

Finding new  
trustees - What  
charities need  
to know



## The Charity Commission

The Charity Commission is the independent regulator of charities in England and Wales. Its aim is to provide the best possible regulation of charities in England and Wales in order to increase charities' effectiveness and public confidence and trust. Most charities must register with the Commission, although some special types of charity do not have to register. There are over 160,000 registered charities in England and Wales. In Scotland the framework is different, and the Commission does not regulate Scottish charities.

The Commission provides a wide range of advice and guidance to charities and their trustees, and can often help with problems. Registered charities with an annual income over £10,000 must provide annual information to the Commission. The Commission has wide powers to intervene in the affairs of a charity where things have gone wrong.

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## A. Introduction

### A1 What is this guidance about?

We are often asked to advise charities on how to recruit, select, appoint and induct trustees. This guidance answers some of the more common questions, and sets out a framework for the recruitment process.

The recruitment, selection and subsequent induction of one or more new trustees into a charity can strongly influence how effective the charity is in the future. Where all works well, it can lead to a balanced and effective trustee board and a well governed and effective charity. However, where these processes are weak, the ability of the trustee board to manage the charity may be affected, and in the worst cases it can lead to major problems for the charity and its beneficiaries.

### A2 'Must' and 'should': what we mean

In this booklet, where we use '**must**', we mean it is a specific legal or regulatory requirement affecting trustees or a charity. Trustees must comply with these requirements. To help you easily identify those sections which contain a legal or regulatory requirement we have used the **L** symbol next to the short answer in that section.

We use '**should**' for items we regard as minimum good practice, but for which there is no specific legal requirement. Trustees should follow good practice guidance unless there's a good reason not to.

We also offer less formal advice and recommendations that trustees may find helpful in the management of their charity.

### A3 Scope of this guidance

This guidance covers a range of key areas about recruiting and appointing new trustees. Some of the issues are complex and governed by different laws and regulations relating to different kinds of charity. You should not rely on this guidance to be an accurate or full description of legal matters affecting your charity. It provides a general introduction and overview, and highlights areas where you may need further advice, either from us, or from your charity's legal advisers.

### A4 Using this guidance

The structure of this guidance follows the main headings used in the next section. Under each heading, we ask a selection of the relevant questions that new or existing trustees may raise about the recruitment and induction process. Generally we give a concise summary answer ('The short answer'), and then go on to provide further explanation and background ('In more detail').

## A5 Other sources of help and advice

There are many resources which trustees can use to help them. We encourage trustees to make use of the expertise of relevant organisations to help them run their charities as effectively as possible.

Contact details for all the organisations mentioned in this guidance, with a brief description of what they do, can be found in section H.

## A6 Some technical terms used

Although we have tried to write this booklet in everyday language, there are some technical terms we have to use in places. This list explains some of them:

**Governing document:** A legal document setting out the charity's purposes and, usually, how it is to be administered. It may be a trust deed, constitution, memorandum and articles of association, will, conveyance, Royal Charter, Scheme of the Commission, or other formal document.

**Incorporated charity:** A charity which is also a company or has a similar legal status as a corporate entity in law.

**Trustee** means a charity trustee. Charity trustees are the people who are responsible for the general control and management of the administration of the charity. In the charity's governing document they may be called trustees, managing trustees, committee members, governors or directors, or they may be referred to by some other title.

**Trustee board** means the charity's governing body. This may be called the management committee, executive committee or board of directors, or may be referred to by some other title.

## B. Trustee recruitment at a glance

This section summarises the main stages in the recruitment of new trustees and sets out a typical sequence of events.

### Making a start

- (1) A charity identifies the need for new trustees. This may be because vacancies have arisen through resignations, or it may be that existing trustees have decided that one or more new trustees with specific skills are needed to help run the charity more effectively.
- (2) The trustees agree what skills, experience and knowledge are needed, and write it down in the form of a short job description and person specification.
- (3) The trustees agree responsibilities and a process for recruitment; in doing this, they take care to comply with any specific requirements set out in the charity's governing document. Some of the work may be delegated to a sub-group of trustees, but the whole trustee board remains in full control of the process and decisions.

### Finding potential trustees

- (4) The trustees consider the best methods of attracting a diverse range of candidates with the skills the charity needs. This may include advertising in the local and/or specialist press and using trustee brokerage services.
- (5) Short-listing and interviews take place against agreed criteria. Interviews are carried out by a small panel of trustees, and each candidate is asked similar questions to ensure a fair and objective approach. Notes are kept of each interview.
- (6) Preferred candidates are identified and invited to join the trustees, subject to references, formal vetting and approval by the full trustee board. Unsuccessful candidates are notified and thanked for their interest.

### Vetting potential trustees

- (7) The trustees check that the candidates have not been disqualified from acting as trustees, and candidates are asked to confirm in writing that this is the case.
- (8) Candidates are asked to consider and declare any existing or potential conflicts of interest.
- (9) If the charity works with young or vulnerable people, the trustees seek any necessary Disclosures from the Criminal Records Bureau.
- (10) In the light of the checks, declarations and Disclosures, the trustees decide to go ahead and formalise the appointment of new trustees.

## Making the appointment

(11) The trustees check the charity's governing document to ensure that they appoint the new trustees in a proper and legal way.

(12) The Chair of the charity writes to the prospective trustees, setting out their duties and the charity's expectations of them; they are asked to sign and return a copy of the letter.

(13) An information pack about the charity is sent to new trustees, and a full induction process is arranged. New trustees meet existing trustees and others involved with the charity, such as members of staff, volunteers and beneficiaries.

(14) The new trustees attend their first board meeting and are duly welcomed. All relevant parties, such as funders and the charity's solicitors and auditors, are notified of the new appointments.

## C. Making a start

You may be thinking about inviting new members to the trustee board. First, you should make sure you are aware of any relevant requirements in the charity's governing document, such as:

- Is there a minimum or a maximum number of trustees?
- How are they to be appointed?
- How long can they stay in office?

You should also consider questions such as:

- What new skills, knowledge or experience does the board need?
- Are there specific interest groups that a new trustee could represent?
- Should the trustee board be more diverse than it is at present? For example, to include people from different social or ethnic backgrounds or to include people with disabilities

### C1 How important are trustees to a charity?

#### **The short answer:**

Trustees matter a great deal. It is very important for any charity to have trustees committed to their task and with the skills, knowledge and experience that the charity needs.

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#### **In more detail:**

Trustees play an essential role in the governance of charities. They also have a lot to contribute to their success. For example they can:

- serve as a means of communication with communities that a charity exists to serve;
- bring valuable professional or other experience to charities; and
- help to ensure that charities are well-managed through the appointment of senior executive staff.

### C2 What kind of person will make a good trustee?

#### **The short answer:**

Most people have some skills, knowledge or experience which they can bring to a charity. Trustees should have a strong personal commitment to the charity's aims and objectives. It is also essential that there are no legal or other barriers to a trustee's appointment.

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#### **In more detail:**

When trustees are thinking about recruiting a new trustee or trustees, a good starting point is to look at what skills, knowledge and experience are needed to make sure that the charity is well governed and is run effectively, efficiently and appropriately to its size and complexity. This does not mean that trustee boards should contain experts or specialists to cover every eventuality.

