



Parliamentary Briefing

Our work in Wales

Who we are

As the independent regulator of charities in England and Wales our role is to provide the best possible regulation of charities in order to increase charities' efficiency and effectiveness. We place considerable emphasis on ensuring that trustees comply with legal obligations thereby promoting public trust and confidence in charities. We are committed to working in partnership with the sector; by working together we can offer a broad range of guidance and support to charities in an accessible and effective way. We share with the Welsh Assembly Government the aim of maximising the impact of charities in Wales.

Our Wales Office, based in Newport, provides a tailored service to the 11,000 Welsh charities and leads our partnership and engagement work in Wales.

How we help charities

Encourage transparency and accountability by maintaining the Register of Charities

- All charities in England and Wales that meet specific requirements must register.
- There are 190,000 registered charities in England and Wales, with 5,000 new registrations each year (187 new Welsh charities were registered last year).
- Registered charities are required to update the Commission once a year on key information, with different requirements for charities based on their size – we expect more from the biggest charities.
- The register is available on our website and is widely used by the public, donors and beneficiaries to find out more about charities' purposes, income and trustees.
- We recently launched an online registration service which will make submitting applications quicker and more straightforward for many charities.

Modernise charities by amending their purposes and governance

- All charities have a governing document that defines their purposes, powers and sets out how the trustees must run the charity.
- When trustees want to change the charity's purposes or how the funds are applied, they will usually need consent from the Commission.
- In these situations we work with trustees to identify an alternative purpose that allows them to help beneficiaries in a way that is relevant but also in keeping with the original spirit of the gift.
- The Wales Office is actively involved in this process of modernising charities to ensure the assets they hold result in the maximum public benefit.

Example: We recently made a Scheme allowing an old school that had closed to be used as a community centre in Moylegrove. In a village that has no post office, pub or local shop it was vital this facility was protected for use by the community.

Maximise charities' effectiveness by authorising specific actions that are in their interests

- Sometimes trustees need our prior consent to do something they consider in the best interests of the charity.
- The Commission has the power to authorise land disposals, trustee payments, spending capital, trustee appointments and court proceedings.
- These powers may be exercised through legal Orders or Schemes. There are legal limitations but generally the question to be answered is what is in the best interests of the charity and its beneficiaries now and in the future.

Example: in Cardiff a prize-giving charity was not being administered properly by its trustees and funds were not being distributed to beneficiaries. We appointed Cardiff University as trustee which meant they could start making grants to students in line with the charity's purposes.

Maximise charities' effectiveness by authorising specific actions that are in their interests

- The Wales Office has specialist and experienced case officers to provide tailored advice to enquiries.
- This includes guidance on how to comply with legal obligations, accountancy advice and general assistance for trustees.

Example: A chapel in Carmarthenshire was in such a state of disrepair it faced closure on safety grounds. Advice provided by the Commission enabled the trustees to spend part of its capital and the chapel is now being renovated.

- Where charities, their assets or their beneficiaries are at risk, we will offer advice and guidance to improve governance and resolve issues – and of course where there is deliberate wrongdoing or charity has been exploited we will act swiftly and rigorously.

How charities can contact us

Through our website Our website has over 40 million hits every year and is the best source for up-to-date information about charities and the Commission. Along with finding guidance on all aspects of running a charity, visitors to the website can search the online register of charities. Registered charities can file their accounts and information with us online, and download forms to help them apply for our consent where necessary. There are also reports and updates on issues affecting the sector and links to other organisations. Visit and find out more at www.charitycommission.gov.uk.

By telephone on 0845 3000 218 - our contact centre speaks to over 300,000 people every year, dealing with requests for information and enquiries from trustees, and signposting callers to relevant organisations.

Concerns about charities

A constituent has concerns about a charity, what should they do?

Where concerns are raised about a charity it is important that, wherever possible, there is an attempt to resolve those concerns with the charity directly. Many issues and disputes can be resolved without involving the Charity Commission.

When will the Charity Commission get involved?

If you or your constituent is concerned about the functioning of a registered charity that operates in England and Wales then they can submit a complaint to us. Generally speaking the Charity Commission will take up complaints where there is a serious risk of significant harm to, or abuse of, the charity, its assets, its beneficiaries or reputation. We will only intervene where we consider that action is necessary and proportionate.

