# Ayr Gaiety Partnership (AGP) Trustee application form

Thank you for your interest in this role and for considering becoming a Trustee. This document sets out what the role of Trustee involves, please refer to this in your application and to the job description.

### Who can be a Trustee?

You must be aged 16 or over and:

1. Elected at a general meeting; or
2. Nominated by one of the special members (UWS or SAC); or
3. Co-opted by the current board of trustees

For all options you need to read the information given below and complete the application form at the end of this document, so that the current Trustees can fulfill their duties set out by law and in the organisation’s constitution. In broad terms the Trustees must ensure that:

1. You are legally permitted to be a Trustee;
2. You understand the legal obligations and liabilities of a Trustee; and
3. You have the skills and understanding to enable you to make a substantial contribution to the work of the board

### Ayr Gaiety Partnership goals

AGP is a Scottish Charitable Incorporated Organisation. It owns The Gaiety Theatre. But the organisation has wider goals than simply running The Gaiety – members (and Trustees) must agree to support these broad goals. Our legal goals, set out in our constitution and approved by the Office of the Scottish Charity Regulator (OSCR) are:

*“4.1 To advance the arts (and particularly the performing arts), heritage and culture, primarily within Ayrshire;*

*4.2 To advance education, in particular informal and formal education linked to, or through the medium of, theatre-related arts and technology, primarily within Ayrshire primarily through (a) the operation of The Gaiety Theatre and other venues in South Ayrshire and (b) the delivery and/or provision of support (whether financial or otherwise) to a range of initiatives, activities and events which further one or more of the above purposes.*

*4.3 The relief of poverty”*

The Trustees have agreed a simple overall goal and identified key priorities to underpin the operation. To become a Trustee you must agree to work towards these. They are:

Overall aim:

*To increase individual and community wellbeing through the (performing) arts*

**Key priorities:**

* Developing and sustaining a financially sustainable operation.
* Receiving and producing the highest possible artistic quality of shows on stages in the theatre and in our communities, under a general theme of ‘entertainment with substance’.
* Engaging individuals and communities who face additional challenges (for example through low income or disability) in the performing and other arts – in communities and as audience members.
* Supporting the development of artists, technicians and other theatre amateurs and professionals for their own benefit (particularly those from Ayrshire) and to help deliver on our other goals.
* Working with local partners to ensure that these activities contribute to the local economy and development of Towns and Villages across Ayrshire.

### Organisational structure

AGP was established in 2009 as a Company Limited by Guarantee and achieved charitable status in 2010. In 2014 the organisation converted into a new type of legal entity – a Scottish Charitable Incorporated Organisation or ‘SCIO’. This type of organisation is very similar to a charitable company but only reports to one regulator – The Scottish Charity Regulator.

The constitution is a public document and you should request and read a copy before applying to become a Trustee. As it is a legal document you may find some parts of it difficult to understand – if so please ask the Chief Executive for help since you would need to understand the main parts of it to fulfill your duties as a Trustee.

### Expectations on AGP Trustees

AGP is an organisation that depends on volunteers for all levels of its operation. Trustees are expected to take an active role in managing the organisation, and many do more than attending board meetings. Some current Trustees undertake a range of tasks, in addition to the formal roles of chair, secretary and treasurer, including:

* providing the finance director function;
* negotiating with central and local government for funding;
* overseeing major legal and contractual negotiations;
* leading on environmental and equalities work; and
* making links and developing partnerships with other organisations.

Because AGP is a young and fast moving organisation, Trustees are sometimes asked to make decisions between formal board meetings. This often means taking part in email discussions, phone calls and short informal meetings. Finally Trustees spend some time meeting with and liaising with other volunteers in order to stay in touch.

The substantial success the organisation has had to date has resulted to a significant extent from the unity of purpose shown by the Trustees. The board will continue to wish to present a ‘united front’ once it has made decisions, even when there has been disagreement leading up to the decision. So as a Trustee you must be prepared to work towards and within a consensus view.

Formal meetings take place quarterly at the Gaiety Theatre or occasionally elsewhere. There are three sub-groups that also meet quarterly: Finance & Risk, People and Care & Compliance. From time to time, Trustees will be expected to attend training to ensure they understand their duties fully – particularly in relation to financial oversight and health and safety. It is likely that there will be one longer meeting each year, to consider forward strategy. In addition Trustees should be able to attend occasional events such as Gala evenings, bi-monthly volunteer evenings and so on.

