

Meeting Title	Board of Directors		
Date	16 November 2023	Agenda item	Bo.11.23.19a

Charitable Fund Committee – Terms of Reference

Presented by	Laura Parsons, Associate Director of Corporate Governance/Board Secretary		
Author	Laura Parsons, Associate Director of Corporate Governance/Board Secretary		
Lead Director	Matthew Horner, Director of Finance		
Purpose of the paper	To approve the Charitable Fund Committee's Terms of Reference		
Key control	N/A		
Action required	For approval		
Previously discussed at/informed by	Charitable Fund Committee – 7 November 2023		
Previously approved at:	Committee/Group	Date	
	N/A		

Key Options, Issues and Risks

The Charitable Fund Committee's Terms of Reference ensure there are clear procedures, consistency with charity law and good practice in place and that decision making is consistent and transparent.

The Terms of Reference were last reviewed at the Charitable Fund Committee meeting in April and were approved by the Board on 11 May 2023.

Since then the former Director of Strategy & Integration has retired and responsibility for Charity Fundraising is now within the portfolio of the Chief Operating Officer. Therefore it is proposed to amend the membership of the Committee to remove the Director of Strategy & Integration, and to add the Chief Operating Officer.

Other minor amendments are proposed to change 'Chairman' to 'Chair'.

Our internal auditors have recently audited our charitable funds arrangements and have noted that the Committee's TOR state that the Committee will meet three times per year, however it only met twice in 2022/23, one of which was an extraordinary meeting. Three ordinary meetings were diarised however one was cancelled, and one was deferred from March to April.

The TOR have been complied with during 2023/24 as three meetings have been held so far, and a fourth meeting is due to take place in January 2024. Four meetings have also been diarised for 2024/25 (April, July, November and January).

The auditors have recommended that:

'The Charitable Funds Committee should review the frequency of meetings identified in their Terms of Reference after considering the size of the charity and number of transactions. Arrangements should then be established to ensure the frequency is adhered with.'

The Committee considered this recommendation and agreed that four meetings per year was appropriate; this has been reflected in the Terms of Reference.

The proposed amendments are included as tracked changes at Appendix 1. The Committee agreed to recommend the proposed amendments to the Board for approval.

Recommendation

The Board is asked to approve the proposed amendments to the Charitable Fund Committee Terms of Reference.

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Strategic Objective	Appetite (G)					
	Avoid	Minimal	Cautious	Open	Seek	Mature
To provide outstanding care for our patients, delivered with kindness				g		
To deliver our financial plan and key performance targets				g		
To be one of the best NHS employers, prioritising the health and wellbeing of our people and embracing equality, diversity and inclusion					g	
To be a continually learning organisation and recognised as leaders in research, education and innovation				g		
To collaborate effectively with local and regional partners, to reduce health inequalities and achieve shared goals					g	
The level of risk against each objective should be indicated. Where more than one option is available the level of risk of each option against each element should be indicated by numbering each option and showing numbers in the boxes.	Low		Moderate	High	Significant	
	Risk (*)					
Explanation of variance from Board of Directors						
Agreed General risk appetite (G)						

Benchmarking implications (see section 4 for details)	Yes	No	N/A
Is there Model Hospital data relevant to the content of this paper?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any other national benchmarking data relevant to the content of this paper?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the Trust an outlier (positive or negative) for any benchmarking data relevant to the content of this paper?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Risk Implications (see section 5 for details)	Yes	No
High Level Risk Register and / or Board Assurance Framework Amendments	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Quality implications	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Resource implications	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Legal/regulatory implications	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Equality Diversity and Inclusion implications	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Performance Implications	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulation, Legislation and Compliance relevance	
NHS England: (please tick those that are relevant)	
<input type="checkbox"/> Risk Assessment Framework	<input type="checkbox"/> Quality Governance Framework
<input type="checkbox"/> Code of Governance	<input type="checkbox"/> Annual Reporting Manual
Care Quality Commission Domain: Choose an item.	
Care Quality Commission Fundamental Standard: Choose an item.	
NHS England Effective Use of Resources: Choose an item.	
Other (please state):	

Relevance to other Board of Director's academies: (please select all that apply)			
People	Quality & Patient Safety	Finance & Performance	Other (please state)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>