

## SERVICE UPDATE

<b><u>Name of Function:</u></b>	Governance
<b><u>Date:</u></b>	15 December 2020
<b><u>Title of Update:</u></b>	Governance Review - Trusts
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### **UPDATE:**

This Service Update provides a brief report on the work that has been done so far in relation to the Governance Review of Trusts.

At a meeting of 9 December 2019, Council approved proposals to take specified actions in relation to various Trusts that are affiliated with Aberdeen City Council (ACC). Following on from this decision, discussions have progressed with external stakeholders, ACC colleagues, the Scottish Charity Regulator and the Lord Advocate in respect of implementing these proposals. It had been anticipated that a report would be brought to Council at the December 2020 meeting; but due to COVID-19 there have been delays in progressing the proposals. It is intended that a report will be brought to Council next year.

Below is a summary of the work that has been carried out since the last meeting:

#### **1. Educational Trusts**

##### *Elizabeth H. Bain Bequest – funds added*

A legal representative from James & George Collie LLP contacted ACC this year to inform them that a deceased client left a one-third share of their estate to ACC, for the purchase of musical instruments for schools within Aberdeen City. The funds are to help pay for pupils' individual musical tuition (e.g. lesson fees, purchase of music and travelling expenses) where there is financial hardship.

Following consultation with the deceased's legal representative it was agreed that the funds will be merged with an existing ACC Trust – this being the Elizabeth H. Bain Bequest. The Elizabeth H. Bain Bequest was established to provide music tuition and instruments to pupils in schools within Aberdeen City. In December 2019, Council agreed to make these funds available to all schools through the Music Tuition Service. In October 2020, the deceased's legal representative transferred £129,030.50 to ACC and this now forms part of the Elizabeth H. Bain Bequest.

#### **2. Children's Social Work Trusts**

There are ongoing discussions between officers in Legal Services and the Chief Officer - Integrated Children's Services on how to disburse the trust funds.

### **3. Adult Social Work Trusts**

#### *Fergus House-Comforts Fund – funds awarded*

Fergus House Care Home is run by Bon Accord Care (BAC). In accordance with the Council decision of 9 December 2019, BAC was informed of the availability of funds and asked to put forward proposals that are in line with the trust purpose. The trust purpose for Fergus House-Comforts Fund is “to provide comforts for the residents at the named home.”

BAC contacted ACC seeking funding from the Fergus House-Comforts Fund for a renovation project at Fergus House Care Home - to build block paving to the front of the building so that residents at the Care Home have an outdoor area at the front of the building to view their surroundings.

BAC provided ACC with contractor quotes. In October 2020, it was agreed that BAC will be provided with £5,850.00 to carry out the work. The work is currently underway, and BAC will be in touch with ACC to provide them with pictures of the finished project.

### **4. Arts & Culture Trusts**

#### *Bridge of Don Fund (SC018551) – Change of Charity’s Name*

At the Council meeting of 23 August 2017, it was agreed to amalgamate the Bridge of Dee Fund into the Bridge of Don Fund. Both charities were historic and their funds were originally used to build and maintain the bridges of the River Dee and Don (including the Brig O’ Balgownie). It was also agreed that the charity purpose be changed from the maintenance of bridges to the advancement of heritage within the City of Aberdeen. This change reflects the historic nature of the bridges and takes into account their status as listed monuments within the City.

At the Council meeting of 9 December 2019, it was agreed that the name of the Bridge of Don Fund charity be changed to the "Bridges of Aberdeen Heritage Trust". This is to reflect the spirit and current purpose of the charity.

The application to the Scottish Charity Regulator for consent to change the charity name will be submitted in December 2020. Usually, it takes the Regulator 42 days to make a decision. It is anticipated that the application will be determined by February 2021.

#### *Robb’s Trust*

At the 9 December 2019 meeting, Council resolved to nominate Councillor Cross as a trustee to Robb's Trust. This nomination was subsequently approved by the fellow trustees of Robb’s Trust.

#### *Robert Skene Mathew Bequest, Molly Craig Fund and Stewart Reid Memorial Fund*

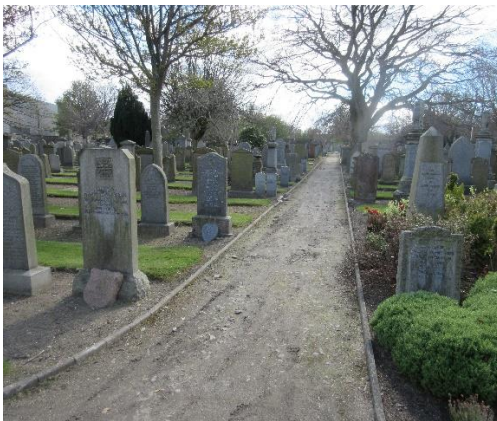
In accordance with the Council decision of 9 December 2019, colleagues in Finance are currently progressing with the transfer of balances from the Robert Skene Mathew Bequest, Molly Craig Fund and Stewart Reid Memorial Fund to the Lord Provost’s Charitable Trust.

A large part of the value of the three Trusts is held in investments. Due to this, there have been some delays in releasing the funds as it involves the sale of investments. It should also be noted that the current value of the three Trusts is likely to have been impacted due to the fall in the value of investments as a result of COVID-19.

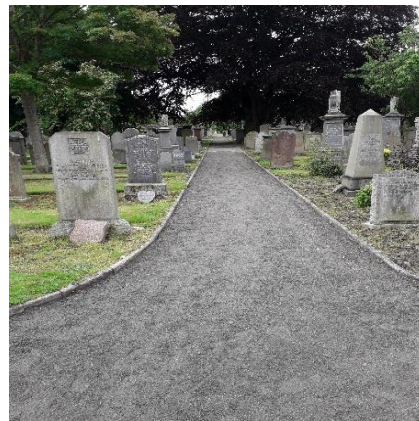
#### *Nellfield Cemetery - Teresa Marshall’s Legacy*

In February 2020, a legal representative from James & George Collie LLP notified ACC that their deceased client left a legacy of £1,000 to Nellfield Cemetery – to be used for ensuring the path leading to the Murray family lair be kept clear and tidy in order to provide suitable access in perpetuity.

Following consultation with ACC’s Environmental Services Team it was proposed that the funds be used to spread granite dust on the path which would make it easier to walk during most weather conditions. This proposal was accepted by the deceased’s legal representative and the sum of £1,000 was transferred to ACC in May 2020. The improvement works at the cemetery were completed within the £1,000 budget in July 2020. Subsequently, the Nellfield Cemetery - Teresa Marshall’s Legacy was wound up.



Picture 1: Before



Picture 2: After

#### **5. Lord Provost’s Charitable Trust**

With the impact of coronavirus being felt across the city, the Aberdeen COVID-19 Emergency Appeal was set up by the Lord Provost’s Charitable Trust to help raise as much money as possible for the city’s charitable organisations, who were in a position to help individuals, families and communities experiencing hardship due to the pandemic.

The Emergency Appeal was organised in partnership with The Seven Incorporated Trades of Aberdeen, Hampton Agency and colleagues across various ACC clusters. It has raised just over £300,000 since its launch on 1 May 2020. Four rounds of funding have taken place, and £298,896 has been allocated to 42 charities for 60 initiatives.

Members should feel free to contact the report author should they have queries on any of the above matters.