



The Leicester-Shire
Music and Cultural Trust

Registered Charity No. 1163682

The Leicester-Shire Music and Culture Trust (LMCT)

Information regarding Trustees: what do potential Trustees need to know?

This document explains some important facts about LMCT and a Job Description for Trustees. In the 'bold' text of sections 2, 3, 4 and 5 below the expectations, roles and abilities etc are listed. Please note however that Trustees act as a team and no one person is capable of being everything.

1. What is The LMCT?

It is intended that the LMCT is a Charitable Incorporated Organisation registered with the Charity Commission that will work alongside The Leicester-Shire Music Education Hub (LMEH), to run certain musical activities for young people and enable income from gift aid and charitable grants to improve all young people's musical opportunities still further.

Its formation has been approved by the Hub's Executive and Governors and the Cabinet of Leicestershire County Council.

LMCT has clear 'Charitable Objects' as required by Charity Law; these have been agreed by the Hub to be:

1. To advance education, particularly within the framework of Music and the Arts, for the benefit of the Public of Leicester City, Leicestershire and elsewhere.
2. To advance the Arts and Culture particularly, but not wholly, by promoting and facilitating access to and performance of music and other art forms.
3. To provide for the recreation of children, young people and adults through music, for the benefit of the public, by providing opportunities, services and facilities to them, in the interest of improving their capacities, capabilities, health and well-being.

LMCT will work closely with LMEH and The Leicester-Shire Schools Music Service (LSMS) and will work towards the vision of the Hub as stated in its original Business Plan submitted to the Arts Council prior to its formation in 2012:

The Leicester-Shire Music Education Hub is an innovative and enterprising body with a Vision to inspire and lead all children and young people towards exciting, rewarding, varied, high quality and progressive musical experiences, individually and with others, that embrace and celebrate the broad and diverse cultures of the region.

Initially, LMCT will assist in the running of the following Hub activities:

- Evening and Weekend Ensembles
- Network Ensembles
- Tours and Concert Promotions
- Performances
- Musical Activities that are privately funded rather than Arts Council funded
- Fundraising (for the above activities)

LMCT will carry out the following in order to realise its objects and the Hub's vision:

- Work in Area Networks and Localities and engage with all communities
- Create strong relationships with each Hub partner and with parents, children and young people
- Ensure maximum participation by children and young people in Hub and associated activities
- Respond to need and generate new ideas, approaches and activities
- Provide, commission and ensure high quality musical learning and activities are available and well publicised to schools, families and communities

2. Expectations of Trustees

LMCT will be run by a Board of Trustees - initially 3, but potentially increasing to 7, if and when activity increases. Trustees are responsible for the control and management of the administration of LMCT.

All Trustees are expected to be:

- cognitive of the operation of LSMS and LMEH
- in full agreement with the Objects, Vision and activities stated in section 1
- interested in the experience of music and the arts
- able to commit time and experience to running/managing the CIO
- able to make strategic decisions giving value for money, using appropriate evidence
- experienced in a range of skills which complement each other (see below) across the 'Board'
- DBS checked
- able to undertake the primary responsibilities in managing the CIO... eg
 1. carrying out proper and legal administration
 2. taking ultimate responsibility for what the CIO does
 3. acting reasonably and prudently in all matters
 4. safeguarding and protecting the CIO's assets
 5. acting collectively in decision making
 6. acting in the best interests of the CIO
 7. avoiding any conflicts of interest

3. The commitment to LMCT will include:

- attending trustee meetings, at least 4 per year, more frequently as the organisation is starting
- representing LMCT at Hub governors and executive meetings
- meeting with LSMS officers staff as appropriate
- attending events run by LMCT and the Hub
- Awareness raising in the Community and with parents and young people
- 'Flying the Flag' for LMCT generally

4. Roles and responsibilities

The **Trustees** make sure the charity is running well and is doing what it was set up to do. This includes ensuring the charity:

- **has the money it needs (involving discussion with LSMS and LMEH)**
- **spends money sensibly, on the arts and musical objectives**
- **follows the law, including preparing reports and accounts to send to the Charity Commission**
- **doesn't break the rules in the governing document (Constitution)**

Trustees will work closely with key staff at LSMS, who will work on the detail of financial issues and day to day administration of the activities being run.

