

## Solent NHS Trust Charitable Funds Committee – Terms of Reference

### **1 Constitution**

- 1.1 The Charitable Funds Committee (The Committee) is a Committee of the Board and has no executive powers, other than those specifically delegated in these Terms of Reference. These Terms of Reference will be reviewed at least annually by the Trust Board to ensure they remain appropriate.
- 1.2 The Charitable Funds Committee exists to carry out functions delegated to it by Solent NHS Trust, which is the Corporate Trustee of the Charity that is registered with the Charity Commission as Portsmouth & South East Hampshire Charitable Fund (number 1053431), now Solent NHS Charity. The Charity is also known as 'Beacon', Solent NHS Trust Charity.
- 1.3 The Corporate Trustee, through its board, has delegated day to day management of the charity to the Committee, including delegable functions as defined in regulation 16 of the NHS Trusts (Membership & Procedures) Regulations 1990 [*and under section 11 of the Trustee Act 2000 once authorised as a Foundation Trust*].

### **2 Purpose**

- The Committee will ensure that funds are spent in accordance with the original intention of the donor (if specified).
- The Committee will oversee and review the strategic and operational management of the Solent NHS Charity (or non-exchequer funds as they are sometimes known).
- The Committee will ensure that all requirements of the Charity Commission are met and all legislation relating to charitable funds is adhered to in the administration and application of funds.
- The Committee will ensure co-operation with the external auditors in the regulation of the funds.

### **3. Duties**

#### **3.1 The Committee:**

- makes decisions involving the use of charitable funds for investments with regard to existing and subsequent legislation, policy and guidance
- will receive the Annual Accounts and Annual Report of the Trust's Charitable Funds for consideration and recommendation for final approval, or otherwise, to the Trust Board (the Corporate Trustee).
- will receive and review the quarterly charitable funds income and expenditure accounts and other supporting financial information as requested by the Committee
- will receive the Annual Independent Examiners report
- is responsible for establishing delegated authorisation limits to be implemented within the Trust regarding the expenditure of Charitable Funds

#### **3.2 Policies & Procedures regarding Charitable Funds**

The Committee will

- establish policies and procedures required for the effective day to day

management of the Charitable Funds.

- ensure that the Trust's policies and procedures for charitable funds and investments are followed.
- review and approve the Trust's policies and procedures for the use and investment of charitable funds.
- approve the Charity accounts on behalf of the Board, as Corporate Trustee

### 3.3 Investment Portfolio

The Committee will

- ensure that all Trust Fund monies are properly managed and invested in accordance with current charity legislation and in accordance with the investment and reserves policy approved by the Charitable Trust Funds Committee.
- monitor the performance of the charitable funds investment portfolio.

### 3.4 Brand Development and Fundraising

The Committee will

- support brand development in relation to the charity taking into consideration the views of stakeholders
- develop and recommend new strategies to the board as Corporate Trustee and implement when approved.
- regulate fund raising and donations and determine the appropriateness of these activities, ensuring all activities are legal, liabilities are covered and trading activities are accounted for accordingly
- ensure that the generosity of the Trust's benefactors and the purposes to which funds are put, are appropriately publicised and recognised.

3.5 The Committee will conduct an annual appraisal of its effectiveness.

## **4 Membership**

4.1 The Committee is appointed by the Corporate Trustee and comprises;

- Non-Executive Director Chair
- Chief Operating Officer
- Financial Controller
- Chief of Staff and Corporate Affairs

4.2 The Chair of the Committee shall be a Non-Executive Director (NED) appointed by the Trust Board.

## **5 Attendees**

5.1 Attendees invited to the Committee will be;

- Finance Lead for Charitable Funds
- Estates representative
- Other persons as required and invited by the Chair
- Representative from the Communications team

## **6 Meeting administration**

6.1 The Executive Assistant to the CEO shall act as the secretary of the committee. Papers will be circulated in accordance with the Trusts Standing Orders. Minutes of the meeting will be circulated to members once agreed by the Chair.

6.2 The Finance Lead will ensure that the delegated approvals for expenditure are recorded and reported to the next Charitable Funds Committee, when these are above the limits noted in Financial Regulations, and approved by the Chief Executive.

## **7 Quorum**

7.1 The Committee shall be quorate if two members are present of which one shall be a Non Executive Director and one shall be an Executive Director. A finance representative must also be in attendance.

## **8 Frequency**

8.1 Meetings shall be held at least Quarterly. Additional meetings can be called by the Chair of the Committee as deemed necessary.

## **9 Authority**

9.1 The Committee is authorised to seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Committee. The Committee is authorised by the Board to obtain outside legal or other independent professional advice and to secure the attendance of external expertise with relevant experience if it considers this necessary.

## **10 Reporting**

10.1 The Chair of the Committee will report to Trust Board after each meeting via an exception report. The Chair of the Committee shall draw to the attention of the Trust Board any issues that require disclosure to the Board, issues of significance or require executive action.

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