

Trustees' right to information whenever they want it

This is well-run charity doing good work. Governance has been adequate and generally 'light-touch'. In these difficult economic times, the charity has had to reduce its workforce. The hard-working employees have taken on more work without additional remuneration and the chief executive (CE) and her senior leadership team (SLT) are extremely busy trying to complete this year's annual plan on budget and additional work requested by the board.

A couple of years ago the personal liability of trustees was raised at a board meeting. Legal advice was sought and it was confirmed that in certain, very rare, circumstances, the trustees can be personally liable even though the charity has limited liability and is fully covered by indemnity insurance. As a result some trustees started to ask for increasing amounts of information.

Between board meetings some trustees are going directly to the CE and other hardworking members of the SLT for further information which requires staff to spend numerous hours on research and gathering data. They appear unaware of the additional work load being generated.

One trustee feels that as they, the trustees, are "ultimately responsible", she has a right to whatever information she requires no matter what the cost is to the charity. She also believes she has a right to see confidential information regarding beneficiaries and employees.

A relatively new trustee who has little previous experience of boards but who is very keen to make an impact, follows each board meeting with a visit to the CE with a long list of questions. At first the CE dealt with these easily but the list continues to



A chair responds

Being nervous...and all that. Trusteeship is a tough place to be for those of a nervous disposition.

All that being-responsible but not-knowing what's happening. All that trying to stay strategic but holding back from delving into detail. All that knowing that I am collectively responsible with people whom I didn't choose to be collectively responsible with.

The tension makes me nervous and that propels me to act in ways which are not best for the charity. Ways like making lots of demands of the staff to tell me what's going on. ('Maybe if I know everything, I'll be reassured it's all OK and I'll stop being nervous. Phew.') But I find it doesn't work like that. The more I know the more I feel I need to know.

But the fact is, I can never know enough to reassure me that all is totally fine.

Another way is this. Called 'Collecting Clues which may give Cause for Concern', it goes like this.

First make sure you're engaged enough and can see and hear what's happening. Then make sure you register what you observe, that you take it

in and take due cognisance of it, not letting it pass in one ear and out the other.

Check what you observe. Feel good, feel uneasy? Does it make you smile, or furrow your brow? Notice. And count.

Hmmm I notice I don't feel good about what I see about that activity, project or person. 'One Clue in my Collection'.

I carry on observing and my brow is furrowing again. Indeed I see something else which makes me nervous and now I have a second 'Clue in my Collection'.

A while later I have a third clue. This is now beyond a chance occurrence or being explicable in some other way. Time for action. Now is the time to ask for more info, so I can understand what is really happening and take firm action.

Yes trusteeship is a tough place to be. And yes by taking charge of our nervousness we will do the best for ourselves and do the best we can to discharge our duty as trustees. ●

Martin Farrell
Chair, Read International