

**Trustee Eligibility Declaration**

This form enables you to declare that you are eligible to serve as a trustee of a Methodist charity in line with charity law, Charity Commission requirements, the Church's Safeguarding requirements and the requirements set out in Standing Order 010.

**Name of Methodist charity** i.e. Local Church, Circuit, District etc.

.....

**Number of Trustees** .....

**Working with vulnerable groups**

Tick this box if your organisation works with vulnerable people (including children) and you declare that you have:

Read and understood the Charity Commission's safeguarding guidance, carried out all trustee eligibility checks the law requires and on the basis of those checks are satisfied that the people acting as trustees are both eligible and suitable to act as trustees of this charity.

**Corporate trusteeship**

This organisation has a corporate trustee (another organisation which acts as trustee, such as a local authority) and its directors are making this declaration. Leave blank if this does not apply.

**Trustee eligibility and responsibility**

By completing and signing this form, you declare that you:

1. are willing to act as a trustee of the organisation named above
2. understand your organisation's purposes (objects) and rules set out in its governing document
3. are not disqualified from acting as a trustee because you have an:
  - unspent conviction for an offence involving dishonesty or deception
  - unspent conviction for specified terrorism offences
  - unspent conviction for a specified money laundering offence
  - unspent conviction for specified bribery offences
  - unspent conviction for the offence of contravening a Charity Commission Order or Direction
  - unspent conviction for offences of misconduct in public office, perjury, or perverting the course of justice
  - unspent convictions for aiding attempting or abetting the above offences.

4. • are not disqualified from acting as a trustee due to:
- being on the sex offenders register or disqualified by virtue of Standing Order 010 (please see below for more information)
  - unspent sanction for contempt of Court
  - disobeying a Commission Order
  - being a designated person (under specific anti-terrorist legislation)
  - being a person who has been removed from a 'relevant office' (from the office of charity trustee, officer, agent or employee of a charity by an Order of the Commission under s79 of the Charities Act 2011, or earlier relevant legislation, or by a High Court Order, on the grounds of any misconduct or mismanagement in the administration of the charity)
  - disqualified from being a Company Director
  - insolvency (an undischarged bankrupt or subject to some other insolvency Order).

You also declare that:

- any information you provide to the Charity Commission is true, complete and correct
- you understand that it's an offence under section 60(1)(b) of the Charities Act 2011 to knowingly or recklessly provide false or misleading information
- your organisation's funds are held (or will be held) in its name in a bank or building society account in England or Wales
- you will comply with your responsibilities as trustees – these are set out in the Charity Commission guidance '[The essential trustee \(CC3\)](#)'
- (if applicable) the primary address and residency details you provide in any charity registration application are correct and you will notify the Charity Commission if they change.

### **Personal benefit**

If your organisation pays (or will pay) any trustee for being a trustee OR any trustee or person connected to them for providing goods and services, you declare that this will:

- be in the organisation's best interests
- be lawful and authorised
- help the organisation carry out its purposes (or be a necessary by-product of it carrying out its purposes)

### **Safeguarding**

Having regard to the Safeguarding Policy of the Methodist Church, you declare that you:

- have seen and can locate a copy of the local church safeguarding policy

- have seen and can locate a copy of the Safeguarding Policy, Procedures and Guidance for the Methodist Church and the terms of Standing Order 010 (please see below)
- know of no reason why you cannot fulfil the office, duty or responsibility of being a trustee and undertake to notify the Methodist Church as soon as possible if this should change.

**Qualification for Appointment**

**Standing Order 010, Constitutional Practice and Discipline of the Methodist Church**

*(2) Subject to the provisions of the Rehabilitation of Offenders Act 1974 (or any statutory modification or re-enactment thereof for the time being in force and any regulations or orders made or having effect thereunder)*

*(i) no person who has been convicted of or has received a simple or conditional caution from the police concerning an offence mentioned in Schedule 1 to the Children and Young Persons Act 1933 (as amended) or who is barred by the Disclosure and Barring Service from work with children, young people or vulnerable adults or who the Safeguarding Committee concludes otherwise poses a risk to children, young people or vulnerable adults shall undertake work with children, young people or vulnerable adults in the life of the Church;*

*(ii) no person who has been convicted of or has received a simple or conditional caution from the police concerning an offence under the Sexual Offences Act 2003 or mentioned in Schedule 15 to the Criminal Justice Act 2003 or who is barred by the Disclosure and Barring Service from work with children, young people or vulnerable adults or who is the subject of a risk assessment under Standing Order 237 as a result of which the Safeguarding Committee concludes that he or she presents a significant risk of serious harm to children, young people or vulnerable adults shall be appointed or re-appointed to any office, post or responsibility or engaged or re-engaged under any contract to which this sub-clause applies unless authority for the appointment or employment has been obtained under clause (5).*

Standing Order 010 applies to all Methodist trustees, which includes members of Church Councils, Circuit Meetings and District Synod, as set out in Part 1 of Book VI of the Constitutional Practice and Discipline of the Methodist Church.

**By signing this form, you confirm that you have carefully read the above and are eligible to act as a Methodist trustee.**

Full Name

.....

Date of Birth

.....

Address

.....  
.....

Email address

.....

(or mark X to confirm you do not have an email address)

Signature

.....

Date

.....

### **Additional guidance for completing this Trustee Eligibility Declaration**

All local churches and any circuits and districts which operate projects which work with children or vulnerable persons must tick the first box.

Most Local Churches and Circuits will not have a corporate trustee. If there is no corporate trustee, leave the second box unticked.

Individuals who are automatically disqualified must obtain a [waiver of their disqualification](#) from the Charity Commission in order to continue as a trustee. The Charity Commission will make a decision based on whether waiving the disqualification is in the best interests of the charity, amongst other factors. There is guidance on [how waiver decisions are made](#).

You are signing to confirm that you have provided up to date and accurate information and that you are aware of all of your responsibilities as a trustee and will comply with them. It is therefore important that you read this document thoroughly before signing.

All trustees must read the following Charity Commission guidance document before signing:

- [CC3](#) – The Essential Trustee

### **Privacy Notice**

For information about how your personal data is used, please refer to the relevant privacy notice, available at: [Managing Trustees' Privacy Notice - Trustees for Methodist Church Purposes \(tmcp.org.uk\)](#)

**THIS FORM SHALL BE RETAINED IN A SECURE AND CONFIDENTIAL MANNER.**

**ALL PERSONAL DATA SHALL BE HELD IN ACCORDANCE WITH DATA PROTECTION LAW.**

This form was updated on 20/05/2022