



**ACT2 (ABERDEENSHIRE CHARITIES TRUST)**

**THURSDAY, 18 NOVEMBER, 2021, at 12 NOON  
(OR AT THE CONCLUSION OF THE FULL COUNCIL MEETING, WHICHEVER IS THE  
LATER)**

Your attendance is requested at a meeting of the ACT2 (ABERDEENSHIRE CHARITIES TRUST) to be held by SKYPE on THURSDAY, 18 NOVEMBER, 2021, at 12 NOON (OR AT THE CONCLUSION OF THE FULL COUNCIL MEETING, WHICHEVER IS THE LATER).

This meeting will be live streamed and a recording will be made publicly available at a later date.

10 November, 2021

Director of Business Services

**Contact Person:-**

**Ann Riddell**

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**Email:- [ann.riddell@aberdeenshire.gov.uk](mailto:ann.riddell@aberdeenshire.gov.uk)**

**NOTICE AND AGENDA OF  
ANNUAL GENERAL MEETING OF ACT2  
(ABERDEENSHIRE CHARITIES TRUST) SC045539**

**THURSDAY 18 NOVEMBER, 2021 AT 12 NOON (OR TO FOLLOW COUNCIL  
MEETING)**

**VIRTUAL MEETING**

1. Sederunt and Declaration of Members' Interests.
2. Resolution - Public Sector Equality Duty

Consider, and if so decided, adopt the following resolution:-

- (1) to have due regard to the need to:-
    - (a) eliminate discrimination, harassment and victimisation;
    - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
    - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
  - (2) where an Integrated Impact Assessment is provided, to consider its contents and take those into account when reaching a decision.
3. Minute of Meeting of ACT2 of 16 January, 2020. **(Pages 4 - 5)**
  4. Aberdeenshire Charities Trust (ACT2) - Annual Updates 2019/20 and 2020/21 - Report by Director of Business Services **(Pages 6 - 33)**
  5. Revisals to Charities Management Plan **(Pages 34 - 67)**

## **PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS**

### **What is the duty?**

In making decisions on the attached reports, Members are reminded of their legal duty under section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

### **How can Members discharge the duty?**

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision.

However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals.

How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

### **What does this mean for Committee/Full Council decisions?**

Members are directed to the section in reports headed ‘Council Priorities, Implications and Risk’. This will indicate whether or not an Integrated Impact Assessment (IIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is.

An IIA will be appended to a report where it is likely, amongst other things, that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an IIA is required. If one is not required, the report author will explain why that is.

Where an IIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link:-

[http://www.equalityhumanrights.com/uploaded\\_files/EqualityAct/psed\\_technical\\_guidance\\_scotland.doc](http://www.equalityhumanrights.com/uploaded_files/EqualityAct/psed_technical_guidance_scotland.doc)

## ACT2 (ABERDEENSHIRE CHARITIES TRUST)

WOODHILL HOUSE, ABERDEEN, 16 JANUARY, 2020

**Present:** Councillors K Adam, W Agnew, D Aitchison, A Allan, P Argyle, N Baillie, D Beagrie, L Berry, A Bews, G Blackett, R Bruce, C Buchan, M Buchan, S Calder, G Carr, R Cassie, J Cox, I Davidson, S Dickinson, E Durno, A Evison, M Ewenson, M Findlater, M Ford, A Forsyth, P Gibb, J Gifford, A Hassan, W Howatson, J Hutchison, M Ingleby, J Ingram, P Johnston, A Kloppert, A Kille, J Latham, S Leslie, D Lonchay, A McKelvie, D Mair, I Mollison, G Owen, C Pike, G Reid, D Robertson, A Ross, M Roy, A Simpson, N Smith, S Smith, A Stirling, I Sutherland, I Taylor, B Topping, I Walker, L Wilson, R Withey and J Whyte.

**Apologies:** Councillors A Buchan, A Duncan, A Fakley, V Harper, F Hood, R McKail, H Partridge, G Petrie (maternity leave), G Reynolds, H Smith, R Thomson and A Wallace

**Officers:** Chief Executive, Director of Business Services, Head of Finance, Head of Legal and Governance, and Principal Committee Services Officer.

### CHAIR

Councillor W Howatson, Provost of the Council, presided.

#### 1. DECLARATION OF MEMBERS' INTERESTS

The Provost asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Blackett declared an interest in Item 4 as her husband was the Chair of Braemar Community Limited, one of the applicant's for funding previously determined by the Marr Area Committee, and having applied the objective test concluded that the interest was not clear and substantial and would remain and participate in the meeting.

#### 2. PUBLIC SECTOR EQUALITY DUTY

In making decisions on the following items of business, the Council **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.



### 3. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of ACT2 (Aberdeenshire Charities Trust) of 27 September, 2018, had been circulated, was **approved** as a correct record, and thereafter signed by the Chair.

#### 4. ACT2 (ABERDEENSHIRE CHARITIES TRUST) - ANNUAL UPDATE 2018/19

With reference to the Minute of Meeting of the Trust of 27 September, 2018 (Item 3), there had been circulated a report dated 9 October, 2019 by the Director of Business Services seeking Members views on how the trust funds had been accessed from 1 April, 2018 to 30 September, 2019 and providing a breakdown of all applications received by Area Committees during that period, along with amounts awarded and a note of the charitable purpose under which they were awarded, as detailed in Appendix 1 of the report. The report advised (1) that there had been an increase in applications over the reporting period during which 11 applications had been received resulting in awards totalling £11,800, (2) that officers would continue to promote the availability of the trust funds where appropriate, and (3) that future applications for the fund specifically designated for war wounded personnel should be dealt with by the Business Services Committee, on the basis that this was a cross Aberdeenshire fund and not specific to an Area.

The Trust **agreed**:

- (1) to note the ACT2 applications made to and determined by Area Committees from 1 April, 2018 to 30 September, 2019 as detailed in Appendix 1 of the report;
- (2) to delegate any decision making in respect of the ACT2's fund for support for those wounded by war to the Business Services Committee of Aberdeenshire Council; and
- (3) that further updates on the operation of ACT2 be presented to the Trust as appropriate.

## REPORT TO ABERDEENSHIRE CHARITIES TRUST (ACT 2) – 18 November 2021

### ANNUAL UPDATES

#### 1 Reason for Report / Summary

- 1.1 The report provides the Trustees with an update in respect of the ACT 2 applications which were made during the 2019/20 and 2020/21 financial years (1<sup>st</sup> April to 31<sup>st</sup> March). It also provides an update for the current financial year until the end of September 2021.

#### 2 Recommendations

The Trustees are recommended to:

- 2.1 **Note the addition of the new Specific Fund to Ward 9 as set out in Appendix 1 to this Report.**
- 2.2 **Consider the ACT 2 applications determined in both the 2019/20 and 2020/21 financial years, details of which can be found in Appendices 2 and 3 to this report.**
- 2.3 **Note the position in terms of the ACT 2 applications which have been received in this financial year up until the end of September 2021, details of which can be found in Appendix 4 to this report.**
- 2.4 **Agree that the Specific Funds for Wards 14 and 17 be closed on the basis that there is no capital or revenue in the Funds to allow payments to be made.**
- 2.5 **Consider what action to take, if any, in respect of Funds that are close to being exhausted as set out in the table listed at 4.1 of this report**
- 2.6 **Request a further update on the operation of ACT 2 as appropriate.**

#### 3 Purpose and Decision-Making Route

- 3.1 The ACT2 Management Plan was approved on the 9<sup>th</sup> of March 2017. In terms of this Management Plan, the Trustees are to receive an annual report which details both the Trust's financial position as well as a note of the applications received within the past financial year.
- 3.2 We would advise that, due to the impact of the coronavirus pandemic and the effect that this has had on resources, no report was produced in respect of the 2019/20 financial year. To address this, this report contains the information in respect of the last two financial years (2019/20 and 2020/21). Trustees are therefore asked to consider how funding has been allocated during the period covered by this report.
- 3.3. Officers are committed to ensuring that the Management Plan is followed and will take steps to ensure that this report is presented to the Trustees on an annual basis moving forward.

#### 4 Discussion

##### Financial Position

- 4.1 **Appendices 2 and 3** set out the financial position of the Trust for the financial years 2019/20 and 2020/21. The current financial position is as set out in **Appendix 4** to this report.

### Donations Received

- 4.2 An anonymous donation was received, totaling £8,122.23, to be used in Ward 9 for the following purpose: “*The advancement of the arts, heritage, culture or science*”.

This does not require an amendment to the Trust Deed as the purpose is set out within the existing Trust Deed. It does require an amendment to the Charities’ Management Plan, the review of which is the subject of a separate report to be considered at this meeting. For the sake of completeness, this new Specific Fund has been included in the information listed in **Appendix 1** to this report.

### Exhausted Funds/Funds Close to Exhaustion

- 4.3 Some of the Funds have now been exhausted or are close to being exhausted should an application be received. These are listed in the undernoted table. The Trustees may wish to consider the current position when making decisions in respect of these funds:

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance	Total
B&B	2	<i>Public Participation in Sport</i>	£1,197.33	£100.00	£1,297.33
B&B	3	<i>Any other ACT 2 purpose</i>	£980.76	£0.00	£980.76
B	5	Prevention or relief of poverty	£220.63	£464.20	£684.83
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage			
G	10	Prevention or relief of poverty	£220.36	£0.00	£220.36
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage			
M	14	Advancement of education	£0.00	£0.00	£0.00
M	16	Prevention or relief of poverty	£107.76	£0.00	£107.76
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage			
K&M	17	Prevention or relief of poverty	£0.00	£0.00	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage			
K&M	18	Prevention or relief of poverty	£192.59	£0.00	£192.59
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage			

Please Note: The financial position stated in the table above reflects the position as at 30.09.21 – Details in terms of the balance of all funds within ACT2 can be found within Appendix 4.

- 4.3.1 We recommend that the Trustees close the Funds for Wards 14 and 17 on the basis that there are no capital funds to generate revenue and no revenue remains, therefore funds cannot be paid out if an application is made to the Fund. Should funding become available for those Wards in the future, for purposes covered by the Fund, these Specific Funds can be re-established by revising the terms of the Charities Management Fund in the same way as set out in Section 4.2 above.
- 4.3.2 We recommend the Trustees should consider whether to award applications for funding for the remaining Wards listed in the above table in full or in part. Any Funds fully

depleted will be included in the next annual report with a recommendation that they be closed, and the Charities Management Plan revised accordingly, so that we can advise the public that there are no funds that can be applied for in those Wards.

## **Funds**

4.4 There are two distinct type of funds which may be accessed by individuals and organisations under ACT 2:

### 4.4.1 **Aberdeenshire-Wide Funds**

This funding is available to all residents within Aberdeenshire irrespective of where they live. The funds falling under this category offer financial assistance to 'War-Wounded Personnel' and individuals who require to access our 'Care and Repair Service'.

Applications submitted in respect of the 'War-Wounded Personnel' fund are determined by the Trustees who sit on our Business Services Committee. This decision-making process has been in place since this was agreed on 16/01/2020. Prior to this date these applications would have been determined at Area Committee.

Applications submitted in terms of the 'Care and Repair Services' fund are considered by our Housing Service as part of their process when looking to provide individuals with assistance under their Care and Repair Service.

### 4.4.2 **Area Specific Funds**

This funding is only available to individuals who reside in, or have a connection in respect of, the specific Ward to which the fund relates. The funds which are available vary from Ward to Ward and can cover numerous purposes ranging from the "*relief of poverty*" to the "*advancement of public participation in sport*". A table detailing the funds available can be found in **Appendix 1** to this report.

Applications in respect of these funds are considered and determined by the Trustees sitting on the Area Committee relevant to the application. This is done to ensure that the decision is taken at local level, complimenting both the ethos and structure of ACT 2.

The minimum and maximum level of grants available for each fund are determined by the Trustees at Area Committee level. This is done following consideration of Finance's annual report detailing the financial position of each fund within their Area. This process ensures that the applicable levels are reviewed on a regular basis. A table detailing the current levels can be found in **Appendix 1** to this report.

### **Applications Received:**

4.5 A breakdown of the applications received in respect of both fund types can be found within **Appendices 2, 3 and 4** to this report.

By way of a summary:

### 4.5.1 **Aberdeenshire-Wide Funds**

In previous years this financial information has not specifically been reported.

We have however taken steps to ensure that this information is reported to the Trustees moving forward so that they are fully aware of how all ACT2 funds are being accessed.

- 2019/20 We received 0 applications in respect of these funds.
- 2020/21 We received 0 applications in respect of these funds.
- 2021/22 We received 0 applications in respect of these funds up until the end of September 2021.

We hope to address the lack of applications in respect of these funds through forming appropriate links and direct promotion. We have therefore contacted appropriate officers within the Council who work with Veteran Organisations and also those who operate our Care and Repair Service with a view to identifying those who may be in need and to establish other avenues for promotion.

#### 4.5.2 Area Specific Funding

##### **Applications Received**

ACT 2 - Applications Received			
Financial Year	2019/20	2020/21	2021/22 (To 30.06.21)
Received	23	20	7

Area	B&B	B	F	G	K&M	M
2019/20	1	0	4	4	2	12
2020/21	1	0	1	0	8	10
2021/22 (To 30.06.21)	0	0	0	0	1	6
Please Note. A breakdown of this information by Ward is available in Appendices 2,3 and 4 to this report.						

