



Trustee Policy

Approved by the Board of Trustees: April 2026

Review By: April 2028

Chair signature:

A handwritten signature in blue ink, appearing to read 'Paul P. K.', is written on a light yellow rectangular background.

1. Introduction

Welcome to becoming a Trustee for Wealden Volunteering (WV). Your enthusiasm and dedication will be a valuable contribution to the running and managing of the charity for public benefit, in accordance with the Constitution of WV.

It is important that all Trustees fully understand their role and responsibilities and carry it out to the best of their ability. The purpose of this Trustee Policy is to help you with that task, and provide details of important documents. Potential trustees may also attend a meeting as an observer prior to making an appointment.

Before being appointed a Trustee, you will be required to make a written declaration that you are aware of (and, in some cases, have read) the documents referred to in this Policy and will abide by them.

2. What Are a Trustee's Responsibilities?

Responsibilities

The responsibilities of Trustees were well summed up in an earlier edition of the Charity Commission guidance:

“Trustees have collective responsibility and must accept ultimate responsibility for directing the affairs of their charity, ensuring that it is solvent and well-run, and delivering the charitable outcomes for the benefit of the public for which it was set up.

Trustees must work together as a team and have collective responsibility for their charity.”

The following documents are essential reading for Trustees and should be kept to hand to consult should any issues arise:

“The essential trustee: what you need to know, what you need to do” provides a very useful guide for Trustees as a reference point:

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

“The Essential Trustee: 6 main duties”

<https://assets.publishing.service.gov.uk/media/5a80ddf940f0b62305b8d98d/Jigsaw.pdf>

“**Good Governance – A Guide for the Voluntary and Community Sector**”, published by a consortium led by the NCVO (National Council for Voluntary Organisations) and downloadable from the website: <https://www.ncvo.org.uk/help-and-guidance/governance/>

3. “Good Governance – A Guide for the Voluntary and Community Sector”, published by a consortium led by the NCVO (National Council for Voluntary Organisations) and downloadable from the website: www.governancecode.org/

3. Terms of Office and Selection

Terms of Office

A Trustee can stay in office for a period of up to 4 years, with the start date following election or appointment by the full board of Trustees. If a Trustee wishes to stay on longer, they will need to be re-appointed/re-elected if they are still eligible.

Selecting the Chair

The Chair is appointed from among the trustees and is elected annually at the Annual General Meeting (AGM). They hold office from the conclusion of the AGM at which they are elected until the conclusion of the following AGM. The outgoing Chair is eligible for re-election.

Nominations for the role of Chair may be made by any trustee and must be seconded by another trustee. Where there is more than one nominee, the Chair shall be elected by a majority vote of trustees present at the AGM.

If the position of Chair becomes vacant between AGMs, the trustees may appoint an Acting Chair from among their number. The Acting Chair serves until the next AGM, at which a new Chair is elected.

The Chair may resign at any time by giving written notice to the Board of Trustees. An Acting Chair can then be appointed by the trustees.

Procedure for Removal of a Trustee or Chair from the Board

Should this be required, the following procedure will be followed:

1. Consideration for the removal is included on the agenda at the full Board of Trustees’ meeting.
2. The Trustee is given written details of the reasons for their proposed removal, the procedure being followed and time for them to respond (sufficient time will need to be given).
3. The removal is included on the agenda at a meeting of the Board of Trustees, and reasons for the removal to be stated and recorded in the minutes.
4. The removal needs to be approved by a two-thirds majority of trustees present and voting.

5. Appeals - Should an appeal be made by the Trustee, this will be conducted by an independent panel.

3. Understanding WV's Constitution

It is vital that all Trustees have to hand a copy of The Constitution of WV and are absolutely familiar with the charity's objectives. A copy of the Constitution accompanies this Trustee Policy when it is sent to Trustees, whether prospective, new or established.

WV can only carry out activities which are (a) consistent with its objectives; (b) are for the Public Benefit.

The primary responsibility of the Trustees is to ensure that WV adheres to this at all times.

On matters relating to the day-to-day running of WV, whilst the opinions of Members will be carefully considered when appropriate, it is only the Trustees that are required to make the final decisions.

4. Public and Private Benefit

The Charity guidance on Public and Private benefit is fairly extensive, and it is therefore not expected of the Trustees to have read it all. However, the guidance is essential, incorporating key concepts and principles, which can be found on the website below: <https://www.gov.uk/guidance/public-benefit-rules-for-charities>

5. What the Charities Act requires

The following is taken from one of the Charity's web-pages of Public Benefit rules and is mandatory reading for all Trustees. <https://www.gov.uk/guidance/public-benefit-rules-for-charities>

All trustees have a duty to 'have regard' to the commission's public benefit guidance when exercising any powers or duties to which the guidance is relevant.

