

CANDIDATE BRIEF – NOMINATION PACK

TRIENNIAL ELECTION TO THE BOARD OF CONSERVATORS 2018



WIMBLEDON AND PUTNEY COMMONS CONSERVATORS

REGISTERED CHARITY NUMBER: 303167

November 2017

Contents Page

	Page Number
Statutory Notice	3
General Notice	4
Background	5
Role Description	7
Person Profile	9
Nomination Form	10
Proposer and Seconder Form	15
Terms of Reference	17
Code of Conduct	19
Disciplinary Procedures	21



STATUTORY NOTICE WIMBLEDON AND PUTNEY COMMONS ELECTION OF CONSERVATORS

Notice is hereby given that the
Wimbledon and Putney Commons Conservators have appointed

WEDNESDAY 28th FEBRUARY 2018
to be the day for the next Election of Conservators.

The Election will take the form of a 'postal ballot'¹. Ballot papers will be
forwarded to each elector commencing

THURSDAY 1st FEBRUARY 2018

Completed ballot papers or electronically completed ballots should be
returned to the scrutineer to arrive by

5pm WEDNESDAY 28th FEBRUARY 2018

A list of electors will be available at Manor Cottage for inspection by the public from
Wednesday 20th December 2017. Any claims for adjustment to the list must be
made in writing to the Chief Executive at the address printed below not later than
Wednesday 3rd January 2018

Prospective candidates, who must be qualified as electors, may obtain nomination
forms and further information from the Deputy Clerk and Ranger paula@wpcc.org.uk
at Manor Cottage, Wimbledon Common, SW19 5NR (Tel: 020 8788 7655).

Meetings for prospective candidates will take place on Tuesday 5th December 2017 at 7.00pm at the Ranger's office and at 7.00pm Wednesday 13th December 2017 at St Mary's Church, Putney, SW15 1SN.

Please come along and meet the Returning Officer, the Chief Executive and some of
his staff who will be present to explain the formalities of the election and duties of a
Conservator. Please notify the Ranger's Office above if you wish to attend.

Completed nomination forms and associated documentation must be returned no
later than **Tuesday 2nd January 2018 to the Deputy Clerk and Ranger at the
above address.**

¹ Postal Ballot means postal or electronic



GENERAL NOTICE
WIMBLEDON AND PUTNEY COMMONS CONSERVATORS
ELECTION OF CONSERVATORS
TRIENNIAL ELECTION 2018

This is a special opportunity to be instrumental in shaping the future for our Commons.

The Wimbledon and Putney Commons Conservators ensure that Wimbledon Common, Putney Heath and Putney Lower Common (known collectively as “the Commons”) are managed and conserved in accordance with the Wimbledon and Putney Commons Act 1871, as supplemented by the Commissioners Clauses Act 1847 and their legal obligations as Trustees of a registered charity in England and Wales.

There are five elected Conservators and three appointed Conservators (together, the Board of Conservators). The elected Conservators are appointed following a triennial election in which everyone on the electoral register and living within the levying area (within three-quarters of a mile of the boundary of Wimbledon Common or within the Old Parish of Putney) is entitled to vote. The next election is due to take place in February 2018. The Appointed Conservators represent the wider general interest in the Commons and under the 1871 Act represent the interests of the Home Office and Secretaries of State for the Ministry of Defence and Department for Environment, Food and Rural Affairs.

Annual expenditure amounts to some £1.6M and there is a permanent team of 22 staff led by an experienced Chief Executive who is responsible for the day to day administration and management of the Commons.

Covering an area of 1,140 acres the Commons, which are designated both as a Site of Special Scientific Interest and Special Area of Conservation, are home to abundant flora and fauna. They are used by large numbers of visitors enjoying the public open space for exercise and recreation of all forms, including a golf course, which pre-dates the establishment of the Commons.

Candidates are invited to apply for the 2018 triennial election.

Further details may be obtained from the Conservators’ website: www.wpcc.org.uk

To apply for a Candidate Brief – Nomination Pack for this challenging but rewarding role, contact:

Paula Graystone, Deputy Clerk and Ranger, at the Ranger’s Office, Windmill Road, Wimbledon Common, London SW19 5NR, Tel: 020 8788 7655 or e-mail paula@wpcc.org.uk

The Closing Date for completed nomination and associated documentation is Tuesday 2nd January 2018.

Meetings for prospective candidates will take place on Tuesday 5th December 2017 at 7.00pm at the Ranger’s office and at 7.00pm Wednesday 13th December 2017 at St Mary’s Church, Putney, SW15 1SN.

