

NORTH LANARKSHIRE COUNCIL

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: OFFICE OF THE SCOTTISH CHARITY REGULATOR - ANNUAL REVIEW	
From: HEAD OF CENTRAL SERVICES			
Date: 03 December 2007	Ref: MS/EH		

1. Purpose of Report

To advise the Committee of the publication of the Office of the Scottish Charity Regulator's first annual review.

2. Background

2.1. The Office of the Scottish Charity Regulator (OSCR) was established in January 2006 as a result of the enactment of the Charities and Trustee Investment (Scotland) Act 2005.

2.2. In performing their statutory function under the 2005 Act, the OSCR's strategic objectives are to:-

- increase public confidence in charities through effective regulation;
- increase transparency and public accountability of charities;
- increase charity trustees' awareness and observance of their statutory responsibilities;
- establish and maintain OSCR as a trusted, effective and innovative regulator, and
- reduce the burden of regulation on charities wherever possible, with particular emphasis on reducing multiple reporting.

3. Considerations

3.1. The OSCR have published their first annual review, (a copy has been placed in the Members' Library) which provides a summary of the work they have undertaken in the first 12 months of operation, including:-

- creation of a definitive online register, providing details of over 23,000 charities, so that for the first time ever the public can easily check for bonafide charities in Scotland;
- provide guidance which explains the charity test so that the requirements are transparent. As one of their new statutory functions, they have granted charitable status to 676 new charities;

- reach agreements with a range of Scottish and UK regulators, to streamline reporting and refer complaints about service provision to other regulators where appropriate;
- rolling out of a proportionate annual monitoring programme. For the vast majority of charities this requires submitting a simple pre populated form, together with a copy of the annual report and accounts which they scrutinise, to ensure that charities are properly run in compliance with the Act, and
- consultation and development of the rolling review of existing charities to ensure they continue to deliver public benefit as required under the charity test. The first results were published in July 2007 and the pilot report is available on their website.

3.2. The OSCR are committed to working with local authorities in particular to enable them to take advantage of the new charity reorganisation provision. This will enable the rationalisation of large numbers of small charitable trusts which are administered by local authorities, and the establishment of a smaller number of modern charities with constitutions and procedures more appropriate for modern purposes.

4. Recommendation

The Committee are asked to note the publication of the Office of the Scottish Charity Regulator's first annual review.

Y. O. Y. O. Y. O.
Head of Central Services

Members seeking further information on the contents of this report are asked to contact Margaret Shankland on extension 2726.