

Charity Commission Trustee Guidance

Trustee Duties and Responsibilities (England & Wales)

Prepared for: Crossroads Braintree & Chelmsford Ltd

1. Introduction

This document summarises the Charity Commission's core expectations of trustees. It is designed to support good governance, compliance, and effective decision-making within Crossroads Braintree & Chelmsford Ltd. It reflects the legal duties set out in the Commission's guidance "*The Essential Trustee*" and the Commission's *5-Minute Guides*.

Trustees share equal responsibility for ensuring the charity is well-run, financially sound, compliant, and delivering public benefit.

2. The Six Legal Duties of Charity Trustees

Duty 1 — Carry out your charity's purposes for the public benefit

Trustees must:

- Understand the charity's objects as stated in the governing document.
- Ensure all activities directly support those objects.
- Demonstrate public benefit through decisions, reporting, and service delivery.
- Avoid mission drift or activities outside the charity's legal purposes.

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

Trustees must:

- Follow the constitution, trust deed, or articles of association.
- Comply with charity law, fundraising regulations, employment law, safeguarding, GDPR, and financial reporting requirements.
- Ensure the charity is properly registered and meets all statutory obligations.

Duty 3 — Act in your charity's best interests

Trustees must:

- Make decisions that further the charity's purposes.
- Manage conflicts of interest and remove conflicted trustees from decisions.
- Act collectively and take decisions as a board.
- Consider all relevant information before making decisions.

Duty 4 — Manage your charity's resources responsibly

Trustees must:

- Protect and manage money, property, staff, volunteers, and reputation.
- Ensure financial controls are robust and proportionate.
- Avoid undue risk and ensure value for money.
- File accurate accounts and annual returns.
- Ensure reserves are appropriate and monitored.

Duty 5 — Act with reasonable care and skill

Trustees must:

- Use their skills, knowledge, and experience appropriately.
- Take professional advice when needed (legal, financial, safeguarding, HR).
- Prepare properly for meetings and decisions.
- Ensure decisions are informed and documented.

Duty 6 — Ensure your charity is accountable

Trustees must:

- Comply with statutory reporting (Annual Return, accounts, trustees' report).
- Maintain transparency with beneficiaries, donors, funders, and regulators.
- Ensure proper record-keeping and decision-making trails.
- Report serious incidents to the Charity Commission when required.

3. Additional Governance Expectations

3.1 Safeguarding

Trustees are responsible for ensuring:

- Effective safeguarding policies and procedures.
- Staff and volunteers are trained appropriately.
- Concerns are reported and managed correctly.
- The charity maintains a safe culture.

3.2 Financial Oversight

Trustees must:

- Approve budgets and monitor financial performance.
- Ensure accurate bookkeeping and reconciliations.
- Prevent fraud and financial mismanagement.
- Oversee payroll, pensions, and grant compliance.

3.3 Conflicts of Interest

Trustees must:

- Identify and declare conflicts.
- Record them in the conflict register.
- Remove conflicted trustees from decision-making.
- Ensure decisions remain impartial and in the charity's best interests.

3.4 Political Activity and Campaigning

Trustees must ensure:

- Campaigning supports the charity's purposes.
- The charity remains independent.
- The charity does not support political parties or candidates.

4. Trustee Roles

Chair

- Leads the board and ensures effective governance.
- Supports strategic direction and decision-making.
- Ensures meetings are well-run and documented.

Treasurer

- Oversees financial management and reporting.
- Ensures compliance with accounting standards.
- Supports budgeting, forecasting, and risk management.

All Trustees

- Share equal responsibility for decisions.
- Must act collectively and in the charity's best interests.
- Must uphold the charity's values and public benefit.

5. What This Means for Crossroads Braintree & Chelmsford

Given the nature of your organisation, trustees must pay particular attention to:

- **Safeguarding** (adults, children, volunteers, staff).
- **Financial accuracy** (I&E, payroll, grants, reserves).
- **Compliance** (CQC, GDPR, employment law, charity law).
- **Public benefit** (supporting unpaid carers and vulnerable individuals).
- **Risk management** (operational, financial, reputational).

- **Governance quality** (clear minutes, decisions, and accountability).

Your recent work correcting financial discrepancies and preparing trustee-ready reports directly supports these duties.

6. Conclusion

Trustees play a vital role in ensuring Crossroads Braintree & Chelmsford Ltd remains compliant, financially secure, and focused on delivering public benefit. This document provides a clear, practical summary of the Charity Commission's expectations and can be used for:

- Trustee induction
- Governance reviews
- Annual reporting
- Audit preparation
- Board training