

New guidance notes from the Charity Commission in the wake of COVID-19

The Charity Commission has issued two guidance notes reassuring charities of its flexible and pragmatic approach at this uncertain time.



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If you have any queries arising out of the Commission's guidance or any other matters affecting your charity at this time please feel free to contact us.

Our Regulatory team are also available to assist in responding to incidents, which may require reporting to the Charity Commission or are subject to investigation by other Regulators.



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Coronavirus (COVID-19) guidance for the charity sector can be accessed at:

<https://www.gov.uk/government/news/coronavirus-covid-19-guidance-for-the-charity-sector>

Trustees'/Members' meetings

The Commission recognises a key issue for charities at this time is how to hold meetings given the current guidance from the Government. It has said where there is no provision in a charity's governing document to hold meetings digitally but if the trustees hold their meeting

over the phone or using digital solutions “we will understand but you should record this decision and that you have done this to demonstrate good governance of your charity”.

It also states “the Government’s health advice may lead to some charities having no choice but to decide to cancel or postpone their AGMs and other critical meetings”. It goes on to say “if as trustees, you decide it necessary to do so, you should record this decision to demonstrate good governance of your charity. This is particularly important if it is not possible to hold your AGM which may make it difficult for you to finalise your annual report and accounts”. Where the situation impacts on getting accounts and annual returns to the Commission they say charities with an imminent filing date can call them on 0300 066 9197.

Reporting serious incidents

The Commission has confirmed “it is ultimately the responsibility of the charity trustees to continue to report serious incidents using our current guidelines, and we will continue to ask trustees to use their judgement in deciding whether an incident is significant in the context of their charity and should be reported to us.”

The Commission’s guidance on reporting serious incidents can be found at: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

The new guidance note was recently updated and also now includes a section on finance matters. We would recommend keeping the guidance under review to check for any other updates.

Filing charity annual returns during the coronavirus pandemic

Any charity that needs an extension to their annual return deadline can contact the Charity Commission to ask for one by calling its contact centre on 0300 066 9197 (open Monday to Friday 9am to 5pm)

The full note can be found at:

<https://www.gov.uk/government/news/filing-charity-annual-returns-during-the-coronavirus-pandemic>

Companies House has also now issued a note to say that companies can get a 3 month extension to file accounts. A link to the guidance can be found at:

<https://www.gov.uk/guidance/apply-for-more-time-to-file-your-companys-accounts>