

This code of conduct is based on the “Seven Principles of Public Life” drawn up by the Nolan Committee.

Selflessness

Trustees of Ealing Law Centre have a general duty to act in the best interests of Ealing Law Centre as a whole. They should not do so in order to gain financial or other material benefits for themselves, their family, their friends or the organisation they come from or represent.

Integrity

Ealing Law Centre’s trustees:

- Should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their role.
- As well as avoiding actual impropriety, should avoid any appearance of improper behaviour.
- Should avoid accepting gifts and hospitality that might reasonably be thought to influence their judgement.

Objectivity

In carrying out their role, including making appointments (including trustee appointments), awarding contracts, recommending individuals for rewards and benefits or transacting other business Ealing Law Centre’s trustees should ensure that decisions are made solely on merit.

Accountability

Ealing Law Centre’s trustees:

- Have a duty to comply with the law on all occasions in accordance with the trust placed in them and in such a way as to preserve public confidence in Ealing Law Centre.
- Are accountable for their decisions and actions to the public, funders and service users. They must submit themselves as to what scrutiny is appropriate to their role.

Openness

Ealing Law Centre's trustees:

- Should ensure that confidential material, including material about individuals, is handled in accordance with due care.
- Should be open as possible about their decisions and action that they take. They should give reasons for their decisions and restrict information only when the wider interest clearly demands.

Honesty

Ealing Law Centre's trustees:

- Must at all times comply with the requirements of the Law Centre's policy on Conflicts of Interest.

Leadership

Ealing Law Centre's trustees:

- Should promote and support the principles of leadership by example.
- Must respect the role of the Supervising Solicitor and staff. There may be circumstances under which trustees will be working directly with Ealing Law Centre staff. Guidelines for such working relationships must be clear to both staff and trustees.

The Charities Act 1993 sets out who is disqualified from acting as a charity trustee. This applies to all charities including excepted and exempted charities. Company law sets out who is disqualified from acting as a company director. These provisions apply to charities formed as a company limited by guarantee (as well as all other companies).

Who is disqualified from acting as a charity trustee?

Section 72 of the Charities Act 1993 disqualifies people who:

- have unspent convictions for offences involving deception or dishonesty (unless 'spent'), e.g. theft, fare evasion or falsely claiming benefit.
- are undischarged bankrupts
- have been at any time removed from trusteeship of a charity by the Charity Commission or the court in England, Wales or Scotland, because of misconduct or mismanagement.
- are disqualified from being company directors under the Company Directors Disqualification Act 1986.
- have failed to make payments under county court administration orders.
- have made compositions (i.e. come to an arrangement) with their creditors and have not been discharged.

As soon as someone comes within section 72 (e.g. the day they are convicted of an offence involving dishonesty) s/he is automatically disqualified from acting as a trustee. It is a criminal offence to act as a charity trustee while disqualified.

Charities can apply to the Charity Commission for a waiver of disqualification under section 72(4) of the Charities Act 1993, either generally or in relation to a charity or a specific class of charities. The Commission will consider what, if any, benefit is likely to result from an applicant acting as a trustee.

Who is disqualified from acting as a Company Director?

Under the Company Directors Disqualification Act 1986 the court may disqualify people:

- who have been convicted of criminal offences relating to the promotion, formation, management or liquidation of a company.
- who have been persistently in default of company legislation for filing accounts and other documents

- who have been found guilty of fraudulent trading or fraud
- whose conduct as a director has made them unfit to be involved in the management of a company

Trustee Declaration

I declare that:

- I am over age 18.
- I am not an undischarged bankrupt.
- I have not previously been removed from trusteeship of a charity by a Court or the Charity Commission.
- I am not under a disqualification order under the Company Directors' Disqualification Act 1986.
- I am, in the light of the above, not disqualified by the Charities Act 1993 (section 72) from acting as a charity trustee.
- I promise to fulfil my responsibilities and duties as a trustee of Ealing Law Centre in good faith and in accordance with the law and within Ealing Law Centre's objectives/mission.
- I do not have any financial or other interests in conflict with those of Ealing Law Centre (either in person or through family or business connections) except those which I have formally notified in a conflict of interest statement. I will specifically notify any such interest at any meeting where trustees are required to make a decision which affects my personal interests, and I will absent myself entirely from any decision on the matter and not vote on it.
- I will at all times act within the policies of Ealing Law Centre (including the policy on Conflicts of Interest)

Signed:

Date: