

BULLETIN OCTOBER 2009



This is a bulletin which I send out regularly to around 10,000 clients, contacts, friends, friends of friends so forth, to keep them in touch with what's going on in the world of charities. So much new material coming along right now that these bulletins write themselves. All I have to do is to sit hunched over my trusty typewriter tapping away at it, unlit cigar clamped between my teeth, glass of Glenlivet at my elbow, faithful dog at my feet.

Daryl Martin

THE ECONOMIC DOWNTURN:

The CAF annual survey tells us that giving is down 11%. I'm having regular discussions and meetings with charities that are feeling the pain in their cash flow position. Pay cuts of 10%, senior staff having to forego salary for a month, redundancies. Most of us will struggle over the coming months. The Charity Commission has issued a publication '[The Economic Downturn – 15 questions trustees need to ask](#)'. Might be worth checking out to make sure you are covering all the angles. If you do have to vary the terms of employment: [e-mail me](#) and I will tell you if you need to get professional advice. Returning to that survey, indications are that it is the reduced size of the larger donations that is doing the damage. A separate survey revealed that 11.5% of donors had stopped giving altogether (and 40% of donors don't do gift aid, which costs charities around £50m).

PARTNERING WITH A BUSINESS:

We are all going to have to raise our game in order to survive the downturn and emerge strengthened. Amongst the winners will be those who take the initiative. Recently I was looking again at some notes I made to help a client who was partnering with local businesses to raise their profile. Let me know if you want a copy. I also made notes on 'Collaborative Working', but this is mainly pulling out the best bits of the Charity Commissions [CC34 publication](#).

CHALLENGES TO LEGACIES LEFT TO CHARITIES:

There is a significant rise in families challenging charities about legacies left to them by supporters. Not surprising given the downturn. The experts are in two minds as to what you should do if it happens to you. On the one hand you are obliged by law to collect what you are entitled to. Of course you won't if it's eaten up by legal costs, so it might often be better to negotiate a settlement. One thing you must do is to make sure that your case is watertight and if you have been through any legal processes since the Will was drawn up, make sure your

Daryl's Blog

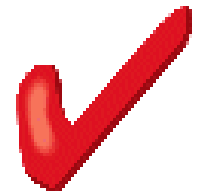
Updated: 25/10/09



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End of Year accounts,

governing documents are sound. For example a change of name or a merger or incorporation must make appropriate reference to the history. [Send us](#) a copy of your governing documents for a free health check.

HANDLING COMPLAINTS:

The Charity Commission says that less than one in three charities have a complaints or feedback procedure in place. It can save a lot of tears to have a procedure in place to handle complaints. Download '[Cause for Complaint?](#)' from the Charity Commission website. I include a session on complaints in my training which seems to go down well.

CHARITY SHOPS:

Take care to keep an eye on what the local charity shops are up to. They do a great job recycling and they fit in with the times. But there is so much untapped potential. Says Mary Portas who is transforming the [Save the Children charity](#) shops: their new Living and Giving concept store made over £100k of profits in three weeks. It might be worth checking out if your charity has a shop, or is planning one!

LAND REGISTRY – NEW RULES:

From April 2009, any non-company charity that owns land that isn't registered is listed in the names of individual trustees, and if there is a change of trustee it will probably need to be registered (the only exception being a lease with under seven years to run). Make sure you get professional advice when dealing with land. By the way, solicitors have to be involved every time there is a change of trustee (and this is one reason why charities incorporate).

AM I THE ONLY ONE DISTRACTED BY 'GROCCERS' APOSTROPHES'?

I'm one of those irritating types who hate to see apostrophes in the wrong place, seeing it as a sign that the country really is going to the dogs. If you are one of those who either misuse apostrophes, or you don't much mind, having more important things to worry about, here's a thought; it might be a mistake on my part to make judgements on those who misuse apostrophes, but there are a lot of people like me who you are in danger of offending if you don't at least make an attempt to get it right. The point is that we are making judgements on one another at the time based on limited information. So get [Lynne Truss's book](#) and read it. Apologies to dyslexics everywhere and thanks to [Seth](#) for his great blog)

EMPLOYMENT LAW DEVELOPMENTS:

Reading through a recent batch of decisions is always interesting. It's a fast moving field, more of a minefield really; make sure you get good advice. Learning from recent decisions:

- Employees are entitled to legal representation in certain internal disciplinary proceedings.
- Dismissal for misconduct was held to be unfair due to the failure of an employer to conduct an adequate investigation.
- A new employer cannot widen a mobility clause following a [TUPE](#) transfer.
- Those new rights for agency workers are still on their way.

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Company Secretary

As I write this there is a situation where a dinner lady told a parent about her child being tortured. Apparently the school wanted this to remain hidden and promptly dismissed her. We will all watch this one with bated breath. I wonder if the people who run things still haven't 'got it', they still want the bad stuff to be kept hidden away (to clarify: it was other children doing the torturing, not the teachers).

OUR AMAZING CLIENTS:

I am constantly taken aback (and very blessed) by our client list which contains lots of household names, but also, lots of obscure and unsung charities that we are privileged to work with. Last week I walked into the office to find Janice, our gift aid specialist surrounded by hundreds of gift aid forms, all one offs and mostly under £10. Apparently, Cramlington Juniors Football Club run an annual Sportsman's Dinner and are sufficiently well organised to get most of the small donations gift aided. They do a great job in Tyneside with 40 teams playing in different leagues. Alan Shearer started out there, amongst lots of others. Well done them for taking the trouble to gift aid the small donations. If you need help or ideas on Gift Aid [email Janice](#).

POSTAL STRIKE:

Companies House will not extend any grace to companies that fail to lodge documents in time. Missing deadlines can be serious, leading to fines and worse. We have had to resort to sending paperwork by courier (in batches to keep costs down). A lot can be filed electronically these days; it's easy enough to familiarise yourself with the security and authentication process. I even did one myself last week, when our office system blipped. [Contact us](#) if you need help.

TRAINING INDEPENDENT EXAMINERS:

The training day on October 14th went well, but a young lady in Leeds couldn't make it as she had the 'flu. If there was any demand I could run a training day up there. It's also useful for charity treasurers and book-keepers who want to deepen their understanding of charity accounts. [Contact us](#) for a synopsis and costs etc.

BULLETIN QUESTIONNAIRE:

Last month I asked for your help completing a questionnaire on the bulletin, and I would like to thank all of you who managed this for us. I think we had a good response, but Tony thinks otherwise (so hard to please these IT guys) and has been nagging me to ask all who didn't manage to complete it, to please spare half an hour and fill it in for us. [Bulletin Questionnaire](#)

AND FINALLY:

Who can resist recycled Tommy Cooper jokes?

I told my wife I had a job in a bowling alley. She said, 'Tenpin?' I said, 'no, permanent'.

I told my mum I got a job running a theatre. She said, 'are you having me on?' I said, 'well I'll give you an audition but I'm not promising anything'.

Service:

A number of Charities have already signed up to this new service. [Contact us](#) for details.



Gift Aid:

[Email Janice](#) if you need help on your gift aid claims or if you need envelopes for cash donations



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vent into a shop and asked, 'can someone sell me a kettle'. The bloke said, 'enwood'. I said, 'where is he then?'

hen I phoned the local ramblers club, the bloke who answered just went on and

ought a train ticket to France and the ticket seller said, 'Eurostar'. I said, well
e been on Telly but I'm no Dean Martin

visited the local office of the RSPCA the other day. So tiny you couldn't swing a
t in there.

ere's many more but I think you've had enough punishment for one day

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Registered in England & Wales No: 3221546
Registered Address: Sovereign Centre, Poplars, Yapton Lane, Walberton, Arundel, West Sussex, BN18 0AS
Telephone: 01243 555611, Fax:01243 553822, Web: www.iel.org.uk

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