



## Operational Case Report

# The Global Warming Policy Foundation (1131448)

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### About the charity

The Global Warming Policy Foundation ('the charity') was registered in September 2009 with objects to advance education and promote research into the science of global warming and global warming policy.

The charity has a high media profile and prominent trustees, including its chair Lord Lawson. It actively engages in debate on global warming.

### Why the commission got involved

Concerns were raised with the commission that the charity was promoting views that were of a political rather than an educational nature.

The high media profile of the charity and the concerns raised as to its political nature created a potential risk to the integrity of the sector which required the commission to get involved to ensure the charity operates for the public benefit and within the permitted framework in relation to campaigning and political activities.

### The action we took

We examined in detail the work of the charity including its website, blog and publications and had extensive and constructive engagement with the charity, analysing its work against the legal framework for educational charities.

### What we found

We found that much of the charity's work was undertaken through its website and social media. Its work comprised two main strands, the publication of research and provision of information and news via its website.

The publication of academic research on its website into climate change and climate change policies was capable of furthering a charity purpose for the public benefit.

The central issue was the extent to which the published information, reports and news articles on its website met the necessary criteria for education and the extent to which it might properly engage in political activity in support of its object.

The charity's strapline on its website was 'redressing the balance'. The trustees explained that it aimed to restore balance and trust to a debate that it considered chronically one sided. The trustees considered that by also publishing counter arguments, amongst others, it was advancing education and that its website acted as an educational or public resource.

The charity pointed to the wide divergence of opinions among members of its advisory council and that it did not hold or support any particular view. The trustees considered the main purpose for which the charity was established was to promote research.

The commission found that taken as a whole, it was difficult not to form the conclusion that the publications and postings on the charity's website promoted a particular position on global warming. The website could not be regarded as a comprehensive and structured educational resource sufficient to demonstrate public benefit. In areas of controversy, education requires balance and neutrality with sufficient weight given to competing arguments. The promotion of a particular view or position would not equate to education.

Although a charity may properly campaign in support of its objects, as set out in the [commission's guidance \(CC9\)](#), where the purpose is education then the requirements of balance and neutrality still need to be met.

## Impact of our involvement

The trustees, who cooperated and engaged fully throughout, considered the arguments presented by the commission and agreed that the matter could be resolved by establishing a new non-charitable organisation to act as a campaigning body fully able to promote the opinions and policy change. This new organisation was launched in September 2014. The establishment of a new organisation would leave the charity to focus on its educational research object.

## Lessons for other charities

The subject matter of education may involve areas of political controversy. Where a charity is established to advance education and promote research in that area trustees should be mindful of the need for balance to ensure that it is educational. Charity law distinguishes between education and promotion particular views or opinion. Further guidance which explains this distinction is set out in the [commission's guidance on advancement of education for the public benefit](#).

It is not unusual for organisations, or groups of organisations, to have charitable and non-charitable arms. Such structures allow organisations to carry out activities that are not capable of being charitable without compromising the legal status of the charitable arm. In such situations, it is important is for the charitable arms of these organisations to maintain their independence.