**Introduction for trustees**

**This document has 4 sections:**

**Section 1.Being a member of a committee : a brief explanation of what is involved.**

**Section 2. Charity Commission Guidance**

**Section 3:The asylum system**

**Section 4: .Useful acronyms**

**Section 1.Being a member of a committee : a brief explanation of what is involved.**

**The business of the committee, both spoken and written, will be in English.**

**Being a member of the committee means that you are a Trustee of the Charity and carries legal and financial responsibilities.**

**Members of the committee are not paid and must not receive any benefits which are not available to all members.**

If you are elected onto a committee, then the following is generally expected:

1. That you come to meetings, and contribute your thoughts and ideas and knowledge.
2. That you take a share of the work that has to be done, using your experience and in the interests of participation.
3. That you support the Chair of the committee by following the rules of the group, and by being polite to other committee members, allowing everyone to be heard without rudeness. That you take part in the meeting under the guidance of the Chair.
4. That you come to the meetings prepared to talk about items on the agenda, which are currently prepared by the Chair, who will invite committee members to give them items to be put on the agenda before the meeting takes place.
5. That you will not discuss sensitive items from the committee meetings outside of the committee itself with any of your friends.
6. That you will think about what is best for all people who attend the drop-in and other FODI services and events, and not just take care of the interests of just one section or group of the people attending.

Training:

There will be training given on what the committee jobs (Chair, Secretary, Treasurer, committee member) are, on the legal requirements of running a committee as we have Charitable Incorporated Organisation status and, if you think it useful, on how to interpret financial information, on what people who grant us money expect, on minute taking, and on any other topics as needed.

**Section 2. Charity Commission Guidance**

Trustees’ 6 main duties

1. Ensure your charity is carrying out its purposes for the public benefit.

You and your co-trustees must make sure that the charity is carrying out the purposes for which it is set up, and no other purpose. This means you should:

* ensure you understand the charity’s purposes as set out in its governing document
* plan what your charity will do, and what you want it to achieve
* be able to explain how all of the charity’s activities are intended to further or support its purposes
* understand how the charity benefits the public by carrying out its purposes.

Spending charity funds on the wrong purposes is a very serious matter; in some cases trustees may have to reimburse the charity personally.

Find out more:

[The essential trustee - purposes and public benefit](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do#s4)

2. Comply with your charity’s governing document and the law

You and your co-trustees must:

make sure that the charity complies with its governing document

comply with charity law requirements and other laws that apply to your charity

You should take reasonable steps to find out about legal requirements, for example by reading relevant guidance or taking appropriate advice when you need to.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update.

Find out more about [your governing document and the law](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do#s5).

3. Act in your charity’s best interests

You must:

* do what you and your co-trustees (and no one else) decide will best enable the charity to carry out its purposes
* with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term
* avoid putting yourself in a position where your duty to your charity conflicts with your personal interests or loyalty to any other person or body
* not receive any benefit from the charity unless it is properly authorised and is clearly in the charity’s interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

Find out more:

[The essential trustee - act in your charity’s best interests](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do#s6)

4. Manage your charity’s resources responsibly

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. You and your co-trustees must:

* make sure the charity’s assets are only used to support or carry out its purposes
* not take inappropriate risks with the charity’s assets or reputation
* not over-commit the charity
* take special care when investing or borrowing
* comply with any restrictions on spending funds

You and your co-trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise you risk making the charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

Find out more:

[The essential trustee - manage your charity’s resources responsibly](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do#s7)

5. Act with reasonable care and skill

As someone responsible for governing a charity, you:

must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary

should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees’ meetings

Find out more:

[The essential trustee - act with reasonable care and skill](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do#s8)

6. Ensure your charity is accountable

You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:

* be able to demonstrate that your charity is complying with the law, well run and effective
* ensure appropriate accountability to members, if your charity has a membership separate from the trustees
* ensure accountability within the charity, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers

Find out more:

[The essential trustee - ensure your charity is accountable](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do#s9)

More information on these and other related topics can be found at <https://www.gov.uk/guidance/charity-trustee-whats-involved>

**Section 3:The asylum system**

Migrant is the name given to anyone who has migrated to another country for whatever reason. Migrants who come to FODI can belong to two groups, Asylum Seekers and Refugees.

An Asylum Seeker (AS) is someone fleeing from persecution in their homeland. An Asylum Seeker is a person who has applied for asylum and is awaiting a decision from the Home Office as to whether they will be given asylum.

Asylum claims are considered under the 1951 UN Refugee Convention, and its incorporation into European and UK immigration law.

To be granted asylum (to get refugee status), it’s necessary to show that the person has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, they are outside their country of origin or normal residence and cannot get protection in their own country.

