



Policy Number	P-011
Policy Title	Recruitment and Appointment of Trustees
Senior Management Team Lead	Emma Johnson
Policy Lead	Emma Johnson
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Ratifying Committee	Membership

2 Policy Mapping

Version	Date	Changes made	Section
1 st Draft	Oct 2019	Draft approved by Membership Committee	All
2	Oct 2022	SMT & Policy lead Inclusion of CQC Regulation 5 (Fit and Proper Persons: Directors) Inclusion of Health Declaration	All 1 3

1. THE ISSUES

1.1. The Charity Commission requires that every charity:

1.1.1. is headed by an effective board that provides strategic leadership in line with the charity's aims and values

1.1.2. has a robust and transparent process for the recruitment of trustees that ensures the ongoing performance of the charity and the opportunities and benefits it provides to its beneficiaries, stakeholders and wider community.

1.2. The Charity Commission states that diversity is essential for boards to stay informed and responsive to navigate the fast-paced and complex changes facing the voluntary sector.

1.3. It is essential that the Board continues to have the diversity of skills, experience, expertise and background to discharge these responsibilities.

1.4. It is essential to attract trustees from the Hospice's local community to ensure that the Board is representative of the community that the Hospice serves and so strengthen accountability and the confidence of that community.

1.5 The Care Quality Commission (CQC) Regulation 5 (Fit and Proper Persons: Directors), requires registered providers to have individuals who are fit and proper to carry out the important role of director to make sure that providers meet the existing requirements of the Health and Social Care Act (2008) Regulations.

1.5.1 Regulation 5 (Fit and Proper Persons: Directors) is applicable and includes Trustees of charitable bodies.

2. POLICY

2.1. St Leonard's Hospice York is a Registered Charity (509294) and Company Limited by Guarantee (01451533). Members of the Board of Trustees are both trustees and company directors under the Charities Act. Only individuals who are suitable to act as both a trustee under the Charities Act and a director as defined by the Companies Act can be considered for appointment.

2.2. Trustees are not paid but can claim reasonable and necessary costs legitimately incurred while acting on behalf of the Hospice.

2.3. The Board of Trustees is responsible for ensuring that trustees are recruited and appointed fairly and openly and in line with the requirements of regulation 5 (Fit and Proper Persons: Directors).

2.4. Membership Committee has responsibility, delegated by the Board, for leading, monitoring and reviewing the process for recruiting and appointing trustees.

2.5. Membership Committee makes recommendations to the Board regarding trustee recruitment. The Board makes the final decision about both the availability of vacancies and appointments.

2.6. Membership Committee considers the best methods of attracting a diverse range of candidates with the skills needed which may include a range of methods of promoting and advertising for expressions of interest and the use of trustee recruitment and brokerage services. The approach may differ from vacancy to vacancy.

2.7. The Hospice promotes Board membership and invites prospective trustees to express an interest on its website along with all supporting information.

2.8 Potential Trustees are also encouraged to email expressions of interest outside of any advert/recruitment drive.

3. SELECTION PROCESS

3.1. Recruitment and appointment of a trustee is a two stage process:

3.1.1. the first stage is to invite expressions of interest from prospective future trustees and undertake a selection procedure to determine whether those who have expressed an interest are suitable for inclusion in the Register of Potential Future Trustees;

3.1.2. the second stage is for the Board to identify a vacancy and Membership Committee to invite an individual from the Register of Potential Trustees to fill the vacancy subject to approval of the appointment by the Board.

3.2. Potential future trustees may be co-opted to one or more sub-committees of the Board with usual practice that a prospective trustee will spend time as a co-opted committee member before being invited to join the Board. The Board reserve the right to amend this on an individual basis as appropriate.

3.3. In considering vacancies for both co-opted committee members and the Board, Membership Committee will consider the skills mix of the committee/Board and, therefore, the skills required to fill the vacancy.

3.4. Prospective trustees are invited to formally express their interest using a standard form and accompanying guidance supported by a diversity and inclusion monitoring form and an information pack including details about the Hospice, the range of services provided, the Hospice's organisational and corporate governance structures, and the duties, responsibilities and level of commitment required of a trustee.

3.5. When an expression of interest is received, Membership Committee will lead the interview and selection process.

3.6. Chair of Membership Committee will form an interview panel from members of the committee and members of the Senior Management Team as is most appropriate in the circumstances.

3.7. Prospective trustees will be informed of the outcome of the recruitment and selection process in writing and thanked for their interest.

3.8. In accordance with the Articles of Association, the Hospice reserves the right to make appointments to the Board outside this process.

3.9. Prior to acceptance for inclusion in the Register of Potential Future Trustees, the necessary checks to ensure compliance with charity law, the Companies Act and the requirements of regulatory bodies such as the CQC will be made and recorded. These checks will include:

3.9.1. Two references

3.9.2. Disclosure and Barring checks as agreed with the Director of People

3.9.3. Disclosure of any existing or potential conflicts of interest

3.9.4. Verification that the candidate has not been disqualified from acting as a trustee under the Charities Act

3.9.5. Verification that the candidate has not been disqualified from acting as a company director

3.9.6. Proof of identification

3.9.7 Health declaration

3.10. The necessary checks will be completed for co-opted committee members prior to appointment

3.11. At the point that the Board has identified a vacancy, Membership Committee will lead the process of recruitment to fill that vacancy.

3.11.1. Suitable candidates on the Register of Potential Future Trustees will be identified and invited to join the Board.

3.11.2. Membership Committee's recommendation to appoint a trustee will be considered by the Board at its next meeting.

3.12. Newly appointed trustees will undertake a full induction programme which will conclude with a review meeting of the trustee, the Chair of the Board of Trustees and the Chief Executive.

3.13. The Company Secretary will update the Register of Charities to reflect the appointment of a new trustee and file the appointment as a director with Companies House.

3.13.1. Details of the appointment of trustees and company directors will be disclosed by Companies House and the Charity Commission as follows:

3.13.1.1. Companies House will publish the name, month, and year of birth, the date of the director's appointment, their nationality and correspondence address (which will be the Hospice address). The Charity Commission will publish the trustee's name.