

Vulnerable Beneficiaries Policy

1. Introduction

The Charity Commission in England & Wales has an important regulatory role in ensuring that trustees comply with their legal duties and responsibilities as trustees in managing and administering their charity. Their aim is to protect public confidence in the integrity of charities. In the context of safeguarding issues, they have a limited and very specific regulatory role which is focused on the conduct of the trustees and the steps they take to protect the charity and its beneficiaries now and in the future. Their remit often covers just one area of a much wider investigation involving or being led by other agencies.

Trustees of charities which work with vulnerable groups and children have a duty of care to their charity which will include taking the necessary steps to safeguard and take responsibility for those children and vulnerable adults.

Trustees must put systems in place to make the necessary checks to ensure individuals who are trustees, staff (including contractors) and volunteers are legally able to act in positions involving vulnerable beneficiaries.

Trustees are legally responsible for:

- Ensuring the risk to the charity's current and future beneficiaries and services are being properly managed by the trustees;
- The protection of the charity's assets, including its reputation; and
- Ensuring that they comply with their legal duties and responsibilities in the management and administration of the charity.

2. Appointing new Trustees

The position of trustee of a vulnerable groups' or children's charity is not a 'regulated activity' in itself. It is only if trustees have close contact with these vulnerable beneficiaries that they would fall within the scope of regulated activity and be eligible to obtain an enhanced DBS check and barred list check. A trustee of a charity who no longer falls within the definition of regulated activity would be eligible to obtain an enhanced DBS check, (but without a barred list check).

The current vetting procedure is to request new Trustees to confirm verbally that "they know of no reason which prevents them from acting as a Trustee of the Charity".

3. Safeguarding Strategy

Horsted Keynes Parochial Church Council (HKPCC) is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults engaged in the breadth of its activities.

The key objectives of the 'Safeguarding Children & Vulnerable Adults' policy are:

- To explain the responsibilities HKPCC and its volunteers have in respect of child and vulnerable adult protection.
- To provide HKPCC and its volunteers with an overview of child and vulnerable adult protection.
- To provide a clear procedure that will be implemented where child and vulnerable adult protection issues arise.

4. Incident Reporting

The reporting of all safeguarding issues are dealt with in the 'Safeguarding Children & Vulnerable Adults' policy.

The Charity Commission have identified the following issues as being higher risk and must be reported:

- Significant financial loss to a charity;
- Serious harm to beneficiaries and, in particular, vulnerable beneficiaries;

- Misuse of a charity for terrorist purposes (including charity links with or support for terrorism, financial or otherwise, connections to proscribed organisations, misuse of a charity to foster criminal extremism);
- Serious criminality and/or illegal activity within or involving a charity (including fraud and money laundering);
- Charities set up for an illegal or improper purpose including the use of abusive tax arrangements;
- Charities deliberately being used for significant private advantage;
- Where a charity's independence is seriously called into question; **OR**
- Other significant non-compliance, breaches of trust or abuse that otherwise impact significantly on public trust and confidence in the charity and charities generally.

In addition, trustees must report an incident if:

- The incident is also reported to the police or other statutory agencies (unless it is a technical or minor issue that poses little or no risk);
- The charity, or individuals associated with the charity and in connection with their role within it, are the subject of a police or other statutory agency investigation;
- We decide that the incident presents a serious or significant risk to the charity, its beneficiaries, reputation or assets;
- The internal risk assessment of the incident concludes that the charity should act to avoid a serious or significant risk to the charity, its beneficiaries, reputation, services or assets; **OR**
- Our professional advisers have advised us to notify the Charity Commission of the incident.

All incidents must be reported to the Parish Safeguarding Co-Ordinator.

5. Trusts covered by policy

The Parochial Church Council of the Ecclesiastical Parish of St. Giles, Horsted Keynes trust fund registered (1154482) in England is included within this policy.