

CHARITABLE FUNDS COMMITTEE

20 FEBRUARY 2017

Paper Title:	Review of Terms of Reference of the Charitable Funds Committee
Lead Director:	Nadira Mirza, Chair, Charitable Funds Committee
Paper Author:	Paul Hogg, Trust Secretary
Agenda Item:	3a

SUMMARY:

The Charitable Funds Committee has agreed that its Terms of Reference (TOR) will be monitored by the Trust Secretary, reviewed annually by the Committee and reported to the Board. The TOR were reviewed in February 2017 and one amendment has been highlighted to replace 'Deputy Chief Executive' with 'Director of Operations and Nursing', which is now included.

RECOMMENDATION:

The Committee is invited to note and approve the changes to the attached TOR at Annex A.

Charitable Funds Committee

Terms of Reference

Document details:	Terms of Reference for the Charitable Funds Committee
Version:	3
Approved by:	Charitable Funds Committee
Date approved:	20 February 2017
Ratified by:	Trust Board
Date ratified:	
Title of originator / author:	Trust Secretary
Title of responsible Director:	Non-Executive Chair of the Charitable Funds Committee & Director of Finance, Contracting and Facilities
Date issued:	20 February 2017
Review date:	20 February 2018
Frequency of review:	Annual
Where is previous copy archived: (if applicable)	Trust Secretary
Amendment Summary (changes highlighted in red):	Section C, Specific Areas of Responsibility: inclusion of delegated approval limits

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, Charities Act 2011);
- 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 (current delegated approval limits established as up to £1,000 for Fund Managers, up to £10,000 for

Director of Finance, Contracting and Facilities, and over £10,000 by the Charitable Funds Committee itself);

- 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 appointed by the Trust Board. A second Non-Executive Director shall be identified to act as Deputy to the Chair.

E. Members:

The membership of the Committee will consist of three Non-Executive Directors one of whom will be Chair and one who will be Deputy Chair plus:

- Director of Finance, Contracting and Facilities; and
- Director of Operations and Nursing

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. Administration of the meetings is undertaken by the Head of Financial Accounting 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 kept on the Trust shared drive.

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.