

Jamaica FID Conference

What does it take to take the profit out of crime?"

Robin MacGregor

Head of International Charity Commission for England & Wales

Date: January 2018

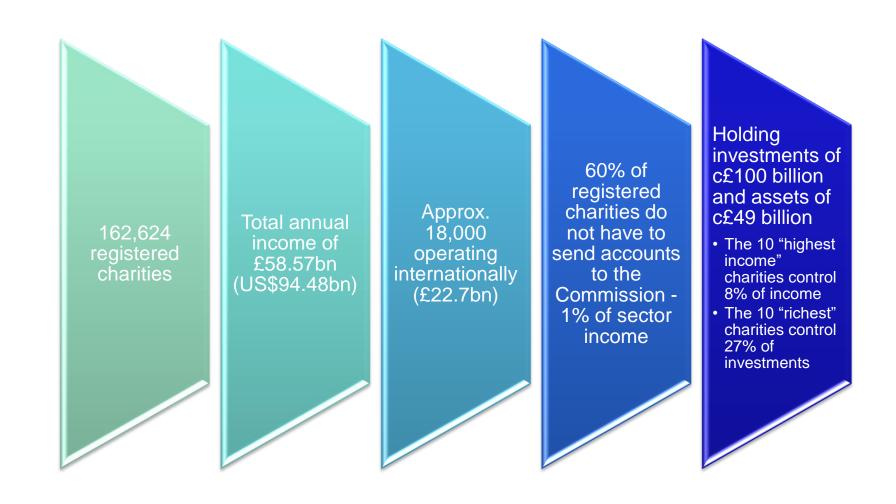


Introduction to the Charity Commission

- Commission first established by statute in 1853
- Regulator and registrar of charities established in England and Wales (1960)
- £22m annual budget (2016)
- 290 staff in 4 offices Liverpool, London, Taunton, Newport



The Charity Sector in England & Wales





Scope of Regulation

- Maintain a public register of charities
- Provide general advice and guidance (Web based)
- Confer regulatory consents (schemes, orders, authorisations) and give regulatory advice
- Identify, monitor, investigate and remedy misconduct and mismanagement in charities and act to protect charity property
- Obtain, evaluate and disseminate information about charities (incl. accounts and annual return submissions and publication)



Main functions:

- to determine whether organisations are charities
- to maintain an accurate and up to date public register of charities
- to encourage and facilitate better administration of charities-including advice and guidance
- to identify and investigate charity abuse and to take remedial and protective steps to deal with abuse and to safeguard charity property
- to obtain, evaluate and disseminate information about charities including maintaining an accurate and up to date public register



Principles of best regulatory practice

- Proportionate
- Accountable
- Consistent
- Transparent
- Targeted

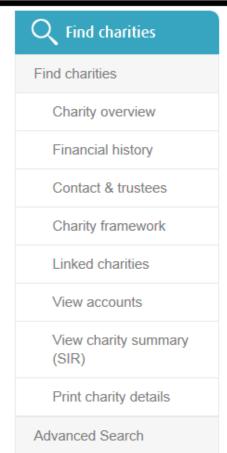


Registration

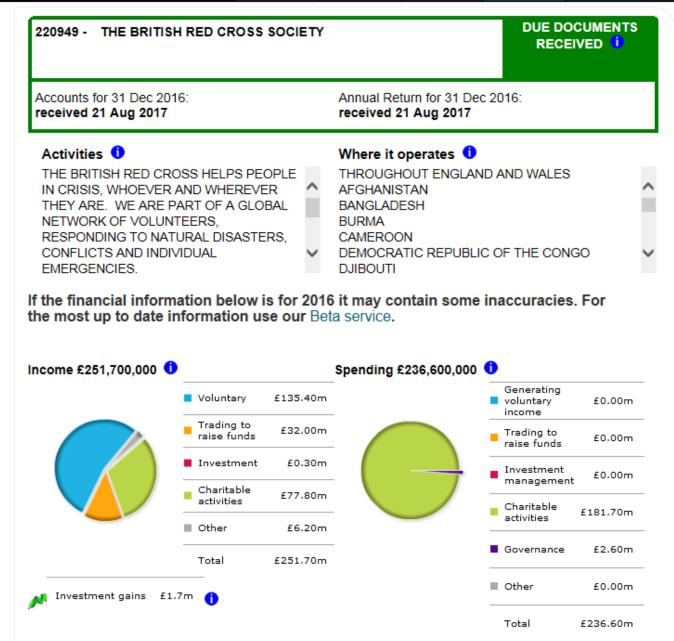
- All Charities with income over £5,000 per annum must register with the Commission
- Public internet register

