

Federation Trustee E-Learning Transcript - Module 2

Slide 1 – Welcome



Welcome to the Federation Trustee E-learning Programme!

We are delighted to have you here and hope you find this training both informative and valuable in supporting your role as a Federation Trustee.

This e-learning complements the WI Core Module Programme and is designed to enhance your understanding of the responsibilities that come with your trustee role. The WI Core Module programme consists of three modules that cover key areas, including; an introduction to the WI, an overview of the Constitution, and an in-depth look at the Policies and Procedures established by the NFWI.

For a seamless experience, we recommend completing the WI Core Modules before beginning the Federation Trustee training, as they provide helpful context and serve as a useful refresher. You'll find the link to these modules just below the video.

This training is a mandatory part of your responsibilities as a trustee, with this module specifically focusing on Charity Law and the role of the Charity regulators. All resources referenced in the modules, as well as a transcript, are available under the 'Helpful Links' section below the video.


At the end of the module, you'll complete a short knowledge test. Upon successful completion of all six modules, you'll receive a certificate recognising your achievement.

Thank you for your commitment to maintaining good governance and reducing risk as a Federation Trustee. Your role is invaluable.


Slide 2 – Introduction to Module 2

Introduction to Module 2

- Charity regulations and the Regulators
- Charity Law and Trustees
- Governing documents
- The WI's charitable objects



We hope that by the end of the module you will have a greater understanding of what is required in your role as a trustee



In this module, we'll explore:

- Charity regulations and regulatory bodies
- Charity Law and trustee responsibilities
- Governing documents
- The WI's charitable objects


By the end of this module, you should have a clearer understanding of the legislative and regulatory framework relevant to your role as a trustee. You'll also gain insights into key documents that serve as ongoing resources in your trustee responsibilities.

Slide 3 – What is a charity?

What is a charity?

The Charities Act 2011 (England and Wales) describes a 'charity' as an institution which:

1. is established for charitable purposes only
2. is subject to the control of the High Court's charity law jurisdiction.



Let's start with the basics: What qualifies as a charity?

The Charities Act 2011 (England and Wales) defines a 'charity' as an institution that:

1. Is established exclusively for charitable purposes.


2. Falls under the High Court's jurisdiction for charity law.

Each charity must have a clearly defined purpose within the boundaries set for charitable activities. The legislation outlines 13 charitable purposes, or 'objects,' established by the Charity Commission. You can find more information on charitable purposes on the Charity Commission's website. As a trustee you do not need to decide on your federation's charitable objects as these are laid out in your governing documents. However, you should ensure that you are familiar with them and always have them in mind when making decisions on behalf of your charity.

<https://www.gov.uk/government/publications/charitable-purposes/charitable-purposes>

Slide 4 – Charity Regulation


Charity Regulation



Your regulator will depend on where you are located.

- The Charity Commission (England and Wales)
- HM Attorney General (Isle of Man)
- Jersey Charity Commissioner
- Guernsey Register

Throughout this section we will predominantly draw on definitions and terminology from the Charities Act (2011).



Charities are regulated by an overarching body which upholds charity law, manages a registration scheme, provides operating guidance, and supports and investigates breaches of charity regulations and serious incidents. Whether registered or not, a charitable body should be aware of the appropriate law, guidance and best practice within its jurisdiction.

The role of a charity regulator is to uphold public trust in charities by ensuring good governance and management of charity resources. Your regulator will depend on where you are located. You should be aware of the relevant regulator for your charity and familiarise yourself with their support materials and requirements.

- [The Charity Commission \(England and Wales\)](#)

The Charity Commission is the independent, non-ministerial government department that registers and regulates charities in England and Wales. Its purpose is to ensure a charity can thrive and inspire public trust in line with the Charities Act.

- [HM Attorney General \(Isle of Man\)](#)

The registrar and regulator of charities in the Isle of Man is the HM Attorney General, as provided by the Charities Registration and Regulation Act (2019) (Isle of Man). The Charities Register is administered by the Charities Administration team in the Attorney General's Chambers.

