

Foreword

National Occupational Standards for Trustees and Management Committee Members in the Voluntary and Community Sector

Good governance of community and voluntary organisations is crucial in terms of setting and implementing strategic direction and in ensuring the highest levels of performance and standards of behaviour. It enables boards and management committee members to demonstrate transparency to the general public and accountability to their organisation's stakeholders.

These National Occupational Standards are designed to assist the growing number of individuals acting as the volunteers who have the ultimate responsibility for their organisation. They set out the competences that trustees and management committee members need to carry out their role effectively. They can be used to help identify the learning needs of trustees and to plan, structure and review appropriate training, and more generally to ensure a consistent and high quality approach to governance.

At the same time they are intended to be used flexibly and creatively as a basis for dialogue and learning, rather than acting as a rigid framework which is applied mechanically. Boards, management committees and individual trustees should consider the standards in the context of their own organisation, both in relation to its current position and to its anticipated future direction.

The standards are designed to complement the Good Governance Code for the Voluntary and Community Sector, which sets out the principles that underlie good governance.¹

Those who make the final decisions on the health and direction of a charitable organisation need to feel confident that they are acting in the most competent and responsible way, and at the same time to gain fulfilment and enjoyment from the role. These standards aim to meet those objectives.

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¹To help users see the synergy between these Occupational Standards and the Code of Governance, we have produced a table that cross-references performance and knowledge statements within the Standards to specific parts of the Code. This table is on page 44, within the Illustrations section of this document.

Throughout this document we refer to trustees only. However these National Occupational Standards are relevant to all those who have a strategic/governance role in a voluntary or community organisation.

Acknowledgements

These National Occupational Standards have been developed in consultation with hundreds of trustees and management committee members across the UK. The UK Workforce Hub wishes to thank all those involved in their development. This work could not have been developed without their assistance.

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Welcome

Welcome to the *National Occupational Standards for Trustees and Management Committee Members in the Voluntary and Community Sector*. These standards have been developed in order to encourage good governance throughout the voluntary and community sector.

Whether you are a trustee, or are considering becoming one, it is very important that you are clear about what is entailed in this role. These units are designed to assist you in understanding what is involved in being a trustee and to enable you to carry out these responsibilities with confidence.

The standards have been produced by a group of representatives from across the sector, and across the UK, from small organisations as well as large. Work has focussed on the development of succinct and pertinent detail, with advice from lawyers and accountants, regulatory bodies and umbrella organisations.

National Occupational Standards must show the standard of competence to be reached and the stated outcomes must be relevant to a role or occupation. Competence means the ability to apply knowledge, understanding, practical and thinking skills to achieve effective performance to the standards required.

These Occupational Standards, organised into four units, focus specifically on the role of governance relevant to the voluntary and community sector. They not only refer you to the legal requirements for good governance, but also outline what good professional practice suggests in a wide range of other areas, such as equal opportunities, recruitment and learning and development. The units cover the basic outline of an organisation (what the organisation is there to do), the responsibilities involved in running an organisation (what you need to do), the requirements laid upon the management committee or board of the organisation (how to function effectively), and the role and make-up of the management committee or board (how it's organised).

At all stages you will be advised about what documents you will need to read and will be signposted to others that you might find useful. Other skills and knowledge requirements of trustees/management committee members (MCMs) are contained in other National Occupational Standards and we have also signposted you to these (see 'Signposting' section).

Please remember: these units are by no means compulsory, nor do they represent a legal framework, but are intended as a source of guidance to help you be effective in your role. Some areas in the standards may not yet be applicable to you if your organisation is only very small. However, they will provide guidance on areas that, as your organisation grows, you as a trustee should be thinking about.

“...You are probably reading this because you have just become, or are about to become, a trustee. If so, we welcome you and congratulate you. Your skills and energy will help to make a difference to your chosen cause and charity. You will become responsible for the charity’s mission, for its property, finances and the employment of any staff or volunteers. Without good and committed trustees, no charity can hope to succeed.

“Being a trustee can be hard work and in most cases it is unpaid. But by contributing you should also gain. Trusteeship should be rewarding, providing many opportunities for personal development. As you give your skills to the running of your charity, you will at the same time gather new skills and experience...”

**Extract from the Foreword of *The Essential Trustee*
Charity Commission for England and Wales**

A note about charities

According to the Charity Commission, for an organisation to be a charity, in England and Wales it must fall within the law's understanding of 'charity' and be subject to the jurisdiction of the High Court. In order to fall within that definition, the body must be:

- set up under the law of England and Wales
- established for exclusively charitable purposes¹

This definition also applies, through decisions of the Inland Revenue, to organisations in Scotland. Charitable purposes are characterised by the courts as falling under four categories, or 'heads'. These are:

- Relief of poverty
- Advancement of education
- Advancement of religion
- Other purposes beneficial to the community²

In Northern Ireland 'a charity is any organisation which is established for purposes which are exclusively charitable in law (at present, the advancement of religion or education, the relief of poverty, and other purposes regarded as being for the benefit of the community)'.³

Legal requirements

Complying with the law is an essential component of competent performance. A competent individual must understand and be able to work within the legal framework, for example; charity law (Charities Act 1993)⁴, The Companies Act 1985 (as amended in 1989), The Companies (Audit, Investigations and Community Enterprise) Act 2004, The Community Interest Regulations 2005, where applicable⁵. There are also many other laws that may apply, for example: employment law, health and safety and specific legislation for organisations operating in certain sectors such as social care or work with children.

That has been very much the ethos behind the design and development of these Standards. In drawing them up, we have taken account, as emphasised by the Charity Commission in *The Essential Trustee*, not only of the requirement to comply with the law but also of the implications of not complying with the law and other responsibilities that would in turn affect the competence of trustees.

¹CC21 – Registering as a Charity, November 2004, Charity Commission
<http://www.charity-commission.gov.uk/publications/cc21.asp#4>

²Draft Charities and Trustee Investment (Scotland) Bill (3. Key Issues for the reform of Scottish charity law – A summary of our thinking and proposals in the last bill.) <http://www.scotland.gov.uk/consultations/social/dctib-04.asp>

³Consultation on the Review of Charities Administration and Legislation in Northern Ireland in 2005, Charities Branch, Voluntary and Community Unit, Department for Social Development www.dsdni.gov.uk/charities_consultation.doc

⁴For further information regarding the Charities Bill: <http://www.charitycommission.gov.uk/>

⁵<http://www.companieshouse.gov.uk/index.shtml>

“Becoming a trustee is an important decision in any person’s life. There is mutual benefit to the individual and to the organisation. The tangible benefit to the organisation is that the organisation’s aims are furthered. The benefit for the individual is that they get an opportunity to be active, creative, fulfil a sense of duty, learn new skills (e.g. management and supervisory skills), to develop inter-personal skills, to make a difference and to share a vision with other people who may possess diverse talents.

“The atmosphere of a voluntary board is often more relaxed and less hierarchical than in other sector. Trustees often gain a new sense of self-worth and satisfaction. Their horizons have been broadened by coming into contact with people they would not normally meet. Empathy and self-confidence can be developed within a board. New and difficult challenges can be faced with the help, support and encouragement of other trustees.”

