

Communications, Campaigning and political activities by charities

Sarah Miller, Head of News

CHARITY
COMMISSION



Who we are

CHARITY
COMMISSION

The logo for the Charity Commission is located in the top right corner. It consists of the words "CHARITY" and "COMMISSION" stacked vertically in white, uppercase letters on a green rectangular background. To the right of the logo is a photograph of a person's shadow cast on a sandy surface, with their arms raised in a gesture of triumph or joy.

The Charity Commission -
the independent regulator of charities in
England and Wales

The Commission regulates and provides
advice to the 180,000 registered charities in
England and Wales

Our vision

CHARITY
COMMISSION



vision

Charity working at the heart of society for public benefit

mission

The Charity Commission is the independent regulator for charitable activity

ensuring legal
compliance

enhancing
accountability

encouraging
effectiveness
and impact

promoting the
public interest
in charity

to promote the public's trust and confidence

values

Effective | Expert | Fair | Independent | Innovative | Responsive


Why do communicators need to think about the Commission?

CHARITY
COMMISSION

- Commission is the sector's regulator with powers
- Communicators contribute to protecting a charity's reputation
- Journalists come to the Commission when a problem arises
- Better for the Commission to be able to say it is aware of an issue than not

Have you viewed your entry on the Register of Charities lately? www.charitycommission.gov.uk

CHARITY
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**CHARITY
COMMISSION**

The Regulator for Charities
in England and Wales



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Meeting our Requirements

[Register of Charities home](#)

About this charity...

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- [Financial history](#)
- [Contact & Trustees](#)
- [Charity framework](#)
- [View accounts](#)
- [View charity Summary \(SIR\)](#)
- [Print charity details](#)

Find a charity

To find a registered charity enter its name or registration number in the field below and press "Go".

Go

[Advanced search](#)

Other information

- [Reporting requirements](#)
- [Charity Summaries \(SIRs\)](#)

For charities

- [About Annual Returns](#)
- [About accounts & reports](#)
- [Complete your Annual Return](#)
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200100 - THE CHARITABLE FOUNDATION

Activities

THE PREVENTION AND RELIEF OF POVERTY AND SUFFERING ANYWHERE IN THE WORLD

Where it operates

BANGLADESH
ETHIOPIA
GHANA
INDIA

DUE DOCUMENTS RECEIVED

Accounts for 31 Mar 2007:
received 05 Oct 2007

Annual Return for 31 Mar 2007:
received 05 Oct 2007

Income £31,006,923

Voluntary	£22.65m
Fundraising and trading	£1.03m
Investment	£0.48m
Charitable activities	£6.85m
Other	£0.00m
Total	£31.01m

Spending £29,983,538

Generating voluntary income	£6.44m
Fundraising and trading	£0.12m
Investment management	£0.00m
Charitable activities	£23.04m
Governance	£0.39m
Other	£0.00m
Total	£29.98m

Assets, liabilities & people

Own use assets	£0.61m
Long term investments	£0.00m
Other assets	£17.97m
Total liabilities	£-2.42m

Investment gains: £0

Employees: 474
Volunteers: 2,035

Charitable spending

Spending on income generation and governance	£6.94m
Charitable spending	£23.04m
Retained	£1.02m

Done
Local intranet
100%

Your charity's Register entry

- Contact details listed on the Register of Charities – web, email, address
- Where the charity operates
- Last five years of accounts
- Names of trustees
- How long the charity has been registered
- If the charity's accounts and annual returns are overdue - **highlighted in red if they are**

Why should Communicators be aware of Commission guidance on campaigning and political activity?

- Communications is often a key part of any campaign work and political activity
- Communicators have responsibility for press releases, web content, campaign materials that need to adhere to the guidance
- All materials, releases etc need to reflect the Commission's guidance

Background on campaigning guidance

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The Charity Commission logo is a green rounded rectangle with the words 'CHARITY' and 'COMMISSION' stacked vertically in white, uppercase letters. The background of the slide features a textured, golden-brown surface with a dark silhouette of a person with arms raised in the upper right corner.

