

Becoming a Restorative Justice Council trustee

August 2016

Dear colleague

Thank you for your interest in becoming a trustee of the Restorative Justice Council (RJC). This document is intended to help you to decide whether to stand and sets out what the role involves.

Our role as a board is about corporate governance – collectively setting goals and ensuring that the RJC works effectively to meet those goals for the public benefit.

We do that by drawing on the experience of trustees from a range of backgrounds to focus on four key tasks:

1. Working with the chief executive to set the RJC's strategic direction.
2. Holding the chief executive and the staff team to account for their work.
3. Working with the chief executive to do joint problem-solving work.
4. Providing oversight of financial and governance issues.

Of course, board membership also means collectively making and owning shared decisions.

We have two types of trustee:

1. Membership trustees, who are elected by the RJC's members.
2. Council trustees, who are recruited by the board to bring specific expertise to its work.

If elected to the board, you would be a membership trustee and your term would last for three years. If you want to, you can stand for re-election on two occasions, meaning that the maximum length of time that you can be a trustee is nine years.

As trustees, over the next year we will be responsible for planning the ongoing development of the RJC once its current period of funding from central government comes to an end. What business model will let the RJC deliver its vision in a time of change at local, regional and national level in a way which meets the needs of our members? Can you help us be part of identifying the best way forward?

This will require from the board:

- Clarity in our purpose, business plans and financial and other risk management so that trustees can exercise proper stewardship in the best interests of the RJC on behalf of our members.
- Leadership skills and experience of managing change.

- The ability to make clear decisions at and, when needed, between meetings.
- Agreed stakeholder roles for trustees, working with staff, to ensure all our key partners are engaged.

A balanced board

Our constitution requires a majority of the board to be membership trustees. Membership trustees are elected from the RJC's membership by other members, based on their experience and expertise. It is vital that the board and staff team are able to draw on that expertise to inform our decisions.

As a board we also undertake periodic skill set reviews to make sure we have the right mix of skills on the board. Application from potential trustees who have the following skills would be particularly welcome:

- organisational development
- standards, accreditation and quality assurance
- income generation, including fundraising
- organisational management, especially IT

Trustee requirements and expectations

Trustees must:

- Be willing to be an active member of the board by preparing for and attending meetings, contributing ideas and playing a full part in discussions.
- Be willing to contribute to building a positive and supportive environment that enables the RJC to thrive.
- Have a strong personal commitment to the charitable aims of the RJC and to restorative practice.

The board meets for half a day every two months. Board meetings are normally held in London from 1pm until 4pm and include a session for trustees only and then a meeting with the chief executive and staff with a formal agenda. The agenda and papers for the meeting are circulated a week before, and time needs to be put aside to prepare.

In addition, board members are normally expected to contribute their time, where possible, to other ad hoc activities - for example, by taking part in recruitment, responding to requests for advice from the chair or chief executive, commenting on papers, attending meetings or speaking at events. Trustees may be invited to join working groups, appointment boards or delegations as circumstances demand.

The chair, two trustees and the treasurer form the Executive Committee (EXCO), which is mandated to liaise with the chief executive on decisions needed between board meetings. The chair and the chief executive also liaise with individual trustees according to specialist knowledge and expertise between meetings. All trustees are asked to take a horizon scanning role in their daily work so that emerging opportunities (or threats) are shared with the chair and chief executive.

The chair produces a monthly briefing for trustees, not only to keep them informed of issues but also to seek their views and advice.

Members of the board are volunteers and are therefore unpaid. Their travel expenses to attend board meetings and carry out other RJC activities are paid by the RJC.

In summary

This is a demanding role in corporate governance. You can, however, help support the development of restorative practice by playing a key strategic role in ensuring that the RJC delivers on its promises in support of more and better restorative work. This can be challenging but it is also hugely rewarding for trustees who have worked in the restorative practice field and see its enormous potential for good.

I hope this document helps you make the decision about whether or not to stand as a trustee. If you would like to find out more about what is involved, a current trustee would be more than happy to talk to you on the phone – or meet you in person – to discuss their experiences. If you would like to arrange this please contact the RJC's chief executive Jon Collins at jon@restorativejustice.org.uk or on 020 7831 5700.

Best wishes

Graham Robb
Chair, Restorative Justice Council

Appendix 1 - What does the Charity Commission say trustees have to do?

Compliance - trustees must:

1. Have and accept ultimate responsibility for directing the affairs of a charity, and ensuring that it is solvent, well-run, and delivering the charitable outcomes for the benefit of the public for which it has been set up.
2. Ensure that the charity complies with charity law, and with the requirements of the Charity Commission as regulator; in particular, ensure that the charity prepares reports on what it has achieved and Annual Returns and accounts as required by law.
3. Ensure that the charity does not breach any of the requirements or rules set out in its governing document and that it remains true to the charitable purpose and objects set out there.
4. Comply with the requirements of other legislation and other regulators (if any) which govern the activities of the charity.
5. Act with integrity, and avoid any personal conflicts of interest or misuse of charity funds or assets.

Duty of prudence - trustees must:

6. Ensure that the charity is and will remain solvent.
7. Use charitable funds and assets reasonably, and only in furtherance of the charity's objects.
8. Avoid undertaking activities that might place the charity's endowment, funds, assets or reputation at undue risk.
9. Take special care when investing the funds of the charity, or borrowing funds for the charity to use.

Duty of care - trustees must:

10. Use reasonable care and skill in their work as trustees, using their personal skills and experience as needed to ensure that the charity is well-run and efficient.
11. Consider getting external professional advice on all matters where there may be material risk to the charity, or where the trustees may be in breach of their duties.

The responsibilities of trustees are also discussed in the Charity Commission guide *The essential trustee: what you need to know*, which is available at: <https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>, and in the law firm Bates Wells Braithwaite's helpful guide to Duties of Charity Trustees, which is available at <http://www.bwbllp.com/file/duties-of-charity-trustees-colour-amended-version-pdf>.

Appendix 2 - The RJC board of trustees

Trustees' skills and experiences will be used to:

1. Develop a shared view of the purpose, aims and strategy of the RJC – the three-year plan. This will set out agreed priorities.
2. Adopt the annual business plan.
3. Monitor financial and performance reports against the annual and three-year plan.
4. Approve structures and processes to achieve the RJC's goals.
5. Monitor RJC policies and practices to ensure they meet financial, constitutional and legal standards. This includes:
 - a. HR policies
 - b. financial and accounting procedures
 - c. data protection
 - d. fair assessment for Accredited Practitioner and RSQM awards, and process for handling complaints/appeals
 - e. procurement
6. Ensure risk to the RJC is minimised by:
 - a. regular review of our risk register
 - b. strategic management
 - c. ensuring a fair and transparent complaints system
 - d. being ready to support the chair and chief executive in any crisis management
7. Ensure continuous improvement including by performance review and by training for trustees and staff.
8. From time to time the trustees will resolve to draw in additional expertise to assist with specific work.

Individual trustee

Trustees will work with other trustees, the chief executive and staff to achieve the best for the RJC by:

- Adding value through their skills and experience.
- Asking the right questions to check assumptions and clarity.
- Bringing objective 'big picture' thinking to discussions.
- Declaring any conflict of interest in discussions (and maintaining an up to date register of trustees' interests).
- Ensuring the right balance is maintained between short term needs and the long view.
- Keeping the needs of the whole field of restorative practice in mind (schools, care, criminal justice system, workplace etc).
- Using their skills and experience on specific work both inside and outside board meetings – including understanding of specific stakeholder groups.
- Committing to participate in induction and training as required for effective governance of and contribution to the RJC.

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