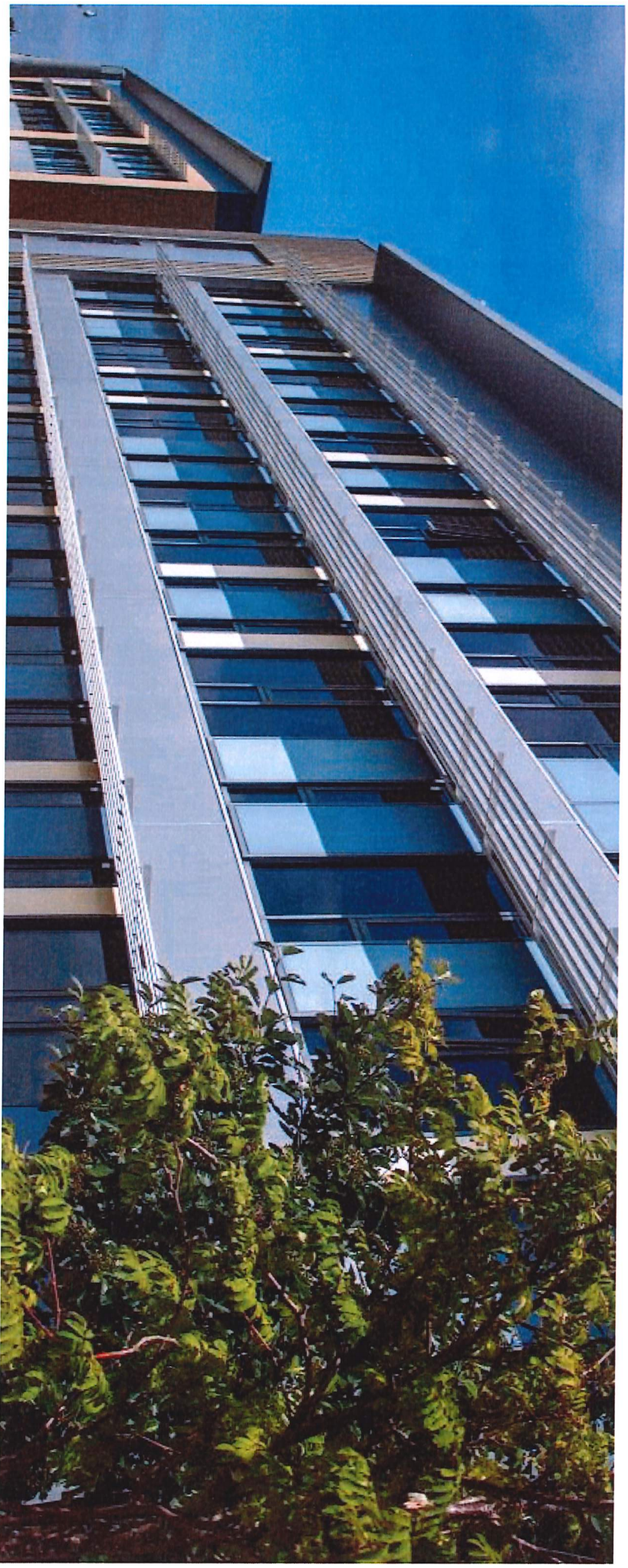


① Charity law is changing. Click here to find out how the changes will affect your charity. (<https://www.oscr.org.uk/about-charities/charity-law/changes-to-charity-law-after-the-charities-regulation-and-administration-scotland-act-2023/>)



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## Notifiable events

From 1 April 2024, we are no longer asking charities to use our Notifiable Events process to inform us when something serious has happened or is happening to the charity.



Instead, charities should get in touch with us through our **raise a concern** form if there are any serious issues which the trustees have been unable to address. This will help us continue to be informed when there are concerns about what is happening in a charity.

It is the responsibility of the charity trustees to manage their charity effectively and handle issues or significant events as they arise. Our **guidance and good practice for charity trustees** contains lots of helpful information about this.

## OSCR Social

Explore our channels:



(<https://www.linkedin.com/company/office-of-the-scottish-charity-regulator>)



(<http://twitter.com/ScottCharityReg>)



(<https://www.facebook.com/ScottishCharityRegulator>)

