

## Trustee responsibilities in relation to public benefit

Trustees must:

- understand how the charity's purpose is beneficial, and carry out the purpose in such a way as to benefit the public in that way
- make decisions to ensure the charity's purpose provides benefit
- manage risks of harm to the charity's beneficiaries or to the public in general that might result from carrying out the purpose
- explain each year in their trustees' annual report, what the charity is there to achieve and what the charity has done to carry out those purposes for the public benefit
- include a statement in the trustees' annual report as to whether they have complied with their duty to have due regard to the public benefit guidance
- make sure personal benefits are no more than incidental

## Public benefit

There are two aspects of public benefit:

### 1. Benefit aspect - **whether the purpose is beneficial.**

- Legally, for a purpose to be charitable it must be beneficial in a way that is
  - Identifiable
  - Not outweighed by harm or detriment to people, property or the environment
- Both aspects must be based on evidence and not on personal views

### 2. Public aspect - **whom the purpose benefits.**

- The purpose should benefit the public or a sufficient section of the public, across the full range of ways of carrying out the charity's purpose.
  - Trustees should know who can potentially benefit and take steps to ensure that the poor are not excluded.
  - Membership must either be a way of carrying out the charity's purposes for the public benefit or be open to a significant section of the public.
- The purpose should not give rise to more than incidental personal benefit. For example, a soloist gains employment and exposure via a concert. However, this personal benefit is clearly incidental, so is allowed.

***How SPC meets its public benefit obligations is set out in the table overleaf, against each of the elements to be considered by Trustees in accordance with the Charity Commission's guidance documents summarised above.***

### SPC Purpose

To advance the education of the general public in choral music by the regular performance of such music from the widest possible repertoire and such means as the Committee think fit

1. BENEFIT ASPECT	Benefit is identifiable	Benefit is not outweighed by detriment or harm to people, property or the environment
How SPC meets the public benefit requirement	<p>Mainly via concerts featuring a diverse repertoire</p> <p>Enhancing public awareness of choral music via choral workshops</p> <p>Production of CDs, radio programmes</p> <p>Resources on the Chorus website</p>	<p>Identifying and minimising risks that may arise from Chorus activities</p> <p>Having safeguards in place in case SPC works with children or vulnerable adults</p> <p>Health benefits of music making</p>
Evidence that might prove this	<p>List of works performed</p> <p>Concert programmes</p> <p>Audience and participant feedback</p> <p>Concert reviews</p> <p>Website visit stats</p> <p>Ticket sales</p>	<p>SPC Risk Management Policy</p> <p>Safeguarding Policy</p> <p>Evidence that music benefits health:</p> <p><a href="https://www.makingmusic.org.uk/tags/health-and-wellbeing">https://www.makingmusic.org.uk/tags/health-and-wellbeing</a></p> <p><a href="https://www.musicfordementia.org.uk/">https://www.musicfordementia.org.uk/</a></p>

2. PUBLIC ASPECT	Purpose benefits the public, the poor are not excluded, membership enables purposes to be carried out	The purpose does NOT give rise to more than incidental personal benefit.
How SPC meets the public benefit requirement	<p>Membership is open to anyone as long as they can sing to required standard (restriction is acceptable, as there are proper reasons for it, ie, in order to carry out purposes)</p> <p>SPC tries to be pro-active in providing access for all, including:</p> <ul style="list-style-type: none"> <li>• reduced membership fees for those who would struggle to pay</li> <li>• free tickets for under 16s, carers</li> <li>• accessible venues</li> <li>• stair climber</li> <li>• accessible dressing rooms etc</li> </ul>	<p>Any personal benefit experienced by performers is clearly 'incidental' – indeed, soloists etc would struggle to perform without choirs to perform the work of which they form part.</p> <p>Further, new choral works are rarely performed unless a choir undertakes them, generally because of cost.</p> <p>Personal benefits that are not 'incidental' include payments to Trustees, members or their families; avoided via robust procedures.</p>
Evidence that might prove this	<p>Publicity material</p> <p>Website content</p> <p>Ticket prices</p> <p>Membership fee structure</p> <p>Audition procedure</p> <p>Planning documents</p>	<p>SPC Recruitment and Selection Procedure</p> <p>Conflict of Interest Policy</p> <p>Trustee meeting minutes</p>