Why have a public register

- To increase public trust and confidence in charities
- To enhance the accountability of charities to donors, beneficiaries and the general public
- To promote the effective use of charitable resources
- To promote compliance by trustees with their legal obligations



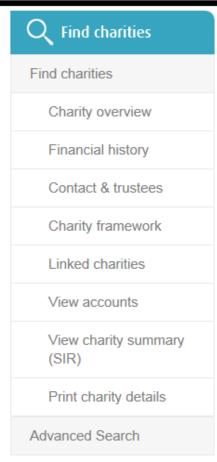




Accounts

SIR

06 Jun 2013

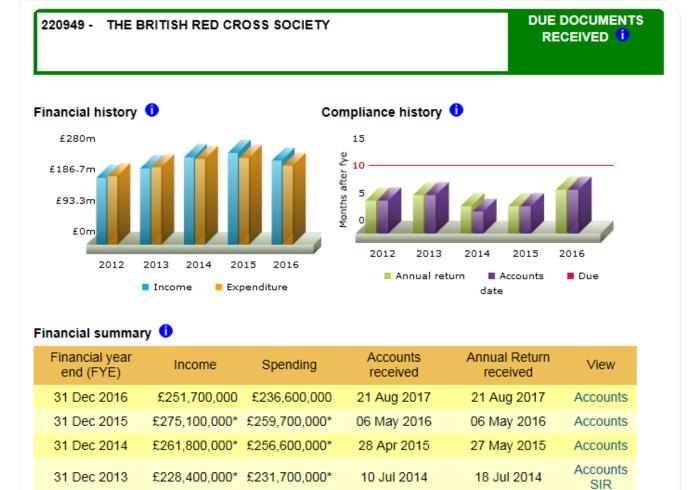


🎒 http://apps.charitycommission.gov.uk/Showcharity/RegisterOfCharities/FinancialHistory.as 🔎 🔻 🕻



31 Dec 2012

£200,100,000* £204,800,000*

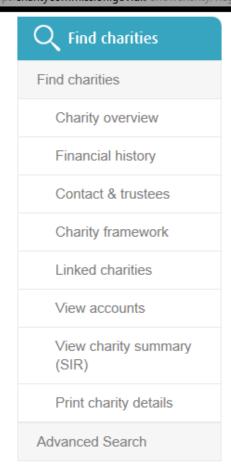


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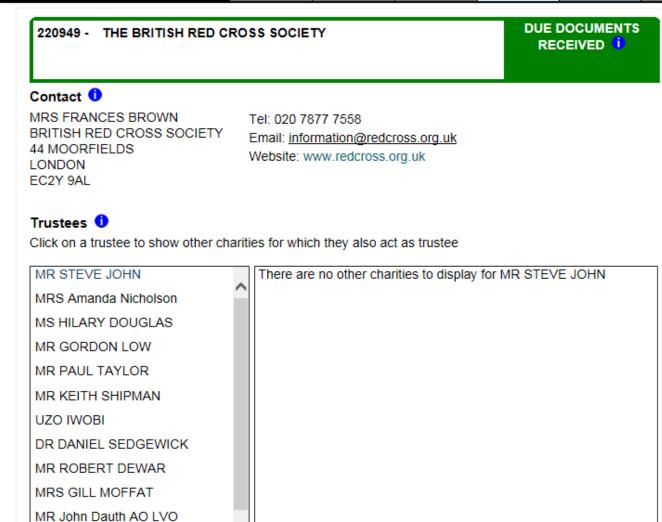
* Consolidated accounts

