



Trustee Guidance



HOPE for Epilepsy

Trustee Guidance

Purpose of this Document

Trustees are the people elected to manage HOPE for Epilepsy (also referred to in this document as 'us', 'we', and 'the charity') and are responsible for the charity's administration. This position is on a voluntary basis and a trustee cannot pass their responsibility onto anyone else whilst they remain appointed.

This guidance should be read in conjunction with the related policies 'Trustees Code of Conduct' and 'Trustees Conflict of Interest' and other related policies.

Trustees share all responsibility equally. No individual trustee, for example, the Chair or the Treasurer has more responsibility than the other charity trustees do.

All trustees must fully consider the charity objectives below as these objectives guide and shape the services that HOPE for Epilepsy provides.

Aims and Objectives:

The charity's objects are:

To promote and protect the physical and mental health of children and young people living with epilepsy and their parents and families through the provision of support, education, recreational activities and practical advice.

Trustees must familiarise themselves with HOPE for Epilepsy's constitution and understand the rules and limitations set by this agreement.

Board of Trustees

Within the board of trustees there will be three officers:

- Chair
- Treasurer
- Secretary

Membership to become a trustee is open to individuals over eighteen years old who are approved by the trustees.

HOPE for Epilepsy may refuse an application for membership if we consider it to be in the best interests of the charity to refuse the application. The trustees must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision.

The trustees must consider any written representations the applicant may make about the decision. The trustees' decision following any written representations must be notified to the applicant in writing but shall be final.

All trustees for HOPE for Epilepsy must have an up-to-date enhanced DBS check.

Declaration

When considering becoming a trustee you will not be able to be appointed if you:

- have an unspent conviction for an offence involving dishonesty or an offence under the 2005 Act.
- are undischarged bankrupt or have a Protected Trust Deed.
- have been removed under either Scottish or English Law or the courts from being a charity trustee.
- have been disqualified from being a company director.

It is the responsibility of individuals to make sure they are not disqualified from being a charity trustee. Anyone who acts as a charity trustee whilst disqualified is guilty of an offence punishable by a fine or imprisonment, or both.

All trustees must complete and sign a trustee declaration form from the Charity Commission stating they are eligible.

Conflicts of Interest

Trustees for HOPE for Epilepsy must always act in the interests of the charity. The needs of the charity must be put before any other organisation a trustee is involved with; whether on a professional or personal basis; so that the charity can operate and meet the needs of its beneficiaries.

A trustee must declare any interests that may affect their ability to act in the best interest of the charity, this will be recorded onto a register of interests held by the charity and the board may suggest it is not appropriate to take part in certain decisions or they may consider the position of trustee.

All conflicts of interest will be recorded in the meeting minutes and include details on how the conflict is being managed or resolved. If a trustee consistently fails to follow the rules set by the constitution or fails to act in the best interest of the charity HOPE for Epilepsy may consider removing the membership by giving the trustee 21 days notice.

Ceasing to be a Trustee

Termination of membership can also happen if a trustee:

- Dies
- Submits written resignation unless after the resignation there will be less than two trustees

- Fails to attend meetings within a 6-month period without giving apologies or reason for absence and it is decided the office is vacated

Remuneration

A trustee for HOPE for Epilepsy takes on this role voluntarily to support the charity in meeting its objectives. There are no paid roles for any trustees.

Expenses for acting on behalf of the charity will be considered by the board and the decision recorded in the meeting minutes. This can include for example expenses for specialist training or events that will directly benefit the charity or its beneficiaries from trustee attendance. Two trustees who are unrelated to the trustee requesting remuneration must agree to the remuneration.

Trustees can also be beneficiaries of the charity and may make requests for charity support and these will be considered in the same way as other applications. Trustees do not receive any preferential benefits from the charity.

Paying a connected person

HOPE for Epilepsy can consider paying a connected person for goods or services if:

- Trustees agree the service is in the best interests of the charity
- Several quotes have been obtained
- A maximum cost has been agreed
- There is a written agreement between the charity and the service provider

The Charity Commission

HOPE for Epilepsy is a registered charity with the Charity Commission.

Records must be kept up to date including:

- The name of the charity
- The principal office or the name and address of one of the charity trustees
- The charity's objectives

Any changes to the charity must be done so within the powers of the constitution or advice from the charity commission must be sought.

Financial records and reporting

HOPE for Epilepsy must:

- Keep proper accounting records
- Prepare a statement of account, including a report on its activities, at the end of each financial year

- Have the statement of account independently examined or audited where necessary (assets exceed £25,000)
- Send details from the accounts as set out by the Charity Commission
- Complete a trustee's annual report

Trustees must act with due care and diligence to protect the assets of the charity.

Accounting records must detail day by day the money received and spent by the charity, the assets and liabilities of the charity, and show the financial position of the charity at any time. Where possible donors should be encouraged to make donations by bank transfer, cheques, or online.

