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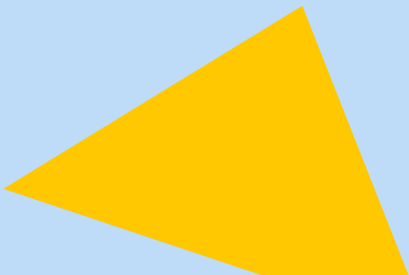
Trustees: What Am I Actually Responsible For?



A practical introduction
for trustees and future
trustees of u3as

You're already a trustee

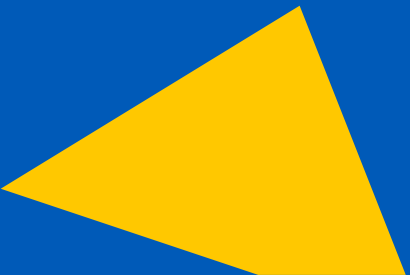
You're thinking about becoming a trustee



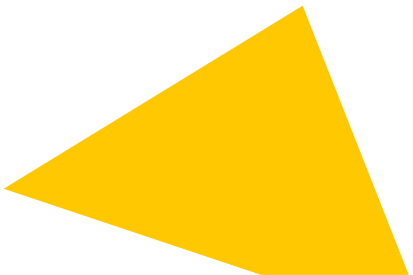
“What is the one thing you most want to understand by the end of today?”

So...

what actually is a trustee?



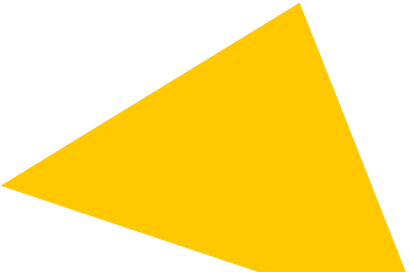
**You might be called: committee member,
management committee member, officer,
member of the management team,
director or governor.**



Which committee member is responsible ?

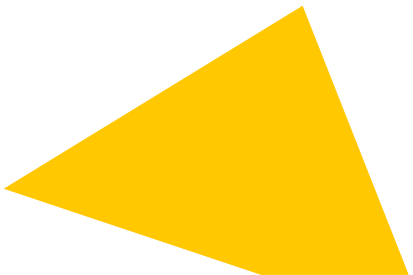
- You discover your u3a has a £10,000 debt that nobody knew about.
- The bank account needs reconciling.
- The AGM wasn't held when the constitution required it.

All the trustees



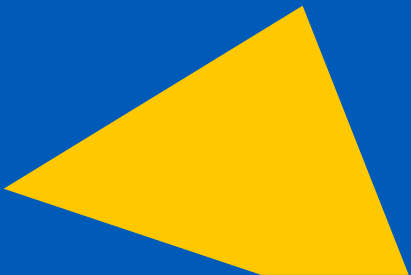
All Committee members are equally responsible for the running of the u3a.

They may have different roles and individual responsibilities, but they share responsibility as trustees for the u3a as a whole.



u3a

The 6 main duties of a Trustee



Ensure your u3a is carrying out it's purpose for the public benefit

The charity's object ('the object') is the advancement of education, and in particular the education of older people and those retired from full time work, by all means including associated activities conducive to learning and personal development in **Anytown** and the surrounding areas.



Comply with your u3as governing document and the law

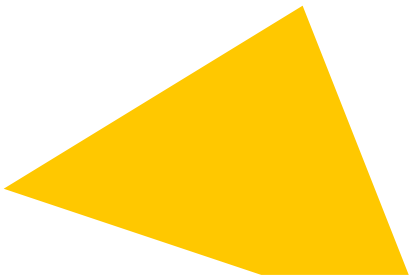
Be familiar with your constitution but remember, your constitution tells you what you are allowed to do but it doesn't give you permission to break the law.

For example, your constitution might give the power to fundraise, but if you choose to run a raffle or lottery, you also have to comply with gambling law.



Act in your u3as best interests

Make decisions based on what is best for the u3a and its charitable purposes, not what is best for you personally or simply what the members want.

