

Charity Commission strategic review 2010-15

Consultation document

To help you frame your input into our strategic review, we have set out some specific questions. However, you are by no means limited to just answering these when responding to the consultation and we welcome your general views and comments about the Commission and our future role.

You can

- email your response to strategicreview@charitycommission.gsi.gov.uk
- or post a response on our website, and see what others have said, at <http://charitycommissionreview.blogspot.com>

It would be helpful if you could provide us with the following standard information as part of the introduction to your response. This will allow us to manage the responses and use the information more effectively, as well as helping us to keep you up to date with progress:

- Organisation / Charity name (if applicable)
- Charity number (if applicable)
- Contact name
- Position within organisation (if applicable)
- Contact number
- Contact address
- Contact e-mail
- Confidentiality Statement (if applicable - see following sections)

How we will treat the information provided

All information contained within the responses (including personal information) may be published or disclosed in accordance with the access to information regimes, primarily set out in the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004.

If you want information given in response to the consultation to be kept confidential it will only be possible to do so if it is consistent with our legal obligations. There is a statutory Code of Practice under the Freedom of Information Act 2000 which public authorities must comply with. This sets out how confidential information must be dealt with. We cannot give assurances that all information will be kept confidential but we will take into account any representations made by you.

If you object to any of the information (including your personal details) which you are giving in response to the consultation being published, please say so. It would be helpful for any such objections to be supported with an explanation of why you regard the information to be confidential so that a decision can be made as to whether there are grounds for not publishing such information.

Key questions

1. What do you think are the key risks to the impact and effectiveness of the charitable sector over the next 5 years? Indicate all of those which are applicable.
2. Please rank the risks you have identified in order of a) likelihood and b) impact
3. In the light of the key risks you have identified, what are the key expectations you have of the Commission?
4. Of the expectations you have identified, please rank them in order of priority.
5. For each of the following pairs of statements, which are you most inclined to agree with?
 - a) The Commission should protect the reputation of the charitable sector by being rigorous and questioning before accepting registrations
OR
The Commission should encourage charitable activity through a light touch registration process
 - b) The Commission should rely principally on transparency to meet its regulatory remit
OR
The Commission should play a pro-active regulatory role as a deterrent to abuse of charitable status
 - c) The Commission should investigate individual organisations only rarely and in cases where large amounts of charitable funds are at risk
OR
The Commission has a responsibility to investigate any case where there is prima facie evidence of a registered charity breaking charity law
 - d) Charity trustees should be left to make their own decisions on issues such as trustee payments or selling land
OR
Proposals by charities, such as selling land or making payments to trustees, should be carefully considered by the Commission and be subject to its approval
 - e) The Commission should be a key 'enabler' through the regulatory advice it provides to individual charities
OR

The Commission should put its guidance on the website and not give any advice on a one-to-one basis to individual charities

f) The Commission should focus primarily on helping charities to understand the legal requirements and to run themselves effectively

OR

The Commission should focus primarily on dealing firmly with non-compliance with charity law

g) The Commission should focus on the public information it gives about the charity sector

OR

The Commission should encourage others to do more to provide information to the public

h) The Commission should get involved in investigating only issues or organisations of national significance

OR

Issues of significance for local communities should be addressed by the Commission just as actively as issues of national significance

6. Is there any other body or bodies that could or should take on functions currently carried out by the Charity Commission?