

trustee focus

August 2009

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Recession resources for trustees and charities

CTN has created a new area on its website devoted to helping charities deal with the recession. Lots of organisations have been producing resources to help charities cope with the recession and we have gathered some of these together and made them available from our website.

You'll find the resources in the Resources section of our website at www.trusteenet.org.uk/resources

Questions trustees should ask during a recession

The Charity Commission has produced a resource to help charities during the recession. The Big Board Talk is 'the conversation all charities need to have', and the direct result of an extensive four-month programme of outreach and research by the Commission. It covers the key areas where charities are most vulnerable and asks 15 key questions to help trustee boards look at both the options and opportunities available to them, right now.

The resource is available at:
www.trusteenet.org.uk/resources/big-board-talk

Cutting red tape

It's always easy to complain about the burden of regulation on charities; it can be less clear what to do about it. However, now is your opportunity to get those complaints heard.

CTN is meeting with the Better Regulation Executive (BRE) later in August and will pass on any specific examples of issues that trustees are facing with regulations.

Email claire.f@trusteenet.org.uk by the end of **Friday 14th August**, with specific details of how you and your charity have had difficulties with or caused by regulations, and we will share these with the BRE. Please state when you contact us whether you are happy for your contact details and any details provided about your charity to be shared with the BRE. If you do not state either way, we will assume that you are happy for such details to be shared.

If at any other time you come across regulations that cause you difficulties you can always contact the BRE through their portal, which can be found at: www.trusteenet.org.uk/resources/how-cut-out-red-tape.

Free networking lunch for grant-making charities – 23 September

Charity Trustee Networks and the Directory of Social Change are running a free networking lunch for trustees of grant-making charities. The lunch will give these trustees an opportunity to share their experiences and learn how other organisations work. If you or anyone you know is interested, more details are available at: www.trusteenet.org.uk/events/free-networking-lunch-trustees-grant-making-charities

Good Trustee Guide

If you're looking for one book that will answer lots of your questions about trusteeship *The Good Trustee Guide* published by NCVO is an excellent resource. Recently edited and now presented in a handy reference book format, this book covers a huge range of relevant subjects, including the role of trustees, data, ICT, staff, volunteers, handling change and conflict, developing the board and improving governance.

The book costs £25, which we think is very reasonable for the range of areas it covers, and is available from:

<http://www.ncvo-vol.org.uk/publications/publication.asp?id=1451>

where you can also see a table of contents and download a free sample chapter.

Have your say – open consultations

Compact Consultation - following consultation a refreshed version of the Compact is now available for consultation.

For more information go to: www.thecompact.org.uk/information/129473/

Charity Commission consultation – on a single quality scheme – Integrity, equality, respect and fairness.

For more information go to:

www.charitycommission.gov.uk/enhancingcharities/equalityintro.asp

Charities and expenses - The Independent Expert Group on Expenses has launched a consultation with charities on whether and how they should disclose their expenses. Take part by going to:

http://www.surveymonkey.com/s.aspx?sm=DqdhQ4cLdM8eQbdTvQiglg_3d_3d

Treasury consultation – on future of charity investment funds. www.hm-treasury.gov.uk/consult_charity_pooledfunds.htm

Guides published to ease the burden of monitoring requirements on voluntary organisations

Two new guides have been published to help public bodies reduce their monitoring demands on charities.

Intelligent Monitoring and *Principles of Proportionate Monitoring* have been published by the National Audit Office and the Office of the Third Sector respectively.

The publications say that cutting unnecessary red tape would allow third sector organisations to provide services more effectively.

Prefer plain text? Email:
membership@trusteenet.org.uk

KEEP YOUR DETAILS UP TO DATE
If you are no longer a trustee or your details have changed, log in to www.trusteenet.org.uk to update your details.

Principles of Proportionate Monitoring is available from the Office of the Third Sector and can be accessed at:

<http://www.cabinetoffice.gov.uk/media/216752/principles.pdf>

Intelligent Monitoring is available from the National Audit Office at:

http://www.nao.org.uk/guidance_and_good_practice/toolkits/intelligent_monitoring.aspx

Nominations are now open for the 2009 DSC Social Change Awards

Nominations are open for the annual Social Change Awards! The Directory of Social Change are looking for the passionate individuals and effective organisations committed to making positive impacts on our society. The awards celebrate what these amazing people have done in a fun and informal awards ceremony.

If you know of individuals, community groups, companies, public bodies or charities that you think deserve the Everyday Impact Award, the Influencer Award, Investing in Social Change Award or the Public Body Award we want them to be nominated. And you can even nominate yourself! The nomination process takes less than 5 minutes.

Go to www.socialchangeawards.org.uk/index.html to make your nominations.

In more detail – Public Benefit, by Dame Suzi Leather

Having seen media reports this week, people might be forgiven for thinking that the Charity Commission has singled out independent schools for rather unsympathetic treatment. But there is more to the whole story than you might think, and it's far less dramatic than some commentators would have you believe.

This week's story has all centred on an odd sounding term – public benefit. This is an essential ingredient of what it means to be a charity. It may seem obvious that charities provide public benefit; they do good work, after all. However, its meaning in law is more specific than this. One aspect is that charities must ensure that there are no unreasonable restrictions on who can benefit from what they do, hence the issue of high fees. Also, who is the public and what is the benefit? These matters are derived from case law, not from opinion.

Charities have always had to exist for the public benefit, but some were presumed to do so - religious and education charities, and those that relieve poverty. Changes to charity law made in 2006 removed this presumption, creating a level playing field for all charities.

As the independent regulator of charities, the Charity Commission was charged by Parliament with implementing the public benefit requirement. We undertook extensive consultations to ensure the advice we provided, based on case law, was as clear as possible.

So where do charitable independent schools fit into all of this? Charity is the key word here - many schools are not charities and not affected by this change.

I agree with those who praise the work of charitable independent schools. This was never in question. But can they in a legal sense demonstrate public benefit?

The Commission has assessed the public benefit of twelve charities, including five independent schools. We published the findings this week and the good news is that most of the charities are meeting the requirement. Only four, two schools and two care homes, are not. These four, high fee-charging charities

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are not currently doing enough to ensure that people who cannot afford the fees can benefit from what they do.

So what happens next? Let me be clear, no charity is currently in danger of losing its charitable status. The four charities have been given a year to provide a satisfactory plan for how they aim to meet the requirement. They will then be given ample time to put this into action. We will be on hand to support them throughout. We are not going to dictate how they are going to do this. Trustees and governors, with our written guidance, are best placed to identify how their charity can achieve this.

What I hope is now clear for the public, is that all charities are in the same boat. And they will all have to be transparent about the public benefit they provide. I am confident that the British people will continue to support a charity sector that they have long valued, but this support will now be based on evidence rather than assumption.

Network meetings in September and October

Please go to www.trusteenet.org.uk/events for details of these and many more events.

7 September – Thrive Trustee Network – North East Lincolnshire
22 September – Bath and North East Somerset Trustee Network
26 October – Central London Trustee Network