

THE EYOT CENTRE BENEFITS AND PAYMENTS TO CHARITY TRUSTEES AND CONNECTED PERSONS POLICY - August 2024

Definitions:

The charity trustees are the members of the management committee and the Trustees of the Thamesfield Youth Association.

Connected persons are:

- A child, parent, grandchild, grandparent or sibling of a charity trustee
- A spouse or civil partner of a charity trustee or any of the above
- A person in carrying on business in partnership with a charity trustee or any of the above
- An institution which is controlled by a charity trustee or any of the above
- An institution controlled by two or more people listed above, when taken together
- A body corporate in which a charity trustee or any person listed above has a substantial interest
- A body corporate in which two or more people listed above, when taken together, have a substantial interest.

Financial Benefit is a benefit, direct or indirect, which is either money or has a monetary value.

General provisions:

No charity trustee or connected person may:

- Buy or receive any goods or services from the charity on terms preferential to those applicable to members of the public
- Sell goods, services, or any interest in land to the charity
- Be employed by, or receive any remuneration from, the charity
- Receive any other financial benefit from the charity unless:
 - a) Authorised by the court
 - b) With the prior written consent of the Charity Commission (“the Commission”)
 - c) It falls into the following exceptions.

Exceptions:

- A charity trustee or connected person may receive a benefit from the charity as a beneficiary of the charity provided that a majority of the trustees do not benefit in this way.
- A charity trustee or connected person may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the charity where that is permitted in accordance with, and subject to the conditions in, section 185 to 188 of the Charities Act 2011.
- A charity trustee or connected person may provide the charity with goods that are not supplied in connection with services provided to the charity by the charity trustee or connected person providing all the controls listed below are met.

- A charity trustee or connected person may receive interest on money lent to the charity at a reasonable and proper rate which must be not more than the Bank of England bank rate (also known as the base rate).
- A charity trustee or connected person may receive rent for premises let by the trustee or connected person to the charity. The amount of the rent and the other terms of the lease must be reasonable and proper. The charity trustee concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.
- A charity trustee or connected person may take part in the normal trading and fundraising activities of the charity on the same terms as members of the public.

Controls for the payment for the supply of goods only:

These controls must all be satisfied if a charity trustee is providing goods to the charity:

- The amount or maximum amount of the payment for the goods is set out in a written agreement between the Charity and the charity trustee or connected person supplying the goods (“the supplier”).
- The amount or maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of the goods in question.
- The other charity trustees are satisfied that it is in the best interests of the charity to contract with the supplier rather than with someone who is not a charity trustee or connected person. In reaching that decision the charity trustees must balance the advantage of contracting with a charity trustee or connected person against the disadvantages of doing so.
- The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the charity.
- The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of charity trustees is present at the meeting.
- The reason for their decision is recorded by the charity trustees in the minute book.
- A majority of the charity trustees then in office are not in receipt of remuneration or payments from the charity.

Section 118 of the Charities Act 2011 apply for the purposes of interpreting the terms used in this policy.