### Trustee skills and competencies

As a Trustee you will need to work with the other Trustees to make decisions on a wide range of topics. In order to do this you will need a range of general competencies including:

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| **Commitment** | * Ability to understand and accept the duties and liabilities of being a charity Trustee |
|  | * Empathy with the vision, mission and aims of AGP |
|  | * A willingness and ability to devote the necessary time and effort |
| **Focus** | * Ability to think and apply knowledge strategically, |
|  | * Ability to think creatively |
|  | * Ability to keep mission-focused |
|  | * Ability to analyse and evaluate management information and other evidence |
| **Communication and team working** | * Ability to communicate clearly and sensitively and to take an active part in discussions |
|  | * Ability to influence and engage |
|  | * Ability to work effectively in a group |
|  | * Willing to express their own opinion in a reasoned way, while also listening to the views of others |
|  | * Ability to challenge constructively and ask questions appropriately |
| **Accountability** | * Ability to exercise sound and independent judgement |
|  | * Willingness to make and stand by collective decisions, including those which may be unpopular |
|  | * Ability to manage difficult and/or challenging situations |
|  | * Ability to maintain confidentiality on confidential and/or sensitive information |

It will also be helpful if you can bring specific skills to the board. The other Trustees, the Executive Director and the staff team will be there to provide support but you should be able to contribute in some of the following and be willing to learn about others:

|  |  |
| --- | --- |
| Financial management – in particular ensuring the organisation can pay its bills (or more technically, that it remains ‘solvent’). | |
| Staff recruitment and management | Young people |
| Volunteer recruitment and management | Older people |
| Sales and marketing | Heritage |
| Performing arts management | Education |
| Public policy | Community action |

### Legal duties of Trustees

All Trustees must provide the information detailed below, your full name (including previous or alternative names), address, date of birth and signature declaring that you are not disqualified from being a Trustee. The Office of the Scottish Charity Regulator (OSCR) asks for this information so that they can identify the charity trustees and can contact you if necessary. They carry out random spot checks of this information against various databases (for example, those of Companies House and the Accountant in Bankruptcy’s Register of Insolvencies) to satisfy themselves that you are not disqualified from acting as a charity trustee. We also ask for your NI number because we need to disclose trustee details in the process of securing legal and financial advice.

**Anyone who acts as a charity trustee while disqualified is guilty of an offence punishable by imprisonment, or a fine, or both**. Sections 69 and 70 the Charities and Trustee Investment (Scotland) Act 2005 set out the circumstances that would disqualify an individual. In general terms if a person has been convicted of an offence involving dishonesty, or of an offence under the Act, or is an undischarged bankrupt, they may not serve as a charity trustee.

Nor may they do so if they have been removed from serving as a charity trustee, or from acting in a management position within a charity, under previous charity law; nor if they have been disqualified from serving as a Company Director. A person is not disqualified if their conviction is spent by virtue of the Rehabilitation of Offenders Act 1974.

If you are uncertain whether or not you are disqualified please ask OSCR. They may, on application from the person disqualified, issue a waiver, which may either lift the disqualification generally, or specifically in relation to a particular charity or type of charity.

OSCR consider it of great importance that charity trustees are made aware of the duties and responsibilities of their position at the outset. Section 66 of the Charities and Trustee Investment (Scotland) Act 2005 sets out the general duties of charity trustees, who must (while taking decisions or otherwise acting as a trustee):

* act in the interests of the charity, putting its interests before their own interests or those of any other person or organisation;
* seek, in good faith, to ensure that the charity operates in a manner that is consistent with its objects or purposes;
* act with the care and diligence that is reasonable to expect of a person who is managing the affairs of another person; and
* ensure that the charity complies with the provisions of the Act.

Any breach of these duties will be treated as misconduct in the administration of the charity.

### Application Form

Please send your CV and complete and return this application form to Janice Gilmour, Executive Director: [janice.gilmour@ayrgaiety.co.uk](mailto:janice.gilmour@ayrgaiety.co.uk) by Friday 18 July.

You do not need to include your NI number unless appointed.

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| Role being applied for: |  |
| Name |  |
| Address |  |
| Postcode |  |
| Telephone |  |
| Email |  |
| Date of birth |  |
| NI number |  |
| Referring to your relevant qualifications/education/training, please share why you are applying for this role. | |
| Please share what relevant experience, you have that would make you suited to this role. | |
| Please share the particular strengths you would bring to this role: | |
| I am applying to become a Trustee of Ayr Gaiety Partnership and I confirm that I am not disqualified from being a Trustee. I also confirm I believe I have the required competencies and am committed to the AGP aims and intended outcomes.  Signed..................................................................................  Dated...................................... | |

Please complete and return this application form, together with a copy of your CV, to Janice Gilmour, Executive Director: [Janice.gilmour@ayrgaiety.co.uk](mailto:Janice.gilmour@ayrgaiety.co.uk) by **Friday 18 July**.