



CODE OF CONDUCT FOR DOWNHAM MARKET & DISTRICT U3A TRUSTEES

INTRODUCTION

“Charity trustees are responsible for controlling the management and administration of a charity. They should work together as a team and have collective responsibility for their charity” (Charity Commission).

This Trustee Code of Conduct is an agreement between Downham Market & District U3A and individual committee members which spells out the standards of behaviour expected. All committee members are trustees of Downham Market & District U3A.

Current and new trustees will be asked to confirm their acceptance of the code and this will be minuted at the first full committee meeting following each Annual General Meeting.

GENERAL

- Trustees should read the Charity Commission leaflet CC3 entitled ‘The Essential Trustee – what you need to know’ which can be downloaded from the Charity Commission website.
- Trustees must comply with Charity Law and the requirements of the Charity Commission as regulator.
- Trustees are expected to know, follow and promote the principles of the U3A Movement at every opportunity.
- Trustees must always act in the best interests of Downham Market & District U3A and the U3A Movement, strive to uphold its reputation and never do anything which could bring Downham Market & District U3A or the Movement into disrepute or expose it to undue risk.
- Trustees are expected to reflect the current organisational policy of Downham Market & District U3A, regardless of whether it conflicts with their personal views.
- Trustees are expected to abide by Downham Market & District U3A’s governance procedures and practices.
- Trustees must never derive any pecuniary benefit from being a trustee and must notify the Chairman of any gifts received.
- Trustees are expected to use Downham Market & District U3A’s resources responsibly and only to further its stated charitable objects/purposes.
- Trustees should inform the Chairman before accepting an invitation to speak on behalf of the U3A.
- Trustees will respect both the authority of the Chairman in the role of meeting leader and accept majority committee votes as final.
- Trustees are expected to treat fellow committee members courteously and maintain a respectful attitude towards the opinions of others.
- Organisational, committee and individual confidentiality must be respected at all times.

SPECIFIC – COMMITTEE MEETINGS

Preparation for and attendance

Trustees are expected to study the agenda and all supporting papers prior to the meeting and strive to attend all meetings.

Conflict of Interest

Trustees must declare a conflict or possible conflict of interest at the start of the committee meeting or at the earliest possible opportunity. The Chairman will then decide whether to exclude the trustee from a particular item or even from the whole meeting. In the event that the Chairman has a conflict of interest, then the committee should request the Vice-Chairman to rule on the matter.

Confidentiality

In order that all trustees feel comfortable expressing their views and ideas, it is essential that everybody maintains complete confidentiality outside the committee at all times. The decisions made by the committee are minuted and once approved, the minutes are available from the Secretary or can be downloaded from the Downham Market U3A website.

Corporate responsibility

No matter what individual trustees' opinions or voting choices are, once an item is approved by the committee, all trustees must accept it as decisive and final and not comment further outside the committee environment.

Procedure to be followed in the case of a breach of the agreed Code of Conduct for Trustees

In the event of a report of any trustee allegedly breaching the Code of Conduct for Trustees or if a breach becomes apparent, the Chairman will immediately appoint two trustees to investigate and report back. The result of these investigations will not be disclosed to any other trustees at this stage.

NB. If the complaint concerns the Chairman, then the Officers acting as a group should take responsibility.

For minor breaches of the code, the Chairman will use his/her best endeavours to resolve the problem amicably and quickly, through an informal chat with the trustee in question, especially if the breach has occurred during a committee meeting and therefore requires no prior investigation. However, even an informal discussion should not be vague. The problem or issue will be identified and the views of the trustee will be heard but the Chairman will make clear what is required going forward and the consequences of repeating the behaviour in question. A written record of the informal discussion will be kept by the Chairman stressing that this is not part of any formal disciplinary procedure.

However, if this process is not effective in reaching a solution or if it is felt that the breach is serious enough to require formal disciplinary action, the committee will be fully briefed and an agreement reached on the action to be taken.

Recommended Disciplinary Procedure

Level 1

A verbal warning which makes clear the nature of the unacceptable behaviour and includes a warning about future conduct and the consequences of non-compliance. The Chairman, supported by one other trustee will normally give the warning. Details will be recorded with a date and kept on file.

Level 2

A written warning from the Chairman, on behalf of and agreed by the Committee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance.

Level 3

A final written warning as above, which states that if the behaviour is repeated again the trustee will be asked to leave the committee, with immediate effect.

Level 4

The trustee is asked to leave.

Right of Appeal

At each stage of the formal disciplinary procedure there is a right of appeal providing it is lodged within a 7-day period. This can take the form of written representation or the desire for a right of reply.

Hearing an Appeal

If a decision is appealed, the trustee will be given the opportunity to attend a specially arranged committee meeting, with a friend if so desired, who may also speak. Seven days' notice must be given of the agreed date and at the meeting the Chairman will summarise the issue and invite the trustee to state his/her case. The trustee will then be informed when a decision will be communicated.

The matter will be fully discussed, taking into account any mitigating circumstances. Once a decision is reached the trustee will be informed in writing.

The committee's decision following any appeal is final and absolute confidentiality will be maintained.

In most cases disciplinary action will begin at Level 1. Levels 3 & 4 will only be invoked in the case of significant breaches of the code or a persistent repetition of behaviour which the trustee has previously been warned about, such as not complying with the terms of the constitution.

In handling a formal disciplinary procedure, the trustees will ensure that:

- All action taken is documented.
- They will at all times act fairly and even-handedly.
- Decisions are made by the committee.

This policy will be reviewed every two years.

Signed:

John Cowin, Chairman Downham Market & District U3A
August 2021