

Queen's Park Trust

Revision v1.0, dated 11th May 2026



Trustee Guidance

This guidance is only relevant whilst Queen's Park Trust (QPT) is small, receives less than £5,000 income per year, is not registered with the Charity Commission and has no paid staff on role. If any of these factors change at QPT, this document must be reviewed and made legally relevant for the current status of the trust.

Trustees are unpaid governors of the community trust and have independent control over, and legal responsibility for, a trust's management and administration. Trusteeship can be rewarding for many reasons - from a sense of making a difference to the community trust cause, to new experiences and relationships. It's also likely to require some of your time, skills, knowledge and abilities. Being aware of the duties and responsibilities covered in this contract will help you carry out your role in a way that not only serves your trust well but also gives you confidence that you will be complying with key requirements.

1.1 Must and should - what they mean

- 'must' means something is a legal or regulatory requirement or duty that trustees must comply with
- 'should' means something is good practice that this contract expects trustees to follow and apply to the trust

2. Trustees' duties at a glance

This is a summary of trustees' main legal responsibilities, which are explained in detail. You should fully understand your responsibilities.

2.1 Before you start - make sure you are eligible to be a trustee

You must be at least 16 years old to be a trustee.

You must be properly appointed following the procedures and any restrictions in the trust's governing document.

You must not act as a trustee if you are disqualified. The reasons for disqualification are shown in the disqualifying reasons table and include:

- being bankrupt (undischarged) or having an individual voluntary arrangement (IVA)
- having an unspent conviction for certain offences (including any that involve dishonesty or deception)
- being on the sex offenders' register

Ensure the trust is carrying out its purposes for the public benefit

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

- ensure you understand the trust's purposes as set out in the constitution
- plan what your trust will do, and what you want it to achieve
- be able to explain how all the trust's activities are intended to further or support its purposes
- understand how the trust benefits the public by carrying out its purposes

2.2 Comply with the trust's constitution and the law

You and your co-trustees must:

- make sure that the trust complies with its constitution
- comply with community trust law requirements and other laws that apply to your trust

2.3 Act in your trust's best interests

You must:

- do what you and your co-trustees (and no one else) decide will best enable the trust 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 the trust conflicts with your personal interests or loyalty to any other person or body
- not receive any benefit from the trust unless it is properly authorised and is clearly in the trust's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

2.4 Act with reasonable care and skill

As someone responsible for governing a trust, 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 attending and actively participating in trustees' meetings

2.5 Ensure the trust is accountable

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

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

3. Ensure your trust is carrying out its purposes for the public benefit

You and your co-trustees must make sure that everything your trust does help (or is intended to help) to achieve the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the trust's purposes as set out in the constitution
- plan what the trust is to do, and what you want it to achieve
- be able to explain how all the trust's activities are intended to further or support its purposes
- understand how the trust benefits the public by carrying out its purposes

3.1 Understanding the trust's objects and powers

Ensure you understand:

- what the trust is set up to achieve (its purposes)
- who the trust is there to benefit (its beneficiaries)
- how they will benefit (what the trust will do for or with them)
- any order of priority to the services and benefits the charity provides
- any restrictions on what the trust can do or who it can help (geographical or other boundaries; or specific criteria that beneficiaries must meet)

3.2 Public benefit

All trusts must be for the public benefit. This would include reviewing the trust's activities or considering new ones.

Public benefit is essential to:

- charitable status - to be a trust an organisation must have only charitable purposes for the public benefit
- a trust's operation - its activities must all be focussed on carrying out the trust's purposes for the public benefit
- a trust's accountability - trustees must be able to explain how their trust's activities are or have been for the public benefit

This means that you should understand, and be able to explain:

- what the trust is set up to achieve - its purpose

- why the trust's purpose is beneficial - this is the 'benefit aspect' of public benefit
- how the trust's purpose benefits the public or a sufficient section of the public - this is the 'public aspect' of public benefit
- how the trust will carry out (or 'further') its purpose for the public benefit

3.3 Planning and reviewing the trust's work

You and your co-trustees are responsible for deciding and planning how the trust will carry out its purposes. All trust trustees should, therefore, decide together what activities the trust will undertake, and think about the resources it will need.

You and your co-trustees should periodically review what the trust is achieving, and how effective the trust's activities are. Thinking about the difference your trust makes may help you to explain more clearly how it benefits the public. It may also help you to decide whether it could be more effective in carrying out its purpose by changing what it does.

3.4 Updating your trust's objects

Trusts can modify or add to their objects if necessary. They can't usually change their objects completely. If your trust is planning to update its objects, you and your co-trustees should consider what the trust was originally set up to do, and how circumstances have changed.

4. Comply with your trust's constitution and the law

You and your co-trustees must:

- make sure that the trust complies with its constitution
- comply with trust law requirements and other laws that apply to your trust

4.1 Queen Park Trust's Constitution

You and your co-trustees must make sure that the trust complies with the constitution, which usually contains key information about:

- what the trust exists to do (its purposes, as explained in its objects clause)
- who can be a member
- rules about meetings; how they are arranged and conducted; how decisions must be made and recorded, and so on
- how to change the constitution
- how to close the trust down

Every trustee should have access to an up-to-date copy of the trust's constitution document and regularly refer to it. This is essential to the trust. You and your co-trustees may need to review it from time to time to ensure that it continues to meet the trust's needs. Governing documents are legal documents. You must follow the correct procedures to amend them, and it's important to word any changes correctly.