There has been a substantial increase in applications received since the end of the 2018/19 (4 applications received) and this would seem to point to a greater awareness of ACT 2 across Aberdeenshire.

There was a slight fall in applications in the 2020/21 financial year (from 23 to 20). We believe that this may, in part, be down to the ongoing coronavirus pandemic and the availability of other assistance to those in need such as the Scottish Welfare Fund.

As can be seen from the table above, funds have been accessed in all areas apart from Buchan. This has been the case now for the last 4 financial years and may be down to the low level of funding available for the Area (2018/19 – *combined fund balance for Wards 4 and 5 amounted to £2,846.88*). The Buchan Area Manager is aware of this position and remains committed to raising the profile of ACT 2 within their area to ensure that those who need help are aware of, and are able to seek, funding.

As with previous years, most of the applications received within the 2019/20 and 2020/21 financial years were received in Marr. It is clear that those within Marr have a good level of awareness in terms of ACT 2 and the Trust Purposes and there may be some learning which can be taken from this to help stimulate further interest amongst the other Areas of Aberdeenshire.

As of 30<sup>th</sup> September 2021 we had received 7 ACT 2 applications and although this seems low, we believe that this number will continue to increase in this current financial year as the recovery stages of the pandemic begin and the horizon becomes clearer in terms of the effect which the pandemic has had on individuals, organisations and the needs of our communities.

It is, however, important that officers and Trustees continue to promote ACT 2 whenever possible to ensure that a good level of applications is maintained, especially within areas

which have a low uptake as access to these funds may be of great benefit to those in need and the communities we serve.

## Nature of Applications

ACT 2 - Applications Submitted by						
Financial Year	2019/20		2020/21		2021/22 (To 30.06.21)	
Individuals	9	39.13%	7	35.00%	2	28.57%
Organisations	14	60.87%	13	65.00%	5	71.43%
<i>Please Note. A breakdown of this information by Area is available in Appendices 2,3 and 4 to this report.</i>						

The bulk of the ACT 2 applications received have been from organisations which perhaps shows that they have a greater awareness of the Trust.

We have seen a couple of trends in terms of the applications made by organisations such as a movement by some to seek funding on an annual basis, often for different projects, and an increase in the number of organisations who are applying for funding within multiple Wards within the same financial year. This is within the rules of ACT2 as applicants are only prevented from making more than one application per Ward in each financial year. Evidence of these trends can be found within **Appendices 2, 3 and 4** to this report.

We are currently looking at other ways to promote the Trust and one of these will involve direct correspondence with Council Services in the hope that this will increase knowledge of ACT 2 and the funding available and help them promote this amongst their service users who may benefit from the funding available.

## Applications by Trust Provisions

Applications by Trust Provisions			
Financial Year	2019/20	2020/21	2021/2022
Prevention or relief of poverty	2	3	1
Advancement of education	2	2	1
Advancement of health	2	3	0
Advancement of citizenship and community development	1	1	1
Advancement of the arts, heritage, culture or science	4	4	0
Advancement of public participation in sport	2	0	0
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	0	0	0
Advancement of environmental protection improvement.	0	0	0
Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.	10	7	4

As to be expected, the majority of the ACT 2 applications received relate to the 'general purpose' i.e. '*Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage*'. This, we believe, is largely down to its wide-ranging nature which crosses over into some of the other Trust Purposes within ACT 2 (e.g. poverty, health and disadvantage) and the fact that this applies in each Ward covered by ACT 2.

The second highest level of applications received relates to the '*Advancement of the arts, heritage, culture or science*' and, again, this is largely down to the relatively wide-ranging nature of this Trust Purpose as well as Aberdeenshire's heritage when it comes to the areas which this covers.

We have received no applications in respect of two of the ACT 2 Trust Purposes as can be seen in the table above. As stated previously, we are currently looking at other ways to promote ACT 2 and we hope to identify and develop effective leads within the Council who

are able to promote the Trust to both individuals and organisations who may benefit from funding in the hope that this stimulates further applications and from different fields e.g. environmental projects.

It may well be that as we move through the recovery stages of the current pandemic, we see changes in terms of the type of application being made but it is likely that those relating to poverty and health will remain at the forefront.

The variety and nature of the applications which have been granted under the Trust is testament to the flexibility of ACT 2 and evidences the pro-active and supportive stance adopted by the Trustees when determining applications. Further details in respect of the applications received, including the nature of the funding sought, can be found within **Appendices 2, 3 and 4** to this report.

### Application Success Rate

Decisions Made			
Granted	22	20	6
Refused	1	0	1
Applicant Success Rate	95.65.00%	100.00%	85.71%
Total of All Awards Made	£19,564.50	£17,657.50	£5,467.67

As with previous financial years, the application success rate remains high, again evidencing the pro-active and flexible stance taken by the Trustees when determining these applications.

In terms of the period covered by this request only 2 requests have been refused and details in respect of these are detailed below:

2019/20      Garioch (Ward 12) – An Individual sought funding to purchase a freezer and food to support their ongoing medical condition (*Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage*). The Trustees sympathised but felt that the applicant's needs would be better met through the involvement and support of other agencies. The Trustees therefore instructed officers to contact the applicant with a view to identifying the individual's specific needs. This was done and the matter was referred to the Council's Social Work Department with a view to ensuring that the applicant receives the assistance and support needed moving forward.

During the consideration of this application the Trustees commented that they felt that changes needed to be made to the current application process to ensure that sufficient information was available to them at the outset to make a decision. The current application process does allow officers, on receiving an application, to seek further information from applicants if they feel that there is a lack of detail, or that further information is required to support the application put forward. This option is also available to the Trustees as part of the decision-making process which allows a case to be deferred for this very reason. The Trustees also felt that there should be increased governance around spend and steps should be taken to ensure that allocated funding is spent in line with the application received, particularly in respect of awards made to individuals. At present the current provisions allow officers to conduct a spot check in terms of this. This process is something which could be formalised moving forward.

As a result of the above comments, officers have undertaken to review the current ACT 2 process and the forms used with a view to address the Trustees' concerns. It is likely that this review will take some time to complete.

Officers remain committed to undertaking this review whilst, at the same time, supporting the current process to ensure that those in need are able to access ACT 2 funding in an efficient and simple manner.

Any changes in terms of the process will need to be carefully balanced to ensure that this does not become over burdensome on applicants and that the process adopted remains sound.

2021/22 Marr (Ward 15) – An organisation applied for grant funding to assist with costs for the continuation of a Development Officer Post in respect of the development of 15 low carbon affordable homes for rent within the Ward (*Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage*). The Trustees considered the application and determined that that this did not fall directly within the Trust Purposes and the application was rejected.

Amendments have been made to the nature of this report to ensure that Trustees are provided with a fuller picture of how ACT 2 is operating. Additional information is given in respect of the applications received and more comprehensive statistics to provide a better overview of performance. This is something which we plan to both take forward and improve on in the coming years.

**Ritchie Johnson**  
**Director of Business Services**

Report prepared by Lauren Cowie, Principal Solicitor (Governance)  
Date: 22nd October 2021

**List of Appendices:**

<b>Appendix 1</b>	ACT 2 – Funds / Trust Purposes / Minimum and Maximum Grant Levels.
<b>Appendix 2</b>	ACT 2 – Applications and Financial Position – 2019 / 2020.
<b>Appendix 3</b>	ACT 2 – Applications and Financial Position – 2020 / 2021.
<b>Appendix 4</b>	ACT 2 – Applications and Financial Position – As at 30/09/21.



APPENDIX 1

**ACT 2 – Funds / Trust Purposes / Minimum and Maximum Grant Levels**

**Aberdeenshire-Wide Funding**

Fund	Trust Purpose	Applicant	Minimum Grant	Maximum Grant
War-wounded personnel	Prevention or relief of poverty	Individual	None	None
		Organisation	None	None
	Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage	Individual	None	None
		Organisation	None	None
Care and repair service	Support for needy residents of care and repair service.	Individual	None	None

**Area Specific Funding**

Area	Ward	Trust Purpose	Applicant	Minimum	Maximum
B&B	1	Prevention or relief of poverty	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
	2	Prevention or relief of poverty	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Advancement of public participation in sport.	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
	3	Prevention or relief of poverty	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Advancement of education	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Advancement of health	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Advancement of community development	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Advancement of public participation in sport	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended		Individual	£100.00	£500.00	
		Organisation	£100.00	£1,000.00	
Advancement of environmental protection of improvement.		Individual	£100.00	£500.00	
		Organisation	£100.00	£1,000.00	
Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.	Individual	£100.00	£500.00		
	Organisation	£100.00	£1,000.00		

Area	Ward	Trust Purpose	Applicant	Minimum	Maximum
B	4	Prevention or relief of poverty	Individual	None	£500.00
			Organisation	None	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	None	£500.00
			Organisation	None	£1,000.00
	5	Prevention or relief of poverty	Individual	None	£500.00
			Organisation	None	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	None	£500.00
			Organisation	None	£1,000.00
F	7	Prevention or relief of poverty	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
	8	Advancement of the arts, heritage, culture, or science	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
	9 <sup>1</sup>	NEW - Advancement of the arts, heritage, culture or science	Individual	£100.00 (TBC)	£500.00 (TBC)
			Organisation	£100.00 (TBC)	£1,000.00 (TBC)
G	10	Prevention or relief of poverty	Individual	£25.00	£100.00
			Organisation	£25.00	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	£25.00	£100.00
			Organisation	£25.00	£1,000.00
	11	Prevention or relief of poverty	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
	12	Prevention or relief of poverty	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	£100.00	£500.00
			Organisation	£100.00	£1,000.00
K&M	17	Prevention or relief of poverty	Individual	None	£500.00
			Organisation	None	£1,000.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	None	£500.00
			Organisation	None	£1,000.00
	18	Prevention or relief of poverty	Individual	None	£500.00
			Organisation	None	£1,000.00
		Advancement of education	Individual	None	£500.00
			Organisation	None	£1,000.00
		Advancement of health	Individual	None	£500.00
			Organisation	None	£1,000.00
		Advancement of citizenship and community development	Individual	None	£500.00
			Organisation	None	£1,000.00
		Advancement of the arts, heritage, culture, or science	Individual	None	£500.00
			Organisation	None	£1,000.00
		Advancement of public participation in sport	Individual	None	£500.00
			Organisation	None	£1,000.00
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	Individual	None	£500.00		
	Organisation	None	£1,000.00		

<sup>1</sup> This is the new fund to be established by revisals recommended to the Charities' Management Plan, which is the subject of a separate report to this meeting, arising from an anonymous donation made to the Trust

Area	Ward	Trust Purpose	Applicant	Minimum	Maximum	
		Advancement of environmental protection or improvement	Individual	None	£500.00	
			Organisation	None	£1,000.00	
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	None	£500.00	
			Organisation	None	£1,000.00	
	19	Prevention or relief of poverty	Individual	None	£500.00	
			Organisation	None	£1,000.00	
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	None	£500.00	
			Organisation	None	£1,000.00	
M	14	Prevention or relief of poverty	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Advancement of education	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Advancement of health	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Advancement of citizenship and community development	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Advancement of the arts, heritage, culture, or science	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Advancement of environmental protection or improvement	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	£100.00	£500.00	
			Organisation	£100.00	£2,000.00	
		15	Prevention or relief of poverty	Individual	£100.00	£500.00
				Organisation	£100.00	£1,000.00
			Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual	£100.00	£500.00
				Organisation	£100.00	£1,000.00
		16	Prevention or relief of poverty	Individual	£100.00	£500.00
				Organisation	£100.00	£1,000.00
			Advancement of the arts, heritage, culture, or science	Individual	£100.00	£500.00
				Organisation	£100.00	£1,000.00
Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Individual		£100.00	£500.00		
	Organisation		£100.00	£1,000.00		

## APPENDIX 2

## ACT 2 – Applications and Financial Position - 2019 / 2020

## Aberdeenshire-Wide Funding

- War-wounded personnel
- Care and repair service

## Summary:

No applications in respect of these funds were received.

