



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 conscientious manner hold good. Commissioners are not appointed to represent interests but to manage the harbour independently for the benefit of all.

Qualities sought in potential Board Members:-

Before an individual is appointed to a Board, here are some of the things which need to be considered:

you must broadly agree with the overall mission of the port but be prepared to question hard the means of getting there;

you may well bring specialist knowledge (of marketing or finance, for example, or as a consumer) but you must not be a defender of functional or sectional interests;

you must understand the constraints of the Port's relationship with the Department of Environment, Transport and the Regions and of working within the national standards of accountability for Trust Ports.

you must understand the organisation of the Port (not necessarily before appointment) but not become too identified with it.

you must understand the legislative and statutory framework within which the Port operates and the duties and obligations this places on the Board;

you must have a commitment to getting the best value for money, taking into account social objectives, for the Port's end customers;

you must be prepared to spend time, if necessary over and above that nominally required, to do the job properly.

The key qualities which need to be clearly demonstrated (by factual information and concrete examples) in your application include:

you must have achieved results in demanding situations. These can be in a career or in unpaid (such as voluntary) work,

you must have demonstrated the ability to contribute effectively in group discussions involving a wide range of people, including specialists and professionals. This includes the intellectual ability to extract the essence of an argument from papers and to analyse problems and assess evidence impartially;

you must demonstrate that you have been able to earn the respect of colleagues and been influential as a member of a team working over a sustained period of time towards demanding goals;

your application should make clear the level and depth of your management or specialist expertise (if any), and any other experience which demonstrates your knowledge and interests relevant to this post.

you should also set out your reasons for wishing to be considered for this appointment.

Summary of a Board Members activities

As a general rule a Board Member should:

act independently and in good faith in the best interests of the trust port and all its stakeholders (Commissioners Clauses Act 1847)	ensure that they receive adequate training for the discharge of their responsibilities
ensure that all their actions and the operation of the port are undertaken within the statutory framework. They must not knowingly allow the port to breach or fail to discharge legal or fiduciary obligations	acquire a proper understanding of the business including - delegated authorities, the strategic plan, budget, structure and relationships, financial controls and systems, customers, competition and markets (e.g. rights and responsibilities)
have a duty of care to the trust port and its current and future stakeholders	always respond appropriately to complaints from stakeholders
forge strong working relationships with other members of the board and executive	ensure that the executive is managing the port honestly, efficiently, effectively and acting within its powers
attend all board meetings unless, exceptionally, excused by the chairman	be prepared to submit a paper to the board on their views
send a letter explaining their views on major issues if they cannot attend	read the board papers and ensure that all their decisions are properly informed
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	be honest in their dealings with no hidden agenda and respect the confidentiality of information obtained as a board member, and of board discussions
ensure they have all of the information they need to fulfil their obligations to the trust port	be team players sharing knowledge and views with fellow board members and abiding by the view of the majority
participate in the appointment of the executive	place their skills at the disposal of the port and its executive
actively participate in board discussions - be testing - be prepared to be challenging and to act independently (in a constructive manner)	declare an interest in any board discussion at the outset but be prepared to contribute factually to the debate

As a general rule a Board Member should not:

represent specific interests when acting as a board member	ignore or unreasonably oppose the views of the majority
use information obtained as a board member for personal gain, the gain of any third party, or misuse it in any other way	allow membership of any other organisation, club or society to influence his/her decisions or actions as a board member
allow the executive to exercise undue control over the port and board	become complacent or stagnant
cast a vote or attempt to influence or persuade the board on any item in which they have an interest	enter into contracts or other arrangements for personal gain with the port (Commissioners Clauses Act 1847)
attempt to influence the decisions or direct the activities of the trust port servants without recourse to the board	interfere or participate in operational matters unless specifically requested by the chairman and executive