**Extract from *Good Governance. A Guide*
Northern Ireland Council of Voluntary Action (NICVA)**

The voluntary and community sector

Throughout this document, and the units, we refer to the voluntary and community sector. This is based on the following definition:

“The voluntary and community sector includes registered charities, as well as non-charitable non-profit organisations, associations, self-help groups and community groups.

“Typically, organisations belonging to this group have a discernible public benefit and benefit from some aspect of voluntarism.”

Diversity

Diversity can only refer to a group, not an individual, and is used to indicate variety; it can encompass many characteristics such as: age, gender, race, ethnicity, religion, marital status, sexual orientation, economic and social background, level of educational attainment and professional background.

Encouraging and promoting diversity within your organisation is a valuable method of keeping your organisation in touch with the current world and can improve volunteers' and/or staff's understanding of the membership and community they serve. The Charity Commission now recognises the promotion of equality and diversity as a charitable aim in its own right; indeed, such is the importance now placed on diversity that some funders regard it as a requirement in order to gain funding.

“Promoting equal opportunities and valuing diversity is morally right, socially desirable and makes good business sense. This has been recognised by the Human Rights Act 1998 and now by the Race Relations (Amendment) Act 2000.”⁶

⁶Race Equality Scheme, The Charity Commission; Statement of Commitment, John Stoker, March 2003
<http://www.charity-commission.gov.uk/Library/tcc/pdfs/racescheme2.pdf>

“Inevitably the membership of a voluntary management committee does not remain the same. People have to leave, people want to join, organisations change in size, shape and sometimes even purpose. New people will join the voluntary management committee. It is important to remember that even if they are committed to a cause they may have no idea how the organisation actually operates in practice and it is very important that they do know. If they do not they cannot contribute fully to running the organisation. Sometimes involving new members can be difficult for a close group of people... In order to help overcome any difficulty, a committee should recognise early on that new members are inevitable at some point and plan how they will provide an induction programme for them that will allow everyone to settle into new roles.”

**Extract from *Information and Induction for Voluntary Management Committees*
Scottish Council for Voluntary Organisations (SCVO)**

Units contained within this document

Unit 1

Safeguard and promote the values and mission of the voluntary or community organisation

This unit is about the board of trustees setting out the voluntary or community organisation's long-term direction, upholding its values and delivery of its aims, and your role as a trustee in carrying out this function.

Unit 2

Determine the strategy and structure of the voluntary or community organisation

This unit is about present and future strategic planning. It covers decisions about how the voluntary or community organisation's values and mission are expressed in aims and activities, and in the structures and processes needed to implement them.

Unit 3

Ensure the voluntary or community organisation operates in an effective, responsible and accountable manner

This unit is about trustees working collectively to ensure their voluntary or community organisation is well-managed, is meeting its aims and needs, and achieving good practice whilst complying with the law. It covers the trustee's role in leading the organisation, and also in ensuring the organisation is managed properly and by the best people available.

Unit 4

Ensure the effective functioning of the voluntary or community organisation's board of trustees

This unit is about helping the voluntary and community organisation's board of trustees to work as a team and reach fair decisions in the best interests of the organisation. This requires a range of people whose skills and abilities will ensure that the voluntary or community organisation's board of trustees functions effectively.

Please remember, these units:

- are not compulsory
- do not represent a legal framework
- are a source of guidance
- may not be applicable to your organisation all at the same time

General guidance

Who are they for?

These National Occupational Standards have been designed for trustees in all sizes of organisation: from small community-based groups to large UK-wide charities. They represent a standard of best practice for the role of governance for trustees. These National Occupational Standards are for you if you perform all, or part, of this function.

Throughout this document we will refer to trustees only. However, these National Occupational Standards are relevant to all of those who take a strategic, governance role in a voluntary or community organisation. As specific titles and roles vary between organisations, you may be more familiar with the following ways of describing trustees:

- Management committee member
- Board member
- Director
- Council member
- Governor

The difference between these titles usually reflects the differing legal status of organisations.

Why should you use them?

The National Occupational Standards for Trustees and Management Committee Members specify the standards of performance those with a governance role within a voluntary or community organisation should be seeking to achieve. They describe the knowledge and skills you need in order to perform to the required standard.

To be effective in this role, you need to identify with the organisation. One way of checking this out is to familiarise yourself with the aims of the organisation and with the responsibilities trusteeship brings. These units are designed to enable you to do this and to identify areas you may need to explore as part of that process of familiarisation (often called 'induction' if you are a new trustee).

You can use these standards to check, over time, that you are carrying out your role effectively and to identify any knowledge you need to acquire or skills you need to develop. In this way you can build up your confidence as a trustee. Equally, organisations can use the National Occupational Standards to ensure that their trustees are competent and have the necessary knowledge and skills to serve the organisation well.

Benefits to individuals of using the National Occupational Standards include:

- Having a clear description of the standards of performance
- Having a statement of knowledge and skills required to meet each standard
- Accessing a tool or tools for use in planning their self-development
- Gaining an increased awareness of the trustee role and responsibilities
- Accessing a framework for determining an objective appraisal and constructive feedback
- Enabling trustees to gain a sense of achievement from a job well done
- Building greater confidence to perform the role well

Benefits to organisations and the sector include:

- Setting a common standard for everyone in the voluntary and community sector
- Accessing a tool to help design and evaluate policies, programmes and procedures
- Accessing a set of fair and objective criteria for selecting, recruiting and appraising trustees
- Accessing a method of identifying training needs for both the organisation and individuals
- Using a comprehensive system for developing trustees

How can you use them?

Individuals, organisations and training providers can use National Occupational Standards in a number of ways to improve performance. Below are some ideas, more fully explained in the VSNT0 (now part of the UK Workforce Hub) guide to using National Occupational Standards, *How are you doing?*

Recruitment and selection:

- Design and implement fair and ethical recruitment and selection procedures
- Prepare recruitment specifications and advertisements
- Design interview checklists and questions

Role design and evaluation:

- Design and monitor roles and responsibilities
- Develop and update role descriptions and person specifications
- Design criteria for evaluating and appraising trustees

Manage individual and board performance:

- Plan tasks and monitor delivery
- Specify what level of performance must be achieved
- Self-assessment of trustees and appraisal of other roles (e.g. Chair), provide constructive feedback and identify any areas for support
- Diagnose why individual and/or board performance may not be meeting expectations
- Improve relationships and board functioning
- Contribute evidence for organisational quality systems

Identify training needs:

- Specify the skills and competence needs of a board or individual trustee
- Identify and prioritise individual or board learning needs and plan to meet them
- Identify previously-acquired skills, knowledge and competence
- Develop a strategic view of future learning requirements

Structure learning programmes:

- Link training to organisational objectives and need
- Increase the relevance and credibility of training programmes
- Enable new learners to see the complete picture and the relevance of training
- Broaden the base of skills needs that are recognised and met by the organisation

Evaluate the delivery of training:

- Provide a format and clear goals for structured learning
- Design tailored training packages and assess relevance of predefined courses
- Define the learning outcomes
- Support the design of evaluatory tools
- Evaluate the effectiveness of training

What is in a unit of competence?

A suite of National Occupational Standards is made up of units. This suite for trustees comprises four units each constructed in the same way.

