



## Barnsley Hospice

### Trustee Role Description

The members of the Board are responsible for the governance of the hospice. They must ensure that it operates in a manner that:

- enables it to fulfil the objectives set out in the governing documents (Articles of Association and Memorandum of Agreement)
- its assets and resources are used for charitable purposes in line with the governing document
- due attention is paid to charitable and company law
- keeps to the hospice's mission, vision and values, and
- upholds the reputation of the hospice

Trustees must at all times act in the best interests of the hospice. Trustees must work together, and **must not pursue personal or sectional interests at the expense of hospice interests.** Trustees should declare any conflict of interest.

### Main Responsibilities of Trustees

1. To understand the hospice aims and objectives as set out in its governing document and ensuring that it operates in accordance with them. To plan what the hospice will do, and what you want it to achieve. To understand how all of the charity's activities are intended to further or support its purposes and how the hospice benefits the public by carrying out its purposes
2. To ensure the hospice operates within the law and complies with its governing document. This includes compliance with Charity and Company law as well as other laws that apply to the hospice.
3. To attend and contribute to meetings of the Board and Committee as relevant. Attending other hospice events such as the Annual Meeting and fundraising events.
4. To maintain a **governance perspective** by ensuring that the Board:
  - establishes the hospice's strategic direction and goals;

- contributes to the development of the hospice's strategy and business plans;
  - makes balanced and adequately informed decisions, thinking about the long term as well as the short term and taking advice where needed.
  - understands and acts upon financial and other monitoring information presented to it, questioning such information when appropriate;
  - defines the boundaries of management authority;
  - delegates the implementation of its decisions to the senior staff;
  - ensures the hospice delivers on its accountabilities both those demanded by law and those of hospice good practice;
  - monitors key performance indicators on a regular basis and holds the Chief Executive accountable for outcomes; and
  - ensures that the Chair reviews the Chief Executive's performance and development annually.
5. To act in the best interests of the hospice and act with reasonable skill and care
  6. Manage the hospice resources responsibly, not operationally, whilst acting reasonably and honestly.
  7. Ensure appropriate procedures and safeguards are in place to manage risks.
  8. To represent the Board's agreed position when speaking publicly on behalf of the hospice.
  9. To contribute towards an annual review of the Board's performance.
  10. To help to identify, recruit and induct new Board members, the Chair and the Chief Executive.
  11. To support the Chief Executive and other staff in carrying out their work when requested to do so.

### **Time Requirements**

There will usually be 4 Board meetings per year lasting up to three hours. Board meetings are held at the end of the day, commencing at 5.00pm. In addition, up to four half-days per year may be held for strategic planning and Board development. A schedule of Board and Committee meetings is agreed at the end of each year for all meetings to take place in the following year. Trustees are expected to commit to 100% attendance at Board and Committee meetings as detailed in the schedule.

However, it is acknowledged that trustees are volunteers and have individual career responsibilities and that 100% attendance may not always be possible.

Any planned non-attendance should be discussed with the Chair of the Board of Trustees. Trustees must ensure that their attendance does not fall below 75% for both board and committee meetings in any one calendar year. Attendance will be monitored on an annual basis and discussed with each trustee via the Trustees Annual Performance Review. There may be times when the scheduled meetings have to be re-arranged and it is accepted that individual trustees may not be able to attend the re-scheduled meeting

There are 2 Board sub-committees:-

- Governance and Quality Committee
- Finance and Resources Committee

Board sub-committee meetings are held quarterly and trustees are usually expected to serve on at least one of them and to take part in working groups from time to time.

Trustees are expected to keep in regular contact with the Chair outside of Board meetings.

Trustees are expected to maintain a reasonable level of contact with the hospice so that they understand what it is doing and feel confident about the quality of its work.

### **Advocacy**

Trustees are expected to assist the Board and senior staff in promoting the hospice and, where appropriate, in fundraising by meeting and communicating with potential supporters.

### **Contact with Staff**

Trustees will mainly have contact with hospice senior staff. Trustees will be given the opportunity to get to know the main areas of the staff's work. Their role is to support and motivate staff and provide advice and guidance, when invited to do so by the CEO and Hospice Executive Leadership Team, rather than to give instruction.

