

Responsibilities of BSMB trustees/committee members

The following provides some important information regarding the responsibilities of committee members, who automatically become trustees of the BSMB charity for the duration of their tenure on the committee.

Recommendations for individual trustees (abridged from the Charity Commission website: <http://www.charity-commission.gov.uk/publications/>)

- Trustees should:
 - ensure that they fully understand their governing document (constitution), refer to it on a regular basis and act within its terms;
 - ensure that the governing document they adopt is appropriate, comprehensive and contains provision for amendment to meet the evolving needs of their charity;
 - be proactive in sharing experience, use all available sources of information and network with other charities to develop realistic projections of income, expenditure and time commitment;
 - weigh up both the potential benefits and costs of incorporation when considering whether to register as a charitable company;
 - maintain a realistic understanding of the extent of their liability for any losses incurred by their charity (see appendix 1 below);
 - ensure that the terms of any contract they enter into safeguard the interests of their charity and its users;
 - ensure that fundraising is actively managed, even when it is contracted out, and that it complies with all relevant legal requirements;
 - ensure that their own roles and those of the charity's managers and employees are clearly defined so that all parties understand the scope of their responsibilities;
 - seek the appropriate level of legal advice before entering into any property transaction on BSMB business;
 - give regular consideration to whether or not their charity has a viable future and a good reason to continue.

Appendix 1. The BSMB is a charitable body which is currently unincorporated i.e. is not a company. This means that trustees have unlimited liability. This position was reviewed by the committee (Sept 2010) following discussions with a corporate lawyer. It was felt that as the charity has no property, owns no vehicles and has separate insurance for each of its meetings (covering public liability), the risk to the trustee is negligible. The committee opted not to change the status of the charity at the current time.