

Rt Hon Philip Hammond MP
Chancellor of the Exchequer
Her Majesty's Treasury
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Charity Finance Group
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07 February 2017

Dear Chancellor,

Working together for a strong economy and shared society

We are writing to you ahead of the Spring Budget to present a number of proposals that will support the government's goal of strengthening the economy and building a shared society.

We were encouraged by the Prime Minister's speech to the Charity Commission in which she set out her vision of a Britain that works for everyone and not just the privileged few. The charities, social enterprises and community groups that make up the voluntary sector will be central to the successful delivery of this vision. Whether through improving the life chances of vulnerable people, providing a voice for the disenfranchised or enabling people to shape their communities, the voluntary sector is a force for social change.

As a vehicle for economic growth and innovation, civil society contributes £12.2 billion annually as Gross Value Added to the British economy. That is equal to the contribution of the country's whole agricultural sector, while social enterprises have increased the number of new products available by 59%, compared to the 38% developed by SMEs. The sector is also a major employer with 827,000 employees across the country, in addition to mobilising 14.2 million volunteers whose contributions are worth £24 billion per year to the UK. It is clear that the sector plays a vital role, the benefits of which extend far beyond the services delivered.

The latest data shows that through their fundraising activities, charities raise £11 billion in voluntary income through donations and legacies. This is spent on delivering services and supporting communities across the country, in many cases underpinning the work of other public services. They are often supporting people who have been left behind and individuals that statutory agencies have been unable to reach, as well as delivering preventative interventions which save public money in the long term.

However, voluntary organisations are facing the triple challenge of increasing pressure on funding, increasing and more complex demand, and growing uncertainty for the future. Brexit only adds to these pressures as European funding is thrown into question.

Charities, particularly small charities with an income under £1 million, are under threat. Yet they are key to building a shared society and delivering services that achieve the long term value our economy demands. At this time of considerable financial pressure, it is essential that any tax and spending decisions work for this sector which delivers so much – at the very least, charities should have access to the support directed at businesses. The upcoming Budget presents an opportunity to bring the tax system up-to-date. The proposals presented in the enclosed document will support charities by reducing the tax burden, allowing charitable income to be used as intended - to address the challenges our society currently faces.

These proposals are:

- 1) Reduce Irrecoverable VAT for charities.** The current VAT system costs the charity sector £1.5 billion. Resources meant for public benefit should not be wasted due to complexities within a system that was designed without the unique position of charities in mind.
- 2) Increase mandatory charitable non-domestic business rate relief to 100%** - With the proposed £6.7 billion cuts to rate relief for businesses we could be in a situation where charities are paying more in business rates than businesses, thereby resulting in charitable funds subsidising private profit. The move to increase charitable rate relief to 100% would put civil society on an equal footing.
- 3) Increase pay back of National Insurance Contributions for charities** – This is to specifically address the additional cost of the National Living Wage incurred by charities. This would provide support relative to that currently enjoyed by private businesses (through measures such as corporation tax cuts) to the voluntary sector.
- 4) Lower the Insurance Premium Tax for charities to 6%** – IPT has increased by 100% in the last 18 months to 12%. This is estimated to cost the sector £87 million per year. By introducing a lower rate charities could save millions of pounds every year that could be spent on delivering public benefit.

We have also outlined two spending proposals that we believe should be considered ahead of the budget.

- 1) Adopt a strategic approach to voluntary sector funding** – Since 2013 the government has committed some £550 million of Libor fines to good causes. Our proposal calls for the government to ensure future funding for voluntary organisations outside of normal departmental spending (such as Libor fines) is distributed on an impartial basis according to the sector's strategic needs. This is as opposed to individual charity giveaways.
- 2) Increase funding for the Charity Commission** – We propose the government increase funding to the Charity Commissions to fully cover the cost of delivering the Commission's support and regulatory functions.

We hope that you take our proposals on board in the upcoming budget and will work with the voluntary sector to strengthen the economy and build a truly shared society.

Yours Sincerely,



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Policy options

Tax Proposals

Policy option 1: Reduce irrecoverable VAT for charities

Estimated cumulative costs (£m) between 2017-18 and 2020-2022

2017/18	2018/19	2019/20	2020/21	2020/22
-270	-540	-810	-1080	-1350

What is the problem under consideration?