As a trustee, 'having regard' to the commission's public benefit guidance means being able to show that:

- you are aware of the guidance
- you have taken it into account when deciding to which the guidance is relevant
- if you have decided to depart from the guidance, you have a good reason for doing so

For more detailed guidance on Private Benefit see the Charity Commission's website: <https://www.gov.uk/government/publications/examples-of-personal-benefit/examples-of-personal-benefit>

6. Financial Responsibilities

A particularly important area of responsibility for Trustees is the financial management of WV. As with all other aspects of WV governance and management, all Trustees share this responsibility, even where they have appointed a Treasurer, Accountant or Bookkeeper to deal with the day-to-day administration of the finances.

The Charity Commission and the law recognise that the level of financial responsibility of individual Trustees is limited by their professional knowledge – e.g. a professional Accountant would be expected to apply a higher level of knowledge and expertise. But if mistakes were to be made, (e.g. were misappropriated or used for purposes which were not consistent with its charitable object), Trustees must be willing to accept appropriate responsibilities. Trustees would be expected to demonstrate that they had made reasonable efforts (to their level of financial expertise) to satisfy themselves that a particular item of income or expenditure was appropriate. For example, whilst a Trustee with no financial expertise might be excused for being misled by a professional Accountant on a technical matter of accruals accounting, they would not be excused if WV's funds were spent on something that was clearly not consistent with its charitable objects with which they should be familiar.

6a. General & Restricted Funds

An important aspect of WV's finances, which all Trustees are expected to be aware of and give due attention to, is the difference between the General Funds and Restricted Funds and the implications of those differences for the ways in which they are managed.

General Funds are monies which are given to WV to support all/any of its activities (in accordance with WV's objectives as set out in its Constitution).

Restricted Funds are monies which are given to WV to support one particular aspect of its charitable activities. The activity for which the restricted funds are given may be specified by the donor(s) in giving the money, or might have been specified by WV itself when requesting the money (e.g. where it runs an appeal to raise money to buy a particular piece of equipment, recruit a person with a particular skill, or run a particular activity).

The purpose for which restricted funds are given MUST be consistent with WV's objectives as specified in its Constitution. WV cannot appeal for funds, nor can it accept an offer of funds, for something which is not covered by its charitable objectives.

A particular issue that Trustees must be aware of is that Restricted Funds can ONLY be spent on the purpose(s) for which they were given. It would not only be dishonest to accept money on the understanding by the donor(s) that it would be used for one purpose and then to use it for another – it would also be a breach of charity law.

And this applies even if it occurred that the Restricted Funds received were more than was required for the purpose for which they were given. For example, if WV was able to make some economies and complete a project for less money that was given, or an appeal to purchase an item of equipment raised more than the cost of that item, the Trustees would either have to return the unused funds to the donor(s) or seek their explicit permission to use it for a different purpose.

The Treasurer should produce regular reports on WV's finances, distinguishing between the General and Restricted Funds, supported where appropriate by documentary evidence (e.g. bank statements, invoices, expenses claims) of any "unusual" items. Trustees should not only give those regular financial reports due consideration, they must also request clarification of any financial issue that they don't fully understand.

6b Designated Funds

There is a further category of funds called Designated Funds.

These are WV monies which have been put aside to meet a specific purpose, usually at some time in the future.

A fundamental principle of charity law is that money given for charitable purposes should be spent on the charitable purposes for which they were given. Charities should NOT be hoarding funds – i.e. accumulating unspent funds.

However, the Charity Commission pragmatically recognises that it is also necessary for charities to be able to put money aside to meet specific future expenditures which are too large to be met from within its "ordinary" budget. For example, WV realises its premises need to be enhanced and/or redecorated.

To meet that future expense, the Trustees decide to designate (i.e. set aside) some of its General Fund money to meet such purposes, perhaps regularly over a period of years.

The characteristics of such Designated funds are:

- They are for a specific identified purpose

- They have a specific, identified target amount (i.e. the {approximate} amount of money that has to be put to one side to fulfil the purpose fully)
- They have a specific, identified date by which the objective will have been achieved and the money spent
- They are part of WV's General (Unrestricted) funds – set aside at the discretion of the Trustees.

