

FOWEY HARBOUR COMMISSIONERS

A GUIDE TO THE ROLE OF A TRUST BOARD MEMBER

There is little difference between the duties of a trust board member and the member of a private board. The basic principles of truth, integrity, honesty, loyalty and acting in a Vires manner hold good. Commissioners are not appointed to represent interests but to manage the harbour independently for the benefit of all.

As a general rule a board member

<u>Should</u>	<u>Should not</u>
Act independently and in good faith in the best interests of the trust and all its beneficiaries (Commissioners Clauses Act 1847).	Represent specific interests when acting as a board member.
Have a duty of care to the trust and its current and future beneficiaries.	Enter into contracts or other arrangements for personal gain with the port (Commissioners Clauses Act 1847).
Be honest in their dealings with no hidden agenda and respect the confidentiality of information obtained as a board member and at board discussions.	Use information obtained as a board member for personal gain, the gain of any third party or misuse it in other way.
Acquire a proper understanding of the business including – delegated authorities, the strategic plan, budget, structure and relationships, financial controls and systems, customers, competition/markets.	Be a passenger.
Ensure that all their actions and the operation of the port are undertaken within the statutory framework.	Allow membership of any other organisation, club or society to influence their decisions or actions as a board member.
Declare any outside interests, hospitality, gifts etc. which might, conceivably, be seen to be in conflict with the duties and responsibilities of an impartial, independent board member.	Cast a vote or attempt to influence or persuade the board on any item in which they have an interest.
Attend board meetings as frequently as possible, forwarding apologies if unable to attend.	Allow the Executive to control the port and the board, become comfortable or stagnate.
Send a letter explaining their views on major issues if they cannot attend.	Attempt to influence the decisions or direct activities of trust servants without recourse to the board.
Actively participate in board discussions – be testing – be prepared to be confrontational and to act independently (in a constructive manner)	Interfere or participate in operational matters unless specifically requested by the Chairman and Executive.