



Case Report

Scope (208231)

About the charity

Scope (208231) is a well-known national charity, registered in 1953 as the Spastics Society. The name of the charity was changed to Scope in 1994. The organisation's objects are for the promotion of equality, diversity, independence, and health of disabled people, especially those with cerebral palsy.

Why the commission got involved

As a result of a strategic review, Scope had decided to exit (either by closure or by changing the type of service provided from residential care to supported living) 11 of their 35 care homes. They considered these homes were not aligned to Scope's strategy to drive change across society so that disabled people have the same opportunities as everyone else. The commission was contacted by people who were very concerned that the charity was not properly considering the wishes or needs of its beneficiaries when seeking to change some of its services. The commission has been clear from the outset that it is for the trustees to direct and plan the longer term strategic direction of the charity and decide on the best way to further the charity's objects. However given the profile of Scope and the significant impact that care home closures and changes would have on disabled residents and their relatives, we wanted to be assured that the trustees were aware of their legal duties to ensure that their decisions were based on sufficient and appropriate evidence, and that they took into account all relevant factors at each stage of their decision making.

The action we took

We wrote to the charity and asked them to explain the steps they had taken to ensure that they had consulted with their beneficiaries and asked for evidence to show that their decision making process was robust. We also asked about how the individual decisions within the care homes review programme were decided and the way in which implementation was monitored and evaluated.

What we found

We were provided with evidence which showed that the charity had taken steps to ensure that it consulted with its beneficiaries. The charity gave support through an independent advocacy service to enable people with disabilities to express their views. The charity was able to show us that it has provided increased levels of support for customers and staff during the consultation process that has been undertaken at each home. Scope explained that it has worked closely with local authorities who have a statutory duty to assess the needs of the individuals, and ensure appropriate care plans are put in place.

The charity has commissioned external partners to evaluate the communication and support provided to customers, staff and relatives. This has enabled the charity to learn lessons, adapt and improve the process.

Scope's trustees receive regular reports and updates and they are satisfied that this allows them to maintain oversight and control of the senior management team who have the delegated responsibility for implementing the change in services. Key decisions are made and recorded at meetings of the board of trustees.

What we concluded

While the closure of care homes is likely to be a difficult and controversial process, it is for the trustees to determine how a charity carries out its objects having followed a proper decision making process. Following the assurances and evidence presented to us, we determined that there were not any regulatory concerns.

Impact of our involvement

The trustees of the charity have cooperated fully with our queries. They were able to demonstrate that the charity has established a structured governance process to enable trustees to maintain oversight and control over the care homes review programme.

The trustees have taken external advice and receive regular reports to ensure they have taken account of all the relevant matters and followed the decision making principles when taking decisions. The charity recognised from the outset the need to establish consultation mechanisms and advocacy support for disabled people, together with involvement of external agencies.

Lessons for other charities

Charities are independent. The trustees are responsible for governing the charity and making decisions about how it should be run. Making decisions is one of the most important parts of the trustees' role.

When making difficult decisions, charity trustees must ensure they follow a properly structured and informed process, giving trustees oversight and control, designed to take forward the strategic aim, in line with objects. We have provided guidance which sets out the key principles that charity trustees should follow to make sound decisions and fulfil their legal responsibilities. It is important to apply them when making significant or strategic decisions, such as those affecting the charity's beneficiaries, assets or future direction.

For further guidance on decision making by charity trustees, see our guidance [It's your decision](#).