South Eastern Health and Social Care Trust

# CHARITABLE FUNDS COMMITTEE

# TERMS OF REFERENCE

DRAFT

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# CONTENTS


| | Page |
|---|---|
| **1.0 ESTABLISHMENT** | **3** |
| **2.0 MEMBERSHIP** | **3** |
| **3.0 ATTENDANCE** | **3** |
| **4.0 FREQUENCY** | **4** |
| **5.0 REMIT** | **4** |
| **6.0 AUTHORITY** | **5** |
| **7.0 OPERATIONAL ARRANGEMENTS** | **6** |
| **8.0 DECLARATIONS OF INTEREST** | **7** |
| **MEMBERSHIP AS OFJUNE 2026** | **8** |

## 1.0 ESTABLISHMENT

The Board of the South Eastern Health & Social Care Trust (hereinafter known as "the Trust") has established a Committee to be known as **the Charitable Funds Committee ("the Committee")**.

The Committee assists Trust Board and the Accounting Officer in ensuring Charitable Funds are administered by Trust Board as Trustees under the relevant provisions of the Health and Personal Social Services (NI) Order 1972 (as amended by Article 16 of the Health and Personal Social Services (NI) Order 1991) and in accordance with all relevant charity law including - but not limited to - the Charities Act (Northern Ireland) 2008, the Charities Act (Northern Ireland) 2013, the Charities (Accounts and Reports) Regulations (Northern Ireland) 2015 and the Charities Act (Northern Ireland) 2022.

The Committee has no executive powers other than those specifically delegated and detailed within these Terms of Reference for information purposes.

## 2.0 MEMBERSHIP

Composition of the Committee shall be determined by Trust Board and appointments made from amongst its membership. Non-Executive Director Members shall be nominated by the Chair of Trust Board.

The Committee shall comprise of three Non-Executive Directors and three Executive Directors – each being a voting Member of Trust Board. A full list of Members as of the date of these Terms of Reference can be found at the end of this document.

A quorum shall be three Members including at least two Non-Executive Members appointed to the Committee and present.

The Chair of the Committee shall be a Non-Executive Director appointed by the Chair of Trust Board and will hold office for a term specified on appointment or until such time as the Chair of Trust Board determines otherwise. The Chair of the Committee will cease to act as Chair if they are no longer a Non-Executive Director or they notify the Chair of Trust Board in writing that they no longer wish to continue. If the Chair of the Committee is absent, a Non-Executive Director present may act as Chair for the duration of the meeting.

## 3.0 ATTENDANCE

Attendance is open to all other voting Board and Executive Management Team Members. The Board Secretary (or their nominee) and the Head of Financial Accounting & Financial Governance should be in attendance at Committee meetings to provide support as required.

In the event an Executive Director is unavailable to attend, they can nominate a senior manager to attend in their absence by recording an apology in advance with

the Board Secretary and confirming the identity of the intended substitute no later than three working days prior to the date of the scheduled meeting.

Other members of staff may be required to attend as the Committee considers necessary.

## 4.0 FREQUENCY OF MEETINGS

The Committee shall meet at least three times annually (i.e each financial year). Members are requested to attend a minimum of two meetings during this period.

## 5.0 REMIT

The Committee will review the administration, including banking arrangements, of Charitable Funds, their investment and disbursement.

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 compliance with current legislation, policies and procedures relevant to Charitable Funds and in accordance with Standing Orders and Standing Financial Instructions.

The Committee shall embed the Trust's vision and values in conducting its business.

The Committee will undertake to:

- manage Charitable Funds in line with the Trust's Standing Financial Instructions, relevant Departmental guidance and current legislative requirements;

- review proposals and business cases for use of Charitable Funds to ensure they enhance patient care and/or staff wellbeing or support as well as being in accordance with all relevant charity law including - but not limited to - the Charities Act (Northern Ireland) 2008, the Charities Act (Northern Ireland) 2013, the Charities (Accounts and Reports) Regulations (Northern Ireland) 2015 and the Charities Act (Northern Ireland) 2022;

- consider ratification of the creation of any new Funds as proposed by the Director of Finance, Contracts & Estates 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;

- make such recommendations as the Committee may consider appropriate on the potential for rationalisation of funds within statutory guidelines;

- ensure assets in ownership of, or used by, Charitable Funds will be maintained with the Trust's general estate and inventory of assets;

- ensure funds are not unduly or unnecessarily accumulated;

- ensure an Annual Report of the Trustees of Charitable Funds is produced as part of the annual Accounts process for Charitable Funds;

- ensure expenditure from Charitable Funds is subject to appropriate Value for Money (VfM) considerations including proper procurement procedures where applicable;

- ensure Annual Accounts are prepared in accordance with Department of Health (DoH) guidelines and submitted to Trust Board within agreed timescales;

- on behalf of Trust Board, and on the advice of the Executive Management Team, consider and authorise appropriate policies and procedures in relation to Charitable Funds.

