the Seed”**



## **Recruiting Trustees and their Responsibilities**

# Presenter:

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# Top 5 things to know about Trustees & their Responsibilities

- 1. Who are (Charity) Trustees?**
- 2. How many Trustees do you need?**
- 3. Who can be a Trustee?**
- 4. What are the duties of a Trustee?**
- 5. How and Where to Recruit Trustees?**

# Who are (Charity) Trustees?

- Charity trustees are the people who share ultimate responsibility for **governing** a charity and **directing** how it is managed and run. They may be called trustees, the board, the management committee, governors, directors or something else

# How many Trustees do you need?

- Your **charity's** governing document **should** set out the minimum and maximum **number of trustees** your **charity needs to have**. If it doesn't, Charity commission recommends at least three **trustees**, usually consisting of: Chair, Secretary and Treasurer.

# Who can be a Trustee?

- You must be at least 16 years old to be a trustee of a charity that is a company or a charitable incorporated organisation (CIO), or at least 18 to be a trustee of any other sort of charity.
- You must be properly appointed following the procedures and any restrictions in the charity's governing document.
- You must not have been disqualified under the Charities Act, including if you:
  - have an unspent conviction for an offence involving dishonesty or deception (such as fraud)
  - are bankrupt or have entered into a formal arrangement (eg an individual voluntary arrangement) with a creditor
  - have been removed as a company director or charity trustee because of wrongdoing
- Charities that want to claim UK tax reliefs and exemptions (eg Gift Aid) must meet the management condition in the Finance Act 2010. This requires all of the charity's managers (including trustees) to be 'fit and proper persons'.
- It is illegal for a barred person to apply for a regulated activity (paid or voluntary). Charities working with children and vulnerable adults  
A charity must check with the Disclosure and Barring Service (DBS) before employing someone working in a regulated activity.

# What are the duties of a Trustee?

- **Ensure your charity is carrying out its purposes for the public benefit**
- **Comply with your charity's governing document(s) and the law**

Trustees are also legally responsible for the charity's fundraising and must ensure that they:

- **Act in the charity's best interests**
- **Manage the charity's resources responsibly**
- **Act with reasonable care and skill**
- **Ensure that the charity is accountable**

# How and Where to Recruit Trustees?

## How to:

- Identify (and be clear about) your needs
- Draw up a role description
- Use your current networks
- Advertise far and wide
- Conduct an open and constructive interview
- Consider using a specialist recruitment firm
- Give your new recruit a TOR, an info pack and an induction.

## Where to:

- Small Charities Coalition: Trustee Finder FREE [www.trusteefinder.org.uk](http://www.trusteefinder.org.uk)
- ivo Do-it: Free for Individuals. Charge for charities [www.do-it.org.uk/](http://www.do-it.org.uk/)
- NCVO: Trustee Bank FREE [www.ncvo-vol.org.uk/trusteebank](http://www.ncvo-vol.org.uk/trusteebank)
- NCVO, Russams GSM and BWB: Trustees Unlimited FREE for Individuals. ££ for charities [www.trustees-unlimited.co.uk/](http://www.trustees-unlimited.co.uk/)
- Reach: TrusteeWorks FREE for Individuals. FREE for charities under £1m income <http://www.reachskills.org.uk/trusteeworks>



# Sources of information

The essential trustee: what you need to know, what you need to do - <https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

Charity fundraising: a guide to trustee duties (CC20) - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/604684/CC20.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/604684/CC20.pdf)

Trustees and Fundraising: A Practical Guide - <http://www.institute-of-fundraising.org.uk/library/trustees-and-fundraising-a-practical-guide/>

Charity Commission: Finding new trustees (CC30) <https://www.gov.uk/government/publications/finding-new-trustees-cc30>

HM Revenue and Customs guidance - <https://www.gov.uk/government/publications/charities-fit-and-proper-persons-test>

Disclosure and Barring Service - <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Third Sector: Seven steps for recruiting a new trustee - <http://www.thirdsector.co.uk/seven-steps-recruiting-new-trustee/governance/article/1320469>

Small Charities Coalition: Trustee Positions - <http://www.smallcharities.org.uk/resources-trustee-positions>

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