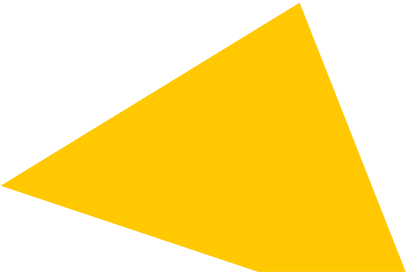


Manage your u3as resources responsibly

- Money – Have proper controls over the charity's bank account and spending.
 - Risk – Think about what could go wrong and take reasonable steps to protect the charity.
 - Other resources – may include equipment, IT, information, volunteers and the charity's reputation.
- 

Act with reasonable care and skill

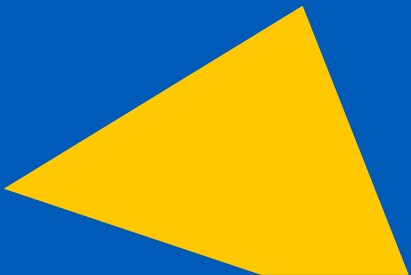
You don't have to know everything. But you do need to take reasonable steps to understand what you're deciding.

- Ask questions
 - Get professional advice
 - Read and understand the constitution
 - Keep yourself informed
- 

Ensure your charity is accountable

- Keep proper records
 - Keep proper financial records
 - Meet reporting requirements
 - Be open and accountable to the members.
 - Be able to explain your decisions
- 

What makes a good trustee?



Take a moment and think about:

**What do you think is the most important
quality in a trustee?**

You don't have to know everything.

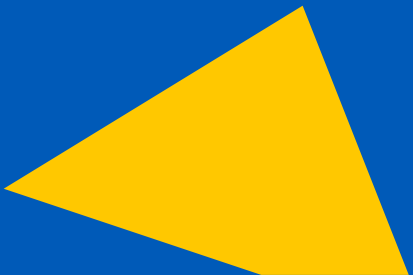
**A good trustee doesn't have to have all the
answers.**

They need to ask the right questions.

A good trustee:

- **Takes the role seriously** – understands that being a trustee carries responsibilities.
- **Asks questions** – doesn't simply agree because everyone else does.
- **Listens** – considers different views, including those of other trustees and members.
- **Is willing to learn** – recognises what they don't know and gets help when needed.

**What does good trustee
decision making look like?**



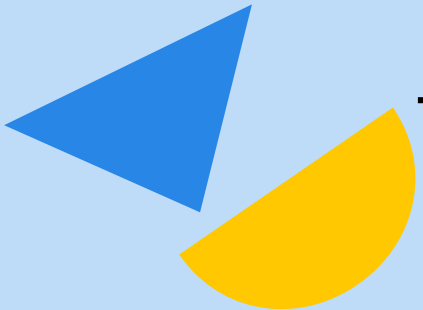
Making effective decisions is a vital function of being a trustee. It helps you run your u3a well and manage risks.

You must make sure that:

- all trustees are properly appointed. If they are not, this could invalidate decisions you have made
- you follow your charity's governing document
- you keep an accurate record of your decisions and how you made them.

The 7 decision-making principles

1. Trustees must act within their powers
2. Trustees must act in good faith
3. Trustees must be sufficiently informed
4. Trustees must take account of all relevant factors

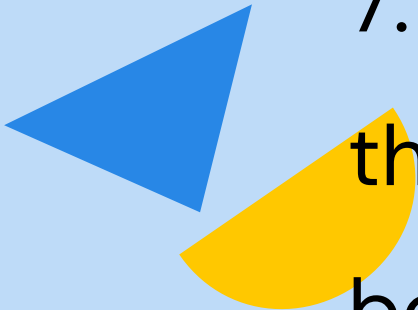


The 7 decision-making principles

5. Trustees must identify and disregard irrelevant factors

6. Trustees must manage conflicts of interest

7. Trustees must ensure their decision is within the range of decisions that a reasonable trustee body could make

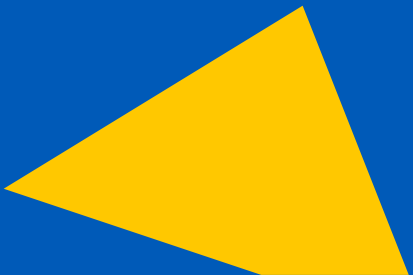


Good trustee decisions aren't about always getting the answer right.

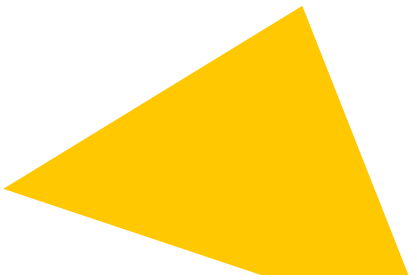
They're about making decisions in the right way, for the right reasons, and being able to explain them

“We’ve always done it this way” isn't really a decision making process. Good trustees should be prepared to challenge, ask questions and revisit how things are done, even when that's uncomfortable.