4.2 Charity law - registration, accounting, reporting and other requirements

Trusts set up in England must register with the Commission unless they are:

- exempt charities
- excepted from registering
- very small (below the annual income threshold for compulsory registration, currently £5,000) and not a CIO

All trusts must keep proper financial records and prepare annual accounts.

4.3 Other laws and regulations

Trusts and their trustees may be subject to a range of other laws and regulations depending on what the trust does, where it works and how it is set up. Some laws apply to all charities, such as equality, data protection and copyright law operates vehicles.

The Commission doesn't expect every trustee to be a legal expert. You and your co-trustees should take reasonable steps to find out about legal and regulatory requirements and keep up to date. The trust should also have systems and procedures to ensure that it complies with legal requirements.

5. Act in your trust's best interests

You must:

- do what you and your co-trustees (and no one else) decide will best enable the trust 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 the trust conflicts with your personal interests or loyalty to any other person or body
- not receive any benefit from the trust unless it is properly authorised and is clearly in the trust's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner.

5.1 Understanding the trust's interests

Acting in the trust's best interests means always doing what the trustees decide will best enable the trust to carry out its purposes, both now and for the future. It's not about serving:

- the interests of trustees or staff
- the personal interests of members
- the personal interests of supporters, funders or donors
- the trust as an institution in itself, or preserving it for its own sake

5.2 Making decisions

You and your co-trustees are responsible for deciding what activities the trust will undertake, what resources it will need, how it will obtain and use them. Collective

decision making is one of the most important parts of the trustee role. When you and your co-trustees make decisions about the trust, you must:

- act within your powers
- act in good faith, and only in the interests of the trust
- 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

5.3 Avoid mistakes - be prepared to challenge assumptions

Trustees must make decisions solely in the trust's interests, so they shouldn't allow their judgement to be swayed by personal prejudices or dominant personalities.

Trustees must act collectively (jointly). Part of their role is to critically and objectively review proposals and challenge assumptions in making decisions. No one should be able to direct the trustees or drive decisions through without sufficient consideration. Trustees who simply defer to the opinions and decisions of others aren't fulfilling their duties.

Decisions do not usually have to be unanimous, but once the trustees have made a decision, they must all comply with it, including any who disagree. If you strongly disagree with your fellow trustees' decision, you can ask for your disagreement to be recorded in the minutes of the meeting. If you think that your fellow trustees are acting in breach of their duty, you should discuss the matter with the chair or your fellow trustees. Ultimately, you may feel that you have to resign in order to distance yourself from the decision.

5.4 Dealing with conflicts of interest and conflicts of loyalty

You can only comply with your duty to act in the trust's best interests if you prevent your personal interests from conflicting (or appearing to conflict) with the best interests of the trust. This means recognising and dealing with conflicts of interest.

A conflict of interest is any situation where your personal interests could, or could appear to, prevent you from making a decision only in the trust's best interests. For example, if you (or a person connected to you, such as a close relative, business partner or company):

- receive payment from the trust for goods or services, or as an employee
- make a loan to or receive a loan from the trust
- own a business that enters into a contract with the trust
- use the trust's services
- enter into some other financial transaction with the trust

Even when you receive no financial benefit, you could have a conflict of loyalty. For example, if your trust has business dealings with your employer, a friend, family member, or another body (such as a local authority or charity, or a charity's trading subsidiary) that you serve on.

This means you and your co-trustees:

- should identify, and must declare conflicts of interest (or loyalty)
- must prevent the conflict of interest (or loyalty) from affecting the decision
- should record the conflict of interest (or loyalty) and how it was dealt with

6. Act with reasonable care and skill

As someone responsible for governing a trust, you:

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

This is sometimes called the duty of care.

6.1 Using your skills and experience

As a trustee, you must use your skills and experience to inform decision making and benefit the trust. For example, the Trustee Act 2000 says that trustees must "exercise such care and skill as is reasonable in the circumstances". What is reasonable in the circumstances will depend on any special knowledge or experience that the trustee has or claims to have. It depends on what it would be reasonable to expect such a person to know.

6.2 What to do if something does go wrong

Most problems in trusts can be resolved by the trustees themselves, sometimes with some advice.

If something does go wrong, you should take prompt and appropriate action to:

- prevent or minimise any further loss or damage
- if appropriate, report it to the police if a crime has been committed, and any other regulators that the trust is accountable to
- take reasonable steps to prevent it from happening again - review controls and procedures, take appropriate advice

7. Reduce the risk of liability

It's extremely rare, but not impossible, for trustees to be held personally liable to a trust.

7.1 Criminal liability

In some cases, the trust or its trustees can become liable for offences committed by the trust's staff (for example, under the Bribery Act or corporate manslaughter law).

7.4 Reduce the risk of personal liability

To reduce the risk of becoming personally liable, you should:

- ensure trustees understand their responsibilities
- hold regular trustee meetings and keep proper records of decisions made and the reasons for those decisions
- ensure you prevent conflicts of interest from affecting decisions
- ensure any transactions with and benefits to trustees or connected persons are properly authorised
- take appropriate advice from a suitably qualified person when you need to
- if you delegate any powers, give clear written instructions and make sure the instructions are being followed
- ensure the trust has effective management and financial controls including
 - keep receipts and records of income and expenditure
 - receive regular financial reports

- file accounts on time
- ensure the trust is complying with other laws that apply to it

Approval and review

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