

CHARITABLE FUNDS COMMITTEE

Terms of Reference

1. CONSTITUTION

- 1.1 The Board hereby resolves to establish a Committee of the Board to be known as the **Charitable Funds** Committee (The Committee). The Committee has no executive powers, other than those specifically delegated in these Terms of Reference. Its terms of reference are set out below and can only be amended with the approval of the Trust Board.

2. AUTHORITY

- 2.1 The Committee is authorised by the Board to investigate any activity within its Terms of Reference. It is authorised to seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Committee.
- 2.2 The Committee is authorised by the Board to instruct professional advisors and request the attendance of individuals and authorities from outside of the Trust with relevant experience and expertise if it considers this necessary or expedient to carrying out its functions.
- 2.3 The Committee is authorised to obtain such internal information as is necessary and expedient to the fulfilment of its functions.

3. PURPOSE

- 3.1 The purpose of the Committee is to provide the Board with assurance concerning **adherence to the wishes of donors by monitoring the use of funds and the benefits gained. The Committee will also seek assurance on the robustness and progress with the delivery of the Trust's fundraising strategy.** *NOTE: Proposals to establish any material new performance objectives or milestones will be considered by members at Clinical Leadership Executive (CLE) and resolution agreed by the Chair and lead director.*

4 MEMBERSHIP

- 4.1 The Committee will comprise of not less than three [Trustees, including the Director of Finance & Performance Management, Chief Executive and Chief Nurse](#).
- 4.2 The Chair of the Committee will be a Non-Executive Director and will be appointed by the Trust Chair. If the Chair is absent from the meeting then another Non-Executive Director shall preside.
- 4.3 A quorum will be 3 members, of which there must be at least one Non-Executive Director and one Executive Director.
- 4.4 Members should make every effort to attend all meetings of the Committee and are mandated to attend 80% as a minimum annually.

5 ATTENDANCE

- 5.1 [The Head of Fundraising and Head of Communications & Engagement will be invited to attend. The Trust's investment adviser will be invited to attend the meetings twice yearly.](#)
- 5.2 All other [Trustees](#) shall be welcome to attend and all members of the Trust Board will receive papers to be considered by the Committee.
- 5.3 Any other individuals deemed appropriate by the Committee may be invited to attend for specific items for which they have responsibility.
- 5.4 The Trust Secretary shall be secretary to the Committee and will provide administrative support and advice.

The duties of the Trust Secretary in this regard are:

- Agreement of the agenda with the Chair of the Committee and attendees with the collation of connected papers
- Taking the minutes and keeping a record of matters arising and issues to be carried forward
- Advising the Committee as appropriate

6 FREQUENCY OF MEETINGS

- 6.1 Meetings will be held **quarterly**, with additional meetings where necessary.

7 REPORTING AND ESCALATION

- 7.1 Following each committee meeting, the minutes shall be drawn up and submitted to the Chair of the committee in draft format. The draft minutes will then be presented at the next Committee meeting where the person presiding at it will sign them. The approved minutes will be presented to the next immediate public Trust Board meeting for information.
- 7.2 The Chair of the Committee will provide an oral report to the next Trust Board after each Committee meeting, highlighting the matters on which future focus will be directed.
- 7.3 The Chair of the Committee shall draw to the attention of the Trust Board and issues that require disclosure to the full Board or require Executive action.
- 7.4 The Committee will provide an annual report to the Trust Board on the effectiveness of its work and its findings, which is to include an indication of its success with delivery of its work plan and key duties.
- 7.5 In the event that the Committee is not assured about the delivery of the work plan within its domain, it may choose to escalate or seek further assurance in one of five ways:
- (i) insisting on an additional special meeting;
 - (ii) escalating a matter directly to the full Board;
 - (iii) requesting a chair's meeting with the Chief Executive and Chairman;
 - (iv) attending the relevant Executive committee to challenge progress directly; and
 - (v) asking the Audit Committee to direct internal, clinical or external audit to review the position

8 REVIEW

- 8.1 The terms of reference should be reviewed by the Committee and approved by the Trust Board annually.

9 DUTIES

On behalf of all members of the Trust Board (being the Trustees in law under the terms of the Charities Acts) the Committee will:

- 9.1 Seek assurance on the adequacy of the arrangements for the safeguarding of those assets donated or bequeathed, in cash or other form, to the Trust's Charitable Funds.
- 9.2 Seeks assurance that as far as is practicable, that the expressed or intended wishes of donors or benefactors are met in the deployment of funds.
- 9.3 Seek assurance on the robustness of the banking, accounting and audit arrangements in respect of charitable funds.
- 9.4 Seek assurance on the appropriateness of the appointment of Investment Brokers to provide professional advice on the investment of charitable funds.
- 9.5 Seek assurance on the adequacy of the investment strategy for the Charitable funds
- 9.6 Seek assurance on the robustness of the management of funds through the consideration of regular reports on income to and expenditure from the Trust's Charitable Funds, prior to submission and to review the regular investment reports supplied by the Trust's brokers.
- 9.7 To seeks assurance that the Trust is complying with Standing Orders, Standing Financial Instructions and operating procedures in so far as these cover the use of charitable funds within the Trust
- 9.8 To seeks assurance that the Trust is complying with the relevant legislation and formal Department of Health guidance on charitable funds
- 9.9 To seeks assurance on the adequacy of the charitable fundraising strategy for the new hospital
- 9.10 In accordance with the Scheme of Delegated Authority and authorisation limits, (see Standing Orders and Standing Financial Instructions) to consider all business cases involving the use of Charitable Funds prior to any required consideration by the Trust Board.
- 9.11 To seek assurance on any additional matter referred to the Committee from the Board