



TRUSTEE DUTIES

1 Charity Trustees must:

- 1.1 Be familiar with the charity's "governing instrument" which sets out its purpose and administrative provisions. OA is a company limited by guarantee and is governed by its Memorandum and Articles of Association.
- 1.2 Act in accordance with the governing instrument and within the law
- 1.3 Act together and in person and not delegate the control of the charity to others
- 1.4 Act in the charity's interest only and without regard to their own private interests
- 1.5 Not derive any personal benefit or gain from the charity
- 1.6 Manage the charity's affairs prudently and safeguard its assets
- 1.7 Manage the finances
- 1.8 Take professional advice on matters on which they are not competent
- 1.9 Attend trustee meetings
- 1.10 Act at all times in the best interests of the charity and its beneficiaries
- 1.11 Ensure that charitable status is noted on certain documents including appeal literature, cheques, invoices and receipts
- 1.12 Send annual returns to the charity commission to update on progress as required
- 1.13 When hiring a professional fundraiser, use a written contract as prescribed by the commission
- 1.14 Check with the OA Chair/manager before becoming involved in any formal publicity for the charity by way of contact with politicians; funders; the media; journal articles or meetings in order that the contact and information given is consistent with the charity's aims and objectives

2 Charity Accounts

- 2.1 Charities must maintain accurate and complete accounting records
- 2.2 Charities with incomes of more than £25,000 p.a. must either:
 - 2.2.1 Prepare accounts as above or

- 2.2.2 Prepare a receipt and payments account with a statement of assets and liabilities
- 2.3 Charities must make recent accounts available to the public on request
- 2.4 Charities must submit accounts annually to the commission

OXFORDSHIRE ADVOCACY

Registered Charity No. 1131403 Private Limited Company Number: 6845465

TRUSTEES APPLICATION FORM (T)

Please complete the following and hand it to the Chair or send it to the office at the above address.

Name:

Home Address:

.....

Home phone number:

Daytime phone number:

Email:

I wish to be considered for the position of OA trustee and understand the responsibilities and requirements as set out in the attached OA trustee declaration form.

(NB: The trustee declaration form does not need to be signed until the application has been formally accepted by OA trustees)

Signed:

Date:

Please could you complete the following:

- 1 **Any of your background experience (working career; occupation; project work etc) which might be helpful to OA and any skills you would be able to offer to the work of OA.**

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TRUSTEE DECLARATION (T)

I declare that:

- 6 I am over 18.
- 7 I am not an undischarged bankrupt.
- 8 I have not previously been removed from trusteeship of a charity by a court or
- 9 the Charity Commissioners.
- 10 I am not under a disqualification order under the Company Directors' Disqualification Act 1986.
- 11 I am, in the light of the above, not disqualified by the Charities Act 1993 (Section 72) from acting as a charity trustee.
- 12 I undertake to fulfil my responsibilities and duties as a trustee of Oxfordshire Advocacy (OA) in good faith and in accordance with the law and within OA's objectives and policies.
- 13 I do not have any financial or other interests in conflict with those of OA (whether in person or through family or business connections), and I will abide by OA's Conflict of Interest policy.

I wish to become a trustee of OA

Name:

Home Address:
.....

Home phone number:

Daytime phone number:

Email:

I do/do not* agree to my details being included on the OA mailing list (*delete as appropriate)

Signed:

Date:

Application approved by committee

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TRUSTEE FACILITATION ROLE

1 Aim

To facilitate the effective participation of disabled trustees in OA trustee meetings.

2 Monitoring Diary Keeping

Ensuring that relevant dates are put in diary and reminding of dates coming up.

3 Preparation for Trustee Meetings

3.1 Making an accessible tape of the minutes and sending it out in good time before the meeting (shortening text, making language appropriate and clarifying jargon). Alternatively arranging to meet in person to go through the minutes to ensure trustees understand the business conducted.

3.2 Meeting beforehand to talk through the agenda and any reports to be presented at the meeting to ensure understanding and to give opportunity for the trustees to raise any issues or concerns that they might wish to bring up as part of the agenda. Recording these issues.

NB: All this needs to take place fairly close to the trustee meeting to help trustees to retain the information.

3.3 Transport – ensuring that transport and finances are in place for attendance at the meeting.

4 Facilitation at the Meeting

4.1 Ensure that seating is appropriate to make meeting physically accessible. Sorting out refreshments.

4.2 Supporting trustees' participation at the meeting requesting clarification when required but also ensuring that the meeting is able to proceed in a businesslike way.

4.3 Encouraging and reminding trustees of issues identified beforehand that they want to bring up.

4.4 Requesting, with the support of the Chair, breaks as appropriate.

5 Extra Meetings

Trustees involved in any of the sub groups require similar facilitation for every group.

6 Comment

Facilitation requires skill, expertise, time and money (eg. travel costs for extra meetings). Without this the participation of trustees, who require this support, becomes in danger of being tokenistic and the organisation loses the invaluable contribution that can be made. These costs in time and money must however be formally acknowledged.

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TRUSTEES MEETING – ROLE (T)

1 The primary task of the trustees in fulfilling their management responsibility is to promote the aims and objectives of OA. Trustees who are associated with other organisations are appointed to OA to fulfil this primary role and not to represent these other organisations.

2 At times various trustees may be asked to take responsibility for projects in accordance with their specific interest or expertise.

3 Role of the Management Committee

The management committee shall:

3.1 Maintain a long term overview of the organisation and all its work.

3.2 Make strategic and major decisions about the organisation's objectives, policies and procedures. Only trustees may vote at trustees' meetings.

