



# **Cartwheel Arts**

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What you need to know about trusteeship

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## **About charity trustees**

Trustees have overall control of a charity and are responsible for making sure it is doing what it was set up to do. Trustees are the people who lead the charity and decide how it is run. Being a trustee means making decisions that will impact on people's lives. You will be making a difference to your local community/society.

Trustees use their skills and experience to support their charities, helping them achieve their aims. Trustees also often learn new skills during their time on the board.

## **Before you apply - make sure you are eligible**

You must be at least 18 years old to be a trustee of a charity. You must be properly appointed following the procedures and any restrictions in the charity's governing document.

You must not function as a trustee if you are disqualified unless authorised to do so by a waiver from the Commission. The reasons for disqualification are shown in the disqualifying reasons table. You need to be able to answer 'yes' to the following:

- I am over age 16.
- I am not an undischarged bankrupt.
- I have not previously been removed from trusteeship of a charity by a Court or the Charity Commission.
- I am not under a disqualification order under the Company Directors' Disqualification Act 1986.
- I have not been convicted of an offence involving deception or dishonesty (unless the conviction is spent).
- I am, in the light of the above, not disqualified by the Charities Act 1993 (section 72) from acting as a charity trustee.
- I undertake to fulfill my responsibilities and duties as a trustee of Cartwheel Arts in good faith and in accordance with the law and within Cartwheel Arts objectives/mission and Code of Conduct for trustees.
- I do not have any financial interests in conflict with those of Cartwheel Arts (either in person or through family or business connections). I will specifically notify any such interest at any meeting where trustees are required to make a decision which affects my personal interests, and I will absent myself entirely from any decision on the matter and not vote on it.

## **Trustees' six main duties**

### **1. Ensure your charity is conducting its purposes for the public benefit**

You and your co-trustees must make sure that the charity is conducting the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the charity's purposes as set out in its governing document.
- plan what your charity will do, and what you want it to achieve.
- be able to explain how all the charity's activities are intended to further or support its purposes.
- understand how the charity benefits the public by conducting its purposes.

### **2. Comply with your charity's governing document and the law**

You and your co-trustees must:

- make sure that the charity complies with its governing document.
- comply with charity law requirements and other laws that apply to your charity.

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.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update.

### **3. Act in your charity's best interests**

You must:

- do what you and your co-trustees (and no one else) decide will best enable the charity to conduct its purposes.
- with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term.

- avoid putting yourself in a position where your duty to your charity conflicts with your 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 to you, such as a partner, dependent child, or business partner.

#### **4. Manage your charity's resources responsibly**

You must act responsibly and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. You and your co-trustees must:

- make sure the charity's assets are only used to support or conduct its purposes!
- not take inappropriate risks with the charity's assets or reputation
- not over-commit the charity
- take special care when investing or borrowing.
- comply with any restrictions on spending funds.

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 charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

#### **5. Act with reasonable care and skill**

As someone responsible for governing a charity, you:

- must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary.
- 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 charity is accountable

You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:

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

### Responsibilities of Trustees:

Trustees play a crucial role in the governance and strategic direction of a charity organisation. This section will outline the responsibilities of trustees and the sub-committees they should sign up for based on their skills, knowledge, and experience. Additionally, it will discuss the term of appointment, re-nomination, and inclusive measures to attract diverse trustees and accommodate their needs.

#### 1. Strategic Planning:

- Contribute to the development and review of the organisation's strategic plan.
- Provide input on the charity's mission, vision, and long-term goals.
- Monitor progress towards strategic objectives and make informed decisions.

#### 2. Financial Oversight:

- Review and approve the annual budget and financial reports.
- Ensure compliance with financial regulations and best practices.
- Work closely with the Finance Committee to monitor the organisation's financial health.

#### 3. Premises Management:

- Oversee the management and maintenance of the charity's premises.
- Ensure health and safety regulations are met.
- Collaborate with the Premises Committee to address any facility-related issues.

#### 4. Human Resources and Talent Management:

- Participate in the recruitment, selection, and evaluation of staff, including the director.
  - Provide guidance on HR policies and procedures.