The latest available estimate for the cost of irrecoverable VAT for charities is £1.5bn per annum according to the Charity Tax Group.

Irrecoverable VAT is the gap between what the sector pays out in VAT and the amount it receives in VAT. The direct impact of irrecoverable VAT is significant and is equivalent to £9,204 for every charity in the UK.

This gap is the unforeseen circumstance of the exemptions and exceptions that charities received when VAT was created in order to ensure that they were not forced to charge beneficiaries for their services. However, this redirects charities' resources away from their beneficiaries and creates an uneven playing field for charities that wish to engage in public service delivery as public bodies already have a rebate mechanism for their irrecoverable VAT.

The tax system should be fair to charities, and resources should not be wasted due to complexities within the VAT system that was not designed with the unique position of charities in mind. In Autumn Statement 2014 and Budget 2015, the government set up a rebate scheme for hospices, blood bikes and search and rescue charities, proving reform is possible without the need for European action. This should be the start of a process to develop a sector wide rebate scheme.

Overview of policy options:

- *Phase in rebate scheme to enable all voluntary organisations to reclaim VAT incurred on non-business income over five years.*
- *Convert existing 'exemptions' into 'zero-ratings' or 'options to tax' so that VAT can be recovered.*

A rebate mechanism would not lead to a recovery of all irrecoverable VAT, but it would significantly reduce the burden facing providers of services in social welfare, education and health care services. These are often areas where voluntary organisations are complementing the services that are provided by the state.

A rebate mechanism would need to be complemented by converting current VAT exemptions into zero-ratings (or options to tax) for business activities so that the levels of

irrecoverable VAT are substantially reduced for the charity sector.

Not all irrecoverable VAT would be recovered under these schemes, but if we assume that 90% can be reduced via these methods, then this would cost £1.35bn – if the latest estimate is accurate.

We appreciate that this could not be implemented overnight and there would need to be time for the rebate mechanism to be developed as well as negotiation about the exact process of covering VAT exemptions into zero-ratings/options to tax. It would be prudent, therefore, to spread this out over a five year period to ensure that it is properly implemented and spread the cost for the Exchequer.

What are the policy objectives and intended effects?

By freeing up the money that is currently lost through irrecoverable VAT, this policy will reduce the costs for charities and allow greater reinvestment into charitable activities.

This will have a number of positive benefits including increasing the amount of services that charities can deliver at a time of rising demand and level the playing field between public sector providers and voluntary organisations that wish to deliver public services.

Policy option 2: Increase mandatory charitable non-domestic business rate relief to 100%

Estimated cumulative costs (£m) between 2017-18 and 2021-22 (without centralisation of funding)

2017/18	2018/19	2019/20	2020/21	2021/22
-90	-180	-270	-360	-450

Estimated cumulative costs (£m) between 2017-18 and 2021-22 (with centralisation of funding)

2017/18	2018/19	2019/20	2020/21	2021/22
-250	-500	-750	-1000	-1250

What is the problem under consideration?

The government has introduced a £6.7 billion reduction in the business rates burden for the private sector which will see some businesses paying no rates at all. This creates a situation where in some areas, charities will be subsidising private business.

This budget poses the opportunity for government to address this disparity and solve the existing challenges in the current charitable rate relief scheme.

A 2015 Consultation carried out by leading voluntary sector bodies found a number of challenges in the current system.

- The lack of clarity surrounding discretionary rate relief
- The difficulties for charities working in disadvantaged communities
- The disadvantages for charities working in multiple areas, on a national or international level
- The uncertainty around discretionary rate relief and implications for business planning.

Many charities are concerned about the clarity of discretionary rate relief policies by local authorities. No other charitable relief is awarded on the basis of location, apart from mandatory business rate relief. The detail, application and publication of discretionary rate relief policies vary hugely between local authorities.

As part of the Local Government Finance Act 2012, the government introduced the Business Rates Retention Scheme (BRRS), which came into force in April 2013 in England. The aim of the scheme was to encourage local authorities to champion economic development and enable local authorities to keep half of all business rates revenue raised locally and flexibility to pool revenue with other local authorities, as well as borrow money against future growth. In order for 'risks and rewards to be shared', the scheme mandated that local authorities would have to fund 50% of any new reliefs granted, including charitable reliefs. This increased the cost of funding new discretionary rate relief granted to charities by over 300%.