The National Occupational Standards for Trustees describe only the governance role that a trustee performs. For this reason they refer to the 'role' that a trustee embodies, rather than the 'job' that they do; the format of the standards encompasses additional elements that are considered essential in order for a trustee to be competent. These additional elements cover 'qualities' that a trustee will be expected to demonstrate and also outline information that the trustee should have access to.

This section describes the building blocks that constitute each unit:

Units

These are the main whole functions of a role description.

Elements of competence

A unit of competence may have been broken down even further into several parts (known as elements), for example *Unit 3 'Ensure the voluntary or community organisation operates in an effective, responsible and accountable manner'*, contains two elements.

Responsibility

These are criteria that outline the responsibilities that a trustee must fulfil in performing their role. They are an aid to individuals in this role because they tell them the responsibilities they have, and how to fulfil them.

Understanding

Competent individuals know what they are doing as well as being able to perform competently. Each unit identifies the knowledge and understanding relating to and underpinning the skills required of individuals achieving that particular unit.

Information

Trustees need to undertake a certain amount of reading in their role. Each unit identifies those documents that it is necessary for the trustee to have access to in order to be able to perform their role competently.

Relevant to all units:

Qualities

Trustees perform an important role and as such should be able to draw on a number of personal qualities that will enable them to do this effectively.

Reading and understanding

In order to be a successful trustee, individuals must read and understand certain documentation which relates to the functioning of the organisation they represent.

Unit commentary

At the front of every unit there is a unit commentary designed to help you use the unit more effectively; it describes what the unit is about.

Example

Unit of competence

3 Ensure the organisation operates in an effective, responsible and accountable manner

Elements of competence

3.1 When ensuring the organisation operates effectively and responsibly, as trustees you are responsible for...

3.2 When ensuring the organisation operates in an accountable manner, as trustees you are responsible for...

Statements of competence

Statements of performance

- 1 ...identifying, establishing and reviewing policies and procedures, if applicable, required by law and relevant to the organisation
- 2 ...ensuring there are policies covering all major aspects of the organisation and for dealing responsibly with malpractice or misconduct

Knowledge statements

- a ...the importance of acting prudently, lawfully and in accordance with the organisation's governing documents
- b ...if applicable, those policies and procedures relevant to the organisation and its objects

Information

- i the organisation's annual reports and accounts
- ii management accounts, including income and expenditure, balance sheet and cash flow

Relevant to all units

Qualities

- > be committed to the purpose, objects and values of the organisation
- > be constructive and non-judgemental about other trustees' opinions in discussions

Reading and understanding

- The organisation's governing documents
- Policies relevant to the functioning of the board

Key words and phrases

This standards document also contains a ‘key words and phrases’ section which accompanies the units and provides definitions, and in some cases examples, for clarification.

The *italicised* words and phrases in each unit can be found in the key words and phrases section.

Training and qualifications based on Standards

One of the key uses of National Occupational Standards is to provide a nationally recognised framework for training and qualifications. They can be used to inform, structure and develop unaccredited and accredited training, including that provided by professional, or awarding, bodies and Further and Higher Education institutions.

As yet qualifications based on these National Occupational Standards have not been developed. However, up-to-date information, when it becomes available, on the development and delivery of qualifications using these Trustee National Occupational Standards will be found online at: www.ukworkforcehub.org.uk

We would encourage you to embed these National Occupational Standards and other relevant suites in your organisation, using them to underpin your recruitment, selection and appraisal systems. Through this process you will become familiar with National Occupational Standards and learn for yourselves their value in supporting best practice. A natural next step would then be to consider the training and possible qualifications based on them, by which time you will be clear about your current competencies and training needs, and be able to select methods that meet these.

The Code of Governance

These newly-developed units have been designed and developed so they can be used in conjunction with the newly-launched *Good Governance: A code for the voluntary and community sector* (see signposting 'online resources' for details).

The Code is designed as a source of guidance for **all those involved with voluntary and community organisations**, particularly trustees and chief executives.

It outlines good practice in governance and acts as a resource for others such as volunteers and staff to provide guidance as to what they can expect of a well governed organisation.

The Code introduces the following subjects:

- Leadership
- Control
- Performance
- Review and renewal
- Openness
- Delegation
- Integrity

The National Occupational Standards for Trustees differ from the Code in that the Standards have been developed specifically as guidance for **trustees** so they can perform well in their role. By outlining trustees' specific roles and responsibilities, both as individuals and collectively as a board, the National Occupational Standards provide a structured reference for performing those roles well.

To help users see the synergy between these Occupational Standards and the Code of Governance, we have produced a cross-referencing table illustration that clearly maps performance and knowledge statements, within these units to specific parts of the Code. This table is on page 44, within the Illustrations section of this document.

What is the role of the Workforce and Governance Hubs?

The UK Workforce Hub (previously the Voluntary Sector National Training Organisation or VSNTO) aims to lead and facilitate action that makes it easier for voluntary and community organisations to:

- be great places to work and volunteer
- be better employers
- embrace a culture of learning and development

It is one of the six hubs of expertise proposed by ChangeUp and is funded by both the Active Community Unit (ACU) and the Sector Skills Development Agency (SSDA). The work of the Hub is UK-wide, which means that it is hosted and managed by the National Council for Voluntary Organisations (NCVO) in England and by its sister councils in Northern Ireland, Scotland and Wales.

The UK Workforce Hub is the Standards Setting Body for the voluntary and community sector, which means that the government recognises us as a body which can develop National Occupational Standards for our sector's specific occupations because they have such an important role to play in achieving a skilled workforce. We have therefore engaged the voluntary and community sector in developing suites of National Occupational Standards for Fundraisers, Volunteer Managers and for Trustees/Management Committee Members.

The Governance Hub is a group of voluntary and community sector support organisations working to improve the governance of voluntary and community organisations in England. The implementation of the standards is a joint partnership between the two Hubs, with the Governance Hub taking the lead. For further information about the Governance Hub or the National Occupational Standards implementation programme, please refer to www.governancehub.org.uk/

Tell us what you think

Many hours have gone into developing these National Occupational Standards for Trustees and Management Committee Members. However, we need to maintain their relevance and keep them up-to-date with policies and practice in the volunteer-involving world.

We would welcome hearing from you if you can identify any gaps in the National Occupational Standards, ways they could be improved or made more user-friendly. Of course all feedback is useful and for that reason, we would like to hear about any positive experiences of using them also. To get in touch with us or to keep up-to-date with developments, please contact us:

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Telephone: 020 7520 2490

Website: www.ukworkforcehub.org.uk

We hope that you will welcome these new National Occupational Standards and enjoy using them.

Getting started: identifying the relevant standards

These National Occupational Standards cover the entire governance function that is performed by trustees.

These units outline the activities that can contribute to the board remaining healthy and performing as it should. This in turn should ensure that the organisation is functioning, and continues to function, to the best of its ability.

Trustees perform a variety of other related functions, however, and individuals may find that they wish to combine these units with those covering management, business and administration, or fundraising, for example.

The UK Workforce Hub can signpost you to these other suites of National Occupational Standards. (Also see the 'Signposting' section in this document).

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Unit 1

Safeguard and promote the values and mission of the voluntary or community organisation

This unit is about the *board of trustees* setting out the voluntary or community organisation's long-term direction, upholding its *values* and delivery of its *aims*, and your role as a *trustee* in carrying out this function.