Wimbledon and Putney Commons is committed to equality of opportunities.

Wimbledon and Putney Commons

Background

The Wimbledon and Putney Commons Conservators (WPCC) ensure that Wimbledon Common, Putney Heath and Putney Lower Common (known collectively as “the Commons”) are managed and conserved in accordance with the Wimbledon and Putney Commons Act 1871, as supplemented by the Commissioners Clauses Act 1847 and their legal obligations as Trustees of a registered charity. WPCC is a non-political organisation, dedicated to the preservation and protection of the Commons.

Under Section 8 of the 1871 Act the Board of Conservators consists of eight Conservators, five of whom are elected, and three of whom are appointed.

Five Conservators are elected every three years from an electorate formed from everyone on the electoral register and living within the “levying area”, i.e. within 3/4 of a mile of the boundary of Wimbledon Common or within the Old Parish of Putney. The elected Conservators represent the local interest in the Commons. The next election is due to take place in February 2018.

Three Conservators are appointed, respectively by the Secretary of State for Defence (in 1871 the Secretary of State for War), the Secretary of State for Environment Food and Rural Affairs and the Home Secretary. The appointed Conservators represent the wider general interest in the Commons. The appointed Conservators provide an important function in terms of continuity of governance for the Commons.

Every Conservator, whether elected or appointed, should be interested in the Commons as an important site for nature conservation as well as a recreational facility. It is also desirable that a Conservator should bring some particular expertise to the Board. Board meetings are normally held on a bi-monthly basis, on the second Monday evening of that month.

Charity Trustees make decisions about their charity collectively, working as a team. Charity trustees have the ultimate responsibility for directing the affairs of a charity and delivering the charitable outcomes for the benefit of the public for which it was established. The most effective Boards have people with a wide breadth of skills and experience.

The Commons operates an Equal Opportunities policy.

The Commons

The first recognised formation of Wimbledon and Putney Commons arose when Earl Spencer came to terms with residents in drawing up the Wimbledon and Putney Commons Act which received Royal Assent in 1871. This Act conveyed interest in the Commons to a body of Conservators who were charged with keeping the Commons open to the public with natural aspects preserved. The Commons are to this day overseen by this Board of Conservators who are responsible for the governance of the Commons.

The Commons are an area of calm and tranquillity in the midst of the urban sprawls of Wimbledon, Putney and Kingston-upon-Thames in South West London. The Commons comprise about 460 hectares (1,140 acres) of countryside split between Wimbledon Common, Putney Heath and Putney Lower Common. Putney Lower Common is separated from the rest of the Common by about 1.5 miles. Approximately 360 hectares (900 acres) of the Commons are a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).

The Commons consist of woodland, heathland, scrub, ponds, bogs and mown recreation areas. They are home to a wide variety of bird, animal and plant life. Being an unfenced Common, the whole area is open to the public 24 hours a day throughout the year.

Within the Commons there is an 18-hole Golf Course (played over by two Clubs), 16 miles of horse rides and the Richardson Evans Memorial Playing Fields covering 20 hectares (48 acres), providing football and rugby pitches in winter. There is also a large pavilion containing 16 changing rooms with showers and toilets. There are two cricket pitches within the Commons, one at Putney Heath and one at Putney Lower Common.

Since 1st April 1991, the Commons have been largely financed by means of a Levy collected by the Boroughs of Wandsworth, Merton and Kingston in a proportion relevant to the number of "D" Band properties in each Borough within 3/4 mile of the boundary of Wimbledon Common or in the Old Parish of Putney. The Boroughs pass on this levy by way of an addition to the Council Tax on properties in the area.

As a trustee of a charity Candidates should also be conversant with two key Charity Commission guidance documents:

<https://www.gov.uk/government/publications/its-your-decision-charity-trustees-and-decision-making/its-your-decision-charity-trustees-and-decision-making>

<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

In June 2017 the Board approved the Commons' first ever Strategy, this was prepared in conjunction with local stakeholders and sets out our Vision, Mission and Values, together with our key priorities for the next ten years. This can be found at:

<https://www.wpcc.org.uk/downloads/publications/commons-strategy-2017-to-2019.pdf>

Further information can be found at: www.wpcc.org.uk

Election Timetable and Process

They key dates for the 2018 Election are as follows:

- Opportunities for prospective candidates to meet the Returning Officer and Chief Executive: 5th and 13th December 2017
- Last date for receipt of completed and signed Nomination Form (and Proper/Seconder Form if required), Code of Conduct, Terms of Reference and Disciplinary Procedures for Breaches of the Code of Conduct and Principles and Standards: 2nd January 2018
- Last date for receipt of biographical details/supporting information for inclusion in the Ballot Paper: 10th January 2018
- Chairman signs off the list of electors: 17th January 2018
- Despatch of Postal Votes: 1st February 2018
- Return of postal/electronic votes to Electoral Reform Services: 5pm 28th February 2018.



WIMBLEDON AND PUTNEY COMMONS ACT 1871

ROLE DESCRIPTION FOR AN ELECTED CONSERVATOR

With other Board members:

Principal tasks

- To help formulate and regularly review WPCC's strategic aims, agree overall policy, and evaluate performance.
- To ensure that the activities, policy and practices of WPCC are in keeping with its objects and aims.
- To ensure that WPCC complies with the legal and financial requirements of a charitable organisation and its own governing documents, strives to achieve best practice, and maximises its resources.

Main duties

1. To support, and when appropriate to challenge, the Chief Executive in his or her execution of the management of the Commons in a way that reflects WPCC's vision and values, strategy and major policies at all times.
2. To contribute specific skills, interests and contacts to support WPCC and help the Board to reach sound decisions. This may involve scrutinising Board papers, leading discussions, focusing on key issues, or providing advice and guidance on new initiatives.
3. To follow the Principles and Standards, Code of Conduct and Terms of Reference at all times.
4. To attend Board meetings and actively contribute to discussion.
5. To appoint the Chief Executive and monitor their performance.
6. To ensure the effective and efficient administration of WPCC, and its financial health.
7. To be an active member of the Board in exercising its responsibilities and functions.
8. To maintain constructive relationships with senior management staff.
9. To take part in training and development sessions provided for the benefit of Board members.
10. To undertake, if requested to do so, the duties of a "Returning Officer" on behalf of the Chairman for the triennial elections.
11. To fulfil such other duties and assignments as may be required from time to time by the Board.

Additional Duties:

1. To make recommendations, in consultation with the Chief Executive, on the composition of the Board, and future candidates for the role of Chairman.
2. To ensure that the Board regularly reviews its governance structures, role, relationship to staff and implements agreed changes as necessary.
3. To define and keep under review performance criteria for Board members.
4. To ensure, through the Chief Executive, that all Board members receive appropriate advice, training and information relating to their role.
5. To work in consultation with the Chief Executive to appoint Board members, via the Appointing Bodies, with specific/relevant expertise.
6. To ensure effective communication between Board and the Chief Executive.

In recent years it has been custom and practice for the Chairman of the Board to be an elected Conservator.

It is a requirement under the Wimbledon and Putney Commons Act 1871 that Conservators receive **no form of remuneration** for their voluntary services (this includes travelling or other expenses) or hold any office of profit under the Act.



WIMBLEDON AND PUTNEY COMMONS ACT 1871

PERSON PROFILE FOR AN ELECTED CONSERVATOR

In addition to the Principles and Standards, Code of Conduct and Terms of Reference set out above, Trustees are expected to demonstrate a commitment to Nolan's "seven principles of public life": these are, selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

From your submission as part of your application it would be helpful for Levy-payers to be able confirm that you fulfil the following criteria:

Role Criteria	Essential	Desirable
Skills and Qualities		
1. Able to demonstrate commitment to WPCC acting in the best interests of the charity making a positive difference to the Commons, for the benefit of all.	X	
2. A willingness to be flexible, devoting the necessary time and effort, where necessary at short notice.	X	
3. Ability to provide leadership promoting public confidence in WPCC.	X	
4. Able to communicate clearly, using interpersonal skills to form constructive working relationships (in team and organisation).	X	
5. Able to make sound, independent judgement with political impartiality having analysed complex issues and considered options.	X	
6. Ability to take a proportionate approach to both support and constructive challenge.	X	
7. An ability to think creatively in the context of the organisation and external environment.	X	
8. Ability and willingness to speak one's mind, but always respecting that as part of a collective the views of others must be heard.	X	
9. Ability to demonstrate respect for others and promote equality.	X	
10. Ability to act reasonably and responsibly when undertaking Conservator duties and tasks.	X	
11. A clear commitment to and respect for confidentiality.	X	
12. Strategic and forward looking vision in relation to the charity's objects and aims.	X	
Knowledge		
1. An understanding and acceptance of legal duties, responsibilities and liabilities of trusteeship as set out in the Nomination Form, Code of Conduct and Terms of Reference	X	
2. An ability to form and work as part of an effective team	X	
Experience (in one or more of the following areas)		
1. Legal, particularly as it applies to governance of charities.		X
2. Financial management		X
3 HR		X
4. Fund-raising		X
5. Communications		X
6. Governance of a charity		X
7. Environmental		X