Circumstances which we would normally perceive as posing a serious risk of harm include those where there is evidence of:

- Connections to banned organisations
- Links to, or support for, terrorism
- Misuse of a legitimate charity to foster crime or extremism
- Fraud or money laundering
- Abuse of vulnerable beneficiaries
- Putting beneficiaries at risk by failing to put in place adequate protection
- Sham charities
- Financial irregularities

When won't the Charity Commission get involved?

Our powers are limited by charity law, the autonomy granted to charities' governing bodies and the remits of other regulators and agencies. The Charity Commission cannot investigate criminal or taxation matters. If we are notified of a crime or of suspected tax evasion then we may pass on the details of the complaint to the police or appropriate authority. Our only role will be to assess whether there has been misconduct or mismanagement in the charity's administration which has allowed criminality to occur.

We cannot take up complaints made by an individual about the services they have received from a charitable organisation, nor employment disputes. Charity law also specifically prohibits us from intervening in disagreements and disputes between trustees or patrons on the direction and management of a charity.

How do I complain to the Charity Commission?

If you, or a constituent, have a complaint about a charity which you have been unable to resolve directly and which you believe falls within the Charity Commission's remit then we ask you to write to us and lodge a formal complaint. Including certain information, wherever possible, helps us to deal with your complaint quickly and thoroughly. Please include:

- The name and registration number of the charity concerned
- The nature of your complaint, including any specific allegations you wish to make
- Who is involved and what position they hold in the charity
- The effect this matter has on the charity and its beneficiaries
- Any action already taken by the charity in response to your concerns
- Any publicity, you are aware of, that surrounds this issue
- Copies of any documentary evidence you may possess
- Details of any previous correspondence on this matter with public bodies
- Your name, address, email and contact number and any contact you may have with the charity concerned

Email us directly at enquiries@charitycommission.gsi.gov.uk or call the Public Affairs team on the number shown in the briefing.

Will the charity know who has complained?

As far as possible we endeavour to protect the confidences and privacy of complainants. However, there may be instances where the identities of complainants have to be disclosed, or where they become apparent during the course of the investigation. We ask complainants to inform us whether they give permission for us to identify them and whether they will allow us to put their evidence directly to the charity itself. Whilst we endeavour to maintain the confidentiality of complainants we are bound by the Freedom of Information Act and may, in certain circumstances, be compelled to reveal their identity.

What will happen next?

The Charity Commission will assess your case, on the basis of the information provided, and decide what action should be taken. That decision may be that:

- No regulatory issues arise but the concerns may usefully be passed on to other agencies
- Regulatory issues do not arise to a serious enough extent to involve the Charity Commission
- Regulatory issues arise which we believe can be resolved through assistance and support
- The issues raised are serious enough to warrant our opening an inquiry

We aim to ensure that enquiries from AMs and MPs receive a response within a deadline of ten days. Sometimes we will need more time to consider the matter which you have raised but we will still aim to update you on our progress within that timeframe.

What happens if you discover a serious problem at the charity?

We have a range of powers which we can use where there is a very serious problem at a charity, and where such a response will be proportionate and helpful. If our assessment suggests that this is the case, we will open a statutory inquiry under section 8 of the Charities Act 1993. This is a serious step and not one we take lightly. If we do open an inquiry, this then gives us powers to take various regulatory actions in respect of the charity. These include the options of freezing a charity's accounts, suspending trustees and employees, appointing new trustees, and prohibiting further action or fundraising. In the most serious cases we might temporarily appoint an interim manager to take over some, or all, of the trustees' powers. Once our inquiry is complete we will produce an inquiry report which will recommend or require further actions. Where necessary we will continue to monitor the charity involved to ensure that problems do not recur.

What information can I expect from you?

We want to ensure that our processes are as transparent and as accessible as possible. However, we have a duty of care to the charities we regulate and we cannot release sensitive or confidential information, especially whilst an inquiry is on-going. We will provide you with as much information as we can whilst protecting the rights of all involved parties. We are also happy to meet with you and do our best to answer your questions. Once an inquiry is complete we will send you a copy of our inquiry report (which we publish on our website) and will be happy to meet and discuss any outstanding concerns.

How long will it take?

The Charity Commission aims to enforce regulation fairly and proportionately. We also often need to work with other agencies who may have a role to play in concerns about a charity. For this reason we work on a case by case basis and have no fixed timescale for inquiries or cases. We will keep you updated on the progress of those you are interested in.