Accordingly, they can be returned to the General Fund (i.e. not used for the purpose for which they were originally designated) at the discretion of the Trustees – e.g. if the purpose for which the Designated Funds were being saved had instead been met by another means; or if the Trustees felt that WV's priorities had changed and the money would be better spent on something else.

In those respects, Designated Funds are different to Restricted Funds and are generally included as part of the General Fund in the Annual Report. EXCEPT that the notes to the Annual Report should always include an explanation as to what each Designated Fund is for, the amount allocated to it and by when it will be spent so that it can be seen by the Charity Commission, and other interested parties, that WV is not just hoarding funds but making prudent provision to cover future expenditure.

7. Making Payments to Trustees

Under charity law, Trustees should be volunteers and not be remunerated/paid for their services to WV as a Trustee.

However, charity law recognises that, just because Trustees are volunteers, it is unreasonable to expect that they will be out-of-pocket as a result of their contributions to the work of WV. Therefore, it is legitimate to reimburse Trustees (and, indeed, any volunteer, member or employee of WV) at cost for any out-of-pocket expenses they incur whilst undertaking activities on behalf of WV.

However, the reimbursement of Trustee expenses are under the same Private Benefits “umbrella” as any other payments to people who are not the direct beneficiaries of WV's charitable purposes. Trustee claims for reimbursement of their expenses are only allowable if they meet the 3 criteria of *Necessary*, *Reasonable* and *Incidental* for expenses which were *actually* incurred – e.g. the refund of a train/bus ticket/mileage for a journey undertaken on WV business for which the ticket/mileage is produced showing the amount paid. It is not permitted to pay a Trustee a fixed “expenses allowance” (e.g. £20/month) to “cover expenses”, whether or not any expenses were actually incurred.

The reason for this is that any surplus (ie: unspent expenses allowance) is regarded as a “private benefit” which is illegal under charity law and as taxable income by HM Revenue & Customs.

8.Conflict of Interest

8a Why Conflicts of Interest Occur

This can be due to deliberate exploitation of the situation by one party for their personal benefit. By "deliberate exploitation" it means that the party concerned knows (or, at least, suspects) that what they are doing is wrong/immoral/illegal but continues doing it anyway. Such deliberate exploitation is clearly totally unacceptable, is often illegal (particularly in a WV situation if charitable funds are being diverted away from the charitable activities for which they were donated) and must be stopped as soon as it is recognised, should this occur, and appropriate action taken.

More commonly, it can be as a result of being unaware of the legal environment in which they are operating and therefore act in an improper (perhaps even illegal) way under the misapprehension that they are doing the right thing, in the Charity’s best interests.

It is hoped that all Trustees are “very honest and respectable” and therefore wouldn't act against the best interests of WV. The Charity Commission is not forgiving in the area related to Conflicts of Interest resulting in significant misuse of WV’s funds or resources.

It is therefore vitally important that all Trustees take a very open approach to declaring any Conflicts of Interest that they think they might have and are very accepting and supportive of the Conflicts of Interest declared by others (including other volunteers, members and staff, as well as fellow Trustees). A wellmaintained Register of Conflicts of Interest is the best defence against suspicions or accusations of impropriety against individual Trustees.

8b What is a Conflict of Interest?

The Charity Commission’s guidance publication defines “Conflicts of Interest as:

“Any situation in which a trustee's personal interests, or interests that they owe to another body, may (or may appear to) influence or affect the trustee's decision making.”

For further reference see: <https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29> and goes on to cite the following examples of Conflicts of Interest:

- direct financial gain or benefit to the trustee, such as:

- payment to a trustee for services provided to WV
- the award of a contract to another organisation in which a trustee has an interest and from which a trustee will receive a financial benefit
- indirect financial gain, such as employment by WV of a spouse or partner of a trustee, where their finances are interdependent
- non-financial gain, such as when a user of WV's services is also a trustee.

9. Roles and responsibilities

9a Participation in Trustee Meetings

Trustees have an equal responsibility with the other Trustees for ALL the decisions properly taken at Trustees' meetings, whether or not you voted in favour of the decision, or even whether or not you were present at the meeting where the decision was taken. It is therefore vital that they take seriously your commitment to attend all 4 Trustee meetings a year (as well as attending the AGM), whenever possible and that you prepare properly for the meeting by making sure that you have gone through all the papers and documents which are on the agenda. The Charity's Chair (and board members) will serve for one year with renewal of their appointment being at the AGM.

9b. An overview of a Trustee's role

Objectives

To fully understand Section 18 of the Constitution of the WV (Powers of Trustees). This is a governance not a management role.

To understand the Charity: its governing document, objects, strategy, finances, assets, risk register and policies and be supportive of it.