## 6.0 AUTHORITY (including Escalation to Trust Board)

The Committee is authorised by Trust Board to undertake any activity stated within these Terms of Reference.

The Committee is further authorised to secure the attendance of relevant external parties necessary in order to fulfil its remit.

The Committee shall review and be asked to endorse for Board approval:

- Draft Annual Charitable Funds Accounts;

- Revisions to its Terms of Reference as required.

The Committee holds delegated authority to approve the following:

- expenditure over £50,000.00 (Fifty Thousand Pounds Sterling) on appropriate proposals for the use of Charitable Funds.

The aforementioned delegated authority can be taken forward with the agreement of the Chair of the Committee and an Executive Director member of the Committee (acting jointly) when approval is required outside of the cycle of the Committee's scheduled meetings. This is to ensure expenditure is approved on a timely basis and utilised to best effect.

The delegated limits for Charitable Fund expenditure below £50,000.00 are laid out in the Trust's Protocol for all Staff who may deal with Charitable Trust Donations and Expenditure, and in particular, staff who would have Trust Fund responsibilities. The aforementioned protocol shall be made available on the Trust's intranet site and directly to Members of the Committee upon appointment for reference purposes. The Chair of the Committee shall draw to the attention of Trust Board any issues that require disclosure to the full Board or may require action by the Chief Executive

and/or wider Executive Management Team. In addition, the Committee has authority to formally escalate any issues Members judge require notification and/or further consideration by Trust Board.

## 7.0 OPERATIONAL ARRANGEMENTS

**Administrative Support to the Committee**

The Committee shall be supported administratively by the Board Secretary (or nominee) whose duties in this respect include:

- Preparation and issue of agenda on behalf of the Chair;
- Collation and distribution of papers sufficiently in advance of each meeting to facilitate their full consideration and discussion at the meeting;
- Ensuring appropriate arrangements for the servicing of the Committee including the taking of minutes and keeping a record of matters arising and issues to be carried forward;
- Advising the Committee on pertinent issues;
- Assist the Chair in ensuring the effective operation of the Committee;
- Arranging the attendance of appropriate staff at meetings;
- Ensuring the annual review of these Terms of Reference and the making of recommendations for updating;
- Development and maintenance of the Committee's Meeting Schedule.

**Conduct of Meetings**

All questions arising - if not agreed by consensus - will be decided by a simple majority of Members present. In the case of equal votes, the Chair will have a casting vote. It is intended meeting should last more than two hours in duration without facilitating a break in proceedings for Members.

**Agenda Items and Papers for Meetings**

The Board Secretary (or nominee) will issue the agenda and associated papers for each meeting no later than five days prior to the date of the scheduled meeting.

If separate papers require circulation, these should, wherever possible, be issued with the agenda to enable Members to have sufficient opportunity to consider all relevant information in advance.

**Minutes of Meetings**

The minutes of the Committee shall be formally recorded by the Board Secretary (or nominee) and agreed with the Chair of the Committee prior to issue in advance of the next meeting. Minutes will be circulated as soon as possible after the meeting listing topics discussed, actions agreed and individuals responsible for undertaking those actions. Once approved by the Committee at its subsequent meeting, the minutes will be submitted to Trust Board for noting.

## 8.0 DECLARATIONS OF INTEREST

The Chair of the Committee shall ask Members to declare any action or potential conflict of interest on any matter listed on the agenda for consideration at the outset of each meeting.

Where a conflict arises during the course of the meeting, any Member so conflict should declare their interest immediately and withdraw. It is the responsibility of individual Members to ensure they declare any interest in a timely manner.

All stated declarations of interest made during each meeting shall be formally recorded in the minutes.

## Members of the Charitable Funds Committee: June 2026

| **Non-Executive Directors** | |
|---|---|
| **Chair of Committee** | Ms Siobhan McCauley |
| | Mr Norman McKinley MBE |
| | Mrs Sheryl Henderson |

| **Executive Management Team** | |
|---|---|
| **Deputy Chief Executive, Executive Director of Nursing, Midwifery & AHPs and Director of Support Services** | Professor David Robinson |
| **Medical Director** | Professor Stephen Kirk |
| **Deputy Chief Executive, Director of Finance, Contracts & Estates** | Ms Wendy Thompson |

**In Attendance:**

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|---|---|
| **Board Secretary** | Mrs Martine McNally (or nominee) |
| **Head of Financial Accounting & Financial Governance** | Ms Lyn Benson |