



Redgrave Parish Council

Charity Trustee Appointment Policy

Introduction

Redgrave Parish Council (RPC) is the Appointing Authority (also called the Appointing Body) for trustees selected to sit on the Board of The Redgrave Amenities Trust (RAT), in accordance with that charity's governing document. For the purposes of this policy, Redgrave Parish Council will be referred to as the Appointing Authority.

This policy sets out how the Appointing Authority will fulfil its responsibilities in appointing trustees to RAT. It is based on guidance issued by the Charity Commission, including The Essential Trustee (CC3) and Finding New Trustees (CC30), and is aligned with the principles of SAPP 2025 and other relevant UK legislation.

The words *must* and *should* are used in accordance with Charity Commission practice:

- *must* = a legal or regulatory requirement
- *should* = good practice the Commission expects trustees to follow

General Trustee Recruitment and Appointment Process

The Appointing Authority will follow the Charity Commission's guidance as the foundation for trustee recruitment and adapt processes where necessary to comply with RAT's governing document (see Appendix 1).

- RAT is responsible for identifying vacancies and requesting appointments.
- Requests must include a short role description and person specification.
- The Appointing Authority will form an Appointment Panel of four councillors (minimum three if required) to oversee the process.
- The Appointment Panel may invite a RAT trustee to participate for expertise and transparency.
- Final approval of appointments rests with the Appointing Authority.

The Appointing Authority must review this policy annually and ensure compliance with current legislation and SAPP requirements.

Equality, Diversity and Inclusion

In line with the Equality Act 2010 and SAPP 2025 standards:

- All trustee recruitment will be conducted fairly, transparently and without discrimination.
- The Appointing Authority will make efforts to encourage applications from a diverse range of candidates, reflecting the needs of the charity and the wider community.

Finding Potential Trustees

The Appointing Authority may use advertising, trustee brokerage services, community networks, and nominations from existing RAT trustees.

- Shortlisting and interviews will be carried out by the Appointment Panel against agreed criteria.
- Notes of interviews must be kept securely (see Section 8, Data Protection).
- Unsuccessful candidates will be notified and thanked.
- If suitable candidates cannot be found, RAT will be advised to use alternative methods permitted by its governing document.

Vetting Potential Trustees

The Appointment Panel must ensure candidates are eligible and suitable by confirming:

- Age (must be 18+)
- Not disqualified under charity law (automatic disqualification rules)
- No significant conflicts of interest

Prospective trustees must complete:

- Trustee Eligibility Declaration
- Automatic Disqualification Declaration

RAT does not work with children or adults at risk, so DBS checks are not required. However, this position will be reviewed annually in case RAT's activities change.

Details of the vetting process are in Appendix 2.

Making the Appointment

The Appointing Authority will:

- Confirm compliance with this policy, RAT's governing document, and Charity Commission guidance.
- Issue a formal Letter of Appointment (Appendix 3).
- Provide successful candidates with *The Essential Trustee (CC3)* and supporting induction materials.
- Notify RAT of the appointment and require confirmation that RAT has updated the Charity Commission register. (*Note: updating the register is the legal responsibility of RAT trustees, not the Parish Council.*)

Induction, Training, and Support

Induction and ongoing training of trustees is the responsibility of RAT. Newly appointed trustees may raise concerns with the Appointing Authority if support is inadequate, and the Authority will liaise with RAT to resolve issues.

Data Protection and Record Management

In line with the UK GDPR 2018 and Data Protection Act 2018, the Appointing Authority will:

- Collect and process personal data of candidates lawfully and securely.

- Retain application and interview records for no longer than 12 months after an appointment is made.
- Securely destroy data for unsuccessful candidates within this timeframe.
- Ensure only authorised persons have access to candidate information.

Complaints and Appeals

Applicants who wish to challenge the fairness of the recruitment process may submit a complaint in writing to the Clerk of Redgrave Parish Council within 14 days of notification. The RPC will review the complaint, ensure impartial consideration, and provide a written response.

Removal of Trustees

The removal of trustees is a matter for RAT, following its governing document. The Appointing Authority's role is limited to appointing replacements when notified of a vacancy.

Appendices:

- Appendix 1 – Specific Appointment Processes for RAT (from governing document)
- Appendix 2 – Detailed Vetting Process (updated to reference GDPR/data handling)
- Appendix 3 – Standard Letter of Appointment (retains legal references and duties)

Appendix 1 to Redgrave Parish Council Charity Trustee Appointment Policy
Specific Appointing Processes for the Redgrave Amenities Trust (RAT)

The RAT has defined specific appointment requirements and processes within its governing document. This appendix shows these requirements which must be followed by the Appointing Authority in addition to its own general appointment process.

