This template has been provided the Scottish Council for Voluntary Organisations (SCVO).

Use of this model policy is entirely at your own risk. The policy should be adapted to suit your own organisational needs, and you should ensure if meets your own specific requirements. You should also check this policy is compliant with the law and your organisation’s governing document. No liability rests with SCVO.

For more information see our information on [using SCVO templates](https://scvo.scot/support/using-scvo-templates).

**Trustee details and consent form and declaration for trustees at [INSERT ORGANISATION NAME]**

|  |
| --- |
| Date of appointment |
| Date of Birth |
| Surname |
| Forename(s) |
| Previous surname(s) |
| Previous forename(s) |
| Usual residential address |
| Nationality |
| Current Employment |
| Other employment, directorships or public appointments, now or in the previous five years, and membership of any professional bodies or special interest groups |
| Are you related or connected to any member of staff or serving board member? If yes, please give details. |
| Telephone |
| Email |

Charity trustees are legally recognised as the individuals responsible for the control and management of a charity. **[INSERT ORGANISATION NAME]** are required to submit the following details of each trustee to the Office of the Scottish Charity Regulator as required under the [Charities (Regulation and Administration) (Scotland) Act 2023](https://www.legislation.gov.uk/asp/2023/5/contents/enacted)

* Name
* Home address
* Email address
* Telephone number
* Date of birth
* Date of appointment as charity trustee

NOTE: **The first and last name of each charity trustee will be published on the Scottish Charity register from the end of 2025.** Individual trustees will be able to apply for their name not to be published. OSCR can grant an exemption to an individual who is able to prove that publication of their name is likely to affect the safety or security of any person or premises.

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of information on an annual basis.

I give consent for these details to be submitted to to OSCR.

Signed ......................................... Dated ..........

**Trustee Declaration**

***Please complete the declaration below***

I have read and understood my duties and responsibilities in accepting a position on the **[INSERT ORGANISATION NAME]** board of trustees and undertake to fulfil these duties in good faith and in accordance with the provisions of our Code of Conduct. I can confirm:

* I am willing to act as a charity trustee of **[INSERT ORGANISATION NAME]**
* I understand the organisation’s purpose and rules, set out in its governing document
* I am over 18 years of age and capable of managing and administering my own affairs
* I agree to complete our Register of Interests annually and to formally register any relevant interests during any meetings of the board where personal or professional interests are at stake
* I agree to uphold the objectives, values and policies of **[INSERT ORGANISATION NAME]** and to encourage best practice in all areas of its work
* I have no financial or other relevant interest in **[INSERT ORGANISATION NAME]** that has not been formally disclosed
* I am not disqualified under the PVG Scheme.

In addition I declare that I am not automatically disqualified from acting as a charity trustee for this charity under the [Charities and Trustee Investment (Scotland) Act 2005](https://www.legislation.gov.uk/asp/2005/10/contents) and [The Charities (Regulation and Administration) (Scotland) Act 2023](https://www.legislation.gov.uk/asp/2023/5/contents). I can confirm:

* I am not an undischarged bankrupt or subject to any bankruptcy related measures
* I do not have an undischarged Protected Trust Deed (PTD) or existing individual voluntary arrangement (IVA)
* I am not disqualified from being a company director
* I have not been removed by the Court of Session under the 2005 Act (or earlier legislation) from being a charity trustee or being concerned in the management or control of any charity or body
* I have not been removed as a trustee, charity trustee, officer, agent or employee of a charity by the Charity Commission for England and Wales (CCEW) or the High Court in England due to misconduct or mismanagement
* I have not been subject to a disqualification order or disqualification undertaking made by the CCEW under section 181 of the Charities Act 2011 disqualifying me as a charity trustee
* I have not been found guilty of contempt by a Court in England and Wales in civil proceedings for making a false disclosure statement
* I have not been removed as a charity trustee or trustee of a charity by the Charity Commission for Northern Ireland (CCNI) or the High Court in Northern Ireland due to misconduct or mismanagement
* I have not been found guilty of disobedience to an order or direction of CCEW or CCNI on an application to the High Court in England or Northern Ireland.

I do not have an unspent conviction for any of the following:

* an offence under the 2005 Act
* an offence under section 77 of the Charities Act 2011
* an offence under section 13 or 19 of the Terrorism Act 2000
* an offence specified under section 41 or 42 of the Counter-Terrorism Act 2008 as an offence to which Part 4 of that Act applies
* a money laundering offence within the meaning of section 415 of the Proceeds of Crime Act 2002
* an offence under any of the following sections 1, 2, 6 or 7 of the Bribery Act 2010
* an offence of perverting the course of justice including in particular-

1. false accusation of a crime
2. perjury
3. prevarication on oath
4. prison breaking
5. subordination of perjury

* an offence of wilful neglect of duty by a public official
* an offence, under the law of England and Wales, of misconduct in public office
* any other offence involving dishonesty
* an offence committed by aiding, abetting, counselling, procuring or inciting the commission of any of the offences detailed above
* an offence committed by attempting or conspiring to commit any of the offences detailed above.

I am not a designated person under the following anti- terrorist legislation:

* regulations 8 to 12 of the ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019
* regulations 11 to 15 of the Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019
* regulations 11 to 15 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019
* is subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 (on the sex offenders register).

**PLEASE NOTE THAT DISQUALIFICATION IS AUTOMATIC IN ANY OF THE CIRCUMSTANCES ABOVE. IT IS A CRIMINAL OFFENCE AND LIABLE TO IMPRISONMENT, OR A FINE, OR BOTH** [**(S.70(1)) of the 2005 Act)**](https://www.legislation.gov.uk/asp/2005/10/section/70)**TO BECOME OR CONTINUE TO ACT AS A CHARITY TRUSTEE IN A CHARITY WHILST THE CIRCUMSTANCES APPLY.**

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of information on an annual basis. I give consent for it to be used for the purposes described in the conflict of interest policy.

Signed ......................................... Dated ..........

**Document version control**

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| --- | --- | --- | --- |
| **Version number** | **Change or update** | **Author or owner** | **Date** |
| 1.0 | First version |  |  |
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