

Trustees Rights and Duties (April 2026)

Core legal duties

1. As a charity trustee in Scotland, Trustees have six fundamental duties:
 - 1.1. **Act in the charity's interests** Always put Edinburgh u3a's interests first. Your decisions and actions must benefit the organization and its members, not your personal interests.
 - 1.2. **Help ensure financial sustainability** You share responsibility for ensuring u3a remains financially viable and doesn't take on commitments it cannot afford.
 - 1.3. **Follow our constitution** You must act within the powers given in our constitution and work to achieve our charitable objects — advancing education through the u3a model.
 - 1.4. **Use care and diligence** Apply the same level of care, skill and diligence that a reasonable person would use in managing their own affairs. If you have particular professional expertise, you're expected to use it appropriately.
 - 1.5. **Ensure compliance with charity law** Help ensure Edinburgh u3a meets all legal requirements, particularly those set by OSCR including submitting annual returns and accounts.
 - 1.6. **Avoid unauthorized personal benefit** You cannot benefit personally from your position as a trustee, beyond claiming reasonable out-of-pocket expenses.

What you'll do as a Trustee

2. **Attend committee meetings** Participate in regular Executive Committee meetings. Your attendance and active contribution are important for effective governance.
3. **Make collective decisions** Work with fellow trustees to make decisions about Edinburgh u3a's strategy, activities, policies and finances. Major decisions require Executive Committee approval. The power to make decisions rests with the Executive Committee and decisions are made by either majority or unanimous votes by the Trustees present. Non-Trustees have no voting rights. Once an item is approved by the Executive Committee, that decision is final.
4. **Approve budgets and spending** Review and approve the annual budget and authorize significant expenditure beyond day-to-day operational costs.
5. **Declare conflicts of interest** If any matter arises where you have a personal interest, you must declare it and may need to absent yourself from that discussion or decision.
6. **Maintain confidentiality** Respect the confidential nature of committee discussions and sensitive organizational information.

Your rights as a Trustee

7. **Access to information** You have the right to see any documents and information about u3a that you need to fulfil your role effectively.
8. **Voting rights** Each trustee has equal voting rights on committee decisions.
9. **Expense reimbursement** You can claim reasonable out-of-pocket expenses incurred in carrying out your trustee duties.
10. **Protection from personal liability** When you act properly within your role and in good faith, you are protected from personal liability for the charity's actions.

OSCR Compliance

11. As a registered Scottish charity, Edinburgh u3a must:
 - Submit annual accounts and trustees' annual report to OSCR
 - Notify OSCR of significant changes including new trustees, changes to the constitution, and changes to contact details
 - Maintain accurate records
 - Display our charity number on official documents
12. The committee collectively ensures these requirements are met.

Key principle: Collective responsibility

13. As a trustee, you share collective responsibility for Edinburgh u3a's governance with your fellow committee members. Decisions are made together on the Executive Committee, not individually. This means you share in both the achievements and the accountability for the organisation's actions.

Further information

14. If you have questions about your role, please speak with the Chair or any experienced committee member. OSCR also provides helpful guidance for charity trustees on their website: www.oscr.org.uk, including Guidance for Charity Trustees: www.oscr.org.uk/guidance-and-forms/guidance-for-charity-trustees.