How can I keep up to date on developments in the charity sector?

If you want to be kept informed about what is going on in the charity sector then you can subscribe to our Parliamentary e-bulletin service. You will receive regular updates containing the latest news from the charity sector and information on up-coming Charity Commission reports and publications. You can also consult the Public Affairs section on our website. We post all of our latest news, briefings and reports there as well as further guidance and advice for AMs, MPs and their staff.

What if I need more in depth information about a charity or the charity sector?

Our senior staff are always happy to meet with AMs and MPs 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 of use to you then please don't hesitate to contact our Parliamentary Office or our Wales Office using the contact details below.

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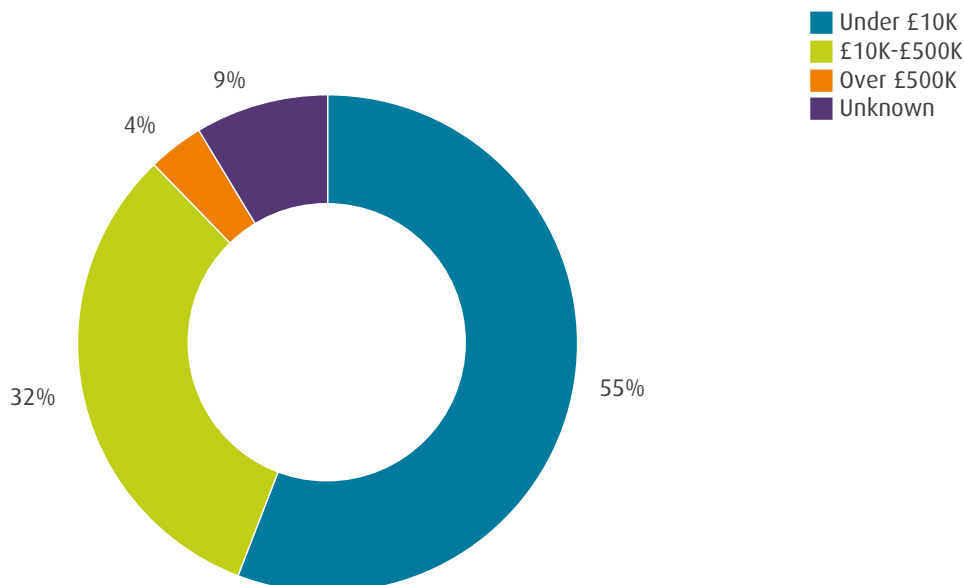
The Charity Sector in Wales: Some facts and figures

1. Size and income of the Sector

There are **9006** registered charities in Wales (at April 2008) with **42,197** trustees based here. Last year 187 new charities were registered in Wales.

Welsh charities have a total income of **£981,986,033** and total expenditure of **£941,437,648**. However the majority of charities (55%) are relatively small with an income below £10,000.

Breakdown of Charities by Income



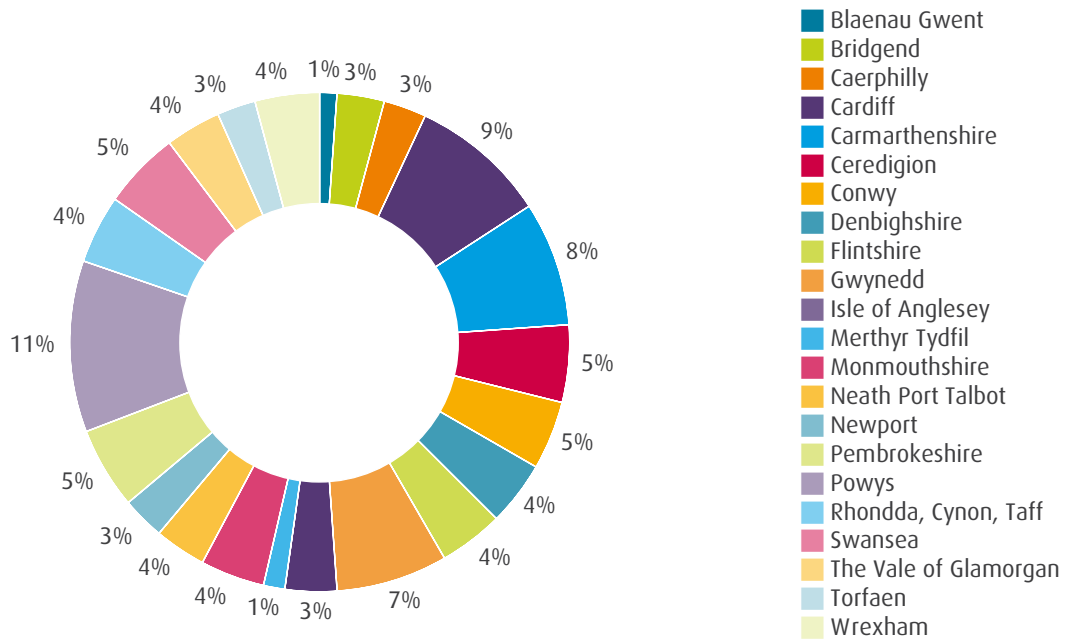
Only 4% have an income over £500,000. The following charities are the largest in Wales:

