

What it means to be a trustee

Every group, district and county in England and Wales is a separate charity, whether or not they are registered with the Charity Commission for England and Wales.

All members of trustee boards are charity trustees which hold important legal responsibilities and requirements. It is important that your board members are aware of their responsibilities.

The Charity Commission for England & Wales outlines the main responsibilities and duties of charity trustees as follows:

- Ensure your charity is carrying out its purposes for the public benefit
- Comply with your charities' governing document (in the scouts this is POR) and the law
- Act in your charity's best interests
- Ensure your charity is accountable
- Manage your charity's resources responsibly
- Act with reasonable care and skill

Trustee status

Because of their status as charity trustees, only people aged 18 and over may be full voting members of the trustee boards.

Some people will be disqualified from being a charity trustee. This is detailed in the Charities Acts. If they are disqualified, they are not able to be a member of your trustee board.

POR sets out who may not act as a charity trustee. Subject to regulatory waiver provisions this includes anyone who:

- has an unspent conviction for an offence involving dishonesty or deception; or
- has unspent convictions for the offences of misconduct in a public office; or
- has unspent convictions for bribery, or money laundering, or perjury or perverting the course of justice or terrorism; or
- is found guilty of attempting, aiding or abetting the above offences; or
- has been found in contempt of court; or
- is designated under terrorist asset-freezing legislation; or
- is on the sex offenders' register; or
- is currently declared bankrupt (or is subject to bankruptcy restrictions or an interim order or sequestration in Scotland) or has an individual voluntary arrangement (IVA) with creditors; or
- is disqualified from being a company director; or
- has previously been removed as a trustee from any charity by any charity regulator in the UK (or a court) due to misconduct or mismanagement; or
- is disqualified from being a trustee by an order of the Charity Commission for England and Wales, the Office of the Scottish Charity Regulator or the Charity Commission for Northern Ireland.