

15: Board of Trustees

15-1: Board of Trustees – Operations

1. Responsibility Centre: Board of Trustees

2. Rationale or Purpose

This policy statement is intended to serve as a guide for those having responsibilities that bear on the stewardship of the real and personal property, including funds not needed for annual operations, that are held in trust for BCUC by the Trustees.

The Manual of The United Church of Canada directs each Congregation to appoint a Board of Trustees ('the Trustees') to hold all property, real and personal (including funds), in trust for the use and benefit of the Congregation. The Trustees are responsible for ensuring that all such properties are managed in accordance with the terms and conditions set out in Schedule B (Trusts of Model Deed), Appendix II of *The Manual*, and in compliance with the relevant provincial and municipal laws and regulations. The Trustees take direction from the Church Board and the other Courts of the United Church having jurisdiction.

At BCUC, the Property Management Committee manages the operation and maintenance of the Congregation's real property, and the Financial Management Committee coordinates the management of the Congregation's revenues and expenses associated with annual operations and capital expenditures. This arrangement leaves the Trustees with three major-areas of responsibility at the operations level:

- the securing and oversight of property and liability insurance
- the management of the BCUC Memorial Endowment Trust
- BCUC's responsibilities concerning Bells Corners Union Cemetery.

While these responsibilities are the primary focus of BCUC's Board of Trustees operational work, Trustees must always remain cognizant of their broader responsibilities as detailed in the *Congregational Board of Trustees Handbook 2004*, as modified, where applicable in the 2013 revision of the UCC Manual.

3. Policy Statement

BCUC's Board of Trustees shall:

- a) Maintain adequate levels of property and liability insurance for properties held in trust for the Congregation's use and benefit;
- b) Manage the BCUC Memorial Endowment Trust in accordance with: the Trust's bylaws and management practices. The governance of the Trust is set out in three documents (copies of these documents are available in the BCUC Office):
 - the Declaration of Trust (Trust Deed)

- the Trust's By-laws; and
 - the Trust's Management Policies
- c) Fulfill BCUC's responsibilities concerning the Bells Corners Union Cemetery, including the appointment of suitable representatives to the three positions held by BCUC on the Cemetery Board;
- d) From time to time, and at least once a year, review the responsibilities of a congregation's Board of Trustees as given in the *Congregational Board of Trustees Handbook 2004* (The United Church of Canada) to ensure that all these responsibilities are being met at BCUC either through the program of BCUC's Board of Trustees or through one or more of BCUC's other committees or groups.

4. Scope

This policy applies to BCUC's real property (land, buildings) and personal property, including chattel and the BCUC Memorial Endowment Trust.

All Trustees, the chair of the Church Board and the chairs of the Property Management, Financial Management and Stewardship committees are to be made aware of the policy. Records, both hard copy and electronic, are to be maintained in accordance with directives and guidelines provided in *The Manual* of the United Church of Canada, the policies of Church Council or Presbytery, and procedures established by the Board of Trustees.

5. Procedures

a) Insurance:

i) **Action: Arrange for and maintain property and liability insurance.**

The Trustees are required to obtain property and liability insurance. In November 2013, the BCUC insurance was placed with Ecclesiastical Insurance, through the Ottawa broker, Rhodes and Williams Limited. The liability coverage includes a Directors and Officers policy, and coverage for possible allegations of physical, sexual, mental or financial abuse. If an incident, or possible incident occurs, or may have occurred for which insurance coverage may be applicable, an Incident Report must be prepared and submitted to the broker immediately. In the event that the incident involves a minor, a report to law enforcement is advised. (More reporting details are included in the binder (Trustees, Insurance-Risk Management).

From time to time, a special activity may be proposed by a BCUC committee or group. Some of the activities proposed may have a 'higher than normal' level of risk associated with them (e.g., a canoeing/camping weekend for youth). The Board of Trustees must ensure that BCUC's committees or groups are instructed to inform the Trustees of such 'higher risk' proposals. When so informed, the Trustees should seek advice from the broker to confirm whether or not the activity would be covered by BCUC's existing insurance plan. In cases where the activity would not be covered by the Plan, a special policy may be purchased to cover the specific event or activity.

ii) Action: Third Party Insurance

The Trustees, in consultation with Property Management must ensure that third parties who rent and/or use BCUC's facilities carry sufficient insurance to cover any liabilities that may arise from the activities they conduct on BCUC's premises.

Property Management Committee incorporates in all agreements signed with third parties for the use and/or rental of BCUC facilities, a clause in which the third party:

- declares its insurance coverage; and
- commits to provide BCUC with proof of its insurance by submitting to BCUC, a certificate of insurance issued by the third party's insurance broker.

Copies of all such certificates are to be filed in the Board of Trustees' file in the Church Office.

