

THE SHAKESPEARE BIRTHPLACE TRUST

Charity Commission Scheme to modernise the governance of the Trust

In October 2015, the Trust began to consult with the Charity Commission with a view to modernising the administrative provisions that govern the appointment of its Trustees and set out the means by which they regulate their proceedings. The existing provisions are over 50 years old and do not provide sufficient flexibility in terms of the selection of Trustees, or the introduction of particular skills onto the board to help the Trust in its long-term development. The existing provisions also limit the Trustees' ability to manage the Trust in an effective manner in accordance with the Charity Commission's guidance and the widely accepted principles and standards of good charity governance.

The Trust was established by an Act of Parliament in 1891, and the Trustees now carry out their responsibilities under the terms of the Shakespeare Birthplace Trust Act 1961. As the Trust is governed by statute, the proposed changes will need to be made by a Charity Commission Scheme, which will be laid before Parliament and ultimately brought into force by an Order of the Minister for the Cabinet Office.

As things stand, the Trust can be required to have in excess of 30 Trustees, many of whom are appointed by external bodies or who become Trustees automatically by virtue of their role with a separate organisation – whether or not they have a particular knowledge of, or interest in, the life and works of Shakespeare, or experience of running a charity. The main purpose of the Scheme is to dispense with these classes of trusteeship and provide instead for a smaller, more manageable board of between eight and twelve Trustees, who will be appointed on the basis of their skills, knowledge and expertise. The external bodies affected have all been consulted and they have each signified their agreement to the proposed new arrangements.

The Scheme will also establish a new consultative Council to the board, which will contribute to the long-term vision of the Trust. The former Life Trustees of the Trust will become life members of the Council, as will the Trust's Honorary Fellows, and membership will be extended to all Trustees serving prior to the grant of the Scheme. In the longer term, the Trustees will make appointments to the Council based on who, in their opinion, is best able to contribute to the furtherance of the objects of the Trust. The Trustees will also consider the skills, knowledge and experience that are available within the county, and within organisations with which the Trust has a working relationship or other close connection.

The provisions governing the proceedings and decisions of the Trustees will be modernised to reflect current practice, for example regarding voting procedures and participation in meetings by electronic means. The Scheme will also introduce an express power for the Trustees to delegate certain functions to sub-committees with clear terms of reference, such as a Nominations Committee, which may assist with the process of identifying candidates for appointment as Trustees or members of the Council.

It should be noted that the Scheme will only bring about administrative changes: it will *not* alter the objectives of the Trust or otherwise affect its activities or operations.

Full details of the Scheme can be found on the Charity Commission's website <http://apps.charitycommission.gov.uk/schemes/default.aspx>. If you wish to make any comments to the Charity Commission about the Scheme you have until 19 December to do so and may do so by following the link above.

For further information, please email mark.armstrong@shakespeare.org.uk, remembering to include your name and contact details.