- Collaborate with the HT to ensure effective staff management and development.
- Champion EDI across all areas of work, goods, and services

### **5. Community Engagement:**

- Foster positive relationships with the local community and key stakeholders.
- Promote the charity's work and engage in community outreach activities.
- Collaborate with the Community Engagement Committee to develop and implement engagement strategies.

### **6. Operational Committee - Festivals and Events:**

- Contribute to the planning and execution of festivals and events organised by the charity.
- Provide input on event logistics, programming, and marketing.
- Collaborate with the Operational Committee to ensure successful and impactful events.

### **Term of Appointment and Re-nomination:**

Trustees should serve a term of appointment lasting three years. This duration allows for continuity and stability in governance while also providing opportunities for fresh perspectives and new ideas. After completing their term, trustees can be re-nominated for an additional term, subject to a review of their performance and commitment to the organisation.

### **The Vital Role of Sub-Committees in Charity Organisations**

Charity organisations play a crucial role in addressing societal issues and improving the lives of those in need. To effectively conduct their missions, these organisations often rely on sub-committees to oversee specific areas of operation. This section aims to explore the purpose of various sub-committees within organisations, emphasising the importance of equality, safeguarding, and sustainability. Additionally, it will discuss the necessary skills and experience that trustees should possess when signing up to be on these committees.

Sub-committees serve as specialised teams responsible for managing specific aspects of the organisation's operations. These committees include Premises, HR, Community Engagement/Partnership Working, Finance, Fundraising and Sustainability, and Environmental. Each committee plays a unique role in ensuring the success and sustainability of the organisation's charitable endeavours.

**1. Premises Committee:**

The Premises Committee focuses on managing and maintaining the physical infrastructure of the organisation. This includes overseeing the upkeep of buildings, facilities, and equipment. The committee ensures that the premises are safe, accessible, and conducive to the organisation's activities. Equality is upheld by ensuring that the premises are accessible to individuals with disabilities, while safeguarding is prioritised through regular safety inspections and adherence to health and safety regulations. Trustees with experience in property management, construction, or facilities maintenance are ideal candidates for this committee.

**2. HR Committee:**

The HR Committee is responsible for managing the organisation's human resources, including recruitment, training, and employee well-being. This committee ensures that the organisation has a diverse and inclusive workforce, promoting equality and preventing discrimination. Safeguarding is prioritised through thorough background checks and the implementation of appropriate policies and procedures. Trustees with expertise in HR management, employment law, or organisational development are well-suited for this committee.

**3. Engagement & Communications Committee:**

The Engagement & Communication Task Group, ensures Cartwheel Arts commitment to reaching a wide and diverse range of audiences in an accessible and inclusive way is maintained. The group facilitates communication and engagement around Business Plan objectives, to a wide range of audiences (participants, partners, funders etc), enabling the Action Plan to operate as a 'living document' to support the work of Cartwheel Arts. Equality is promoted by actively engaging with diverse communities and addressing their specific concerns. Safeguarding is upheld by establishing robust partnerships with reputable organisations and conducting due diligence on potential partners. Trustees with experience in community development, public relations, or partnership management are valuable assets to this committee.

**4. Finance Committee:**

The Finance Committee oversees the financial management of the charity organisation, including budgeting, financial reporting, and compliance. This committee ensures that financial resources are allocated efficiently and transparently, promoting sustainability. Equality is maintained by ensuring fair and equitable distribution of funds, while safeguarding is prioritised through rigorous financial controls and audits. Trustees with financial expertise, such as accountants or financial analysts, are essential for this committee.

**Conclusion:**

Sub-committees within the organisation play a vital role in ensuring the effective and sustainable operation of the organisation. By focusing on specific areas such as premises, HR, engagement & communications & finance, these committees contribute to the overall success of the organisation's charitable endeavours. Trustees who possess the necessary skills and experience in their respective fields are crucial in upholding equality, safeguarding, and sustainability within these committees. Through their collective efforts, the organisation can make a lasting impact on the lives of those in served by the organisation.