This process is valuable in its own right and we recommend that trustees regularly review the skills of the trustee board rather than wait for a trustee vacancy to occur. Trustee skills can range in nature from financial, book-keeping or marketing skills, through to links with the relevant communities or service users. It is also important that a trustee should have the necessary time and energy to devote to the charity.

An assessment or appraisal of the skills of the current trustees is a good way to identify any gaps which need to be filled. The extent of the assessment will vary depending on the size and nature of the charity. For smaller and less complex charities the assessment can be quite simple, but for larger and more complex charities a more formal and structured approach may be needed.

This assessment, as well as identifying any skills gaps on the trustee board, can help form the basis of a 'job description' for new trustees. This can be a useful way of describing the role to new or prospective trustees, including how much time they will need to commit to fulfilling their new duties. We recommend that job descriptions are prepared for each trustee. A charity will often benefit from trustees who reflect, and have a knowledge of the communities and the areas that the charity exists to serve.

It is also essential that there are no legal barriers to a trustee's appointment.

#### **Further information:**

The Institute of Chartered Secretaries and Administrators (ICSA), Wales Council for Voluntary Action (WCVA) and the National Council for Voluntary Organisations (NCVO) all produce model job descriptions for charity trustees. ICSA also produces job descriptions which are specifically for chairs, secretaries and treasurers of charities. The National Occupational Standards for Trustees and Management Committee members can also be a useful tool for drawing up a job description, and these can be downloaded from the UK Workforce Hub website <http://www.ukworkforcehub.org.uk/>. You can find more information on who may and may not become a trustee in section E.

### **C3 Should a charity aim to have a diverse trustee board?**

#### **The short answer:**

Yes. A diverse board is more likely to contain a broader range of skills, knowledge and experience than one which is more narrowly based. When preparing to recruit new trustees, a charity should, in general, seek to increase or at least maintain the diversity of its trustee board.

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#### **In more detail:**

Having a diverse trustee board can also help to ensure that the charity is fair and open in all its dealings, for example, in its grant giving or delivery of services.

We believe that the governance of charities will be improved where trustees are recruited from a wide range of backgrounds. This includes trustees from parts of the community which have traditionally not played a large part in charities, such as young people, people from minority and ethnic communities and people with disabilities. Creating a diverse board can also help to increase accountability and public confidence.

There are also some legislative requirements with which charities must comply; for instance the Race Relations (Amendment) Act 2000 gives 'public bodies' a general duty to promote race equality. The services provided by some charities are included within this definition, and the legislation is something which an effectively-run charity should want to work towards. The same is true of the Disability Discrimination Act 1995 and the Employment Equality (Sexual Orientation) Regulations 2003.

**Further information:**

You can find more details on how to make a trustee board more diverse in section D6. The NCVO guide, 'Managing diversity in the workplace' provides more information on legislative requirements on diversity, and WCVA covers many of these and other legal requirements in 'An employment guide for community buildings (and other voluntary groups)'.

## C4 Who is responsible for recruiting new trustees?

**The short answer: L**

Responsibility for the recruitment of new trustees rests firmly with the existing trustees. They must oversee the management of an open and efficient process and always act in the best interests of the charity.

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**In more detail:**

Existing trustees are legally responsible for the recruitment of new trustees. Trustees of charities that employ staff can delegate some aspects of recruitment to staff, but they must ensure that they retain overall responsibility and control of the recruitment, selection and induction processes.

In recruiting new trustees, the existing trustees must act in the best interests of the charity. In order to ensure this is the case, and that they are in a position to explain to new trustees what is required of them, existing trustees need to be clear in their own minds about the purposes and aims of the charity, as well as their broader duties and responsibilities as trustees.

## D. Finding potential trustees

There are a variety of methods which trustee boards can use to recruit new trustees. Our experience and research shows that the traditional methods for recruiting new trustees - personal recommendation and word of mouth - remain the most popular. However, our research work has shown that whilst these methods are still widely used, they are not necessarily the most effective ways of finding the people with the skills which the trustees have identified, as they limit the field from which trustees can be drawn. Using wider and more inclusive methods of searching for new trustees, such as advertising and using trustee brokerage services, can access a wider range of applicants and we recommend that trustees consider these methods.

### D1 Is advertising a good way to attract trustees?

**The short answer:**

Yes. By advertising it is possible to reach out to more people than can be reached by word of mouth, and this can help a charity to attract a greater range of candidates with a wider range of skills and experience.

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**In more detail:**

Advertising can be an effective way of reaching a wider group of people, and it gives a charity the opportunity to specify the skills that the trustee board is looking for. Advertising in the press can be expensive, and will not be appropriate for all charities. However, there are some low cost solutions available, such as free notices on local websites, local notice boards or newsletters. To make the most of advertising, trustees should think carefully about where to advertise, and make sure that the advertisement accurately reflects the charity and the skills and experience that the trustees are looking for.

### D2 Can a charity recruit internally for trustees?

**The short answer:** **L**

Yes, this can be a good way of finding trustees who have the qualities and skills the charity needs. But be aware that there are specific legal requirements if the trustee is also a paid employee of the charity.

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**In more detail:**

Trustees may want to consider recruiting new trustees from within their own charity. There may be volunteers within the charity who possess the skills which the trustees have identified, or who could develop these skills with further training and support. If an employee of the charity, rather than a volunteer, wishes to become a trustee, there are particular requirements which the charity will need to comply with, since the law prevents unauthorised payments to trustees.

**Further information:**

You can find more information in [Trustee expenses and payments \(CC11\)](#).

## D3 Can a charity recruit trustees from its users or beneficiaries?

### The short answer:

Yes. Trustees who use or benefit from the charity's services are known as user trustees, and they can both enhance the effective management of a charity, and can help to ensure a more diverse and representative trustee board.

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### In more detail:

The decision whether or not to include users as trustees is one that the trustee board needs to consider based on the circumstances and needs of the charity. User trustees can contribute direct experience to the development of the charity's services and help other trustees develop a greater understanding of the users' perspective.

For both user trustees and trustees generally, trustee boards need to ensure that there are procedures in place to manage any conflicts of interest between a trustee's personal interests and those of the charity. It is important to remember that user trustees have the same duties and responsibilities as any other trustee. Their role is to act in the best interests of the charity, not to represent user interests.

### Further information:

You can find more information about user trustees in [Users on Board: Beneficiaries who become trustees \(CC24\)](#). More information about conflicts of interest can be found in section E5.

## D4 Can people with learning difficulties be trustees?

### The short answer:

Yes, in many cases people with learning difficulties or other mental health issues (through disability or ill-health) can be fully active as charity trustees.

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### In more detail:

One of the eligibility requirements for trustees (see also E1) is that trustees must be considered capable of managing their own affairs if they are to be considered capable of managing a charity. While this may rule out some people at the more severe end of the learning difficulties spectrum, many people with learning difficulties will be able to meet this criterion and play an active and responsible role in managing their charity, bringing useful experience and perspective to the trustee board. This applies equally to many people with other mental health issues, both permanent and temporary and caused by either injury or ill-health.

## D5 Can charities get help to find trustees?

### The short answer:

Yes, a number of organisations maintain registers of potential trustees, or offer a trustee brokerage service, matching potential trustees with vacancies on the boards of charities.

