



This is basic information about the Disability Equality (nw) Ltd Board of Trustees that we hope will be helpful to members interested in joining us as a Trustee.

Disability Equality (nw) Ltd (DENW) aims to further the human rights of disabled people across the North West. We offer a range of services to support disabled people to live independently.

If you wish to nominate yourself, someone else or a representative of your organisation, for election to the Trustee Board, please complete and return a trustee application form. Nominees are asked to provide supporting information, of up to 200 words, giving details about their experience and what they would bring to the Board.

All nomination forms must be completed, signed and dated. These will then be discussed at the AGM where members vote for new trustees.

We are a busy Disabled People's Organisation with the governance structure of being a Registered Charity and Company Limited by Guarantee, meaning our board members are both Trustees and Company directors and are registered with the Charity Commission and Companies House. We currently rent Bannister House as our Community Hub and staff/services base, we employ 23 members of staff, have a number of volunteers supporting the delivery of our services to disabled people across Lancashire and are funded through contracts, grants, service level agreements and donations – all of which means we have significant legal obligations to meet.

The Denw Trustees are also Company Directors, and have overall responsibility for the Staff, services, building, finances and governance for the organisation. The day to day responsibility for these is delegated to the Chief Executive and Staff team.

In order to ensure an effective governance structure it is very important that we have active trustees with experience in one or more of the following areas: Fundraising, Finance, HR/Personnel, Budgets, Delivering services,

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Charity/Company governance – and who are willing to give their time on a regular basis to attend meetings, raise funds, attend external meetings and events.

Trustee Meetings

In order to put into practice what DENW needs from its Board:

- The Board currently meets bi- monthly on a Thursday afternoon (2pm approximately) by zoom, and occasionally in person. Dates of meetings are given in advance.
- Any member wishing to become a Trustee at the AGM, or to be co-opted during the year, needs to complete and sign a nomination form, a copy of which is available from the Finance Manager or CEO.
- Trustees are committed to attending events throughout the year wherever possible
- Members wishing to become a trustee may need to complete a Disclosure Barring Service (DBS) Check at Enhanced Level - we can arrange this for you.

Trustees Co-opted during the Year

Any Trustees co-opted during the year will need to complete a nomination form and be interviewed by existing DENW Trustees. All Trustees also need to agree to act in accordance with our governing document and sign a declaration of interest

Legal Responsibilities of Trustees

Charity trustees are the people who serve on the governing body of a charity. They may be known as trustees, directors, board members, governors or committee members. The principles and main duties are the same in all cases.

- (1) Trustees have and must accept ultimate responsibility for directing the affairs of a charity, and ensuring that it is solvent, well-run, and delivering the charitable outcomes for the benefit of the public for which it has been set up.

Compliance – Trustees must:

- (2) Ensure that the charity complies with charity law, and with the requirements of the Charity Commission as regulator; in particular ensure that the charity prepares reports on what it has achieved and Annual Returns and accounts as required by law.
- (3) Ensure that the charity does not breach any of the requirements or rules set out in its governing document and that it remains true to the charitable purpose and objects set out there.
- (4) Comply with the requirements of other legislation and other regulators (if any) which govern the activities of the charity.
- (5) Act with integrity, and avoid any personal conflicts of interest or misuse of charity funds or assets.

Duty of prudence – Trustees must:

- (6) Ensure that the charity is and will remain solvent
- (7) Use charitable funds and assets reasonably, and only in furtherance of the charity's objects
- (8) Avoid undertaking activities that might place the charity's endowment, funds, assets or reputation at undue risk.
- (9) Take special care when investing the funds of the charity, or borrowing funds for the charity to use.

Duty of care – Trustees must:

- (10) Use reasonable care and skill in their work as trustees, using their personal skills and experience as needed to ensure that the charity is well-run and efficient.
- (11) Consider getting external professional advice on all matters where there may be material risk to the charity, or where the trustees may be in breach of their duties.

Information relating to Section 72 of the Charities Act 1993 – Persons disqualified from being trustees of a charity

A person shall be disqualified for being a charity trustee or trustee for a charity if:

- (a) He has been convicted of any offence involving dishonesty or deception
- (b) He has been adjudged bankrupt if sequestration of his estate has been awarded and (in either case) he has not been discharged

- (c) He has made a composition or arrangement with, or granted a trust deed for, his creditors and has not been discharged in respect of it
- (d) He has been removed from the office of charity trustee or trustee for a charity by an order made on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated
- (e) He has been removed, under Section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (powers of Court Session to deal with management of charities), from being concerned in the management or control of any body
- (f) He is subject to a disqualification order under the (1986 c.46) Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) or the (1986 c.45) Insolvency Act 1986 (failure to pay under county court administration order)

If you would like further information or would like to discuss joining the DENW Board please contact Melanie Close (Chief Executive) on:

melanie@disability-equality.org.uk

For further details of the role and responsibility of a Trustees can be found at: www.charitycommission.org.uk