



Case Report

The Badger Trust

About the charity

The charity was registered in 2005. Its objects are to promote and enhance the welfare, conservation and protection of badgers and their habitats for the public benefit. The charity works with local badger groups throughout Britain.

Why the Charity Commission got involved

Concerns were raised with us about the charity's promotion, during the period leading up to the general election, of a march opposing the policy of tackling bovine TB by culling badgers, entitled 'Stop Cameron's Cull'. The charity promoted the event on its website and social media, for example by making posters carrying the event title available. The material in question made clear that the charity's chief executive, a well-known wildlife campaigner, would be speaking at the event.

Separately, we were notified of concerns about the charity's campaigning activity, and specifically to positive references made in social media and elsewhere about the charity's contribution to the manifesto of a particular party.

Charities must be, and must be seen to be, independent of party politics and their trustees must ensure their charity is politically neutral and is seen as such publicly. This is always important, but is especially crucial in periods leading up to general elections.

The charity's participation in the event, and its apparent promotion of the manifesto of a political party, risked calling its political neutrality into question.

We therefore needed to get involved to establish how the trustees were ensuring the charity complies at all times with our guidance on '[Speaking out: guidance on campaigning and political activity by charities](#)' and on '[Charities, elections and referendums](#)'.

The action we took

We contacted the charity immediately, to notify the trustees that, in our view, promoting the particular event and promoting a political party's manifesto were not compatible with the principles set out in our guidance. We also made clear that the involvement of the charity's chief executive in the planned event further contributed to the risk that the charity be perceived as taking a party political position.

We later followed this up, reiterating our serious concerns and suggested a meeting with the charity's trustees.

What we found

The charity confirmed that the material of concern would be removed from its website as a matter of urgency. We later confirmed that this was the case. The charity also explained that the event in question was part of a long-standing series of events that were not organised by the charity itself, and that it would ask the organisers to remove Mr Cameron's name from all promotional material, though this was not a decision itself could enforce.

We were also reassured that, while the chief executive would be speaking at the event, he would not be representing the charity but speaking as a private individual. We made clear to the trustees that if the chief executive of the charity was to speak at the event, they would have to take steps to ensure his participation was carefully managed so as not to associate the charity with his appearance.

We later explained our concerns to the charity that some material promoted by the charity's chief executive during the election period had allowed for the perception that it was aligned with a particular political party.

Given these risks, we told the charity that it must take immediate steps to publicly reaffirm its party political neutrality.

The impact of our involvement

As a result of our involvement, the charity disassociated itself with the planned event and published a statement on its website that made clear that:

- statements of a political nature made by the charity's chief executive were made in a personal capacity and did not reflect the views of the charity
- the charity does not endorse any political party or its policies and is party-politically neutral

We were satisfied that the charity had taken the immediate steps necessary to confirm its neutrality.

Our subsequent engagement with the trustees reassured us that they now understood the requirements of charity law and would, in future, take a more proactive and diligent approach to ensuring the charity complies with our guidance at all times.

We made clear that we will continue to monitor the charity to ensure that the trustees do indeed protect their charity from the perception of party political bias or a lack of independence.

Lessons for other trustees

The law makes clear that charities are free to campaign and to take part in political activities to further their purposes. Indeed campaigning can be a valuable and effective way for charities to help their beneficiaries.

But charity law sets limits. Political campaigning and activity must only be undertaken by a charity in the context of supporting the delivery of its charitable purposes.

Trustees must also guard their charity's independence and ensure that any involvement with political parties is balanced. A charity must not give support or funding to a political party, candidate or politician. Nor can a charity be used as a vehicle for the expression of the political views of individual trustees or staff members.

If an employee is directly engaged in a charity's campaigning activity, and also has personal involvement with one particular political party, for example they are standing as a candidate, they should declare this to their employer. The trustees should then consider this potential conflict of interest and assess the risks for the charity in terms of both reputation and legal liability.

Charities should be especially wary of associating or becoming associated in the minds of the public, with a particular candidate or political party.

Concerns about campaigning and political activity do not occur frequently in our compliance case work. But if trustees allow their charity to be misused for political purposes, or likely to be perceived as being misused for political purposes, they risk undermining support for their own charity and trust in the sector as a whole.

It is especially important that trustees maintain political neutrality, and the perception of political neutrality, during periods leading up to elections and referendums. During such times, trustees must monitor their charities' activities especially closely to make sure they comply with our guidance at all times.

Related reading

- [Speaking out: guidance on campaigning and political activity by charities \(CC9\)](#)
- [Charities, elections and referendums](#)
- [It's your decision: charity trustees and decision making](#)