MRS Fionnuala Cook OBE



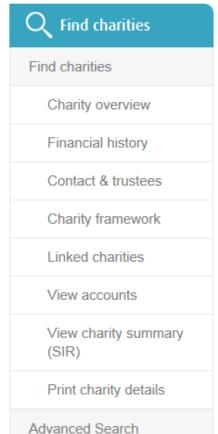








http://apps.charitycommission.gov.uk/Showcharity/RegisterOfCharities/DocumentList.aspx 🔎 🕶





220949 - THE BRITISH RED CROSS SOCIETY

DUE DOCUMENTS RECEIVED i

The Charities Act 2011 requires all registered charities to prepare a Trustees' Annual Report (TAR) and accounts.

Registered charities with a financial period ending on or after 1 April 2009 must send their TAR and accounts to the Commission if their income was greater than £25,000. For financial periods earlier than this charities were required to send the documents if the income was greater than £10,000.

We make copies of the accounts and Trustees' Annual Reports (TARs) that we receive publicly available. Accounts and TARs for charities with an income over £25,000 are available for download. Please click the appropriate link below.

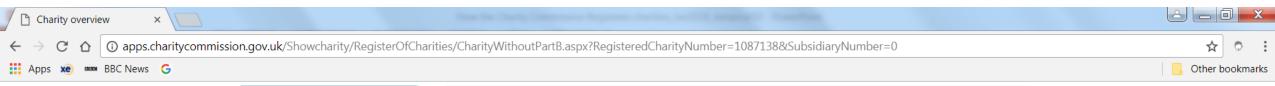
The links below will open a pdf document for you to view the Trustees' Annual Report and accounts in printable form.

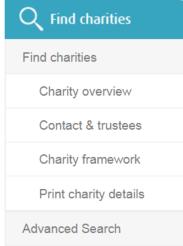
If you do not have Adobe Reader, please follow this link



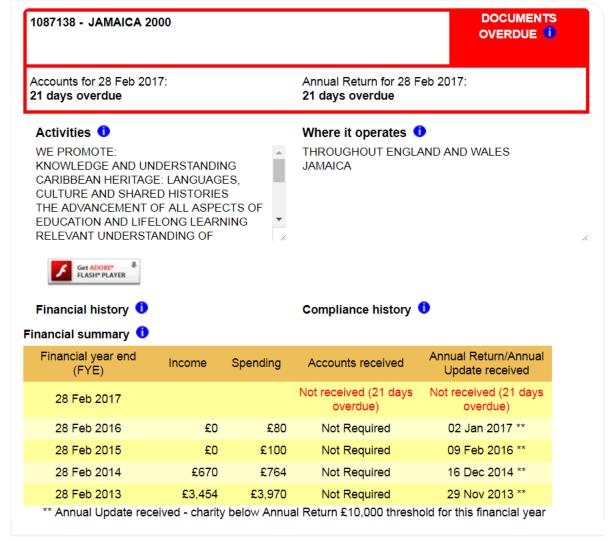
View accounts for financial year ending File size

