

# Factsheet

## 6: Trustee Roles and Responsibilities

This factsheet is specifically intended for organisations that are charities. Most of the content refers to principles of good governance which will apply to any type of organisation. If your voluntary organisation is not a charity or you are unsure of its status, please contact us for support. **Factsheet 10: Charity Registration** is helpful in explaining what a charity is. Please be aware that your organisation may still be considered a charity even if it is not registered in any way.

### What are Trustees?

**Trustees** are the group of people (also called the **Board of Trustees**) who act in the charity's best interests, set the strategy or plan, make key decisions and oversee the running of a **charity**. It is not the role of a trustee to carry out the day-to-day activities of the charity. If it is a small charity, the trustees may have more than one role. In addition to being trustees, they may also carry out the day to day tasks (**operational**) and deliver activities or projects (**service delivery**) in a volunteer capacity. It is important these are recognised as separate roles which happen to be carried out by the same person.

Trustees have a duty to ensure **good governance** of their organisation. This factsheet aims to help trustees understand what their role does, and does not, include so that trustees can run their organisation well. If each trustee knows and delivers their role well, the organisation will excel at good governance and is likely to be a strong and healthy group.

**Good Governance** is managing your organisation in the best way possible to:

- **Make well-informed decisions** which have the purposes of the charity and the beneficiaries at the centre
- **Follow the governing document:** decisions must match the purpose and powers set out in your governing document
- **Achieve your organisations objects/goals:** *Do what you set up to do for the people you are there to help; don't get distracted*
- **Identify and manage risk:** *Know what might go wrong and how to plan for it or avoid it*
- **Use resources well (financial and otherwise):** *Make sure the money and other resources you receive help achieve the aims of the organisation and help the beneficiaries - do what you set out to do and nothing else*
- **Plan effectively:** *Know what you do and why you do it, know what you want to do and how you will get there and what resources you will need*
- **Be prepared for change:** *You can't prepare for everything but with the above in place, you will be in a stronger position to manage change and move with it –building resilience*

Our sector is full of amazing groups delivering excellent and much-needed services and projects. Trustees work hard, without payment and good governance is the essential ‘glue’ that should enable and support your organisation’s work and impact and will help make it more resilient to change.

**The Charities Act 1993 (S97) defines charity trustees as “the persons having the general control and management of the administration of a charity”.**

- Charity law clearly defines trustees as the people with control. This means that trustees are **legally responsible** for the charity, its assets (money, equipment, building and any other resources) its actions and decisions
- Ultimate responsibility and ultimate authority lies collectively with the board of trustees. Trustees can delegate tasks (e.g. preparing the accounts), to a staff member or to a volunteer but the responsibility stays with the trustees. This is true even if a charity is not registered.
- If the charity is incorporated (where the organisation is a legal ‘person’ in its own right), and trustees have acted legally and responsibly, then individual trustees are not at risk. Trustees are an accountable group and should not act or tackle decisions as individuals working alone
- In smaller organisations which do not have paid staff, the charity trustees are likely to be the same people carrying out the day to day work. It is important that trustees are able to separate operational and service delivery from their trustee role (from their ‘governance function’)



*\*Jigsaw images are taken from the [Charity Commissions Essential Trustee 6 Main Duties](#)*

#### Trustees should:

- Set the charity’s mission, policies and strategy
- Promote the charity –love your organisation and be an ambassador!
- Ensure the charity is meeting the needs of the people it is set up to help (its beneficiaries)
- Read, follow and be familiar with and follow the charity’s governing document (constitution)

- Be careful of the charity's reputation and not to do anything to damage/risk it
- Ensure the charity has enough money to deliver its purpose and activities
- Use money and resources well and only to further the objects (the work) of the charity
- Work to high ethical standards and act accountably and with transparency
- Be clear about what decisions are made and why, keep good records, e.g. of money coming in (income) and money going out (expenditure)
- Identify, understand and manage conflicts of interest (recognising and understanding personal interests and making sure that the charity is always put first)
- Uphold the requirements of statutory law and Charity Law (regardless of being registered or not) and comply with any agencies that the charities is accountable to, including the Charity Commission and any other relevant bodies (e.g. Companies House)
- Trustees of registered charities need to report annually to the Charity Commission on their finances and on how the activities of their charity are meeting the public benefit as stated in their governing document.
- Comply with relevant laws on health and safety, equal opportunities, employment, etc.

#### Good questions for trustees to ask themselves:

- Is our charity working well to achieve its mission and objects?
- Is the charity having a positive impact? (How do we know, do we know what success will look like?)
- Are we being given enough information to make good decisions?
- Is the charity using its resources and money well? Is it sustainable (does it have enough money?)
- Have we thought about what the risks might be and how we will reduce and manage these?
- Do we have all the necessary policies and procedures in place? Has everyone read and understood them? Are they being used?
- When we are not sure what to do, are we seeking outside help?



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**To carry out their role effectively, it is essential that trustees:**

- Are committed to their charity's cause and want to help the charity deliver its purposes effectively and for the **public benefit** (serve the community)
- Recognise that public benefit is an ongoing requirement
- Understand their roles and legal responsibilities (support and guidance is available)
- Read relevant documents, including but not limited to:
  - The Charity Commission's guidance The Essential Trustee (CC3)
  - The charity's own governing document (constitution)
- Be committed to good governance and want to contribute to their charity's continued improvement.

For more detailed explanations of trustee roles and responsibilities, please read:

- [CC33 The Essential Trustee: what you need to know, what you need to do](#)
- [The Essential Trustee 6 Main Duties](#)
- [Charity Governance Code, Charity Governance Code Steering Group, 2017](#)

For further guidance and support, visit: [www.manchestercommunitycentral.org](http://www.manchestercommunitycentral.org), contact 0333 321 3021 or email: [info@mcrcommunitycentral.org](mailto:info@mcrcommunitycentral.org)

**Related factsheets**

[Factsheet 5: Policies and procedures](#)

[Factsheet 9: Choosing a legal structure](#)

[Factsheet 10: Charity registration](#)

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