- [Jersey Charity Commissioner](#)

The Jersey Charity Commissioner is independent and maintains a register of Jersey charities. The Commissioner's office provides guidance, support and best practice as well as leading research into sector trends on the island. The office also investigates serious incidents to ensure charities are well governed and to maintain public trust in the sector's work, in line with the Charities' (Jersey) Law (2014).

- [Guernsey Register](#)


Charity activity in Guernsey is regulated and supported by the Guernsey Register in line with the Charities and Non-Profit Organisations (Registration) (Guernsey) Law, referred to as 'the Charity Law'. All aspects of charity registration and administration are supported via this office and with additional information available from the Association of Guernsey Charities.

In each jurisdiction there is detailed legislation regulating the activity of charities. See links to the relevant legislation for your charity.

Throughout this section we will predominantly draw on definitions and terminology from the Charities Act (England and Wales), but it is the duty of all charities within the organisation to familiarise themselves with the appropriate legislation for their jurisdiction as there are some variances in each law and the subsequent duties on charities.

Slide 5 – Charity Registration

Charity Registration




Each charity register gives public access to information relating to the management of individual charities.

The charity register shows:

- Annual Reviews
- Accounts
- Trustee details

In accordance with our governing documents, all federations and WIs are considered to be individual charities



Depending on the income, your federation and some of your WIs will require formal registration.

However, within the NFWI, in accordance with our governing documents, all federations and WIs are considered to be individual charities and are managed as such, regardless of size or registration.

Each charity register gives public access to information relating to the management of individual charities. The register shows key information such as annual reviews, accounts and trustee details. Registered charities trustees are required to update this information annually.

As a result, it is important to know what your reporting requirements are and what information about your charity will be in the public domain.


You can search for a charity on the Charity Commission website: <https://register-of-charities.charitycommission.gov.uk/charity-search>


Slide 6 – Governing documents

Governing Documents

The three legal models federations can adopt:

- Charitable unincorporated associations
- Charitable companies (limited by guarantee)
- CIO Federation Constitution





Charitable objects are recorded in a charity's governing document. The Charity Commission describes a charity's governing document as 'A legal document setting out a charity's purposes and, usually, how it is to be administered. It may be a trust deed, constitution, articles of association, will, conveyance, Royal Charter, scheme of the Charity Commission, or other formal document'.

Charities have a number of different legal structures they can adopt, and this will be outlined in their governing documents. Within our organisation our governing documents are referred to as 'constitutions'.


Different federations will have different constitutions depending on the legal model they operate.

- **Charitable unincorporated associations** are governed by a Constitution which is not prescribed but must contain certain features. Like a trust, there is no limitation of liability and it is not a legal entity in its own right.
- **Charitable companies (limited by guarantee)** are limited liability companies which are incorporated and registered at Companies House. The activities of the charity are governed by the Articles of Association. The charity has its own legal personality. Filings must be submitted to both Companies House and the Charity Commission.
- **CIO Federation Constitution** is specifically designed for charities. Incorporated and regulated solely by the Charity Commission which avoids the need for duplicate filings. Governed by a Constitution which is prescribed by the Charity Commission. The members have limited liability, and it has its own legal personality.

NFWI provides a model constitution for each of these charity models. The relevant documents can be downloaded from My WI. <https://mywi.thewi.org.uk/essential-information/the-wi-constitution>

Slide 7 – WI Charitable Objects

WI Charitable Objects



- To advance the education of women and girls for the public benefit in all areas.
- To promote sustainable development for the public benefit.
- To advance health for the public benefit.
- To advance citizenship for the public benefit by the promotion of civic responsibility and volunteering.

The NFWI charitable objects (which are shared throughout the different levels of our federated charity) are set out in the NFWI's governing documents (known as the constitutions).