## Area Specific Funding

## Application Details:

Area	Ward	Date	Applicant	Purpose	Summary	Award
B&B	2	18.06.19	Rosehearty Bowling Club	Advancement of public participation in sport	Funding to provide proper and safe storage of bowling equipment used by any disabled visitors and members.	£580.00
B	N/A	N/A	N/A	N/A	N/A	N/A
F	7	02.07.19	Garioch Community Kitchen	Prevention of relief of poverty	Funding to help deliver 'Eat Well for Less in Turriff' sessions, aimed at those who are struggling financially due to rising food costs.	£1,000.00
F	7	10.12.19	Turriff United Youth FC	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding to help set up a Hardship Fund so that players at the club and their families are able to access funds to help them participate e.g. to buy boots, shinpads and equipment.	£1,000.00
F	8	03.09.19	Tarves Youth Hall Project Group	Advancement of the arts, heritage, culture or science	Funding to assist with the renovation of Tarves Youth Hall.	£1,000.00
F	8	21.01.20	Individual	Advancement of the arts, heritage, culture or science	Funding to assist with meeting the costs of attending the National Youth Orchestra of Scotland.	£500.00
G	11	12.11.19	Individual	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding for shed to house applicant's mobility scooter.	£500.00
G	11	04.02.20	Inverurie Scout Group	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding to provide a 4 year fully funded place within their Scout Group to an individual who would not otherwise be able to take up this opportunity due to financial reasons.	£624.50
G	12	25.02.20	Individual	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding for a freezer and the purchase of food.	No Award
G	12	17.03.20	Individual	Relief of those in need by reason of age, ill-health, disability, financial	Funding for clothes and footwear for the applicant and their son. Paint to decorate their son's bedroom. Food to stock the	£500.00

Area	Ward	Date	Applicant	Purpose	Summary	Award
				hardship, or other disadvantage.	cupboards and freezer subject to receipts being received.	
K&M	18	02.07.19	Individual	Advancement of health	Funding for transport to and from Hayfield Riding Centre, Aberdeen for mother and child.	£500.00
K&M	18	29.10.19	Individual	Advancement of health	Funding for annual fee and travel costs to and from Glasgow for a Scottish Ballet Junior Associate.	£500.00
M	14	16.04.19	Alford Angling Association	Advancement of public participation in sport.	Funding to cover Association's share of the Fishery Board Assessment Fee.	£1,800.00
M	14	28.05.19	Craigievar Community and Hall Association	Advancement of citizenship and community development.	Funding to restore Caigievar Hall.	£2,000.00
M	14	18.06.19	Gordon Rural Action	Prevention or relief of poverty	Funding for updating textbooks and literature and promotion.	£2,000.00
M	14	05.11.19	Individual	Advancement of education	To support the applicant to undertake an MSc and Post Graduate Diploma.	£500.00
M	14	26.11.19	Individual	Advancement of education	To support the applicant with costs associated with her MSc Degree.	£500.00
M	15	05.11.19	South West Aberdeenshire Citizens Advice Bureau	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to support the continued provision of home visits to provide accessibility of service to their most vulnerable and isolated clients within Ward 15.	£840.00
M	15	31.03.20	Aboyne After School Club	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to assist with costs allowing them to offer accessible prices to fund staff training	£1,000.00
M	15	31.03.20	Individual	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to purchase a supportive chair, kitchen chair, clothes, shoes, travel for education and exercise (swimming) to assist with disability.	£500.00
M	16	05.11.19	South West Aberdeenshire Citizens Advice Bureau	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to support the continued provision of home visits to provide accessibility of service to their most vulnerable and isolated clients within Ward 16.	£720.00
M	16	31.03.20	Mesolithic Deeside	Advancement of the arts, heritage, culture, or science	Funding to start test pitting and analysis of a possible site of interest in Potarch	£1,000.00
M	16	31.03.20	Inchmarlo Village Hall	Advancement of the arts, heritage, culture, or science	Funding to purchase a sound / music system which could be used at events	£1,000.00
M	16	31.03.20	Banchory Trampoline and DMT Club (SCIO)	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to provide financial support to gymnasts competing out with Scotland	£1,000.00

Summary:

<b>Applications by Area:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Received	1	0	4	4	2	12	23
Proportion of Overall Applications Received	4.35%	0.00%	17.39%	17.39%	8.70%	52.17%	100.00%
<b>Applications by Type:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Individuals	0	0	1	3	2	3	9
	0.00%	N/A	25.00%	75.00%	100.00%	25.00%	39.13%
Organisations	1	0	3	1	0	9	14
	100.00%	N/A	75.00%	25.00%	0.00%	75.00%	60.87%
<b>Applications by Ward:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Ward 1	0	N/A	N/A	N/A	N/A	N/A	0
	0.00%	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 2	1	N/A	N/A	N/A	N/A	N/A	1
	100.00%	N/A	N/A	N/A	N/A	N/A	4.35%
Ward 3	0	N/A	N/A	N/A	N/A	N/A	0
	0.00%	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 4	N/A	0	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 5	N/A	0	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 7	N/A	N/A	2	N/A	N/A	N/A	2
	N/A	N/A	50.00%	N/A	N/A	N/A	8.70%
Ward 8	N/A	N/A	2	N/A	N/A	N/A	2
	N/A	N/A	50.00%	N/A	N/A	N/A	8.70%
Ward 10	N/A	N/A	N/A	0	N/A	N/A	0
	N/A	N/A	N/A	0.00%	N/A	N/A	0.00%
Ward 11	N/A	N/A	N/A	2	N/A	N/A	2
	N/A	N/A	N/A	50.00%	N/A	N/A	8.70%
Ward 12	N/A	N/A	N/A	2	N/A	N/A	2
	N/A	N/A	N/A	50.00%	N/A	N/A	8.70%
Ward 14	N/A	N/A	N/A	N/A	N/A	5	5
	N/A	N/A	N/A	N/A	N/A	41.67%	21.74%
Ward 15	N/A	N/A	N/A	N/A	N/A	3	3
	N/A	N/A	N/A	N/A	N/A	25.00%	13.04%
Ward 16	N/A	N/A	N/A	N/A	N/A	4	4
	N/A	N/A	N/A	N/A	N/A	33.33%	17.39%
Ward 17	N/A	N/A	N/A	N/A	0	N/A	0
	N/A	N/A	N/A	N/A	0.00%	N/A	0.00%
Ward 18	N/A	N/A	N/A	N/A	2	N/A	2
	N/A	N/A	N/A	N/A	100.00%	N/A	8.70%
Ward 19	N/A	N/A	N/A	N/A	0	N/A	0
	N/A	N/A	N/A	N/A	0.00%	N/A	0.00%
<b>Applications by Trust Purpose:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Prevention or relief of poverty	0	0	1	0	0	1	2
	0.00%	N/A	25.00%	0.00%	0.00%	8.33%	8.70%
Advancement of education	0	0	0	0	0	2	2
	0.00%	N/A	0.00%	0.00%	0.00%	16.66%	8.70%
Advancement of health	0	0	0	0	2	0	2
	0.00%	N/A	0.00%	0.00%	100.00%	0.00%	8.70%
Advancement of citizenship and community development	0	0	0	0	0	1	1
	0.00%	N/A	0.00%	0.00%	0.00%	8.33%	4.35%
Advancement of the arts, heritage, culture or science	0	0	2	0	0	2	4
	0.00%	N/A	50.00%	0.00%	0.00%	16.66%	17.39%
Advancement of public participation in sport	1	0	0	0	0	1	2

	100.00%	N/A	0.00%	0.00%	0.00%	8.33%	8.70%
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	0	0	0	0	0	0	0
	0.00%	N/A	0.00%	0.00%	0.00%	0.00%	0.00%
Advancement of environmental protection improvement.	0	0	0	0	0	0	0
	0.00%	N/A	0.00%	0.00%	0.00%	0.00%	0.00%
Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.	0	0	1	4	0	5	10
	0.00%	N/A	25.00%	100.00%	0.00%	41.67%	43.48%
<b>Decisions:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Awards	1	N/A	4	3	2	12	22
Refusals	0	N/A	0	1	0	0	1
Success Rate	100.00%	N/A	100.00%	75.00%	100.00%	100.00%	95.65%
<b>Funding Made Available:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Overall Total	£580.00	£0.00	£3,500.00	£1,624.50	£1,000.00	£12,860.00	£19,564.50

**Overall Financial Position (31.03.20)**

**Aberdeenshire-Wide Funding:**

Fund	Trust Purpose	Revenue Balance	Capital Balance
War-wounded personnel	Prevention or relief of poverty		
	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£9,593.76	£0.00
Care and repair service	Support for needy residents of care and repair service.	£36,564.97	£0.00

**Area Specific Funding:**

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
B&B	1	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage	£21,475.56	£35,435.26
	2	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£9,141.14	£34,012.75
		Advancement of public participation in sport.	£1,192.44	£100.00
	3	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	£96.06	£3,003.25
		Advancement of education		
		Advancement of health	£1,693.36	£0.00
		Advancement of community development		



Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
		Advancement of public participation in sport		
		Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended		
		Advancement of environmental protection of improvement.		
B	4	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£2,184.55	£0.00
	5	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£198.13	£464.20
F	7	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£624.39	£7,535.49
	8	Advancement of the arts, heritage, culture, or science	£613.49	£2,001.05
	9	NEW - Advancement of the arts, heritage, culture, or science	£8,122.23	£0.00
G	10	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£219.53	£0.00
	11	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£21,053.05	£69,270.34
	12	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£1,599.09	£4,173.92
K&M	17	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£487.67	£0.00
	18	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£1,457.08	£0.00
		Advancement of education		
		Advancement of health		
		Advancement of citizenship and community development		
		Advancement of the arts, heritage, culture, or science		
		Advancement of public participation in sport		
	Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	£4,287.00	£0.00	
19	Prevention or relief of poverty			
	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£85,375.31	£2,567.19	
M	14	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£21,967.76	£24,419.78
		Advancement of education	£0.00	£0.00
	14	Advancement of health		
		Advancement of citizenship and community development		
		Advancement of the arts, heritage, culture, or science		
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	£49,515.75	£17,663.02		



Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
		Advancement of environmental protection or improvement		
	15	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£5,185.00	£0.00
	16	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£2,885.93	£0.00
		Advancement of the arts, heritage, culture, or science	£2,646.82	£344.06

**ACT2 Balance as at 31.03.20**

Revenue Balance	Capital Balance	Total
<b>£288,180.07</b>	<b>£200,990.31</b>	<b>£489,170.38</b>

APPENDIX 3

**ACT 2 – Applications and Financial Position - 2020 / 2021**

**Aberdeenshire-Wide Funding**

- War-wounded personnel
- Care and repair service

**Summary:**

No applications in respect of these funds were received]

**Area Specific Funding**

**Application Details:**

Area	Ward	Date	Applicant	Purpose	Summary	Award
B&B	3	16.02.21	CPR Group C.I.C	Advancement of education, advancement of health and advancement of community development <sup>2</sup>	Funding of 'Family Wellbeing Pack' (Incl. Health / Wellbeing and Lifesaving Info) for the parents of all Primary 1 Children in Ward 3.	£719.00
B	N/A	N/A	N/A	N/A	N/A	N/A
F	8	08.12.20	Belhelvie Community Trust – The Sand Bothy	Advancement of the arts, heritage, culture, or science	Funding to assist with repairs to The Sand Bothy.	£1,000.00
G	N/A	N/A	N/A	N/A	N/A	N/A
K&M	18	09.06.20	Individual	Advancement of education	Funding for university course fees.	£200.00 Proportion of the overall funding sought <sup>3</sup>
K&M	18	01.09.20	Individual	Advancement of the arts, heritage, culture, or science	Funding for annual fee and travel costs to and from Glasgow for a Scottish Ballet Junior Associate.	£500.00
K&M	18	22.09.20	Individual	Advancement of education	Funding for textbooks and laptop to assist with 4-year university course.	£500.00
K&M	18	22.09.20	Individual	Advancement of health.	Funding for transport costs to and from Equestrian Centre in Stonehaven.	£500.00
K&M	18	27.10.20	Individual	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding to assist with payment of rent arrears due to the applicant's current rental accommodation being flooded.	£500.00
K&M	18	27.10.20	Individual	Prevention and relief of poverty	Funding for flood gate in respect of applicant's property.	£500.00
K&M	18	23.03.21	Sunrise Partnership	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding of 1:1 support sessions for school children who have suffered bereavement or are living in kinship / foster care or who have no contact with a close family member	£770.00

<sup>2</sup> Allocated to 'Advancement of health' for summary purposes.

<sup>3</sup> Treated as a successful application for summary purposes as funds were released.

Area	Ward	Date	Applicant	Purpose	Summary	Award
K&M	19	23.03.21	Sunrise Partnership	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding of 1:1 support sessions for school children who have suffered bereavement or are living in kinship / foster care or who have no contact with a close family member	£770.00
M	14	16.06.20	Gordon Rural Action	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding to assist with the development of a school uniform / supplies bank to assist those who are struggling financially	£2,000.00
M	14	16.06.20	Scottish Sculpture Workshop	Advancement of the arts, heritage, culture, or science	To cover the costs of assessments required in terms of the planning process with a view to supporting the proposal to upgrade the SSW site in Lumsden and create a centre of excellence.	£1,900.00
M	14	26.01.21	CPR Group C.I.C	Advancement of education and advancement of health <sup>4</sup>	Funding of 'Family Wellbeing Pack' (Incl. Health / Wellbeing and Lifesaving Info) for the parents of all Primary 1 Children in Ward 14.	£598.50
M	14	09.03.21	Huntly Business Association	Advancement of citizenship and community development.	Funding for development of an app / website to promote Huntly and District as well as the businesses therein.	£2,000.00
M	15	05.05.20	Individual	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding to help secure university accommodation in respect of the next academic year due to the effect of COVID-19 on the applicant's income and employment.	£500.00
M	15	09.03.21	Grace Church Family	Prevention or relief of poverty	Funding to assist with costs of running 'Restart Social Supermarket' (online supermarket for families on low income) and other partnership projects with CAP (Christians Against Poverty) – Life Skills (providing individuals with skills to help them survive on low income) and Fresh Start (supporting individuals to break life controlling addictions contributing to financial difficulties).	£1,000.00
M	16	03.11.20	Kincardine O'Neil School Parent Council	The prevention of relief of poverty, advancement of the arts, heritage, culture or science and relief of those in need by reason of age, ill-health, disability, financial	Funding for Library Upgrade Project - purchase of new books and learning resources and replacement of outdated resources	£1,000.00

<sup>4</sup> Allocated to 'Advancement of health' for summary purposes.

