

Barnardo's Scotland Response to the Draft Charities and Trustee Investment (Scotland) Bill Consultation Paper

About Barnardo's Scotland

Barnardo's runs, in partnership with others, around 60 community-based services across Scotland. From Inverness to Ayr, we work to improve the lives of over 7,000 children, young people and their families each year.

Barnardo's works with corporate, public and voluntary organisations including the Scottish Executive, local authorities, businesses, trusts, the police, health departments and community groups. Together we seek to overcome a range of contemporary challenges affecting Scotland's children and young people. These issues include disability, abuse, HIV/AIDS, family breakdown, poverty, educational breakdown, youth crime, homelessness and alcohol or drug misuse.

Barnardo's is one of the largest and best known charities in Scotland. In the last financial year our charitable expenditure was £19.4 million. Our services are delivered by 780 staff and 1,170 volunteers spread across most of Scotland's 32 local authority areas.

General

We welcome the accessible format of the draft Bill and the opportunity to comment on it. We also welcome most measures outlined in the draft Bill including the definition of charity, the establishment of OSCR, governance issues, powers to deal with wrong-doing and improving the operating environment for charities. We have no strong views on the specific consultation issues raised under these headings, hence the very brief nature of this response.

Regulation of Fundraising

We welcome the draft Bill's support for the self-regulation of fundraising activities but there are several specific issues within the draft Bill which raise concern. We have input to the detailed response prepared by the Institute of Fundraising in Scotland (IoF) and wholeheartedly support their evidence. We would particularly draw attention to the comments made in section 8.2. of the IoF submission in relation to public collections:-

'We believe that where a charity or philanthropic organisation is already subject to regulation by a recognised authority, such as the Office of the Scottish Charity Regulator (OSCR) or Companies House, Local Authorities should not have to undertake further checks relating to the effectiveness of the charity and should allocate permits to collect on the basis of capacity.'

Conclusion

Barnardo's Scotland welcomes the draft Bill as a balanced and workable piece of legislation which should help modernise the framework in which charities operate. It is hoped that the more effective regulatory systems established will lead to a greater understanding of, and confidence in, the activities of charities by the general public.

**Barnardo's Scotland
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