WIMBLEDON AND PUTNEY COMMONS ACT 1871

NOMINATION FORM

I (full name)

.....

of (residential address)

.....

having been duly Proposed and Seconded by persons qualified to be Electors, as a Candidate for Election as a Conservator under the said Act at the ELECTION to be held on 28 February 2018*

being an outgoing Conservator*
(*delete as appropriate)

DECLARATION OF ELIGIBILITY

As Wimbledon and Putney Commons Conservators (WPCC) is a charity (Charity No. 303167) I do declare that I am not disqualified from acting as a charitable Trustee:

1 Age

Under charity law, a person must be aged **18 or over** to serve as a charity trustee unless the charity is a company, when the minimum age is 16 for directors under company law [Note that under the 2011 Charities Act, the legal definition of a charity trustee is a person having the general control and management of the administration of a charity].

2 Personal Solvency

Under charity law, a person is disqualified from acting as a charity trustee if he/she:

- ❖ is an **undischarged bankrupt** or
- ❖ is subject to an **order for composition or arrangement with her/his creditors** under the Insolvency Act 1986 and the order has not yet been discharged
- ❖ is subject to an Insolvency Act Order for failing to make payments under an **administration order** is also disqualified, unless s/he has been specifically cleared to be a trustee by the Court that made the Order.

3 Criminal Record

A person is disqualified from being a charity trustee if s/he has been convicted of a criminal offence involving **dishonesty or deception** which has not been spent under the Rehabilitation of Offenders Act 1974. **NB:** If the sentence on conviction for the offence was **imprisonment (even if suspended) for more than 4 years**, then that person is **disqualified for life**. A person is disqualified from being a trustee of a children’s charity if s/he has been **disqualified from working with children** under Criminal Justice and Courts Services Act 2000.

4 Removal Orders

Charity trustees who have been removed as company directors by the High Court or as trustees by the Charity Commission are disqualified from acting as company directors and/or charity trustees.

5 Company Directors Disqualification Act 1986

Company directors cannot act as directors or charity trustees while disqualified by the Court under this Act. Directors can be disqualified for:

- 5.1 **general misconduct** i.e.
 - 5.1.1 persistently failing to file accounts and returns
 - 5.1.2 conviction on indictment in relation to the formation, management or liquidation of a company
 - 5.1.3 fraudulent trading resulting in the winding up of a company
- 5.2 **unfitness to manage** i.e.
 - 5.2.1 being involved in an insolvent company that has since wound up
 - 5.2.2 because the Court declares the person unfit for other reasons

PRINCIPLES AND STANDARDS

There are five elected Conservators and three appointed Conservators (together the Board of Conservators). To be eligible to stand as a Candidate for the position of elected Conservator and as Trustee of Wimbledon and Putney Commons Conservators (WPCC) under the said Act at the ELECTION to be held on 28 February 2018 I agree to abide by the WPCC Terms of Reference, Code of Conduct and Disciplinary Procedures that form part of the Nomination Pack and the following Principles and Standards expected of a person in public life:

GENERAL

As a Board Member:

I will act within the governing documents of WPCC and the law, and abide by the policies and procedures of the organisation. This includes having a knowledge of the contents of relevant legislation, charitable objects and relevant policies and procedures.

I will undertake induction training and such other training as may be necessary to be able to properly understand and fulfil the duties of a Trustee of a charity.

I will support the objects of WPCC, championing it, using any skills or knowledge I have to further those objects and seeking expert advice where appropriate.

I will be an active Board Member, making my skills, experience and knowledge available to WPCC and seeking to do what additional work I can outside Board meetings, including sitting on Sub-committee(s).

I will respect organisational, Board and individual confidentiality, while never using confidentiality as an excuse not to disclose matters that should be transparent and open, as agreed by the Board.

I will develop and maintain a sound and up-to-date knowledge of WPCC and its environment. This will include an understanding of how WPCC operates, and the nature and extent of its work.

I will use WPCC's resources responsibly, and will do so in line with policies and procedures.

I will seek to be accountable for my actions as a Board Member of WPCC, and will submit myself to whatever scrutiny is appropriate.

I accept my responsibility to ensure that WPCC is well run and will raise issues and questions in an appropriate and sensitive way.

MANAGING INTERESTS

As a Board Member:

I will not gain materially or financially from my involvement with WPCC.

I will act in the best interests of WPCC as a whole, and not as a representative of any group, always considering what is best for WPCC and its present and future beneficiaries and avoiding bringing WPCC into disrepute.

