

## **The Talbot Trusts – Appointment of Nominated Trustees**

**Governing Body Meeting**

**F**

**5 September 2013**

### **1. INTRODUCTION**

- 1.1. This report requests the CCG to consider future arrangements for the appointment of nominated Trustees to the Talbot Trusts.
- 1.2. The report also proposes the renewal of an existing trustee appointment due to terminate later this year.

### **2. THE TALBOT TRUSTS**

- 2.1. The Talbot Trusts are an independent grant-making charity established in 1928 by Frederick John Talbot, a local steelmaker, and his wife Sarah Talbot. The objective of the organisation is “The purpose of relieving persons who are sick, convalescent, disabled, handicapped or infirm”.
- 2.2. The Trusts support health and social needs for the residents of Sheffield, and its immediate surrounding borders, that are (or should be) supported by the statutory services.
- 2.3. Until 1980 the trusts provided assistance solely to the hospitals in Sheffield with grants distributed by social workers within these establishments.
- 2.4. However, when their income increased, the Trusts received approval from the Charities Commission to extend their grant disbursements to other charitable organisations that also provide support for persons who were sick, disabled, handicapped or infirm.
- 2.5. During the 2012/13 financial year, grants totalling £91,193 were approved by the Trustees. These funds were allocated to benefit the following groups:
  - Clients of Sheffield Hospital and Community Social Workers
  - Clients of Sheffield General Practitioners, Practice and Community Nurses
  - Operational Charities providing services to Sheffield residents and those people living close to the Sheffield boundary.

### **3. GOVERNANCE**

- 3.1. Since their inception, the Trusts have always maintained close links with hospital services, and increasingly, community services in Sheffield. This relationship with the National Health Service has historically been represented through the Sheffield strategy and commissioning organisation(s) having the authority to nominate three of the six Trustees for terms of four years to serve the Trust. This is currently

recorded as the former Sheffield PCT. The three other Trustees are co-opted by the existing Trustees themselves.

- 3.2. The 1988 Charity Commission Scheme provides for the nominated trustees to be appointed by "Sheffield Health Authority, each for a term of four years, at a meeting convened and held according to the ordinary practice of the Health Authority. The person appointed may be but need not be a member of the Health Authority".
- 3.3. In July 2003 the Charities Commission made an Order, under the power given to it in Section 26 of the Charities Act 1993, authorising an amendment of the above administrative provisions in the governing document of the Talbot Trusts. This amendment provided for the nominated trustees to be appointed by "the Sheffield Primary Care Trusts acting collaboratively"
- 3.4. In 2013 a further amendment was made, under the 1993 Act, and the Sheffield Primary Care Trusts acting collaboratively were replaced by the Sheffield Primary Care Trust
- 3.5. All that is required now is another change similar to the one conducted in 2013. It is a matter of law that whatever is the continuing body for the Sheffield PCT is the body which appoints three of the six trustees of the Talbot Trusts.
- 3.6. The only purpose is to appoint trustees. There is no other function or responsibility. It is only an appointing role, which is quite common for charities, for example the local authority appoints trustees to a number of charities across the city.
- 3.7. The trustees themselves bear the responsibility for the work of the Talbot Trusts.
- 3.8. The trustees are responsible for their own actions and as a body to their regulator the Charities Commission.

#### **4. PROPOSED APPOINTMENT ARRANGEMENTS POST APRIL 2013**

- 4.1. Following the cessation of the former Sheffield PCT, new arrangements for the appointment of the nominated Trustees will need to be established as described in the section above. The arrangements will need to be ratified by the Charity Commission and incorporated into the Trusts Governing Document.
- 4.2. Given the Trusts continuing close working relationship with health services in Sheffield, both NHS and the voluntary sector, the Trustees have proposed that new appointment arrangements should be placed with the Sheffield Clinical Commissioning Group, as was previously the position with Sheffield PCT. It is considered that the new CCG will continue to be able to nominate three Trustees with the local knowledge and experience of issues and services in Sheffield that is so beneficial to the Trusts.

#### **5. CURRENT APPOINTMENTS**

- 5.1. The Primary Care Trusts(s) Nominated Trustees are currently as follows:
  - Dr Brenda Jackson Appointed until 29/11/2013
  - Mr Ronald D Jones Appointed until 31/12/2015
  - Dr Zak McMurray Appointed until 09/12/2016

- 5.2. As one of the Trustee appointments is due to terminate in November 2013, it would be helpful if agreement on its renewal/replacement could also be reached at this time.
- 5.3. The Trustee in question is Dr Brenda Jackson, currently the Chair of the Trustees. Dr Jackson has expressed her willingness to continue to serve as a Trustee and therefore the CCG is requested to consider the renewal of this appointment to November 2017. Dr Jackson has been a Trustee since 1989 and through all that time has been a very committed and supportive advocate for the objectives of the Trusts.

## **6. RECOMMENDATIONS**

6.1. The Governing Body is asked to:

- Give approval that with effect from 1 April 2013, the Sheffield Clinical Commissioning Group agrees to take on the role of appointing the Nominated Trustees to the Talbot Trusts, as was previously undertaken by the former Sheffield Primary Care Trust.
- Confirm the re-appointment of Dr Brenda Jackson as a Nominated Trustee for a further four year period until November 2017.

Paper prepared by Linda Tully, Company Secretary / Head of Corporate Governance

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