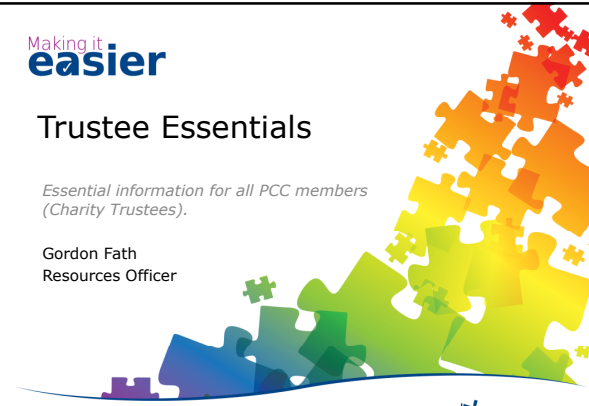



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## Trustee Essentials

*Essential information for all PCC members (Charity Trustees).*

Gordon Fath  
Resources Officer



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## Legal Charity & its Trustees


- Province
- Diocese
- Deanery
- Benefice (Missional Area)
- **Parish**
- Church
- Governing Body
- Diocesan Conference
- Deanery Conference
- **Parochial Church Council**

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## Parish = Charity


- All **parishes** are charities
  - Registered
  - Unregistered (excepted from registration [2021])
- Single parish may include
  - One or more churches
  - One or more licenced places of worship
  - One or more fresh expressions

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## Charity Trustees


- All equally responsible AND liable for charity
  - Delivering its purpose
  - Ensuring activities are within the law
  - Ensure compliance with governing documents
  - Property, money and financial decisions
- Responsible whether 'at meeting' or not

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## Trustee Disqualifications (CiW)

- Not on church Electoral Roll
- Barred by Charity Commission
- Is bankrupt or has IVA
- Convicted of deception or dishonesty offence
- Self disqualification (*Provincial Safeguarding Agreement*)
  - Named on a Safeguarding barred list
  - Convicted of Schedule 1 offence against children

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## Governing Document

- **The Constitution of The Church in Wales**
  - Who is member of PCC (charity trustee)
  - How selected / appointed / elected

*Church of England*

- The Parochial Church Councils (Powers) Measure 1956
- Church Representation Rules – 2017 [Synodical Government Measure 1969]

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## Purpose

- To promote the whole mission of the Church, pastoral, evangelistic, social and ecumenical
  - Public worship
  - School: assemblies, etc.
  - Community groups: children, youth, elderly, etc.
- What is your parish's public benefit?
  - Actively review
  - Stop / Start / Update

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## Governance & Compliance

- Governing Document
- Canon
- Charities Act 2011 / Charities SORP
- Employment legislation
- Pension regulations
- Health and Safety legislation
- Planning permission

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## Honesty & Integrity

- What is best for this charity?
  - What if trustee of another charity?
- Ensure decisions are 'informed'
- Issues of loyalty
  - Conflict of Interest policy (in Constitution Ch.1)
- Payments to Trustees
  - Reimbursements
  - Employees

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## Financial Risks

- What are your PCC's assets?
  - Cash (cash box, bank & deposit)
  - Investments (shares & bonds)
  - Property
- Investment policy?
- Insurance cover
- Budgeting ('Going Concern' requirement)
- Sources of income

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## Operational & Reputational Risks

- Buildings / Places of Worship
- Land
  - Boundary
  - Maintenance
- Safeguarding Policy
  - Is policy really read, understood and followed?
- Employees
  - PAYE & Pensions

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## Experience & Knowledge

- Personal abilities
  - You have skills and experience, use them
  - Ask for clear explanations / don't be fobbed off
  - If you don't know, seek advice
- Serious Incidents (actual or suspected)
  - Legally required to report to Charity Commission
  - What happened, what steps you have taken

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## Accountability

- Charity Commission
  - Regulatory authority
  - Registered or 'excepted from' registration
- Electoral Roll membership
  - Electorate
- Other supporters
- Delegation to others

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## Personal Liability

- Trustees generally protected when acting honestly and reasonably
- Trustee liability insurance
  
- No protection for those who act dishonestly, negligently or recklessly

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## Other Liabilities

- Employees / pension scheme
- Suppliers
- Public injury
- Criminal

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## Special Roles

- Chair of Trustees
- Treasurer
- Secretary
  
- Additional responsibilities
- NO additional authority or power

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## Charity Commission

- The essential trustee (CC3)  
<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

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