



CHARITY COMMISSION
FOR ENGLAND AND WALES

Trustee Responsibilities

Swanland



Charity trustees are the people responsible for governing a charity and directing how it is managed and run. They may be known as trustees, directors, board members or committee members. No matter what term is used, you are legally a trustee if you are part of the group of people with overall responsibility for overseeing and leading the charity, ensuring it is solvent and well-run and delivering the charitable outcomes for the benefit of the public.

Trustees serve as volunteers and receive no payment other than out of pocket expenses. They must put the interests of their charity first, work together as a team and assume collective responsibility.

There are six main duties and responsibilities as detailed below.

1. ENSURE YOUR CHARITY IS CARRYING OUT ITS PURPOSES FOR THE PUBLIC BENEFIT

You must make sure that the charity is carrying out 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 of the charity's activities are intended to further or support its purposes.
- Understand how the charity benefits the public by carrying out its purposes.

Spending charity funds on the wrong purposes is a very serious matter.

2. COMPLY WITH YOUR CHARITY'S GOVERNING DOCUMENT AND THE LAW

You 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 make sure that the details held by their regulatory authority remain accurate and ensure they provide all necessary information, financial and otherwise, by the required date.

3. ACT IN YOUR CHARITY'S BEST INTERESTS

You must:

- Do what you (and no one else) decides 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 yourselves 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's 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, reasonably and honestly. This is sometimes called the duty of prudence.

Prudence is about exercising sound judgement. You must:

- Make sure the charity's assets are only used to support or carry out its purposes.
- Avoid exposing the charity's assets or reputation to undue risk.
- Not over-commit the charity.
- Take special care when investing or borrowing.
- Comply with any restrictions on spending funds.

You 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 the people 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 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 and within the charity as a whole.

For further information on the duties and responsibilities of trustees, go to:

- www.gov.uk/government/organisations/charity-commission
- www.oscr.org.uk
- www.charitycommissionni.org.uk

