

CHARITY BULLETIN

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GDPR – TIME IS TICKING AWAY TO GET UP TO SPEED WITH NEW REGULATIONS

From May 2018 charities across the UK will come under the net of new data protection rules which, if ignored, could lead to significant fines and sanctions.

Despite the fact that in less than six months all UK businesses – including charities and not for profit organisations – will need to be compliant with the new rules, many in the third sector are not fully prepared for the changes ahead.

Any charity that holds data, whether it is for previous, existing or future donors or suppliers will need to co-operate with this new legislation or face the prospect of significant fines.

The question of how fundraisers will be allowed to contact donors and supporters has, not surprisingly, been the main focus so far, but GDPR will affect virtually every aspect of data handling including how you ask for consent, opportunities for opting in and out of contact, as well as giving an individual the right to access the personal data you hold on them.

GDPR also introduces a ‘right to be forgotten’, where people can request that you remove personal data from your systems. This means that now, more than

ever, there is a requirement to ensure your data is kept up to date, accurate and held no longer than necessary.

Last but certainly not least, there is a requirement to ensure that any data breaches are acted on and also reported without delay.

The amount that the Information Commissioner’s Office (ICO) can fine organisations for breaches of data protection will increase significantly from May 2018 so charities should make sure the right procedures are in place to detect, report and investigate any breaches.

For help and advice to ensure that your charity is prepared for the new GDPR regulations, please speak to Milsted Langdon’s charities team.



CHARITIES' ADVERTISING SPEND SWITCHES TO DIGITAL AND DOORSTEP ADVERTISING

The not-for-profit sector spent a staggering £458.8 million on advertising in the first six months of 2016, figures just released by the advertising industry have revealed.

The figures, from market research firm, Nielson, show that total advertising expenditure was up by six per cent compared to the same period in 2015, with charities' digital and cinema advertising spend almost doubling.

Digital advertising saw a leap of almost 90 per cent when compared to the same period, rising from £2.9 million to £5.5 million. Cinema followed a similar pattern, up 78 per cent from £3.1 million to £5.5 million. However, spend in the press sector had dropped by 22 per cent,

from £32.5 million to just £25.3 million.

Experts have suggested that negative press coverage of charities may be to blame for the dip, in line with a drop in general circulation, particularly for print publications.

Elsewhere, spend in outdoor advertising grew by 36 per cent, up from £5.5 million to £7.4 million in the same period, ranking third for overall growth.

Television and radio advertising also saw

a minor increase, up by 15 per cent and 17 per cent respectively.

Daniel Fluskey, the Head of Policy and Research at the Institute of Fundraising, had said that the surge in digital spend will enable charities to expand their audience reach, while moving away from invasive methods of communication, such as that of direct mail and doorstep leaflets. However, spend on direct mail had actually grown. More than £265 million had been spent on direct mail, over half of the sector's entire advertising budget.

CHARITY COMMISSION URGES GREATER TRUSTEE DIVERSITY

Charities are being urged to do more to promote diversity on their boards and encourage applications from women, young people and individuals from ethnic minority and socially diverse backgrounds.

The call follows research commissioned by the Office for Civil Society and the Charity Commission, which found that men outnumber women trustees on boards by two to one.

The typical charity trustee is male, white, older and with above average income and education, according to the study which found that 92 per cent of respondents fell into this category.

The researchers surveyed a sample of 19,064 trustees, with around 3,500 trustees responding to the survey. The report found:

- 71 per cent of charity chairs are male and 68 per cent of charity treasurers are male
- The average age of trustees is 55 to 64

- years, of which 51 per cent are retired
- 75 per cent of trustees have household incomes above the national median
- 60 per cent of trustees have a professional qualification and 30 per cent have post-graduate qualifications
- 71 per cent of trustees are recruited through an informal process
- In 80 per cent of charities trustees play both a governance role and an executive role
- 70 per cent of trustees are involved in charities with an incomes of less than £100,000 a year
- On average, trustees donate almost six hours a week to their trustee roles

Reacting to the research findings, Helen Stephenson, the Charity Commission's Chief Executive, said the results pointed

to systemic issues around the diversity of and recruitment to trusteeship.

She urged charities to make diversity a priority saying that if trustees did not reflect their communities, charities were "at risk of missing out on the widest range of skills, experience and perspective at board level".

She added that "diversity of experience, approach and personality helps guard against such problems and enables any organisation to foster a culture that is conducive to good governance".

Milsted Langdon has extensive experience of helping charities with good governance including advice relating to the appointment of trustees. For advice and support please contact us.

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