



Terms of Reference – Charitable Funds Committee 2024 - 2025

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| Part of Trust’s publication scheme | Yes |

Charitable Funds Committee – Terms of Reference

1.0 Constitution

- 1.1 The East of England Ambulance Service NHS Trust Charitable Funds Charity is registered with the Charities Commission for England and Wales (Registered charity number 1047987) and operates to raise funds to support the staff, volunteers, and local communities of the east of England, strengthening the provision of outstanding care to patients.
- 1.2 The charity exists as a result of donations, support from fundraising activities, legacy giving, and opportunities from grant programmes. The work of the charity enhances that of the Trust and is intended to be beyond that ordinarily afforded by the NHS.
- 1.3 The East of England Ambulance Service NHS Trust Board is appointed to act as the Corporate Trustee of the East of England Ambulance Service NHS Trust Charitable Funds Charity.
- 1.4 The Corporate Trustee is the sole Trustee, and it acts through the Trust Board of Directors. Individual directors act as ‘agents’ of the Trustee and are not individual trustees. The Corporate Trustee is legally responsible for all the charity’s activities.
- 1.5 The Corporate Trustee hereby resolves to establish a Committee of the Trustee to be known as the Charitable Funds Committee (The Committee). The Committee is a non-executive Committee and has no executive powers, other than those specifically delegated in these Terms of Reference. As an assurance Committee it may only make recommendations to the Corporate Trustee. The Committee may establish, subject to Trustee approval, sub-groups to execute the delegated powers within these Terms of Reference.

2.0 Purpose

- 2.1 The Charitable Funds Committee provides the Corporate Trustee with a means of assurance regarding the administration of the Charity in accordance with applicable legislation.
- 2.2 The Trust Board is regarded as having responsibility for exercising the functions of the Trustee. The Trust Board delegates these functions to the Committee, within any limits set out in these Terms of Reference.

3.0 Authority

- 3.1 The Committee is authorised by the Corporate Trustee to investigate any activity within its Terms of Reference. It is authorised to seek any information it requires from any employee and all employees are directed to cooperate with any request made by the Committee.
- 3.2 The Committee is authorised by the Corporate Trustee to obtain outside legal or other independent professional advice and to secure the attendance of outsiders

with relevant experience and expertise if it considers this necessary or expedient to the carrying out of its functions.

- 3.3** The Committee is authorised by the Corporate Trustee to liaise, as necessary, with other sub-committees of the Board and chairs of the formal sub-committees have a responsibility for ensuring that the Charitable Funds Committee and the Corporate Trustee are advised of any risks or potential conflicts.

4.0 Reporting

- 4.1** The Chair of the Committee will provide a Chair's report to the next available Corporate Trustee meeting drawing to its attention any issues or risks that require disclosure to the full Board or require executive action. A copy of the approved minutes from the previous meeting will also be provided to the Corporate Trustee for information.

- 4.2** The Chair of the Committee shall draw the attention of the Corporate Trustee, to any formal recommendations by the Committee, the requirements for action to implement these, any resource implications and the timescale considered appropriate by the Committee for implementation.

- 4.3** EEAST's annual report shall include a section describing the work of the Committee in discharging its responsibilities.

- 4.4** The Committee will undertake an annual review of its performance effectiveness against its duties in order to evaluate its achievements and will report on its findings annually to the Corporate Trustee.

- 4.5** The Committee will report once a year to the Audit Committee on the following areas for assurance:

- Annual Report and Accounts
- Annual Plan, strategy and key objectives

5.0 Monitoring and Effectiveness

- 5.1** The Chair of the Board (as Corporate Trustee) will receive a copy of all meeting papers and will attend at least one meeting per annum for monitoring and assurance purposes.

- 5.2** The Terms of Reference of the Committee shall be reviewed by the Corporate Trustee, at least annually.

6.0 Membership and Quorum

- 6.1** The Committee membership shall be appointed by the Corporate Trustee from amongst its voting members and shall consist of not less than three designated Members, (at least one non-executive and one executive director) and including the Director of Finance. The Corporate Trustee shall appoint the Chair of the Committee from amongst the Non-Executive Directors.

