

Trustee Recruitment - Information pack

Introduction

The NHS Retirement Fellowship provides friendship, fellowship and fun to retired health and social care staff, their friends and families, along with access to a great range of discounts and benefits. All members belong to the charity and become national/postal members or are linked to a local branch.

The NHS Retirement Fellowship is registered with and regulated by the Charity Commission of England and Wales. It is also aware of the requirements established by the Office of the Scottish Charity Regulator.

About Trustees

As a registered charity, we need a Board of Trustees who are responsible for how it works (called its governance) and are accountable for its performance.

This information pack outlines the roles and responsibilities of the Trustees, both individually and collectively. It also provides a Code of Conduct together with details about eligibility and appointment.



Our Trustees are volunteers and are not paid. They are the people who share ultimate responsibility for governing the charity and directing how it is managed and run. Trustees have independent control over, and legal responsibility for, the charity's management, administration and its funds including those held in Branches.

Our Trustees run the charity in a way that complies with our Constitution and the law. We exist to support one another in retirement, maintain friendships and make new ones. Certain tasks may be undertaken by an individual or groups of Trustees but all Trustees are responsible for what is done. The Trustees of the Fellowship are committed to building a more diverse and inclusive organisation. We would therefore particularly welcome applications from candidates from minority communities and heritage and from areas currently under-represented.

The Board of Trustees which normally meets three times a year and comprises:

- The Chair
- The Vice Chair
- Honorary Treasurer
- Up to six Trustees appointed from the membership
- Up to five external Trustees.

It meets regularly by Zoom and once a year face-to-face.

Eligibility for appointment

If you wish to submit your application as a Trustee you should:

- understand the roles and responsibilities of a charity Trustee
- be in sympathy with the aims and objectives of the charity
- understand the relationships between Trustees, the Chief Executive Officer, staff, Regional & Country Representatives and external stakeholders
- understand issues of conflicts of interest
- have an understanding of balance sheets, budget statements and financial accounts
- understand the development of a strategic plan, a business plan and an annual action plan.
- be prepared to give the necessary time and effort to the management of the charity.
- help the charity achieve its aims through individual expertise or commitment
- understand and accept that Trusteeship carries legal duties and responsibilities.

In law, you are eligible for appointment as a Trustee provided you are 18 years or older unless automatically disqualified from being a Trustee. Before you apply, you will need to complete a Trustee Eligibility Declaration (copy attached). This states that:

You declare that you...

- are willing to act as a Trustee
- understand your organisation's purposes and rules
- are not prevented from acting as a Trustee because you are disqualified for one of the reasons below...

You also declare that...

- the information you provide is true, complete and correct
- you understand it is an offence to provide false/misleading information
- funds are held in a bank/building society in England or Wales
- you will comply with your responsibilities as a Trustee
- there will be no personal benefit (some exceptions).



Reasons for disqualification

Any unspent conviction for:

- an offence involving dishonesty or deception
- specified terrorism offences
- a specified money laundering offence
- specified bribery offences
- the offence of contravening a Charity Commission Order or Direction
- offences of misconduct in public office, perjury, or perverting the course of justice
- aiding attempting or abetting the above offences

and for...

- being on the sex offenders register
- having an unspent sanction for contempt of court
- disobeying a Commission Order
- being a designated person (under specific ant-terrorist legislation)
- being a person who has been removed from a relevant office
- having a Director disqualification
- being an undischarged bankrupt or subject to being under various other financial orders.

Appointment of Trustees

Member Trustees

Existing Members of the Fellowship, whether national/postal members or linked to a branch, are invited to apply. Selection is by Zoom interview. Posts are advertised in the Chief Executive's letter to members and on the Fellowship's website (www.nhsrf.org.uk). You are asked to complete an application form and provide supporting information.



The term of office for a Member Trustee is up to three years and who may be re-selected for up to a further three years.

External Trustees

The Trustees also appoint people with particular skills needed in its governance. They are appointed for a term of office of up to three years and may be re-selected for up to a further three years. The external Trustees are not members of the Fellowship.

Chair, Vice Chair and Honorary Treasurer

The Board of Trustees nominates its own Chair, Vice Chair and Honorary Treasurer for endorsement by the Annual General Meeting held in the autumn. The term of office for the Chair and Vice Chair is normally three years. There is no term of office for the post of Honorary Treasurer.

The Constitution

Every charity has a governing document. It contains:

- the charity's aims or purposes (often referred to as its 'objects')
- rules for how it must operate.

A copy of the NHS RF Constitution is available on the website in the Policy section of the Members Area.

Trustee responsibilities

The six main responsibilities of Trustees are as stated in law:

i. making sure that the charity is carrying out the purposes for which it was set up.

This means:

- ensuring an understanding of the charity's purposes
- planning what the charity will do, and what is to be achieved
- being able to explain how all the charity's activities are intended to further or support its purposes
- understanding how the charity benefits the public by carrying out those purposes.

ii. complying with the charity's governing document and the law

- make sure that the charity complies with its governing document
- comply with charity law requirements and other laws that apply to the charity
- take reasonable steps to find out about legal requirements.

iii. acting in the charity's best interests

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

iv. managing the charity's resources responsibly

Trustees must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. Trustees must:

- make sure the charity's assets are only used to support or carry out its purposes
- avoid exposing the charity's assets, beneficiaries or reputation to undue risk
- not over-commit the charity
- take special care when investing or borrowing
- comply with any restrictions on spending funds or selling land.



Trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise the charity may be vulnerable to fraud or theft, or other kinds of abuse, and being in breach of the Trustees' duty.

v. acting with reasonable care and skill

As someone responsible for governing a charity, Trustees:

- must use reasonable care and skill, making use of their skills and experience and taking appropriate advice when necessary
- should give enough time, thought and energy to the role, for example by preparing for, attending and actively participating in all Trustees' meetings.

vi. **ensuring the charity is accountable**

Trustees must comply with statutory accounting and reporting requirements and:

- be able to demonstrate that the charity is complying with the law, well run and effective
- ensure appropriate accountability to members, if the charity has a membership separate from the Trustees
- ensure accountability within the charity, particularly where responsibility is delegated for particular tasks or decisions to staff or volunteers.

If you are interested in becoming a Trustee you are encouraged to visit the Charity Commission website where there is more general information about the role of Trustees.

Code of Conduct for Trustees

Trustees are required to behave themselves in accordance with the following Code of Conduct:

Selflessness

- have a general duty to act in the best interests of the Charity as a whole. You should not do so to gain financial or other material benefits for yourself, your friends or any organisation you represent.

Integrity

- should not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your role;
- should, as well as avoiding actual impropriety, avoid any appearance of improper behaviour;
- should not accept gifts and hospitality that might reasonably be thought to influence your judgement.

Objectivity

- In carrying out your role, including making staff and Trustee appointments, awarding contracts or transacting other business, you should ensure that decisions are made solely on merit and conform to the Fellowship's Equality and Diversity policy.

Accountability

- have a duty to comply with the law on all occasions in accordance with the trust placed in you and in such a way as to preserve public confidence in the charity;
- are accountable for your decisions and actions to the public, funders and members and must submit yourself to scrutiny as appropriate to your role.

Openness

- should ensure that confidential material, including that about individuals, is handled with due care;
- should be as open as possible about your decisions and the action you take and give reasons for your decisions, restricting access to information only when the wider interest clearly demands it.

Honesty

- have a duty to declare any interests relating to your role and to take steps to resolve any conflicts that may arise;
- must resolve any conflict between your private interests and your Trustee duties in favour of the Trustee role;
- must make relevant declarations of interest in your different roles both within and outside the charity.

Leadership

- should promote and support the principles of leadership by example;
- must respect the role of staff and volunteers.

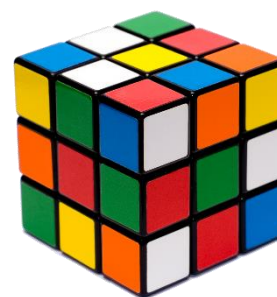
Attendance

- Any member who, without just cause, fails to attend three consecutive meetings may be disqualified from their appointment as a Trustee.

Trustee Board

In addition to its Constitutional and legal duties the Trustee Board will:

- nominate to the Annual General Meeting a Chair and Vice Chair of the Trustees
- appoint an Honorary Treasurer
- manage the Charity's finances
- invest monies on behalf of the Charity
- set aside income as a reserve against future expenditure but only in accordance with the written policy about reserves
- open and operate such bank and other accounts as the Trustees consider necessary and to invest funds and to delegate the management of funds in the same manner and subject to the same conditions as the Trustees of a trust are permitted to do by the Trustee Act 2000 as amended
- agree the strategic direction and the business plan for the Fellowship.
- approve other policies and procedures as may be necessary in furtherance of the Fellowship aims and objectives
- monitor the implementation of the business plan
- undertake such contact as may be necessary with health organisations in each of the three countries, other national statutory bodies, charitable and similar organisations, as required for the transaction of Fellowship business
- hold an Annual General Meeting
- meet not less than once a year
- keep such records as are necessary to manage and administer the affairs of the Fellowship and in compliance with appropriate legislation.
- refer any specific matter to a sub-committee for detailed consideration and to report back to the Trustees.
- appoint a Chief Executive Officer and delegate authority to him or her to act on the Trustees' behalf
- communicate with the elected Country and Regional Representatives on all matters concerning the Charity
- raise funds. In doing so, the Trustees must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
- co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
- ensure that all Trustees are not disqualified from being a Trustee of a registered charity
- receive and review the views of Branches and members as reported to the Trustee Board by the Members Council
- Receive and consider an annual report from the Members Council.



The Trustee Board may:

- buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
- sell, lease or otherwise dispose of all or any part of the property belonging to the charity. In exercising this power, the Trustees must comply as appropriate with sections 117- 122 of the Charities Act 2011;
- borrow money and to charge the whole or any part of the property belonging to the charity as security for repayment of the money borrowed. The Trustees must comply as appropriate with sections 124 - 126 of the Charities Act 2011, if they intend to mortgage land;
- establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the objects;

- acquire, merge with or enter into any partnership or joint venture arrangement with any other charity formed for any of the objects;
- instigate any relevant legal proceedings or advice concerning the Trustee Board, Members Council or Branches
- convene an extraordinary general meeting of the Charity upon the signed requisition of not less than 5 of the members of the Trustee Board within twenty eight days of receipt of the requisition and specifying the special business
- co-opt to the Trustee Board as necessary
- do all such other lawful things as are necessary for the achievement of the strategy and business plan.



The Trustee Board must not:

- cause loss to the charity by acting unlawfully, imprudently or outside the terms of the charity's governing document.
- commit the charity to debts which amount to more than its assets.

Useful information

Website: www.nhsrf.org.uk

Charity Commission: <https://www.gov.uk/government/organisations/charity-commission>

CC3_feb20.pdf (publishing.service.gov.uk)

Central Office: NHSRF, Weymouth Community Hospital. Melcombe Avenue, Weymouth, DT4 7TB Tel: 01305 361317

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