The Redgrave Amenities Trust (RAT)

The RAT governing document states the following requirements regarding appointment of trustees:

“4. Appointment of trustees:

- (1) The body of trustees shall consist, when complete, of 3¹ persons being:
3 nominated trustee(s); and
- (2) The nominated trustee(s) shall be appointed by Redgrave Parish Council

Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the appointing body. The Chair of the meeting shall cause the name of each person appointed to be notified forthwith to the trustees. The person may be, but need not be, a member of the council.”

- (4) If for any reason trustees cannot be appointed in accordance with the foregoing provisions, the statutory power of appointing new or additional trustees shall be exercisable.

5. Eligibility for trusteeship.

- (1) No person may be appointed as a trustee:
 - a) Unless he or she has attained the age of 18 years.
or
 - b) In circumstances such that, had he or she already been a trustee, he or she would have been disqualified from office under the provisions of the following clause,
- (2) No person shall be entitled to act as a trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the trustees a declaration of acceptance and willingness to act in the trusts of the Charity.

¹ Now 5 persons as agreed with the Appointing Authority at its meeting of 8 Jan 2020 and confirmed to the RAT by Charities Commission

Appendix 2 to Redgrave Parish Council Charity Trustee Appointment Policy
Detailed Process for Vetting of RAT Trustees

This vetting process is based on Charity Commission guidance (*Finding New Trustees, CC30*) and legal duties under the Charities Acts. It is designed to ensure compliance, good governance, and alignment with SAPP 2025.

Core Vetting Responsibilities

Before appointment, the Appointing Authority must ensure that each candidate:

- Is at least 18 years old.
- Is not disqualified from acting as a trustee (see disqualification reasons below).
- Meets all eligibility conditions in RAT's governing document.
- Understands the responsibilities of trusteeship and can reasonably carry them out.
- Has declared any potential conflicts of interest.

Disqualification Checks

The Appointment Panel must confirm the candidate is not disqualified under law. Grounds for disqualification include (but are not limited to):

- Bankruptcy or insolvency orders (unless discharged).
- Being subject to an IVA or bankruptcy restrictions order.
- Unspent convictions for offences of dishonesty, deception, terrorism, money laundering, or certain other offences.
- Inclusion on **the sex offenders register**.
- Removal as a trustee by the Charity Commission or High Court.
- Disqualification as a company director.

Sources to Check (optional but recommended)

The Appointment Panel may use:

- Individual Insolvency Register (Insolvency Service).
- Companies House register of disqualified directors.
- Charity Commission register of removed trustees.

Required Declarations

Candidates must complete:

- Trustee Eligibility Declaration
- Automatic Disqualification Declaration
- Conflict of Interest Declaration

Safeguarding Review

- RAT currently does not work with children or adults at risk, so DBS checks are not required.

- This position must be reviewed annually. If RAT’s activities change, safeguarding checks (including DBS) may become mandatory.

Data Protection (UK GDPR / DPA 2018)

- All candidate data, including forms and interview notes, will be stored securely and accessed only by authorised members of the Appointment Panel.
- Records for unsuccessful candidates will be destroyed within 12 months of the appointment decision.
- Data for successful candidates will be retained only as long as necessary to confirm appointment compliance.

These details processes are based on the Charity Commission Guidance “Finding New Trustees” updated 3 May 2018.

Vetting Trustees Prior to Appointment

The Appointing Authority has an important moral responsibility to find and appoint suitable individuals who will look after the interests of the charity’s beneficiaries. Before appointing a new trustee, the Appointing Authority must ensure that it:

- Acts within the law.
- Acts in accordance with the charity’s governing document.
- Ensures that the prospective trustee is not disqualified from being a trustee, and.
- Takes measures to ensure that each prospective trustee understands the responsibilities they are taking on and can be relied on to carry them out responsibly.

There is no requirement for DBS checks for potential trustees of the RAT, although the Appointing Authority should assure itself, as far as is possible, of the moral probity of the individuals that it appoints.

As part of the vetting of a prospective trustee the RPC, as Appointing Authority, must and will:

- Ensure that the candidate is not barred by any of the legal constraints as to who may be appointed as a trustee.
- Confirm any restrictions on who may be employed as a trustee within the charity’s Governing Document and ensure the candidate is not barred by such restrictions.