Area	Ward	Date	Applicant	Purpose	Summary	Award
				hardship, or other disadvantage <sup>5</sup> .		
M	16	26.01.21	Banchory Greenpower	Advancement of the arts, heritage, culture, or science	Funding of STEM Activities for Banchory Academy Students at no charge.	£1,000.00
M	16	16.02.21	Sunrise Partnership	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding of 1:1 support sessions for school children who have suffered bereavement or are living in kinship / foster care or who have no contact with a close family member	£700.00
M	16	09.03.21	Grace Church Family	Prevention or relief of poverty	Funding to assist with costs of running 'Restart Social Supermarket' (online supermarket for families on low income) and other partnership projects with CAP (Christians Against Poverty) – Life Skills (providing individuals with skills to help them survive on low income) and Fresh Start (supporting individuals to break life controlling addictions contributing to financial difficulties).	£1,000.00

**Summary:**

<b>Applications by Area:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Received	1	0	1	0	8	10	20
Area Received Proportion of Overall Applications Received	5.00%	0.00%	5.00%	0.00%	40.00%	50.00%	100.00%
<b>Applications by Type:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Individuals	0	0	0	0	6	1	7
	0.00%	N/A	0.00%	N/A	75.00%	10.00%	35.00%
Organisations	1	0	1	0	2	9	13
	100.00%	N/A	100.00%	N/A	25.00%	90.00%	65.00%
<b>Applications by Ward:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Ward 1	0	N/A	N/A	N/A	N/A	N/A	0
	0.00%	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 2	0	N/A	N/A	N/A	N/A	N/A	0
	0.00%	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 3	1	N/A	N/A	N/A	N/A	N/A	1
	100.00%	N/A	N/A	N/A	N/A	N/A	5.00%
Ward 4	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 5	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 7	N/A	N/A	0	N/A	N/A	N/A	0
	N/A	N/A	0.00%	N/A	N/A	N/A	0.00%
Ward 8	N/A	N/A	1	N/A	N/A	N/A	1
	N/A	N/A	100.00%	N/A	N/A	N/A	5.00%
Ward 10	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 11	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%

<sup>5</sup> Allocated to 'Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage' for summary purposes.

Ward 12	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 14	N/A	N/A	N/A	N/A	N/A	4	4
	N/A	N/A	N/A	N/A	N/A	40.00%	20.00%
Ward 15	N/A	N/A	N/A	N/A	N/A	2	2
	N/A	N/A	N/A	N/A	N/A	20.00%	10.00%
Ward 16	N/A	N/A	N/A	N/A	N/A	4	4
	N/A	N/A	N/A	N/A	N/A	40.00%	20.00%
Ward 17	N/A	N/A	N/A	N/A	0	N/A	0
	N/A	N/A	N/A	N/A	0.00%	N/A	0.00%
Ward 18	N/A	N/A	N/A	N/A	7	N/A	7
	N/A	N/A	N/A	N/A	87.50%	N/A	35.00%
Ward 19	N/A	N/A	N/A	N/A	1	N/A	1
	N/A	N/A	N/A	N/A	12.50%	N/A	5.00%

**Applications by Trust Purpose:**

Area	B&B	B	F	G	K&M	M	Overall
Prevention or relief of poverty	0	0	0	0	1	2	3
	0.00%	N/A	0.00%	N/A	12.50%	20.00%	15.00%
Advancement of education	0	0	0	0	2	0	2
	0.00%	N/A	0.00%	N/A	25.00%	0.00%	10.00%
Advancement of health	1	0	0	0	1	1	3
	100.00%	N/A	0.00%	N/A	12.50%	10.00%	15.00%
Advancement of citizenship and community development	0	0	0	0	0	1	1
	0.00%	N/A	0.00%	N/A	0.00%	10.00%	5.00%
Advancement of the arts, heritage, culture or science	0	0	1	0	1	2	4
	0.00%	N/A	100.00%	N/A	12.50%	20.00%	20.00%
Advancement of public participation in sport	0	0	0	0	0	0	0
	0.00%	N/A	0.00%	N/A	0.00%	0.00%	0.00%
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	0	0	0	0	0	0	0
	0.00%	N/A	0.00%	N/A	0.00%	0.00%	0.00%
Advancement of environmental protection of improvement.	0	0	0	0	0	0	0
	0.00%	N/A	0.00%	N/A	0.00%	0.00%	0.00%
Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.	0	0	0	0	3	4	7
	0.00%	N/A	0.00%	N/A	37.50%	40.00%	35.00%

**Decisions:**

Area	B&B	B	F	G	K&M	M	Overall
Awards	1	N/A	1	N/A	8	10	20
Refusals	0	N/A	0	N/A	0	0	0
Success Rate	100.00%	N/A	100.00%	N/A	100.00%	100.00%	100.00%

**Funding Made Available:**

Area	B&B	B	F	G	K&M	M	Overall
Overall Total	£719.00	£0.00	£1,000.00	£0.00	£4,240.00	£11,698.50	£17,657.50

**Overall Financial Position (31.03.21)****Aberdeenshire-Wide Funding:**

Fund	Trust Purpose	Revenue Balance	Capital Balance
War-wounded personnel	Prevention or relief of poverty	£9,630.03	£0.00
	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		

Fund	Trust Purpose	Revenue Balance	Capital Balance
Care and repair service	Support for needy residents of care and repair service.	£36,703.19	£0.00

**Area Specific Funding:**

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
B&B	1	Prevention or relief of poverty	£21,690.70	£35,435.26
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	2	Prevention or relief of poverty	£9,304.27	£34,012.75
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
		Advancement of public participation in sport.		
	3	Prevention or relief of poverty	£730.72	£2,380.31
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.		
		Advancement of education	£980.76	£0.00
		Advancement of health		
		Advancement of community development		
		Advancement of public participation in sport		
		Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended		
Advancement of environmental protection of improvement.				
B	4	Prevention or relief of poverty	£2,192.81	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	5	Prevention or relief of poverty	£200.63	£464.20
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
F	7	Prevention or relief of poverty	£659.02	£7,535.49
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	8	Advancement of the arts, heritage, culture, or science	£619.59	£2,001.05
	9	NEW- Advancement of the arts, heritage, culture, or science	£8,122.23	£0.00
G	10	Prevention or relief of poverty	£220.36	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	11	Prevention or relief of poverty	£21,394.49	£69,270.34
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	12	Prevention or relief of poverty	£1,620.91	£4,173.92
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
K&M	17	Prevention or relief of poverty	£489.51	£0.00

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	18	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£192.59	£0.00
		Advancement of education		
		Advancement of health		
		Advancement of citizenship and community development		
		Advancement of the arts, heritage, culture, or science		
		Advancement of public participation in sport		
		Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended		
		Advancement of environmental protection or improvement		
	19	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£84,937.75	£2,567.19
M	14	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£19,044.62	£24,419.78
		Advancement of education	£0.00	£0.00
		Advancement of health		
		Advancement of citizenship and community development		
		Advancement of the arts, heritage, culture, or science		
		Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	£45,869.70	£17,663.02
		Advancement of environmental protection or improvement		
	15	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£2,704.60	£0.00
	16	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£1,096.84	£0.00
		Advancement of the arts, heritage, culture, or science	£1,658.13	£344.06

**ACT2 Balance as at 31.03.21**

Revenue Balance	Capital Balance	Total
<b>£273,364.99</b>	<b>£200,367.37</b>	<b>£473,732.36</b>

APPENDIX 4

**ACT 2 – Applications and Financial Position – As at 30.09.21**

**Aberdeenshire-Wide Funding**

- War-wounded personnel
- Care and repair service

**Summary:**

No applications in respect of these funds were received

**Area Specific Funding**

**Application Details:**

Area	Ward	Date	Applicant	Purpose	Summary	Award
B&B	N/A	N/A	N/A	N/A	N/A	N/A
B	N/A	N/A	N/A	N/A	N/A	N/A
F	N/A	N/A	N/A	N/A	N/A	N/A
G	N/A	N/A	N/A	N/A	N/A	N/A
K&M	17	31.08.21	Portlethen Larder and COVID Support	The prevention or relief of poverty.	Funding to help with the running of their service which supports those who are self-isolating or require assistance to access food and toiletries as a result of their financial position.	£489.51  Applicant sought £1,000 but the overall funds available for this Ward was £489.51.
M	14	16.06.21	Donside Community Council	The advancement of citizenship and community development.	Funding for development of an app / website to be used as a Community Hub allowing the communities within the Ward to engage and communicate aimed at assisting businesses, community groups, the community, and visitors to know what is going on in the area and to promote such activities in a convenient and effective way.	£2,000.00
M	14	28.09.21	Individual	Advancement of Education	Funding to assist with the costs of undertaking a Post Graduate Diploma in Organic Farming at SRUC.	£500.00
M	15	04.05.21	South West Aberdeenshire Citizens Advice Bureau	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding for the purchase of a laptop and mobile phone to increase capacity and assist with the delivery of their services to clients within Ward 15.	£989.08



Area	Ward	Date	Applicant	Purpose	Summary	Award
M	15	25.05.21	Braemar Community Ltd.	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to assist with the continuation of a development officer post in respect of the development of 15 low carbon, affordable homes for rent within the Ward.	No Award Deemed not to meet the Trust Purposes.
M	15	17.08.21	Individual	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	Funding to purchase a hoist allowing the individual to transfer themselves independently from their wheelchair to work equipment and vice versa.	£500.00
M	16	04.05.21	South West Aberdeenshire Citizens Advice Bureau	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.	Funding for the purchase of a laptop and mobile phone to increase capacity and assist with the delivery of their services to clients within Ward 16.	£989.08

**Summary:**

<b>Applications by Area:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Received	0	0	0	0	1	6	7
Area Received Proportion of Overall Applications Received	0.00%	0.00%	0.00%	0.00%	14.29%	85.71%	100.00%
<b>Applications by Type:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Individuals	0	0	0	0	0	2	2
	N/A	N/A	N/A	N/A	0.00%	33.33%	28.57%
Organisations	0	0	0	0	1	4	5
	N/A	N/A	N/A	N/A	100.00%	66.67%	71.43%
<b>Applications by Ward:</b>							
Area	B&B	B	F	G	K&M	M	Overall
Ward 1	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 2	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 3	0	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 4	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 5	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 7	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 8	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 10	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 11	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 12	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 14	N/A	N/A	N/A	N/A	N/A	2	2
	N/A	N/A	N/A	N/A	N/A	33.33%	28.57%
Ward 15	N/A	N/A	N/A	N/A	N/A	3	3
	N/A	N/A	N/A	N/A	N/A	50.00%	42.86%
Ward 16	N/A	N/A	N/A	N/A	N/A	1	1
	N/A	N/A	N/A	N/A	N/A	16.67%	14.29%
Ward 17	N/A	N/A	N/A	N/A	1	N/A	1
	N/A	N/A	N/A	N/A	100.00%	N/A	14.29%

Ward 18	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%
Ward 19	N/A	N/A	N/A	N/A	N/A	N/A	0
	N/A	N/A	N/A	N/A	N/A	N/A	0.00%

**Applications by Trust Purpose:**

Area	B&B	B	F	G	K&M	M	Overall
Prevention or relief of poverty	0	0	0	0	1	0	1
	N/A	N/A	N/A	N/A	100.00%	0.00%	14.29%
Advancement of education	0	0	0	0	0	1	1
	N/A	N/A	N/A	N/A	0.00%	16.67%	14.29%
Advancement of health	0	0	0	0	0	0	0
	N/A	N/A	N/A	N/A	0.00%	0.00%	0.00%
Advancement of citizenship and community development	0	0	0	0	0	1	1
	N/A	N/A	N/A	N/A	0.00%	16.67%	14.29%
Advancement of the arts, heritage, culture or science	0	0	0	0	0	0	0
	N/A	N/A	N/A	N/A	0.00%	0.00%	0.00%
Advancement of public participation in sport	0	0	0	0	0	0	0
	N/A	N/A	N/A	N/A	0.00%	0.00%	0.00%
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended	0	0	0	0	0	0	0
	N/A	N/A	N/A	N/A	0.00%	0.00%	0.00%
Advancement of environmental protection of improvement.	0	0	0	0	0	0	0
	N/A	N/A	N/A	N/A	0.00%	0.00%	0.00%
Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.	0	0	0	0	0	4	4
	N/A	N/A	N/A	N/A	0.00%	66.67%	57.14%

**Decisions:**

Area	B&B	B	F	G	K&M	M	Overall
Awards	N/A	N/A	N/A	N/A	1	5	6
Refusals	N/A	N/A	N/A	N/A	0	1	1
Success Rate	N/A	N/A	N/A	N/A	100.00%	83.33%	85.71%