When safeguarding and promoting the values and mission of the organisation, as trustees you are responsible for:

- 1 ensuring that you are clear about why the organisation exists, what it stands for, and that you promote the *values*, *aims* and *ethos* so that it accomplishes its *mission*
- 2 setting the strategic direction of the organisation
- 3 acting in a manner consistent with the *values* and *mission* of the organisation
- 4 ensuring that the organisation's *values* and *mission* are clearly stated and can be understood and recognised by *beneficiaries* and by *stakeholders*
- 5 regularly reviewing the *values* and *mission* of the organisation to ensure that:
 - a they continue to remain valid and relevant, and
 - b they take account of changes external to the organisation e.g. legal, political and economic
 - c the *governing documents* reflect this
- 6 ensuring compliance with the organisation's *objects*, and upholding the *values* of the organisation and its *governing documents*
- 7 ensuring decisions relating to these responsibilities are made in the *best interests of the organisation* and its *beneficiaries*
- 8 ensuring that the organisation is not unduly influenced by external organisations or individuals

In order to be able to carry out these responsibilities fully, as trustees you need to know and understand:

- a the *objects* of the organisation, what the organisation stands for, its history and experience, and how it operates
- b who the *beneficiaries* and *stakeholders* are, their needs, and how to avoid any *conflicts of interest*
- c what a *conflict of interest* means in practice and that a *trustee's* only responsibility is to the organisation
- d the environment in which the organisation operates, and how other similar organisations operate
- e current legislation and regulations relevant to the organisation and *trustees*

In order to safeguard and promote the values and mission of the organisation as trustees you need to have read, where applicable:

- i your organisation's *strategic plans*
- ii your organisation's *business plans*
- iii *governing documents*

Unit 2

Determine the strategy and structure of the voluntary or community organisation

This unit is about present and future *strategic planning*. It covers decisions about how the voluntary or community organisation's *values* and *mission* are expressed in *aims* and *activities*, and in the *structures* and processes needed to implement them.

When determining the strategy and structure of the organisation, as trustees you are responsible for:

- 1 ensuring the organisation sets *aims* or legal *objects* that reflect its *values* and *mission*, that look positively to the future and that enable the organisation's current *mission* to be achieved
- 2 where an organisation employs staff, working with them to produce a *strategic plan* that meets the organisation's agreed *aims* and intended outcomes
- 3 ensuring the organisation has an appropriate *structure* incorporating legal and *governance* frameworks
- 4 ensuring a programme of *activities* which continually builds upon, and makes good use of, the organisation's *resources*
- 5 regularly reviewing and updating the *strategic plan* to keep it fit for purpose

In order to be able to carry out these responsibilities fully, as trustees you need to know and understand:

- a the advantages, disadvantages, and implications for *trustees*, of the different types of legal *structures* for an organisation, as appropriate
- b the requirements of the *governing documents*
- c the day-to-day nature of work carried out by the organisation
- d your organisation's *governance*, management and operational *structure*, and why it is appropriate to the organisation
- e the importance of financial planning, budgets and of monitoring income and expenditure, outputs and outcomes
- f how to evaluate current and recent performance and what has or hasn't worked

In order to determine the strategy and structure of the organisation you need to have read, where applicable:

- i the organisation's annual budget
- ii the organisation's *strategic plan*
- iii the organisation's *business plan*
- iv the organisation's annual report

Unit 3

Ensure the voluntary or community organisation operates in an effective, responsible and accountable manner

This unit is about *trustees* working collectively to ensure their voluntary or community organisation is well-managed, is meeting its *aims* and needs, and achieving good practice whilst complying with the law. It covers the *trustees'* role in leading the organisation, and also in ensuring the organisation is managed properly and by the best people available.

3.1 When ensuring the organisation operates effectively and responsibly, as trustees you are responsible for:

- 1 identifying, establishing and reviewing *policies* and *procedures*, if applicable, required by law and relevant to the organisation
- 2 ensuring there are *policies* covering all major aspects of the organisation and for dealing responsibly with malpractice or misconduct
- 3 ensuring that the organisation holds diversity and equality as positive *values* in its *policies* and practice
- 4 where appropriate, appointing and inducting a senior member of staff to undertake specified operational *activities* and ensuring they are supervised, supported and appraised
- 5 where the organisation employs staff, ensuring that it complies with employment law, and other relevant legislation, and provides opportunities for learning and development
- 6 delegating, when appropriate, specific *activities* with clear instructions about what has been delegated, to whom, for how long and the reporting lines of communication
- 7 the organisation remaining financially viable and ensuring that all funds raised are:
 - > used and allocated wisely,
 - > used only in furtherance of the organisation's *objects*,
 - > used in accordance with the law and accounting requirements,
 - > audited annually in accordance with current legislation
- 8 proactively and regularly reviewing risks to which the organisation is subject, and taking appropriate action based on the assessment
- 9 making use of professional advice when appropriate to do so, and retaining any written advice for future reference and guidance
- 10 monitoring the performance of the organisation and its assets in terms of quality and outcomes
- 11 identifying opportunities and areas of improvement that may benefit the organisation and its *beneficiaries*

3.2 When ensuring the organisation operates in an accountable manner, as trustees you are responsible for:

- 1 the organisation complying with current legislative, regulatory and constitutional requirements
- 2 there being proper, clear and accessible communications with key *stakeholders* about the organisation's decision-making and achievements
- 3 ensuring the organisation's system of internal controls, financial controls, performance reporting, *policies* and *procedures* are regularly reviewed by whoever has this responsibility
- 4 making decisions to protect the personnel, assets and property of the organisation to ensure fulfilment of the organisation's *objects*
- 5 the organisation being able to account for its *activities*, and presenting such information in a manner that complies with relevant current legislation

In order to be able to carry out these responsibilities fully, as trustees you need to know and understand:

- a the importance of acting prudently, lawfully and in accordance with the organisation's *governing documents*
- b if applicable, those *policies* and *procedures* relevant to the organisation and its *objects*
- c the importance of *policies* and *procedures*, if applicable, complying with current legislation and good practice
- d the responsibilities and requirements of employers where the organisation employs staff and/or involves volunteers
- e the importance of managing risk and limiting the organisation's exposure to significant risks
- f the importance of having clear guidelines on how to handle *conflicts of interest*
- g how to deal with *conflicts of interest* in a proper manner
- h the responsibilities and liabilities when communicating about the organisation
- i the role of fundraising and other sources of income
- j the responsibilities and compliance requirements of the Self Regulation of Fundraising Scheme

In order to ensure the organisation operates in a responsible and accountable manner, you need to have read, where applicable:

- i the organisation's annual reports and accounts
- ii management accounts, including income and expenditure, balance sheet and cash flow
- iii financial budgets

Unit 4

Ensure the effective functioning of the voluntary or community organisation's board of trustees

This unit is about helping the voluntary or community organisation's *board of trustees* to work as a team and reach fair decisions in the best interests of the organisation. This requires a range of people whose skills and abilities will ensure that the voluntary or community organisation's *board of trustees* functions effectively.

