



Operational Case Report

Oxfam (202918)

About the charity

The charity, registered in 1965, has charitable objects to prevent and relieve poverty and protect the vulnerable anywhere in the world. Oxfam states that it furthers its objects through interlinked activities of humanitarian relief, development work and advocacy and campaigning.

Why the commission got involved

The commission received complaints on two separate issues:

1. The publication of an advertisement entitled 'Gaza. Trapped.' in the national press over 14 and 15 August 2014 and backed by some social media communications. It called for the ending of the blockade in Gaza (being the restriction on entry to and from Gaza) and an end to violence by both sides engaged in the conflict.
2. A tweet sent from the charity's Twitter account on 4 June 2014. The tweet contained a picture of a mock poster for an imagined film entitled 'The Perfect Storm'. A number of policy areas were cited and the text of the tweet suggested these were forcing more people into poverty.

The commission recognises that campaigning and political activity can be legitimate and valuable activities for charities to undertake in furtherance of their purposes. However, such activities must be within the legal and regulatory framework for charities. We therefore looked at both issues to consider whether the activities were consistent with charity law and our guidance on campaigning and political activity.

In relation to the Perfect Storm tweet, the commission's main concern was whether it sought to influence public opinion in a party political sense.

In relation to the Gaza Trapped advert, the commission's main concern was whether this was political activity undertaken in furtherance of, and ancillary to, Oxfam's charitable purposes.

The action we took

The commission contacted the charity's trustees to request information about both issues, including the charity's approach to ensuring public perceptions of party political neutrality and the trustees' decision making processes in relation to campaigns generally. The trustees provided all of the requested information.

What we found

The Gaza advertisement

The advertisement was part of Oxfam's ongoing relief work in Gaza and wider campaign about the conflict there. It explained why it considers the blockade is responsible for poverty and public health issues in Gaza and hampers its work, such as in restricting the amount of aid that Oxfam can bring into Gaza. It believes that lifting the blockade would benefit its beneficiaries in Gaza and therefore further Oxfam's purposes in relation to the ongoing work that it carries out there to relieve poverty. The trustees consider that there are reasonable expectations that an ending of the blockade and a peace settlement would further or support the charity's purposes, in that it would better enable Oxfam to relieve poverty in Gaza.

It is for the trustees to decide whether a particular campaigning activity would further their charity's purposes. The trustees also have discretion to decide whether carrying out political activity and campaigning is an appropriate and effective way to support the charity's purposes being ancillary to its relief work.

Whilst this was a political activity, we were satisfied it was undertaken in the context of supporting the delivery of Oxfam's charitable purposes and was within the scope of our Guidance on Campaigning and Political Activity.

Where charities engage in such an activity which concerns an area of international conflict with complex causes, they should ensure that the matter is approached in a way which clearly supports the needs of their beneficiaries. We are satisfied that the charity has done so here.

The Perfect Storm tweet

Oxfam explained that the tweet was part of a series of social media communications sent to supporters in the week leading up to the publication of a report called 'Below the Breadline' – produced jointly by Oxfam, Church Action on Poverty and the Trussell Trust.

We considered that the text of the tweet and the embedded picture, gave rise to speculation and varying perceptions about the tweet's purpose, leading to complaints. We consequently considered that the tweet could have affected the views of those who received it and could be misconstrued by some as party political campaigning.

As our guidance [Speaking out: guidance on campaigning and political activity by charities \(CC9\)](#) says, a charity "must remain neutral and should consider working with other parties to help ensure public perceptions of neutrality" and, as set out in an example in our guidance, that acceptable political activity is that which "supports the charitable purposes and that perceptions of the charity's independence are unaffected".

Although we accept that the charity had no intention to act in a party political way, we concluded that the charity should have done more to avoid any misperception of political bias by providing greater clarity and ensuring that the link to the 'Below the Breadline' report was more obvious. We appreciate that tweets by nature are short. Nevertheless, consideration must always be given as to how they might be perceived when received in isolation.

The impact of our involvement

The trustees of the charity have cooperated fully with our queries and have recognised the need to review the oversight of their social media work, particularly in the run up to the election.

The charity has revised its governance framework for campaigning activity, including codifying policies and procedures into one document (taking into account the additional requirements of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014) and updating its authorisation procedure for approval of specific campaigns and associated communications.

Wider issues for the charitable sector

Using social media can be an effective and powerful medium for charities to get their messages across and maintain contact with their supporters. However, particularly given the nature of the media, the same care needs to be taken as for any other material produced by the charity - including having written authorisation and sign-off procedures. Particular care should be taken to ensure that any material does not damage the charity's reputation or impact on public trust and confidence in the charity, that messages are appropriate and in furtherance of its objects and do not have any risk of being misinterpreted or perceived as being party political.

The need for trustees to have clear oversight of the campaigning work of their charities is essential. This is particularly important prior to elections and referendums (the regulated period prior to the 2015 general election as set out by the Electoral Commission commenced on 19 September).

Trustees must be familiar with and have regard to the relevant guidance from the commission, including [CC9 'Speaking Out'](#) and guidance on Charities, Elections, Referendums and Elections, as well as the recently published [Electoral Commission guidance for non-party campaigners](#) to ensure that whilst pursuing legitimate aims for their beneficiaries, they do not take actions which are or could be perceived to be party political in nature. This is relevant across all forms of public information and communication, including the use of social media.