



Mission Area Trustee (MAC Member)

Members of the Mission Area Conference are charity trustees (as were the PCC members in the former parishes).

However, the Mission Area is a much larger charity and trustees are now responsible for larger budgets, more property and personnel.

All trustees are advised to read the 'Trustee Guide to the Mission Area' (available online Trustee_Guide-to-the-Mission-Area_English-FINAL.pdf (dioceseofstasaph.org.uk) or from the diocesan office) and to watch the Governance training videos Governance - Diocese St. Asaph (dioceseofstasaph.org.uk) so as to be aware of the requirements and responsibilities of the role.

What does 'being a trustee' mean?

Trustees use their skills and experience to support the Mission Area, helping it achieve its aims. Being a trustee means making decisions that will impact on people's lives, making a difference to the local community and/or to society as a whole. Trustees have overall control of a Mission Area and are responsible for making sure it is doing what it was set up to do. Trustees have, and must accept, ultimate responsibility for directing the affairs of a Mission Area and delivering the charitable outcomes for which it has been set up. This is a shared/collective responsibility that cannot be passed to one or two members of the Trustee Board. You will have signed a declaration (Trustee eligibility declaration form (publishing.service.gov.uk) (or see appendix 1) to say that you are not excluded from being a Charity Trustee.

Specifically, Trustees have a Duty of Prudence:

- to ensure that the Mission Area is well run and will remain solvent
- to use funds and assets reasonably - funds should only be used for the furtherance of Mission Area's objectives
- to avoid activities that might place Mission Area's funds, assets or reputation at undue risk
- to take special care when investing the funds of the Mission Area (or borrowing funds for the Mission Area to use)

Other important issues/requirements include:

- Trustees must be 'disinterested' and are responsible for safeguarding the public benefit
- Some of the functions of the trustees may be delegated, subject to standing orders (rules and regulations), but overall responsibilities cannot be delegated
- Trustee Board (MAC) members may find themselves personally liable for any debt arising under any contractual obligation that they have agreed to if the Mission Area finances cannot cover that debt.

- Inept or imprudent trustees can be personally liable for losses
- There is no liability unless 'recklessly negligent'

The Main Duties of a Trustee

1. Ensure your Mission Area is carrying out its aims for the people who live and worship within the Mission Area. You and your co-trustees must make sure that the Mission Area is carrying out the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the aims of the Mission Area as set out in the Constitution
- plan what the Mission Area will do, and what you want it to achieve
- be able to explain how all of the Mission Area activities are intended to meet the aims of the Constitution

2. Comply with the Church in Wales Constitution and the law. You should take reasonable steps to find out about legal requirements, for example, by reading relevant guidance or taking appropriate advice when you need to, in order to:

- make sure that the Mission Area complies with the Constitution
- that the Mission Area complies with Charity Law requirements and other laws that apply (for example, Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the Charity Commission in their annual return.)

3. Act in the Mission Area's best interests.

This includes making sure that:

- You do what you and your co-trustees (and no one else, not even the Church Committees) decide will best enable the Mission Area to carry out its purposes
- with your co-trustees, you make balanced and adequately informed decisions, thinking about the long term as well as the short term
- you avoid putting yourself in a position where your duty to the Mission Area conflicts with your personal interests or loyalty to any other person or body
- you do not receive any benefit from the Mission Area unless it's properly authorised and is clearly in the Mission Area's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

4. Manage your Mission Area's resources responsibly. You and your co-trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise, you risk making the Mission Area vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty. You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence (see 'What does being a Trustee mean' above also). Prudence is about exercising sound judgement. Practically, you and your co-trustees must:

- a. make sure the Mission Area's assets are only used to support or carry out its purposes
 - b. not take inappropriate risks with the Mission Area's assets or reputation
 - c. not over-commit the Mission Area
 - d. take special care when investing or borrowing
 - e. comply with any restrictions on spending funds
5. Act with reasonable care and skill. As someone responsible for governing a Mission Area, you:
- a. must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary
 - b. should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees' meetings
6. Ensure your Mission Area is accountable. You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:
- a. be able to demonstrate that your Mission Area is complying with the law, well run and effective
 - b. ensure appropriate accountability to members, if your Mission Area has a membership separate from the trustees
 - c. ensure accountability within the Mission Area, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers