

What's new at the Charity Commission?

Danielle Mawer and Jack Michaels report on recent developments at the Charity Commission.



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Coronavirus guidance

The Charity Commission has published a suite of guidance entitled 'Coronavirus (COVID-19) guidance for the charity sector' to help charities during this time.

Notably, the guidance sets out the commission's supportive approach during the crisis:

'We want to assure charities that our approach to regulation during this uncertain period will be as flexible and pragmatic as possible in the public interest, whilst helping trustees to be aware of and think about the wider or longer impact of their decisions on their charity.'

This should help provide some comfort to charity trustees who have been making very difficult decisions in complex and rapidly-changing circumstances.

The guidance, which is updated regularly, sets out the commission's answers to commonly-asked questions and includes practical tips on topics such as whether a charity's objects permit it to help with corona efforts (and when a charity may be able to amend its objects to enable it to assist with such efforts, if appropriate), accessing government funding, using reserves and restricted funds, holding AGMs and trustee meetings, keeping people safe and serious incident reporting.

<https://www.gov.uk/guidance/coronavirus-covid-19-guidance-for-the-charity-sector>

Regulatory action: Save the Children UK

In early March 2020 the Charity Commission published its report following its statutory inquiry into Save the Children UK. The inquiry investigated the handling of allegations of harassment made by staff against the former chief executive officer and other senior staff.

The report acknowledges some aspects of good practice in the way the charity dealt with the complaints, but found that

it did not handle these staffing issues as well as it should have. In particular, the charity failed to consistently follow its own processes and dealt with the complaints informally rather than investigating them fully. Further, the full trustee board was not informed about the complaints relating to the chief executive officer as early as it should have been – this amounted to a finding of mismanagement.

The commission was also critical of the extent and frankness of the charity's reporting to the commission and what it described as an 'unduly defensive' response to media reports. The commission felt this created an impression that the charity was downplaying the seriousness of the allegations and not dealing with them responsibly and openly. Furthermore, inconsistencies between the information given to the commission, and that reflected in public statements, resulted in a warning to the charity about the accuracy and integrity of its assurances to complainants and of some of its public statements.

The commission noted that it cannot enforce healthy internal cultures in charities or adjudicate staff complaints, but hopes this report and the wider lessons will help other charities learn from this case, and place appropriate priority on the culture and behaviours modelled by those in senior leadership positions.

Read the full report here: <https://www.gov.uk/government/publications/charity-inquiry-the-save-the-children-fund-save-the-children-uk>

FIND OUT MORE

The Charity Commission website is at <https://www.gov.uk/government/organisations/charity-commission>.