In particular, the RPC must and will confirm that the following legal requirements are met by each prospective candidate when preparing to appoint a new trustee:

- The candidate is at least 18 years of age.
- The candidate is not disqualified by law from acting as a trustee, unless authorised to do so by a waiver from the Charities Commission. The reasons for disqualification are shown in the disqualifying reasons table and include:
 - being bankrupt or having an individual voluntary arrangement (IVA)
 - having an unspent conviction for certain offences (including any that involve dishonesty or deception)
 - being on the sex offenders’ register

The automatic disqualification guidance for charities which explains the disqualification rules in more detail is provided at <https://www.gov.uk/guidance/automatic-disqualification-rule-changes-guidance-for-charities#what-your-charity-needs-to-do> the provisions of which should be followed by the Appointing Authority.

The appointment of a trustee must also be in accordance with any provisions specified in the RAT's governing document, which will set out procedures for appointing new trustees, including any restrictions, such as a maximum number of trustees or an age limit.

Before appointing a trustee, the Appointing Authority should obtain a declaration from the prospective trustee that they are not disqualified from acting as a charity trustee. Sample declarations can be obtained from the Charity Commission.

The Appointing Authority may, should it wish to do so, also make use of official registers which record the names of people who are disqualified from acting as charity trustees. These include:

- (1) The Individual Insolvency Register maintained by the Insolvency Service, which contains details of:
 - a. bankruptcies that are either current or have ended in the last three months
 - b. current individual voluntary arrangements and fast track voluntary arrangements
 - c. current bankruptcy restriction orders and undertakings
- (2) The register of disqualified directors maintained by Companies House. Searches of the register can be made on the Companies House website.
- (3) The register of all persons who have been removed as a charity trustee either by the commission or by an Order of the High Court since 1 January 1993.

The Appointing Authority should check for potential conflicts of interest for prospective trustees in advance of appointment. A conflict of interest is any situation in which a trustee's personal interests or loyalties, and those of the charity, arise simultaneously or appear to clash. For example, if a charity awarded a contract to another organisation owned by a trustee, the person in question could face conflicting pressures between maximising profit for his or her company and keeping costs low for the charity.

Prospective trustees should be asked about potential conflicts of interest, and these should be declared to those who will decide on the appointment.

Enclosure:

1. Disqualification Reasons Table.

Appendix 3 to Redgrave Parish Council Charity Trustee Appointment Policy
Specimen Letter of Appointment

The following letter of appointment (modified as necessary) should be sent by the Appointing Body (Redgrave Parish Council) to newly appointed trustees:

Dear [Name],

On behalf of Redgrave Parish Council, as the Appointing Authority, I am pleased to confirm your appointment as a trustee of the Redgrave Amenities Trust (RAT), Charity number: 1052572, with effect from [date].

This appointment has been made in accordance with RAT's governing document and the Charity Commission's requirements.

Key points of your appointment are as follows:

- Your appointment is for a term of four years, subject to the terms of RAT's governing document.
- You are bound by the duties of trusteeship under the Charities Acts 2011 and 2016 and related legislation.
- You must act in the best interests of the charity, avoid conflicts of interest, and exercise your duties of care, prudence, and good faith.
- As a trustee, you will not receive payment for your time, but reasonable out-of-pocket expenses may be reimbursed in accordance with RAT's policies.
- You must complete and return the enclosed Trustee Eligibility Declaration and Automatic Disqualification Declaration.

Induction and Support in your new role will be as follows:

- RAT is responsible for providing you with an induction and ongoing support.
- Enclosed is an induction pack containing:
 - A copy of RAT's governing document.
 - A summary of trustee duties and responsibilities.
 - *The Essential Trustee (CC3)* guidance from the Charity Commission.
 - The Charity Governance Code.
 - HMRC *Fit and Proper Person* declaration (2 copies).
 - Trustee Eligibility Declaration (2 copies).
- Please read and familiarise yourself with these documents and return the signed forms as directed.

We congratulate you on your appointment. Serving as a trustee is both a privilege and a responsibility. Please contact the Chair of the RAT Board of Trustees for support and guidance as you undertake your new role.

Yours sincerely,

Chair
Redgrave Parish Council
(Appointing Authority for the Redgrave Amenities Trust)

Enclosures:

1. RAT governing document (Declaration of Trust, 11 Sept 1995)
2. The Essential Trustee (CC3)
3. Charity Governance Code

4. Role description and summary of trustee duties
5. HMRC Fit and Proper Person declaration ×2
 - Trustee Eligibility Declaration ×2