

DUTIES OF THE MANAGEMENT COMMITTEE OF TRUSTEES

Introduction

3.1 The responsibilities of Committee Members as Charity Trustees are set down in The Charities Act 2006¹ and are readily accessible through:

- The Charity Commission booklet 'The Essential Trustee'.²
- ACRE's Village Hall Information Sheet 17 – Trustees: Roles and Responsibilities
- Charity Commission website www.charity-commission.gov.uk

3.2 Members of the DAVH Management committee are Charity (or Managing) Trustees; that is those people who are responsible for controlling the management and administration of the Charity. They are required to always act for the good of the Charity and in compliance with the Trust Deed and prevailing legislation.

General Duties

3.3 The General Duties for each Member of the Committee of Trustees are to:

- Acknowledge their responsibilities as set down in the guidance literature, the Trust Deed and these Operating Procedures - and sign to certify the fact at the beginning of each year of office.
- Act reasonably and prudently³ and not speculate with the Charity's assets.
- Ensure that the Charity is fully insured against loss and claim.
- Comply with "all and every" legal requirement.
- Maintain financial stability of the Charity.
- Act together⁴.
- Avoid a conflict of interest⁵.
- Extend apologies to the Secretary prior to any Committee Meeting which they may be unable to attend.

Liability

3.4 Trustees may be liable for their actions if they have acted:

- In breach of the governing document⁶.
- Unwisely with Charity assets resulting in a loss to the Charity.
- Illegally without due diligence.

¹ Held by and available for reference from the Secretary.

² The summary pamphlet 'The Essential Trustee' is issued to each Member on appointment.

³ Exercising the same degree of care in dealing with the administration of the Charity as a prudent businessman.

⁴ Where dissent from the majority view occurs, it must be fully recorded in the minute book.

⁵ It may be necessary to declare interest and withdraw from a meeting and/or decision making over any matter where there is a danger of conflict of interest.

⁶ The Trust Deed.

3.5 Where a loss occurs, despite the best and reasonable efforts of the Trustees, it is probable that they will not be held liable.

Trustee Liability Insurance

3.6 Although liability risk to Trustees is considered small given adequate conventional insurance and diligent execution of responsibilities, the Committee should consider whether such protection would be advisable and if so contract for Trustee Indemnity insurance cover. It should be noted that Trustees Indemnity insurance cover does not cover any deliberate or criminal acts; the intention is to provide cover for any genuine errors or omissions, made in the running of the Village Hall, which somehow lead to a third party initiating a claim against the Management Committee. ***Trustee Indemnity Insurance is currently held.***

Good Practice

3.7 ACRE's Information Sheet 17 offers the following guidance:

- Follow the governing document⁷.
- Attend meetings.
- Act collectively.
- Keep written Minutes of decisions.
- Ensure the Treasurer presents regular financial reports and prepares a budget each year.
- Ensure that the Trust Property and Management Committee are adequately insured.
- Obtain professional advice when required.
- Act with due care, diligence and prudence.
- Ensure the building and property is adequately maintained.
- Keep all licences (where held) current and up to date.
- When preparing correspondence on behalf of the Committee, the Registered Charity Number 305512 should always be quoted (or incorporated in the letterhead).

⁷ The Trust Deed.