



# EssexBeekeepers' Association

## Governance Review EBKA

### Report by the EBKA Governance Sub Committee March 2018

#### Members of the Governance Committee

**Ted Gradosieiski** Appointed Chair of the Governance Sub Committee  
**Ian Nichols** Chair of the CEC Trustee - ex officio  
**Michael Webb** Secretary EBKA Trustee - ex officio  
**Jean Smye** Appointed Secretary to Governance Sub Committee and Trustee  
**Chad Colby Blake** Co-opted to the Governance Sub Committee  
**Peter Aldridge** Co-opted to the Governance Sub Committee (until March 2018)

The Governance Committee has met a number of times in 2017 and 2018 and its views have been shared with the Board -referred to in the Rules as Voting Members of the Central Executive Committee (CEC). At this stage we have introduced some necessary Trustee training. We have also put in place a Trustee Agreement that sets out a Trustee's responsibility and have asked all Trustees to sign this to show they understand the requirements of being a Trustee.

#### Background

EBKA is a registered Charity with a written set of Rules but it is not incorporated. The current version of the Rules was last amended in 2016 but the underlying document was agreed before the Charities Acts of 2011 and 2016 and well before the current guidelines for best practice issued by the Charities Commission. New policies and guidelines are needed to comply both with charity best practice and Data Protection. We have a new policy ready for approval by the board to deal with the new regulation (called the General Data Protection Regulations) and which is to come into force after May 2018.

More importantly our charity is not a corporate body (it is 'unincorporated') so the trustees are personally (jointly and severally) liable for what it does and the EBKA cannot enter into contracts or control some investments in its own name. If the EBKA became a corporate body, generally our trustees would not be personally liable providing they follow the constitution, apply all applicable laws and do not take negligent actions. We have subsequently been informed by the BBKA Insurance Broker that trustees are covered under their Trustee indemnity insurance.



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## Immediate Tasks for Consideration

The Governance Committee are looking at various options for the best way forward. When fully investigated, these choices will be presented to the Board for their consideration and approval. Any resulting changes to the EBKA Rules will be put before the membership of the EBKA at a formal meeting for which due notice will be given.

In order to comply with current charity law, the EBKA will need to put in place an array of important policies such as financial control, safeguarding, risk management and conflict of interests to name but a few. This will be necessary no matter what form of constitution or organisation it follows. We propose to begin to put these policies in place over the next few months for the Board to review and approve them. Over the next year we intend to present to the Board for their consideration working drafts of all the policies that are needed to be in place.

## Our Work So Far

- **We are setting out in a new Trustees' Manual** the information and guidance Trustees will need to perform their role, details of expected behaviour and what the Trustees will receive from the charity by way of training and support. We have done this using our current Rules.
- We have delivered a **Trustee Training session for all current Trustees**. This was well received. It is important in helping Trustees and prospective Trustees to understand more fully about their role and responsibilities.
- We require all Trustees to sign a **Trustees Agreement** confirming that they have received appropriate training, accepting a Trustee Code of Conduct and confirming they are legally eligible to stand as a Trustee.
- We are reviewing for the Board to consider and approve the **new Policies and Guidelines** with procedures that will need to be adopted over the next few months such as data protection, safeguarding and so on. We have early drafts for the Board to review and put in place very soon as they are essential for a modern charity. In the past we have had to report to the Charity Commission that we do not have them. Every member and Division will be subject to the policies.
- We have put in place **Trustees' Indemnity Insurance** as allowed under Rule 7.1.
- Our overall objective is to seek to match all the above and the management processes of the Board to the latest **Charity Governance Code for small charities** like ours.

**Ted Gradosieiski**  
**Chair of the Governance Sub Committee**