**When ensuring the effective functioning of the board,
as trustees you are responsible for:**

- 1 ensuring that the *board* has a clear statement of *trustees'* strategic and leadership roles and key functions along with appropriate role descriptions for the *board*
- 2 the *board* specifying, in role descriptions, the particular responsibilities of and powers delegated to:
 - > identified *board* members (e.g Chair, Treasurer),
 - > *board* sub-committees,
 - > others with responsibility for specific *activities*
- 3 the composition of the *board* reflecting the community and the membership it serves, and the *structure* being in accordance with the organisation's *governing documents*
- 4 the *board* having a range of skills and experience on which to draw in order to help the organisation progress and fulfil its *objects*
- 5 the existence of clear *policies* and *procedures* for the recruitment and replacement of *board* members
- 6 ensuring that existing and new *trustees* understand the roles, responsibilities, skills and contributions that *trustees* are expected to make
- 7 ensuring that new *trustees* receive induction, and that opportunities for learning and development are available
- 8 clear and prompt lines of communication existing within the *board*
- 9 the *board* ensuring that the whole organisation and its key *stakeholders* have a clear understanding of its role
- 10 having clear and regularly updated rules and *procedures* to determine the conduct of the *board* and its meetings, and which are in accordance with the law and the organisation's *governing documents*
- 11 ensuring that *conflicts of interest* including matters relating to any benefits for *trustees* are recognised, declared and handled in accordance with *policy* and *procedures*
- 12 acting in a manner agreed by the *board* when representing the *board*
- 13 the *board* ensuring that mechanisms are in place for regular:
 - > reviews of the *board's* performance, and
 - > *trustee* appraisals by self-assessment

In order to be able to carry out these responsibilities fully, as trustees you need to know and understand:

- a the principle that all *trustees*, both individually and collectively as a *board*, are responsible in law for the *board's* decisions
- b the role of the *trustee* in relation to the running of the organisation
- c how to recognise and deal with conflicts arising between the *board* and the officers, the *board* and the senior management function and between individual *board* members
- d how to recognise, declare and handle *conflicts of interest*
- e when to call upon professional advice, and where it can be obtained
- f when to add to *trustees'* competence through training and development opportunities
- g succession planning to ensure the health and competence of the *board*
- h the documents available to provide induction for *trustees*

In order to ensure the effective functioning of the board you need to have read, where applicable:

- i *policies* relating to the functioning and responsibilities of the *board*
- ii other *policies* relevant to the operation of the organisation such as those on Equal Opportunities, Health and Safety and Disability and Discrimination

Relevant to all units

In order to carry out your responsibilities, as trustees you should draw on the following qualities:

- > be committed to the purpose, *objects* and *values* of the organisation
- > be constructive about other *trustees'* opinions in discussions, and in response to staff members' contributions at meetings
- > be able to act reasonably and responsibly when undertaking such duties and performing tasks
- > be able to maintain confidentiality on sensitive and confidential information
- > be supportive of the *values* (and ethics) of the organisation
- > understand the importance and purpose of meetings, and be committed to preparing for them adequately and attending them regularly
- > be able to analyse information and, when necessary, challenge constructively
- > be able to make collective decisions and stand by them
- > be able to respect boundaries between executive and *governance* functions

You need to have access to, have read and understood, or sought clarification if necessary about:

- the organisation's *governing documents*
- *policies* relevant to the functioning of the *board*
- *policies* relating to diversity and inclusion
- relevant written operational *policies* and *procedures*
- role descriptions and person specifications for *trustees*, *board* and officers
- the documentation of the Charity Commission, Office of the Scottish Charity Regulator and the Inland Revenue, where relevant

Key words and phrases

Activities

Anything done using resources belonging to the organisation, or under its control and including all of its work and services.

Aims

Long term targets for the future that the organisation would work towards achieving.

Assets

The property of an organisation, including, for example: cash, bank and building society deposits, consumable stocks, trading stocks, debtors and prepayments or any other amounts receivable in the short term; land, buildings, vehicles and equipment and investments held on a continuing basis; copyright and intellectual rights.

Beneficiaries

Those who benefit, and/or receive services, from the organisation.

Best interests of the organisation

There is a legal duty placed on the trustees of an organisation always to act in the best interests of that organisation and in doing so to strike a balance between the interests of both present and future beneficiaries.

Imprudently spending the financial reserves of an organisation on today's beneficiaries might endanger its ability to serve future beneficiaries. On the other hand, setting aside excessive financial reserves may reduce an organisation's ability to deliver benefits now.

Board

This is the organisation's governing body. This may be called the management committee, executive committee or board of directors, or may be referred to by some other title.

The trustee board of a charity is the group 'responsible under the charity's governing document for controlling the management and administration of the charity, regardless of what they are called' (Section 97 of the Charities Act 1993).

Business plan

A document prepared by an organisation's management, detailing the past, present, and future of the company. It generally projects future opportunities for the organisation and maps the financial, operations, marketing and organisational strategies that will enable the organisation to achieve its goals.

Code of conduct

This is a set of written and agreed procedures and rules which govern how the trustees of a board, or management committee, conduct themselves.

Conflict of interest

This situation may be actual or perceived. It applies to an individual in a position of trust which requires them to exercise judgment on behalf of others. A conflict arises where the individual's other interests or obligations make it impossible for them to act judiciously for either party.

A conflict of interest is any situation in which a trustee's personal interests, or interests which they owe to another body, and those of the organisation arise simultaneously or appear to clash.

Ethos

The distinguishing values, beliefs and character of an organisation. The ethos of an organisation may determine the way it treats its staff and/or volunteers, beneficiaries, customers, environment and legal responsibilities.

Governance

The systems and processes concerned with ensuring the overall direction, effectiveness, supervision and accountability of an organisation.

Governing documents

Any document setting out the organisation's purposes and, usually, how it is to be administered. It may be a trust deed, constitution, memorandum and articles of association, will, conveyance, Royal Charter, Scheme of the Commissioners, or other such formal document.

Governing documents means any document setting out the organisation's purpose and how it is to be run.

Mission

This is a specific purpose that contributes to the organisation's vision.

Objects

The objects of a voluntary or community organisation are usually contained within its governing documents. They are a legal statement of the purpose of the organisation. If they are wholly and exclusively charitable in law, then the organisation is a charity and subject to charity law and the charity regulator. It is the objects and activities which make an organisation a charity, not registration with the Charity Commission or other regulator.

Policies

Policies are of two types. The first are statements of good practice and procedure which determine the conduct of the organisation, its volunteers and (where relevant) staff, and provide remedies for breaches of that conduct. These often form part of the operational handbook, which can be referred to in the contract, where this is relevant. Examples are: equal opportunities, a disciplinary code, and they often have legal force. Other policies deal with more general issues and are advisory. Examples include; financial procedures, recruitment and selection.

Procedures

Procedures are an approved standard way of how to do something. They are invariably in writing because otherwise they will not be approved or standard, but will be soon forgotten and re-invented regularly. Procedures are a useful means of helping maintain quality in an organisation's activities. They can be used for such areas of activity as governance, as well as in the delivery of services to beneficiaries. The writing and regular updating of procedures can consume a disproportionate amount of time in smaller organisations and the likely benefits should always be weighed against the cost.

Resources

The total means available to an organisation for increasing productivity, including labour, and raw material.