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### In more detail:

The National Council for Voluntary Organisations (NCVO) operates a Trustee Brokerage Network Group and produces a free booklet, 'Trustee Bank: A directory of trustee brokerage services'. A number of organisations, such as The Institute of Chartered Secretaries and Administrators (ICSA), and the Ethnic Minority Foundation also provide trustee registers.

There are a number of other sources you can use to find out about volunteering opportunities, including Do-it, which is a national database of volunteering opportunities in the United Kingdom:

<http://www.do-it.org.uk/>.

Specialist magazines, journals and newspapers also list trustee brokerage services and the local Councils for Voluntary Service (CVS) in England, and County Voluntary Councils (CVC) in Wales, may be a source of further information. You can find details of some of the journals and magazines which may be helpful in section H.

Networking with other charities, either from the same local area or offering similar services, can be another way of finding new trustees. This can also be a useful way of sharing information and best practice. Charity Trustee Networks (CTN) is a charity which helps set up and supports networks of charity trustees and which also runs trustee.net, a free national network of trustees and management committee members.

## D6 How can a charity make its trustee board more diverse?

### The short answer:

You can achieve greater diversity by reaching out into communities that are not presently represented, for example by advertising and by making specific efforts to assist people who might otherwise have difficulties in attending board meetings.

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### In more detail:

Practical ways of increasing diversity on the trustee board include:

- making use of more active, open and inclusive methods of recruitment, such as advertising or using trustee brokerage services;
- organising trustee board meetings at the most convenient times, or at different times so that people who cannot attend at a particular time are not excluded;
- holding trustee board meetings in a venue which is accessible for people with disabilities;
- having a policy in place for paying childcare expenses or providing childcare arrangements;
- considering people's needs for translators or sign language interpreters, or for documents available in large print, tape, CD or Braille;

in Wales, taking full account of the bi-lingual society, and ensuring that everyone is able to use either English or Welsh as their language of choice, including receiving written communication in that language.

## E. Vetting trustees prior to appointment

The appointment of a new trustee to a charity is an important matter. Before appointing a new trustee the trustee board must make sure it is acting within the law, in accordance with the charity's governing document, and that the prospective trustee is not disqualified from being a trustee. Disclosures should be obtained for trustees of charities which work with children or vulnerable adults. Charities should also ensure that a prospective trustee understands the responsibilities they are taking on and can be relied on to carry them out responsibly.

### E1 Can anyone be appointed as a trustee?

**The short answer: L**

No. There are legal restrictions on who may be a charity trustee. Additional restrictions may be contained in the charity's governing document. Before appointing a new trustee, the trustee board must make sure that the appointment meets the requirements of the charity's governing document and the law.

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**In more detail:**

When preparing to appoint a new trustee, the trustee board must ensure that the person is qualified to act as a trustee. No-one under the age of 18 can be a trustee of a charitable trust or unincorporated association. However 16 is the minimum age for the appointment of a director, and so, a trustee of a charitable company. Further information on [young people as trustees](#) can be found on the Publications and Guidance page on our website.

Some people are disqualified by law from acting as trustees, including anyone described in sections 178 - 180 of the Charities Act 2011. This includes:

- anyone who has an unspent conviction for an offence involving deception or dishonesty;
- anyone who is an undischarged bankrupt;
- anyone who has been removed from trusteeship of a charity by the Court or the Commissioners for misconduct or mismanagement; and
- anyone under a disqualification order under the Company Directors Disqualification Act 1986.

It is normally an offence to act as a trustee while disqualified unless we have given a waiver under section 181 of the Charities Act 2011, (there are some special provisions applying to the administration of charitable companies). Further information about disqualifications and waivers of disqualification can be found in our staff guidance [OG41](#) and [OG42](#) which can be accessed via the Publications and Guidance page on our website.

In addition to the disqualifications detailed in the Charities Act, which apply to all types of charities, the Criminal Justice and Court Services Act 2000 disqualifies certain individuals from holding a range of positions in children's charities, which includes charity trusteeship. We do not have the authority to give a waiver for this type of disqualification.

The appointment of a trustee must be in accordance with the charity's governing document, which will set out procedures for appointing new trustees, including any restrictions, such as a maximum number of trustees or an age limit. It is important that trustees follow these procedures. If they don't, this could

result in the appointment being invalid. If the governing document contains provisions which prevent certain people from acting as charity trustees, we cannot grant a waiver under section 181 of the Charities Act 2011 as we cannot override the provisions within a governing document.

## E2 How should charities check on prospective trustees?

### The short answer:

Before appointing a trustee, the trustee board should obtain a declaration from the prospective trustee that they are not disqualified. It should also consult official registers of disqualified persons. We strongly recommend that charities working with vulnerable people, with positions which are eligible to obtain Disclosures from the Criminal Records Bureau (CRB), should do so.

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### In more detail:

As a minimum, the trustee board should ask new trustees to sign a declaration to confirm that they are not disqualified from acting as a charity trustee.

Trustees can also make use of official registers which record the names of people who are disqualified from acting as charity trustees. These include:

(1) The Individual Insolvency Register maintained by the Insolvency Service, which contains details of:

- bankruptcies that are either current or have ended in the last three months;
- current individual voluntary arrangements and fast track voluntary arrangements; and
- current bankruptcy restriction orders and undertakings.

Searches of the Register can be made on the Insolvency Service website <http://www.insolvency.gov.uk/>, by visiting your local Official Receiver's office, or by post or fax. You can find contact details for the Insolvency Service in section H.

(2) The register of disqualified directors maintained by Companies House. Searches of the register can be made on the Companies House website, <http://www.companieshouse.gov.uk/>.

(3) The register which we maintain of all persons who have been removed as a charity trustee either by us or by an Order of the High Court since 1 January 1993. A copy of the register is kept in each of the Commission's offices.

Trustees of charities working with children or vulnerable adults should also make additional, more detailed checks, by obtaining a Disclosure from the CRB. We strongly recommend that trustees of charities that can obtain CRB checks take advantage of this option, to ensure both that the person they wish to appoint as a trustee is eligible and to ensure the safety of the charity's beneficiaries. There are some charities that must carry out these checks. You can find more information in section F6.

### Further information:

A [model declaration form](#) for prospective trustees is available on our website on the About Charities page. Sample declaration of eligibility forms for trustees are also produced by a number of other organisations, including the National Council for Voluntary Organisations (NCVO) <http://www.askncvo.org.uk/>. You can find more information about the CRB and CRB Disclosures in section F.

## E3 What if prospective trustees have not been checked?

### The short answer:

We are likely to find out as we use several ways to monitor whether or not charities are checking the eligibility of their trustees.

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### In more detail:

There are a number of ways in which we monitor whether or not charities are checking the eligibility of their trustees:

- When an organisation applies to register as a charity, we ask all the trustees to complete a declaration confirming that they are not disqualified from acting as a charity trustee.
- From 1 October 2007 when an organisation applies to register as a charity that works with either children or vulnerable adults, we will ask them to confirm whether Disclosures have been obtained for any trustees who are either legally required to or who are allowed to obtain a Disclosure before we register the organisation. You can find further information about [registering charities](#) on our website.
- We carry out annual checks on a random sample of trustees to establish that trustee eligibility checks have been carried out.
- We monitor registered charities through the reporting of serious incidents on the Annual Return form.

