11. Personal Benefit Policy

This policy applies to Trustees and all members of Woking Strokeability.

Why we have this policy

Trustees have a legal obligation to act in the best interests of Woking Strokeability and in accordance with the constitution. The organisational aim of Woking Strokeability is

- To provide support for those affected by stroke to those who live in Woking and the surrounding area

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety where there may be a 'personal benefit' to a member of the organisation

Policy Derivation

This policy has been derived from guidance provided by the Charity Commission in particular:

- Public benefit: running a charity (PB2) and the "examples-of-personal-benefit" guidance document.

What is a Personal Benefit?

A 'personal benefit' means a benefit that someone receives from a charity. That 'someone' might be an individual or an organisation.

If someone benefits from a charity as one of the charity's beneficiaries, this is still a personal benefit. But it is proper for them to receive that benefit, provided it is incidental to carrying out the charity's purpose.

Personal benefit is 'incidental' where (having regard both to its nature and to its amount) it is a necessary result or by-product of carrying out the purpose.

Types of Personal Benefit

The following are some examples of different types of personal benefit that are considered relevant to Woking Strokeability . There may be others:

- financial benefits - these might be in the form of cash, grants or other payments
- non-financial benefits or payments in kind - these might be benefits in the form of goods or services rather than in cash, for example the provision of free accommodation, meals or transport
- gifts or honoraria as a mark of recognition for service
- personal benefits to members - a charity must not be set up to provide benefit only to the organisation's members unless:
    - a sufficient section of the public can access those benefits by becoming members
    - the membership structure is a suitable way of carrying out the charity's purposes for the public benefit

Benefits to Trustees

Trustees can only benefit from their charity where there is an explicit authority in place before any decision conferring trustee benefit is made.

Examples of benefits to trustees are where the trustees decide to:

- sell, loan or lease charity assets to a charity trustee
- acquire, borrow or lease assets from a trustee for the charity
- pay a trustee for carrying out their trustee role
- pay a trustee for carrying out a separate paid post within the charity, even if that trustee has recently resigned as a trustee
- pay a trustee, or a person or company closely connected to a trustee, for providing a service to the charity - this covers anything that would be regarded as a service and includes legal, accountancy or consultancy services through to painting or decorating the charity's premises, or any other maintenance work
- employ a trustee's spouse or other close relative at the charity
- make a grant to a service user trustee, or a service user who is a close relative of a trustee
- allow a service user trustee to influence service provision to their exclusive advantage

The Commission recommends that, whether or not they are required to prepare accruals accounts, all charities should disclose benefits received by trustees in their annual accounts.

Woking Strokeability Personal Benefit Guidance

All loans of goods purchased for the use of members to "to provide support for those affected by stroke" are considered to be a by-product of carrying out the charity's purpose. Loans should be recorded and their allocation reviewed by Trustees at regular intervals.

Woking Strokeability request a contribution towards cost of regular weekly exercise sessions from all members attending and payment to cover costs at social events. However, at the discretion of the Trustees, if a member is facing financial hardship then contributions may be waived either in part or full.

The Trustees may, as funds permit, organise and fund specialist or focussed exercise and training sessions in small groups for selected members to help improve their mobilisation. Members will be selected at the discretion of the Trustees after consideration of their financial situation and the benefit that could be obtained.

In addition, at their discretion Trustees may provide personal benefit to a member either in the form of direct payment or payment in kind, provided it is incidental to carrying out the charity's purpose or by-product of carrying out its purpose. In normal circumstances Woking Strokeability will limit the benefit to an individual in any one year to a total of 1% of the combined annual budget and current reserves.

Dated: 18 January 2021

Appendix

Woking Strokeability Register of Loaned Items

Name	Loaned Item	Date out	Date back

Secretary – Ben Anthony, 5 Barbon Close, Camberley, GU15 1BW
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