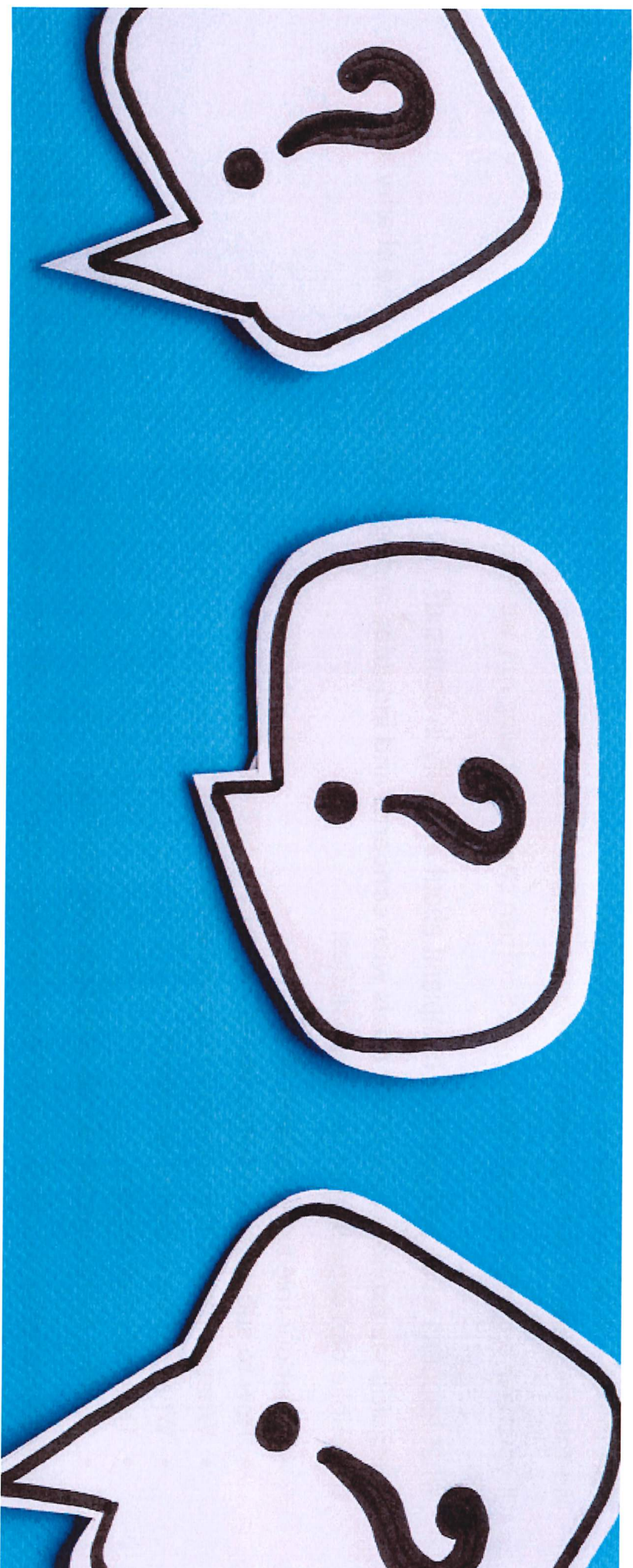


(<https://www.youtube.com>)

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# Raise a Concern

Part of our role as the Scottish Charity Regulator is to hold charities to account and ensure they are well-run so that the public have trust and confidence in charities.

If you have a concern about the way a Scottish charity is being run, we want to hear from you.

## What happens when you submit a complaint about a charity in Scotland?

Our guidance explains **how OSCR deals with concerns and inquiries** <sup>\*</sup> and sets out what you, the charity and the public can expect from us. This includes:

- What our role as a regulator is
- How to submit a complaint about a charity in Scotland
- What to expect if you raise a concern about a charity
- What happens during an inquiry
- The end of an inquiry
- How we communicate about concerns and inquiries

Please note, after you submit a concern we will not be in touch with you again. If your concern leads us to making inquiries with the charity, we are unable to update you on the status of those inquiries.

We may publish an inquiry report when an inquiry is of public interest or when an individual case may offer useful lessons for the wider sector. You can **view our inquiry reports here.** <sup>\*</sup>

Read the guidance

| Concerns OSCR can deal with                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Concerns OSCR cannot deal with                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A charity's assets are at risk, for example property held by a charity is not insured or cash held by a charity is not kept securely.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Issues about a service or activity that a charity provides.</p>                                                                                                                                                                                                                      |
| <p>A charity's assets are not being used for the objects of the charity as displayed on the charity's entry on the <b>Scottish Charity Register</b>. (<a href="https://www.oscr.org.uk/about-charities/search-the-register/register-search/">https://www.oscr.org.uk/about-charities/search-the-register/register-search/</a>).</p>                                                                                                                                                                                                                                                                          | <p>Disputes or disagreements involving trustees, members, people who want to be members, <b>beneficiaries and staff</b>. (<a href="https://www.oscr.org.uk/charities/guidance/glossary-of-terms/">https://www.oscr.org.uk/charities/guidance/glossary-of-terms/</a>).</p>               |
| <p>A person or organisation is inappropriately profiting from a charity. Our guidance explains the conditions under which <b>trustees can be remunerated</b> (<a href="https://www.oscr.org.uk/managing-a-charity/trustee-duties/trustee-remuneration/">https://www.oscr.org.uk/managing-a-charity/trustee-duties/trustee-remuneration/</a>), and how OSCR considers <b>private benefit</b> (<a href="https://www.oscr.org.uk/guidance-and-forms/meeting-the-charity-test-guidance/private-benefit/">https://www.oscr.org.uk/guidance-and-forms/meeting-the-charity-test-guidance/private-benefit/</a>).</p> | <p>Fundraising complaints. Contact the charity trustees in the first instance and if you do not receive a satisfactory response, you should contact the <b>Scottish Fundraising Adjudication Panel</b> (<a href="https://goodfundraising.scot/">https://goodfundraising.scot/</a>).</p> |
| <p>A charity is not complying with its <b>legal duties</b> (<a href="https://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/charity-trustee-duties/">https://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/charity-trustee-duties/</a>) under the 2005 Act.</p>                                                                                                                                                                                                                                                                     | <p>Employment issues, such as unfair dismissal, grievances, bullying, discrimination, redundancy, wages, terms of employment.</p>                                                                                                                                                       |