## E4 What happens if a disqualified person becomes a trustee?

### The short answer: **L**

If a disqualified person is appointed as a charity trustee, the appointment will be invalid. The person will not, in fact, be a trustee, and may have committed a criminal offence. If existing trustees had not made proper checks before the appointment, they may have acted improperly.

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### In more detail:

If a person who is disqualified from being a trustee, either according to the general law as it applies to charity trustees, or according to the charity's governing document, becomes a trustee, the appointment is invalid. In addition, if problems arise with a trustee, and it emerges that existing trustees failed to follow this guidance, this would be an important factor in our consideration of whether the trustees had acted improperly.

Under the provisions of the Criminal Justice and Court Services Act 2000, any individual who is disqualified from working with children will be committing an offence if he or she knowingly applies for, offers to do, or accepts work with children, which is either paid or unpaid. It is also an offence to knowingly procure work for, or offer either paid or unpaid work with children to, someone who is disqualified from working with children or to allow them to continue doing such work.

Under the provisions of the Care Standards Act 2000, it is a criminal offence for an individual confirmed on the POVA (Protection of Vulnerable Adults) list to knowingly apply for, offer to do, accept or do any work in a care position, as defined in the Care Standards Act 2000. A provider of care, as defined in the Care Standards Act 2000, must not employ anyone in a care position who is either provisionally listed or confirmed on the POVA list.

**Further information:**

You can find more information on POVA on the Department for Health website at [www.dh.gov.uk](http://www.dh.gov.uk).

## E5 What about potential conflicts of interest for prospective trustees?

**The short answer:**

It is a good idea to consider potential conflicts of interest in advance of an appointment. If there is a strong possibility that conflicts of interest might arise following the appointment of a prospective trustee, that may suggest that the trustees should reconsider the appointment.

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**In more detail:**

A conflict of interest is any situation in which a trustee's personal interests or loyalties, and those of the charity, arise simultaneously or appear to clash. For example, if a charity awarded a contract to another organisation owned by a trustee, the person in question could face conflicting pressures between maximising profit for his or her company and keeping costs low for the charity.

It is always better to anticipate any conflicts of interest before the appointment of a trustee, than to deal with such conflicts as and when they arise. It is inevitable that conflicts of interest will emerge from time to time, particularly in local communities where interests may overlap, so the potential for conflicts of interest may not be sufficient to prevent the appointment of an otherwise well qualified trustee. It is important to identify the conflicts of interest and to make sure that they are properly managed.

However, if such conflicts are likely to arise frequently, this may affect the ability of the trustee to perform their duties. This is particularly important where personal interests may be significant enough to make it necessary for the trustee to withdraw from meetings so often that they cannot make a useful contribution. If this is the case they should consider standing down or not standing in the first place.

Prospective trustees should therefore be asked about potential conflicts of interest, and these should be declared to those who will decide on the appointment. For example, if new trustees are elected by the charity's membership, the membership should be made aware of any possible conflict of interests, so that they can take this into account when voting.

A charity should, as a matter of best practice, have arrangements in place for spotting and dealing with potential conflicts of interest involving trustees. An open approach is good practice. One useful exercise that charities should consider is to ask trustees to submit an annual declaration of actual or potential conflicts of interest.

**Further information:**

A number of organisations provide model conflict of interest policies and a model register of interests, such as The Institute of Chartered Secretaries and Administrators (ICSA). You can find more details on [dealing with conflicts of interest](#) via the Publications and Guidance page on our website.

## F. The Criminal Records Bureau

The Criminal Records Bureau (CRB) exists to help organisations identify people who are unsuitable for certain types of work, especially work involving access to or contact with children and other vulnerable members of society, by making 'Disclosures' of any criminal, police or similar records. This includes trustees of charities who have such access or contact. **This section is relevant only to such charities, who have a duty to ensure that they do not recruit trustees who might present a danger to any children or vulnerable adults.**

### F1 What does the Criminal Records Bureau do?

#### The short answer:

The CRB provides a Disclosure service which offers access to criminal, police and other records. The aim is to prevent unsuitable or dangerous people from coming into contact with children or vulnerable adults.

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#### In more detail:

The CRB provides a Disclosure service, which offers access to records held by the police, together with information from the following lists: Protection of Children Act (POCA), Protection of Vulnerable Adults (POVA) where applicable, and List 99. A charge is made for obtaining a Disclosure for paid positions, although Disclosures for volunteers, which will include the majority of trustees, are free.

#### Further information:

The CRB website [www.homeoffice.gov.uk/agencies-public-bodies/crb](http://www.homeoffice.gov.uk/agencies-public-bodies/crb) provides:

- advice on the procedure for applying for a Disclosure;
- application forms and guidance on how to complete them; and
- the current charges for Standard and Enhanced Disclosures, which apply to paid positions.

List 99 contains the names, dates of birth and teacher reference numbers of people whose employment has been barred or restricted, either on grounds of misconduct or on medical grounds. It is maintained by the Department for Children, Schools and Families (DCSF). You can find more information on List 99 on the DCSF website [www.dcsf.gov.uk](http://www.dcsf.gov.uk).

### F2 What levels of Disclosure are there, and when do they apply?

#### The short answer:

There are two levels of Disclosure: the Standard Disclosure, which includes all convictions, cautions, warnings and reprimands held on the Police National Computer; and the Enhanced Disclosure, which involves an extra level of checking with local police force records. In addition, with either type of disclosure it is possible in certain cases to obtain access to the information held by the Department of Health and the Department for Children, Schools and Families on people who are considered unsuitable to work with children or vulnerable adults, including:

- the Protection of Children Act List;
- List 99;
- the Protection of Vulnerable Adults List.

In more detail:

There are two levels of Disclosure, Standard and Enhanced.

Both levels of Disclosure include:

- all convictions, spent and unspent;
- details of cautions, reprimands and warnings held on the Police National Computer.

They are available for:

- certain positions involving regular contact with those under 18;
- the trusteeship of children's charities (see section F4);
- certain positions giving access to or involving regular contact with vulnerable adults.

In addition where certain criteria are met a check may be made in the various lists held by the Department of Health and the Department for Children, Schools and Families of people who are considered unsuitable to work with children or vulnerable adults.

Enhanced Disclosures also involve an extra level of checking with local police force records.

### F3 Which charities should seek CRB Disclosures for their trustees?

#### **The short answer:**

Charities that work with children and some charities that work with vulnerable adults may be allowed to, and if so should, obtain CRB Disclosures for their trustees. Some organisations must check with the CRB before employing individuals and this will include some charity trustees. Section F6 provides more details.

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#### **In more detail:**

A charity will be allowed to seek CRB Disclosures for its trustee if it is:

- a children's charity (see section F4) or a charity which works in a further education institution where the normal duties of the trusteeship involve regular contact with people aged under 18 or if the trustee position falls within the definition of 'regulated position' (see section F4); or
- concerned with the provision of care services to vulnerable adults (see section F5) or the representation of, or advocacy services for, vulnerable adults by a service that has been approved by the Secretary of State or created under any enactment AND the trustee position enables the trustee to have access to vulnerable adults in receipt of those services.

If you think your charity might come within these criteria, then it is probably allowed to seek a Standard CRB Disclosure for its trustees. This may not be compulsory, but we strongly advise that CRB Disclosures should be obtained whenever available.