**Funding Made Available:**

Area	B&B	B	F	G	K&M	M	Overall
Overall Total	£0.00	£0.00	£0.00	£0.00	£489.51	£4,978.16	£5,467.67

**Overall Financial Position (30.09.21)**

**Aberdeenshire-Wide Funding:**

Fund	Trust Purpose	Revenue Balance	Capital Balance
War-wounded personnel	Prevention or relief of poverty	£9,630.03	£0.00
	Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
Care and repair service	Support for needy residents of care and repair service.	£36,703.19	£0.00

**Area Specific Funding:**

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
B&B	1	Prevention or relief of poverty	£21,690.70	£35,435.26
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	2	Prevention or relief of poverty	£9,304.27	£34,012.75
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
		Advancement of public participation in sport.		
	3	Prevention or relief of poverty	£730.72	£2,380.31
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.		
		Advancement of education	£980.76	£0.00
		Advancement of health		
		Advancement of community development		
Advancement of public participation in sport				
Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended				
Advancement of environmental protection of improvement.				
B	4	Prevention or relief of poverty	£2,192.81	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	5	Prevention or relief of poverty	£200.63	£464.20
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
F	7	Prevention or relief of poverty	£659.02	£7,535.49
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	8	Advancement of the arts, heritage, culture, or science	£619.59	£2,001.05

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
	9	NEW - Advancement of the arts, heritage, culture, or science	£8,122.23	£0.00
G	10	Prevention or relief of poverty	£220.36	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	11	Prevention or relief of poverty	£21,394.49	£69,270.34
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	12	Prevention or relief of poverty	£1,620.91	£4,173.92
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
K&M	17	Prevention or relief of poverty	£0.00	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	18	Prevention or relief of poverty	£192.59	£0.00
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
		Advancement of education		
		Advancement of health		
		Advancement of citizenship and community development		
		Advancement of the arts, heritage, culture, or science		
		Advancement of public participation in sport		
	Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended			
	19	Prevention or relief of poverty	£84,937.75	£2,567.19
Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage				
M	14	Prevention or relief of poverty	£19,044.62	£24,419.78
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	Advancement of education	£0.00	£0.00	
	Advancement of health	£43,369.70	£17,663.02	
	Advancement of citizenship and community development			
	Advancement of the arts, heritage, culture, or science			
	Provision of recreational facilities, or the organisation of recreational activities, with the object of Improving the conditions of life for the persons for whom the facilities or activities are primarily attended			
	Advancement of environmental protection or improvement			
15	Prevention or relief of poverty	£1,715.52	£0.00	

Area	Ward	Trust Purpose	Revenue Balance	Capital Balance
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage		
	16	Prevention or relief of poverty		
		Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage	£107.76	£0.00
		Advancement of the arts, heritage, culture, or science	£1,658.13	£344.06

**ACT2 Balance as at 30.09.21**

Revenue Balance	Capital Balance	Total
<b>£268,397.32</b>	<b>£200,367.37</b>	<b>£468,764.69</b>

## REPORT TO ABERDEENSHIRE CHARITIES TRUST (ACT2) – 18 NOVEMBER 2021

### REVISALS TO CHARITIES MANAGEMENT PLAN

#### 1 Reason for Report / Summary

- 1.1 The report seeks Trustees' approval of a revised Charities Management Plan, required as a result of funds being donated for Council Ward 9 for purposes established under the ACT2 Trust Deed.

#### 2 Recommendations

The Trustees are recommended to:

- 2.1 **Approve the terms of the revised Charities Management Plan attached as Appendix 1 to this report.**

#### 3 Purpose and Decision-Making Route

- 3.1 The ACT2 Management Plan was approved on 9<sup>th</sup> March 2017.
- 3.2 In terms of this Management Plan the Trustees are to receive an annual report which details both the Trust's financial position as well as a note of the applications received within the past financial year. The annual report is the subject of a separate report being considered at this meeting.
- 3.3 The Management Plan has not been reviewed since 2017. A donation made to ACT2 for specific funding has necessitated revisal to the Plan.

#### 4 Discussion

- 4.1 An anonymous donation was received, totaling £8,122.23, to be used in Ward 9 for the following purpose: "*The advancement of the arts, heritage, culture or science*".
- 4.2 This does not require an amendment to the Trust Deed as the purpose for which the donation has been made is a purpose set out within the existing Trust Deed. It does require an amendment to the Charities Management Plan. Details of this new Specific Fund has been included in red in the revised Plan attached as **Appendix 1** to this report.
- 4.3 Officers have used this opportunity to review the terms of the Management Plan in its entirety. The Management Plan has been accessibility checked and it now also includes a copy of the ACT2 Trust Deed as Appendix 1 to the Plan, given that all Trustees should have a copy and it has been sometime since all Trustees were issued with a copy. Further, the Management Plan makes several references to the Trust Deed, so it made sense to include the Deed as part of the document.
- 4.4 It is important that officers and Trustees continue to promote ACT 2 whenever possible to ensure that a good level of applications is maintained, especially within areas who have a low uptake as access to these funds may be of great benefit to those in need and the

communities we serve. As part of this, Officers will be reviewing the transparency of the information for members of the Public on the Council's website, and application forms and procedures will also be reviewed.

- 4.4 It is the intention of officers to further report to Trustees, following the review of the website, forms and procedures, should further changes to the Management Plan then be required.


**Ritchie Johnson**  
**Director of Business Services**

Report prepared by Fiona M Stewart, Senior Solicitor (Governance)  
Date: 22<sup>nd</sup> October 2021

**List of Appendices:**

Appendix 1                      ACT2 – Revised Charities Management Plan

APPENDIX 1



**ACT 2**  
**(Aberdeenshire Charities Trust)**  
**Management Plan**  
**SC045539**

**Registered Office**

Aberdeenshire Council,  
Woodhill House,  
Westburn Road  
Aberdeen  
AB16 5GB



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## Background to ACT2 (Aberdeenshire Charities Trust)

### History

Aberdeenshire Council had been responsible for administering several individual charitable trusts which are now amalgamated into the Aberdeenshire Charities Trust (ACT2). Some trusts dated back to the 17<sup>th</sup> and 18<sup>th</sup> centuries, while the large majority were from the 19<sup>th</sup> and 20<sup>th</sup> centuries. The purposes of the charitable trusts were varied, and this had resulted in the beneficiaries for each of the charitable trusts and funds being distributed among diverse social groups and across a wide geographical area within Aberdeenshire.

However, over time, changes to our social and economic conditions meant that the administration of these funds become problematic due to several factors.

- Some of these funds had fallen into a state of disuse while some trusts no longer served any purpose due to the introduction of the health and social care system.
- The value of many of the individual funds had fallen to a point where they could not bear the cost of administration.
- Some of the funds were depleted to the stage that they could no longer support the purposes for which they were created.
- Many of the trusts were restricted so that any income gained from investing the capital trust fund only could be distributed however due to inflation and low interest rates the value of the capital had fallen to a point which could not produce more than a minimal income.
- Further pressure in respect of more stringent accounting regulations put in place by the introduction of the Office of the Scottish Regulator in 2005, as well as accounting regulations of local government legislation, had greatly increased the financial burden on individual charities, to present accounts for external auditing.

### Reorganisation

ACT2 was therefore created to hold and administer these funds and assets for purposes that were considered more effective for those who needed assistance within specific areas of Aberdeenshire.

The ability to reorganise these individual charities into a single trust was made possible by the implementation of **the Charities and Trustee Investment (Scotland) Act 2005**. Section 39(1)(a) and (b) provide for the approval of a reorganisation scheme where:

- There have been changes in the social and economic conditions since the charity was set up; or,
- To enable the resources of the charity to be applied to better effect the charitable purposes consistently with the spirit of its constitution; or,
- To enable the charity to be administered more effectively.

The creation of ACT2 allowed for the transfer of assets relating to 95 individual trusts which are now administered in accordance with its constitution (Appendix 1). This constitution establishes the way

these trusts can be administered and the purposes for which these trusts are intended. These purposes are:

- a) The prevention or relief of poverty
- b) Improving education
- c) Improving health
- d) The improvement of citizenship or community development.
- e) The development of the arts, heritage, culture, or science.
- f) The development of public participation in sport.
- g) The provision of recreational facilities, or the organization of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.
- h) The development of environmental protection or improvement.
- i) The relief of those in need by reason of age, ill health disability, financial hardship, or other disadvantage.

These purposes have been selected as those being most relevant to the present charities' purposes from section 7 of the 2005 Act. Should circumstances change, this can be reflected within the Trust itself by adding any additional purposes with the agreement of the Office of the Scottish Charity Regulator (OSCR).

## ACT2 – Organised by Council Ward

The Charitable Trusts have now been reorganised according to Ward or Trust Area and subdivided according to various purposes outlined within the constitution and in keeping with its original purpose. This means that each ward within Aberdeenshire will have designated funds to be used for that **ward** specifically and **in accordance with the purposes** of the constitution.

Not all purposes detailed above are applicable to each ward due to how the original Trusts, prior to amalgamation, were set up. Appendix 1 sets out which purposes are applicable to each Trust. Application forms have been designed per Council Ward so that applicants can be very clear on what they are entitled to apply for. To ensure active management of the charity in accordance with statutory requirements and best practice, all elected Councillors of Aberdeenshire Council have been appointed as Trustees. In addition, two ex officio members have been appointed to carry out the role of Secretary and Treasurer. The Trustees have approved the appointment of Karen Wiles, Head of Legal and People as Secretary and Mary Beattie, Head of Finance, as Treasurer.

## The Role and Duties of Elected Councillors as Trustees

Charitable Trustees are responsible for controlling the strategy and management of ACT2 within the context of the charitable purposes and the terms laid out by the Deed of Trust. The role of the Trustee is vital to ensuring that the charity operates, effectively, and can account for its activities and outcomes both to the public and to OSCR, the Scottish charities regulatory body.

All elected councillors acting in the capacity of a Trustee have legal duties and responsibilities under the Charities and Investment (Scotland) Act 2005. These duties are divided into general duties found in section 66 of the 2005 Act, which establishes a broad framework that all Trustees must work within, and specific duties that are detailed in the 2005 Act. Both the general and specific duties apply equally to all Trustees, and Councillors, in their capacity as Trustees, should work together to ensure that these duties are met. The following section will provide a detailed explanation of what these duties are, what the law requires you to do and how these duties can be met.

## Duty to Act in the Interests of the Charity

Firstly, the charitable Trustee must **act in the interests of the charity**. This means that the interests of the charity must be put before the interests of the Trustee and those of any other person or organisation. Where conflict arises in relation to your own personal interests and those of the charity, the Trustee must declare this interest and where appropriate refrain from taking part in certain decisions in accordance with the [Conflict of Interest Policy](#).

### Duty to Act in the Interest of the Charity - Good Practice

The information provided under these sections **are not a legal requirement** but provide guidance to enhance practice and procedures contributing towards productivity and active engagement.

Trustees should ensure that:

- An up-to-date register containing where all the Trustees work (if applicable) and any other organisations they are involved is kept.
- The Charity has a conflict-of-interest policy.

## Duty to Ensure that the Charity Operates in a Manner Consistent with Charity Purposes

In addition to acting in the interests of the charity, Trustees must ensure that they **carry out their duties in a manner consistent with the charity's purposes**. It is therefore important the Trustee understands what the purposes of the charity are – these are defined within ACT2's Deed of Trust. All activities carried out by the charity must fall within the objectives, aims and purposes stated in the governing documents. It is therefore important that Trustees are familiar with the terms of any governing documents relating to the charity.

### Duty to Ensure that the Charity Operates in a Manner Consistent with Charity Purposes - Good Practice

- Every charity Trustee has the most recent copy of the charity's **governing document** (constitution)
- Every charity Trustee gets an induction into the charity and their role when they start

## Duty to Act with Care and Diligence

Related to this is the duty to **act with care and diligence**. This simply means that charitable Trustees are expected to take care of the charity's affairs in the same manner as you would expect someone to manage the affairs of another person.

By acting with care and diligence, charitable Trustees are ensuring that the charity is being run properly, responsibly, and lawfully. This often involves exercising reasonable business sense in relation to a range of transactions: for example, concluding contracts, finalising funding agreements, and protecting the charity's assets. In these circumstances, it would be reasonable for the charitable Trustees to take independent professional advice or seek support.

### Duty to Act with Care and Diligence - Good Practice

As Charity Trustees you should:

- Ensure that the governing document of ACT2 is updated regularly.
- Ensure that the management plan reflects any changes that take place in the administration of the ACT2.
- Review the performance of the charity and where necessary take steps to improve it.
- Review the training needs of the Charity's Trustees each year.
- Keep up to date with any changes that take place in Charity Law that might affect the administration of ACT2.
- Report any notifiable events (something serious that has happened or is happening to the Charity) to OSCR.

### Duty to Manage Conflicts of Interests

Trustees should avoid circumstances in which there is a conflict of interest between the charity and their own personal circumstances or the interests of a person or organisation responsible for their appointment. Trustees should also be aware of circumstances where there is a conflict of interest between two different organisations to which they may be affiliated. For example, a Trustee may be a member of two bodies which are applying for funding from the same organisation.

