

## **Trustee Role Description**

### **The aims of the Shetland Charitable Trust:**

The Shetland Charitable Trust (the Trust), in line with its' charitable objects, aims to:

Improve the quality of life for the people of Shetland, especially in the areas of social care and welfare, the arts, culture, sport and recreation, and the environment, natural history and heritage.

### **The roles of a Trustee:**

To act in the best interests of the trust and operate in a manner consistent with the charitable purposes of the trust.

To act with the appropriate standard of care and diligence and ensure that the trust complies with the provisions of the Charities and Trustee Investment (Scotland) Act 2005 and other relevant legislation and regulatory requirements.

The fundamental principle underpinning the operation of the Trust is that Trustees have responsibility for the strategic framework of the Trust, as set out through various strategies, plans and policies approved by them, and that they ensure the staff implement these strategies, policies and plans effectively.

### **Trustees' responsibilities include:**

Trustees must set and oversee the implementation of the strategic aims, objectives and direction of the Trust. Trustees must exercise overall control over financial affairs and ensure the completion of the relevant statutory reports, returns and accounts.

Trustees must act in the interest of the Trust at all times. They must promote the success of the Trust in the way that they think, in good faith, would be most likely to help the Trust achieve its purpose.

Trustees must try, in good faith, to ensure that the Trust acts in a way which is consistent with its purposes as set out in the Deed of Trust.

Trustees must act with the care and diligence that it is reasonable to expect of a person who is managing the affairs of another person.

Trustees must manage conflicts of interest if they have (or can have) a direct or indirect interest which conflicts or might conflict with the interest of the Trust. They must put the interests of the Trust before those of anyone responsible for their appointment. They must also declare the nature and extent of any interest, direct and indirect, which they have in a proposed transaction or arrangement.

Trustees must ensure that the Trust complies with any direct, requirement, notice or duty imposed on it as a result of the Charities and Trustee Investment (Scotland) Act 2005 ("the Charities Act").

Trustees must take any steps that are reasonably practicable to ensure that any breach of duty by a fellow Trustee is corrected and not repeated and also that any Trustee who seriously or persistently breaches his/her duties is removed as a Trustee.

Trustees must act within their powers and only exercise those powers for the purposes for which the powers were granted.

Trustees must exercise independent judgement. They must not accept benefits from third parties which might give rise to a conflict of interests and which are given because of the Trustee's position or because of an action he/she can take.

Trustees must attend meetings regularly and, unless a task is delegated, must act together to take decisions affecting the Trust. Trustees nonetheless also retain ultimate responsibility for even delegated decisions.

Trustees must act in accordance with not only charity law but the law in general.

Trustees must take professional advice where appropriate or necessary.

**Alongside these roles and responsibilities, each Trustee shall:**

Act honestly and in good faith and in the best interests of the Trust and the beneficiaries thereof.

Attend regularly the meetings of the Trust and any committee of which the Trustee is a member.

Act in accordance with the Trust Deed.

Protect the Trust's assets and be accountable for the solvency and continuing effectiveness of the charity and the preservation of its endowments.

Exercise overall control over the Trust's financial affairs and ensure the completion of the relevant statutory reports, returns and accounts.

Not receive any financial or non-financial benefit that is not expressly authorised by the Trust Deed.

Perform their duties with the relevant standard of care required by the Charities and Trustee Investment (Scotland) Act 2005, namely that of a person who is managing the affairs of another person, which includes taking professional advice as and when required.

**Conflicts of interest**

Trustees have a duty to declare any actual or *perceived* conflicts of interest. This rule will normally preclude applicants for Trusteeships who are themselves beneficiaries of the Trust, or are senior employees or office-bearers of a beneficiary.

**Induction and Training**

Trustees will be provided with a formal induction programme and training as required.