To attend and prepare well for all meetings and follow through promptly on any actions. Ask questions and be willing to challenge robustly but graciously.

Together with other Trustees: Set, monitor and review the charity's strategic aims, objects and direction.

Duties of Trustees are:

- Ensure the Charity is carrying out its purposes for the public benefit
- Comply with the Charity's governing document and the law
- Act in the Charity's best interests and exercise objectivity and independence when making decisions

- Manage the Charity's resources responsibly
- Regularly review the risks to the Charity and ensure those risks are managed
- Listen to the views of Members
- Handle complaints and/or investigations related to volunteer behaviour, constructively impartially and effectively
- Ensure the Charity is accountable, solvent and well run

9c. Chair Job Description

An additional time commitment for the Chair is also required to have regular meetings with the CEO, and also represent the Charity at various events and meetings and key stakeholders.

Objectives

To hold the Board and Executive Team to account for the Charity's objects, providing inclusive leadership to the Board of Trustees, ensuring that each Trustee fulfils their duties and responsibilities for the effective governance of the Charity. They will also support, and, where appropriate, challenge the CEO and ensure that the Board functions as a unit and works to the agreed objectives.

Strategic leadership

- Provide leadership to the Charity and its Board, ensuring that the Charity has maximum impact for its beneficiaries
- Ensure that Trustees fulfil their duties and responsibilities for the effective governance of the Charity
- Ensure that the Board operates within its charitable objectives, and provides a clear strategic direction for the Charity
- Ensure that the Board is able to regularly review major risks and associated opportunities, and satisfy itself that systems are in place to take advantage of opportunities, and manage and mitigate the risks
- Ensure that the Board fulfils its duties to ensure sound financial health of the charity, with systems in place to ensure financial accountability

Governance

- Ensure that the governance arrangements are working in the most effective way for the Charity
- Develop the knowledge and capability of the Board of Trustees
- Encourage positive change where appropriate address and resolve any conflicts within the Board
- Appraise the CEO on an annual basis

- Ensure that the Board of Trustees is regularly refreshed and incorporates the right balance of skills, knowledge and experience needed to govern and lead the Charity effectively, and which also reflects the wider population
- Work within any agreed policies adopted by the Charity

External Relations

- Act as an ambassador and represent the Charity at external functions, meetings and events
- Facilitate change and address any potential conflict with external stakeholders

Efficiency and effectiveness

- Chair meetings of the Board of Trustees effectively and efficiently, bringing impartiality and objectivity to the decision-making process
- Ensure that Trustees are fully engaged and that decisions are taken in the best, long-term interests of the Charity and that the Board takes collective ownership
- Foster, maintain and ensure that constructive relationships exist with and between the Trustees
- Work closely with the CEO to give direction to Board policy-making and to ensure that meetings are well planned, meaningful and reflect the responsibilities of Trustees
- Monitor that decisions taken at meetings are implemented.

Relationship with the CEO

- Establish and build a strong, effective and a constructive working relationship with the CEO
- Support the CEO, whilst respecting the boundaries which exist between the two roles
- Ensure regular contact with the CEO and develop and maintain an open and supportive relationship within which each can speak openly about concerns, worries and challenges
- Liaise with the CEO to maintain an overview of the Charity's affairs, providing support as necessary
- Conduct an annual appraisal and review for the CEO in consultation with other Trustees

9b. Treasurer Job Description

Objectives

Oversee the financial affairs of the Charity and ensure they are legal, constitutional and within accepted accounting practice. Ensure proper records are kept and that effective financial procedures are in place.

Monitor and report on the financial health of the charity and oversee the production of necessary financial reports/returns, accounts and audits.

Specifically:-

- Establish and build a strong, effective and a constructive working relationship with the CEO
- Liaise with relevant staff, Committee Members and/or Volunteers to ensure the financial viability of the Charity.
- Make Committee Members aware of their financial obligations and take a lead in interpreting financial data.
- Regularly report the financial position at committee meetings (e.g. cash flow etc).
- Oversee the production of an annual budget and propose its adoption at the last meeting of the previous financial year.
- Ensure proper records are kept and that effective financial procedures and controls are in place, i.e.
 - Cheque signatories
 - Purchasing limits & systems
 - Petty cash/ float
 - Salary payments, Pensions, PAYE and NI payments
- Appraising the financial viability of plans, proposals and feasibility studies.
- Lead on appointing and liaising with auditors/an independent examiner.
- Undertake book-keeping duties and/or oversee the Finance Volunteer ensuring posting and bookkeeping is kept up-to-date.
- Maintain the petty cash system and regularly process petty cash claims.
- Regularly carry out reconciliations/ oversee regular reconciliations by the Finance Volunteer.
- Arrange payments to creditors as appropriate and arrange appropriate signatures on payments.
- Make the necessary arrangements to collect payments from debtors and bank payments promptly.