Whilst some local authorities, particularly in London, have seen significant increases in business rates income between 2009/10 and 2014/15, many authorities have seen falls in business rate income. For example, Southampton saw a fall in real terms per capita income from business rates of £134 over this period. Manchester saw a fall of £143 and Tower Hamlets saw a fall of £2484 according to research by the Joseph Rowntree Foundation.

This is placing significant pressures on local authority budgets. As a consequence, discretionary rate reliefs for charities has come under additional pressure and local authorities have consulted on reducing discretionary rate relief as a direct consequence of the Business Rates Retention Scheme and pressure on local authority budgets . **This is**

concerning as it means that charities working in deprived communities are less likely to receive discretionary rate relief than those working in affluent areas, increasing their costs and potentially making their services uneconomical.

Charities are important, not only for the economic benefits that they create but also for the social capital that they generate. This social capital is crucial for generating long term economic growth. Strong local communities underpin strong local economies and by making it more costly for charities in deprived areas to operate, the current discretionary rate relief arrangement is not supporting the interests of local communities. A number of local authorities, in response to the cost pressures outlined above, have also outlined changes to discretionary rate relief that would restrict relief to charities that work at a local level. This has the very real risk of resulting in charity closures which would then see vital services disappearing for local people.

A number of local authorities also restrict rate relief for offices or buildings used mainly for offices or administration. Many other local authorities have similar restrictions which disadvantage charities which operate in multiple areas or work at a national or international level. This has a negative impact for a number of reasons:

1. It undermines the principle that charities should be equally treated regardless of their charitable objectives or activities – as a society we **need** charities to do different activities in order to tackle the many challenges we as individuals and a collective, face. We do not believe that charities should be denied access to reliefs because they carry out certain activities. Moreover, these policies politicises charities and undermines the ability of charities to work on unpopular causes.
2. These criteria act as a barrier for charities that wish to work across local authority boundaries. Need does not stop at local authority boundaries, but the discretionary rates system encourages narrow thinking, as local authorities which benefit from services that are delivered by charities outside of their area do not have to bear the cost of business rate relief. This is not in-line with a vision of a shared society. The government said during the election that it wanted to use the ‘talent and energy of charities to help people turn their lives around’, and the current business rate relief rules are a direct barrier to this talent and energy being used.
3. Discretionary rate relief policies focused on exclusive local area provision also inhibit efforts by charities to diversify their services and income. The policy encourages fragility by hampering the ability of charities to expand into new areas and develop new income streams.
4. Excluding claims for discretionary rate relief from charities that use buildings for offices or administration ignores the impact that this has on the effectiveness of charities. All charitable funding must be used to deliver public benefit. Administration is not optional, it is essential to the achievement of charitable objectives. Excluding claims for discretionary rate relief from charities that use buildings for offices reduces the amount of resources that can be used towards achieving charitable objectives.
5. This system also increases the cost of delivery of services for central government in certain areas, if charities there do not have access to business rate relief. Whilst some local authorities provide rate relief to charities that deliver local services in order to reduce the costs of provision for local residents, many local authorities do

not have similar rules for central government services. This artificially increases the costs of central government services, without a clear rationale.

Charities are operating in a volatile funding environment. Like any organisation, in planning for the future, charities want certainty on their income and the cost of delivering services. We have heard from a number of charities that have indicated that the current regime does not provide them certainty around the continued receipt of relief. Funding pressures for local authorities have meant that some organisations do not feel confident one year to the next on whether they will still receive discretionary rate relief. This makes it hard to plan for future delivery and may lead to charities reducing or ending services in order to reduce risk. This is not in the interests of beneficiaries. **No other charitable tax relief has the same level of instability as discretionary rate relief.** Some local authorities issue warnings that they may have to reduce or remove discretionary rate relief a year before they do so, however, this is often not confirmed until shortly before the end of the financial year. This does not enable effective forward planning and can create financial difficulties for charities.