I will not put myself in a position where my personal interests conflict with my duty to act in the interests of the organisation. Where there is a conflict of interest I will ensure that this is declared and managed effectively.

I understand that a failure to declare a conflict of interest may be considered to be a breach of the Wimbledon and Putney Commons Code of Conduct.

MEETINGS

As a Board Member:

I will attend all appropriate meetings and other appointments of WPCC or give apologies. If I cannot regularly attend meetings I will consider my position.

I will prepare fully for all meetings and work for WPCC. This will include reading papers, querying anything I do not understand, thinking through issues before meetings and completing any tasks assigned to me in the agreed time.

I will actively engage in discussion, debate and voting in meetings, contributing in a considered and constructive way, listening carefully, challenging sensitively and avoiding conflict.

I will participate in collective decision making, accept a majority decision of the Board and will not act individually unless specifically authorised to do so. I recognise that if I regularly and strongly cannot support Board decisions I should consider my position.

GOVERNANCE

As a Board Member:

I will actively contribute towards improving the governance of the Board, participating in induction and training and sharing ideas for improvement with the Board.

I will help to identify good candidates for Board Membership of WPCC and, with my fellow Board Members, will recommend new Board Members in accordance with agreed selection criteria.

RELATIONS WITH OTHERS

As a Board Member:

I will endeavour to work considerately and respectfully with all those I come into contact with at WPCC. I will respect diversity, different roles and boundaries, and avoid giving offence.

I recognise that the roles of Board Members, volunteers and staff of WPCC are different, and I will seek to understand and respect the difference between these roles. Where I also volunteer with the organisation I will maintain the separation of my role as a Board Member and as a volunteer.

I will seek to support and encourage all those I come into contact with at WPCC. In particular I recognise my responsibility to support the Chairman and senior staff members.

I will not make public comments about WPCC unless authorised to do so. Any public comments I make about WPCC will be considered and in line with WPCC policy, whether I make them as an individual or as a Board Member.

LEAVING THE BOARD

As a Board Member:

I understand that substantial breach of any part of these Principles and Standards, including absence from meetings for 12 months in succession or ceasing to have the qualification required for election, may result in procedures being put in motion that may result in my being asked to resign from the Board. (See Disciplinary Procedures for Breaches of the Code of Conduct and Principles and Standards that form part of the Nomination Pack).

Should this happen I will be given the opportunity to be heard. In the event that I am asked to resign from the Board I will accept the majority decision of the Board in this matter and I will have deemed to have resigned.

If I wish to cease being a Board Member of WPCC at any time, I will inform the Chairman in advance in writing, stating my reasons for leaving.

To the Returning Officer and all whom it may concern,

STATEMENT OF ACCEPTANCE

now I (full name)

of (residential address)
.....
.....

an Elector of Conservators HEREBY NOTIFY you that having been duly nominated for Election as a Wimbledon and Putney Commons Conservator at the ordinary ELECTION of same to be held on 28 February 2018, pursuant to the above named Statute and Election Bye-laws made there and having read and understood the declarations and requirements set out on the above Nomination Form accept nomination as a Candidate.

Signed:

Name (please print):

Date:

Please return in accordance with the Wimbledon and Putney Commons Act, 1871 and Election Byelaws (1990) in hard copy and also electronic format to:

Ranger's Office, Manor Cottage, Windmill Road, Wimbledon Common, London, SW19 5NR and paula@wpcc.org.uk no later than: 5pm January 2nd January 2018

WIMBLEDON AND PUTNEY COMMONS ACT 1871

BIOGRAPHICAL DETAILS TO BE COMPLETED BY ALL CANDIDATES

Please include everything you wish to appear on the Ballot Paper concerning your personal details, history and policy under the three following statements each response to be no more than 150 words maximum (separate typed sheets for responses are acceptable). Please also provide a passport size photograph:

Why do you want to be a Conservator?

.....

.....

.....

What experience and skills do you feel you could bring to the role?

.....

.....

.....

How will you support implementation of the Commons' Vision and Strategy?

.....

.....

.....

The Returning Officer's decision as to suitability of the information submitted is final.

