

CHARITABLE TRUST DEED

This Deed is made on the [___] day of [Month] 20[___]

By Slough Borough Council of Observatory House, 25 Windsor Rd, Slough SL1 2EL (“the Trustee”).

BACKGROUND

- A. The Trustee wishes to establish a charitable trust to further the charitable purposes set out below.
- B. The Trustee agrees to hold and apply the trust assets in accordance with this Deed.
- C. The Trustee annually appoints a Mayor who is an elected Councillor who holds the post for a non-political purpose to conduct ceremonial and other duties for the benefit of the residents of the borough of Slough.

1. NAME

The name of the trust shall be **The Mayor of Slough Borough Council Charitable Trust** (“the Charity”).

2. CHARITABLE OBJECTS (PURPOSES)

The charitable objects of the Charity (“the Objects”) are:

- to collect and distribute charitable donations for the benefit of the residents of the borough of Slough.
- to support local charities or national charities with a presence in the local area of Slough.
- to support, in each municipal year, such charitable organisation or charitable cause as may be nominated by the Mayor in their civic capacity, subject always to the independent approval and discretion of the Trustee, which shall ensure that any nominated beneficiary falls within the charitable purposes set out in this Deed and complies with charity law. The Trustee shall give due regard to the Mayor’s nomination when determining the annual beneficiary
- Any funds collected, pledged, or designated in connection with a particular Mayor’s mayoral year shall be treated as attributable to that Mayor’s appeal, and shall be applied and distributed by the Trustee, acting in accordance with this Deed, having regard to the Mayor’s nominated charitable organisations and/or themes, and whether such funds are received during or after that mayoral year.

The Trustee must ensure that the Charity’s funds, resources, activities and publicity are used solely to further the Objects and are not applied for any political purpose. In particular, the Trustee must not permit:

- the use of the Charity’s funds or resources to promote or oppose the views, policies or activities of any political party, group or individual;
- any activity or publicity that seeks to influence public opinion on a matter of political controversy;

- the use of the Charity's name, events or communications to support party political campaigns or arguments;
- the commissioning or distribution of material designed to influence government, Members of Parliament, political parties, elected representatives or public officials (including any form of lobbying);
- the hosting, publication or circulation of third-party material that contains political content or could reasonably be interpreted as seeking to influence political views;
- the use of Slough Borough Council communication channels, facilities or staff support in a way that resembles political campaigning or advocacy;
- the use of the Charity's funds or resources to influence petitions, referendums or matters relating to constitutional arrangements;
- the publication of material that imitates the style or appearance of a commercial newspaper or could be mistaken for political or campaign literature;
- the use of the Charity's funds or publicity in a way that subsidises external organisations through advertising or promotional activity;
- any activity or publicity during election periods that could reasonably be interpreted as supporting or opposing any candidate, party or political viewpoint.

All activities undertaken by or on behalf of the Charity must remain strictly non-political and directed solely towards advancing the Objects.

3. POWERS OF THE TRUSTEE

In addition to any other powers they have, the Trustee may exercise any of the following powers in order to further the objects (but not for any other purpose):

- to raise funds. In exercising this power, the trustees must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
- to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
- to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the objects;
- to acquire, merge with or enter into any partnership or joint venture arrangement with any other charity formed for any of the objects;
- to create such advisory committees as the trustees think fit;
- to do any other lawful thing that is necessary or desirable for the achievement of the objects.

4. TRUSTEE

4.1 The sole Trustee of the Charity is Slough Borough Council, a local authority established under the Local Government Act 1972, acting as a corporate trustee.

4.2 The Trustee may delegate functions (except powers to amend this Deed) to committees, sub-committees, or officers, provided:

- Delegation is documented in writing.
- Delegates act within clear terms of reference.

5. DECLARATION OF TRUST

The Trustee declares that it holds the Charity's assets on trust to apply them in furtherance of the Objects, subject to this Deed.

6. TRUST ASSETS

6.1 The "Trust Assets" means all cash, investments, and other non-property assets held by the Trustee for the Charity, including additions from gifts, bequests, transfers, or other sources.

6.2 The Trustee may accept assets subject to special trusts, provided they align with the Objects.

7. APPLICATION OF INCOME AND CAPITAL

7.1 Income shall be applied to further the Objects.

7.2 Capital may also be applied if reasonably necessary or desirable, but the Trustee must not prejudice long-term sustainability.

8. ACCOUNTING AND FINANCIAL CONTROLS

8.1 The Trustee shall maintain proper accounts and make them available to relevant council officers or as required by law.

8.2 The Trustee must comply with their obligations under the Charities Act 2011 with regard to:

- the keeping of accounting records for the charity;
- the preparation of annual statements of account for the charity;
- the auditing or independent examination of the statements of account of the charity;
- the transmission of the statements of account of the charity to the Commission;
- the preparation of an Annual Report and its transmission to the Commission;

- the preparation of an Annual Return and its transmission to the Commission.

8.3 The Charity shall hold a bank account in its name or the Trustee's name.

8.4 Signatories and controls are determined by the Trustee.

9. Registered Particulars

The Trustee must notify the Commission promptly of any changes to the charity's entry on the Central Register of Charities.

10. TRUSTEE BENEFITS, EXPENSES, AND CONFLICTS

10.1 No financial benefits may be drawn by the Trustee unless legally authorised.

10.2 Conflicts of interest must be managed with a clear policy.

11. AMENDMENT

11.1 The Trustee may amend this Deed by resolution, provided:

- Amendments are consistent with the Objects.
- Changes do not cause the Charity to cease being charitable.

11.2 The Trustee must send to the Commission a copy of the deed effecting any amendment made under this clause within three months of it being made.

11.3 No amendment may be made to clause 2 (Charitable Objects), and clause 12 (Dissolution) or this clause 11 without the prior consent in writing of the Commission.

12. DISSOLUTION

12.1 The Trustee may dissolve the Charity by resolution.

12.2 Upon dissolution, remaining assets must be:

- Transferred to other charities with similar purposes, or
- Applied for charitable purposes closely aligned with' the Objects, or
- Returned to donors if legally permissible.

12.3 The Charity Commission must be notified of any dissolution.

13. INTERPRETATION

In this deed all references to particular legislation are to be understood as references to legislation in force at the date of this deed and also to any subsequent legislation that adds to, modifies or replaces that legislation.

14. GOVERNING LAW

This Deed is governed by and interpreted according to the law of England & Wales.

IN WITNESS of this deed the Trustee having signed below

Executed as a deed by
SLOUGH BOROUGH COUNCIL
by affixing its Common Seal hereto
in the presence of:

.....

Authorised Signatory