



**ROYAL
HIGHLAND &
AGRICULTURAL
SOCIETY OF
SCOTLAND**

CHARITY TRUSTEES: THE MANAGEMENT AND CONTROL OF CHARITIES IN SCOTLAND and STATUTORY INDUCTION, TRAINING AND GOVERNANCE

INFORMATION SHEET

The Royal Highland and Agricultural Society of Scotland (RHASS) has been recognised as a charity in Scotland since at least the beginning of the twentieth century. We are registered with the Office of the Scottish Charity Regulator (OSCR) under the Scottish Charity Number SC004561.

RHASS is constituted by Royal Charter, under which those comprising the Board of Directors are known as Directors. RHASS' Directors are also trustees under the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act).

The 2005 Act sets out the general duties of charity trustees and all the charity's trustees must work together to make sure those duties are met. Charity trustees are trusted to look after the charity's assets and are responsible for making sure the charity fulfils its charitable purposes. The general duties of a trustee are to:

- Act in the interests of the charity, managing any conflict of interest and putting the charity's 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;
- Ensure that the charity complies with the provisions of the 2005 Act.

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

There are certain statutory and regulatory requirements that trustees must meet, as a result of which we ask you to complete and return two declarations (forms 2b. and 2c.). If you have any questions about these declarations, please call the Secretary to discuss them in confidence.

Note, the 2005 Act will be amended by the Charities (Regulation and Administration) Scotland Act 2023 (the 2023 Act). The key provisions are not yet in force. The overall aim of the 2023 Act is to strengthen and update the current legal framework for charities registered in Scotland.

Cont/d...overleaf

INFORMATION SHEET

STATUTORY INDUCTION, TRAINING & GOVERNANCE

The Directors of RHASS are the trustees of the charity. As trustees they are collectively bound by fiduciary and legal responsibilities. During the Royal Highland Show, Directors become Stewards and therefore comprise dual responsibilities for Risk Management and Health & Safety (RMH&S), and are therefore responsible for both the strategic and practical implementation of this.

RHASS employs Health & Safety Advisors, RBS Mentor, who provide guidance and practical assistance to implement statutory H&S requirements. The Institute of Occupational Safety and Health (IOSH) is an internationally recognised provider of accredited Health & Safety training courses. RHASS arranges such training courses for its trustees.

1. RHASS has a statutory obligation to use trained and competent personnel to implement practical and strategic RMH&S matters. RHASS is committed to this and specific IOSH training will be provided for its Trustees and staff. Dates will be given in advance.
2. The Chairman, with the support of the Board of Directors, the Chief Executive and the Senior Management is responsible for the induction of new Directors. He or she is also responsible for providing a wider understanding of overall RHASS activities.
3. Upon appointment to the Board of Directors following the AGM in April, new Directors will attend an induction programme. This will include the provision of recent Board materials and presentations, site visits, meetings with experienced Directors and Senior Management, and an information pack to provide background reference information on RHASS' activities and operations.
4. In addition, briefings for Stewards will be provided prior to the Royal Highland Show.
5. Attendance at Board meetings is vital to keep abreast of RHASS developments and to exercise your duties as a trustee. If you are unable to attend a meeting, please let the Chairman and Secretary know as soon as possible.
6. Trustees will be provided with the information required to enable them to carry out their duties in the best interests of RHASS.
7. The Chairman and Secretary are available if you have any questions about your role, your obligations or RHASS.

PRIOR TO TAKING UP OFFICE, YOU ARE REQUIRED TO STATE YOUR UNDERSTANDING OF RHASS PROCEDURES AND GUIDELINES AS SET OUT IN THIS DOCUMENT, BY SIGNING THE TRUSTEE DECLARATION.

Marie Livingstone
Society Secretary
December 2023