3.3 Ensure the needs and interests of relevant people and bodies are taken into account when making decisions.

3.4 Ensure adequate resources are available to carry out the organisation's activities, i.e. people and money.

3.5 Monitor progress towards objectives and other work.

3.6 Take legal responsibility for the organisation and all its actions.

3.7 Ensure people within the organisation are clear about why the organisation exists, its overall objects and purpose, and constitutional or legal limits on what it can do.

3.8 Set policy and ensure it is implemented.

3.9 Set strategic or long term objectives and priorities and ensure they fit into the organisation's policies and long term objectives.

3.10 Set medium and short term objectives and priorities and ensure they fit into the organisation's policies and long term objectives.

3.11 Decide whether to undertake new projects or activities and make policy relating to them.

3.12 Interpret or adapt policy when existing activities change.

3.13 Help the manager, staff and volunteers determine how the organisation should carry out its activities.

3.14 Ensure there are proper procedures for monitoring and evaluating provision and use of activities, services and facilities.

3.15 Take responsibility for personnel procedures, including the appointment of staff.

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ROLE OF THE CHAIR (T)

- 1 Chair monthly trustee meetings and ensure decisions are made when required.
- 2 Main contact person for trustees.
- 3 Liaise regularly with the vice-chair and ensure that they know enough about OA's current issues to be able to stand in at short notice.
- 4 Make emergency decisions between committee meetings in consultation with at least two members of the management committee and the manager.
- 5 Line management responsibility for OA's manager.
- 6 Named person for signing contracts, funding applications, service agreements etc.
- 7 Represent OA and liaise with other organisations, when appropriate, in consultation with main officers ie. the Vice Chair, honorary secretary, treasurer and the manager.
- 8 Initial contact and discussion with new trustees together with Vice Chair or Secretary.

The Chair will be voted in at the trustee meeting subsequent to the AGM and can hold the role for no longer than three years.

ROLE OF THE VICE-CHAIR

The Vice Chair will:

- Share the Chair's responsibility as above, and stand in for the Chair when required.
- Assist in making necessary or urgent decisions between meetings.

The Vice Chair will be voted in at the Trustee meeting following the AGM

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SECRETARY - ROLE (T)

Until such time as a company secretary is appointed the following duties will be allocated as follows:

- 1 Establishing and maintaining the registered office. **(Manager)**
- 2 Ensuring that the Company's name and number is displayed on the outside of the registered office. **(Manager)**
- 3 Ensuring that all documents issued by the Company have the Company name and number on them. **(Manager)**
- 4 Maintaining a register of present and past directors and secretaries. **(Manager)**
- 5 A register of any charges on the Company's assets. **(Manager)**
- 6 Certified copies of all Board and General Meetings. **(Manager and Chair)**
- 7 Arranging Board and General meetings and recording formal minutes which should be signed by the chair at the next meeting to form the official record of the business transacted. **(Chair/Trustees)**
- 8 Filing special resolutions at Annual General Meetings with Company's House. **(Chair/Trustees)**
- 9 Filing audited first accounts within 18 months of incorporation and annual returns every 12 months thereafter. **(Manager)**
- 10 Ensure the security of the Company's legal documents including:
 - 10.1 The Certificate of Incorporation
 - 10.2 The Memorandum and Articles of Association
 - 10.3 The Company Seal
 - 10.4 Certificates of the Company's change of name (if any)
- 11 Notify Company's House of appointments, resignations changes of home address of directors within 14 days. **(Manager)**

As well as these formal responsibilities the Company Secretary is responsible for advice on Governance, Regulatory and legal compliance, the training and induction of non-executives and trustees and contact with regulatory and external bodies and the management of employee benefits including PAYE, insurance administration, the negotiation of contracts, property administration, risk management and the interpretation of financial accounts. **(Chair/Trustees)**

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TREASURER - JOB DESCRIPTION (F&T)

The treasurer is responsible to the executive and management committees. It is the treasurer's role to ensure that the organisation has sufficient funds to carry out its activities, that the funds are used in accordance with the constitution and committee decisions, that the use of funds comply with the conditions set by the funding bodies, and that the committee and the manager are kept fully informed of the financial position in order that they can make informed decisions on spending.

Duties to:

- 1 Regularly provide the committee with clearly laid out written information on the income and expenditure of the organisation.
- 2 Prepare and present financial reports and accounts when required and present the end of year financial accounts to the committee.
- 3 Prepare the accounts for audit and discuss them with the committee, manager and auditor as required.
- 4 Present the audited accounts to the annual general meeting and ensure that members at the AGM have a basic understanding of the annual accounts and the budget for the current year.
- 5 Serve as a signatory for the organisation and liaise with the bank and other financial institutions on its behalf.
- 6 Advise on financial matters e.g. banks and accounts to be used, expenses, staff salaries, payments and contracts of employment or other contracts, financial implications of new activities etc.
- 7 Contribute to funding applications.
- 8 Ensure that money received for projects is spent for that purpose and, if necessary, separately accounted for.
- 9 In consultation with the manager prepare budgets for ongoing work and special projects and present budgets to the committee for approval.
- 10 In conjunction with the manager keep track of actual income and expenditure as compared to budgeted income and expenditure, adjusting financial forecasts as appropriate.
- 11 Set up appropriate book keeping and petty cash systems and ensure related documentation is kept.
- 12 Ensure that money due to the organisation is collated and that receipts are issued if required and that all income is paid into the bank and that all bills are paid.
- 13 Ensure that proper financial records relating to lease of premises etc. are kept and that the organisation has necessary insurance and keeps it up to date.

Category	Trustees	Created	
Version		Updated	