

Charitable Funds Committee

Terms of Reference

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Terms of Reference for the Charitable Funds Committee

A. Overall aim or purpose:

The Trust Board hereby resolves to establish a Committee of the Board to be known as the Charitable Funds Committee. The purpose of the Committee is to give additional assurance to the Board that the Trust's Charitable activities are within the law and regulations set by the Charity Commissioners for England and Wales. It does not remove from the Board the overall responsibility for this area but provides a forum for a more detailed consideration of Charitable matters and allows for direct contact with the Charity commissioners when necessary.

B. Key objectives:

The Charitable Funds Committee's key objectives are to:

- monitor all aspects of charitable activity within the Trust, as set out within its Terms of Reference; and
- obtain, as and when required, external independent professional advice through normal business processes and to secure the attendance of outside parties with relevant experience and expertise if this is considered to be appropriate.

C. Specific areas of responsibility:

The Charitable Funds Committee is authorised by the Board to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Committee.

In particular the Committee shall :

- ensure that the Charity complies with current legislation;
- review new legislation and its impact on the charity (i.e. **Trustees Act 2000, SORP 2005 & the Charities Act 2006**);
- set and review an investment policy for the charity;
- appoint brokers to manage the charities funds;
- review the performance of the charities investments as managed by its brokers;
- set and review an expenditure policy including the use of investment gains;
- review individual fund balances within the overall charity on a regular basis;
- seek expenditure plans from individual fund holders where funds are currently not being used;
- agree guidance and procedures for fund holders;
- review audit recommendations;
- review the Annual Report and Accounts for the Charity;
- encourage a culture of fundraising and raise the profile of the Charity within the Trust and local population; and
- approve promotional material of the Charity on behalf of the Trustees to

ensure that material used will not place the Charity's reputation at undue risk.

D. Chair:

The Charitable Funds Committee shall be chaired by a Non Executive Director (or Special Adviser) appointed by the Trust Board. A second Non Executive Director (or Special Adviser) shall be identified to act as Deputy to the Chair.

E. Members:

The membership of the Committee will consist of three Non-Executive Directors (which may include Special Advisers to the Board), one of whom will be Chair and one who will be Deputy Chair plus:

- Chief Executive;
- Director of Finance, Contracting and Facilities;
- Director of Operations and Nursing; and
- Director of Quality and Governance.

F. Accountable to:

The Charitable Funds Committee is accountable to the Board. The minutes of the Charitable Funds Committee shall be formally recorded and submitted to the Trust Board. In addition, minutes of the Charitable Funds Committee will be submitted to the Audit Committee for information.

G. Accountable for:

There are no formal lines of accountability between the Charitable Funds Committee and other Trust Committees. The Charitable Funds Committee interacts with other Trust Committees through cross attendance.

H. Roles

The role of the Chair is undertaken via a nominated Non Executive Director (or Special Adviser). Administration of the meetings is undertaken by the Head of Financial Services who is responsible for Charitable Funds.

I. Frequency of Meetings:

Meetings will be held twice a year. There will be further meetings if required by the Committee or Trust Board.

J. Frequency of Attendance:

All Committee members will be expected to attend at least one meeting a year.

K. Quorum:

A minimum of three Executive or Non Executive Directors with at least one Executive and Non Executive Director.

L. Record Keeping:

Archives of minutes and papers relating to the Charitable Funds Committee are maintained by the Committee Support Officer.

M. Lifespan of meeting:

The Charitable Funds Committee is a standing committee of the Trust Board. It will continue to meet in accordance with these Terms of Reference until the Trust Board determines otherwise.

N. Other matters: attendance

Other Trust Directors, Managers and Clinicians will be required to attend to address specific issues as they arise. The Committee may choose to invite external organisations and individuals to present issues and reports from time to time. The Trust's brokers will attend the meetings to provide professional advice on the Charity's investment portfolio as required.