



**Review of the Charitable Funds Committee's Terms of Reference,  
Programme of Work and overall effectiveness  
as at 31 March 2020**

**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 -31 January 2020.
- 1.3 This paper will be presented to the Committee at its meeting on -31 January 2020 for consideration and approval.

**2.0 Membership of Committee**

- 2.1 During -2019/20 membership of the Committee comprised of the following members – - one Non-Executive Director, three Directors and one 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) – post vacant since 7/9/2018 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 (1/7/19 to 11/8/19); Mr Paul Morgan wef 12/8/20; and
  - Mrs Andrea Henderson, Assistanat 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 former 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 2019/20, 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 - 11 February 2019.

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 2019/20 is attached at Appendix 2, for information purposes. The Programme of Work was last reviewed and updated on – 31 January 2020.

#### **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 2019/20 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 -2019/20 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. The delegated limits for Charitable Fund expenditure below £50,000 is laid out in the Trust's Protocol for ALL STAFF who may have to deal with Charitable Trust Donations and Expenditure, and in particular, those staff who would have Trust Fund responsibilities, available on the Trust's intranet site, iConnect.</p>	<p>Agenda and papers for meetings Terms of Reference Programme of Work Financial Report</p>	<p>During -2019//20 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 -2019/20 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 -2019/20 meeting schedule</p>

<b>Function</b>	<b>How is this discharged by Charitable Fund Committee</b>	<b>When last performed</b>
<ul style="list-style-type: none"> <li>make recommendations on the potential for rationalisation of funds within statutory guidelines</li> </ul>	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During 2019/20 meeting schedule
<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>	Agenda and papers for meetings Terms of Reference Programme of Work Financial Report	During - 2019/20 meeting schedule
<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 -2019/20 meeting schedule
<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 2019/20 meeting schedule
<ul style="list-style-type: none"> <li>ensure that Annual Accounts are prepared in accordance with DoH guidelines and submitted to the Trust Board within agreed timescales.</li> </ul>	Specific agenda item at the June meeting regarding draft annual accounts	During 2019/20 meeting schedule
<ul style="list-style-type: none"> <li>On behalf of the Trust Board, and on the advice of the Management Team, the Committee will authorise appropriate policies and procedures in relation to Charitable Funds</li> </ul>	Via submission of agenda items/ papers to the Committee	During 2019/20 meeting schedule

## 5.0 Operational Arrangements for Meetings

### 5.1 Administrative Support to the Committee

Supported by Assistant Director, Risk Management & Governance. Duties	Yes
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<p>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 full consideration and discussion at the meeting;</li> <li>• Ensuring appropriate arrangements are in place for servicing of the committee including the taking of minutes and keeping a record of matters arising and issues to be carried forward; and</li> <li>• Advising the Committee on pertinent issues.</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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### **5.3 Agenda items and papers for meetings**

To be issued one week in advance of the meeting – Yes when all papers are received on time. However, if delayed this is due to awaiting submission of a final paper to ensure papers are completed on issue.

### **5.4 Review of Terms of Reference and Programme of Work**

Reviewed on an annual basis – Yes: last reviewed on 31 January 2020.

### **5.5 Reporting Arrangements**

Minutes of each meeting are submitted to next scheduled meeting of the Trust Board after the Charitable Funds meeting.

### **6.0 Conclusion**

Following discussion at the Charitable Funds Committee meeting on 31 January 2020 - and based on the information presented in this paper, members concluded that they were satisfied that the Committee had carried out its duties appropriately during the year – 1 April 2019 to 31 March 2020.

Also, following discussion at the meeting held on 31 January 2020, the Terms of Reference and Programme of Work for the Committee were approved subject to the tracked changes listed in the documents circulated with the papers for the meeting. These were minor in nature.

### **7.0 Recommendations**

There were no recommendations for action made by the Committee as a result of this paper or discussion at the meeting on 31 January 2020.

**Table 1 - Attendance at Charitable Funds Committee Meetings  
1 April 2019 to 31 March 2020**

<b>Name</b>	<b>Designation</b>	<b>5 June 2019</b>	<b>-2 Oct 2019</b>	<b>-31 Jan 2020</b>	<b>Total</b>	<b>Attendance</b>
Charlie Martyn	Medical Director	Yes	Yes	Yes	3/3	100%
Nicki Patterson	Director of Primary Care, Older People & Executive Director of Nursing	Yes	Yes	Yes	3/3	100%
Paul Morgan	Interim Director of Finance & Estates	Yes	Yes	Yes	3/3	100%
-Andrea Henderson	Assistant Director, Financial Accounting & Financial Services	Yes	Yes	Yes	3/3	100%

**In attendance**

<b>Name</b>	<b>Designation</b>	<b>5 June 2019</b>	<b>2 Oct 2019</b>	<b>-31 Jan 2020</b>	<b>Total</b>	<b>Attendance</b>
Irene Low	Board Secretary/ Assistant Director, Risk Management & Governance	Apology	Yes	Yes	2/3	66%

## Charitable Funds Committee Programme of Work

Month	Charitable Funds Meetings	Charitable Funds Work – outside of meeting
<b>January</b>	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 Internal Audit 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 Audit Committee Receive the draft Report to those Charged with Governance (RTTCWG)	
<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 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
<b>October</b>		
<b>November</b>		
<b>December</b>		

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