



CHARITABLE FUNDS COMMITTEE

Terms of Reference

The Charitable Funds Committee (CFC) is responsible for scrutiny and providing assurance to the Corporate Trustee on key issues allocated to them. Agendas are set to enable the Corporate Trustee 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 Corporate Trustee 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 and Social Care 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.

Membership as at September 2022:

Erfana Mahmood - Non-Executive Director (Chair of the Committee)
Marie Burnham - Trust Chair
Mike Ford - Non-Executive Director
Sean Rayner – Director of Provider Development
Salma Yasmeen - Director of Strategy¹

Attendance

Susan Baines - Head of Financial Accounting
Sue Barton - Deputy Director of Strategy and Change

Registered Charity Number 1055931

Our linked charities:



Supporting the work of

Paul Cartwright - Head of Marketing and Communications
Jana Harris - Fundraising Manager
Sue Threadgold - Deputy Director of Operations for Forensics and Learning Disabilities

Other attendees may be invited as required and may include service user and Members' 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 the Corporate Trustee.

Duties

1. To equitably manage the Trust's charitable funds in accordance with statutory requirements of the Charity Commission and Department of Health and Social Care 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 for funding 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 any advice from the Trust's 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. However, if monies have

not expended from their funds for 12 months then these funds will be transferred to general funds. 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 Corporate Trustee

The CFC reports to the Corporate Trustee, which 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.

September 2022