Overview of policy option:

- *Increase mandatory charitable non-domestic business rate relief to 100% over four years in increments of 5% from 80%.*
- *Centralise the funding of mandatory charitable non-domestic business rate relief so that it does not disadvantage local authorities with high levels of charities. This would be carried out over several years.*

The change could be achieved by modifying section 43(6) and 47(2) of the Local Government Finance Act 1988.

- *Conduct a comparative review into all tax reliefs that have been introduced for the private sector – specifically small businesses – and the charity sector.*

DCLG forecast charitable occupation business rate relief cost £1.6bn in 2016-17, we assume that increase rate relief will cost a total of £450m, with more charities applying for rate relief due to reduced bureaucracy and some charities not receiving any benefit due to the fact that they currently receive discretionary rate relief from their local authority.

The cost of Business rate relief being refunded to local authorities would be £800m, based on 50% of the forecast total in 2016/17. In total this measure would cost £1.2bn by 2021/22.

What are the policy objectives and intended effects?

- **Fairness** – we believe that it should treat all charities equally, regardless of location and activity. This is in keeping with the principle that charities meeting the legal criteria to be a charity should have equal access to charitable reliefs, regardless of where they operate in the country.
- **Simplicity** – we believe that the system should be as simple as possible both for charities and for the government to implement. Applying 100% rate relief to all charities will avoid the need for local authorities to develop and operate discretionary rate relief policies. This would free up their time and reduce the cost of administration.
- **Consistency** - we believe that the rules should be consistently applied across all charities to give certainty and enable effective business planning.
- **Cutting red tape** – reducing bureaucracy for local authorities and charities.

This proposal would generate a number of additional benefits:

- It would reduce the administration costs of delivering services or public benefit for charities and enable more resources to be focused on delivering charitable objectives. This will particularly help the small and medium sized charities which are under the most pressure, and support charities working in disadvantaged communities.
- Charities are important builders of social capital, so reductions in the costs of operating will have significant benefits for charities and for small and medium sized charities it is likely that this additional resource will be recycled through local communities having a positive multiplier effect.
- By shifting the cost from local to central government, we believe that this proposal will ensure that local councils are not penalised for having high numbers of charities operating within their area. The Centre for Social Justice in *Something's Got to Give – The state of Britain's voluntary and community sector*, highlighted concerns around 'charity cold spots'. We believe that this proposal could address this concern and ensure that no area lacks the positive impact that charities can bring.

It would also **reduce the costs of the delivery** of central government services through charitable organisations and ensure that central government costs are not higher than local government costs when working with charities. The removal of discretionary rate relief would also remove uncertainty and avoid the need for additional guidance to be given to local authorities on the operation of business rate relief.

Policy option 3: Increase pay back of National Insurance Contributions for charities

Estimated cumulative costs (£m) between 2017-18 and 2019-20

2017/18	2018/19	2019/20
-96	-192	-287

What is the problem under consideration?

Following the welcome introduction of the National Living Wage (NLW) in April 2016, the National Minimum Wage (NMW) will increase to £7.50/hour, growing to £9 by 2020. The salary of every member of staff earning the existing NMW will cost an additional £1,150 by April 2016, excluding pension and National Insurance contributions.

Research from the Third Sector Research Centre shows that the total increased cost to the sector by 2020 will be £500 million. These figures will be higher once the subsequent increased cost of employers' National Insurance and mandatory workplace pension contributions are factored in.

Recognising that employers needed support to adapt to this increase in staffing costs, the government introduced a package of support for employers including significant cuts to Corporation Tax. Between 2010 and 2020/21 these cuts will save private businesses a total of £150 billion. This is on top of money saved through the increase in the National Insurance Contributions (from £2,000 to £3,000).

Whilst employers in the charity sector will be able to benefit from the lower National Insurance bill, they cannot benefit from other measures including the reduction in corporation tax – in effect, they are being penalised for delivering public benefit which goes against Government's promotion of a fair society.

These additional costs will exacerbate the pressures on charitable funds. Without a meaningful support package for the sector, voluntary organisations will struggle to meet rising costs and will face the very real prospect of closure, potentially resulting in the loss of vital services for the most vulnerable in society and ultimately, increased costs for Government.

These are organisations which raise tens of billions of pounds for public benefit and deliver vital support to people and communities. They are central to government's aim to open up to achieve the 'shared society' and make sure that no one is left behind. In fact, Government would be unable to achieve this shared society without these vital organisations. Over half of the sector's workforce (51%) is employed in a social work or residential public service care role, which are two of the sectors expected to be hit hardest by salary increases.

