



## Operational Case Report

# Holme-on-Spalding-Moor Village Hall (523248)

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This case study was first published in December 2014 in [Tackling abuse and mismanagement](#), the commission's report of investigatory and compliance case work.

### About the charity

The charity manages a village hall and playing fields in Holme-on-Spalding-Moor, in the East Riding of Yorkshire. It was registered in 1968. In the year ending March 2014, it had an income of over £40,000.

### Why the commission got involved

Through our work on another case, we became aware that the chair of trustees had been charged with offences relating to sexual assault against a child (these charges were not related to the individual's role in the charity). Although at that time a police investigation was ongoing, we needed to get involved to make sure the trustees were dealing with the incident appropriately, and had systems in place to protect the charity's beneficiaries from potential harm. We were also concerned that the trustees had not made a serious incident report to us about the allegations.

### The action we took

We contacted the trustees and instructed them to provide us with a range of information and documents, including: when the person involved was appointed as a trustee, what his role in the charity was, whether he was a trustee when the alleged offences took place, and what steps the trustees took when the incident was first brought to their attention. We also told the trustees to provide us with copies of minutes of the trustee meetings at which the issues were discussed, information about any professional advice the trustees had sought in relation to the matter and details of the charity's safeguarding policy.

### What we found

In their response, the trustees informed us that the individual against whom charges had been brought was the charity's chairman. We were told that the chairman had not originally informed his fellow trustees of the allegations against him, when he was appointed. They confirmed that, when they became aware of the charges against him, they voted not to exclude him as a trustee. Their response did not specify what steps they had taken in response to the incident, or whether the trustee has had any contact with beneficiaries. While the trustees were able to provide a safeguarding policy, we found that policy to fall short of our guidance.

In the meantime, we became aware that another police force had also received allegations about the trustee. This response caused us concern. We were not satisfied that the trustees had considered the seriousness of the situation or dealt with the matter appropriately, including considering suspending the trustee pending the outcome of the criminal investigation by the police. Whilst due process had to take its course, not acting was potentially placing other beneficiaries at risk. We were also concerned that a conflict of interest relating to the position of the accused was not being appropriately managed. We therefore advised the trustees of their legal duties and responsibilities towards the charity, asked to see their conflicts of interest policy, and told the trustees to review their safeguarding policies.

We also liaised with the police to find out about any bail conditions that may have been imposed on the individual that may have impacted on his position as trustee.

## Impact of our involvement

The person did not stand for election at the charity's AGM. The charity confirmed that it would be reviewing its safeguarding policy in light of our recommendations.

The accused was convicted and sentenced to 7 years, after admitting two offences of sexual activity with a child and two of meeting a child following sexual grooming.

We closed our case on the basis that there was no ongoing risk to the charity or its beneficiaries and the trustees had now undertaken to improve their safeguarding policy, with the help of professional advice and support from an umbrella body. We also advised the trustees to implement a formal conflicts of interest policy and consider whether their processes for trustees were adequate in light of the charity's work.

## Update

We will be following up with the trustees to ensure that they have acted on our regulatory guidance.