If a cash donation is received, two people should count these and then make sure the money is banked as soon as possible. Receipts for the donations should be issued and no payments should be made out of this cash before being banked.

All cheques and online purchases require two signatories. Accounting records must be kept for at least 7 years.

Trustee meetings

Trustees have a collective responsibility for managing the charity, meetings are the best way to discuss, stay informed, and make decisions.

A trustee can call a special general meeting at any time. The meeting must be advertised with 14 clear days' notice before the date. It may be shorter if there is a need and all trustees agree.

Advertisement of the meeting must include:

- Date
- Time
- Venue/remote link
- If it is an annual general meeting, this must be stated

The minimum number of trustees required to represent at a meeting and make any decisions valid is 3.

An annual general meeting must be held in each subsequent year from the signing of the constitution and not more than fifteen months may elapse between successive annual general meetings.

Applications can be made to become an officer at the annual general meetings and trustees can cast votes.

All meetings must have an agenda and all decisions made and the reasons for them must be recorded in the meeting minutes. Minutes must also include actions and who is responsible for them.

Meeting minutes must be kept for a period of 7 years.

Complying with GPDR requirements

HOPE for Epilepsy must where appropriate:

- Ensure consent request is clear (not hidden in small print)
- Make it clear what the consent is given for
- Document consent
- Make it easy to withdraw consent
- Publish a privacy policy/ steps to ensure security/ how to delete out-of-date information/ requests to access personal data
- Have an unchecked, opt-in button on donation forms
- Keep a central record of communication preferences
- Enable people to easily unsubscribe or change their preferences
- Have legitimate reasons to collect data

HOPE for Epilepsy will register with the ICO for up-to-date information or changes made to the GPDR and ensure data is not shared.

Within our board there will be a senior person responsible for data protection, and they shall be our named contact with the ICO.

Complying with the Data Protection Act, data must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than necessary
- Processed in line with the individual's rights
- Secure
- Not transferred to countries without adequate protection

Confidentiality

Sensitive information that has been shared with trustees must remain confidential and not shared amongst other members. Exceptions to confidentiality are when someone reveals they are at risk or have been or are experiencing abuse or neglect. In these cases, refer to guidance in the charity's Safeguarding Policy.

Photographs

HOPE for Epilepsy will request direct permission before any photograph is used on its website, social media, reports, and promotional material. Please read the related Social Media Policy.

It will be made clear to the individual and/or their family what purpose the picture is being used for, and that consent is entirely voluntary.

Trustees must ensure that consent has been fully given before using an image.

Fundraising

All trustees have a responsibility to support, plan, or contribute to the fundraising efforts for HOPE for Epilepsy. For details, please see the charity's Ethical Fundraising Policy for details.

A standard document should be used when contacting organisations and businesses for donations or sponsorships detailing the charity, the objectives, how we plan to spend the money raised and if we reach our fundraising targets what happens to the excess or if insufficient funds are raised what happens next.

HOPE for Epilepsy also applies to trusts and grant-giving bodies. If a grant is given to the charity, then all specifications about the grant reporting requirements set out by the organisations will be followed.

All fundraising efforts must be recorded in the trustee's annual account including:

- The charity's approach to the fundraising activity
- Whether and how the charity monitored fundraising activities carried out on its behalf
- How many complaints the charity or anyone acting on its behalf has received about the fundraising event
- What the charity has done to protect vulnerable people and others from unreasonable intrusion on a person's privacy, unreasonably persistent approaches or undue pressure to give, in the course of or in connection with fundraising for the charity if appropriate

Providing information to the public

The charity must:

- State the charity name and registration number on the website, all external documents, emails, adverts, posters, invoices, cheques, TV, radio and any other publication created by the charity.
- Supply copies of the constitution or most recent accounts to anyone who requests them.

Health and Safety

HOPE for Epilepsy are responsible for completing and obtaining risk assessments and supplying these to the providers of public liability insurance and where possible

minimising or eliminating risks. This includes both regular support groups and events hosted in the community.

Accident reporting

If an accident or near miss occurs this must be recorded on the appropriate form and include the following details:

- What happened.
- The personal details of the person/people involved.
- What injuries occurred.
- What action you took/will take to prevent a similar accident or injury occurring again.

Dissolving the charity

All trustees are responsible for completing all the affairs of the charity and transferring all assets as set out in the constitution. The charity commission must be informed and appropriate confirmations from the organisations that are in receipt of the assets for recording purposes.

Date	Action	By whom
November 2022	Completed and edited	Louise Miller (Trustee)
November 2022	Reviewed	Dr Nadine Gurr (Chair of Trustees)
November 2023	Reviewed	Louise Miller (Trustee)
November 2024	Name changed from 'HOPE for Paediatric Epilepsy: London' to 'HOPE for Epilepsy' as per rebrand	Louise Miller (Trustee)
November 2024	Information regarding 'senior responsible person in charge of data protection' added	Louise Miller (Trustee)
November 2024	<i>Date of next review</i>	