Reg No	Charity Name	Income £
1034245	Cyngor Celfyddydau Cymru (Arts Council of Wales)	£38,645,000
525774	National Museum Of Wales	£29,685,000
1073332	WJEC CBAC Limited	£26,600,000
218093	Wales Council For Voluntary Action	£26,096,429
702290	Cartrefi Cymru Limited	£18,820,000
221538	Welsh National Opera Limited	£17,273,049
517149	Opportunity Housing Trust	£17,164,800
1060458	Wales Millennium Centre	£13,582,000
525775	National Library Of Wales	£13,325,000
1046763	Perthyn	£11,567,553

2. Breakdown by Unitary Authority

Powys has the greatest number of charities (1005 in total) while Blaenau Gwent has the smallest (105).

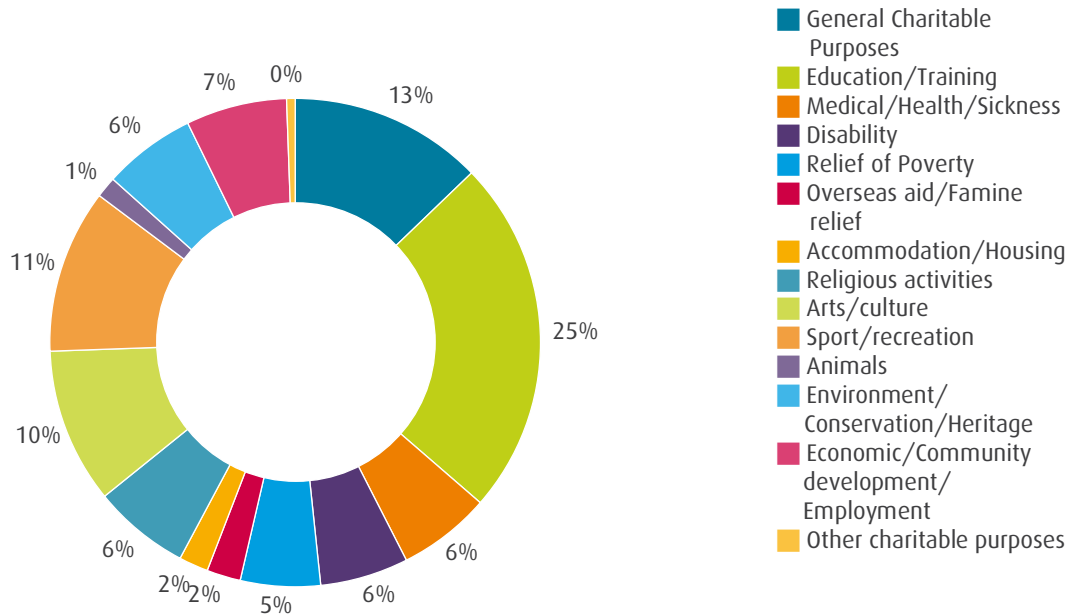
Breakdown of Charities in each Unitary Authority



3. Breakdown by type

Over 4000 charities are involved in education and training, almost double the next area of work which is general charitable purposes.

