



## Fermanagh Trust

### Committee for Communities – Charities Bill call for Evidence

#### Introduction

The Fermanagh Trust is a charitable foundation established in County Fermanagh in 1995. The Trust actively supports and resources Community and voluntary initiatives in County Fermanagh and beyond.

The Trust welcomes the opportunity to contribute to the Committee call for Evidence

#### Key Feedback;

1. The Bill is technical and appears to be aimed at finding a remedy for the 'technical flaws' in the Charities Act 2008. As a strong advocate for the need for a robust functioning regulator the Bill is welcomed
2. However the Bill is a wasted opportunity, to set a registration income and asset threshold within the context of the actual bill itself. The failure to do this now has fundamental consequences on grass roots unstaffed civil society organisations and initiatives.

Why can this not be done as part of the Bill and settled once and for all? Apparently the 'horse has bolted' on this and there is not enough time to consider this issue. However the independent review of charity regulation reporting timeframe as set out in the Terms of Reference (see appendix 1 below) suggests this is possible and there is enough time. The Independent review (which is costing £111k) work included a public consultation process.

We urge the Committee members to play a leadership role on this now and be proactive in including in the legislation an income threshold of £10,000 pa and an asset threshold of £50,000 - above this amount organisation's must register. This figure is based on a 25+ years experience of supporting grass roots community and voluntary activity, working with thousands of volunteers trying to improve the lives of people here.

The legislation could use this as a basis ... while at the same time include a power to amend the threshold (both income and assets) through regulations should it become desirable at some point in the future based on future consultation and scrutiny in the Assembly.

Without the Committees support - the registration threshold 'can' will be kicked down the road well into 2022 and possibly for much longer. There is a fantastic opportunity for the Committee to be proactive and address the fundamental flaw in the Governance and regulation of not for profit activity here. We urge the committee to help address this now.

## Conclusion

The NI Assembly has a fantastic opportunity to address a fundamental flaw in charity regulation here now. The legislation as drafted is technical and fundamentally fails to address the need to reduce the needless bureaucracy which the Charities Act in 2008 created for many small organisations including senior citizen's clubs, parent & toddler groups, local history groups, PTFA's and many many others. The registration and regulation of these small organisations has had a huge impact on one hand on volunteerism and on the other it has created a huge burden of work for CCNI – with little gains in terms of public confidence, etc.

Now is the time for the committee to provide the leadership and wise counsel required on this important issue.

## Appendix 1

# Independent Review of Charity Regulation - terms of reference

## Deliverables and timeframe

The Panel will be appointed by end December 2020 and the review will commence on 25 January 2021.

The Panel will deliver the following outputs:

- An interim briefing to the Minister for Communities on the main regulatory themes emerging from public and stakeholder engagement – **by 4 June**.
- A report setting out an assessment of the delivery of the regulatory framework to date, including the effectiveness of the current regulator in delivering on its agreed objectives and statutory functions; options for optimal charity regulation in NI, including the configuration of a statutory regulatory body; and making final recommendations to be presented to the Minister for Communities - **by 26 July 2021**.

For further information contact

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