

Charities and Trusts Committee – 13 June 2017

Endowment Charity Funds Annual Accounts 2016/17

Summary

1. This report presents the 2016/17 Annual Accounts for each of the Endowment Charity Funds 'Charities' where Staffordshire County Council ("the Council") has been appointed Sole Trustee (also referred to as Custodian Trustee).

Recommendations

2. That the Committee approve the 2016/17 Annual Accounts for the 9 Charities where the Council is the Custodian Trustee (**See Appendix 2**).
3. That the Committee approve the draft Trustee's Annual Reports for the 3 Charities, which are required to submit such to the Charity Commission.

Background

4. The Council is the Custodian Trustee for 9 Charities and also administers the funds of several other Charities, including those where there may only be land and/or buildings. These 9 Charities were typically set up for education purposes. As Custodian Trustee, the Council is responsible for directing the affairs of the Charities, ensuring they are solvent and well-run and that they deliver the charitable objectives for the benefit of those for whom they were intended.
5. The Director of Finance and Resources is responsible for the day to day financial affairs of the Charities i.e. the collection of income and ensuring that any expenditure payable is in accordance with the Application of Income stated in the Trust Deed. He is also responsible for the production of Annual Accounts.
6. The Charity and Trusts Committee, in fulfilling its role, as Custodian Trustee for the 9 Charities, is required to approve their Annual Accounts. The Annual Accounts include a Statement of Income and Expenditure for the 2016/17 financial year and a Summary of Investments as at 31 March 2017.
7. Additionally, Charity Commission regulations state that charities with income levels of over £25,000 must submit a copy of their annual accounts, their trustee's annual report and a report from an independent examiner or auditor.

8. Currently 3 of the 9 Charities fall within this category and their draft annual reports have been included in this report for approval by the Committee. These will be audited by the Staffordshire Audit Service, acting as the Independent Auditor, prior to submission to the Charity Commission.

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Appendix 1

Equalities Implications: None identified.

Legal Implications: Charity trustees have a duty to act solely in the best interests of the Charity and its beneficiaries with a view to furthering its charitable purposes and for no other purpose. They must also ensure that any charitable assets are managed independently and prudently in accordance with their charitable purpose and any restrictions in the charity's governing document.

Resource and Value for Money Implications: The Committee may provide for the relevant Charity's income and capital to be put towards meeting any reasonable expenses properly incurred when acting on behalf of the Charity.

Risk Implications: Decisions made by the Committee must be made in its capacity as Trustee only and must ensure that any decisions are made in accordance with the Charities Act 2011 and Charity Commission guidance.

Climate Change implications: None identified.

Health Impact Assessment Screening: No direct implications.