If a third party that wishes to rent or use BCUC's facilities does not have insurance coverage for the kind of activity it proposes to conduct on BCUC premises, Property Management should inform the Trustees. Trustees can assist the third party to obtain the needed insurance coverage.

b) BCUC Memorial Endowment Trust**i) Action: Manage the BCUC Endowment Trust.**

The Trust is managed by the Board of Trustees in accordance with the policies outlined in the documents entitled, *Bells Corners United Church Declaration Of Trust (The BCUC*

Memorial Endowment Trust), *Bells Corners United Church Memorial Endowment Trust By-Laws*, and *Bells Corners United Church Memorial Endowment Trust Management Policies*. These were Annexes A, B and C, respectively, of the Resolution to establish a BCUC Endowment Trust, which was adopted at the Congregational Meeting of Feb. 21, 2006.. Annexes A, B, C were amended by Trustees on Sept. 19, 2013, and approved by the Church Board on December 11, 2013. The Declaration of Trust was ratified by the Congregation on March 2, 2014 (copies of these documents are available in the BCUC Office). Two accounts are maintained for the Trust: a bank account at the TD Canada Trust Branch at 245 Stafford Rd W, Nepean, for cash deposits, and an investment account with Fiera Sceptre Funds, Toronto, ON.

ii) Action: Audit.

The Trust must be audited annually. This is to be done in conjunction with the audits ordered by the Financial Management Committee ("External Financial Audits in the *BCUC Policy & Guidelines Manual*). An annual report on the Trust's performance is also to be prepared for inclusion in the BCUC Annual Report.

c) Bells Corners Union Cemetery:

Implement the provisions described in the BCUC Policy Document entitled "Bells Corners Union Cemetery," in this binder (*BCUC Policy & Guidelines Manual*). The

provisions include, but are not limited to, the following measures:

- Ensure that BCUC appoints suitable representatives to the three positions the Congregation holds on the Bells Corners Union Cemetery Board;
- Ensure that appropriate insurance for the cemetery is maintained. At present, coverage is provided by Christ Church through a blanket policy obtained through the Anglican Diocese. Note: Insurance industry practices dictate that a given property can be insured by only one party
- Monitor the activities of the Cemetery Board and inspect the condition of the Cemetery from time to time;
- Receive and review the Annual Report (including financial statements) of the Cemetery Board and submit the report for inclusion in the BCUC Annual Report.

d) Annual Report:

The Trustees prepare an annual report covering all activities conducted under the Board of Trustees' mandate. The report is prepared on a schedule that permits it to be published in BCUC's Annual Report.

6. Roles/Responsibilities

The central responsibility for managing the Board of Trustees mandate rests with the chair of the Board of Trustees.

An investment committee of the Board oversees the Trust's investments. The committee may undertake to make its own investment recommendations, or it may choose to place the Memorial Fund assets with an appropriate investment fund company. Such recommendations must be approved by the full Trustee Board.

The Stewardship Committee is responsible for promoting the Memorial Endowment Trust (Reference: resolution to establish a BCUC Memorial Endowment Trust, Annex C, Management Policies, Section 9, Promotion of Gifting Opportunities).

The Chair of Trustees carries the responsibility for the procurement of appropriate property damage and liability insurance. In addition, Trustees must maintain an oversight or monitoring function to ensure that appropriate risk management practices are carried out by the various BCUC operating committees.

The chair of the Bells Corners Union Cemetery Board is responsible for:

- keeping BCUC's Board of Trustees apprised of the Cemetery Board's activity,
- providing the Trustees with the Cemetery Board's Annual Report, and
- bringing any issues of concern regarding the Cemetery to the attention of the Trustees .

The assistance of Church Office Staff is vital in generating, disseminating and filing documents.

The Board of Trustees is responsible for maintaining this policy.

7. Definitions

- a) **Trust:** In general, a trust is a relationship in which one person holds title to property, subject to an obligation to keep or use the property for the benefit of another.
- b) **Memorial Endowment Fund:** an investment fund in which the capital remains intact and only the income generated (all or part) is distributed to the Church.
- c) **Third Parties:** organizations or groups who are independent and separate from BCUC.

8. References

- a) Policies pertaining to Financial Management, Directed Funds, Property Management and Stewardship, Chairs, Board of Trustees and Stewardship, Bells Corners Union Cemetery and Church Council in the *BCUC Policy and Guidelines Manual*.
- b) *BCUC Handbook*, Terms of Reference for the Board of Trustees
- c) *The Manual of the United Church of Canada*, Sections 250-262
- d) *Congregational Board of Trustees Handbook 2004*, The United Church of Canada
- e) *Resolution to establish a BCUC Endowment Trust* adopted at the BCUC Congregational Meeting of Feb. 21, 2006.

9. Approval authority: Church Board

10. Reviewed: The Board of Trustees: December 24, 2014

Approved: Church Board: June 26, 2015

Replaces: October 2008