

Trustee Role Description

The statutory duties of a trustee:

Main duty

Under charity law Age UK Somerset (AUKS) Trustees have the ultimate responsibility for directing the affairs of AUKS, and ensuring that it is solvent, well-run and delivering the charitable outcomes for which it has been set up. In law trustees of AUKS have three particular duties – compliance, prudence and care – which are set out below using the wording given by the Charity Commission in their publication ‘CC3 - The Essential Trustee’.

Duty of compliance – Trustees must:

1. Ensure that AUKS complies with charity law, and with the requirements of the Charity Commission as regulator; in particular ensure that the charity prepares reports on what it has achieved and Annual Returns and accounts as required by law.
2. Ensure that AUKS does not breach any of the requirements or rules set out in its governing document and that it remains true to the charitable purpose and objects set out there.
3. Comply with the requirements of other legislation and other regulators which govern the activities of AUKS.
4. Act with integrity, and avoid any personal conflicts of interest or misuse of AUKS funds or assets.

Duty of prudence – Trustees must:

5. Ensure that AUKS is, and will remain, solvent.
6. Use AUKS’s funds and assets reasonably, and only in furtherance of AUKS’s objects.
7. Avoid undertaking activities that might place AUKS’s endowment, funds, assets or reputation at undue risk.
8. Take special care when investing AUKS’s funds, or borrowing funds for AUKS to use.

Duty of care – Trustees must:

9. Use reasonable care and skill in their work as trustees, using their personal skills and experience as needed to ensure that AUKS is well-run and efficient.
10. Consider getting external professional advice on all matters where there may be material risk to AUKS, or where the trustees may be in breach of their duties.

Specific duties of Trustees of AUKS:

Strategic Direction

Trustees must ensure that AUKS has a clear vision, mission and strategic direction and is focused on achieving these. Trustees must work in partnership with the Chief Executive to ensure that:

1. AUKS has a clear vision, mission, set of values and strategy, and that there is a common understanding of these by trustees, staff and volunteers.
2. Operational plans and budgets and the fundraising strategy support the vision, mission and strategy.
3. The views of users are regularly sought and considered, and that efforts are made to identify possible future users.
4. There is regular review of the external environment for changes that might affect AUKS (environmental, political, financial, competitive, partnerships, alliances).
5. There is regular review of the need for AUKS and for the services it provides or could provide, and regular review of strategic plans and priorities.

Performance management

Trustees are responsible for the performance of AUKS, for its impact upon stakeholders and for its corporate behaviour:

6. To ensure that AUKS measures its impact and progress towards its strategic objectives and to regularly consider reports on AUKS's performance.
7. To ensure that there are policies to direct key areas of the charity's business.
8. To ensure that there are quality and service standards for major areas of delivery and that these are met.
9. To ensure that AUKS's values are understood and put into practice, by trustees, staff and volunteers.
10. To ensure that there are complaint systems in place, for users and supporters.
11. To ensure that there are processes for trustees, staff and volunteers to report activity which might compromise the effectiveness of AUKS.
12. To recruit the Chief Executive and to hold him or her to account for the management and administration of the charity.
13. To ensure that the Chief Executive receives regular, constructive feedback on his/her performance in managing the charity and in meeting his/her annual and longer term objectives.
14. To ensure that AUKS has effective employment policies and processes in place, to recruit, train and develop staff and volunteers.

Compliance

Trustees must ensure that AUKS complies with all legal and regulatory requirements:

15. To ensure, with professional advice as appropriate, that AUKS complies with all constitutional, legal, regulatory and statutory requirements.
16. To understand and comply with the constitution and rules that govern AUKS, and to review the constitution regularly (at least every three years) to ensure it is fit for purpose.

Prudent management of assets

Trustees must be stewards of AUKS's assets, both tangible and intangible, taking care over their security, and how they are used:

17. To ensure that AUKS's financial obligations are met and that there are adequate financial controls in place to ensure all money due is received and properly applied, and that all assets and liabilities are recorded.
18. To act reasonably and prudently in all matters relating to AUKS and always in the interests of AUKS.
19. To ensure that trustees take professional advice when needed, and record the advice received.
20. To ensure that there is an effective fundraising strategy in place.
21. To be accountable for the solvency of AUKS.
22. To ensure that intangible assets such as organisational knowledge and expertise, intellectual property, AUKS's brand, good name and reputation are recognized, used and safeguarded.
23. To ensure that the major risks to AUKS are regularly identified and reviewed and that systems are in place to mitigate or minimise these risks.

Good governance

Trustees must ensure that AUKS's governance is of the highest possible standard:

11. To ensure that AUKS has a governance structure that is appropriate to a charity of its size/complexity, stage of development, and its charitable objects, and reflects the diversity of its users.
12. To ensure that Board decisions are recorded in writing by means of minutes.
13. To ensure that the Board's delegated authority is recorded by terms of reference for board committees, role descriptions for honorary officers, trustees and key staff, and that reporting procedures back to the Board are recorded in writing and complied with.
14. To ensure that the responsibilities delegated to the Chief Executive are clearly expressed and understood, and directions given to him/her come from the Board as a whole.

15. To ensure the Board regularly reviews AUKS's governance structure and its own performance, to an agreed programme.
 16. To ensure that major decisions and policies are made by the trustees acting collectively.
 17. In consultation with the Chief Executive, to ensure that the Board has on it the skills it requires to govern AUKS well, and that the Board has access to, and considers, relevant external professional advice and expertise.
 18. To ensure that there is a systematic, open and fair procedure for recruitment of trustees and of the Chief Executive.
 19. To ensure that all members of the Board receive appropriate induction on their appointment and that they continue to receive appropriate advice, information and training (both individual and collective).
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Trusteeship is a serious responsibility requiring you to take an active role in the governance of the charity.

Trustees must be prepared to give the necessary time for reading Board papers, attending Board meetings, and keeping his/herself informed about the charity's activities.

Trustees are expected to attend most, if not all, of the five Board meetings (typically) plus the AGM and any EGMs that may be convened each year. The office of a member of the Board shall be vacated if that member fails without reasonable excuse to attend three consecutive meetings of the Board and the Board resolves that the office of that member be vacated.