



**Review of the Charitable Funds Committee's Terms of Reference,
Programme of Work and overall effectiveness
as at 31 March 2019**

1.0 Introduction

- 1.1 The Trust Board established a Charitable Trust Fund Committee which became operational on 5 January 2009. The Committee developed an annual Programme of Work in August 2013 (similar to other Board Sub Committees) which required it to review its Terms of Reference together with the overall effectiveness of the Committee. This report in line with the formal report format approved by the Governance Assurance Committee at its meeting in March 2012.
- 1.2 The last formal review of the Terms of Reference was undertaken by the Committee at its meeting on -11 February 2019.
- 1.3 This paper will be presented to the Committee at its meeting on - 11 February 2019 for consideration and approval.

2.0 Membership of Committee

- 2.1 During 2018/19 membership of the Committee comprised of the following members – two Non-Executive Directors, three Directors and 1 Assistant Director. Details listed below:-
 - Mrs Helen Minford (Chairman) with effect from February 2017
 - Mrs Laura O'Neill, Non-Executive Director, with effect from February 2017 (tenure ended on 7 September 2018)
 - Mr Charlie Martyn, Medical Director
 - Ms Nicki Patterson, Director of Primary Care, Older People & Executive Director of Nursing
 - Mr Neil Guckian, Director of Finance & Estates; and

 - Mr Brian Grimley, Acting Assistant Director, Financial Services [wef August 2017 to December 2018]
 - Mrs Andrea Henderson, Assistnat Director, Financial Accounting & Financial Services
- 2.2 The Assistant Director, Risk Management & Governance is the nominated secretary to the Committee and is assisted in this role by the Assistant Executive Support Services Manager.

3.0 Frequency of Meetings

- 3.1 In accordance with its Terms of Reference, meetings are held not less than three times per year. The dates are set aligned with the Trust timetable for submission of

the annual accounts. Appendix 1 details the current members of the Committee and their attendance at the meetings during the year. 75% attendance (3 out of 4 meetings) is expected of all members (as per the Risk Management Controls Assurance Key Performance Indicator). It should be noted that there was full attendance at all three meetings during the year.

3.2 During 2018/19, 3 out of 3 Committee meetings were held as per the agreed schedule.

4.0 Terms of Reference for the Committee and Programme of Work

4.1 The Terms of Reference for the Committee was last approved by the Trust Board at its meeting on 28 February 2018.

4.2 In order to discharge its remit, the Committee also developed a Programme of Work (August 2013) which is also revised on an annual basis. A copy of the Programme of Work for 2018/19 is attached at Appendix 2, for information purposes. The Programme of Work was last reviewed and updated on 11 February 2019.

4.3 Roles and Responsibilities of Committee

The roles and responsibilities of the Committee are as outlined in the table below:-

Function	How is this discharged by Charitable Fund Committee	When last performed
The role of the Committee is to oversee the administration, including banking arrangements, of Charitable Funds, their investment and disbursement.	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During 2018/19 meeting schedule
The normal purposes to which funds may be applied include all relevant expenditure likely to assist in the provision of health and social services in accordance with current legislation, policies and procedures relevant to Charitable funds in accordance with Standing Financial Instructions and other associated regulations.	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During -2018/19 meeting schedule

Function	How is this discharged by Charitable Fund Committee	When last performed
<p>The Charitable Funds Committee has delegated the approval of expenditure over £50,000 to a Non-Executive Director and Executive Director, when approval is required outside of the cycle of the meetings. This is to ensure that expenditure is approved on a timely basis. Whenever, practicable, approvals over £50,000 will be approved at the Charitable Funds Committee</p>	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During - 2018/19 meeting schedule</p>
<p>The Committee will:</p> <ul style="list-style-type: none"> • manage charitable funds in line with guidance in the Trust's Standing Financial Instructions, Departmental guidance and legislation. 	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During -2018/19 meeting schedule</p>
<ul style="list-style-type: none"> • ratify the creation of a new fund by the Director of Finance where funds and/or other assets are received from donors in circumstances where the wishes of the donor cannot be accommodated within the scope of an existing fund 	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2018/19 meeting schedule</p>
<ul style="list-style-type: none"> • make recommendations on the potential for rationalisation of funds within statutory guidelines 	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2018/19 meeting schedule</p>
<ul style="list-style-type: none"> • ensure that assets in ownership of, or used by, the charitable fund will be maintained with the Trust's general estate and inventory of assets 	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2018/19 meeting schedule</p>

