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# TRUSTEE HANDBOOK

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## [County Sligo Church of Ireland Family Fund]

Serving the Church of Ireland and our community as a member of a charity is a privilege that allows members of the Church to use their skills to support the parish in a special way. Such a volunteer effort has been the backbone of the Church of Ireland since disestablishment in 1870.

Recent revisions of charities regulation have not fundamentally changed the work of being a trustee that comes with being a member of the County Sligo Church of Ireland Family Fund or the high standard of governance for which the Church of Ireland has always been known, only that trustees must now ensure that they are able to proactively and transparently demonstrate the work they are doing to ensure such good governance.

The fund must ensure that any trustees fully understand their role on the charity, the rules around serving as a charity trustee and the things that might make them ineligible to serve. This document summarizes the required information regarding charity trusteeship, and it is important that all those who wish to stand for election as a trustee should read it.

If a prospective or newly elected trustee of the fund has a concern regarding their eligibility to act as a charity trustee, they can raise their concerns confidentially with the Charity Regulator directly and the regulator will advise on the matter. If the CRA advises that an individual may not serve, they should withdraw from the process.

All elected members of the fund should ensure that they read and understand the material in Section 1 and have signed the documents noted in Section 2 to confirm their position as charity trustees.

Elected members of the fund will be supported in delivering their role effectively with further guidance and support from the central church.

**[Section 1]** is the information around eligibility to serve, *Code of Conduct policy* and the *Statement of Charitable Purpose and Objects* for the parish. Please read these.

**[Section 2]** is a short list of documents which trustees must complete upon election to the fund, with notes on where these can be found.

## [Section 1]

## ELIGIBILITY TO SERVE AS A CHARITABLE TRUSTEE Rol

Eligibility to serve as a charitable trustee and, consequently, as a trustee of the County Sligo Church of Ireland Family Fund in the Church of Ireland is governed by the Republic of Ireland Charities Act 2009 Section 55 (1). Please draw this section to the attention of members in advance of elections to the fund before they fill in the trustee declaration form. If any potential trustee has a concern, they should phone the Charities Regulatory Authority (CRA) for advice, as most spent offences or some categories of bankruptcy, for example, do not result in disqualification to serve. The CRA's view will usually suffice, although the Act does permit a person to seek a judgement in the High Court. CRA Tel: (01) 211 8600

## Charities Act 2009 S55 (1)

55. — (1) Subject to *subsection (3)*, a person shall cease to be qualified for, and shall cease to hold, the position of charity trustee of a charitable organisation if that person—

- (a) is adjudicated bankrupt
- (b) makes a composition or arrangement with creditors,
- (c) is a company that is in the course of being wound up,
- (d) is convicted on indictment of an offence,
- (e) is sentenced to a term of imprisonment by a court of competent jurisdiction,
- (f) is the subject of an order under section 160 of the Companies Act 1990 or is prohibited, removed or suspended from being a trustee of a scheme under the Pensions Acts 1990 to 2008,
- (g) has been removed from the position of charity trustee of a charitable organisation by an order of the High Court under [section 74](#) .

## Code of Conduct for Trustees

By reading this document and accepting the role of a charity trustee of [County Sligo Church of Ireland Family Fund] all charity trustees agree to the following responsibilities:

### General Conduct

- Charity trustees are required to act with honesty and integrity and exercise good judgement which may include seeking professional advice on appropriate matters on which charity trustees do not have relevant expertise.
- Charities trustees are required to act in the best interests of the charity at all times.

### Independence

- Charity trustees are required to act independently, particularly in relation to assets, property, legal and regulatory obligations.
- Charity trustees should conduct themselves with integrity and in a manner which does not damage or undermine the reputation of the charity or its volunteers and employees. More specifically charity trustees:
  - should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their duties;
  - must avoid actual impropriety and any appearance of improper behaviour.
- Charity trustees must not act in order to gain financial or other benefits for themselves or for any persons connected to them such as their family, their friends, or any organisation that they own, manage or work for.
- Charity trustees should avoid accepting gifts and hospitality that might reasonably be thought to influence them in carrying out their role as charity trustee. Any gifts or hospitality received in any connection to the Parish should not exceed the value of €50.00 and should be declared to the Select Vestry.

### Charity Trustee Roles

Charity trustees should:

- Understand and perform their roles and responsibilities to the best of their abilities at all times.
- Be prepared to provide adequate time and commitment as required to fulfil the role of charity trustee, adequately preparing for meetings and participating in committees and special events when required.

### Select Vestry Meetings

Charity trustees should:

- Aim to attend all meetings, contribute appropriately and effectively, and avoid dominating the contributions of others.
- Always respect the authority of the Chairperson of the Fund, and the Chairperson of any meeting.
- Bring a fair and open-minded view to all discussions of the Fund, maintain a respectful balance between speaking and listening, treating different views with respect, and ensuring that all decisions are made in the best interests of the charity.
- Bring a genuinely independent perspective to enhance decision-making, given that charity trustees share responsibility for Fund decisions.
- Ensure their contributions are informed and impartial when presenting views on topics in meetings while listening to and respecting the input and experience of other charity trustees.

## **Volunteers/Employees within the Charity**

Charity trustees should:

- Aim to support volunteers and employees in carrying out their duties and always, in terms of their conduct, serve as an example of how everyone in the charity should conduct themselves in order to reflect the values of the charity.
- Work considerately and fairly with everyone in a way that respects diversity, different roles and boundaries and avoids giving offence.
- Accept and respect the difference in roles between the Select Vestry on the one hand and volunteers and any employees on the other, ensuring that the Select Vestry, volunteers and any employees work effectively and cohesively for the benefit of the charity and develop a mutually supportive and loyal relationship by:
  - respecting management arrangements and avoiding any actions that might undermine such arrangements;
  - not interfering in the performance by volunteers or employees of duties delegated to them within the charity while ensuring that volunteers and any employees working for the charity are held to account through the manager/CEO, as appropriate.