10. Trustee Induction

A Trustee induction is a worthwhile investment for both the Charity and its Trustees to provide a framework for both the role and the Charity. It's even more vital for anyone for

whom this is their first time as a Trustee. Whilst an induction is primarily for new Trustees, it may be helpful to provide a session for all Trustees, especially if the Trustee induction is a new initiative.

Every new Trustee will come with a different level of experience and experience about the role and the Charity.

Aims of a Trustee Induction

- To give a basic understanding of the role of a Charity Trustee
- To provide information about the Charity and its governance
- To understand what the Charity and its Trustees are empowered to do
- To identify/agree some guidelines for practical operation
- To answer questions that Trustees may have
- To enable the Trustees to have a common understanding and work well together for the success of the Charity

Trustee Induction Session

A. The Charity's:

- Legal structure
- The Constitution for the WV focus on objectives
- Staff and Volunteers
- Property and assets
- Public benefit

B. The Trustee role, meetings and policies

- Responsibilities as stated in the above e.g. section 9
- Previous agendas and minutes of meetings
- The Constitution for Wealden volunteering
- Strategic plan
- Schedule of policies
- Summary of the risk register

C. Finances

- Budget cycle & approval
- Sources of funding and fundraising
- Regular accounts and how to interpret them
- Financial management: monitoring and forecasting
- Annual (statutory) accounts: audit or independent inspection; Trustees report; understanding the statement of financial activities and balance sheet

- Financial issues for Board members to monitor
- Latest annual report and financial statements
- Latest management accounts
- Levels of authority

11. Fit & Proper Person

It is a requirement of HM Revenue & Customs that all persons involved in the financial management of WV (which includes all Trustees) are “Fit and Proper Persons”.

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

Wealden volunteering

Trustee's Declaration on Appointment

Name of individual: {Print}

I confirm that I have received, read & understood WV's Trustee Policy

I confirm that I have received (or otherwise obtained for myself), read and understood the following

mandatory documents detailed in WV's Trustee Policy

- Charity Commission's guidance publication CC3 "The Essential Trustee – An Introduction"
- WV's objects as defined in its Constitution of the WV;
- Charity Commissions' web-pages on "Public Benefit"
- WV's Policy & Procedures document on Conflicts of Interest;
- The HM Revenue & Customs "Fit and Proper Person" Declaration.

I confirm that I am aware of, and have access to, the following documents and guidance publications

detailed in WV's Briefing Paper "On Becoming a Trustee"

- Charity Commission's publication CC3 "The Essential Trustee – What You Need to Know"
- "Good Governance – A Guide for the Voluntary and Community Sector"
- Charity Commission's wider guidance on Public and Private Benefit
- Charity Commission's publication CC11, "Trustee expenses and payments"
- The HM Revenue & Customs detailed guidance on "Fit and Proper Person"

I confirm that I will carry out my responsibilities and duties as a Trustee to the best of my abilities in

accordance with charity law as outlined in the above guidance publications.

.....

Signed Date

Wealden volunteering

Declaration for Fit and Proper Persons

Name of individual:

Role in the Charity:

I, the undersigned, declare that:

- I am not disqualified from acting as a Charity Trustee;
- I have not been convicted of an offence involving deception or dishonesty (or any such conviction is legally regarded as spent);
- I have not been involved in tax fraud or other fraudulent behaviour including misrepresentation and/or identity theft;
- I have not used a tax avoidance scheme featuring charitable reliefs or using a charity to facilitate the avoidance;
- I have not been involved in designing and/or promoting tax avoidance schemes;
- I am not an undischarged bankrupt;
- I have not made compositions or arrangements with my creditors from which I have not been discharged;
- I have not been removed from serving as a charity trustee, or been stopped from acting in a management position within a charity;
- I have not been disqualified from serving as a Company Director;
- I will at all times seek to ensure WV's funds, and WV tax reliefs received by this Charity, are used only for charitable purposes.

Signed: Date: / / 20.....

Home Address:

Post Code:

Previous Address : If moved in past 12 months

Post Code:

Date of Birth: / /

National Insurance Number:

If you have signed this declaration but want to make any other information known or clarify any points please add them on the other side of this sheet.