Currently, in most cases people seeking asylum do not have permission to work.

Support from the Home Office while an asylum claim is being considered comes mainly in two forms, named after the legal guidelines:

Section 95: ongoing support

After some days, weeks, or sometimes months in initial accommodation, the AS will be taken to new accommodation, usually a flat or shared house, somewhere else in the country.

They will now qualify for what is known as “Section 95 support”, which is housing plus £49.18 per week (as of January 2025)for each person.  Adults and children receive the same amount per person.

They will normally be able to continue to receive this support until “appeals rights are exhausted”.

They will not have any choice about where in the UK they are housed. They can be sent anywhere in the UK (though usually not London and the south-east of England).

They will receive instructions on how to receive the money, which will be paid through a card called an ASPEN card.  This can be used like a debit card, to withdraw money from cash machines (ATMs) or to pay for items in shops.

Destitution

After a refusal from the Home Office, and having exhausted all appeal rights, asylum seekers may lose financial support and their accommodation, leaving them homeless and destitute.

Section 4 is a form of support for people after they have been refused asylum.

This is a form of support for some people whose asylum claims have been refused. This support comes in the form of accommodation and a financial payment via an Aspen card. The card can be used to buy provisions and goods only in certain retail outlets.

There is no choice about where the accommodation is in the UK. It also used to provide accommodation for people applying to be released from detention if this accommodation was necessary to avoid breaching their human rights.  This changed in January 2018.

To be eligible for Section 4 support, the AS must be able to show that they are destitute and that one or more of the following situations applies to them:

that they are taking all reasonable steps to leave the UK or facilitate their departure from the UK (for example by signing up for the “voluntary return” scheme) but there are barriers or delays that prevent leaving:

* that they are unable to leave the UK because they are physically or medically unable to travel. This includes women who are pregnant and are in roughly the last six weeks of their pregnancy, or in the first six weeks after giving birth.
* that the Home Office accepts that there is “no viable route of return” to the country of origin.  This is a very unusual situation.
* that they have been granted permission to proceed with an application for judicial review of the decision on their asylum claim
* that the provision of support is necessary to avoid breaching human rights

It is this last category that is likely to apply if the AS has submitted further submissions to the Home Office asking them to consider them as a fresh claim.

Section 4 support is only given while waiting for the Home Office to decide if they view further submissions as a fresh claim.  If the Home Office accept that further submissions pass the “fresh claim test” but have not made a substantive decision on a fresh claim, the AS may then be eligible for the Section 95 support.

If the AS receives Section 4 from the other categories – such as medical condition or voluntary return – the support will be “reviewed” every few months and evidence may be required to prove that they remain eligible for this support. It is important to keep documents (such as medical appointments or trips to a consulate) to submit to the Home Office when requested.

Refugees are people who have been given the right to remain in the UK by the Home Office, usually for a period of 5 years. They can work but must find their own accommodation. Becoming a refugee can often be a difficult time for an AS whilst they begin to live as a citizen of the UK.

The web address from Right to Remain organisation given below explains issues around asylum seekers and refugees in much greater detail and should be viewed by all Trustees. <https://righttoremain.org.uk/toolkit/>

**Section 98** (**s98**) **support** is a form of temporary **support** that is provided to **asylum seekers** who appear to be destitute and who are awaiting a decision on their application for s95 **asylum support**.

**Section 4.Useful acronyms**

FODI Friends Of the Drop In for Asylum Seekers and Refugees

BAME Black And Minority Ethnic

CCG/ICB Clinical Commissioning Group/ Integrated Care Board

CCPS CC Payroll Service

CEED Community Environmental Educational Developments

CF Community Foundation

CF T&W&N Community Foundation Tyne & Wear & Northumberland

CITA Charity IT Association

EWO Enhanced Winter Offer

FISCUS Who knows?? It seems like a given name.

 The Latin word for fig tree.

They are the owners of the building where our office is.

HSF Household Support Fund

ICOS International Community Of Sunderland

JTI Justice Together Initiative

NEMP NAP North East Migration Partnership - New Arrivals Pathway

NE RISE RTOF North East Refugee Integration Service Refugee Transition Outcomes Fund

NERS North East Refugee Service

ICB NHS North East & North Cumbria Integrated Care Board

NL National Lottery

OLMC Our Lady of Mercy Church - otherwise known as St Mary’s

RASMAM Refugee and Asylum Seeker Multi Agency Meeting

RRF Regional Refugee Forum

SBMEN Sunderland Black and Minority Ethnic Network

SCC Sunderland City Council

TOP The Other Perspective

VODA Voluntary Organisations Development Agency

YAV Young Asian Voices

SN 1.23

Updated 1.25