In addition to a standard disclosure a POCA List and List 99 search is available where the trustee position is a regulated position or where the trustee position involves:

- providing education at a school;
- providing education at a further education institution;
- providing education under a contract of employment or for services where the other party is a local education authority or a person exercising a function relating to the provision of education on behalf of a local education authority; or
- taking part in the management of an independent school.

A POCA List and List 99 search is also available where the trustee position brings the trustee regularly into contact with children and his or her duties are carried out at the request of or with the consent of a relevant employer (whether or not under contract).

'Relevant employer' means:

- (a) a local education authority;
- (b) a person exercising a function relating to the provision of education on behalf of a local education authority;
- (c) the proprietor of a school; or
- (d) the governing body of a further education institution.

Whether a POVA List search is available will depend on the relevant criteria for such a search set out below in section F5.

Enhanced Disclosures are available where the trustee position either:

- (a) involves regularly caring for, training, supervising or being in sole charge of persons aged under 18; or
- (b) enables the trustee to have regular contact in the course of his or her duties with a vulnerable adult (see F5 for definition of 'vulnerable adult') and the trustee position involves regularly caring for, training, supervising or being in sole charge of persons aged 18 or over.

An Enhanced Disclosure will only be available for a trustee post which meets the set criteria. For example, the trustees of smaller charities may be actively involved in their daily activities with beneficiaries and so may qualify for an Enhanced Disclosure.

**Further information:**

You can find more information to help you decide if your charity qualifies for a CRB disclosure in sections F4 and F5.

## F4 What is a 'regulated position'?

### The short answer:

The term 'regulated position' is defined in the Criminal Justice and Court Services Act 2000. It is important to understand the term correctly as its interpretation affects whether or not a charity can obtain a Disclosure for a prospective trustee.

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### In more detail:

The term 'regulated position', is defined in the Criminal Justice and Court Services Act 2000 as follows:

- Employment in schools, children's homes and similar establishments - all posts are regulated positions, including ancillary staff, whether or not their normal duties involve direct contact with children.
- Employment in day care premises - not all such posts are regulated positions, for example, if the work is done on the premises at a time when there are no children there.
- Caring for, training, supervising or being in sole charge of children - with some exceptions, this covers posts where these activities are part of the normal duties, irrespective of the organisation or its overall area of work.
- Unsupervised contact - any position whose normal duties involve unsupervised contact with children "under arrangements made by a responsible person (a parent or guardian, for example)", for example a child minder, is a regulated position.
- Child employment - the Criminal Justice and Court Services Act 2000 usually considers children to be those under the age of 18. However, in this area it covers only those under 16 so, for example, a manager in a charity would not be in a regulated position simply because one of their staff was 16 years old.
- Certain specified positions including a trustee of a children's charity and a member of the governing body of an educational institution. (A charity is a children's charity if the individuals who are workers for the charity normally include individuals working in regulated positions.)
- Positions that involve supervising or managing other individuals in regulated positions. This could include trustees of charities, such as governors of charitable independent schools.

To be a regulated position, the positions in some of the categories are limited to the normal duties of that post. The intention is to exclude 'one off' work.

The following are some of the types of organisation that are likely to need to carry out CRB checks on trustees:

- youth groups, such as Scout and Guide troops;
- organisations that run facilities used by children and that arrange activities, such as sports training, for children;
- organisations that offer counselling to children; and
- out of school clubs and playgroups.

In some cases the duties of a trustee of a charity working with children does not involve the kind of close contact with children and individual responsibility for them that would require an Enhanced Disclosure. In these cases a Standard Disclosure may be sufficient.

## F5 What does the term 'vulnerable adult' mean?

### The short answer:

The term 'vulnerable adult' has specific legal meaning under the Care Standards Act 2000. It is important to understand the term correctly as its interpretation affects whether or not a charity can obtain a Disclosure, and what kind of Disclosure, for a prospective trustee.

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### In more detail:

If a person is aged 18 or over and has a condition of the following type, then they are considered a 'vulnerable adult' for the purposes of the Care Standards Act 2000:

- a learning or physical disability;
- a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or
- a reduction in physical or mental capacity.

A charity which is concerned with the provision of care services to vulnerable adults or the representation of, or advocacy services for, vulnerable adults by a service that has been approved by the Secretary of State or created under any enactment, and where the trustee position enables a trustee to have access to vulnerable adults in receipt of such services in the course of their normal duties, is entitled to a Standard Disclosure for its trustees, and for any staff or volunteers with similar access.

A search in the Protection of Vulnerable Adults List is permitted where the trustee position is a 'care position'. This is defined in the Care Standards Act 2000 as:

- a position which is such as to enable him/her to have regular contact in the course of his/her duties with adults to whom accommodation is provided in a care home;
- a position which is concerned with the provision of personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.

The law also recognises that a subset of vulnerable adults lie in a higher risk category. A person who is able to have regular contact in the course of his or her duties and who regularly cares for, trains, supervises or is in sole charge of these higher risk vulnerable adults is subject to an Enhanced Disclosure. The Enhanced Disclosure applies where the vulnerable adults both receive any of the following care services:

- accommodation and nursing or personal care in a care home;
- personal care or support to live independently in his or her own home;
- any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body;
- social care services; or
- any services provided in an establishment catering for a person with learning difficulties;

**and** in consequence of a condition, including any of:

- a learning or physical disability;
- a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or
- a reduction in physical or mental capacity;

they have disabilities, including any of:

- a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions;
- severe impairment in the ability to communicate with others; or
- impairment in a person's ability to protect him or herself from assault, abuse or neglect.

In this context, 'care home', 'independent clinic', 'independent hospital', 'independent medical agency' and 'National Health Service body' have the same meanings as in the Care Standards Act 2000; and 'Care services' means any of:

- accommodation and nursing or personal care in a care home;
- personal care or nursing or support for a person to live independently in his own home;
- social care services;
- any services provided in an establishment catering for a person with learning difficulties.

In many cases the duties of a trustee of a charity working with vulnerable adults may not involve the kind of close contact with vulnerable adults and individual responsibility for them that would make them eligible to apply for a Disclosure. However, if the trustee's duties mean that they are eligible to apply for a Disclosure, they should do so.

#### **Further information:**

There is no definitive list of positions for which criminal records checks are required or recommended, but the CRB provides a range of helpful information which is available on its website [www.homeoffice.gov.uk/agencies-public-bodies/crb](http://www.homeoffice.gov.uk/agencies-public-bodies/crb) or by calling the CRB information line on 0870 90 90 811.

Information for charities providing care services is also available from the Care Quality Commission at [www.cqc.org.uk](http://www.cqc.org.uk), and the Department of Health has produced a Practical Guide dealing with the protection of vulnerable adults and this contains some examples of which types of post will be eligible for a CRB check (<http://www.dh.gov.uk/>).

## F6 Are CRB Disclosures compulsory for trustees of charities working with children or vulnerable adults?

### The short answer: **L**

There are some charities, those which are classed as ‘child care organisations’, where checks are compulsory. In other cases it is left to the discretion of the trustees as to whether to make checks. But we strongly recommend that all charities that are in a position to make use of the CRB’s services in vetting prospective trustees should do so, even though this may not be compulsory.

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### In more detail:

The CRB legislation does not make it compulsory for charities (or others) to make CRB checks for each relevant post. However, in order to ensure the eligibility of individuals to act as trustees and to safeguard the interests of beneficiaries, trustees of charities which can make use of the services of the CRB should do so.