The loss of voluntary organisations will also have an impact on the economy. The sector is a major contributor to the UK economy with a Gross Value Added of £12.1 billion, comparable to that of agriculture. The sector has an income of £40 billion per year, employs 821,000 people and catalyses the wider contribution of 13.8 million regular volunteers through social action, estimated to be worth £23.9 billion.

Case study:

VALUES is a service that provides support services for people with a Learning Disability in Leicester. They enable them to live independently and integrate into their community. In 2015-16 VALUES supported 101 people and provided 13,000 hours of support. They even launched a new dating service. They also were able to support some of their clients into work – moving them to being taxpayers.

The work is funded mostly through Personal Budgets. Personal budgets are a way of

delivering social care and those receiving social care services are assessed for a Personal Budget. This then allocates an amount of money that people can spend on support. It provides people with more choice about who provides their support and what activities they do. It puts power back in the hands of the individual.

VALUES say that they welcome the National Living Wage but also say that it will put huge pressure on their service as it is almost entirely people based. They estimate that we will have to implement a 5% pay increase per annum for the next four years to keep pace with the National Living Wage – and there is no indication that social care funding will increase by 5% per annum to enable our clients to continue to buy their support.

VALUES are worried that unless something is done, their clients will have to lose a day a week of their support within four years to account for increased wage costs.

Overview of policy option:

- *Introduce incremental increases in the amount that charities can claim back on National Insurance Contributions in line with the increases in the National Living Wage.*

We have previously been informed by the Minister for Civil Society that the government's preferred mechanism for alleviating the pressure of employers' increased wage bill is through NIC pay back.

This would have the benefit of using an existing system, thereby removing additional set up costs.

From April 2017 charities will receive an estimated £53.4 million in NIC repayments per year (a total of £213.6 million by 2020). Data from the Third Sector Research Centre shows that the total cost of the NLW to the sector will be £500 million.

There are 17,800 voluntary organisations that employ paid workers. To reach £287 million, the amount that charities will be able to claim back from NICs will need to be increased to £7,000 by 2020.

What are the policy objectives and intended effects?

In adopting this policy, the government will be adhering to the Low Pay Commission recommendation "to ensure funding is available to meet the extra burden the National Minimum Wage rise". By supporting the charity sector in this way, the government will ensure that businesses are not given preferential treatment and will help to sustain the vital work that charities do in both delivering and underpinning public services.

Policy option 4: Reduce Insurance Premium Tax for Charities

Estimated cumulative costs (£m) between 2017-18 and 2019-20

2017/18	2018/19	2019/20
-60	-120	-180

What is the problem under consideration?

From 1st June 2017 IPT charged on charities' insurance premiums will increase to 12%. This represents a 100% increase in an 18 month period.

Like other organisations, charities regularly have to take out insurance in order to carry out their activities, reducing the risks of their organisation and safeguarding the charity's assets. There is evidence that statutory commissioners are demanding ever higher levels of insurance too. In 2011, a study by the Charity Tax Group found that Insurance Premium Tax accounted for around 4% of the tax paid by a group of 31 charities they analysed. This is not a representative sample, but is a useful indicator of the cost to the sector.

Accounting for increases in the rate of Insurance Premium Tax and increases in inflation, if the charities analysed were surveyed today and were paying the same levels of tax, Insurance Premium Tax would cost them £649,971 between them. This is a significant outlay of expenditure. If we were to assume that the cost of IPT in comparison with other taxes charities pay has remained constant and we extrapolate this across the sector as a whole, we can estimate that the cost of IPT to the sector is around £87m a year.

It is understandable that private companies which are undertaking activities in order to generate profit should be asked to pay tax on their activities. However it is not clear why charities, undertaking activities for public benefit and seeking to safeguard their assets through taking insurance, should have to pay Insurance Premium Tax.

Overview of policy option:

- *Introduce a charity Insurance Premium Tax rate of 6%.*

What are the policy objectives and intended effects?

There are significant benefits of this policy for charities and, ultimately, the wider public. By introducing a lower rate of IPT for the sector, charities would save millions of pounds every year that could be better spent on furthering their charitable causes.