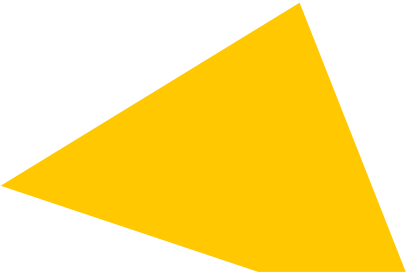
The constitution is your
rulebook



There are a number of different charity structures, u3a's generally fall into two categories charitable incorporated organisation (CIO) and unincorporated members association. The majority of u3as have the unincorporated members association structure. If you are unsure of your u3as structure, it should say at the top of your constitution



Find it in your constitution

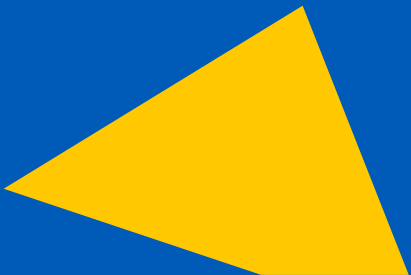
1. How many trustees do we need?
 2. What is the voting count required to change section 1 of the constitution?
 3. How the constitution can be changed
 4. How do we terminate someone's membership?
- 
- A yellow triangle is located in the bottom-left corner of the slide.

- Your constitution is made up of two parts, regulated parts and unregulated parts.
- Before you make a change to the regulated parts you must get the permission of the Charity Commission.

For u3as the regulated parts are usually:

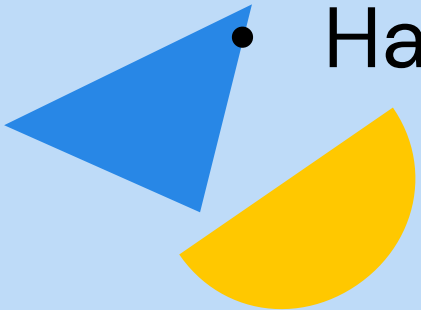
- change your charity's purposes
- allow trustees, members, and people or organisations connected to them to benefit from your charity
- change what happens to your charity's money or property if you decide voluntarily to close it
- add a power to your governing document to enable you to make any of these regulated alterations without Commission authority

Serious Incidents what are they and what should you do

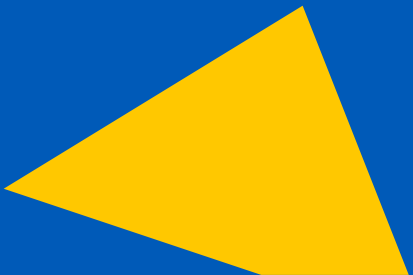


A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:

- Harm to people who are involved with or benefit from your u3a.
- Loss of your charity's money or assets
- Damage to your charity's property
- Harm to your charity's work or reputation

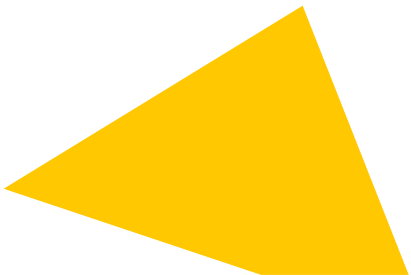


Data Protection

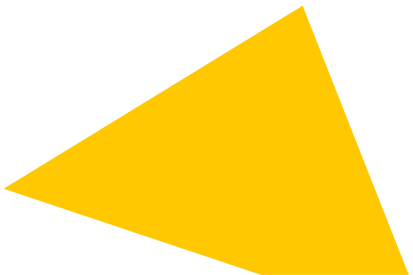


Data Protection is the broader term for the legal framework/practice of protecting personal information. It's not, by itself, the name of the legislation.

The legislation that covers it is UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.



- Only collect information that you need
- Have a simple privacy notice
- Think about how you store data and who has access to it
- Don't keep information forever

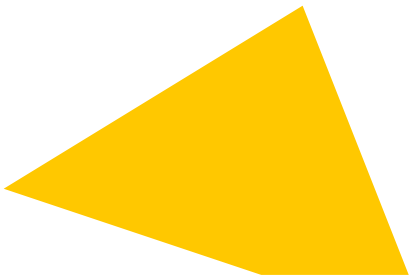


- Data Protection Policy – how the u3a manages data.
- Privacy Notice for Members – what members need to know.
- Data Breach Procedure – what to do if something goes wrong.
- Data Retention Schedule – a simple table saying what information is kept and roughly how long.

