**PWB Trustee Job Description**

**A) To be eligible you must by law:**

1. be over 18 years;

2. not have an unspent conviction for an offence involving dishonesty or deception (such as fraud) or bribery or money laundering or have disobeyed the direction of the Commission;

3. not be bankrupt, or entering into a formal arrangement (for example an individual voluntary arrangement) with a creditor;

4. have not been removed as a company director or charity trustee because of wrongdoing;

5. and be a ‘fit and proper person’ (according to the Finance Act 2010).

**B) You must also:**

1. Comply with the charities child protection policies and must be willing to undergo a Disclosure and Barring Service check (DBS check) – which PWB can help you apply for

2. Have spare time capacity to devote between 1 and 4 hours a week to your duties – time commitments will vary from week to week depending on how busy the charity is that week.

3. Have a stable enough lifestyle to be able to commit to the role for 3 years or more – excepting interference from unforeseeable circumstances.

**C) As trustees, you must by law:**

• always act in the best interests of the charity – you must not let your personal interests, views or prejudices affect your conduct as a trustee

• act reasonably and responsibly in all matters relating to your charity – act with as much care as if you were dealing with your own affairs, taking advice if you need it

• only use your charity’s income and property for the purposes set out in its governing document

• make decisions in line with good practice and the rules set by your charity’s governing document, including excluding any trustee who has a conflict of interest from discussions or decision-making on the matter

**D) Trustees’ 6 main duties are:**

*1. Ensure your charity is carrying out its purposes for the public benefit*

You and your co-trustees must make sure that the charity is carrying out the purposes for which it is set up, and no other purpose.

*2. Comply with your charity’s governing document and the law*

You and your co-trustees must:

• make sure that the charity complies with its governing document

• comply with charity law requirements and other laws that apply to your charity

*3. Act in your charity’s best interests*

You must do what you and your co-trustees (and no one else) decide will best enable the charity to carry out its purposes

*4. Manage your charity’s resources responsibly*

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement.

*5. Act with reasonable care and skill*

As someone responsible for governing a charity, you:

• must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary

• should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees’ meetings

*6. Ensure your charity is accountable*

You and your co-trustees must comply with statutory accounting and reporting requirements.

**E) Making decisions as a trustee:**

Charity trustees make decisions about their charity together, working as a team. Decisions don’t usually need to be unanimous as long as the majority of trustees agree. They’re usually made at charity meetings.

When you and your co-trustees make decisions about your charity, you must:

• act within your powers

• act in good faith, and only in the interests of your charity

• make sure you are sufficiently informed, taking any advice you need

• take account of all relevant factors you are aware of

• ignore any irrelevant factors

• deal with conflicts of interest and loyalty

• make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances

You should record how you made more significant decisions in case you need to review or explain them in the future.

**F) Must understand your personal liability**

You can be liable to your charity if you act unlawfully or negligently as a trustee. Although your charity might run up debts or other liabilities as a result of decisions you make, you and the other trustees won’t be liable if you have:

• acted lawfully, responsibly and reasonably

• followed the rules in your charity’s governing document

• taken reasonable steps to manage risks

But if you can’t prove this, you could be ‘in breach of trust’ to your own charity. Trustees act jointly when running a charity, so the trustees as a group would be liable to repay any loss to the charity.

It’s extremely rare, but not impossible, for charity trustees to be held personally liable:

• to their charity, if they cause a financial loss by acting improperly

• to a third party that has a legal claim against the charity which the charity can’t meet

Understanding potential liabilities will help you to protect yourself and your charity by taking action to reduce the risk. This includes complying with your duties. It also includes deciding whether your charity should become incorporated (for example as a company or CIO).

**G) Specifically to PWB:**

We are particularly looking for someone who meets the above criteria and:

1. Has experience with managing accounts to an auditable level at Charity Commission Reporting standards and who may quite quickly take over the Treasurer’s role
2. Has experience working with Youth Work Safeguarding
3. Has significant experience chairing a Board of Trustees