### **Induction**

There is a process for the induction of trustees, an information pack is provided and each new trustee is offered a specified 'buddy' who is a current trustee on this Board.

### **Training**

Trustees must attend all mandatory training and updates and are expected to participate in Board Development Programmes to ensure their knowledge and skills are continually updated. In addition, trustees are required to participate in the annual Personal Development Review process.

## **Advice**

The trustees have access to specialist professional advice in a number of areas as deemed necessary by the Board, and as advised by the staff. The Hospice Executive Leadership Team also provide professional advice and support.

## **Conflicts of interest**

There may be times when trustees faces a conflict of interest. Any such conflicts should be declared. (For example, having interests in organisations that might wish to provide services to the hospice.) To minimise the risks of conflicts of interest, trustees will be asked to complete a form covering the main areas of potential conflict as part of their induction process, and to declare their interests at each Board and committee meeting.

Trustees:

- have a duty to declare any interests relevant to their trustee role and to take steps to resolve any conflicts that may arise. Where private interests conflict with trustee duties, the trustee must resolve this conflict in favour of the trustee role
- must declare any financial interest in a matter under discussion and withdraw from the room unless he/she has a dispensation to speak
- must withdraw from discussion of any matter which creates a real danger of bias
- must declare an interest in any matter which might reasonably cause others to think it could influence their decision. He/she should state the nature of the interest but may remain in the room and participate in the discussion
- should consult the Chair if in any doubt about the application of these rules

It is a requirement that trustees' interests be formally documented.

## **Leadership**

Trustees:

- should promote and support the principles of leadership by example
- must respect the role of the Chief Executive both as leader of the Hospice Executive Leadership Team and as the primary link with the Board of Trustees.

## **Confidentiality**

Maintaining confidentiality of information relating to the hospice and its patients and families is essential. Trustees must not at any time disclose any confidential information about the affairs of the hospice, patients/families or staff to any unauthorised person. Hospice staff will only disclose confidential information to trustees for authorised purposes.

Trustees must comply with the hospices policies on information governance.

## Trustee Declaration

I declare that:

- I am over age 18
- I am not an undischarged bankrupt and do not have a current composition or arrangement with my creditors
- I have not previously been removed as a company director or charity trustee because of misconduct or mismanagement
- I do not have an unspent conviction for an offence involving dishonesty or deception (such as fraud)
- I am not under a disqualification order under the Company Directors' Disqualification Act 1986
- I have not been convicted of an offence involving deception or dishonesty (unless the conviction is spent)
- I am, in the light of the above, not disqualified by the Charities Act 1993 (section 72) from acting as a charity trustee
- I am not a barred individual under the Home Office vetting and barring scheme

Acting whilst disqualified as a charity trustee or company director is a criminal offence.

I undertake to fulfil my responsibilities and duties as a Trustee of Barnsley Hospice in good faith and in accordance with the law and within Barnsley Hospice's mission, vision and values.

I do not have any financial interests in conflict with those of Barnsley Hospice (either in person or through family or business connections) except those which I have formally notified in a declaration of interest statement. I will specifically notify any such interest at any meeting where trustees are required to make a decision which affects my personal interests, and I will absent myself entirely from any decisions and not vote on it.

Signed: \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_

## The HMRC 'fit and proper persons' test

The 'fit and proper persons' test is concerned with ensuring that charities aren't managed or controlled by individuals who present a risk to the charity's tax position. Factors that may lead to HMRC deciding that a manager isn't a fit and proper person include, but aren't limited to, where individuals:

- have been involved in tax fraud or have been convicted of an offence involving dishonesty or deception
- have been involved in other fraudulent behavior including misrepresentation and/or identity theft
- are known by HMRC to have involvement in attacks against, or abuse of, tax repayment systems
- have used a tax avoidance scheme featuring charitable reliefs or using a charity to facilitate the avoidance
- have been involved in designing and/or promoting tax avoidance schemes
- have been barred from acting as a charity trustee by a charity regulator or Court, or being disqualified from acting as a company director
- have been stopped from acting in a management position within a charity
- are an undischarged bankrupt or have undischarged compromise agreements with creditors

I declare that I fulfil the requirements of the 'fit and proper persons' test and I will at all times seek to ensure the charity's funds, and charity tax reliefs received by this organisation, are used only for charitable purposes

Signed: \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_

April 2025