Risk Management

The decision making process that is directed towards the effective management of potential opportunities and adverse effects. It involves risk evaluation and monitoring and will result in either mitigating the risk or applying effective controls.

Stakeholder

This can mean anyone with a significant legitimate interest in the good management of an organisation. This would include funders, trustees, volunteers, staff, suppliers, customers (also known as purchasers) and beneficiaries who all clearly have an interest in the proper running of an organisation.

More narrowly, and in its original meaning, stakeholders are those who have invested in an enterprise. In a voluntary and community organisation this would mean the funders and the volunteers (who invest their time) and might be thought to include the staff who invest their careers into an organisation.

The concept of stakeholder should not be confused with the persons to whom the board of trustees hold themselves accountable. This party can sometimes be difficult to identify in trusts, although in membership organisations where the members elect the board it is almost invariably the members to whom the board is accountable.

Strategy/strategic plan

A broad course of action with an identifiable outcome. This is achieved through a sequence of steps, which are subject to monitoring and modification, to accomplish desired goals and objectives.

This should incorporate the organisation's vision, mission and values statement, where appropriate. (NB. A 'strategic plan' is therefore a timetabled account of the strategy)

Structure

How the organisation is set up. This may indicate a chain of command, titles and areas of responsibility. It could include numbers of personnel involved, or may actually name them and their responsibilities.

Trustee

A person who has legal authority to take control of and manage another's finance and property; this authority must always be exercised to the full advantage of the beneficiary. In most legal trusts the trustee holds legal title to the trust property, is a representative of the trust, and has the capacity to sue and be sued on behalf of the trust.

A trustee may also be known as a managing trustee, committee member, governor or director.

Values

A set of principles that the organisation seeks to apply, both in setting its mission and aims, and in its day-to-day operations.

Vision

This is the ideal towards which the organisation is working.

The strategic triangle

The strategic triangle illustrates the link between the vision, mission, aims, objectives and activities of a voluntary and community organisation.

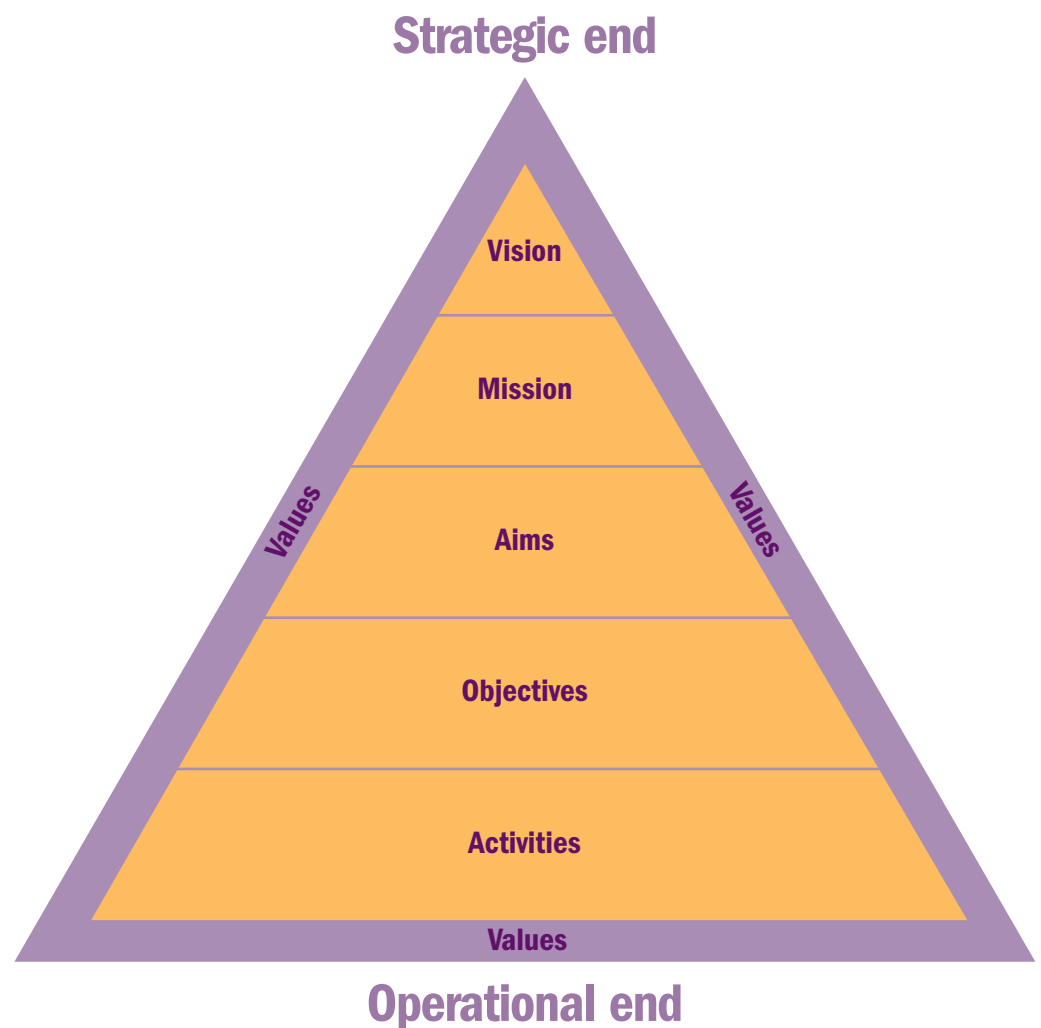


Diagram produced by Jon Taylor, member of the National Occupational Standards for Trustees & Management Committee Members Working Group

Governance role

The diagram opposite illustrates the governance role that these standards cover. However, trustees may perform other duties, as covered by other suites of standards.

