

Terms of Reference for Everton Parish Council Nominated Trustees to the Metcalfe Trust

1. Purpose

The Metcalfe Trust (the Trust) is managed by five trustees, two of whom are nominated by Everton Parish Council (EPC). The primary objective of the Trust is to maintain and sustain its recreational assets and services for the benefit of the residents of Everton. This document sets out the terms of reference between the Metcalfe Trust and Everton Parish Council for the nomination, role, and ongoing relationship of these two nominated trustees.

2. Role of the Nominated Trustees

Individuals appointed to the Trust via EPC nomination will:

- a. Serve as full trustees of the Metcalfe Trust, assuming the associated legal responsibilities and duties.
- b. Participate in Trust meetings, decisions, and activities related to its governance, finances, and project support.
- c. Act always in the best interests of the Trust, in accordance with charity law. While nominated by the Parish Council, they do not represent the Council or any other organisation once appointed.
- d. Help ensure the Trust supports initiatives that benefit the Everton community, in line with its founding principles and charitable objectives.
- e. Act as a key communication link by reporting back to the Parish Council on Trust discussions, activities, and decisions, thereby promoting transparency and accountability.

3. Eligibility

Nominated Trustees shall be appointed by the Parish Council. The persons nominated may be, but need not be, a member of the Council. The Council may advertise the role within the Parishes of Everton and Scaftworth to attract a diverse range of candidates.

Nominated Trustees must be at least 18 years of age, and the law disqualifies some people from acting as a trustee. Reasons for disqualification (as per the Charity Commission) include, but are not limited to:

- Being bankrupt or having an individual voluntary arrangement (IVA)
- Having an unspent conviction for certain offences, including those involving dishonesty or deception
- Being on the sex offenders' register
- Being disqualified directly by the Charity Commission

4. Nomination and Appointment Process

When a Nominated Trustee position becomes vacant, the Trust will formally write to the Parish Council, informing it of the vacancy and outlining the skills and experience it is seeking in a new trustee. Whenever possible, the Parish Council is asked to nominate more than one candidate. For continuity, the Trust requests that the terms of office of the two nominated trustees be offset by approximately two years from each other, where possible.

The final appointment is subject to satisfactory eligibility checks and declarations as required by the Charity Commission.

5. Term of Office

The standard term of office for a nominated trustee is four years.
A trustee remains in post for the full term unless they:

- Resign from the Trust or EPC
- Fail to attend meetings for 6 consecutive months without valid reason

- Move out of the Everton Parish
- Become disqualified for any reason outlined in Charity Commission guidance

Once appointed, trustees are governed by charity law. The Parish Council does not have the power to remove a nominated trustee. A nominated Trustee may be renominated for further terms at the discretion of the Parish Council.

6. Onboarding and Conduct

Once appointed, a new trustee will be offered a meeting with the Trust's Chair and Secretary. They will receive a welcome pack detailing Trust processes and the legal duties of trustees and will be directed to relevant trustee training available from the Charity Commission.

Trustees must act in accordance with the Trust's governing document and charity law. The Parish Council expects its nominees to adhere to high standards of conduct, reflective of their role.

7. Reporting and Liaison

The nominated trustees are expected to provide regular reports to the Parish Council on Trust activity, ensuring a clear and transparent channel of communication. They will work in partnership with the Trust and relevant community groups for the betterment of the Parish.

8. Conduct and Conflicts of Interest

a. **Standards of Conduct:** The nominated trustees must, always, act in accordance with the ethical and procedural standards expected of charity trustees, as set out in the Metcalfe Trust's governing document and the Charity Commission's guidance. While acting in the best interests of the Trust, they are also expected to uphold the high standards of conduct embodied in the Everton Parish Council's Code of Conduct.

b. **Duty to Disclose Conflicts:** Trustees have a paramount duty to avoid and declare any conflicts of interest, whether perceived or actual, financial or non-financial. This includes any situation where their duty to the EPC/Trust could be, or could be seen to be, influenced by a duty to the other organisation.

c. **Managing Conflicts:** Upon declaration, the trustee must follow the EPC/Trust's formal policy for managing conflicts of interest.

9. Review

These Terms of Reference shall be reviewed periodically by the Parish Council. The Metcalfe Trust, prior to writing to the Parish Council to request nominations for a new trustee, in accordance with current Charity Commission guidance will also conduct a review. The Parish Council will provide input during this review.

Adopted by Everton Parish Council on the 11th December 2025

Signed: 

(Chair of Everton Parish Council)

Adopted by Metcalfe Trust at the meeting on 11th December 2025

Signed: 

(Chair of Metcalfe Trust)