In any of these circumstances, the Trustee should make the conflict of interest known to the other charitable Trustees by declaring an interest and must not take part in any discussions or decisions on the matter in hand.

### Specific Duties for all Trustees

Legislation also imposes on charitable Trustees, the duty **to ensure the charity complies with provisions of charity law and the requirements of other relevant legislation**. Consideration should not only be given to the specific requirements detailed below but also to issues that relate to health and safety, company law, data protection and employment law. This can be complex, so it is important that appropriate advice and support is sought to ensure that all duties and regulations are complied with.

The Charities and Investment (Scotland) Act 2005 establishes specific legal requirements that must be met. These specific duties are illustrated below.



## 2.1 Charity details on the Scottish Register

All details relating to ACT2 must be provided to OSCR, the Scottish statutory body responsible for the regulation of all charities within Scotland, for the purposes of updating the Scottish Charity Register. This information should include the name of the charity, the principal office of the name and address of one of the charity Trustees as well as the charity's purposes. All changes that are agreed by the Trustees must be made known to the principal contact for the charity.

## 2.2 Reporting to OSCR

Where the Trustees wish to make any changes, including changes to the purposes of the Trust or the Trust area these changes must be documented in a supplemental Deed of Trust and approved by a majority of the Trustees. Any changes made must continue to be consistent with the Trust purposes detailed in the constitution. In some circumstances, the Trustees are legally required to obtain the consent of OSCR first before any changes are made. Consent from OSCR must be sought at least 6 weeks or 42 days before these changes are made. Consent is required where the Trustees wish to:

- Change the name of the charity.
- Wind up or dissolve the charity.
- Amend the object or purpose of the charity.
- Amalgamate the charity with another body.

- Apply to the court to change purpose, amalgamate or wind-up.
- Changing the charity's legal form or structure-Charities can take on a number of different legal forms. This legal form is the structure which then becomes a charity. For example, Community Benefit Society, Trusts, Educational endowments, Scottish Charitable Incorporated Organisation, companies etc.

Where consent is given by OSCR and the change has been implemented, written confirmation of this change must be provided.

Other changes, such as changes to the governing constitution of this Trust, or any other changes not already outlined, do not require prior consent. However, these changes must be intimated to OSCR within 3 months of those changes being made.

### 2.3 Financial Records and Reporting

In line with the constitution, the Trustees are responsible for keeping proper accounting records. These records should include the income, capital and expenditure held in the Trust, any amount that is invested by the Trustees and any amount received by the Trust. The Trustees must ensure that a statement of accounts including a report on its activities is produced at the end of the financial year which runs from 1<sup>st</sup> April until 31<sup>st</sup> March each year. These accounts must be audited or examined externally and a copy of the accounts together with the annual return sent to OSCR. A copy of these accounting records must be kept for 6 years.

The management of the financial affairs of the Trust requires each Trustee to act with the care and diligence that is reasonable to expect of a person who is managing the affairs of another person. A level of responsibility is therefore placed on the Trustees to act with a higher level of care in managing the affairs of the Trust than they would when dealing with their own finances and affairs. It is the responsibility of the Trustees to ensure that the charity's resources are protected and that the assets of the charity are not placed at risk. This can be carried out by ensuring that there are proper financial controls in place which help to identify and manage the risks of theft or fraud, loss, and conflicts of interest.

The responsibility for the financial records is not limited to the treasurer solely but includes all the charity's Trustees. As a charity Trustee you must ensure that you have a basic understanding of the finances of ACT2, to quickly identify if there are any problems, as well as ensuring that, at each Area Committee meeting of the Trust, the Trustees are aware of the financial situation of that particular Trust area.

### 2.4 Fundraising

The Trustees are responsible for taking control of how their charity raises funds. ACT2's governing document provides the vehicle for the Trustees to consider generating additional funds through entering into contracts such as sale or lease of any property and to invest the fund in securities or investments.

### 2.5 Providing Information to the Public



The Trustees have the legal duty to ensure that the charity's name, charity number, governing documents and audited accounts are available on the Aberdeenshire Council website. Where copies of these documents are required, the Trustees must ensure that a copy of these documents is given, provided that the request is a reasonable one.

Whether a request is unreasonable or not will depend on the circumstances of the request. It is the request itself that must be unreasonable and not the reasons for the request or the identity of the requester. OSCR provides further guidance and examples relating to unreasonable requests which can be referred to and advice on this matter can also be sought.

## 2.6 Remuneration

Under the Deed of Trust, Trustees are not entitled to be remunerated for their services as a Trustee. The Trust will reimburse any expenses that are incurred when acting in the capacity of a Trustee. By choosing to adopt a more prudent approach to the financial management of the Trust, the purpose for which ACT2 has been established can be fulfilled for the benefit of Aberdeenshire.

## 2.7 Trustee Indemnity Insurance

The Trustees of a Charity, together with its officers, have individual, personal duties and responsibilities for the management and administration of the Trust. This brings with it the potential for many liabilities. To protect the Trustees as they carry out the management and administration of the Trust, it is highly recommended that Trustee Indemnity Insurance be acquired. This will protect the Trustee and the charity against liability arising from errors or omissions that may be made in the management and administration of the organisation. The Trustee Indemnity Insurance cover will be on a 'claims made' basis which means it covers claims made against the Trust during the period of insurance. A range of limits of indemnity are available in any one period of insurance, however it is recommended that the Trustees seek a higher sum of insurance, to cover the total sum of monies contained within the Trust itself.

## 2.8 Publication of the Charitable Trust

All charities registered in Scotland must publicise the fact that they are a charity. The Trustees must ensure that the details of the charity, specifically, the charity's name together with the charity's registration number are incorporated in certain external documents in accordance with section 4 of *The Charities References in Documents (Scotland) Regulations 2007* and *The Charities References in Documents (Scotland) Amendment Regulations 2008*. These documents include:

- a. business letters and e-mails.
- b. advertisements, notices, and official publications.
- c. any document which solicits money or other property for the benefit of the charity.
- d. promissory notes, endorsements and orders for money or goods.
- e. bills rendered.
- f. invoices, receipts, and letters of credit.
- g. statements of account prepared.
- h. educational or campaign documentation.

- i. conveyances which provide for the creation, transfer, variation, or extinction of an interest in land.
- j. contractual documentation.
- k. Bills of exchange, other than cheques.

It is important that the people you encounter, the public, funders, contractors, and other organisations, know and can verify that ACT2 is a genuine charity. It will instil confidence in those who wish to support the charity by making them aware that this charity is regulated.

## Management of ACT2

Aberdeenshire is currently divided into 6 administrative areas, with each area possessing an Area Committee which is responsible for the delivery of local services. The Deed of Trust, specifically section 7.8, empowers the Trustees to create committees that can carry out functions within a specific remit determined by the Trustees. Each committee will report to the Trustees at least once a year and, in all things, defer to the authority and responsibility of the Trustees.

The Trust has established six Committees based on the Council's Six Area Committees. The rules of meetings relating to quorum and the way in which decisions are made shall be governed by Aberdeenshire Council's Standing Orders, in accordance with section 10.3 of the Deed of Trust. Each committee will be chaired by a relevant Area Committee Chair, whom failing, an Area Committee Vice-Chair will be nominated by all the Trustees at the Annual General Meeting.

The membership of each committee will comprise of Trustees from each of the six administrative areas within Aberdeenshire. It is agreed by the Trustees that applications to ACT2 can be dealt with during scheduled meetings of Area Committees. Each Area Committee meeting of the Trust shall convene **as and when required**.

Each Area Committee shall be responsible for the administration of the Trust within a specific Trust area, particularly those Council wards within their area, and shall have the power to:

- Invite and accept donations.
- Invite and determine any applications made by potential beneficiaries.
- Incur expenditure.
- Enter into arrangements and contracts which includes the sale or land or lease of property etc.
- Appoint skilled and experienced persons to carry out services in administering the trust.
- Invest in securities or investments.
- Decide whether funds will be drawn from the capital funds of the Trust or from any income made through investments.
- Do anything else that serves in executing the Trust in accordance with Trust purposes.

[Who can apply?](#)

## [Aberdeenshire Wide Funding](#)

### War Wounded Personnel

All members of the local community residing in Aberdeenshire are welcome to apply for funding that has been set aside solely for the purpose of assisting war wounded personnel. This fund seeks to provide relief to war wounded personnel in need by reason of age, ill-health, disability, financial hardship, or other disadvantage as well as preventing and relieving poverty.

### **Care and Repair Services**

This provides support for needy residents in Aberdeenshire aimed at enabling and supporting residents to live independently at home.

### **Allocated Funding by Council Ward**

In addition to the Aberdeenshire-wide funding, various wards within Aberdeenshire have been specifically allocated funding. These funds can only be accessed by individuals residing in these ward areas or who can demonstrate a reasonable connection to that area. These funds must be used for reasons that are in keeping with the Trust purposes. Further information relating to which ward areas are applicable and what purposes apply can be found [here](#). Companies, associations and organisations can also apply; however, they must comply with the criteria of the Trust.

To ensure that the application is fully considered, the applicant must satisfy one of the following criteria:

The applicant must be:

- A resident within Aberdeenshire, or
- An individual who does not presently live in the Trust area but who can demonstrate that they have a reasonable connection to that area, or,
- A company, association or other organisation who provide facilities and services or other assistance which are in keeping with the Trust purposes (detailed on page 2 of this document) to the residents or groups of that Trust area or specific part of that Trust area. There is no requirement for the company, association, or organisation to be a registered charity.

Application forms can either be obtained from the Aberdeenshire Council website or from the appropriate Area Manager upon written request. This form includes information on any additional documentation which may require to be submitted with the form, such as accounts, quotes for work etc.

### **What happens once the application has been submitted?**

#### **Application Process**

1. Any **applications** made must be directed to the appropriate **Area Manager** in the relevant Trust area to which the application relates. For example, if an individual resides in Huntly, any application made for Trust funding must be submitted to the local council office in Marr for the attention of the Area Manager.

2. Once received the application will be **assessed** by officers from both Legal and Finance to decide whether the applicant is eligible, whether the reason for the application is compliant with the Trust purposes within the Trust area, together with what funds if any are available to be awarded.
3. The Area Manager will then write to the applicant to acknowledge receipt of the application and to inform the applicant as to whether the application is eligible for consideration and if not, why not. Where the application is considered not to be eligible, local Ward Members will be informed that an application was received, rejected and the reasons for this.
4. If the application is eligible, a report to the relevant Area Committee sitting as the Trust, will be prepared by the Area Manager with input from Legal and Finance, detailing the request and making any appropriate recommendations.
5. A meeting of the Trust will then be called, and notification of this meeting will be provided to the relevant Trustees.
6. The applicant will also be invited to attend the meeting. However, due to the nature of the meeting, that is, a meeting that contains information relating to a particular applicant/recipient for financial assistance, these meetings are exempt and will not be open to the public. This approach is in keeping with the provisions of Aberdeenshire Council's Standing Orders that apply setting out how meetings are conducted and how decisions are made. Where an application received relates to a community project that has a strong community interest, the Trustees are encouraged to consult with the local community prior to consideration of the application.
7. The application, together with any supporting documentation, will be considered at the next charitable Trust area meeting.
8. Once a decision has been reached, the Area Manager will notify the applicant within four weeks of the Area Committee meeting regarding the outcome of their application.
9. Where the application has been unsuccessful, the letter will detail the reasons why the application was unsuccessful.
10. If the application has been successful, details of how and when payment will be issued will be stated.

It is anticipated that the whole process from the submission of an application to a decision being made by the Trust on an eligible application will take **approximately 3 months**. Due to the time it takes to assess an application made, the Trust should not be relied upon to meet any unexpected shortfalls that are time sensitive.

Where appropriate, the Trustees may request that, where an application has been successful, the beneficiaries provide a brief report, within an agreed timeframe, which explains how the money has been used, and how the purposes set out in the application are being achieved.

A successful applicant **can reapply no less than 12 months** after the initial application is determined.

### [Application Packs](#)

Application Packs have been created for each ward which details what individuals and organisations can apply for in that area.

This will provide clarity for Trustees as well as members of the public regarding:

- a) whether any funding in their area is available.
- b) what charitable purposes are applicable specifically to that area.
- c) the maximum amount of funding that can be applied for.

### **Appeals Process**

As each application will be thoroughly assessed on its merits not only by the Legal and Finance departments and Area Managers but also determined by the Trustees, the Trust's decision is final and cannot be appealed.

## Appendix 1

### **TERMS OF CURRENT TRUST DEED**

#### **DEED OF TRUST**

**For**

**ACT2 (ABERDEENSHIRE CHARITIES TRUST)**

**SCO**

WE, THE ABERDEENSHIRE COUNCIL constituted under the Local Government (Scotland) Act 1994 (the "1994 Act") and having our Principal Offices at Woodhill House, Westburn Road, Aberdeen AB16 5GB (the "Council") CONSIDERING that (ONE) we presently hold charitable funds which were gifted to the Council or its predecessors for the benefit of residents of the present local government area of Aberdeenshire (or parts thereof), and for particular purposes, that these funds are held as individual funds or within a composite charity whose constitution and purposes should be codified, and that the purposes of many of these funds are restricted or no longer applicable due to economic, legal and social changes in circumstances since the funds were originally granted and (TWO) we have resolved to re-organise these funds in terms of an application proposed under chapter 5 of the Charities and Trustee Investment (Scotland) Act 2005 (the "2005 Act") THEREFORE in order to progress this scheme we have resolved to and DO HEREBY CREATE a charitable trust so that we may hold and administer these and other funds and assets more efficiently and for purposes which we consider will now be more effective in providing public benefit or assistance to intended beneficiaries, subject to the following terms and conditions:

1. 'Charity' and 'charitable' have the meaning ascribed to them by the 2005 Act which is also regarded as charitable in relation to the Taxes Acts applicable to charities;
2. The trust will be known as ACT2 (Aberdeenshire Charities Trust) (the "Trust").
  - 2.1 The trust area is the present local government area of Aberdeenshire as shown delineated on the map attached and signed as relative hereto (the "Trust Area").
  - 2.2 We the Council having regard to s16 (2) of the 1994 Act and in exercise of powers vested in us do hereby nominate and appoint as trustees *ex officio* all the elected members of the Council, who are also eligible in terms of the 2005 Act to act as charity trustees, together with their successors in office as elected members of the Council or such successor Council as may have responsibility for the Trust Area (the "Trustees"). The Trustees may act collectively as a corporate body in name of the Council where appropriate to do so.
  - 2.3 We convey the sum of one pound Sterling (£1) to the Trustees as an initial trust fund (the "Trust Fund").

## **THE TRUST PURPOSES**

- 3 The Trustees shall hold the Trust Fund and such other sums of money, investments and other property as may in future be added, transferred, conveyed, accumulated or donated thereto for any one or more of the following purposes (the "Trust Purposes"):
  - 3.1 The prevention or relief of poverty;
  - 3.2 The advancement of education;
  - 3.3 The advancement of health;
  - 3.4 The advancement of citizenship or community development;
  - 3.5 The advancement of the arts, heritage, culture or science;
  - 3.6 The advancement of public participation in sport;
  - 3.7 The provision of recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended;
  - 3.8 The advancement of environmental protection or improvement;
  - 3.9 The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.

## **BENEFICIARIES**

- 4 The Trustees may arrange to make awards where an application is made which meets the criteria of one or more of the trust purposes by or on behalf of:
  - 4.1 Individual residents of Aberdeenshire or specified parts thereof;
  - 4.2 Individuals who though not presently resident in the Trust Area (or specified part thereof) have demonstrated a reasonable connection with that Area to the satisfaction of the Trustees;
  - 4.3 Groups, companies, associations or other organisations whether or not registered charities operating in the Trust Area or specified part thereof who provide facilities, services or other assistance in accordance with the Trust Purposes to residents or groups of the Trust Area.



## **LIABILITY OF CHARITY TRUSTEES**

- 5 The Trustees will be entitled to all the immunities of gratuitous trustees in Scotland. They will have no liability to pay any sums to help to meet the debts (or other liabilities) of the Trust if it is wound up; accordingly, if the Trust is unable to meet its debts or liabilities, the Trustees will not be held responsible.
- 6 The Trustees have certain legal duties under the 2005 Act; and clause 5 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

## **GENERAL POWERS**

- 7 The Trustees will have all powers competent or which may become competent to gratuitous trustees in terms of the Trust (Scotland) Act 1921 as amended or superseded (the "1921 Act"). Without prejudice to the foregoing generality the Trustees will have power to do any or all of the following:
  - 7.1 To invite and accept donations in furtherance of the Trust Purposes;
  - 7.2 To invite and determine applications for grants or awards by potential beneficiaries;
  - 7.3 To incur expenditure by the Trust which, in their opinion, is in furtherance of the Trust Purposes;
  - 7.4 To enter into arrangements and contracts which, in their opinion, are in furtherance of the Trust Purposes, including sale or lease of property;
  - 7.5 To appoint solicitors, accountants, factors, stockbrokers or other persons considered appropriately skilled and experienced in the Trustees' judgment and discretion whether from their own number or otherwise to carry out services in administering the Trust including the duties of the offices of Secretary and Treasurer, and to pay them the usual professional fees or other suitable remuneration for services rendered, subject to section 67 and 68 of the 2005 Act governing terms and conditions. If such offices of Secretary and Treasurer are supplied by employees of the Council their services to the Trust will be deemed to be part of their duties of employment with no additional payment;

- 7.6 To invest the Trust Fund in such securities or investments as may be approved subject to the Trustees taking advice in accordance with clause 14 below.
- 7.7 To allocate the Trust Fund between capital and income and to make payments from capital as well as from income when they consider it reasonable to do so;
- 7.8 To appoint a committee or committees subject to such remit as the Trustees may decide. Any such committee shall report its deliberations to the Trustees not less than once a year, and shall in all cases defer to the authority and responsibility of the majority of Trustees *in plenum*;
- 7.9 To resign office but not so that the number of Trustees will fall below three as a minimum;
- 7.10 To arrange to purchase trustee and officer personal liability insurance in terms of s 68A of the 2005 Act or its equivalent;
- 7.11 To do such other things as are expedient for the execution of the Trust and consistent with the Trust Purposes.

#### **POWER TO AMEND and WIND UP**

- 8 The Trustees will have power to vary or modify any provisions, including a variation or modification of the Trust Purposes and Trust Area by entering into a Supplementary Deed of Trust or resolution, subject to any variation or modification being consistent with the spirit of the Trust Purposes detailed herein and being approved by a majority of all Trustees and subject also to the consent of or intimation to the Office of the Scottish Charity Regulator (OSCR) in terms of the 2005 Act so as to ensure that no variation will cause the Trust to cease to be recognised as a Scottish Charity.
- 9 If at any time it appears to the Trustees that it is expedient to bring the Trust and the Trust Fund to an end it will be competent for them to wind up the Trust by resolution passed by a majority of all trustees whether present and voting at a meeting or by signing a written resolution. In the event of monies remaining in the Trust Fund at the date of such winding up, the Trustees shall at their discretion, but after payment of all outstanding debts or obligations incumbent on the Trust or the Trust Fund, remit such monies to such other registered charitable body, or

bodies, having as their principal objects similar Trust Purposes and operating within the same or similar Trust Area.

## **MEETINGS**

- 10 The Trustees shall hold an initial meeting as soon as practicable after the date on which charitable status to the Trust is awarded by OSCR. The Trustees shall at the said initial meeting *inter alia*:
  - 10.1 Instruct the preparation of a management plan for the future performance by the Trustees of their functions under these presents;
  - 10.2 After the said initial meeting the Trust will meet not less than once in each year. The Secretary may convene further meetings of the Trust as and when required and will give not less than fourteen clear days written notice of all meetings to the Trustees;
  - 10.3 Unless otherwise stated, at all meetings of the Trust or its committee(s), matters relating to quorum and decision making will be as set out in the Council's Standing Orders as they relate to the Council.

## **DUTIES OF TRUSTEES**

- 11 Each Trustee must, in exercising his/her functions as a Trustee, act in the interests of the Trust and, in particular, must:-
  - 11.1 Seek, in good faith, to ensure that the Trust acts in a manner which is in accordance with the Trust Purposes;
  - 11.2 In circumstances which give rise to the possibility of a conflict of interest between the Trust and any other party (including the Council as a local authority), put the interests of the Trust before that of the other party in taking decisions as a Trustee or, where any other duty prevents him/her from doing so, disclose the conflicting interest to the Trust and refrain from participating in any discussions or decisions involving the other Trustees with regard to the matter in question;

- 11.3 Resign and notify the Secretary in the event of voluntary resignation, becoming bankrupt or insolvent or entering into a trust deed for creditors, becoming incapable for medical reasons of fulfilling his or her duties for a period of six months or more, as may be certified by a medical practitioner, or for any other reason ceasing to be eligible to be a charity trustee in terms of sections 69 and 70 of the 2005 Act;
- 11.4 Ensure that the Trust complies with any direction, requirement, notice or duty imposed on it by the 2005 Act;
- 11.5 Act with the standard of care and diligence that it is reasonable to expect of a person who is managing the affairs of another person.

### **ACCOUNTS AND FINANCE**

- 12 The Trustees shall cause full accounts to be kept of income, capital and expenditure of all sums vested in, received by and expended by them in terms of this Trust in such form and manner as OSCR may prescribe. Such accounts shall be kept from 1<sup>st</sup> April in one year to 31<sup>st</sup> March in the following year and an abstract of same shall be circulated to every Trustee.
- 13 The said accounts shall be externally audited or externally examined in such manner as OSCR may prescribe.
- 14 The Trustees shall obtain proper investment advice within the meaning of the 1921 Act in relation to the investment of the Trust Fund.

### **PROHIBITIONS**

- 15 No part of the property of the Trust may be paid or transferred to any of the Trustees except where this is in direct furtherance of the Trust Purposes.
- 16 In no circumstances is any part of the Trust Fund to be held or applied for any purpose which is not a charitable purpose.

**GOVERNING LAW**

17 The Trust hereby created shall be subject to the law and jurisdiction of Scotland:

IN WITNESS WHEREOF this trust deed comprising this and the preceding six pages together with the map annexed is signed and witnessed as follows:

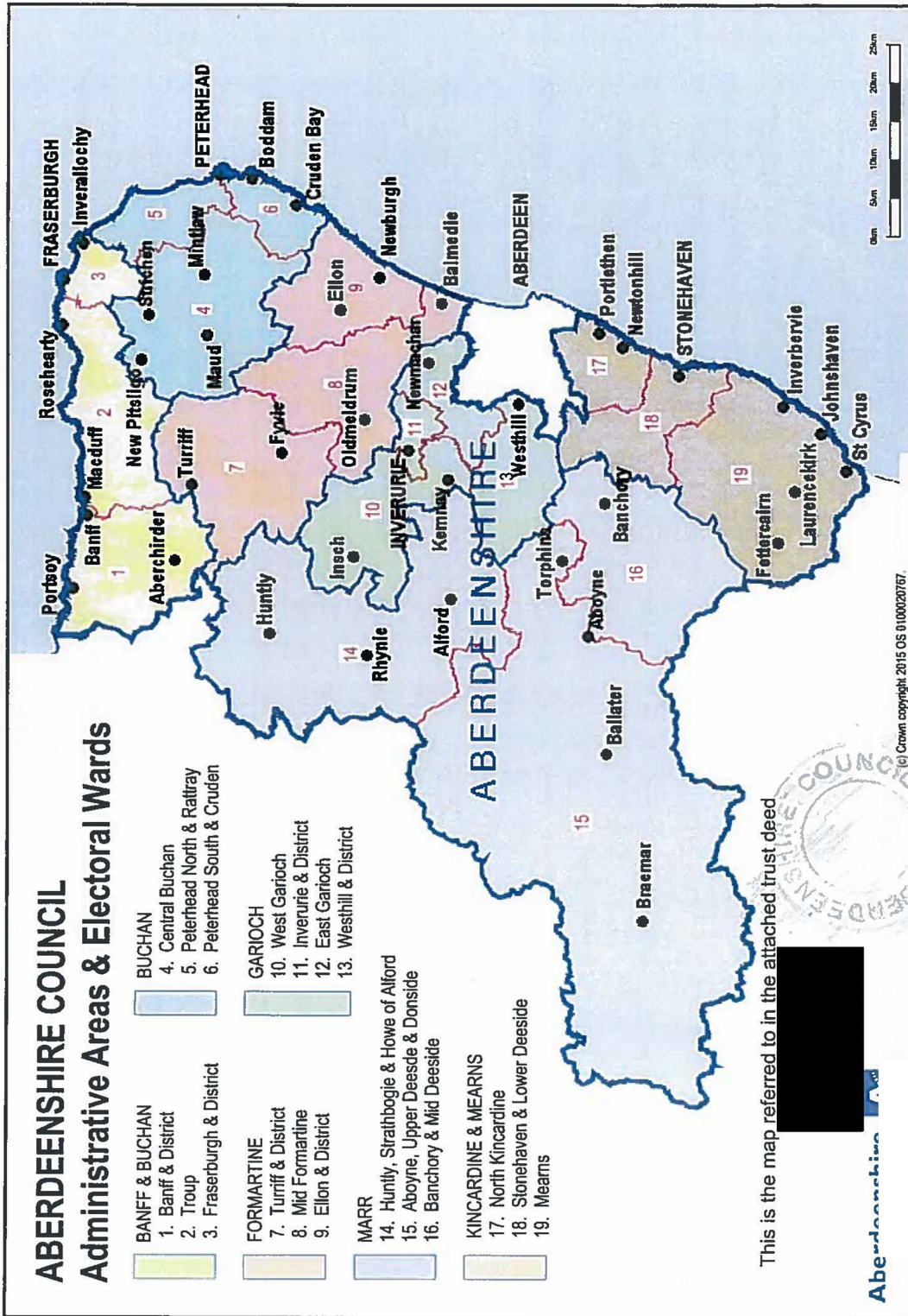
Subscribed for and on behalf of the said **THE ABERDEENSHIRE COUNCIL** by its Authorised Signatory and Proper Officer and sealed with the Council's Common Seal as follows:-

\_\_\_\_\_  
Authorised Signatory and Proper Officer

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Place of Signature







## BEING A CHARITY IN SCOTLAND – FOR ALL CHARITY TRUSTEES

Your organisation is now a Scottish charity and is entered in the Scottish Charity Register by The Scottish Charity Regulator (OSCR).

