

NORTH WEST AMBULANCE SERVICE NHS TRUST
TERMS OF REFERENCE – CHARITABLE FUNDS COMMITTEE

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1. ROLE AND PURPOSE

The Committee is established to manage, monitor and review the charitable funds of the Trust, as required by the Charities Act 2011. The Committee will work in accordance with relevant guidance published by the Charities Commission and/or the Department of Health.

The Trust is Corporate Trustee of charitable funds registered together under charity registration 1122470 and the Committee is appointed as the Trust's agent in accordance with s16 of the NHS Trusts (Membership and Procedures) Regulations 1990.

The Chair of the Committee will report in writing to the Board of Directors a summary of the business that has been transacted and basis for any recommendations made. The Board will use that report as the basis for their decisions, but would remain accountable for taking the decision. Minutes of the meetings of the Board of Directors will record such decisions.

2. MEMBERSHIP

The Committee shall comprise the following membership:

- Three Non-Executive Directors, one of whom shall be appointed Chair and one of whom shall have appropriate financial qualifications or experience
- Associate Non-Executive Director
- Director of Finance
- Director of Corporate Affairs
- Director of Operations
- Director of People
- Director of Strategy, Partnerships and Transformation

The following officer shall be invited to attend meetings of the Committee in an advisory capacity when agenda items require them to be present. They are not routinely required to attend:

- Head of Technical Accounts
- Head of Charity
- Fundraising Manager

There is an expectation that members will endeavour to attend all scheduled Committee meetings.

In the event that the Chair of the Committee is unable to attend a meeting, the Non-Executive Director members shall appoint one of their numbers to be Chair for that meeting.

Other Officers of the Trust shall attend at the request of the Committee in order to present and provide clarification on agenda items and with the consent of the Chair will be permitted to participate in the debate.

The quorum necessary for the transaction of Committee business shall be four, which is to include two Non-Executive Directors and two Executive Directors. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the powers exercisable by the Committee.

3. ACCOUNTABILITY

Charitable Funds Committee authority is as set out in the NWAS Standing Financial Instructions.

4. REVIEW ARRANGEMENTS

The Committee will identify annual objectives of the Committee, produce an annual work plan in the agreed Trust format, measure performance at the end of the year and produce an annual report. This will also include an assessment of compliance with the Committee's terms of reference and a review of the effectiveness of the committee. Any changes to the Terms of Reference must be recommended to the Board of Directors for approval.

Compliance with the Terms of Reference will be monitored on an ongoing basis by the member of the Corporate Governance Department providing administrative support to the Committee. Any concerns in relation to compliance will be reported to the Chair of the Committee and the Director of Corporate Affairs. In addition, the annual review will include a summary on compliance with the Terms of Reference.

5. WORKING METHODOLOGY

Before each meeting, a notice of the meeting specifying the business proposed to be transacted shall be sent by electronic mail to the usual place of business or residence of each member, so as to be available at least three clear days before the meeting.

The Committee will normally meet bi-annually however the Chair may call a meeting at any time provided that notice of the meeting is given as specified above.

The Committee shall be supported administratively by the Corporate Governance Department, whose duties shall include: agreement of the agenda with the Chair and collation of papers; producing the minutes of the meeting for checking by the Chair, circulating draft minutes promptly to members once checked and advising the Committee on pertinent areas.

The minutes of meetings shall be formally recorded by a member of the Corporate Governance Department, checked by the Chair and submitted for agreement at the next meeting, whereupon they will be signed by the person presiding at it. Following a meeting, the Committee shall submit a Chair's Report to Board of Directors, and the Chair of the Committee shall draw to the attention of the Board any issues that require disclosure or require executive action.

6. DUTIES AND INTERRELATIONS

The main functions of the Committee are:

- i. ensuring the stewardship and effective management of funds which have been donated, bequeathed and given to the North West Ambulance Service NHS Trust Charitable Fund for charitable purposes;
- ii. co-ordinating the provision of assurance to the corporate trustee of the funds, that the funds are accounted for, deployed and where appropriate, invested in line with legal and statutory requirements;
- iii. considering and recommending the annual accounts for charitable funds for submission to and approval by the Board of Directors, acting as trustee of the funds;
- iv. satisfying itself that an appropriate control environment is maintained to manage the key risks faced by the charity and to ensure compliance with Charity Law and Charity Commission regulations

The duties and responsibilities of the Committee shall be:

Governance, Risk Management and Internal Control

The Committee shall:

- review the establishment and maintenance of an effective system of governance, risk management and internal control, across the whole of the charity's activities that support the achievement of the charity's objectives.
- provide reports to the corporate trustee to provide assurance that the charity is properly governed and well managed across the full range of activities

Assurance

The Committee shall:

- ensure effective management of the affairs of the North West Ambulance Service NHS Trust Charitable Fund within the terms of its declaration of trust and appropriate legislation and ensure statutory compliance with the Charity Commission regulations;
- ensure systems and processes are in place to receive, account for, deploy and invest where appropriate charitable funds in accordance with charity law to include the effective implementation of procedures and policies to ensure fund holders and staff appropriately receive funds and access funds;
- scrutinise requests for use of charitable funds (in accordance with the Scheme of Delegation) to ensure that any such use is in accordance with the aims and purposes of any charitable fund or donation and are clinically and ethically appropriate. Committee members will bear due diligence to Charity Commission and trust guidance regarding the ethical use of funds and acceptance of donations;

- shall receive and approve income and expenditure statements;
- shall receive and consider the annual report and accounts, before submission to the Board of Directors for approval.

7. DELEGATED AUTHORITY

The Committee is authorised by the Board to:

- Investigate any activity within its terms of reference
- Seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Committee

8. INWARD REPORTING ARRANGEMENTS

Not applicable.