Please return in accordance with the Wimbledon and Putney Commons Act, 1871 and Election Byelaws (1990) in hard copy and also electronic format to:

Ranger's Office, Manor Cottage, Windmill Road, Wimbledon Common, London SW19 5NR and paula@wpcc.org.uk no later than: 5pm January 10th January 2018



WIMBLEDON AND PUTNEY COMMONS ACT 1871

PROPOSER AND SECONDER FORM

I (full name)

of (residential address)

an Elector under the above Act DO PROPOSE,

.....

of (residential address)

also qualified as an Elector, as a Candidate for Election as a Conservator under the said Act at the ELECTION to be held on 28 February 2018

I (full name)

of (residential address)

an Elector under the above Act DO SECOND,

.....

of (residential address)

also qualified as an Elector, as a Candidate for Election as a Conservator under the said Act at the ELECTION to be held on 28 February 2018

As Wimbledon and Putney Commons is a charity (Charity No. 303167) we do declare that to the best of our knowledge the Candidate for the Election named above is not disqualified from acting as a charitable Trustee:

1 Age

Under charity law, a person must be aged **18 or over** to serve as a charity trustee unless the charity is a company, when the minimum age is 16 for directors under company law [Note that under the 2011 Charities Act, the legal definition of a charity trustee is a person having the general control and management of the administration of a charity].

6 Personal Solvency

Under charity law, a person is disqualified from acting as a charity trustee if he/she:

- ❖ is an **undischarged bankrupt** or
- ❖ is subject to an **order for composition or arrangement with her/his creditors** under the Insolvency Act 1986 and the order has not yet been discharged
- ❖ is subject to an Insolvency Act Order for failing to make payments under an **administration order** is also disqualified, unless s/he has been specifically cleared to be a trustee by the Court that made the Order.

7 Criminal Record

A person is disqualified from being a charity trustee if s/he has been convicted of a criminal offence involving **dishonesty or deception** which has not been spent under the

Rehabilitation of Offenders Act 1974. **NB:** If the sentence on conviction for the offence was **imprisonment (even if suspended) for more than 4 years**, then that person is **disqualified for life**. A person is disqualified from being a trustee of a children's charity if s/he has been **disqualified from working with children** under Criminal Justice and Courts Services Act 2000.

8 Removal Orders

Charity trustees who have been removed as company directors by the High Court or as trustees by the Charity Commission are disqualified from acting as company directors and/or charity trustees.

9 Company Directors Disqualification Act 1986

Company directors cannot act as directors or charity trustees while disqualified by the Court under this Act. Directors can be disqualified for:

9.1 general misconduct i.e.

- 9.1.1 persistently failing to file accounts and returns
- 9.1.2 conviction on indictment in relation to the formation, management or liquidation of a company
- 9.1.3 fraudulent trading resulting in the winding up of a company

9.2 unfitness to manage i.e.

- 9.2.1 being involved in an insolvent company that has since wound up
- 9.2.2 because the Court declares the person unfit for other reasons

STATEMENT OF ACCEPTANCE PROPOSER

I have read and understood the above for the above named Candidate for Election as a Conservator and Trustee of Wimbledon and Putney Commons.

Signed:

Name (please print):

Date:

STATEMENT OF ACCEPTANCE SECONDER

I have read and understood the above for the above named Candidate for Election as a Conservator and Trustee of Wimbledon and Putney Commons.

Signed:

Name (please print):

Date:

Please return in accordance with the Wimbledon and Putney Commons Act, 1871 and Election Byelaws (1990) in hard copy and also electronic format to:

Ranger's Office, Manor Cottage, Windmill Road, Wimbledon Common, London, SW19 5NR and paula@wpcc.org.uk no later than: 5pm January 2nd January 2018



WIMBLEDON AND PUTNEY COMMONS CONSERVATORS

TERMS OF REFERENCE

Status

The Wimbledon and Putney Commons Conservators (“WPCC”) ensure that Wimbledon Common, Putney Heath and Putney Lower Common (the “Commons”) are managed and preserved in accordance with the Wimbledon and Putney Commons Act 1871 (the Act), and its legal obligations as a registered charity.

Conservators

As WPCC is a registered charity, the Conservators as Trustees, are responsible for ensuring that the Commons are maintained and managed in accordance with charity law, the requirements of the Charity Commission, and within its charitable objects.

There are five elected Conservators and three appointed Conservators (together the Board of Conservators).

