



Subject:

**NOTIFICATION AND LIASION WITH THE
CHARITY COMMISSION NI**

**Circular Reference:
HSC(F)56/2011**

20th December 2011

For Information to:

Chief Executive and Director of Finance of each
HSC Body and NIFRS

Summary of Contents:

This circular advises staff of the need to notify the
Charity Commission NI when a suspected fraud
involves a charitable body.

Enquiries:

Any enquiries about the contents of this Circular
should be addressed to:

Finance Policy, Accountability and Counter Fraud
Unit
Room D3
Castle Buildings
Stormont Estate
BELFAST
BT4 3SQ

Tel: 028 90765647
fpau@dhsspsni.gov.uk

Superseded Documents:

Not Applicable

Related Documents:

DAO (DFP) 07/11

Expiry Date:

Not Applicable

Status of Contents:

For Information and action if
appropriate

NOTIFICATION AND LIASION WITH THE CHARITY COMMISSION NI

Purpose

1. This is to inform you that DFP has issued the following letter:

DAO(DFP) 07/11: NOTIFICATION AND LIASION WITH THE CHARITY COMMISSION NI

A copy of this Finance Director letter is attached for your information.

Information

This DAO letter alerts readers to the need to notify the Charity Commission NI when a suspected and attempted theft and fraud within Northern Ireland involves a charitable body.

Action

2. Please ensure that this circular is brought to the attention of the appropriate staff within your business area and that any relevant action points are noted.

Should you have any queries please contact Deborah Magee on 02890 765696.

Paula Shearer

Finance Policy, Accountability and Counter Fraud Unit

Fiona Hamill
Treasury Officer of Accounts

Central Finance Group
Room P3
Rathgael House
Balloo Road
BANGOR BT19 7NA
Tel No: 028 91858128 (x 68128)
email: fiona.hamill@dfpni.gov.uk
and jill.downie@dfpni.gov.uk



DAO (DFP) 07/11

16 December 2011

Dear Accounting Officer

NOTIFICATION AND LIASION WITH THE CHARITY COMMISSION NI

Purpose

1. The purpose of this letter is to encourage departments, agencies, NDPBs and their sponsor bodies to notify the Charity Commission for Northern Ireland when a case of fraud or irregularity being investigated by the public sector involves a charitable body.

Background

2. The Charity Commission for Northern Ireland is the new independent regulator¹ of charities in Northern Ireland established under the Charities Act (NI) 2008.

¹ Under the Act the Charity Commission will be responsible for registering all charities in NI, however before this can occur a legislative amendment is required. In the interim organisations which have registered with HM Revenue and Customs for charitable tax purposes will be considered to be charities by the Commission. These organisations are included on what is referred to by the Commission as the "deemed list". This list is published on the Commission's website.

Powers of the Commission

3. Under the Charities Act the Commission has, among other powers, the power to –
 - investigate charities if there is a case of suspected fraud or mismanagement; and
 - give specific directions to protect a charity such as to suspend or remove a trustee.

Given the statutory remit of the Commission it would be appropriate, where departments or other public sector bodies are investigating organisations which are considered to be charitable bodies, for the Commission to be advised at an early stage.

Notification to the Charity Commission

4. Contact with the Commission should be made in the first instance to Niall Davey (Enquiries Manager). Niall can be contacted on: 028 3832 0220 (Email address: niall.davey@charitycommissionni.org.uk).
5. Once the Commission are notified of such cases they will liaise with the notifying body to discuss arrangements for the review/investigation of cases and the process through which the Commission will be kept updated. These arrangements will be considered and agreed on a case by case basis between the notifying body concerned and the Commission.

Action to be taken

6. Departments should ensure that this DAO is brought to the attention of relevant staff in all business areas including agencies, NDPBs and other sponsored bodies.

7. Any enquiries about the content of the DAO should be addressed to Alison Caldwell on 028 91858249 (GTN: 68249) (Email: alison.caldwell@dfpni.gov.uk).

[signed]

FIONA HAMILL

Copy Distribution List:

Alison Caldwell, DFP
Fraud Forum Members