



Operational Case Report

Family and Childcare Trust (1077444)

About the charity

The charity has objects that include promoting and preserving the health and welfare of children, young persons, parents and persons in all forms of family relationship.

Its objects also include advancing education in better standards of childcare.

Why the commission got involved

We were approached by a Member of Parliament about concerns that the charity's activity on the social media platform Twitter amounted to party political activity. For example, the charity had used two hashtags that were also being used by the Labour party and which mirrored phrases used prominently by senior politicians of that party. The MP also raised concerns about links between a senior staff member at the charity and the Labour party.

While charities are free to campaign in furtherance of their objects, our guidance is clear that they must not engage in party political activity of any kind. Charities must also ensure that any involvement they have with political parties is balanced.

It was not clear to us that the charity had been in breach of our guidance based on the information submitted to us. However, there was a concern that public perceptions of the charity's independence could have been adversely affected by its social media activity. For that reason, we needed to get involved.

The action we took

We asked the charity's trustees to explain how they make decisions about campaigning, and in particular, how they weigh up the benefits of a specific campaign against the potential risks. We also asked them how they ensured the charity's independence - and public perception of its independence - are maintained and how the specific decision was taken to use the hashtags in question.

What we found

The trustees explained to us in detail how they decide upon and oversee the charity's campaigning activity. They confirmed that all campaigning decisions were focused on fulfilling the purpose of the charity and that the trustees were involved in deciding upon, planning and evaluating campaigns. They explained the criteria against which the charity determines the risks and benefits of any proposed campaign.

The trustees were also able to confirm that they took seriously the need to maintain neutrality and independence, citing for example, the charity's annual conference the previous year, which had included speeches by a Conservative minister and her Labour shadow.

Regarding the use of the Twitter hashtags, the charity explained that it had done so in order to join a conversation that was relevant to the charity's purposes and to ensure that the charity's tweets were seen by a larger audience. The trustees said that they were satisfied that none of the charity's tweets containing the named hashtags indicated a bias in favour of a particular political party.

As a result of these explanations, we were satisfied that the charity has adequate procedures in place for ensuring that the benefits of any campaigns are properly weighed up against the potential risks and the charity's independence and the public perception of this are maintained. Our conclusion was that the charity was complying with our guidance. However, in light of the concerns raised by the complainant, we welcome the charity's planned actions to further minimise any risk that the charity may not be perceived to be independent in the future, including establishing an audit and risk committee to scrutinise campaigning and political activities.

Impact of our involvement

Our involvement helped reassure the complainant and the public that the charity's trustees had been able to demonstrate that they had fulfilled their duties and responsibilities. The case provides an example of how, in practice, we assess concerns raised about charities' compliance with our guidance on campaigning and political activity.

Lessons for other charities

Trustees must be satisfied that any political or campaigning activity by a charity is undertaken only in the context of supporting the delivery of its charitable purposes. Trustees must make sure they have adequate oversight over their charity's campaigning and political activity and be mindful of maintaining their charity's party political independence.