

Trustee Responsibilities

Category: Recruitment

1 Introduction

1.2. Purpose

To outline the responsibilities of Trusteeship of a U3A.

1.2. Scope

Relevant to all U3A Trustees (committee members).

2 Trustees' Responsibilities and Duties

A U3A's committee members take on the role of Trustees of the charity. Committee members are responsible for the governance of the U3A including directing how it is managed and run. The Trustees must make sure that the U3A is carrying out the purpose for which it is set up, and that all resources and funds are used only in furthering its charitable objective.

Trustees are collectively responsible for ensuring that a U3A fulfils its charitable objectives and does not stray beyond them. The central purpose of every U3A is educational. Trustees collectively are responsible for the safe custody of members' money [Financial Matters - U3A-KMS-DOC-033](#)

3 Trustee Code of Conduct

A Trustee code of conduct is an agreement between the organisation and the individual committee member which clarifies the standard of behaviour expected in the performance of their role. It is recommended that U3A committees adopt the relevant Code of Conduct for their U3A and all new committee members are provided with a copy.

England and Wales [U3A-KMS-DOC-030 Trustee Code of Conduct \(England and Wales\)](#)

Northern Ireland [U3A-KMS-DOC-060 Trustee Code of Conduct \(Northern Ireland\)](#)

Scotland (Unregistered) [U3A-KMS-DOC-061 Trustee Code of Conduct \(Scotland Unregistered\)](#)

Scotland (Registered) [U3A-KMS-DOC-062 Trustee Code of Conduct \(Scotland Registered\)](#)



4 Trusteeship

4.1 Trusteeship (England and Wales)

All U3As are charities whether they are registered or not due to the charitable purpose (object clause) that is contained within the constitution. This status means that all committee members are Trustees. The Charity Commission publishes guidance on the role of Trustees – 'The Essential Trustee' CC3 which committee members need to familiarise themselves with www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3.

The Essential Trustee highlights some key areas of Trusteeship which includes:

- Ensure your charity is carrying out its purposes for the public benefit
- Comply with your charity's governing document and the law
- Act in your charity's best interests
- Manage your charity's resources responsibly
- Act with reasonable care and skill
- Ensure your charity is accountable

Trustees are also required to sign a Trustee eligibility form in order to declare their suitability for the Trustee role. The Chair should retain a copy of these forms and ensure new Trustees complete one of these as part of their induction to the role. It is also recommended that U3As refer to the Charity Code of Good Governance www.charitygovernancecode.org as a guide to governance requirements.

4.2 Trusteeship (Northern Ireland)

All U3As in Northern Ireland are charities and will need to register with the Charity Commission for Northern Ireland www.charitycommissionni.org.uk/. The Commission, in conjunction with Volunteer Now, publishes guidance for good governance www.volunteernow.co.uk/fs/doc/publications/revised-code-of-good-governance-jan16.pdf

The code identifies five core principles:

1. An effective board will provide good governance and leadership by understanding its role and responsibilities.
2. An effective board will provide good governance and leadership by working well both as individuals and as a team.
3. An effective board will provide good governance and leadership by ensuring delivery of organisational purpose.
4. An effective board will provide good governance and leadership by exercising appropriate control.
5. An effective board will provide good governance and leadership by behaving with integrity and by being open and accountable.

4.3 Trusteeship (Scotland)

U3As in Scotland have a choice as to whether or not they register with the Office of the Scottish Charity Regulator (OSCR). Committee members in Scotland are recommended to abide by the good governance code that is issued by OSCR whether or not they are registered.

The guidance from OSCR highlights that Trustees must:

- Act in the interests of the charity
- Operate in a manner consistent with the purpose of the charity
- Act with care and diligence
- Manage any conflicts of interest between the charity and any organisation or person who appoints charity Trustees.
- Comply with The Charities and Investment (Scotland) Act 2005.

