

Code of Conduct for CILIPS Trustees – November 2022 (next update Nov 2024)

Introduction

The purpose of this code of conduct is to provide trustees with clear guidelines as to their standard of behaviour, responsibilities, and best practice in fulfilling their obligations to the charity.

This document should be read in conjunction with the Trustee role description and the conflict of interest policy, prior to completing the charity's register of interests. For further information on the legal responsibilities of a charity trustee please refer to Guidance published by OSCR - <https://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/charity-trustee-duties>

The Charities and Trustee Investment (Scotland) Act 2005 provides that certain individuals are disqualified from acting as charity trustees. Those who are elected, nominated or appointed as members to CILIPS Trustee Board are regarded as 'charity trustees' under the scope of the Act. Trustees should therefore be eligible to serve in that capacity. It should be noted that anyone who acts as a charity trustee whilst disqualified is guilty of an offence that may be punishable by imprisonment, or a fine, or both.

By becoming a Trustee, all Trustees must agree that they:

- Are willing to act as a charity trustee by serving as a CILIPS Trustee Board member.
- Are not disqualified from acting as a charity trustee (See sections 69 and 70 of the Charities and Trustee Investment (Scotland) Act 2005)
- Will abide by this code of conduct for trustees of CILIPS

Duties and responsibilities of CILIPS Trustees

1. CILIPS trustees should be aware of the duties and responsibilities of their position at the outset of their appointment. Section 66 of the Charities and Investment (Scotland) Act 2005 sets out the general duties of charity trustees, who must:
 - Act in the interests of the charity, putting its interests before their own interests or those of any other person or organisation;
 - Seek, in good faith, to ensure that the charity operates in a manner that is consistent with its objects or purposes;
 - Act with the care and diligence that is reasonable to expect of a person who is managing the affairs of another person;
 - Ensure that the charity complies with the provisions of the Act. You should note that any breach of these duties or the code of conduct may be treated as misconduct in the administration of the charity.

2. It is a condition of appointment that trustees undergo formal training for their role as soon as available unless already received elsewhere.
3. Trustees may not gain materially or financially from involvement with the charity.
4. Trustees must endeavour to attend meetings and ensure that they have devoted sufficient time to preparing so that they can actively engage in meetings and add value to the Board's work. If unable to attend, trustees should give apologies ahead of time.
5. Trustees must be open, responsive and accountable to each other, staff and members about their decisions, actions and work.
6. Trustees should identify and promptly declare any actual, potential or perceived conflicts affecting them and should be prepared to absent themselves from any discussion on a ruling from the Chair.
7. Trustees must respect the status of confidential issues and material, including information about individuals, that they read and discuss. They are bound to maintain the status of this material and any discussions.
8. Trustees are required to use their knowledge, expertise and experience to take the best decisions they can in the interests of the charity.
9. Trustees are equally responsible for all decisions of the Board. Where possible decisions should be made collectively, if this is not possible the trustees should accept a majority vote as decisive. Trustees will respect the role of the Chair of the Board and accept the function of this role as leader of the Trustee Board.
10. Trustees will provide support and respect for the role and work of the CILIPS staff.
11. Trustees must act considerately and respectfully, actively avoiding offence and conflict. Different views and opinions will be respected, listened to carefully and challenged sensitively.
12. Where Trustees are acting as representatives of the organisation, they should not undertake actions that negatively affect the reputation of the charity.
13. Trustees should only give statements on behalf of the organisation when authorised to do so.
14. Trustees of CILIPS should adhere to GDPR legislation and ensure they keep up to date with this.