

SBKA Divisional Delegates Roles and Responsibilities

The role of a Divisional Delegate

The role of the delegate is twofold as the delegate is not only representing the views of his/her division but also becomes a decision making member of the Council and a trustee of the SBKA Charity.

The delegate automatically becomes a Trustee of the SBKA Charity upon appointment at the divisional AGM and holds the post for a maximum of 3 years.

Divisional Representation

The delegate should attend as many meetings as possible and if unable to attend they should send the appointed deputy or a written response to agenda items requiring a vote.

This will ensure the division is properly represented in the decision making process.

Matters discussed at County meetings should also be relayed back to divisions so that the County's policies and decisions are properly represented and understood at divisional level.

Each Division is responsible for organising its own programme of events, and for its own finances, which includes setting annually its own subscription rates. County does not influence how divisions work provided that they work within the aims of the Charity and within the Charity Commissions guidelines. These are the same as those for County and can be found by following the links to the Charity Commission site as detailed at the back of this document. It would be the duty of the delegate to report to the Chairman; Treasurer or Secretary anything undertaken by the division which they felt or became aware of which did not conform to these requirements.

Within the subscription rates, divisional members contribute to the running of the County organisation. It is therefore important that County does not duplicate work done at divisional level and divisions do not work in isolation on matters which can be better addressed by the County, for example the Annual Lecture day.

Wherever possible divisions are encouraged to share information and events and invite other division's members to attend. After all, like the bees in a hive- it's about working together for the benefit of all members regardless of which division they belong to. This is where delegates play an important role.

SBKA Trustee Role- aims and objectives

The SBKA is a registered Charity No. 277803 established to advance the craft of apiculture and to promote and foster the education of its members and of the public.

The County Association is managed by a Council, which is made up of elected officers and delegates from each Division. Most counties across the country have a Beekeepers' Association, and all these County Associations are affiliated to a national body, The British Beekeepers' Association, (a separate registered Charity) from which Government and European organisations can be lobbied. The SBKA appoint a representative as a BBKA delegate to make sure the county is represented at the national level.

As a Trustee, delegates are legally required to ensure that beyond reasonable expenses, the Charity's trustees should not financially benefit from it without specific authorisation as detailed in the constitution or from the Charity Commission. Trustees must avoid situations where their duties as a trustee conflict with their own personal interests.

Being a Trustee could be considered to be an onerous role but provided you, together with your co-trustees (other delegates and officers), act reasonably and within the Charity Commission guidelines and decisions are properly conducted at meetings and accurately documented by the secretary of the meeting, you should have nothing to fear. However, in the unfortunate event that liability could be attributed to the Trustees under Trust Law for any negligence or wrong doing by the Charity the Charity, through the BBKA, carries Trustees liability insurance for up to £2m to provide protection in the event that an action was brought.

You can see the importance of making sure what we do at Council is properly thought through and documented so negligence can be avoided.

The Charity Commission sets down 6 main duties for Trustees and these are as follows:

1. Ensure your Charity is carrying out its purposes for the public benefit

You and your co-trustees must make sure that the Charity is carrying out the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the Charity's purposes as set out in its governing document being the constitution which is available from the website.
- plan what your Charity will do, and what you want it to achieve
- be able to explain how all of the Charity's activities are intended to further or support its purposes
- understand how the Charity benefits the public by carrying out its purposes

2. Comply with your Charity's governing document and the law

You and your co-trustees must:

- make sure that the Charity complies with its governing document (SBKA Rules)
- comply with Charity law requirements and other laws that apply to your Charity

You should take reasonable steps to find out about legal requirements, for example by reading relevant guidance or taking appropriate advice when you need to.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update.

3. Act in your Charity's best interests

You must:

- do what you and your co-trustees (and no one else) decide will best enable the Charity to carry out its purposes
- with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term
- avoid putting yourself in a position where your duty to your Charity conflicts with your personal interests or loyalty to any other person or body including your division
- not receive any benefit from the Charity unless it's properly authorised and is clearly in the Charity's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

4. Manage your Charity's resources responsibly

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. You and your co-trustees must:

- make sure the Charity's assets are only used to support or carry out its purposes
- not take inappropriate risks with the Charity's assets or reputation
- not over-commit the Charity
- take special care when investing or borrowing
- comply with any restrictions on spending funds

You and your co-trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise you risk making the Charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

5. Act with reasonable care and skill

As someone responsible for governing a Charity, you:

- must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary
- should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees' meetings

6. Ensure your Charity is accountable

You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:

- be able to demonstrate that your Charity is complying with the law, well run and effective
- ensure appropriate accountability to members, if your Charity has a membership separate from the trustees
- ensure accountability within the Charity, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers

Making decisions as a trustee

Charity trustees make decisions about their Charity together, working as a team. Decisions don't usually need to be unanimous as long as the majority of trustees agree. They're usually made at Charity meetings.

When you and your co-trustees make decisions about your Charity, you must:

- act within your powers
- act in good faith, and only in the interests of your Charity
- make sure you are sufficiently informed, taking any advice you need
- take account of all relevant factors you are aware of
- ignore any irrelevant factors
- deal with conflicts of interest and loyalty
- make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances

You should record how you made more significant decisions in case you need to review or explain them in the future.

Information required by County Treasurer to register your Trusteeship with Charity Commission

To comply with Charity Commission rules you must provide the Treasurer with information so it can be filed with the Charity Commission

If you have not already done so please complete the form [Appendix A]

Links:

SBKA constitution- downloadable from the members page on website:

<https://www.somersetbeekeepers.org.uk/sbka-council.html>

Charity Commission website: <https://www.gov.uk/government/organisations/Charity-commission>

The Essentials of being a Trustee- Charity Commission

<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

Appendix A

Trustee Information Form



In order to comply with charity commission guidance, SBKA needs to keep information up-to-date on the charity commission website. This involves details of its trustees, which include the delegates to council.

In order that we maintain our compliance with the charity commission requirements, please complete this form and forward it to the County Treasurer.

Trustees' names and whether they are involved with other charities will be available of the Charity Commission website.

Full Name

Telephone Number
(optional)

email
(optional)

Date of Birth

Home Address

Please enter any other
charitable organisations
that you are a trustee
for.