OSCR also issues guidance in relation to good governance which highlights actions to be taken by Trustees <https://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees>

These include:

- Having a governing document and abiding by the document
- Effective administration of meetings
- Trustees having collective responsibility for the management of the charity
- Effective management of disputes
- Maintaining effective financial records

Those with registered charity status are also required to publicise their charitable status.

Trustee Indemnity Insurance

U3A committees are covered by Trustee Indemnity Insurance provided through the Third Age Trust. The insurance protects U3A Trustees both individually and as a board, against a genuine mistake or error of judgement providing that they have acted responsibly and followed their U3As constitution. Where this is deemed not to be the case, Trustees risk being held personally responsible and not being covered by indemnity insurance. Trustees should also be aware that even if an allowable claim is made, an excess will apply. The indemnity insurance will not protect against criminal law.

In the event of any irregularity at either main committee or group level, the Trustees are potentially liable if they have not taken all reasonable steps to minimise risks. Trustees must follow the requirements of the appropriate regulatory authority for their country in relation to any reporting requirements. It is not possible for an individual Trustee to opt out of collective responsibility.

Responsibility must never be given to a Group Leader/Convenor or Group Coordinator to operate a group that is in any way detached from the U3A. All money collected is the property of the U3A and it must all be accounted for to the membership at the AGM and to the appropriate regulatory authority, as required.

Committee Meetings – Specific Requirements

Trustees are expected to study the agenda and all supporting papers prior to the meeting and strive to attend all meetings.

7.1 Conflict of Interest

Trustees must declare a conflict or possible conflict of interest at the start of the committee meeting or at the earliest possible opportunity. The Chair will then decide whether to exclude the Trustee from a particular item or even from the whole meeting. In the event that the Chair has a conflict of interest, then the committee should request the Vice Chair to rule on the matter.

7.2 Power to make decisions

This rests solely with the committee, as a body and decisions can only be taken as a result of a majority vote in favour by those members of the committee present at the time. No Trustee has the authority to act in isolation.

7.3 Confidentiality

In order that all Trustees feel comfortable expressing their views and ideas it is essential that everybody maintains confidentiality outside the committee at all times. The decisions made by the committee must be minuted and, once approved, the minutes are available on request to members.

7.4 Corporate responsibility

No matter what individual Trustees' opinions or voting choices are, once an item is approved by the committee, all Trustees must accept it as decisive and final and not comment further outside the committee environment.

Related documentation

- [Guiding principles - coming soon U3A-KMS-DOC-012](#)
- [Terms of Membership of the Trust U3A-KMS-DOC-026](#)
- [Trustee Code of Conduct \(England and Wales\) U3A-KMS-DOC-030](#)
- [Financial Matters U3A-KMS-DOC-033](#)
- [037 Complaints Procedure Sample U3A-KMS-DOC-](#)
- [Disciplinary Procedure Sample U3A-KMS-DOC-038](#)
- [Grievance Procedure Sample U3A-KMS-DOC-039](#)
- [Trustee induction U3A-KMS-DOC-052](#)
- [Trustee Code of Conduct \(Northern Ireland\) U3A-KMS-DOC-060](#)
- [Trustee Code of Conduct \(Scotland Unregistered\) U3A-KMS-DOC-061](#)

- [Trustee Code of Conduct \(Scotland Registered\) U3A-KMS-DOC-062](#)
- [Equality, Diversity and Inclusion Policy Sample U3A-KMS-POL-001](#)
- [Data Protection Policy Sample U3A-KMS-POL-002](#)
- [Financial Policy Template U3A-KMS-POL-003](#)
- [Privacy Policy Sample U3A-KMS-POL-004](#)
- [Safeguarding Policy and Procedure Sample U3A-KMS-POL-005](#)
- [Health and Safety Policy Template - coming soon U3A-KMS-POL-006](#)
- [Accessibility Policy Sample \(England, Scotland and Wales\) U3A-KMS-POL-007](#)

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