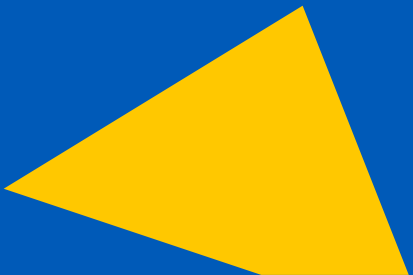
Scenario

A member has complained that they have received an email showing contacts for 40 other u3a members in a recent communication from a Group Leader.

What do you do next?



Safeguarding



Safeguarding means taking reasonable steps to protect adults who come into contact with the u3a from abuse, neglect, exploitation or other forms of harm. This includes being alert to concerns about an adult's safety or wellbeing, responding appropriately when a concern is raised.

The trustees have overall responsibility for safeguarding because they are responsible for ensuring that the u3a is properly governed and takes reasonable steps to protect adults involved in its activities.

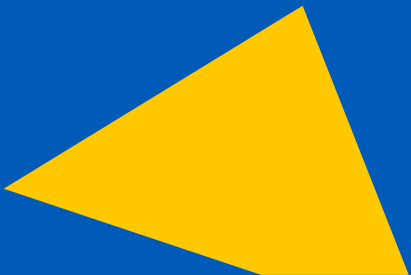
A **vulnerable adult** is an adult who, because of their circumstances, may be less able to protect themselves from abuse, neglect or exploitation, or may be at greater risk of harm. Vulnerability can arise for many reasons, including illness, disability, cognitive impairment, mental distress, bereavement, dependency on others, social isolation or difficult personal circumstances. A person's vulnerability may be temporary or may change over time.

Scenario

A member has complained that they are being bullied by another member and insists that this is safeguarding

How do you establish that this is safeguarding or not?

The role of the Third Age Trust



The Third Age Trust is the membership organisation, u3as are members of the trust. When your u3a started you signed up to terms of membership of the trust and every year when your annual return is submitted you confirm you will adhere to those terms of membership.

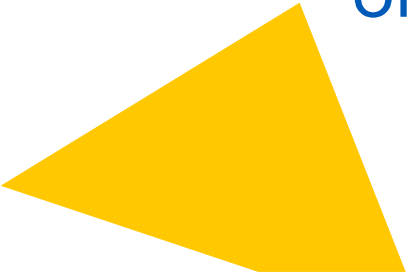
Trustee Indemnity/Management Liability

Indemnity for insured arising from a wrongful act

Exception :

Claims arising directly or indirectly from any dishonest, fraudulent act or omissions.

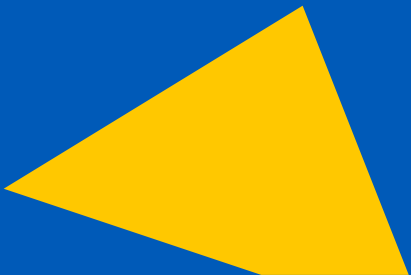
We will not provide indemnity in respect of or make any payment for any claim arising directly or indirectly from or in consequence of or in any way relating to the reckless disregard of an insured person



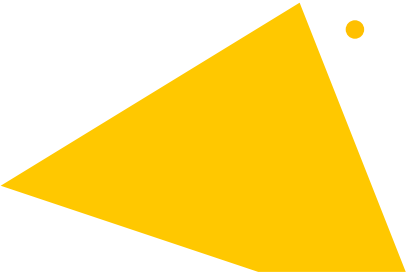
Five Things to remember

1. You do have to take your responsibility seriously.
2. You don't have to know everything, but you do have to recognise when you need to find out.
3. You are part of a committee
4. Ask questions, get information and take advice when you need it.
5. Good governance is about helping your u3a achieve its purpose not about stopping it doing things.

Q&A's



Guidance and support

- u3a Office – info@u3a.org.uk
 - The Third Age Trust website: u3a.org.uk ([Advice and Information](#))
 - [Council Representative](#)
 - Regulatory bodies e.g. Charity Commission
 - Local/Regional newsletters and events – ask to see what you can sign up to
 - Local Networks or neighbouring u3as
 - [Workshops](#) – National and local workshops
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Thank you!

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