

Trustees' Responsibilities

1. Introduction

1.1. Purpose

To outline the responsibilities of Trusteeship of the Kenilworth u3a.

1.2. Scope

Relevant to all Kenilworth u3a Trustees (committee members).

1.3. Source

This is a locally tailored version of the national u3a Trust procedure Trustee Responsibilities (U3A-KMS-DOC-031). It can be found via the list of Committee policies on the Documents page of the Ku3a web site.

1.4 Review

This Ku3a document was initiated in December 2021. It should be reviewed every three years.

2. Related documents

There are two directly related documents within the set of Kenilworth u3a policies:

- Ku3a Trustee Code of Conduct.
- Ku3a Trustee Induction.

The relationship to these is explained below.

3. Trustee's responsibilities and duties

A u3a's committee members take on the role of Trustees of the charity. Committee members are responsible for the governance of the u3a including directing how it is managed and run. The Trustees must make sure that the u3a is carrying out the purpose for which it is set up, and that all resources and funds are used only in furthering its charitable objective.

Trustees are collectively responsible for ensuring that a u3a fulfils its charitable objectives and does not stray beyond them. The central purpose of every u3a is educational. Trustees collectively are responsible for the safe custody of members' money (see national document Financial Matters - U3A-KMS-DOC-033).

Trustees are also collectively responsible for ensuring that the operation and activities of the Kenilworth u3a adhere to the set of policies set out on the About page of the Ku3a website, and also for ensuring the review and maintenance of this set of policies.

4. Trustee Code of Conduct

The Trustee code of conduct is an agreement between the organisation and the individual committee member which clarifies the standard of behaviour expected in the performance of their role. It is a separate, and subsidiary, document, which is also traceable via the list of Committee policies on the About page of the Ku3a web site. It is a shortened and clarified version of the national document, England and Wales U3A-KMS-DOC-030 Trustee Code of Conduct (England and Wales).

5. Trusteeship (England and Wales)

All u3as are charities whether they are registered or not due to the charitable purpose (object clause) that is contained within the constitution. This status means that all committee members are Trustees.

Some key areas of Trusteeship include:

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

There is substantial guidance published by the Charity Commission, titled 'CC3 The Essential Trustee', and other guidance within the related Charity Code of Good Governance. For Kenilworth Trustees the recommended way to familiarise oneself with this information is by working through the Ku3a Trustee Induction pack.

Trustees are also required to confirm their eligibility for the Trustee role against the Charity Commission criteria and a record of this needs to be kept by the Committee. For Kenilworth Trustees this is achieved by working through the Ku3a Trustee Induction pack, at the end of which the procedure for record keeping is set out.

6. Trustee Indemnity Insurance

u3a committees are covered by Trustee Indemnity Insurance provided through the Third Age Trust. The insurance protects u3a Trustees both individually and as a board, against a genuine mistake or error of judgement providing that they have acted responsibly and followed their u3as constitution. Where this is deemed not to be the case, Trustees risk being held personally responsible and not being covered by indemnity insurance. Trustees should also be aware that even if an allowable claim is made, an excess will apply. The indemnity insurance will not protect against criminal law.

In the event of any irregularity at either main committee or group level, the Trustees are potentially liable if they have not taken all reasonable steps to minimise risks. Trustees must follow the requirements of the appropriate regulatory authority for their country in relation to any reporting requirements. It is not possible for an individual Trustee to opt out of collective responsibility.

Responsibility must never be given to a Group Leader/Convenor or Group Coordinator to operate a group that is in any way detached from the u3a. All money collected is the property of the u3a and it must all be accounted for to the membership at the AGM and to the appropriate regulatory authority, as required.

7. Committee Meetings-specific requirements

Trustees are expected to study the agenda and all supporting papers prior to the meeting and strive to attend all meetings.

7.1 Conflict of Interest

Trustees must declare a conflict or possible conflict of interest at the start of the committee meeting or at the earliest possible opportunity. The Chair will then decide whether to exclude the Trustee from a particular item or even from the whole meeting. In the event that the Chair has a conflict of interest, then the committee should request the Vice Chair to rule on the matter.

7.2 Power to make decisions

This rests solely with the committee, as a body and decisions can only be taken as a result of a majority vote in favour by those members of the committee present at the time. No Trustee has the authority to act in isolation.

7.3 Confidentiality

In order that all Trustees feel comfortable expressing their views and ideas it is essential that everybody maintains confidentiality outside the committee at all times. The decisions made by the committee must be minuted and, once approved, the minutes are available on request to members.

7.4 Corporate responsibility

No matter what individual Trustees’ opinions or voting choices are, once an item is approved by the committee, all Trustees must accept it as decisive and final and not comment further outside the committee environment. If a Trustee is unable to accept a decision their only recourse, after due consideration, is to resign from the committee.

8. References

The national U3a’s Trustee Responsibilities, last updated 11/2022 is at <https://www.u3a.org.uk/all-documents/trustee-responsibilities-2> ,carries the file name: advice/recruitment/Trustee Responsibilities_Nov2022.pdf and is at version 3.

9. Review history

Original document	Dec 2021
v2	Mar 2025

This policy was adopted on 4th March 2025.
Next review: November 2027.