

# **BIRMINGHAM AND SOLIHULL MENTAL HEALTH FOUNDATION TRUST**

## **CHARITABLE FUNDS COMMITTEE**

### **TERMS OF REFERENCE**

#### **1 AUTHORITY**

- 1.1 The Charitable Funds Committee is constituted as a Standing Committee of the Trust Board of Directors. Its constitution and terms of reference shall be as set out below, subject to amendment at future Board of Directors meetings.
- 1.2 The Committee is authorised by the Board of Directors to request the attendance of individuals and authorities from outside the Trust with relevant experience and expertise if it considers this necessary.

#### **2 PURPOSE**

- 2.1 The committee is authorised by Trust Board to carry out any function within its Terms of reference.
- 2.2 The Committee is authorised to:
  - perform any of the activities within its terms of reference;
  - obtain outside professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers this necessary; and
  - make recommendations to the Trust Board for actions it deems necessary.
- 2.2 The Trust is trustee of charitable funds registered together under charity registration 1098659
- 2.3 The Committee is authorised by the Board to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience if it considers this necessary.

#### **3 DUTIES**

- 3.1 Ensure that individual fund objectives and spending plans are in keeping with the objectives, spending criteria and priorities set by the donors.
- 3.2 Obtain plans for all individual funds and approve if/when appropriate. Ensure that donations and investment income or losses are attributed to individual funds appropriately.
- 3.2 Ensure that sources of income and the terms on which donations are received are acceptable to the Trustees.

- 3.3 Ensure that all funds are correctly allocated as restricted, unrestricted or designated, and accounted for accordingly. This analysis will differentiate between restricted, specific and the General charitable fund.
- 3.4 Recommend an investment advisor to the Trustees following appropriate tendering procedures and regularly monitor and review their performance.
- 3.5 Ensure that the investment policy for Charitable Funds set by the Trustees is implemented and that sufficient funds are kept readily available to meet planned requirements.
- 3.6 Ensure (through the Finance Department and accounting systems) that there is an appropriate system of control over income and expenditure, and that there are robust governance arrangements in place.
- 3.7 Ensure that the Standing Orders, Standing Financial Instructions and the Scheme of Delegation are appropriately interpreted for charitable funds.
- 3.8 Receive and discuss all audit reports on charitable funds and recommend action to the Trustees.
- 3.9 Review the Charitable Funds annual accounts and comment/ recommend approval to the Trustees as appropriate.
- 3.10 Respond to requests from the Board of Trustees for review or investigation on relating to charitable funds.
- 3.11 To approve or reject bids for charitable funds having received advice from a sub-committee of members who will consider such bids.
- 3.12 The Committee will undertake an annual review of its performance against its work plan in order to evaluate the achievement of its duties. This review will inform the Committees annual report to the Trust Board.

## **4 MEMBERS**

4.1 The membership of the committee will be:

- Chair - Non-Executive Director
- Deputy Chair - Non-Executive Director or Chair of Trust
- Executive Medical Director / or Executive Director of Nursing
- Head of Communications (non-voting member)
- Deputy Director of Finance

All members will have one vote. In the event of votes being equal the Chair of the committee will have the casting vote.

## **5 QUORACY**

- 5.1 There must always be 3 members present, of which one must be a Non-Executive Director and one Executive Director

## **6 DECLARATION OF INTERESTS**

- 6.1 All members and attending ex-officio members must declare any actual or potential conflicts of interest in advance. These must be recorded in the minutes.
- 6.2 Members must exclude themselves from any part of the meeting where a potential or actual conflict of interest may occur.

## **7 MEETINGS**

- 7.1 The committee shall meet not less than twice a year.

## **8. ADMINISTRATION**

- 8.1 The meeting will be closed and not open to the public.
- 8.2 The Company Secretary will ensure there is appropriate secretarial and administrative support to the committee.
- 8.3 An action list and minutes will be compiled during the meeting and circulated within 7 calendar days of the end of the meeting.
- 8.4 Any issues with the action list or minutes will be raised within 7 calendar days of issue.
- 8.5 The Chief Finance Officer will agree a draft agenda with the Committee Chair and it will be circulated 7 calendar days before the meeting.
- 8.6 Any issues with the agenda must be raised with the Committee Chair within 4 working days.
- 8.7 All final committee reports must be submitted 7 calendar days before the meeting.
- 8.8 The agenda, minutes and all reports will be issued 6 calendar days before the meetings.

## **9 REPORTING**

- 9.1 The Committee will receive updates as required from a fundraising group (once established)

- 9.2 The Committee will report to Trust Board at the next meeting reporting on any significant issues.
- 9.3 The Committee will review their effectiveness on an annual basis, reporting the outcome of the review to Trust Board

January 2017 approved by the Board

