

## Charitable Funds Committee

### Terms of Reference

The terms of reference relate to the operation of the Frimley Health NHS Foundation Trust Charitable Funds (Charity Registration Number: 1049600).

#### 1. Constitution

The Charitable Funds Committee is formally established as a committee of the Corporate Trustee of the Charity (the Board of Directors of Frimley Health NHS Foundation Trust), hereafter 'the Trustee'.

The Charitable Funds Committee will review these Terms of Reference on an annual basis as part of a self-assessment of its own effectiveness. Any recommended changes brought about as a result of the yearly review, including changes to the Terms of Reference, will require Board of Directors' approval.

#### 2. Authority

The Charitable Funds Committee is directly accountable to the Board of Directors. All minutes of committee meetings will be reported directly to the Board of Directors.

The Charitable Funds Committee is authorised by the Trustee to monitor all aspects of charitable activity within Frimley Health NHS Foundation Trust (the Trust), as set out within its Terms of Reference. It is authorised to seek any information it requires from any employee and all employees are directed to cooperate with any request made by the Committee. The Committee is authorised by the Trustee, as and when required, to obtain external independent professional advice through normal business processes (subject to the cost of all advice sought in any financial year not exceeding £5,000 without prior approval from the Trustee) and to secure the attendance of outside parties with relevant experience and expertise if this is considered to be appropriate (within the above financial limit).

The Charitable Funds Committee has delegated responsibility for the day to day management of charitable funds at Frimley Health NHS Foundation Trust on behalf of the Trustee. However, overall liability for the governance of charitable funds is retained by the Trustee and no liability will be attributed to members of the Charitable Funds Committee. The Trust purchased Trustee Indemnity Insurance on behalf of the Trustee. Under the terms of the Trustee Indemnity Insurance an "*Insured Person means a natural officer who has been, now is or shall become a duly appointed trustee, director, governor, officer, governing committee or governing body member or employee of, or volunteer working for an Insured Organisation*".

#### 3. Aim

The aim of the Charitable Funds Committee is to undertake the routine management of the Charity, in accordance with the Scheme of Delegation, and to give additional assurance to the Trustee that the Trust's charitable activities are within the law and regulations set by the Charity Commissioners for England and Wales. It does not remove from the Trustee the overall responsibility for stewardship of the Charitable Funds Committee but provides a forum for a more detailed consideration of all charitable activity within the Trust.

#### 4. Objectives

Specific duties of the Charitable Funds Committee include:

- The day to day management of charitable funds at Frimley Health NHS Foundation Trust on behalf of the Trustee;
- Ensure that the Charity complies with current legislation;
- Review new legislation and its impact on the Charity (i.e. SORP 2005 and the Charities Act 2006), making recommendations to the Trustee if changes in practice or policy are required;
- Seek assurance that investments are in compliance with the Charity's investment policy and make recommendations to the Trustee if changes are proposed;
- Determine the management arrangements for the Charity's investments and review performance regularly against agreed benchmarks;
- Review the policy for expenditure of the funds including the use of investment gains, and make recommendations to the Trustee if changes are proposed;
- Review individual fund balances within the overall Charitable Funds on a regular basis, seek expenditure plans from individual fund holders, and oversee expenditure against the Charitable Funds in accordance with the Scheme of Delegation;
- Agree guidance and procedures for fund holders and ensure they are promulgated to those who need to be aware of them;
- Receive and review the Annual Accounts and Annual Reports for the Charity and submit them to the Trustee for approval;
- Review and act on any audit recommendations;
- Encourage a culture of fundraising within the Trust, raise the profile of the Charity, and monitor the progress of major appeals;
- Approve policy and standards around promotion of the Charity on behalf of the Trustee to ensure that material used does not endanger the Charity's reputation;

## **5. Method of working**

The agenda to be used by the Charitable Funds will, as a minimum, include the following agenda items:

1. Apologies for absence
2. Declarations of Interest
3. Minutes of the previous meeting
4. Action Log
5. Charity Finance Report
6. Charity Activity Report
7. Any Other Business
8. Date of next meeting

## **6. Membership**

### 6.1 Committee Membership

The Charitable Funds Committee membership will comprise of the following members as authorised by the Charitable Trustee:

- One Non-Executive Director
- Director of Operational Finance (or alternate)
- Director of Communications and Engagement (or alternate)

The Director of Operational Finance and the Director of Communication and Engagement can nominate an alternative to attend the meeting in their place.

## 6.2 Committee Chair

The Chair of the Charitable Funds Committee will be appointed by the Chairman of the Trustees. In the absence of the Chair, a chair for the meeting will be elected from the members present.

## 6.3 Attendees

Additional individuals will be co-opted, as appropriate, including the following members:

- At least two clinical staff members (nominated by the Medical Director and the Director of Nursing)
- Frimley Health Charity Director
- Associate Director Technical Accounting

## **7. Quorum**

A minimum of three members, with at least one Director or their alternate and one Non-Executive Director, will constitute a quorum.

## **8. Frequency of Meetings**

The Charitable Funds Committee will meet at least quarterly.

## **9. Secretariat**

Minutes and agenda to be circulated by the Company Secretariat.

## **10. Reporting lines**

The minutes of each Charitable Funds Committee, as agreed with the Chair, will be presented to the following Trustee meeting. Any amendments to those minutes will be agreed at the subsequent Trustee meeting. The minutes of each Committee meeting will be reported to the Board of Directors.

Where a significant risk emerges through a Committee report or identified through discussion at a Committee meeting, the matter will be reported to the Board.

## **11. Openness**

Agenda and Minutes of the meeting will be confidential.

Reviewed by: Charitable Funds Committee

Date: 13 March 2023

Approved by: Board of Directors

Date: 5 May 2023

Review date: March 2024