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# North East England Chamber of Commerce

## COVID-19: Key themes for charities and not-for-profit organisations

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# What we are going to cover

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- Who we are
- Trustees – duties and obligations during COVID 19
- Workforce – managing cost and promoting well-being
- Operational Matters – commissioners and contracts
- Funding and fundraising
- Conclusions



North East England  
Chamber of Commerce

# Trustees

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**Key point:** Trustees remain legally responsible for their charity and need to be satisfied as to the adequacy of the charity's response to COVID 19

- What should trustees be doing in the current circumstances?
  - Trustee briefings and video calls
  - Impact on services and ability to fulfil charitable purposes
  - Protecting and continuing to support beneficiaries
  - Financial planning and forecasts
  - Practical steps e.g. signing off accounts, executing documents
  - Serious incident reporting

# Trustees

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**Key point:** Trustees have a duty to act reasonably and with skill and care

- What should trustees be doing in the current circumstances?
  - Reviewing and updating risk register
  - Review strategy and adapt to meet current need
  - Receive more regular information
  - Document decisions carefully

# Workforce

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- What are the charity specific issues with furloughing?
  - Volunteers
  - Public sector funding (the problems with mix use staff)
  - Employees affected by COVID-19
  - Employment rights and liabilities
  - Decision making and audit trail
  - Apprentices

# Workforce – health and well-being

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- **Key Point:** you have duties as employers to protect and promote the health of your staff.
- Where to focus:
  - Keeping those still working safe and protected
  - Keeping in contact during furloughing (but not working)
  - Mental Health initiatives
  - Continued learning and development time
  - Use of social media and other online resources

# Operational Matters

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- How are commissioners responding?
  - Tendering suspended
  - Extension of contracts
  - More relaxed regime
  - Document agreements reached
- Other issues
  - Force majeure clauses
  - Waiver
  - Rates relief if no longer using premises?

# Funding

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- Can members still use your services? Rights to refund?
- What options are there for raising funds?
  - Gift Aid on donations from cancelled events
  - Communication and transparency
  - Duty to consider alternative forms of fundraising
  - Additional safeguards around collection of funds
- Wrongful trading – 28 April 2020 webinar



# Conclusions

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- The situation remains challenging and uncertain.
- Trustees should:
  - act reasonably, make informed decisions and document them carefully.
  - keep abreast of sector wide guidance
  - seek advice if they are unsure about how to best fulfil their duties
  - always act in the best interests of the charity





Any questions?



# Further Insights and Contact details

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Coronavirus (Covid-19)  
Insights Hub

<https://www.womblebonddickinson.com/uk/covid19>



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