Organisations which are defined as ‘childcare organisations’ within the terms of the Protection of Children Act 1999 must check against the Protection of Children Act List, which can only be done through the CRB.

In addition, other authorities may require CRB checks to be carried out. For example, under the Education (Independent Schools Standards)(England) Regulations 2003, the Secretary of State for Education must undertake a CRB check on the proprietor of an independent school. This may include not only a sole proprietor but may mean a governing body, trustees or directors.

### Further information:

You can find more information on the checks that must be carried out on independent school proprietors on the Department for Education website: [www.education.gov.uk](http://www.education.gov.uk).

## F7 Our trustees are not legally required to obtain CRB Disclosures but they are entitled to obtain them. Should we ask them to obtain a Disclosure?

### The Short Answer:

Yes. CRB checks are currently the best way for trustees to check whether a fellow trustee is disqualified from working with vulnerable beneficiaries. For this reason the Commission’s policy is that trustees:

- must obtain a CRB Disclosure when there is a legal requirement to do so; and
  - should obtain a CRB Disclosure when there is a legal entitlement to.
- 

### In more detail:

All charity trustees have a duty of care and a duty to act solely in the interests of the charity. The Commission believes that charity trustees risk being in breach of these duties if they fail, without good reason, to carry out appropriate CRB checks when they are entitled to do so. In some circumstances, such failures may be viewed as evidence of misconduct and/or mismanagement in the administration of the charity.

There are a number of specific offences related to disqualified individuals becoming charity trustees, which are detailed in section E4.

## F8 How should a charity apply for a Disclosure?

### The short answer:

The prospective trustee must make the application. It will need to be countersigned by a body registered with the CRB, which may be the charity concerned or a 'CRB umbrella body'. The CRB will send the Disclosure certificate to the individual, and a copy to the countersignatory.

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### In more detail:

It is the individual who must apply for the Disclosure, rather than the organisation for which they will work or volunteer. The application form will need to be countersigned by a body which is registered with the CRB for that purpose.

A charity may register with the CRB so that it can countersign applications for Disclosures relating to paid or voluntary posts within the charity. Alternatively, it may ask another organisation which is already registered with the CRB as a 'CRB umbrella body' to countersign applications on its behalf.

The following are some examples of organisations which are registered, or may be able to register, as a 'CRB umbrella body':

- the Scout Association is registered so that individual Scout groups can use it to countersign requests for Disclosures;
- a Citizen's Advice Bureau may be able to register so that it could add this to the list of services which it offers;
- a firm of solicitors may be able to register, again to add to the services which it offers.

In Wales only, the Wales Council for Voluntary Action (WCVA) acts as a CRB umbrella body serving the entire Welsh voluntary sector. WCVA, with funding from the Welsh Assembly, has established a Criminal Records Unit which provides access to the CRB Disclosure service. The Unit can countersign applications for checks made for both employees and volunteers for positions based in Wales. The Unit makes no administrative charge for processing the check. You can find more information on the WCVA website: <http://www.wcva.org.uk/>.

### Further information:

The CRB website [www.homeoffice.gov.uk/agencies-public-bodies/crb](http://www.homeoffice.gov.uk/agencies-public-bodies/crb) provides the following information:

- details of how to apply for a Disclosure;
- advice on becoming a CRB registered body;
- advice on becoming a CRB umbrella body, including details of the costs;
- the costs of obtaining Disclosures; and
- a search facility to identify existing CRB umbrella bodies.

## F9 How long does a Disclosure last?

### The short answer:

A Disclosure can only be guaranteed complete on the date it is issued. Charities should periodically obtain new CRB Disclosures where applicable. We recommend that every three years is normally appropriate.

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### In more detail:

Each Disclosure will contain the date the Disclosure was printed, and reflects the position as at the date of issue. There is no time limit on the validity of a Disclosure because a conviction or other matter could be recorded against the subject of the Disclosure at any time after it is issued. Therefore, the closer to the date of issue of the Disclosure, the more reliable its contents.

Charities should recheck trustees, including trustees who were originally appointed by the Commission, and others in relevant positions, every three years. If trustees adopt this policy of rechecking every three years, this will mean that those individuals who were already trustees or employees before the Criminal Records Bureau began will also be checked.

### Further information:

The CRB provides guidance on its website [www.homeoffice.gov.uk/agencies-public-bodies/crb](http://www.homeoffice.gov.uk/agencies-public-bodies/crb) about the issues involved in the re-use of CRB checks which have been obtained for a position in one organisation and then used for a position in another organisation.

## F10 What if a Disclosure shows some cause for concern?

### The short answer:

The intention of a Disclosure is not to cause the rejection of all prospective charity trustees with a criminal record or a record of other past misdemeanours. However trustees should use reasonable caution.

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### In more detail:

There may be circumstances in which a Disclosure shows a cause for concern about a prospective trustee, but which is not sufficient to disqualify them under the Criminal Justice and Court Services Act 2000 or the Care Standards Act 2000.

In these circumstances trustees should use reasonable caution, based on:

- the nature and seriousness of the problem disclosed, and its relevance to the duties and responsibilities of a charity trustee;
- how long ago the problem disclosed took place;
- whether there is a pattern of offending behaviour and the extent to which the prospective trustee has been reformed and rehabilitated in the intervening period.

It is important to remember that a Disclosure is intended to enable organisations to reach better informed decisions. It is not intended to lead to employers rejecting applicants with a criminal record as a matter of course, and the same applies when appointing trustees. In such cases, however, the existing trustees will need to give careful consideration to the proposed appointment.

**Further information:**

The CRB provides a guide to users of its services about how to strike the right balance between protection and rehabilitation. Useful publications endorsed by the CRB include NACRO's 'Recruiting Safely' and the Chartered Institute of Personnel and Development's 'A Practical Guide to Employing Ex-Offenders'. Both of these publications can be found on the CRB website [www.homeoffice.gov.uk/agencies-public-bodies/crb/publications/guidance/](http://www.homeoffice.gov.uk/agencies-public-bodies/crb/publications/guidance/)

## G. Appointing trustees

There are various ways in which trustees can be appointed, including nomination by existing trustees, election by a charity's members, or by virtue of another office which they hold ('ex officio' trustees). It is important that a prospective trustee understands the duties and responsibilities they will be taking on. Once a trustee has been appointed, there are various steps needed to formalise the appointment.

Having recruited a new trustee, it is important to make them feel welcome; to develop their skills, ensure that they are familiar with the charity's work and to introduce them to other trustees and to key members of staff. It is a good idea to have a formal induction process in place.

### G1 How are trustees appointed?

#### The short answer:

Trustees may be elected or nominated by existing trustees, nominated by other organisations, or may become trustees by virtue of another position which they hold.

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#### In more detail:

Trustees may be appointed in a number of different ways. For example:

- they can be nominated by the other trustees or by another organisation, such as a local authority; or
- they may be elected by the charity's members; or
- they may become a trustee by virtue of a post which they occupy, such as a mayor or mayoress of a town, the chief executive of a local health trust or the head master of a school. Such trustees are known as 'ex officio' trustees.