They are:

- To advance the education of women and girls for the public benefit in all areas.
- To promote sustainable development for the public benefit.
- To advance health for the public benefit.

- To advance citizenship for the public benefit by the promotion of civic responsibility and volunteering.

Slide 8 – Charity Law & Trustees


Charity Law & Trustees



As a trustee your key role is to uphold charity law, the constitution of your charity and deliver on the charitable objects.

You have an individual responsibility to ensure you remain up to date and we would encourage you to regularly visit the online resources of your regulator.

Why not subscribe to the Charity Commission for news and updates?




As a trustee your key role is to uphold charity law, the constitution of your charity and deliver on the charitable objects. Everything you do will be conducted within this framework.

The NFWI provides overarching legal support and guidance on constitutional matters and ensures that the entire federated network remains up to date with any significant changes in legal or regulatory requirements. If you have questions, you can contact the NFWI Governance Team. However, you have an individual responsibility to ensure your knowledge of charity governance remains up to date and we would encourage you to regularly visit the online resources of your regulator as well as signing up for charity sector newsletters and updates.

Slide 9 – Serious Incident Reporting (SIR)

Serious Incident Reporting (SIR)



A serious incident is an adverse event, whether actual or alleged, which results in significant risks.

The result can result in:

- Harm to your charity's beneficiaries, staff, volunteers or others
- Loss of your charity's money or assets
- Damage to your charity's property
- Harm to your charity's work or reputation

One of the tasks of your regulator is to ensure that adverse incidents in charities are reported and managed appropriately in order to protect public trust in charities. If a serious incident takes place within your charity, your regulator will require a report to be given promptly with full and frank disclosure. You need to report what happened, let your regulator know how you are dealing with it, even if you have also reported it to the police, beneficiaries or another regulator.

A serious incident is an adverse event, whether actual or alleged, which results in significant risks.

The result can be harm to your charity's beneficiaries, staff, volunteers or others who come into contact with your charity through its work.

It can also mean:

- loss of your charity's money or assets
- damage to your charity's property
- or, harm to your charity's work or reputation

Trustees bear the ultimate responsibility in reporting serious incidents. All trustees should be familiar with the Serious Incident Reporting (SIR) process and under what circumstances a formal report to their regulator is required. Regardless of your regulator's requirements, you must report all serious incidents to the NFWI.

For WIs, if there is a serious incident within or relating to their WI they should notify their federation immediately. The Federation Board is responsible for obtaining legal advice and submitting a report to the relevant regulator relating to any serious incidents at federation level or which have been reported to them by WIs. When a serious incident report is submitted by a federation, it will be the duty of Trustees to notify the NFWI Head Office within 5 working days of submission.

We have provided links below to the Charity Commission's general information on serious incidents. For federations operating in a different jurisdiction you should contact your regulator for more information.

Serious Incident Reporting Guidance on My WI:

https://mywi.thewi.org.uk/_data/assets/pdf_file/0003/447663/Serious-Incident-Reporting.pdf

Guidance about data protection and serious incident report submission:


<https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity#dataprotection>


Slide 10 – Summary of learning

Summary of Learning

- Charity regulations and the Regulators
- Charity Law and Trustees
- Governing documents
- The WI's charitable objects

We hope you have learned something new or refreshed your knowledge!






Thank you for completing this module. We hope you gained valuable insights into charity regulations, legal frameworks, and the trustee responsibilities.


In this module, we covered:

- Charity regulation and relevant regulators
- Charity Law and trustee responsibilities
- Governing documents
- The WI's charitable objects

Slide 11 – Knowledge Test

Knowledge Test





Congratulations on completing this module! Now, it's time for the knowledge test. There are five questions based on the material covered. If needed, feel free to review the slides to refresh your understanding.

Thank you for your dedication as a Federation Trustee. If you have any questions, please reach out to the NFWI for support. We appreciate your time and commitment in this role.