## **Legal Requirements and Policies**

Charity trustees must:

- Act in accordance with the charity's governing document and ensure that the charity complies with all applicable laws including charity law, company law, health and safety law, data protection law and employment law.
- Promote and preserve the obligations of confidentiality about sensitive Fund matters. However, the requirement for confidentiality may not apply if it becomes necessary for the charity trustee to inform the Charities Regulator or any other statutory body about any matter, which could threaten the future of the charity or could represent a breach of any law with which the charity is required to comply.
- Abide by the [County Sligo Church of Ireland Family Fund]'s conflict of interests or loyalties policy and ensure the charity's conflict of interest register is completed and updated as required.
- Abide by any equality, diversity, safeguarding, health and safety, bullying and harassment policies and any other policies agreed by the Trustees or any applicable central Church bodies (General Synod, Standing Committee, Representative Church Body, Diocesan Councils, Diocesan Synods).
- Ensure that claims for out of pocket expenses are made in accordance with agreed procedures.

Where a charity trustee is found to be in breach of the standards outlined by the Fund in its Code of Conduct he or she will be asked to meet with the Chairperson of the Fund to assess his or her suitability for the role. Consistent breach of the Code of Conduct by a charity trustee may result in the trustee's tenure being terminated.

The charity trustees should review this Code of Conduct for trustees at 3-year intervals or as appropriate.

Further guidance from the CRA on Codes of Conduct can be found at:

<https://www.charitiesregulator.ie/media/1721/guidance-on-code-of-conduct-for-charity-trustees.pdf>

In accordance with the requirements of charities legislation, the Fund has adopted a Statement of Charitable Purpose and Objects (ROI). These statements were approved by the General Synod and, in 2020 a new chapter was added to the Constitution to bring together all of the provisions relating to these requirements – Chapter 17. Every new member of the Fund needs to be aware of Chapter 17, and to understand the broad context of charity legislation within which the Church operates.

#### Part IV

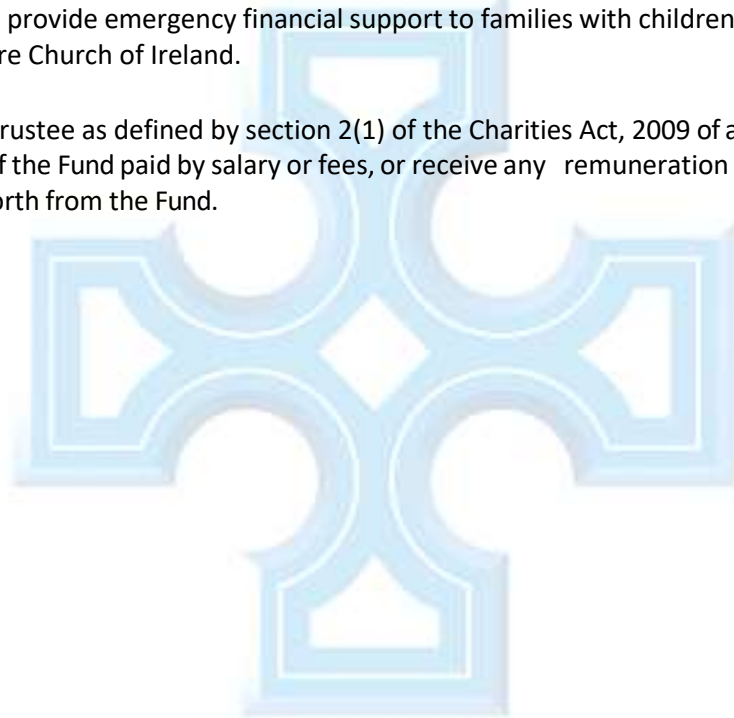
### STATEMENT OF CHARITABLE PURPOSES AND OBJECTS (ROI)

#### 1. The Charitable purpose:

The Charitable purpose of the [COUNTY SLIGO CHURCH OF IRELAND FAMILY FUND] of the Church of Ireland is the financial support for needy CofI families in County Sligo.

#### 2. The Charitable objects:

- (i) The principal function of the [COUNTY SLIGO CHURCH OF IRELAND FAMILY FUND] of the Church of Ireland is to provide emergency financial support to families with children who reside in the County of Sligo who are Church of Ireland.
- (ii) No charity trustee as defined by section 2(1) of the Charities Act, 2009 of a parish shall be appointed to any office of the Fund paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Fund.



## [Section 2]

### Trustee Declaration Form

Once elected all trustees must complete a trustee declaration form which will be submitted to the CRA. These forms can all be found on the CRA website on the page 'Guidance for Charities' under the heading 'Trustees'. They are also linked below.

New trustees of an **already registered parish** should complete the following form:

[Trustee Declaration to Accompany a Change of Particulars in the Register of Charities](#)

While new trustees of parishes which are **not yet registered** with the CRA should complete the following:

[Trustee Declaration to Accompany an Application for Registration under section 39 of the Charities Act 2009](#)

### Trustee Details Form

As part of charity registration and for the purpose of good governance each trustee should complete a copy of the RCB Trustee Details Form. These forms are to be retained by the parish and stored in a secure location in line with GDPR requirements.

[Trustee Details Form](#)

