

Primary responsibilities of BAMT charity trustees

The overriding duty of all charity trustees is to advance the purposes of their charity. In doing so, they have the following responsibilities:

1. Trustees are responsible for the proper administration of the charity

Trustees must make sure that the charity's assets and resources are used only for the purposes of the charity. They must make sure that the charity is run in accordance with its constitution, charity law and all other laws and regulations which affect its activities.

2. Trustees must accept ultimate responsibility for everything the charity does

The trustees are responsible for the vision, mission and management of the charity. They are accountable if things go wrong. Trustees are required to comply with statutory accounting and reporting requirements.

3. Trustees have to act reasonably and prudently in all matters relating to their charity

The law imposes a duty of care on the trustees of charities. This is sometimes expressed as a duty 'to exercise such care and skill as is reasonable in the circumstances'. The duty will be greater if a trustee has (or claims to have) any special knowledge of experience, or if their business or profession means they can reasonably be expected to have special knowledge or experience. In matters where trustees are not expert, they will be expected to take appropriate advice. This duty is very significant. Essentially, provided trustees can show that they are acting reasonably, in a way which furthers the legal objectives of the charity, it is unlikely that they can be criticised under charity law. Trustees are also required to commit time, energy and thought to their role e.g. preparing for, attending and actively participating in all trustees' meetings.

4. Trustees must safeguard and protect the assets of the charity

A charity's assets include its investments, cash, land, intellectual property, staff and reputation. The trustees must act within the duty of prudence. Appropriate procedures and safeguards should be in place to ensure that the duty of prudence is upheld.

5. Trustees have a duty to act collectively

Decisions and responsibilities are shared, so all trustees should take an active role. Trustees can act by majority (unless the constitution says otherwise), but all the trustees are collectively responsible for decisions made by the trustees (unless they make it clear that they disagree with a particular decision, but they are overruled). Some trustees will have particular roles. For instance, the chair is likely to be a figurehead for the organisation, and to have a special relationship with senior members of staff. The treasurer will be responsible for explaining the financial situation to the rest of the trustees. But responsibility for decision-making still lies with the board as a whole.

6. Trustees must act in the best interests of their charity

The interests of the charity are paramount. Trustees should not allow their personal interests or views to override this; they must exercise independent judgement. The trustees must endeavour to avoid any conflict between their personal interests and those of the charity. It is responsibility of the trustee(s) to identify and declare conflict of interest, prevent the conflict of interest from affecting or influencing the decision making process, and take appropriate steps to record the conflict of interest and how it was dealt with. Trustees must take all reasonable steps to prevent any conflict of interest from interfering with their ability to make a decision that is in the best interests of the charity.

7. Trustees must ensure their charity is carrying out its purposes for public benefit

It is responsibility of the trustees to ensure that the charity is carrying out the purpose for which it was set up. As a trustee of the charity, you are required to understand the work of the charity; plan the direction of work for the charity; explain the charity's activities further or support its aims, and understand the public benefits carried out by the charity.

More information about the duties of charity trustees can be found [here](#).

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