

## Item 6.2ei - Appendix A Charitable Funds ToR

### Charitable Funds Committee

### Terms of Reference

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Scope: Trust Wide	Classification: Terms of Reference
Replaces: Charitable Funds Committee Terms of Reference v4.2	
To be read in conjunction with the following documents: Governance Manual including SoRD and SFIs Board Assurance Framework Investment Policy Trustee Investment Act 1961 Trustee Act 2000 Charities Act 1992 "Controlling of Fund-Raising"	
Document for public display? No	

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## 1. **Purpose of the Committee**

The Charitable Funds Committee has been established to exercise the Trust's functions as the sole corporate trustee of the LHCH Charitable Fund (Charity No 1052813).

The Board of Directors of the Liverpool Heart and Chest Hospital is the Corporate Trustee of the Liverpool Heart and Chest Hospital Charity. (Charity Registration Number 1052813)

The Charitable Funds Committee has delegated responsibility, from the Corporate Trustee, within the limits set out in these Terms of Reference, the charitable funds sections of the Scheme of Reservation and Delegations and Standing Financial Instructions for the efficient governance and running of the Liverpool Heart and Chest Hospital Charity

## 2. **Authority**

The Charitable Funds Committee has delegated authority from the Corporate Trustee and is authorised to pursue any activity within its Terms of Reference. It may seek and secure the information it requires from any employee of the Charity and / or the Trust and all employees are directed to cooperate with any request made by the Committee.

The Charitable Funds Committee can seek external advice from any source as necessary, taking into account issues of confidentiality and Standing Financial Instructions.

## 3. **Objectives**

The objectives of the Charitable Funds Committee are:

- i) To develop the strategy and objectives for the Charity for consideration and approval by the Corporate Trustee
- ii) To oversee the implementation of an infrastructure appropriate to the efficient and effective running of the Charity
- iii) To oversee the development and delivery of the Fundraising Strategy, as aligned to the Trust's annual plan
- iv) To oversee the expenditure of the Charity
- v) To oversee the Charity's Investment Plans
- vi) To monitor the performance of all aspects of the Charity's activities and ensures that it adheres to the principles of good governance and complies with all relevant legal requirements

## 4. **Duties**

The Charitable Funds Committee will:

- i) Act as the Committee that discharges the Board's responsibilities (as sole Corporate Trustee) as they relate to Charitable Funds under the Trust's custodianship.
- ii) Ensure that the charitable funds held by the Trust are managed in a manner consistent with the requirements of the relevant regulatory and statutory frameworks and in accordance with the guidance on NHS Charities set out by the Charity Commission.
- iii) When in this role act solely in the best interests of the Charity and in a manner consistent with the Charity Commission's requirements and expectations of the Corporate Trustee.
- iv) Oversee the Charity's strategy, governance, major plans and key risks on behalf of the Corporate Trustee.
- v) Establish, prioritise and approve major fundraising projects in accordance with the strategy and approve expenditure items in accordance with delegated authority levels set out in Standing Financial Instructions.
- vi) Monitor the performance of fundraising and marketing activity, ensuring that the return on investment is satisfactory and that income targets are met.
- vii) Devise and implement an investment strategy for the charity, including the appointment and monitoring of any investment managers.

- viii) Ensure the approval and submission of statutory returns, annual accounts and Trustee's Report in accordance with the Charity Commission's Statement of Recommended Practice.
- ix) Approve any policies and procedures required for the effective management of the Fund.

## 5. **Equality and Diversity**

Ensure that equality and diversity and due consideration to the Human Rights Act are regarded in all aspects of the committee's work.

In particular when considering requests for use of charitable monies and agreeing fundraising activities.

## 6. **Membership**

Representatives of the Corporate Trustee:

- Three nominated Non-Executive Directors, one of whom will be the Chair and one the Vice Chair.
- Chief Executive
- Chief Finance Officer

In attendance:

- Associate Director of Corporate Affairs
- Financial Accountant
- Head of Fundraising

**All representatives of the Corporate Trustee may attend any meeting.**

**Other officers / fund holders may be asked to attend when the Committee is discussing areas that are the responsibility of that individual. The Committee may also invite external advisors to attend for appropriate items, particularly when expert knowledge or advice is needed in areas such as fundraising or investments.**

## 6. **Attendance**

It is expected that all members will attend every meeting. Members must attend a minimum of 3 of the 4 meetings each year. Where they are unable to attend they should send their designated nominated deputy.

## 7. **Quorum and Frequency**

The attendance of the Chair (or nominated deputy) and 2 members (to include one executive lead) will constitute quorum. The Committee will meet at least 4 times a year.

## 8. **Reporting**

The Committee will report to the Board quarterly, following each meeting on key decisions and risks and will present a comprehensive annual report to the Corporate Trustee.

The following Committees will report at least annually to the Charitable Funds Committee:

Robert Owen House Committee

## 9. **Conduct of Committee Meetings**

The Chair of the Committee will ensure that:

- The administration of the Committee is managed efficiently and effectively
- The Committee undertakes the duties assigned to it
- Reports to the Committee and actions arising from meetings are completed in a timely manner
- The Chair and Executive Lead/s meet as required to set agendas and follow up action points
- Minutes, action log and workplan are kept by the Secretary to the Committee
- The agenda and supporting papers are circulated to committee members 5 working days prior to

the committee, unless authorised by the Chair for exceptional circumstances

Authors of papers presented use the required template and indicate whether the paper is for decision by the committee, for discussion, for information or for approval

An annual self-assessment of the effectiveness of the Committee is undertaken and an annual report produced, including review of terms of reference.