This measure would also reduce the cost of running fundraising activities, such as concerts or events, that charities (specifically, small and medium sized charities) are reliant on to generate the income necessary for them to survive.

It would also ensure that charities were not penalised for being prudent in seeking to safeguard their assets which are being used to deliver public benefit.

Spending Proposals

Policy option 5: Strategic approach to voluntary sector funding		
Estimated cumulative costs (£m) between 2017-18 and 2019-20		
2017/18	2018/19	2019/20
-	-	-
<p>What is the problem under consideration?</p> <p>Since 2013, the government has committed some £550m of Libor fines to good causes – predominately, military charities, air ambulances and health charities. These funds have been a welcome income boost for the individual organisations that have been able to benefit from them.</p> <p>However, this funding was allocated without reference to the strategic funding needs of the wider voluntary sector. All voluntary organisations and communities are operating in a challenging environment. To have the biggest possible impact on the economic participation and resilience of voluntary organisations, funding for the sector outside of normal departmental spending should focus on the strategic issues facing it as whole rather than individual sub-sectors. Establishing protocol for the strategic distribution of funding to the sector would also help address concerns expressed by the Public Administration and Constitutional Affairs Committee that Libor fines were not administered objectively and transparently.</p>		
<p>Overview of policy option:</p> <ul style="list-style-type: none"> - <i>The establishment of a process to ensure funding for voluntary organisations outside of normal departmental spending is distributed on an impartial basis according to the sector's strategic needs.</i> <p>The proposal could be achieved by adding to existing Treasury spending and procedural policies, for example, by inserting a new section into the HMT Managing Public Money handbook. Rather than specify the particular needs funding should seek to address, the new section would specify the deliberative and consultative processes that would be used to establish the distribution of funding that falls under this category. These would be developed in consultation with the sector.</p>		
<p>What are the policy objectives and intended effects?</p> <p>The aim of the policy would be to provide a transparent, evidence-led process for determining the distribution of direct Treasury funding for voluntary organisations, as well as funding allocated to the voluntary sector outside of normal departmental spending.</p> <p>The process would ensure, for example, that any future windfalls that the government decides to allocate to good causes, such as Libor fines and dormant assets, are subsequently distributed according to the best available evidence on the voluntary sector's strategic funding needs and support the sector's long term sustainability. The process would explicitly exclude normal departmental spending, as well as spending by local government, non-government departments, NDPBs, and quasi-public bodies.</p>		

Policy option 6: Increase Charity Commission funding

Estimated cumulative costs (£m) between 2017-18 and 2019-20

2017/18	2018/19	2019/20
-	-	-

What is the problem under consideration?

In the 2015 joint Spending Review and Autumn Statement, the then Chancellor, George Osborne, announced that the Charity Commission's budget will be frozen at £20 million per year over the course of this Parliament - a real terms cut to the Commission's budget which has been halved since 2007/08.

The Charity Commission plays an essential role in sustaining and improving public trust and confidence in the Charity Sector. It does this not only through monitoring charities and making sure trustees are meeting their regulatory obligations but also through providing support and guidance for the tens of thousands of trustees.

In 2012/13, charities raised nearly £11bn in voluntary income from donations and fundraising. This has been spent on delivering services and support to communities across the country, in many cases underpinning the work of other public services or delivering preventative interventions which save public money. This voluntary income is depends upon public confidence in the regulatory framework of the sector.

This shortfall in the Commission's funding risks less money being raised and the state being asked to find more resources to meet the demand created.

Overview of policy option:

- *Increase the Charity Commission funding to **fully** cover the Commission's regulatory and support functions.*

We believe the full costs of the charity commission are best met by the government. The government should evaluate the level of funding the Charity Commission needs. This should be done in conjunction with a consultation with the sector to determine what services it should be providing.

What are the policy objectives and intended effects?

This will enable the Commission to fully carry out its investigations and compliance work without compromising important guidance and support functions for charities and trustees in meeting charity law requirements

At a time when charity trustees are arguably under more pressure and scrutiny, it is vital that the Charity Commission can provide the support services needed to make sure that the hundreds of thousands of trustees are able to meet their regulatory obligations and build effective, well run organisations in which the public can confidently place their trust and support.