

# PORTSMOUTH DIOCESAN TRUST

## TERMS OF REFERENCE FOR THE PORTSMOUTH SAFEGUARDING COMMISSION

### **1 THE COMMITTEE**

- 1.1 Portsmouth Roman Catholic Diocesan Trustees Registered (the Trustees), the trustees of the trusts identified in the note below (the Trusts), with the consent of the Roman Catholic Bishop of Portsmouth (the Bishop), appoint a commission (the Commission) to act on their behalf in the areas outlined below relating to all matters concerning the safeguarding of children and vulnerable adults and delegate to the Commission the powers set out in this document.

### **2 RESTRICTED POWERS**

- 2.1 Where the business of the Commission concerns trusts other than the Portsmouth Diocesan Trust, the Trustees' power to delegate to the Commission may be restricted as indicated in the note below.
- 2.2 When dealing with the business, property or funds of these trusts the Commission must check the limits within which it is authorised to act.

### **3 NAME**

- 3.1 The Commission is to be known as The Portsmouth Safeguarding Commission.

### **4 MEMBERS**

- 4.1 The members of the Commission are to be appointed by the Trustees with the prior approval of the Bishop and their composition is to be in accordance with the guidelines adopted by the Catholic Safeguarding Advisory Service from time to time in force ("the National Guidelines"). The National Guidelines in force at the date of these terms of reference are exhibited in Chapter 1.4 – Organisational Structure of the document called Catholic Safeguarding Advisory Service (CSAS) Manual version January 2013 at:

[http://www.csasprocedures.uk.net/chapters/p\\_org\\_structure.html#dio\\_commiss](http://www.csasprocedures.uk.net/chapters/p_org_structure.html#dio_commiss)

### **5 CHAIRMAN**

- 5.1 The chairman of the Commission is to be appointed from amongst the members of the Commission by the Trustees with the prior approval of the Bishop.

### **6 RESPONSIBILITIES**

- 6.1 The Commission is to fulfil the functions outlined in the National Guidelines.
- 6.2 The Annual Report referred to in the National Guidelines must be produced to the Trustees before it is sent to the Catholic Safeguarding Advisory Service.

## **7 PUBLIC BENEFIT GUIDANCE**

- 7.1 Every member of the Commission shall have regard to the guidance of the Charity Commission on public benefit in carrying out the work of the Commission.

## **8 MEETINGS**

- 8.1 The following rules are to apply to the meetings of the Commission:

8.1.1 The Bishop or any member for the time being of his Council may attend meetings of the Commission as an observer and may be called upon by the chairman to speak (but not vote) on any matter before the Commission;

8.1.2 The Secretary to the Trustees may attend meetings of the Commission as an observer and may be called upon by the chairman to speak (but not vote) on any matter before the Commission;

8.1.3 A meeting may be held in person or by suitable electronic means agreed by the members of the Commission by virtue of which all the participants may communicate with all the other participants;

8.1.4 Every member of the Commission is to have one vote. Every matter is to be determined by the majority of the votes of the members of the Commission present and voting. In the case of an equality of votes the chairman is to have a casting vote whether or not he has previously voted on that matter;

8.1.5 Any resolution of the Commission which is in writing and signed by all the members of the Commission is as valid as a resolution passed at a meeting. For this purpose a resolution may be contained in more than one document and is to be treated as passed on the date of the last signature; and

8.1.6 The Commission must cause minutes of its meetings to be taken; the minutes may be in electronic form. Draft minutes, first approved by the chairman of the Commission whenever possible, must be produced to the secretary to the Trustees no later than 14 days after the date of the meeting of the Commission. At each meeting the Commission must approve the minutes of the previous meeting, with such changes as may be agreed, the chairman must then sign those minutes and the minutes must then be entered in an archive. At each meeting of the Trustees a copy of the minutes of each meeting of the Commission held since the last meeting of the Trustees must be produced to the Trustees.

- 8.2 In all other respects the meetings of the Commission are to be conducted in accordance with the National Guidelines and otherwise as the Commission from time to time shall determine.

## **9 AMENDMENTS AND REVOCATION**

- 9.1 The Trustees may at any time amend or revoke these terms of reference.

## **10 SECRETARY**

- 10.1 The Secretary to the Trustees is expected to attend the meetings of the Commission.

## **11 ANNUAL REVIEW**

- 11.1 These terms of reference and the membership of the Commission are to be reviewed and adopted annually, at the first meeting of the Trustees after the start of the Trusts' financial year.

### **NOTE:**

- 1 These terms of reference are made in accordance with:
- 1.1 for the Portsmouth Diocesan Trust, (charity registration no.246871) clause 12.2 of the declaration of trust dated 5 December 2002 and the Trustee Act 2000.
  - 1.2 for each of certain other trusts (the other trusts), being those which, together with the Portsmouth Diocesan Trust, are the subject of a uniting direction of 20 July 2001 under Charities Act 1993 section 96(6), the deed or deeds constituting each of the other trusts and the Trustee Act 2000.
- 2 Insofar as this delegation relates to the other trusts, the Trustees make this delegation only to the extent that they are entitled to do so under either the deed or deeds constituting each of the other trusts or the Trustee Act 2000.

Authorised at a meeting of the Trustees, with the consent of the Bishop, held on 28 November 2013

Stephen Morgan

Secretary to the Trustees