Where trustees are appointed or nominated by an outside body, such as a local authority, the charity itself may have less power to control the appointment. However, it can still have influence and this guidance may still be helpful. Like all trustee appointments, any outside body appointing a trustee to a charity is bound by law to do this in the best interests of the charity rather than its own interests. It may be helpful for the charity to set out for the appointing body what is required of a trustee and any particular skills or qualities which the charity is looking for. In order to allow the trustees more control over the appointment, they could ask the nominating body to provide the names of two people for the charity to consider.

Other than in the case of ex officio trustees, the appointment of a trustee becomes effective only once a prospective trustee has formally agreed to accept the trusteeship. The trusteeship may then begin immediately, or on a specified date.

## G2 What other considerations apply to trustee appointments?

### The short answer:

A prospective trustee should be aware of the legal responsibilities they will be taking on. The appointment should also be made in a way that serves the charity's best interests.

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### In more detail:

A prospective trustee should understand the legal responsibilities which they will assume in becoming a trustee. You can find details of the responsibilities of trustees in our guidance [The Essential Trustee: What you need to know \(CC3\)](#). The appointment of a new trustee should also be made in a way which serves the best interests of the charity. The following are some of the main areas of good practice when recruiting and appointing trustees which are covered in this guidance:

- identifying skills which the board needs, and preparing 'job descriptions' for trustees - see section C2;
- using the most appropriate ways of finding new trustees - see section D;
- ensuring that the appointment of a trustee is legal and carried out to best practice standards - see sections E, F, and G3; and
- providing an induction programme and support for new trustees - see sections G4, G5 and G6.

## G3 How should the appointment of a new trustee be formalised?

### The short answer:

Depending on the nature of the charity, various official bodies will need to be informed of the appointment of a new trustee. You may also need to transfer property held in trust by the trustees, amend bank mandates, and inform other interested parties.

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### In more detail:

Following the appointment of a new trustee, trustees must ensure that:

- the Charity Commission is notified of the appointment as soon as possible;
- any property belonging to the charity which is held in the names of outgoing individual trustees is transferred into the name of the new trustee;
- if the charity is a charitable company, details of the newly appointed director are sent to Companies House.

They should also ensure that:

- bank mandates are amended if the new trustee is to be a signatory to the charity's account;
- all relevant parties are notified, for example, funders, the charity's solicitors, auditors and other professional advisers.

Upon appointment, the new trustee should be formally contacted to welcome them as a trustee and to confirm their appointment. The Institute of Chartered Secretaries and Administrators (ICSA) produces sample letters to send to new trustees on appointment.

## G4 What documents should new trustees receive?

### The short answer:

A new trustee should receive copies of all key documents relating to the charity's work, and to their duties as a trustee.

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### In more detail:

The new trustee should receive key documents relating to the charity, with an explanation of their purpose and effect. In this way new trustees can find out how the charity works and can make an effective contribution to the management of the charity as soon as possible. Not only is this good practice, but it may also be required by the charity's governing document.

Key documents to be given to new trustees should include:

- the charity's governing document;
- the charity's latest Annual Report and accounts;
- minutes of recent trustee meetings;
- our guidance *The Essential Trustee: What you need to know (CC3)*, and *The Hallmarks of an Effective Charity (CC10)*;
- the charity's policy on dealing with conflicts of interest; and
- any other key documents which trustees will need, for example, the charity's strategic plan and its vision and values or mission statement.

It may also be helpful to provide new trustees with a copy of the National Occupational Standards for Trustees and Management Committee members. These Standards have been designed to provide advice and to describe best practice on the role of a trustee. You can download a copy of the Standards from the UK Workforce Hub website <http://www.ukworkforcehub.org.uk/>.

## G5 What support should be provided for new trustees?

### The short answer:

Charities should invest in the training, support and development of their trustees, as with members of staff, in order to increase the contribution that the board can make to the charity's management. The level of support given will depend on the size and nature of the charity.

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### In more detail:

In an effectively-run charity the induction process marks the beginning of an on-going process of trustee training and development, to ensure that trustees can continue to make an effective contribution to the charity. The level of training and support which trustees need will vary depending on the size and nature of the charity, but trustees may wish to consider some of the following:

- individual training courses;
- away days for the whole trustee board, with or without staff;

- briefings or workshops as part of trustee meetings; and
- visiting other charities which carry out similar work.

Trustees should periodically review the procedures which they have in place for the recruitment, induction and on-going development of trustees to ensure that these procedures remain effective.

**Further information:**

You can find details of other sources of information, including information on training and development opportunities for trustees, on the homepage of our website.

## G6 How should new trustees be inducted?

**The short answer:**

First make sure that the new trustee has received all the key documents set out in section G4. The new trustee should also meet other trustees and key people within the charity to better understand its work and any challenges it may face.

**In more detail:**

A proper induction is vital as part of the process of ensuring that trustees can become valuable and effective members of the board as quickly as possible. All charities, regardless of how big or small they are, should consider the needs of the charity and new trustees by providing an induction programme that is suitable for the new trustee and the size and nature of the charity, and which will equip the trustee with the information they need.

For new trustees of smaller and more straightforward charities, a discussion with the existing trustees may be the best way to learn everything which they need to know initially in order to make an effective contribution to the management of the charity.

It may also be useful for new trustees to speak with key people within the charity in order to gain a clear understanding of how the charity operates.

For larger and more complex charities, a more structured induction programme might help the new trustee better understand the work of the charity, and this induction might include:

- introductions to senior management and staff;
- introductions to any professional advisers retained by the charity;
- visits to see services provided by the charity;
- visits to schemes and projects of the charity;
- meetings with beneficiaries of the charity;
- an assessment of any training required by the new trustee.

**Further information:**

The Institute of Chartered Secretaries and Administrators (ICSA) produces a sample induction pack for trustees. The National Council for Voluntary Organisations (NCVO) produces a range of information for trustees, including 'The Good Trustee Guide'.

## H. Further information and advice

There are a number of resources that charity trustees can use to help them when recruiting new trustees. This is not a definitive list of all the sources of information available, but it offers a good overview and a useful starting point. We encourage trustees to make use of the wide range of organisations that can help them run their charity as effectively as possible. You can find details of other sources of information under [Useful Websites](#) on the home page of our website.

### H1 External organisations

#### **Association of Chief Executives of Voluntary Organisations (acevo)**

The membership body for chief executives of voluntary organisations. acevo works to connect, develop and represent the sector's leaders.

Association of Chief Executives of Voluntary Organisations

1 New Oxford Street

London

WC1A 1NU

Tel: 020 7280 4960

Website: [www.acevo.org.uk](http://www.acevo.org.uk)

#### **Small Charities Coalition and Charity Trustee Network**

Offers trustees mutual support by encouraging and developing self-help trustee network groups providing consultancy and mentoring and trustee finder, a large free national recruitment portal for trustees.

Small Charities Coalition and Charity Trustee Network

24 Stephenson Way

London

NW1 2DP

Tel: 0207 391 4812

Website: [www.trusteenet.org.uk](http://www.trusteenet.org.uk)

#### **Companies House**

The incorporation authority for limited companies. Also runs seminars for newly appointed directors and company secretaries.

Companies House

Crown Way

Maindy

Cardiff

CF14 3UZ

Tel: 0303 1234 500

Website: [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

### **County Voluntary Councils in Wales (CVCs)**

The role of County Voluntary Councils is to provide advice and information to local voluntary organisations on any issue that may affect them. They support voluntary action by supporting volunteering, advising on good practice and providing information on funding sources and a range of other issues. They also represent the voluntary sector on cross-sector partnerships. Contact details for CVCs can be found on the Wales Council for Voluntary Action (WCVA) website (for details see below).

