

FOR THE SOUTHAMPTON MEDINA MOSQUE TRUST LIMITED ANNUAL GENERAL MEETING

EXTRACTS FROM CHARITY COMMISSION WEBSITE

About charity trustees

Trustees have overall control of a charity and are responsible for making sure it's doing what it was set up to do. They may be known by other titles, such as:

- directors
- board members
- governors
- committee members

Whatever they are called, trustees are the people who lead the charity and decide how it is run. Being a trustee means making decisions that will impact on people's lives. Depending on what the charity does, you will be making a difference to your local community or to society as a whole. Trustees use their skills and experience to support their charities, helping them achieve their aims. Trustees also often learn new skills during their time on the board.

Most trustees don't get paid for their role, but you can claim reasonable expenses for travel costs.

Before you start - make sure you are eligible

You must be at least 16 years old to be a trustee of a charity that is a company or a charitable incorporated organisation (CIO), or at least 18 to be a trustee of any other sort of charity.

You must be properly appointed following the procedures and any restrictions in the charity's governing document.

You must not act as a trustee if you are disqualified under the Charities Act, including if you:

- have an unspent conviction for an offence involving dishonesty or deception (such as fraud)
- are bankrupt or have entered into a formal arrangement (eg an individual voluntary arrangement) with a creditor
- have been removed as a company director or charity trustee because of wrongdoing

There are further restrictions for charities that help children or vulnerable people.

[The essential trustee - who can be a trustee](#)

Trustees' 6 main duties

1. Ensure your charity is carrying out its purposes for the public benefit

You and your co-trustees must make sure that the charity is carrying out the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the charity's purposes as set out in its governing document
- plan what your charity will do, and what you want it to achieve
- be able to explain how all of the charity's activities are intended to further or support its purposes
- understand how the charity benefits the public by carrying out its purposes

Spending charity funds on the wrong purposes is a very serious matter; in some cases trustees may have to reimburse the charity personally.

[The essential trustee - purposes and public benefit](#)

2. Comply with your charity's governing document and the law

You and your co-trustees must:

- make sure that the charity complies with its governing document
- comply with charity law requirements and other laws that apply to your charity

You should take reasonable steps to find out about legal requirements, for example by reading relevant guidance or taking appropriate advice when you need to.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update. Find out more about [your governing document](#).

3. Act in your charity's best interests

You must:

- do what you and your co-trustees (and no one else) decide will best enable the charity to carry out its purposes
- with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term
- avoid putting yourself in a position where your duty to your charity conflicts with your personal interests or loyalty to any other person or body
- not receive any benefit from the charity unless it's properly authorised and is clearly in the charity's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

Find out more:

[The essential trustee - act in your charity's best interests](#)

4. Manage your charity's resources responsibly

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence.

Prudence is about exercising sound judgement. You and your co-trustees must:

- make sure the charity's assets are only used to support or carry out its purposes
- not take inappropriate risks with the charity's assets or reputation
- not over-commit the charity
- take special care when investing or borrowing
- comply with any restrictions on spending funds

You and your co-trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise you risk making the charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

[The essential trustee - manage your charity's resources responsibly](#)

5. Act with reasonable care and skill

As someone responsible for governing a charity, you:

- must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary
- should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees' meetings

[The essential trustee - act with reasonable care and skill](#)

6. Ensure your charity is accountable

You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:

- be able to demonstrate that your charity is complying with the law, well run and effective
- ensure appropriate accountability to members, if your charity has a membership separate from the trustees
- ensure accountability within the charity, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers

[The essential trustee - ensure your charity is accountable](#)

Making decisions as a trustee

Charity trustees make decisions about their charity together, working as a team. Decisions don't

usually need to be unanimous as long as the majority of trustees agree.

When you and your co-trustees make decisions about your charity, you must:

- act within your powers
- act in good faith, and only in the interests of your charity
- make sure you are sufficiently informed, taking any advice you need
- take account of all relevant factors you are aware of
- ignore any irrelevant factors
- deal with conflicts of interest and loyalty
- make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances

You should record how you made more significant decisions in case you need to review or explain them in the future.

Chair and treasurer trustee roles

Some trustees have special roles, such as the chair and the treasurer. They are known as officers. You must comply with any specific provisions in your governing document about officers. Officers don't automatically have any extra powers or legal duties than the other trustees, but may carry out specific roles or have specific responsibilities delegated to them. Don't forget - all trustees remain jointly responsible for the charity. For example, all trustees share responsibility for finances (not just the treasurer).

When trustees can be personally liable

It's extremely rare, but not impossible, for charity trustees to be held personally liable:

- to their charity, if they cause a financial loss by acting improperly
- to a third party that has a legal claim against the charity which the charity can't meet

Understanding potential liabilities will help you to protect yourself and your charity by taking action to reduce the risk. This includes complying with your duties.

NOMINATION FORM FOR ELECTION TO BECOME TRUSTEE/DIRECTOR

I.....(Name)

Of.....(Address)

.....
.....
.....

Being a member of the Southampton Medina Mosque Trust Ltd

Wish to nominate the following for election at the AGM, having satisfied myself that the person/s I have nominated qualify to become Trustee/Director: each being a member of the Trust, each being over 18 years of age, not having been disqualified under Charities Act, not having an unspent conviction for an offence involving dishonesty or deception (such as fraud), not been declared a bankrupt or not having entered into a formal arrangement (eg. an individual voluntary arrangement) with a creditor and not having been removed as a company director or charity trustee because of wrongdoing.

- 1.
- 2.

I confirm that the above named is/are willing to be nominated and to serve on the Board of Trustees/Directors, if elected.

I further confirm that I am satisfied that the person/s, I have nominated has/have the skills and commitment to discharge the duties attached to being a Trustee/Director.

Please return this form to:
ELECTION COMMISSIONER,
SOUTHAMPTON MEDINA MOSQUE TRUST Ltd
COMPTON WALK, Off St. Mary's Road,
SOUTHAMPTON, SO14 0BH

In the enclosed envelope

Before Wednesday, the 22nd of March 2017.

