

CHARITABLE TRUST FUNDS COMMITTEE

TERMS OF REFERENCE

VERSION	0.2
ASSURANCE	SECOND LINE ASSURANCE
CONSTITUTION	<p>The Trust Board (The Board) hereby resolves to establish a Committee of the Board to be known as the Charitable Trust Funds Committee (The Committee) to assist the Board and the Accounting Officer in exercising its key functions of:</p> <ul style="list-style-type: none"> Ensuring Charitable Trust Funds are administered by the Trust Board as Trustees under the Health and Personal Social Services (NI) Order 1972, as amended by Article 16 of the Health and Personal Social Services (NI) Order 1991. Seeking advice from whatever source it deems to be appropriate in order to fulfil its function. <p>The Committee is a Non-Executive led committee of the Board and has no executive powers, other than those specifically delegated in these Terms of Reference.</p>
PURPOSE	<p>The purpose of the Committee is to ensure that the appropriate arrangements are in place to oversee the administration, including banking arrangements, of Charitable Trust Funds, their investment and disbursement. The normal purposes to which funds may be applied include all relevant expenditure likely to enhance the provision of health and social services in accordance with current legislation relating to Charitable Trust Funds as well as Standing Financial Instructions, associated operational procedures of the Trust and the wishes of the donor.</p>
MEMBERSHIP	<p>Membership:</p> <ul style="list-style-type: none"> Chair of Charitable Trust Funds Committee (Non-Executive Director) 2 Non-Executive Directors, following recommendation from the Trust Chair Executive Director Finance, Procurement and Estates <p>In exceptional circumstances:-</p> <p>In the absence of the Chair, a Non-Executive Director shall Chair the Committee.</p> <p>Where a Director is unavailable, a deputy (Assistant Director) will be required to attend.</p> <p>Attendance for the full meeting:</p> <ul style="list-style-type: none"> Director of Human Resources and Organisational Development Director of Medicine and Unscheduled Care Director of Surgery and Clinical Services Assistant Director of Financial Services Corporate Financial Accountant Charitable Trust Funds Manager Digital Communications Specialist

	<p>Attendance for specific agenda items: Requirement that the Fund Managers of the 6 Directorate wide funds attend twice a year (March and October) to present their expenditure plans and provide a mid year update.</p> <p>A Director / Assistant Director will be requested to attend when a report pertinent to their area of responsibility is being discussed.</p> <p>Secretary: Other members of Trust staff may be required to attend meetings as the Committee considers necessary.</p> <p>The Board Assurance Manager, supported by the Committee Secretary, shall be secretary to the Committee and shall attend the meetings and provide appropriate support to the Chair and Committee members.</p>
DUTIES	<p>The remit of the Committee is to:-</p> <ul style="list-style-type: none"> • Satisfy itself that Charitable Trust Funds are managed in line with guidance in the Trust's Standing Financial Instructions, Departmental guidance and legislation. • Ratify the creation of a new fund by the Executive Director of Finance, Procurement and Estates 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. • Make recommendations on the potential for rationalisation of funds within statutory guidelines. • Seek assurance that assets in ownership of, or used by, the Charitable Trust Funds will be maintained with the Trust's general estate and inventory of assets. • Seek assurance that funds are not unduly or unnecessarily accumulated. • Ensure that a Trustees Report is produced as part of the production of annual accounts for Charitable Trust Funds. • Seek assurance that expenditure from Charitable Trust Funds is subject to appropriate value for money considerations including proper procurement procedures where applicable. • Ensure that Annual Accounts are prepared in accordance with Department of Health (DoH) guidelines and submitted to the Board within agreed timescales. • On behalf of the Board, and on the advice of the Senior Leadership Team, the Committee will authorise appropriate policies and procedures in relation to Charitable Trust Funds.
AUTHORITY	<p>The Committee is authorised to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee, through the relevant Director, and will be given the resources necessary to carry out its role. The Committee will be given full access to any information within the Southern Health and Social Care Trust that it requires</p>

	<p>to fulfil its function. The Committee is authorised by the Board to obtain external professional advice and to invite external personnel with relevant experience and expertise if it considers this necessary.</p>
MEETINGS	<p>Quorum: A quorum shall be three members, two of which must be Non-Executive Directors and one Director.</p> <p>Frequency of Meetings: Meetings shall be held on a quarterly basis. The Chair can convene a meeting for a special purpose at any time.</p> <p>Papers: Meeting agenda and papers will be disseminated no later than 5 working days prior to the meeting date.</p> <p>Meeting Arrangements: All meetings will be held in person. At the Chair's discretion, a virtual meeting may be held.</p> <p>Withdrawal of individuals in attendance: During the course of a meeting, if a Conflict of Interest is established, the member concerned should withdraw from the discussion / meeting and play no part in the relevant discussion or decision. The Conflict of Interest should be recorded in the minutes.</p> <p>Individuals invited for a specific item will be asked to withdraw following completion of that item.</p>
REPORTING	<p>The minutes of the Charitable Trust Funds Committee shall be formally recorded by the Committee Secretary and submitted to the Board following approval of the Committee.</p> <p>Following each Committee meeting, the Committee Chair will present a written summary report on the meeting to the next Board meeting, drawing to the attention of the Board any issues that require executive action.</p> <p>The Committee will report to the Board annually on its work.</p>
OTHER MATTERS	<p>The Committee shall be supported administratively by the Board Assurance Manager and the Committee Secretary, whose duties in this respect will include:</p> <ul style="list-style-type: none"> • Agreement of agenda with the Chair • Collation and distribution of papers no less than 5 working days in advance of the meeting • Ensuring appropriate arrangements are in place for the servicing of the Committee including taking and producing draft minutes of the meeting for the Chair's approval • Taking forward matters arising and issues to be carried forward

	<ul style="list-style-type: none"> • Assisting the Committee Chair in ensuring the effective operation of the Committee • Advising the Committee on pertinent issues • Annual review of the Terms of Reference and recommendation of updates • Development and maintenance of the Committee work plan for the calendar year • Production of Committee Annual Report in conjunction with the Committee Chair • Ensuring that new members receive appropriate induction training and that all members are supported in identifying and participating in ongoing training
CONFLICT/ DECLARATION OF INTEREST	<p>The Chair of the Committee shall seek any declaration or conflict of interest on any matter at the outset of each meeting.</p> <p>All stated declarations of interest made shall be formally recorded in the minutes.</p>
REVIEW	<p>The Committee will review its Terms of Reference on an annual basis for Trust Board approval.</p>