### **Criminal Records Bureau**

The CRB, an executive agency of the Home Office, was set up to help organisations make safer recruitment decisions. It helps employers identify candidates who may be unsuitable for certain work, especially that involving contact with children or other vulnerable members of society. It provides a Disclosure service, which offers access to records held by the police.

Criminal Records Bureau

PO Box 110

Liverpool

L69 3EF

Tel: 0870 90 90 811

Website: [www.homeoffice.gov.uk/agencies-public-bodies/crb](http://www.homeoffice.gov.uk/agencies-public-bodies/crb)

### **Directory of Social Change (DSC)**

The Directory promotes positive social change and provides a wide range of resources for trustees.

Directory of Social Change

24 Stephenson Way

London

NW1 2DP

Tel: 020 7391 4800

Website: [www.dsc.org.uk](http://www.dsc.org.uk)

### **EM Foundation (EMF)**

EMF develops resources for black and minority ethnic organisations, these include networking and training opportunities and a trustee register.

EMF – The Social Justice Foundation

Forbes House

9 Artillery Lane

London

E1 7LP

Tel: 020 7426 8950

Website: [www.emfoundation.org.uk](http://www.emfoundation.org.uk)

### **Insolvency Service**

Maintains the Individual Insolvency Register. You can search the register on line, at your local Official Receiver's office, or by post. To search by post, please contact:

The Insolvency Service  
21 Bloomsbury Street  
London  
WC1B 3QW

Tel: 0845 602 9848

Website: [www.bis.gov.uk/insolvency](http://www.bis.gov.uk/insolvency)

### **Institute of Chartered Secretaries and Administrators (ICSA)**

ICSA is the professional body for chartered secretaries. It produces a number of best practice guides and guidance notes. It also maintains a trustee register available to charities looking for new trustees.

The Institute of Chartered Secretaries and Administrators (ICSA)  
16 Park Crescent  
London  
W1B 1AH

Tel: 020 7580 4741

Website: [www.icsa.org.uk](http://www.icsa.org.uk)

### **National Association for Voluntary and Community Action (NAVCA)**

This organisation is the national umbrella body for 250 Councils for Voluntary Service in England. A local Council for Voluntary Service provides advice, support and information to voluntary organisations and charities in their area, including help with registration. If you would like details of your local Council for Voluntary Service please contact NAVCA as above. Similar organisations to the NAVCA exist for voluntary organisations and charities based in Wales. Please contact WCVA (see below).

NACVA  
The Tower  
2 Furnival Square  
Sheffield  
S1 4QL

Tel: 0114 278 6636

Website: [www.navca.org.uk](http://www.navca.org.uk)

### **National Council for Voluntary Organisations (NCVO)**

NCVO produces a wide range of information and support services for those working in the voluntary sector. NCVO produces 'The Good Trustee Guide' which contains practical information on all aspects of a trustee's role. Its website also includes details of a Trustee Brokerage Network Group which is a network of brokerage placement services who match trustees with vacancies on the boards of voluntary organisations ([www.trusteebank.org](http://www.trusteebank.org))

National Council for Voluntary Organisations (NCVO)

Regent's Wharf  
8 All Saints Street  
London  
N1 9RL

Tel: 020 7713 6161

Website: [www.ncvo-vol.org.uk](http://www.ncvo-vol.org.uk)

### **REACH**

An organisation that matches the skills of experienced people to the need of voluntary organisations.

REACH  
89 Albert Embankment  
London  
SE1 7TP

Tel: 020 7582 6543

Website: [www.reachskills.org.uk](http://www.reachskills.org.uk)

### **Wales Council for Voluntary Action (WCVA)**

WCVA is the voice of the voluntary sector in Wales. It represents the interests of, and campaigns for, voluntary organisations, volunteers and communities in Wales. It provides a comprehensive range of information, consultancy, funding, management and training services. Charities can use the WCVA website to find their nearest County Voluntary Council (CVC).

The Criminal Records Unit of WCVA is a registered umbrella body with the Criminal Records Bureau and is able to countersign Disclosure applications on behalf of other voluntary organisations in Wales.

Wales Council for Voluntary Action  
Baltic House,  
Mount Stuart Square  
Cardiff  
CF10 5FH

Tel: 029 2043 1700

Website: [www.wcva.org.uk](http://www.wcva.org.uk)

## H2 Journals, magazines and newspapers

The following publications often cover issues relevant to trustee recruitment, selection and induction.

### *Charity Finance*

3 Rectory Grove  
London  
SW4 0DX

Tel: 020 7819 1200

Website: [www.charityfinance.co.uk](http://www.charityfinance.co.uk)

### **Charities Management**

Mitre House Publishing  
154 Graham Street  
Wimbledon  
London  
SW19 3SJ

Tel: 020 8542 7766

Website: [www.charitiesmanagement.com](http://www.charitiesmanagement.com)

### **Charity Times**

Tel: 020 7562 2402

Website: [www.charitytimes.com](http://www.charitytimes.com)

### **Governance: essential information for effective trustees**

Tel: 020 7819 0391

Website: [www.charitygovernance.co.uk](http://www.charitygovernance.co.uk)

### **Network Wales**

Contact WCVA for details.

### **The Guardian**

The Society section on Wednesdays is particularly useful.

Website: [www.SocietyGuardian.co.uk](http://www.SocietyGuardian.co.uk)

### **Third Sector**

Tel: 020 8606 7500

Website: [www.thirdsector.co.uk](http://www.thirdsector.co.uk)

### **Voluntary Sector**

Contact NCVO for details

### H3 Key Charity Commission publications

Our website offers a wide range of easily accessible online services, tools, information and guidance. Before contacting us for advice or help you might like to search our online database of frequently asked questions. Most people can find the answer they need without making a phone call or writing an email. Alternatively, our Contacting us page is linked to from the top and bottom of every webpage.

[\*The Essential Trustee: What you need to know \(CC3\)\*](#)

[\*The Hallmarks of an Effective Charity \(CC10\)\*](#)

[\*Trustee expenses and payments \(CC11\)\*](#)

[\*Users on Board: Beneficiaries who become trustees \(CC24\)\*](#)

[\*Trustee Recruitment, Selection and Induction \(RS1\)\*](#)

[\*Start as you mean to go on - Trustee Recruitment and Induction Research Report \(RS10\)\*](#)

[A guide to conflicts of interest for charity trustees](#)

[Sample declaration form for new trustees \(PDF\)](#)

[Statement on under 18s as trustees](#)

#### **The Charity Commission**

The Charity Commission is the independent regulator of charities in England and Wales. Its aim is to provide the best possible regulation of charities in England and Wales in order to increase charities' effectiveness and public confidence and trust. Most charities must register with the Commission, although some special types of charity do not have to register. There are some 180,000 registered charities in England and Wales. In Scotland the framework is different, and the Commission does not regulate Scottish charities.

The Commission provides a wide range of advice and guidance to charities and their trustees, and can often help with problems. Registered charities with an annual income or expenditure over £10,000 must provide annual information and accounts to the Commission. The Commission has wide powers to intervene in the affairs of a charity where things have gone wrong

More information about the Commission together with a range of guidance for charities can be found on our website.



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