- 6.2** The Director of Integration shall normally attend meetings.
- 6.3** In the absence of the Committee Chair, the remaining members present shall elect one of themselves to chair the meeting.
- 6.4** Any voting Corporate Trustee director may attend any meeting.
- 6.5** The Chair of the Board (as Corporate Trustee) shall not be a member of the Committee but may attend meetings.
- 6.6** Members should aim to attend every meeting and should attend a minimum of 75% of meetings held in each financial year. Where a member is unable to attend a meeting, they should notify the Committee chair or Secretary of the Committee in advance.
- 6.7** Any member of the Committee may participate by means of telephone conferencing, video conferencing or similar communications equipment whereby all persons participating in the meeting can hear each other, and participation in the meeting in this manner shall be deemed to constitute presence in person at such meeting.
- 6.8** The quorum necessary for the transaction of business is two members. (At least one non-executive, one executive director with a finance representative being also present). A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of its authorities and powers.

7.0 Attendance at Meetings

- 7.1** By exception, where the members or attendees cannot attend the meeting, deputies may attend.
- 7.2** Officers and relevant representatives shall have the right of attendance, subject to invitation by the Committee Chair, particularly when the Committee is discussing areas of relevance.

8.0 Meetings

- 8.1** Meetings of the Committee shall be formal, minuted and compliant with relevant statutory and good practice guidance as well as EEAST's Standing Orders and Standing Financial Instructions.
- 8.2** Meetings shall be held as necessary, but not less than four times a year.
- 8.3** Extraordinary meetings will be held as necessary at the discretion of the Corporate Trustee or Committee Chair.

9.0 Secretary and Committee Support

- 9.1** The Deputy Director of Corporate Affairs shall provide independent advice to the Committee Chair and Committee Members on compliance with the law and regulatory matters relevant to the Committee's delegated authority in accordance with Standing Orders.

- 9.2** The Deputy Director of Corporate Affairs shall be the Secretary to the Committee and the committee administrative function will be provided through their office which will include:
- I. preparation of the draft agenda for agreement with the chair
 - II. collation and circulation of papers
 - III. minuting the proceedings and resolutions of all meetings of the Committee including recording the names of those present and in attendance
 - IV. keeping a record of matters arising and issues to be carried forward
 - V. draft minutes of the meetings to be available within 5 working days but no longer than 10 working days from the date of the meeting.
 - VI. Creating and maintaining a rolling schedule of business to come before the Committee.

10.0 Duties

- 10.1** To monitor and authorise the application of all charitable funds in accordance with the Charities Acts, external guidance and applicable legislation and to ensure that decisions on the use or investment of such funds are compliant with the explicit conditions or purpose of each donation or bequest.
- 10.2** To make decisions involving the investment of charitable funds with regards to existing and subsequent legislation, strategy, policy and guidance. Including the monitoring and performance of the investment/reserve portfolio.
- 10.3** Ensure that funds are correctly allocated as restricted, unrestricted or designated and accounted for accordingly. Further, that donation and investment income and loss are attributed appropriately.
- 10.4** Overseeing the development and implementation of a charity strategy including governance, plans and key risks on behalf of the Corporate Trustee.
- 10.5** To review business cases relating to major investment decisions and to recommend investment or otherwise.
- 10.6** Ensure that there is an appropriate system of control over income and expenditure, and that robust governance arrangements are in place.
- 10.7** To receive and review the charitable funds income and expenditure accounts together with any other supporting information.
- 10.8** To support charity brand development and to ensure funds are appropriately publicised and recognised.
- 10.9** To review and recommend approval to the Corporate Trustee of the charity Annual Report and Accounts for submission to the Charity Commission.
- 10.10** To ensure compliance with EEAST's Standing Financial Instructions and Scheme of Delegation as applicable to charities, and to gain assurance that they are appropriately interpreted for charitable funds.

- 10.11** Ensure that the investment/reserve policy approved by the Corporate Trustee is implemented and that sufficient funds are kept readily available to meet planned requirements.
- 10.12** To receive and scrutinise all audit reports on charitable funds and recommend action to the Corporate Trustee.
- 10.13** To establish and monitor policies and procedures to ensure the effective day to day management of charitable funds.