

## **Watford Park U3A (WPU3A) – Trustee Code of Conduct**

The WPU3A trustees have agreed that they will comply with the content of the **CODE OF CONDUCT FOR U3A TRUSTEES IN ENGLAND AND WALES** document issued by the Third Age Trust (TAT) in February 2011, which is attached on pages 2 – 4 of this document.

All trustees, both continuing and new, will be asked to formally acknowledge and agree to comply with this Code of Conduct. Acceptance will be through the signing of a Trustee Declaration Form, which shall be retained for safe keeping by the Secretary.

Updated; 3<sup>rd</sup> March 2019

## CODE OF CONDUCT FOR U3A TRUSTEES IN ENGLAND AND WALES

### 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).

A trustee code of conduct is an agreement between the organisation and the individual committee member which spells out the standards of behaviour expected from trustees.

**Current trustees should be asked to accept it and new trustees should be advised of the code as soon as they join the committee and formally asked to accept it. Then make sure on each occasion that the acceptance is minuted.**

### GENERAL

- Trustees must read the Charity Commission leaflets on the responsibilities of Charity Trustees CC3, CC3a and ‘Being a Trustee’, which can be downloaded from the Charity Commission website.
- Trustees are expected to know, follow and promote the Aims and Guiding Principles of the U3A Movement at every opportunity.
- Trustees must always act in the best interests of WPU3A and the U3A Movement, strive to uphold its reputation and never do anything which could bring WPU3A or the Movement into disrepute.
- Trustees are expected to reflect the current organisational policy of WPU3A, regardless of whether it conflicts with their personal views.
- Trustees are expected to abide by WPU3A’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 WPU3A’s resources responsibly and in accordance with its stated objects.
- 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. Trustees should 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.

The decisions made by the committee are minuted and once approved, are available on request to members. Care must therefore be taken to ensure confidentiality is maintained.

#### • 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, without further comment.

## **Procedure to be followed in the case of any Breach of this Code of Conduct**

In the event of a report of any trustee allegedly breaching the code of conduct or if a breach becomes apparent, the Chairman will immediately appoint two trustees to establish the facts and report back. The result of these investigations must not be disclosed to any other trustees.

**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 shall 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 needs to be identified, the views of the trustee should be heard and the Chairman should make clear the change required and the consequences of repeating the behaviour in question. A written record of the informal discussion should be kept on file, but it should be stressed 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 following procedure should be applied.

### **Level 1**

A verbal warning from the Chairman making clear the nature of what was unacceptable and warning about future conduct. This should be recorded with a date and kept on file.

### **Level 2**

A confidential letter from the chairman clearly itemising the unacceptable behaviour, stating the improvement required with immediate effect.

### **Level 3**

A final written warning which states that if the behaviour is repeated again the trustee will be asked to leave the committee, with immediate effect. At this stage the committee will be fully informed and copied in to all correspondence.

### **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 and the trustee wished to appear before the committee, the trustee should be invited to attend a specially arranged meeting, with a friend if so desired, who may also speak. The Chairman should summarise the issue and invite the trustee to state his/her case.

The trustee should then be informed when a decision will be communicated.

The matter should be fully discussed, taking into account any mitigating circumstances.

Once a decision is reached the trustee should be informed in writing.

**N.B. The committee's decision following any appeal is final.**

**Absolute confidentiality must be maintained.**

**Should you be in the unfortunate situation of having to resort to the formal disciplinary procedure, please remember the following:-**

- All action taken must be documented.
- You must at all times act fairly and even-handedly.
- In most cases disciplinary action should begin at Level 1.
- Levels 3 & 4 should only be invoked in the case of either extremely serious breaches of the code or a persistent repetition of behaviour which the trustee has previously been warned about.

Examples of extremely serious breaches are ....

Grossly indecent or immoral behaviour – sexual/racial abuse, discrimination, harassment, bullying

Dangerous or violent behaviour

Incapacity caused by medication/drugs/alcohol

Falsification of expense claims

Theft

Malicious damage

- It is very likely that a clause in your constitution will state that a trustee will cease to hold office if he/she is....
  - Disqualified by virtue of section 72 of the Charities Acts 1993, e.g. criminal conviction, bankruptcy etc
  - Incapable of administering his/her own affairs
  - Absent without the permission of the committee from 3 consecutive meetings
  - Bringing the U3A into disrepute or behaving in a way which is prejudicial to the U3A
  - Failing to abide by the terms of the constitution or the decisions of the committee

LJ/February 2011

Third Age Trust