1995 Guidance published by the Commission

2002 Strategy Unit report *Private Action, Public Benefit* (non-legislative recommendation)

2004 Revised guidance published

2008 Re-written guidance published
(called *Speaking Out*)

Jan 2010, updated supplementary guidance on
Charities and Elections

The guidance – an overview

- Charities must guard their independence and reputation
- A political purpose cannot be a charitable purpose
- Charities must always stick to their mission – the charitable purposes for which they were established
- Campaigning and political activity = a means to an end

The Guidance – an overview

- Charities **must never engage in party political activity**
- Must remain independent and politically neutral
- Must not give support or funding to a political party, candidate or politician
- Must not be used as a vehicle for expression of a trustee's own political views

Definitions: Campaigning

- Awareness raising
- Education
- Mobilising support
- Calling for existing legislation to be observed

For example:

- a campaign to educate people on benefits of a healthy diet in reducing heart disease
- a human rights charity calling on a government to observe fundamental human rights that they have signed up to

Definitions: Political Activity

- Activity which aims **to secure, or oppose a change in law, policy or decisions** of central or local government, or other public bodies

For example:

- RSPCA's campaign for an end to fox hunting using dogs
- Disability charities' campaign to end home care charges

Political Activity – key principle

- Key distinction between political activity and any other activity
- Political activity must be additional to the rest of its work
- If a charity only ever carried out political activity it would have adopted a political rather than a charitable purpose
- Ultimately charitable status could be called into question

BUT ...

- A charity can decide to dedicate up to all of its resources on political activity *for a period*
- If the charity believes that it is the best way of supporting its charitable purpose
- See example in D8 ... village preservation charity fighting local authority decision for new development

Political parties and politicians

- A charity **MUST NOT** give its support to any one political party
- A charity can engage with political parties and politicians
- **MUST** remain political neutral and maintain public perceptions of neutrality

Trustees will need to consider:

- effectiveness – is it likely to succeed?
- is it good use of resources?
- the costs and benefits
- risks as well as opportunities – eg to reputation

Other issues to consider

Campaign methods

- Use of new technologies – new innovative techniques
- Can use emotive or controversial material – if trustees believe it is justified
- Use of research – needs to be well founded
- Campaigning during an election

- Emotive or controversial campaign material may be used if justifiable and factually accurate
- The Advertising Standards Authority guidelines
- Other legislation to be aware of:
 - Communications Act, 2003
 - SOCPA, 2005

Charities and Elections

- Election period
- Publicising a charity's policy position – a charity can outline the policy of each political party but must steer clear of making explicit comparisons
- Manifestos – to influence issues a charity campaigns on, but they must not aim to influence voter behaviour
- Working with minority parties
- Electoral law – 3rd party registration

- A charity may promote its views on issues which relate to its objects and activities. However the charity must steer clear of explicitly comparing its views (favourably or otherwise) with those of the political parties or candidates taking part in the election.

Charities and Elections - Example

- **Example:** A housing charity supports the building of 100,000 new home. It can outline the housing policies of each party, including how many new homes each party is committed to building, but it must not explicitly call on people to vote for one party or another.

Charities and Elections – Publicity (2)

- A charity may publish the views of candidates in local and national elections where these views relate to the charity's purposes and publishing them will raise public interest and debate about the underlying issues. The charity must not encourage support for any particular parties or candidates.

- Some charities publish a manifesto in order to publicise the issues which they campaign on, and in particular the changes they are calling for on behalf of their beneficiaries.
- Again, this is acceptable where the charity is trying to persuade the political parties to adopt the policies which it advocates, or is simply trying to raise the public profile of those issues. It is not acceptable where the intention is to influence voter behaviour.

When things go wrong ...

- Commission does receive complaints – not everyone will like your campaign
- Few complaints are upheld
- Most common problem = campaigns not sufficiently related to charity's purposes
- BUT serious problems are very rare
- Contact us www.charitycommission.gov.uk

Concluding comments

- The Commission wants trustees to work out best way of getting their message across confidently, and within the legal framework
- It's an exciting time, and, it is an area of activity that has inherent risks ... need to follow the guidance.

Some practical examples

- You have organised for the local MP to officially open a service for homeless people in her constituency.
- You have arranged for a photographer and some local journalists to attend.
- The event has been scheduled for some time, but an election is called before it happens.
- What should you do?



Another example

- You are planning to hold an event once the election has been called, at which candidates from different parties will speak about their views on your charity's issue.
- What do you need to consider? Do you need to invite someone from every party? What are the risks?



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