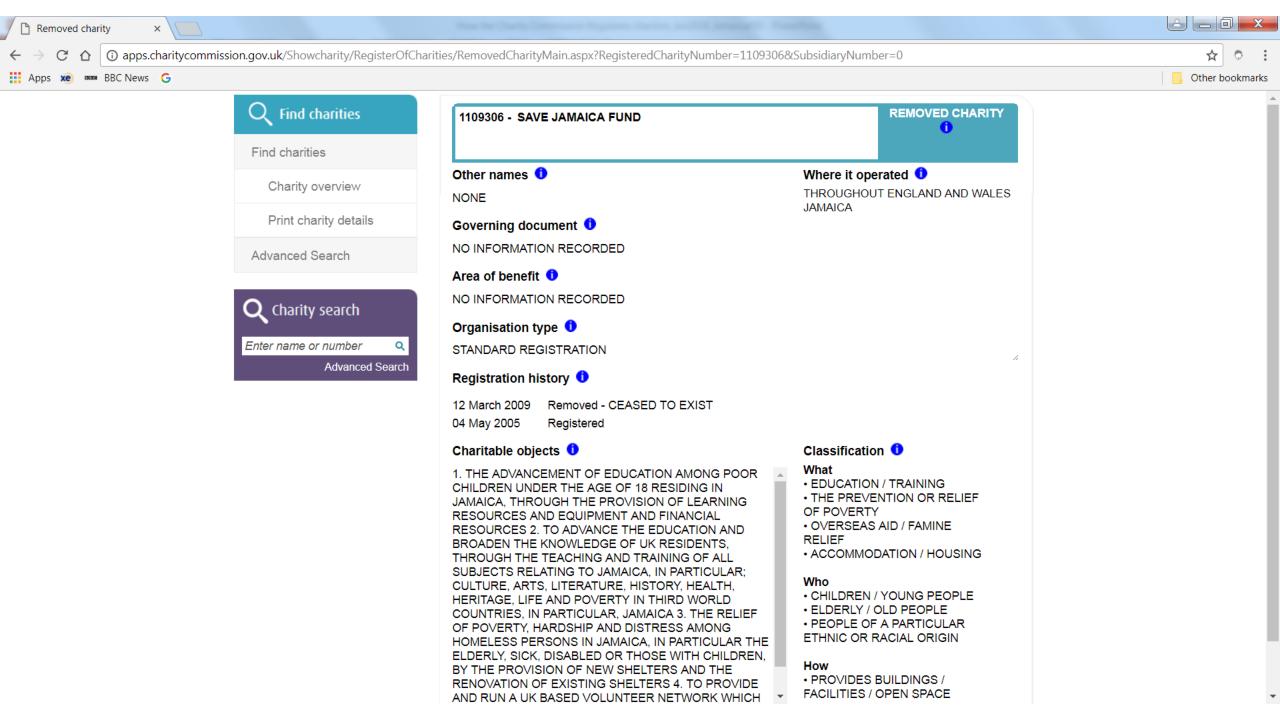
31 Dec 2016	3,789Kb
31 Dec 2015	4,150Kb
31 Dec 2014	2,006Kb
31 Dec 2013	5,370Kb
31 Dec 2012	4,186Kb













Reporting to the Regulator

- Increases transparency within the NGO sector, for the sector
- Enables Regulator to identify abuse and areas of greatest risk within the sector

Annual Reporting Requirements

- Annual Return, including update to the Register income over £10,000
- Accounts income over £25,000
- Trustee Annual Report
- Serious Incident Reporting

Note – all charities must keep accounts and an annual report and make it available to the public or the Charity Commission upon request. Accounts are publicly available from the Commission



Accounts

- Income over £1 million must be audited
- Income over £250,000 independent examination by member of accountancy regulated body
- Income over £25,000 independent examination

There are obligations on auditors and independent examiners to report matters of material significance to the Charity Commission



Reporting Serious Incidents

- significant loss of your charity's money or assets
- significant damage to your charity's property
- significant harm to your charity's work, beneficiaries or reputation
- any actual or suspected criminal activity
- one of the trustees is disqualified
- something has happened to force your charity into insolvency
- withdrawal of banking services and difficulties in securing alternative bank accounts
- your charity is subject to a police investigation or a significant investigation by another agency/ regulator.
- mass resignation of staff or trustees
- the charity's trustees or employees are the subject of criminal proceedings, in connection with the charity or their role in it



What does the Commission do with information under Reporting Requirements

Annual Reports and Returns

- Selective monitoring
- Possible further regulatory action depending on risk presented

Reporting Serious Incidents

- Risk based approach
- Expect trustees to take appropriate action to deal with incidents
- Expect trustees to take action to ensure they do not happen again.
- Depending on risk we may verify the trustees have taken appropriate action
- If appropriate action has not been taken the Commission may step in