



MP Factsheet

Charities, politics and campaigning

I'm concerned about a charity's political activities. What are the rules?

Charities are free to participate in public debates and to use their voice to try to influence decisions which will support the work of the charity. However, there are particular legal requirements about political activity by charities.

Charity law defines political activity as any activity that aims to promote or oppose a change in the law or Government policy. Charities can undertake political activity in support of their charitable aims, but it's not acceptable for a charity to pursue its aims solely through political activities. This is because charities can never have a political purpose – so an organisation which exists purely to campaign for a change in the law is not a charity. Whether or not charities choose to undertake political activity, they must never support or oppose a particular political party or endorse a particular political candidate.

Speaking Out: Guidance on Campaigning and Political Activities by Charities is available on our website: www.charitycommission.gov.uk/detailed-guidance/managing-your-charity/speaking-out-guidance-on-campaigning-and-political-activity-by-charities-cc9

A charity is using controversial material in its campaign. Can the Charity Commission get involved?

Charities are free to use emotive and controversial material to highlight a particular issue or campaign, so long as the material is backed up with evidence, is factually accurate, and furthers or facilitates their charitable work. The Commission can't usually take up complaints about controversial or upsetting material a charity uses in its campaigns. If you or a constituent are concerned about such material, you should contact the charity directly, or alternatively the Advertising Standards Authority:

Advertising Standards Authority

Mid City Place
71 High Holborn
London
WC1V 6QT

T: 020 7492 2222

E: enquiries@asa.org.uk

How much is a charity allowed to spend on political campaigning?

A charity can choose to focus most, or all, of its resources on political activity for a period. The key issue for charity trustees is the need to ensure that this activity is not, and does not become, the reason for the charity's existence. Political activity can only be a means of supporting or contributing to a charity's purposes. It can't be a charitable purpose in its own right, or the only means a charity uses to pursue its objects.

Can charities campaign internationally or overseas?

Yes. The basic position is the same for all charities, wherever they work. Where a charity is working internationally and aiming to promote change in legislation or public policy, it must satisfy itself that this change will contribute to its charitable purpose. As with charities working in the UK, campaigning to change a particular piece of legislation can't be a charitable purpose in its own right.

As an MP, can I speak on behalf of a charity?

Yes. MPs and politicians can speak on behalf of charities and can advocate a charity's perspective on policy and legislation. Indeed, many MPs give up their time to act as charity trustees. Charities which enlist the support of politicians, however, must be conscious of the importance of their independence, and wherever possible seek cross-party representation in order to stay politically neutral. The Charity Commission would be concerned if a particular charity consistently enlisted the support of politicians from only one political party.

Can I use a charity's premises to hold political meetings?

Yes. To raise funds, charities of all sorts allow non-charitable organisations to use their premises. This includes politicians holding meetings and MPs holding surgeries. However, it's essential that such arrangements are conducted on proper commercial terms. Charities can refuse to hire facilities to a candidate, party or other group if the trustees have good reason to believe that to do so would alienate the charity's beneficiaries, users or supporters, or are advised by the police that there would be a risk of public disorder.

Trustees of some types of charities (notably schools) may also be required to allow election candidates to use their premises for election meetings, free of charge, under the Representation of the People Act 1983.

I'm concerned about links between a charity and a political party

A charity can't make political donations, give other financial support, or support in kind, to a political party. This is a fundamental principle of charity law. This prohibition also applies to any trading subsidiary a charity may have.

Charities that work close to the political environment (for example think tanks) must pay particular attention to the risks associated with the work they undertake. Like all charities, they can't be involved in directly promoting government policy for political advantage, the policies of a particular political party, or be involved in party politics in any way. They must ensure their work stays politically neutral and that perceptions of their independence aren't adversely affected.

What rules do charities have to follow during a General Election?

The principles on campaigning outlined above continue to apply during an election period. Our guidance sits alongside other requirements, such as electoral law, which applies to charities and non-charitable organisations alike. Election periods offer great opportunities for charities to raise the political profile of their causes, but they need to be particularly careful to maintain their independence at this time.

We publish specific guidance for charities to use during the period between the announcement of an election and the date on which an election is held. It applies to both national and local elections, and is available on our website:

www.charitycommission.gov.uk/detailed-guidance/managing-your-charity/speaking-out-guidance-on-campaigning-and-political-activity-by-charities-cc9/charities-and-elections

Our senior staff are always happy to meet with parliamentarians to brief them on an issue, to address specific concerns, or to discuss the work of the Charity Commission generally. If such a meeting would be useful to you, contact our Public Affairs Manager, Jack Rowley, by telephone on 020 7674 2322 or by email at jack.rowley@charitycommission.gsi.gov.uk