



**Review of the Charitable Funds Committee's Terms of Reference,  
Programme of Work and overall effectiveness  
as at 31 March 2017**

**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 29 March 2017.
- 1.3 This paper will be presented to the Committee at its meeting on 29 March 2017 for consideration and approval.

**2.0 Membership of Committee**

- 2.1 During 2016/17 membership of the Committee comprised of the following members – two Non-Executive Directors, three Directors and 1 Assistant Director. Details listed below:-
  - Mr Nigel Mansley (Chairman) (term of office ceased on 31/12/16)
  - Mrs Helen Minford (Chairman) with effect from February 2017
  - Mrs Laura O'Neill, Non-Executive Director, with effect from February 2017
  - 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
  - Ms Julie Allen, Acting Assistant Director, Financial Services [for June 2016 meeting]
  - Mr Mark Schubert, Acting Assistant Director, Financial Services [wef August 2016]
- 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 2016/17, 3 out of 3 Committee meetings were held as per the agreed schedule. The January 2017 was postponed, with the agreement of the Chairman of the Trust Board, to March 2017 pending allocation of new Non-Executive Directors to Board sub committees.

### **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 25 May 2016.
- 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 2016/17 is attached at Appendix 2, for information purposes. The Programme of Work was last reviewed and updated on 29 March 2017.

### **4.3 Roles and Responsibilities of Committee**

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

<b>Function</b>	<b>How is this discharged by Charitable Fund Committee</b>	<b>When last performed</b>
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 2016/17 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 2016/17 meeting schedule

<b>Function</b>	<b>How is this discharged by Charitable Fund Committee</b>	<b>When last performed</b>
<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 2016/17 meeting schedule</p>
<p>The Committee will:</p> <ul style="list-style-type: none"> <li>manage charitable funds in line with guidance in the Trust's Standing Financial Instructions, Departmental guidance and legislation.</li> </ul>	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2016/17 meeting schedule</p>
<ul style="list-style-type: none"> <li>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</li> </ul>	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2016/17 meeting schedule</p>
<ul style="list-style-type: none"> <li>make recommendations on the potential for rationalisation of funds within statutory guidelines</li> </ul>	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2016/17 meeting schedule</p>
<ul style="list-style-type: none"> <li>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</li> </ul>	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During 2016/17 meeting schedule</p>

Function	How is this discharged by Charitable Fund Committee	When last performed
<ul style="list-style-type: none"> <li>ensure that funds are not unduly or unnecessarily accumulated</li> </ul>	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During 2016/17 meeting schedule
<ul style="list-style-type: none"> <li>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.</li> </ul>	Governance statement Mid-Year Governance Statement	May 2016  Oct 2016
<ul style="list-style-type: none"> <li>ensure that a Governance Statement is produced as part of the production of annual accounts for Charitable Funds.</li> </ul>	Governance statement Mid-Year Governance Statement	May 2016  Oct 2016
<ul style="list-style-type: none"> <li>ensure that expenditure from Charitable Funds is subject to appropriate value for money considerations including proper procurement procedures where applicable.</li> </ul>	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During 2016/17 meeting schedule

## 5.0 Operational Arrangements for Meetings

### 5.1 Administrative Support to the Committee

<p>Supported by Assistant Director, Risk Management &amp; Governance. Duties include:</p> <ul style="list-style-type: none"> <li>Preparation and issue of agenda on behalf of the Chairman;</li> <li>Collation and distribution of papers sufficiently in advance of each meeting to facilitate their</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
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**Table 1 - Attendance at Charitable Funds Committee Meetings  
1 April 2016 to 31 March 2017**

Name	Designation	8 June 2016	5 Oct 2016	29 Mar 2017	Total	Attendance
Nigel Mansley	Non-Executive Director	Yes	Yes	N/R	2/2	100%
Charlie Martyn	Medical Director	Yes	Apology	Apology	1/3	33%
Nicki Patterson	Director of Primary Care, Older People & Executive Director of Nursing	Yes	Yes	Apology	2/3	66%
Neil Guckian	Director of Finance & Estates	Yes	Yes	Yes	3/3	100%
Julie Allen /Mark Schubert	Assistant Director, 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%

## Charitable Funds Committee Programme of Work

Month	Charitable Funds Meetings	Charitable Funds Work – outside of meeting
<b>January</b>	Receive the RTTCWG re CTF 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 Charitable Fund Reports on CTF (if relevant) Review Committee's Terms of Reference / Programme of Work Review Committee's effectiveness	
<b>February</b>		Report to Trust Board Meeting (ref January meeting) Setting and approval of budgets for incoming year
<b>March</b>		
<b>April</b>		Comment and input to the draft Governance Statement
<b>May</b>		Review of the draft accounts (Public/CTF combined)
<b>June</b>	One item agenda meeting held to approve the draft CTF Accounts prior to presentation to the Charitable Fund Committee	
<b>July</b>		
<b>August</b>		
<b>September</b>	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 Charitable Fund Reports on CTF (if relevant)	Report to the Trust Board meeting – ref September Meeting)  Comment and input to the Mid-year Assurance Statement
<b>October</b>		
<b>November</b>		
<b>December</b>		