| Concerns OSCR can deal with                                                                                                                                                                                                                                                                                                                                                                                                              | Concerns OSCR cannot deal with                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A charity may be putting the people it helps at clear risk of harm, for example by not having appropriate safeguarding procedures.</p>                                                                                                                                                                                                                                                                                                | <p>Debts due by a charity or contractual disputes with a charity, unpaid invoices, delivery of a contract.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>A charity trustee has a conflict of interest and this is not being properly managed – our guidance explains <u>what a conflict of interest is</u> (<a href="https://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/conflict-of-interest/">https://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/conflict-of-interest/</a>) and how it should be managed.</p> | <p>Decisions taken by charity trustees that are within their powers, even if you are not happy with that decision or do not agree with it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>The charity trustees are not working collectively to run the charity, for example one trustee appears to be in overall control, or no trustees taking responsibility for the charity.</p>                                                                                                                                                                                                                                             | <p>Issues that are the responsibility of another Regulator, such as <u>Scottish Housing Regulator</u> (<a href="https://www.housingregulator.gov.scot/">https://www.housingregulator.gov.scot/</a>), <u>Care Inspectorate</u> (<a href="https://www.careinspectorate.com/">https://www.careinspectorate.com/</a>), <u>Charity Commission for England and Wales</u> (<a href="https://www.gov.uk/complain-about-charity">https://www.gov.uk/complain-about-charity</a>), <u>HM Revenue and Customs</u> (<a href="https://www.gov.uk/government/organisations/hm-revenue-customs">https://www.gov.uk/government/organisations/hm-revenue-customs</a>).</p> |

| Concerns OSCR can deal with                                                                                                                                                                                                                                                                                                                                                                             | Concerns OSCR cannot deal with                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>An organisation is calling itself a charity when it is not or an organisation has been doing so in the past (You can check if the organisation is a charity by searching the <b><u>Scottish Charity Register</u></b> (<a href="https://www.oscr.org.uk/about-charities/search-the-register/register-search/">https://www.oscr.org.uk/about-charities/search-the-register/register-search/</a>)).</p> | <p>Issues about organisations that are not charities and have never been charities on the Scottish Charity Register. You can check if an organisation is or has been a charity by searching the <b><u>Scottish Charity Register</u></b> (<a href="https://www.oscr.org.uk/about-charities/search-the-register/register-search/">https://www.oscr.org.uk/about-charities/search-the-register/register-search/</a>) and using the additional filters to identify current and former charities.</p> |
| <p>Charity trustees are significantly breaching the requirements of their governing document.</p>                                                                                                                                                                                                                                                                                                       | <p>Act on behalf of individuals – we act when concerns are in the public interest – primarily where the concerns impact others rather than just yourself.</p>                                                                                                                                                                                                                                                                                                                                    |
| <p>A charity is <b><u>unlawfully discriminating</u></b> (<a href="https://www.oscr.org.uk/media/1395/2014-12-02-charities-and-the-equality-act-2010.pdf">https://www.oscr.org.uk/media/1395/2014-12-02-charities-and-the-equality-act-2010.pdf</a>) in the provision of its services or benefits.</p>                                                                                                   | <p>Internal issues between trustee/volunteers regarding bullying and harassment. Should seek own advice and consider mediation.</p>                                                                                                                                                                                                                                                                                                                                                              |
| <p>If you have reported a matter to the police about criminal activity in a charity. The police deal with criminal investigations but you should also report this to us.</p>                                                                                                                                                                                                                            | <p>Conduct of employees – this is a matter for the charity trustees who are in overall management and control.</p>                                                                                                                                                                                                                                                                                                                                                                               |

## How to report a concern about a Scottish charity

To make a complaint or to raise a concern about a charity in Scotland, **you must complete our online concern form.**

Please make sure that you provide all the information requested, as this helps us to consider your concerns as fully as possible.

Online concern form

## OSCR Social

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**in**

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