You should check your entry at our website [www.oscr.org.uk](http://www.oscr.org.uk) and ensure you let us know of any changes, including if you change your email address.

You can now update some of your charity's details on the Register yourself using our OSCR Online service, which is quick and easy to use. Go to [www.oscr.org.uk](http://www.oscr.org.uk) to find out more. We will send you your charity's registration details for OSCR Online soon.

Being a charity gives your organisation a privileged place in society and carries legal responsibilities. OSCR has compiled a list of key responsibilities that your charity trustees and managers should read carefully. If you require further information, please visit our [website](#).

1. Being a charity trustee means you are responsible, along with your fellow charity trustees, for running your charity properly. It is important that all charity trustees understand fully what their role means. All charity trustees should read our publication, '[Guidance for charity trustees :acting with care and diligence](#)', which you can download from our website. If you and your fellow charity trustees decide to take on new charity trustees you should have an induction policy in place to ensure that they are aware of their role.
2. It is important that you keep in touch with us to ensure you receive any important communications. It is a legal requirement that you let us know if your principal contact changes.
3. You have a duty to let people know you are a charity and give them certain information. For instance, you must show your charity number on your literature, job advertisements, and on your website. For more information, see '[Publicising your Charitable Status](#)' on our website. You must supply a copy of your accounts and your constitution to anyone who asks for them.
4. You must keep accurate accounting records, including receipts and invoices, and retain these for six years. We will send you an Annual Return form and ask you to confirm certain information every year. This should be completed and

Charities you can trust and that provide public benefit  
The Scottish Charity Regulator, Quadrant House, 9 Riverside Drive, Dundee DD1 4NY



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01382 220446



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submitted, along with your compliant annual accounts and trustees' annual report. We will send you your first Annual Return, and this should be submitted to us within nine months of your financial year end. If you have an email address your Annual return form will be sent to you electronically. For more information please see our guidance '[Annual Monitoring and Accounting](#)' on our website.

5. You must seek OSCR's consent before making certain changes to your charity, for example changing its name or purposes, or dissolving it. Some other changes must be notified to OSCR once they have been made. Please see the section on '[Making changes to your charity](#)' on our website.
6. You may be eligible for some tax relief but you must apply for this to HM Revenue & Customs. OSCR does not deal with tax matters. Find out more at <https://www.gov.uk/> or by phoning 0845 02 02 03.
7. You may be eligible for some water and sewerage rates relief under the Water and Sewerage Charge Exemption Scheme. Find out more at <http://www.scotland.gov.uk/Topics/Business-Industry/waterindustryscot/watercharges>
8. As the regulator, we have a legal obligation to monitor your charity and to investigate any complaints received about it. Charities may be asked to take part in our programme of individual reviews of charitable status, where we check whether registered charities are continuing to meet the charity test. If we ask you for information, you must supply it.
9. Your charitable assets must be used for solely charitable purposes even if you dissolve the charity. If you choose to remove your charity from the Scottish Charity Register its charitable assets will still be monitored by OSCR.
10. OSCR's website [www.oscr.org.uk](http://www.oscr.org.uk) contains further information and guidance on charity law and regulation.
11. OSCR cannot give you specific advice on how to run your organisation but there are umbrella groups and many other organisations that are able to give you a wide range of support. See the '[Links](#)' section on our website. You can also sign up to receive our newsletter, OSCR Reporter, which will keep you up to date with new developments. Subscription is free of charge [here](#).

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Specific Funding - Ward Areas	Applicable purposes under ACT2
<b>Banff and Buchan Area</b>	
Ward 1 – Banff & District	<ul style="list-style-type: none"> <li>Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage and the prevention or relief of poverty.</li> </ul>
Ward 2-Troup	<ul style="list-style-type: none"> <li>The advancement of public participation in sport.</li> <li>Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage and the prevention or relief of poverty</li> </ul>
Ward 3-Fraserburgh and District	<ul style="list-style-type: none"> <li>The prevention or relief of poverty</li> <li>The advancement of education Developing education</li> <li>The advancement of health improving healthcare</li> <li>The advancement of citizenship or community development.</li> <li>The advancement of the arts, heritage, culture, or science. Promoting the arts, heritage, culture, or science</li> <li>The advancement of public participation in sport. Improving public participation in sport</li> <li>The provision of recreational facilities, or the organization of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.</li> <li>The promotion of religious or racial harmony, the advancement of environmental protection or improvement.</li> <li>The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.</li> </ul>
Ward 4-Central Buchan	<ul style="list-style-type: none"> <li>Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage and the prevention or relief of poverty.</li> </ul>
Ward 5-Peterhead North and Rattray	<ul style="list-style-type: none"> <li>Relief of poverty of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.</li> </ul>
Ward 6 – Peterhead South and Cruden	NO FUNDS AVAILABLE
<b>Formartine Area</b>	
Ward 7-Turiff and District	<ul style="list-style-type: none"> <li>The relief of those in need by reason of age, ill health, disability, financial hardship, or other disadvantage or to relief of poverty.</li> </ul>
Ward 8-Mid-Formartine	<ul style="list-style-type: none"> <li>The prevention or relief of poverty; the advancement of education.</li> <li>The advancement of health, the advancement of citizenship or community development.</li> </ul>

Specific Funding - Ward Areas	Applicable purposes under ACT2
	<ul style="list-style-type: none"> <li>• The advancement of the arts, heritage, culture, or science; the provision of recreational facilities,</li> <li>• The organization of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.</li> <li>• The promotion of religious or racial harmony, the advancement of environmental protection or improvement.</li> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.</li> </ul>
<b>Ward 9- Ellon &amp; District</b>	<ul style="list-style-type: none"> <li>• <b>The advancement of the arts, heritage, culture, or science.</b></li> </ul>
<b>Garioch Area</b>	
Ward 10 – West Garioch	No FUNDS AVAILABLE
Ward 11-Inverurie and District	<ul style="list-style-type: none"> <li>• Relief of those in need by reason of age, ill health, disability, financial hardship, or other disadvantage or to relief of poverty.</li> </ul>
Ward 12-East Garioch	<ul style="list-style-type: none"> <li>• Relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage</li> <li>• The prevention or relief of poverty.</li> </ul>
Ward 13 -Westhill and District	No FUNDS AVAILABLE
<b>Marr Area</b>	
Ward 14-Huntly, Strathbogie and Howe of Alford	<ul style="list-style-type: none"> <li>• The prevention or relief of poverty.</li> <li>• The advancement of education.</li> <li>• The advancement of health,</li> <li>• The advancement of citizenship or community development.;</li> <li>• The advancement of the arts, heritage, culture, or science.</li> <li>• The provision of recreational facilities, or the organization of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.</li> <li>• The promotion of religious or racial harmony,</li> <li>• The advancement of environmental protection or improvement.</li> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.</li> </ul>
Ward 15-Aboyne, Upper Deeside and Donside	<ul style="list-style-type: none"> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.</li> </ul>
Ward 16-Banchory and Mid-Deeside	<ul style="list-style-type: none"> <li>• The advancement of the arts, heritage, culture, or science.</li> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.</li> </ul>
<b>Kincardine and Mearns Area</b>	

Specific Funding - Ward Areas	Applicable purposes under ACT2
Ward 17-North Kincardine	<ul style="list-style-type: none"> <li>• The prevention or relief of poverty</li> <li>• The advancement of education Developing education</li> <li>• The advancement of health improving healthcare</li> <li>• The advancement of citizenship or community development.</li> <li>• The advancement of the arts, heritage, culture, or science. Promoting the arts, heritage, culture, or science</li> <li>• The advancement of public participation in sport. Improving public participation in sport</li> <li>• The provision of recreational facilities, or the organization of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.</li> <li>• The promotion of religious or racial harmony, the advancement of environmental protection or improvement.</li> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.</li> </ul>
Ward 18-Stonehaven and Lower Deeside	<ul style="list-style-type: none"> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.</li> </ul>
Ward 19- Mearns	<ul style="list-style-type: none"> <li>• The relief of those in need by reason of age, ill-health, disability, financial hardship, or other disadvantage.</li> </ul>
<b>Aberdeenshire Area</b>	<p><b>Specifically designated for war-wounded service personnel</b> Relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage and the prevention or relief of poverty). The whole of the Aberdeenshire area is to be included. Aberdeen City is excluded.</p> <p><b>Care and Repair Service</b> Support for needy residents of care and repair service. The whole of the Aberdeenshire area is to be included. Aberdeen City is excluded.</p>

## Appendix 2

### Conflict of Interest Policy

As a Trustee of ACT2 you are responsible for putting the interests of the charity before your own interests or those of any other person or organisation, which includes those responsible for your appointment. If a situation arises where this cannot be carried out, there may be a conflict of interest.

#### **What is a conflict of interest?**

A conflict of interest is any situation where there is a potential for a charity Trustee's personal or business interests, or the interests of someone that you are connected with, to differ from the interests of the charity. In this situation, it may be particularly difficult to make an impartial decision.

There are two main types of conflict of interest that can exist:

1. **Appointment conflict** which refers to a conflict of interest that arises between a charity Trustee and the organisation that appointed them.

*For example, a contractual relationship between a charity and Aberdeenshire Council, a Councillor who is also a Trustee of that charity is placed in a position of conflict between a duty to the charity and your position as a Councillor, whenever the Trustees discuss matters relating to that contractual relationship. Both the charity and Aberdeenshire Council have an interest in securing the terms most favourable to themselves.*

2. **Personal conflict** which refers to a conflict between your duties as a Trustee and your own personal or business interests.

*For example, holding a position as a director in an organisation or a member of a committee and so possessing both a non-financial as well as a financial interest in that organisation, which then applies for funding from Aberdeenshire Charitable Trusts.*

**In both these situations, the charity Trustee duties require you to act in the interests of the charity.**

It is important that the Trustee takes all appropriate steps to manage conflicts of interests, even where there only appears to be a conflict of interest. The Trustee must always act in the best interest of the charity.

The information detailed below provides a step-by-step process that must be applied when conflicts of interests arise.

## What steps are to be taken if a conflict of interest arises?

### Step 1: Identifying the Conflict of Interest

Trustees should refer to section 11.2 of the Deed of Trust for ACT2 in conjunction with this policy to identify any conflicts of interests. Where it is still unclear whether a conflict of interest exists, please seek appropriate advice. Any conflicts of interest identified by a Trustee must be recorded in writing and submitted to the Head of Legal and People.

The Trust accepts that all the Trustees have registered their interests as councillors in accordance with the Councillors Code of Conduct. The Trust will therefore use this register of interests for the Trust. However, if a change has occurred, or, if further additions need to be made in your capacity as a Trustee, a new form should be completed and submitted to the Head of Legal and People.

All Trustees are responsible for ensuring that a review of their interests is carried out on a regular basis.

### Step 2: Manage the Conflict of Interest

In circumstances which give rise to the possibility of a conflict of interest between the Trust and another party, the interests of the Trust **must** be before that of the other party in taking decisions as a Trustee. It must be clear to all involved, as well as to the wider community, that the decision taken was not in any way influenced by the possibility of this conflict of interest. Ensure that any decision is accurately documented and demonstrates a reasoned understanding of why that decision was made.

Where there is a conflict of interest and the Trustee is unable to put the interests of the charity first, they must **declare** this interest and **refrain** from participating in any discussion or decisions involving the other Trustee about the matter in question.

### Step 3: Record

#### All conflict must be disclosed

The Trustees must ensure that there is a record of what the conflict was, when it was identified and declared, what was discussed and decided, if the Trustee withdrew from the decision and how the remaining Trustees made a decision in the best interests of the charity.

## What should you do if another charity Trustee has a conflict of interest?

All charity Trustees have the legal duty to protect the interests of the charity. This responsibility is not solely restricted to a single individual but should be approached

collectively to ensure a breach of charity duties does not occur and, if it does occur, that it is corrected and not repeated. If you are aware of another Trustee who is conflicted, and it is not declared, it is your duty to make this conflict known.

If there is a serious or persistent breach of duty by an individual, the charity Trustee should be removed. If the charity Trustees fail to do so, this could be considered as mismanagement or misconduct in the administration of the charity Trustee. OSCR as the Scottish Charities regulator is required to identify and investigate any apparent misconduct and where appropriate take protective action. OSCR has the power to act against Trustees, where appropriate.

## Appendix 3

### Register of Charitable Trustees Interests Notice of Registerable Interests

<b>Councillor</b>	
<b>Ward</b>	
<b>Category</b>	<b>Please provide details of the interest and whether it applies to yourself, or where appropriate, connected persons.</b>
<b>Current employment and any previous employment in which you continue to have a financial interest.</b>	
<b>Appointments (voluntary or otherwise) e.g. Trusteeships, directorships, committees, boards etc.</b>	
<b>Membership of any professional bodies, special interest groups or mutual support organisations.</b>	
<b>Investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests.</b>	
<b>Gifts and hospitality</b>	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

**Signed:**

**Position:**

**Date:**