Function	How is this discharged by Charitable Fund Committee	When last performed
<ul style="list-style-type: none"> ensure that funds are not unduly or unnecessarily accumulated 	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During 2018/19 meeting schedule
<ul style="list-style-type: none"> produce an annual Statement of Assurance on internal control over Charitable Funds, being informed by reports from Management, the Internal Charitable Fundor, the External Charitable Fundor and the Governance Assurance Committee / Corporate Control Committee. 	Governance statement Mid-Year Governance Statement	May 2018 Oct 2018
<ul style="list-style-type: none"> ensure that a Governance Statement is produced as part of the production of annual accounts for Charitable Funds. 	Governance statement Mid-Year Governance Statement	May 2018 Oct 2019
<ul style="list-style-type: none"> ensure that expenditure from Charitable Funds is subject to appropriate value for money considerations including proper procurement procedures where applicable. 	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During 2018/19 meeting schedule

5.0 Operational Arrangements for Meetings

5.1 Administrative Support to the Committee

Supported by Assistant Director, Risk Management & Governance. Duties include:	Yes
<ul style="list-style-type: none"> Preparation and issue of agenda on behalf of the Chairman; 	Yes
<ul style="list-style-type: none"> Collation and distribution of papers sufficiently in advance of each meeting to facilitate their 	Yes

**Table 1 - Attendance at Charitable Funds Committee Meetings
1 April 2018 to 31 March 2019**

Name	Designation	6 June 2018	26 Sept 2018	11 Feb 2019 ¹	Total	Attendance
Charlie Martyn	Medical Director	Yes	Yes	Yes	3/3	100%
Nicki Patterson	Director of Primary Care, Older People & Executive Director of Nursing	Yes	Apology	Yes	2/3	66%
Neil Guckian	Director of Finance & Estates	Yes	Yes	Yes	3/3	100%
Brian Grimley/Andrea Henderson	Assistant Director, Financial Accounting & Financial Services	Yes	Yes	Yes	3/3	100%

In attendance

Name	Designation	8 June 2016	5 Oct 2016	29 Mar 2017	Total	Attendance
Irene Low	Board Secretary/ Assistant Director, Risk Management & Governance	Yes	Yes	Yes	3/3	100%

¹ Meeting date changed from 30/1/19 to 11/2/19 in line with change of Trust Board meeting

Charitable Funds Committee Programme of Work

Month	Charitable Funds Meetings	Charitable Funds Work – outside of meeting
January	Review Financial Report on Charitable Trust Funds for the period up to 31 December Discuss items for the Annual Report Standing Agenda item - Update on Common Investment Fund meetings Standing Agenda item – New and/or updated proposals for use of Charitable Funds Internal Audit Reports on CTF (if relevant) Review Committee's Terms of Reference / Programme of Work Review Committee's effectiveness	
February		Report to Trust Board Meeting (ref January meeting) Setting and approval of budgets for incoming year
March		
April		Comment and input to the draft Governance Statement
May		Review of the draft accounts (Public/CTF combined)
June	One item agenda meeting held to approve the draft CTF Accounts prior to presentation to the Audit Committee Receive the draft Report to those Charged with Governance (RTTCWG)	
July		
August		
September	Approve schedule of dates for meetings for incoming year Review Financial Report on Charitable Trust Funds for the period up to 31 August Standing Agenda item - Update on Common Investment Fund meetings Standing Agenda item – New and/or updated proposals for use of Charitable Funds Internal Audit Reports on CTF (if relevant) Receive the final Report to those Charged with Governance (RTTCWG)	Report to the Trust Board meeting – ref September Meeting) Comment and input to the Mid-year Assurance Statement
October		
November		
December		

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