



CHARITABLE FUNDS COMMITTEE

Terms of Reference

The Charitable Funds Committee (CFC) is responsible for scrutiny and providing assurance to Trust Board on key issues allocated to them by the Trust Board. Agendas are set to enable Trust Board in its capacity as corporate trustee of the charity to be assured that robust processes are in place to enable statutory duties to be met, to enable the Trust's strategic objectives to be met and to address and mitigate risk.

The CFC was established in November 2003. It is a committee of the Trust Board and has no executive powers other than those specifically delegated in these terms of reference.

Purpose

The Trust is a Corporate Trustee for the charitable funds. These include but are not limited to Creative Minds, Spirit in Mind and the Mental Health Museum linked charities and their funds. As a result, it is required to set up a mechanism for the management and use of those funds to ensure it fulfils its obligations as a Corporate Trustee and to manage the Trust's charitable funds in accordance with statutory requirements and Department of Health guidance. The CFC was set up as a body separate from the Audit Committee following a report on the management of charitable funds in the NHS by the Audit Commission.

Membership

Due to the unique nature of the CFC, members are invited to join and must undertake training in the administration of charitable funds in order to discharge their duties. Membership of the CFC reflects the responsibilities to the Trust as well as the need to have a balanced CFC with the necessary skills and experience. The principle remains, however, that the CFC should be chaired by a Non-Executive Director and membership should include other Non-Executives.

Membership as at 1 December 2021:

Erfana Mahmood - Non-Executive Director (Chair of the committee)

Marie Burnham – Trust Chair

Mike Ford – Non-Executive Director

Darryl Thompson – Director of Nursing and Quality

Supporting the work of ...

Registered Charity Number 1055931

Our linked charities:



NHS
**South West
Yorkshire Partnership**
NHS Foundation Trust

Salma Yasmeen – Director of Strategy¹

Attendance

Susan Baines - Head of financial accounting
Sue Barton – Deputy director of strategy and change
Paul Cartwright – Head of marketing and communications
Jana Harris – Fund raising manager
Sue Threadgold - Deputy director of operations for forensics and learning disabilities
Ken Taylor - Volunteer
Other attendees will be invited as required and may include service user and member's council representatives
Linked charity leads will be invited annually to present their annual report to the CFC.

Administrative support will be provided by lead director, currently Salma Yasmeen.

¹ or nominated deputy

Quoracy

The quorum will be three members (including the Chair of the CFC). Members are expected to attend all meetings. In the unusual event that the Chair is absent from the meeting, the CFC will agree another Non-Executive Director to take the chair.

Voting

All members carry one vote. In the event of a tied vote, the Chair of the CFC shall have the casting vote.

Frequency of meetings

Quarterly.

Authority

The CFC has the authority to act within its terms of reference, unless specifically delegated to the CFC by Trust Board.

Duties

1. To equitably manage the Trust's charitable funds in accordance with statutory requirements of the Charity Commission and Department of Health guidance.
2. To ensure that any expenditure is in line with the objects of those funds.
3. To establish appropriate delegated responsibility for the management of designated charitable funds and the linked charities, Creative Minds, Spirit in Mind and Mental Health Museum.
4. Review of the minutes of the Linked Charities Governance Group.
5. Review of bids is delegated to a subgroup and the CFC is responsible for overseeing this group and taking any decisions on bids where the subgroup is unable to reach a decision or on bids over £5,000.
6. To take a proactive role in fundraising for the Charity to increase donations.
7. To establish mechanisms by which donations are facilitated and properly accounted for.
8. To undertake an annual review of the effectiveness of the CFC and produce an Annual Report.
9. To ratify the annual report and accounts, following presentation to the Audit Committee.

With regards to the duty listed number three, responsibility for special funds has been delegated to the General Manager for that service or facility (as agreed by Trust Board). However, if monies have not expended from their funds for 12 months then these funds will be transferred to Business Development Unit (BDU) general funds. However, expenditure on general funds has been reserved to the CFC. (General funds are funds donated with fairly broad objectives, whilst special funds are those donated for a specific purpose and/or service/facility).

Linked Charities

Any Linked Charity will report to the CFC and must abide with the following:

1. Each linked charity will have a named person responsible, responsibility for Creative Minds, Spirit in Mind and Mental Health Museum has been delegated to the Creative Minds Strategic Lead, Head of Pastoral Care and the Museum Curator respectively, they will be responsible for providing an annual report setting out how they have met their charitable objectives including an overview of income, expenditure and approved projects.
2. Any request to become a linked charity must be made to the CFC.
3. All linked charities must follow Trust Standing Orders, Standing Financial Instructions, policies and procedures.
4. All expenditure must be within their income.
5. Any minutes of separate linked charity governance groups will be received by the CFC.

Reporting to Trust Board

The Trust Board, in its role as the charity's Trustee, receives the minutes of the CFC quarterly.

Other

All members of the CFC are required to undertake suitable training in order to discharge their duties as members of the CFC.

December 2021