



## Stakeholder Forum Charter

### **Name of the forum:**

The Charities Regulator Stakeholder Forum

### **Summary:**

This forum provides an opportunity for a cross section of charities and other relevant stakeholders to engage directly with the Charities Regulator. It supports and enables discussion of emerging issues, trends and priorities relevant to the charity sector in Ireland, providing a range of perspectives to deepen the Charities Regulator's understanding of the sector. Through discussion and engagement it ensures that the views of the sector are considered when the Charities Regulator is developing policies, guidance and regulatory materials. It also helps the sector's understanding of matters from the perspective of the regulator, as well as the regulations and how to comply.

### **Context & Purpose:**

The Charities Regulator's vision is for a vibrant trusted charity sector that is valued for the public benefit it provides. Public trust underpins the viability of the sector, and issues relating to one charity can have a detrimental impact on the wider sector. Public trust and confidence in the regulatory framework for charities is also important in assuring beneficiaries, donors and the wider public that the sector is regulated effectively.

Ireland's charity sector comprises a diverse range of charities. According to annual reports to the Charities Regulator for 2020, four in ten charities registered in Ireland (44%) have no employees. Nearly one third (32%) have less than ten. Almost half had an annual income in 2020 of less than €100,000 while one in seven reported income in excess of €1 million. Furthermore, some charities may be overseen by other regulators or government departments and therefore the Charities Regulator may be one of a number of State bodies with whom a charity may be required to engage.

This forum is intended to provide a structured environment for charities and the Charities Regulator to exchange information and views on topics relevant to regulation of the sector. It will help charities and their trustees in particular understand and comply with their legal duties under the Charities Act, as well the Charities Governance Code. It will also provide them with an opportunity to raise matters with the Regulator including concerns or challenges regarding the implementation of charity regulation and the principles of the Charities Governance Code.

## Membership

The forum will comprise a minimum of 12 and a maximum of 20 charity trustees with an independent chair engaged by the Charities Regulator.

We will strive to ensure members represent a cross section of the charity sector by charitable purpose, size, legal form and geographical area. Representative groups from the charity sector will each be invited to nominate a trustee from a member charity. The remaining members will be drawn from the wider charity sector with individual charities invited to nominate a trustee. Nominations will be considered by a selection committee comprising the independent chair of the forum, a member of the board of the Charities Regulator and a member of the Charities Regulator's senior management team.

A charity can have only one representative on the forum.

Each charity trustee will serve a two year term. If a trustee has to step down during their term, their charity can nominate a replacement. If their charity cannot nominate a representative, the forum chair with the support of the other members of the selection committee will nominate a replacement. Where the trustee was originally nominated by a representative organisation, the organisation will be invited to nominate the replacement. In all cases, efforts will be made to ensure the forum represents a cross section of the charities sector.

Members will be required to declare any perceived or actual conflicts of interest to the Chair or forum support team within the Charities Regulator as soon as they arise.

Where a member fails to attend two consecutive meetings, they will be considered to have forfeited their place. The forum chair with the support of the other members of the selection committee will nominate a replacement. Where the trustee was originally nominated by a representative organisation, the organisation will be invited to nominate the replacement. Again, efforts will be made to ensure the forum represents a cross section of the charities sector.

The Charities Regulator will be represented by three to eight executives including Head of Communications & Engagement; Director of Legal Affairs & Registration and the Director of Compliance & Enforcement as appropriate. The Chief Executive will attend where possible while the heads of other units within the Charities Regulator will attend when it's appropriate according to the agenda items. The Charities Regulator's values of accountability, fairness, independence, proportionality and respect will underpin our approach to this forum.

Observers from Government Departments and other state agencies may also be invited to attend where there are matters on the agenda relevant to their area(s) of responsibility. These include, for example, Revenue; Department of Rural and Community Development ('DRCD'); Department of Foreign Affairs ('DFA'); Pobal; An Garda Síochána; Corporate Enforcement Authority ('CEA'); Tusla; Competition and Consumer Protection Commission ('CCPC'); Approved Housing Bodies Regulatory Authority ('AHBRA').

## Roles and Responsibilities

The role of the Chair is to ensure the Stakeholder Forum operates effectively to meet its purpose.

Members will represent the perspective of charities similar to them (for example in size, structure and income) on matters being considered by the forum and related discussions, and will share information from the forum with their charity. They will actively participate in meetings, ensuring positive, engaged and respectful dialogue. Where they cannot attend, they will notify the secretariat in a timely manner and will advise the Chair if they wish to leave the forum. Additionally they will disclose any actual or perceived conflicts of interest to the Chair as soon as they arise.

The Charities Regulator's representatives will listen to the discussion and comments of members and consider them. Additionally they will contribute to discussions in a way that will help members' understanding of regulation and how to comply. The Regulator will also support the running of the forum such as organising meetings, coordination of the agenda and ensuring that any concerns or conflicts are addressed or resolved as quickly as possible.

Observer members will represent the views of their department or organisation in relation to the regulation of the charities sector.

## **Meetings**

There will be two meetings per annum - spring and autumn/winter (e.g. April/May; October/November). Meetings will run for a maximum of two hours. Additional meetings may be called by the Chair or requests for comments or feedback may be sought via email on an as needs basis by the Charities Regulator in consultation with the Chair.

A summary of matters discussed at each meeting will be published on the Charities Regulator's website.

## **Resources**

No expenses or fees will be paid other than the fee of the independent Chair who will be paid in line with DPER guidelines on committee membership.

Meetings will be held on a hybrid basis – in-person and virtual – and generally at the offices of the Charities Regulator, at 3 Georges Dock (which is within walking distance of Connolly Station and beside the George's Dock Luas stop).

The Charities Regulator will cover the costs of light refreshments.

## **Review**

The forum will operate on a pilot basis initially and will be reviewed at the end of one year. Thereafter it will be reviewed every two years by the Chair, Charities Regulator and members of the forum.

The Chair and Chief Executive of the Charities Regulator will meet at least annually and at other times as required to discuss observations or learnings.