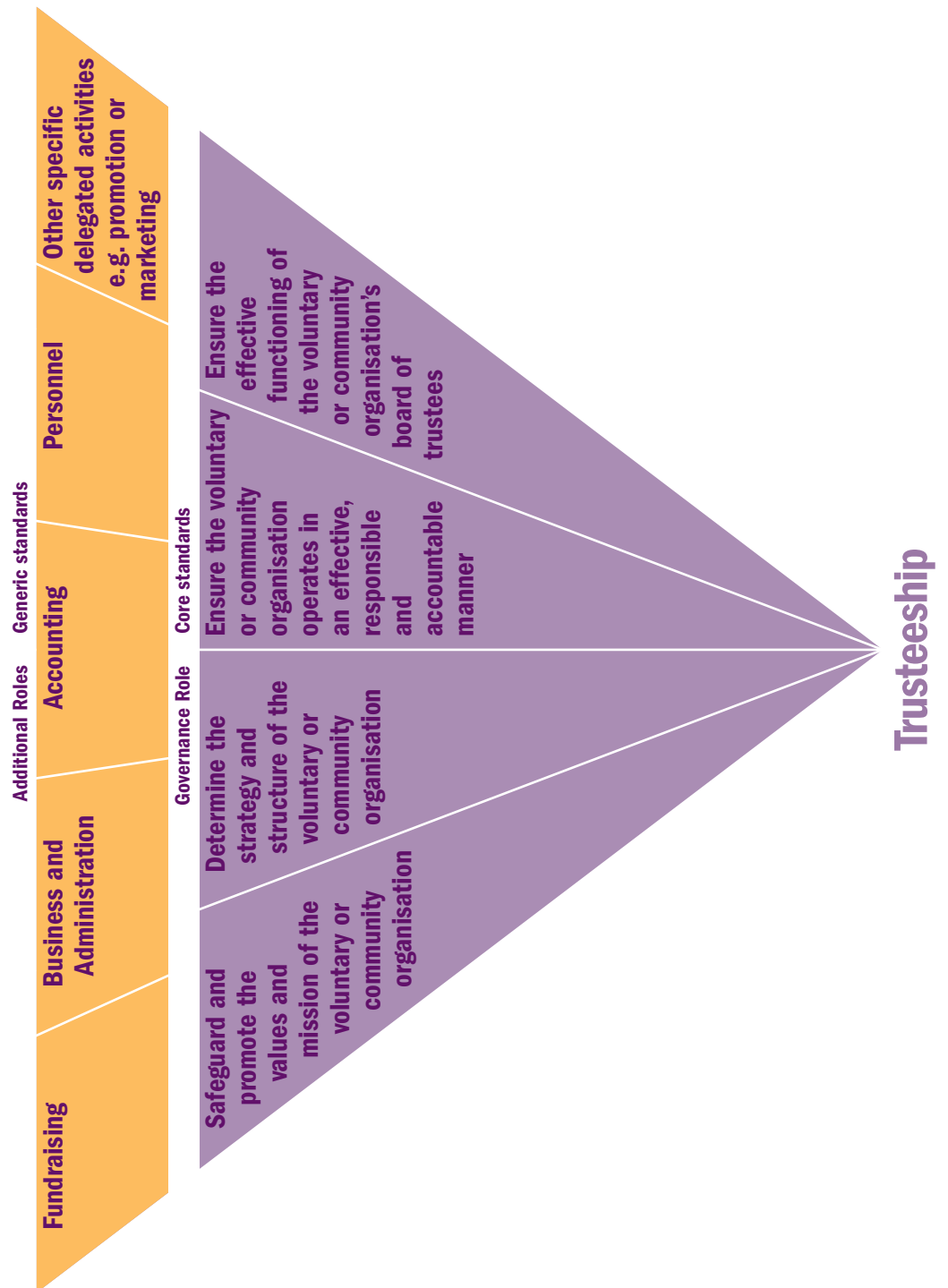


Diagram produced by Peter Holliday, Pye Tait Ltd.

NB: The Management and Leadership National Occupational Standards may be applicable to trustees in Scotland, whose duty is to undertake both governance and management functions.

Trustee matrix

Trustees often have other roles than acting as trustees on the management committee. Where that happens, it is vital for trustees and committees to recognise that these other roles carry different responsibilities and accountability. This matrix illustrates some of the more common other roles a trustee may have. It is not comprehensive; situations not illustrated here should be cleared with the trustee's management committee.

Matrix produced by Jon Taylor, member of the National Occupational Standards for Trustees & Management Committee Members Working Group

Who?	Role	Task	Accountability	Examples
Trustees	Governance role. The trustees as a collective body	Ultimate responsibility for the organisation	Accountable to the law, other trustees and the community	Making the big decisions for the future; ensuring everything is legal and safe; monitoring finances; if the organisation employs staff – being a responsible employer; line management of the CEO
Trustees on committee business (inside or outside the organisation)	Specific board role. Trustees carry out delegated job	Specific board task, clearly defined terms of reference	Reports back to the board	Working with staff on specific project; representing the organisation on outside bodies
Trustee nominated to board by another organisation	Governance role. The Trustees as collective body	Ultimate responsibility solely for the organisation to which nominated	Accountable to the law, other trustees and the community of the board to which nominated; informs nominating Committee of attendance	Making the big decisions for the future; ensuring everything is legal and safe; monitoring finances

Trustees may from time to time also manage part of the work of the organisation; this lies outside the role of governance:

Trustee managing	Management – of a part of the organisation. NOT in trustee role.	Management of part of the organisation and/or its activities	Reports back to the Chief Executive or to the Chair of the board	Supervising volunteers; running a fundraising or marketing campaign
Trustees volunteering other than on committee or as committee member	Volunteer. Not in a trustee role	Working as member of a specific activity or project	Reports back to the relevant manager or supervisor	Collecting money; driving a minibus; helping to run an art group

Code/Standards cross reference

To help users see the synergy between these Occupational Standards and the Code of Governance, we have produced a cross-referencing table illustration that clearly maps performance and knowledge statements, within these units to specific parts of the Code.

Note about unit references

The unit references describe which performance and knowledge statements, within the units (of these National Occupational Standards), relate to specific parts of the Code of Governance.

For example:

Reference 4.1 refers to the first performance statement in Unit 4.

Reference 4a refers to the first knowledge statement in Unit 4.

Reference 3.1.4 refers to the fourth performance statement in element 1 of Unit 3.

Reference 3.2.4 refs to the fourth performance statement in element 2 of Unit 3.

Reference 3a refers to the first knowledge statement in Unit 3.

Please refer to section 1.4 'What's in a Unit of competence' of the 'National Occupational Standards for Trustees and Management Committee Members in the Voluntary and Community Sector' document for a full explanation of unit structure.

Code reference	Unit reference
B – Board leadership	
<i>The role of the board</i>	
B1	3.1.1, 3.1.2, 3.1.7, 3.1.8, 3.2.1
B2	1.6, 2.1
B3	1.7, 1c
B4	4a
B5	1.7, 1c, 4b
B6	1.8
<i>Strategic direction</i>	
B7	2.2, 2d, 4.1
B8	3.1.6, 4c
B9	4.6, 4.11, 4d
C – The board in control	
<i>Compliance</i>	
C1	1.6, 1e, 3.1.4, 3.1.6, 3.2.1, 3c, 3j, 4.10
C2	1e, 2b, 3.1.5, 3.1.7, 3.2.1, 3c, 3j
C3	1e, 3.1.1, 3.2.3
C4	3.1.7, 3j
<i>Internal controls</i>	
C5	2e, 3.1.1, 3.2.3, 3b, 3c, 4.5, 4.10
C6	2f, 3.2.3
C7	2f, 3.2.3
C8	
<i>Managing risk</i>	
C9	3.1.7, 3.2.4, 3e, 3h
C10	2b, 3.1.7, 3.2.1
C11	3.1.8, 3e
C12	3.1.9, 4e
C13	1c, 3f, 3g, 4.11, 4c, 4d
C14	3.1.2
<i>Equality and diversity</i>	
C15	3.1.3, 4.4
C16	3.1.3
C17	1.1, 4.9