The Board of Conservators must:

- formulate overall strategic direction and leadership, set the vision, mission and underpinning values, formulate policies, determine priorities and evaluate performance of the Commons;
- set, agree and monitor the budget each financial year, and ensure internal financial procedures are reviewed regularly and adhered to;
- be committed to the conservation and preservation of the Commons and act in the best interests of the Commons, Levy-payers and other stakeholders to safeguard and protect the charity’s resources;
- ensure that WPCC functions within the legal, charitable and financial requirements of a charitable organisation and that appropriate policies and monitoring processes have been put in place;
- ensure that WPCC is and will remain solvent, and use its resources wisely in accordance with its legal obligations only to further the purposes and interests of the Commons as laid down in the Act and within its charitable objects;
- adhere to the principles of public service as set out in the Code of Conduct and Principles and Standards (on the Nomination Forms), acting with honesty, integrity and avoiding any personal conflicts of interest and loyalties or misuse of funds or assets;
- act with reasonable skill and care in carrying out their duties and responsibilities, using their personal skills and experience as appropriate to ensure that WPCC is well-run and efficient, obtaining external professional advice when appropriate;
- appoint a Chairman and Vice-Chairman, work on and/or oversee the work of any Sub-committee(s), act collaboratively and be bound by the decision of the majority of the Conservators;

Conservators must:

- not act alone without express delegated authority;
- attend regular meetings;
- give sufficient time, effort and energy to their duties;
- respect the boundaries between executive and governance functions;
- respect fellow Conservators, employees, volunteers and Commons users;
- maintain constructive relationships with senior management and other stakeholders;
- maintain appropriate confidentiality, including over views expressed in closed discussion.

Training

Conservators will need to:

- familiarise themselves with the Act and understand the extent of their duties, powers and legal obligations as Trustees;
- undertake induction training;
- attend, if appropriate, training courses from time to time.

STATEMENT OF ACCEPTANCE

I (full name)

have read and understood the above Terms of Reference for Board Members.

Signed:

Name (please print):

Date:

Please return in hard copy and also electronic format to:

Ranger's Office, Manor Cottage, Windmill Road, Wimbledon Common, London, SW19 5NR
and paula@wpcc.org.uk no later than: 5pm January 2nd January 2018



WIMBLEDON AND PUTNEY COMMONS CONSERVATORS CODE OF CONDUCT

CODE OF CONDUCT

This Code sets out the standards of behaviour expected of Wimbledon and Putney Commons Conservators (“WPCC”). As the WPCC is a registered charity, the Conservators, as “Trustees”, are also responsible for ensuring that the Commons are maintained and managed in accordance with charity law, within its charitable objects and the requirements of the Charity Commission as set out in *Responsibilities of Charity Trustees (CC3)*.

The Code incorporates the organisation’s values and the principles of standards in public life. It aims to ensure that all observe the highest standards of propriety and act in the best interests of WPCC through effective stewardship of the organisation, at all times.

There are five elected Conservators and three appointed Conservators (together the Board Members).

Respect and fairness

Board Members, when acting in their role, must treat each other, members of staff and others with whom they come into contact with respect and courtesy at all times. They must respect the role of staff and let them work unhindered. Board Members must demonstrate a commitment to equality and diversity in all areas of the Board’s work.

Integrity

Board Members are required to use their knowledge, expertise and experience to take the best decisions they can in the interests of the charity. They are equally responsible for all decisions of the Board. Board Members should also promote and support the principles of good governance by leadership and example and should act in an individual capacity and not as a representative of any group, organisation or individual.

Commitment and accountability

Board Members will work to a shared vision and consistently deliver. Board Members must devote sufficient time preparing for and attending meetings to ensure they add value to the Board’s work. Board Members must be responsive and accountable to each other, members of staff and other stakeholders about their decisions, actions and work.

Probity and personal gain

Board Members must not benefit from their position beyond what is allowed by the law and what is in the interests of WPCC. Board Members must not accept gifts and hospitality and must avoid activities which might compromise WPCC’s reputation. Board Members should take decisions solely in terms of WPCC’s interests; they should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Conflicts of interest

Board Members should identify and promptly declare any actual, potential or perceived conflicts affecting them. They must withdraw themselves from any discussion or decision-making process where there is any such conflict.

Confidentiality

Board Members must respect the status of confidential issues they read and discuss. They are bound to maintain the confidential status of this material and any discussions.

Board Members undertake to respect and preserve the confidentiality of the Confidential Information (defined below), and shall not without the prior written consent of the Chair of the WPPC:

- communicate, or otherwise make available, the Confidential Information to any third party; or
- use the Confidential Information for any commercial, industrial or other purpose other than for the benefit of WPPC in the proper performance of their duties; or
- copy, adapt, or otherwise reproduce the Confidential Information except as strictly necessary for the proper performance of my Conservator duties or as permitted by law.

Confidential Information: any information relating to the WPPC which is not publicly available including, but not limited to, any information specifically designated as confidential by the Chief Executive or Board; any information supplied in relation to which a duty of confidentiality is owed or arises; and any other information which should reasonably be regarded as possessing a quality of confidentiality.