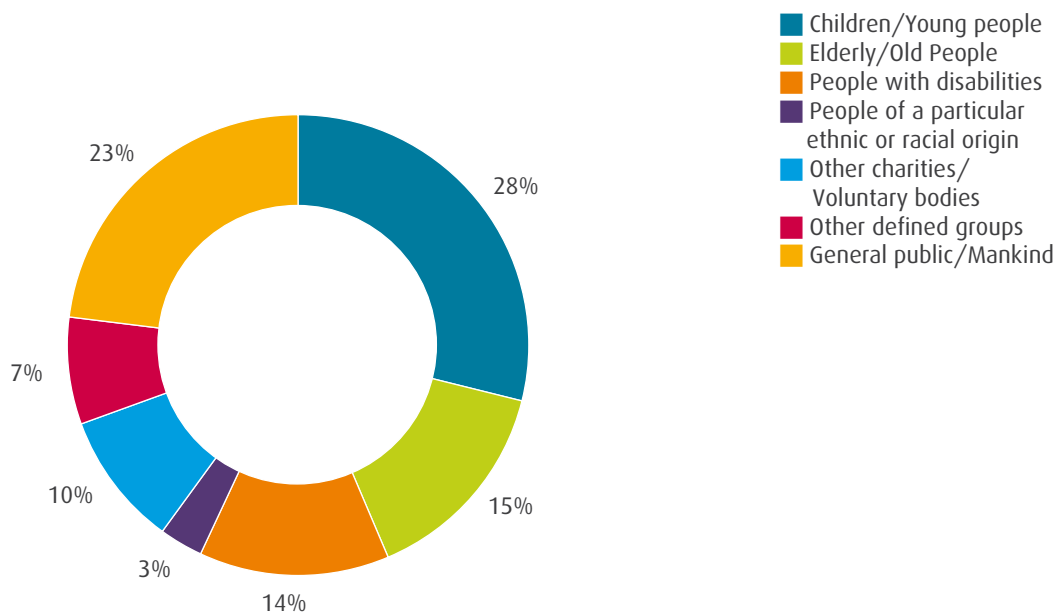
Breakdown of Charities by Type



4. Breakdown by User Groups

Children and young people make up the largest beneficiary class in Wales with over 4,500 charities working in this area. People of a particular ethnic or racial origin form the smallest beneficiary group with only 444 charities operating in this field.

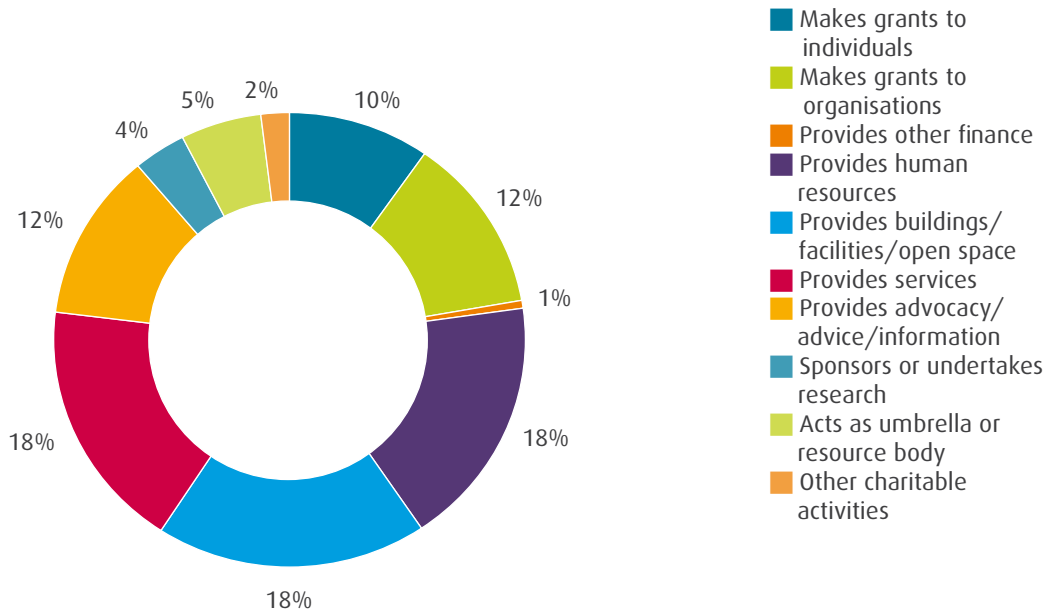
Breakdown of Charities by Beneficiary Class



5. Breakdown by Activity

The three main areas of work in Wales are providing services, buildings and facilities, and human resources with over 6800 charities carrying out these activities.

Breakdown of Charities by activities



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