Code reference	Unit reference
D – The high performance board	
<i>Trustee duties and responsibilities</i>	
D1	4.2, 4.6, 4.9, 4b
D2	
D3	4.1, 4b
<i>The effective board</i>	
D4	1.2, 2.5, 4.6, 4.10
D5	4.4
D6	4.6
<i>Information and advice</i>	
D7	3.1.9, 4e
D8	3.1.9, 4e
<i>Skills and experience</i>	
D9	3.1.11, 4.4
D10	1.1, 1.7, 1b, 1d, 1e, 2e, 2f, 3d, 3e, 3j, 4.4
D11	4.3
D12	4.6
D13	1c
<i>Development and support</i>	
D14	4.7, 4f
D15	4.7, 4h
D16	3.1.6, 4.2
<i>The Chief Executive</i>	
D17	3.1.4, 3.1.5
D18	
D19	
D20	3.1.10
E – Board review and renewal	
<i>Performance appraisal</i>	
E1	2f, 3.1.4, 4.13
E2	4.5, 4.7, 4g
<i>Renewal and recruitment</i>	
E3	4.5, 4g
E4	3.1.6, 4.2
E5	1e, 4.5
E6	4g
E7	4.2
E8	4.3
E9	1.6, 2b
E10	4.4
E11	4.3
E12	4.5
E13	1.5, 2.5
E14	1.5, 2.5, 3.1.1, 3.1.10, 3.2.3, 4.10, 4.13
E15	
E16	3.2.2

Code reference	Unit reference
F – Board delegation	
<i>Clarity of roles</i>	
F1	4.1, 4.2
F2	3.1.5, 4.13
F3	4.1, 4.2, 4a
<i>Effective delegation</i>	
F4	3.1.6, 4.2
F5	2b, 3.2.1
F6	4.2
F7	3.1.6, 4.2
<i>Terms of reference</i>	
F8	3.1.6, 4.2
<i>Monitoring</i>	
F9	4.8
G – Board and trustee integrity	
<i>No personal benefit</i>	
G1	4.11
G2	
G3	
G4	
G5	
<i>Conflicts of interest</i>	
G6	3f, 3g, 4.11, 4d
G7	3f, 3g
G8	3f, 3g
G9	3f, 3g, 4.11, 4d
<i>Probity</i>	
G10	
G11	3.1.2
G12	1.8
H – Board openness	
<i>Communication and consultation</i>	
H1	1b
H2	1.4, 4.9
H3	3.2.2
H4	2f, 3.2.5
H5	3.2.2
H6	3.2.5, 2b
<i>Openness and accountability</i>	
H7	3.1.3, 3.2.2, 3.2.5, 3h
<i>Stakeholder involvement</i>	
H8	1.7, 1b
H9	

Other National Occupational Standards

Accountancy Occupational Standards Group (AOSG)

www.aosg.org.uk

Accounting Standards

Council for Administration (CfA)

www.cfa.uk.com

Business and Administration Standards

Governance Standards

Employment National Training Organisation (ENTO)

www.ento.co.uk

Personnel Standards

Management Standards Centre

www.management-standards.org

Management and Leadership Standards

UK Workforce Hub

www.ukworkforcehub.org.uk

Fundraising Standards

Managing Volunteers Standards

All available suites of NOS can be found at: www.ukstandards.co.uk

Resources

Charities Evaluation Service (CES)

PQASSO

Department for Social Development Northern Ireland

Guide for trustees leaflet

Institute of Chartered Secretaries and Administrators (ICSA)

Guidance notes and best practice guides

National Council for Voluntary Organisations (NCVO)

Sample trustee code of conduct

Sample board chair job description

Preventing board conflict between trustees

Northern Ireland Council of Voluntary Action (NICVA)

Good governance: a guide

Setting up a voluntary group

Legal structures

Charitable status

Charity trustees' duties

Subcommittees

Committee procedures

How do we update our governing document?

Can employees sit on a management committee?

Office of the Scottish Charity Regulator (OSCR)

Guide to the reorganisation of small trusts

Brief guide to the regulation of charities in Scotland

Scottish Council for Voluntary Organisations (SCVO)

SCVO has a number of guides for management committees and their members

Guidance documents

Scottish voluntary sector almanac

Seven Principles of Public Life

The Charity Commission for England and Wales

How to be an effective charity trustee – signposts to our published guidance that will help you

Preparing trustees' annual reports and accounts (including the Charities SORP)

The following Charity Commission publications, and more, are available free to download:

- A guide to conflicts of interest for charity trustees
- RS10 – Start as you mean to go on: trustee recruitment and induction
- CC3 – The essential trustee: what you need to know

The Governance Hub

A code of governance for the voluntary and community sector

Learning to fly – piloting your local voluntary or community organisation

The Joseph Rowntree Foundation

Codes of practice for the voluntary sector

This is also available as a publication:

Towards voluntary sector codes of practice, Joseph Rowntree Foundation,
York Publishing Services Ltd.
ISBN 1 85935 028 3

www.diycommitteeguide.org

Resources and guidance for voluntary management committees in Northern Ireland.

Publications

National Council for Voluntary Organisations (NCVO)

The Good Trustee Guide (fourth edition), Peter Dyer, edited by Liza Ramrayka

Supported by Vodafone UK Foundation

ISBN 0 7199 1610 0

The Good Employment Guide for the Voluntary and Community Sector (fourth edition),

Wendy Blake Ranken

Supported by Charity People

ISBN 0 7199 1656 9

The Good Governance Action Plan for Voluntary Organisations, Sandy Adirondack

Supported by the Home Office

ISBN 0 7199 1603 8

The Good Governance Action Plan Workbook, Tesse Akpeki, edited by Marta Maretich

Supported by active communities

ISBN 0 7199 1632 1

Recruiting a New Chief Executive: A guide for chairs and trustees, Dorothy Dalton

Supported by Horwath Clarke Whitehill

ISBN 0 7199 1653 4

The Board Answer Book

Supported by ACU

ISBN 0 7199 1633 X

Developing Trustee Boards: A manual for trainers

Supported by Marks & Spencer

ISBN 0 7199 1599 6

Living Policy, Becky Forrester, Tesse Akpeki, Marta Maretich

Supported by active communities

ISBN 0 7199 1634 8

United Kingdom Voluntary Sector Almanac

Supported by Cazenove

ISBN 0 7199 1622 4

The Board's Responsibility for Appraising the Chief Executive, Dorothy Dalton

Supported by Howarth Clark Whitehill

ISBN 0 7199 1654 2

Are you looking at me? A practical guide to recruiting a diverse workforce,

Wendy Blake Rankin

Supported by The Community Fund

ISBN 07199 16364

Recruiting and supporting black and minority ethnic trustees

Supported by the Home Office

Tesse Akpeki

Wales Council for Voluntary Action

Wales Voluntary Sector Almanac

ISBN 1 903416 30 2

Faith and hope don't run charities (trustees do): A practical guide for voluntary members of management committees

ISBN 1 903416 25 6

Scottish Council for Voluntary Organisations (SCVO)

Working With Us – A Guide to Good Employment Practice in the Scottish Voluntary Sector

ISBN 0 9546930 2 7

SCVO Guide to Constitutions and Charitable Status – a guide through the process of setting up a charity in Scotland, including model documents

ISBN 09456930 0 0

CHAIR Pack – a reference tool for both new and experienced Chairs

ISBN 1 870904 877

Learning at the Top – a report on the Management Development Needs of Chief Executive Officers in the voluntary sector

Putting People in the Picture – a guide to identifying and meeting learning needs in voluntary organisations

ISBN 1 870905 88 5

UK Workforce Hub

How are you doing? Using National Occupational Standards to enable people to achieve professional and personal goals, Voluntary Sector National Training Organisation (now the UK Workforce Hub)

ISBN 0 7199 1637 2