I understand that substantial breach of any part of the Code of Conduct, may result in procedures being put in motion that may result in the Board Member being asked to resign from the Board. (See Disciplinary Procedures, Breaches of the Code of Conduct appended to this Nomination Form).

STATEMENT OF ACCEPTANCE	
I (full name).....	
have read and understood the above Code of Conduct for Board Members. I agree to abide by the standards set in the Code.	
Signed:
Name (please print):
Date:

Please return in hard copy and also electronic format to:

Ranger’s Office, Manor Cottage, Windmill Road, Wimbledon Common, London, SW19 5NR and paula@wpcc.org.uk no later than: 5pm January 2nd January 2018



WIMBLEDON AND PUTNEY COMMONS CONSERVATORS DISCIPLINARY PROCEDURES FOR BREACHES OF THE CODE OF CONDUCT AND PRINCIPLES AND STANDARDS

Breaches of the Code of Conduct and Principles and Standards will be dealt with in a consistent, timely and fair manner.

Where the breach occurs during a Board meeting:

- Board Members should raise breaches of the Code as a point of order through the Chairman.
- If the Chairman agrees that a breach has taken place, a first verbal warning will be issued to the Board Member concerned. This will be noted in the minutes.
- If a Board Member breaches the Code for a second time they may be asked to leave the meeting. This will be noted in the minutes, explaining briefly the reasons for exclusion from the meeting.

Where the breach takes place outside a meeting:

Complaints must, in the first instance, be made in writing to the Chairman of the Board. A copy of the complaint will be sent to the Board Member with an invitation to respond to the allegations within an appropriate timescale.

Dealing with alleged breaches

- Step 1** Informal discussion of the matter at hand between the Chairman* and the Board Member.
- Step 2** Formal discussion of the matter at hand, between the Chairman and the Board Member, leading to an oral warning if misconduct is confirmed.
- Step 3** Formal discussion of the matter, between the Chairman and Vice-Chairman or Chief Executive and the Board Member, leading to a formal written warning if misconduct is confirmed.
- Step 4** If a further misconduct occurs, or a Board Member has been excluded from a meeting, the Chairman will ask the Board to consider the appointment of a Working Party of three Members to take the matter further.
- Step 5** The Working Party will investigate potential breaches of the Code of Conduct and advise the Board on suitable action including:
 - A final written warning if there is a further act of misconduct within a set period.
 - A fixed term suspension from involvement in specific/all meetings of WPCC.
 - Advising nominating bodies of misconduct.
 - Requesting the Board Member concerned to resign.

Notes:

- A first or final written warning should set out the nature of the misconduct and the change in behaviour required, with timescale. The Board Member should be told how long the warning will remain current.

- If a Board Member's first misconduct is sufficiently serious, it may be appropriate to move directly to a final written warning. This might occur where their actions have had, or are liable to have, a serious or harmful impact on the organisation.
- Some acts, termed gross misconduct, are so serious in themselves or have such serious consequences that they may call for immediate suspension pending further investigation.
- *Circumstances may arise where misconduct is alleged against the Chairman of the Board. In such circumstances the role of the Chairman in this process should be replaced by the Vice-Chairman of the Board or the Chairman of a Sub-committee(s).

Basic principles for dealing with breaches of the Code of Conduct

- Board Members should raise and deal with issues promptly.
- The Board or its appointed Working Party, should not unreasonably delay meetings, decisions or confirmation of those decisions.
- The Board and Board Members should act consistently.
- The Chairman, or the appointed Working Party, should carry out any necessary investigations to establish the facts of the case.
- The Chairman, or the appointed Working Party, should inform the Board Member of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
- The Chairman, or the appointed Working Party, should allow Board Members to present evidence and to be accompanied at any formal misconduct meeting.
- The Chairman, or the appointed Working Party, should allow Board Members to appeal against any formal decision made. Appeals will be heard by the Chairman or Vice-Chairman.
- The Board should always seek to resolve misconduct issues in-house. Where this is not possible, WPCC should consider using an independent third party to help resolve the problem. The third party need not come from outside WPCC but could be an internal mediator, so long as they are not involved in the misconduct issue. In some cases, an external mediator may be appropriate.

STATEMENT OF ACCEPTANCE

I (full name)

.....

have read and understood the above Disciplinary Procedures for Breaches of the Code of Conduct for Board Members.

Signed:

Name (please print):

Date:

Please return in hard copy and also electronic format to:

Ranger's Office, Manor Cottage, Windmill Road, Wimbledon Common, London, SW19 5NR
and paula@wpcc.org.uk no later than: 5pm January 2nd January 2018