5. Skills and abilities

All Trustees will be expected to contribute to making LMCT work and so will need to have both some similar and other complementary skills, in order to make an effective team. Skills and experiences required across the Trustees include:

- 1. Finance, accounting, fundraising, marketing**
- 2. Public Relations, customer care and Communications, including e-communications**
- 3. The Education Sector, young people, schools and their leadership and management**
- 4. An understanding of music, the arts and culture**
- 5. Effective approaches to business, in addition to 1, above**
- 6. Leadership, prioritising, innovation, change and project management**
- 7. Personal attributes, including -**
 - relating well with and being supportive of others
 - able to stand up for the needs of young people
 - team working
 - problem solving
 - well-organised
 - creativity
 - integrity
 - honesty
 - reliability
 - enthusiasm
 - optimism

Potential Trustees will be asked to fill in a skills audit. When new Trustees are sought, existing Trustees will be looking for a balance in the team of Trustees across the above points *and* being fully representative of Leicester-Shire's rich ethnic community.

6. Making decisions

The trustees make decisions together, working as a team. Decisions don't usually need to be unanimous as long as the majority of trustees agree. They're usually made at charity meetings. Potential risks will be researched carefully before making a decision.

It's extremely rare for Trustees to become personally liable for the charity losing money. But this could happen if Trustees, for example:

- behave irresponsibly or dishonestly, causing the charity to lose money
- don't take appropriate steps to manage serious risks, for example by following safety procedures

7. Legal responsibilities of trustees -

All trustees must:

- follow the law and the rules in the LMCT Constitution
- act responsibly and only in the interests of LMCT
- use reasonable care and skill
- make well-informed decisions, taking advice when required

8. Chair and treasurer trustee roles

There will be a treasurer and chair, who will work particularly closely with key staff at LSMS.

The treasurer will:

- make sure the charity is keeping the proper accounts
- take the lead on making policies for finances

The chair will:

- help plan trustee meetings
- represent the charity at events
- be a link between trustees and LSMS and the Hub

These LMCT officers don't have any extra powers or responsibilities than the other Trustees. All Trustees are equally responsible for finances, for example.

People who cannot be a Trustee of LMCT

People are disqualified by law from acting as Trustees if they:

- have an unspent conviction for an offence involving dishonesty or deception
- are currently declared bankrupt, subject to bankruptcy restrictions or an interim order
- have an individual voluntary arrangement to pay off debts with creditors
- are disqualified from being a company director
- have previously been removed as a trustee by either the Charity Commission or the high court due to misconduct or mismanagement

Trustees will be required to sign a declaration form stating that they do not fall into the above categories

In addition to national requirements, anyone who is barred from working with children or vulnerable adults will not be considered as a Trustee. Thus all Trustees will be DBS checked.

The relationships between LMCT, LMET, LSMS and the LA

It is intended that LSMS, LMEH and LMCT will work together holistically for the benefit of music education in the County and City.

Currently, LSMS is the lead organisation of LMEH and its key decision making body is its Strategy Group. LMEH makes decisions through its Executive Group and is accountable to its Governing Body. Thus decisions affecting the operation of the Hub and LSMS are already taken with partners beyond the LA. The development of LMCT will create a further decision making group (its Board of Trustees). These persons will be volunteers required to have a working knowledge of the LMCT and the Hub and it is proposed that they will liaise with the LMEH Executive, Governors and LSMS. However, a fundamental characteristic of charities is their independence which must be upheld by their Trustees, who are responsible for acting in the charity's best interests at all times. The links are shown simply below.

In order to ensure that there is a clear understanding in the way LMCT works with the LA, a separately available 'Contract of Services' will be available which will clarify financial arrangements and minimise risks to both parties. For instance, staff at LSMS will be carrying out duties in relation to the LMCT, for which the Trust will be charged.

Other Information also available (or in hand)

A. Appendices to this document

- Skills Audit for potential Trustees
- Safeguarding Policy
- Meetings involving Trustees
- Managing Risks, Conflicts of Interest and Disputes

B. Available separately

- Contract of Services agreed between LMCT and LSMS
- The LMCT Constitution as submitted to the Charity Commission
- The Essential Trustee (available at www.charitycommission.gov.uk). A host of other useful documents are also available on this site.

Accountability to	LA, Arts Council, students, parents, schools	Governing Body, Arts Council students,parents, schools	Charity Commission
Decision Making Groups	Service Manager and Strategy Group	Executive Group	Board of Trustees
Comms and liaison with....	LMEH Exec LMCT Trustees	LSMS and LMCT Decision makers	LSMS and LMEH Decision Makers