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## Changing your governing document to allow for virtual meetings: FAQs

Since the COVID-19 pandemic began, many charities have contacted asking us if they are allowed to hold meetings virtually instead of in person.



To help charities understand what action they have to take, we have produced some FAQs on the topic that answer questions such as:

- Can charities hold meetings virtually?
- Do charities need OSCR's consent before making changes to our governing document?
- Can OSCR provide charities with an acceptable form of wording to include in their governing document which would allow them to hold virtual meetings?

[Read the FAQs here.](#)

This information has also been added to our [COVID-19 Guidance for Charities](#).

## Blog: Research shows COVID challenges for Scottish charities



In our latest blog, OSCR Chief Executive Maureen Mallon reflects our research findings and the challenges charities are facing as we publish the full data tables from our November survey on the impact of COVID-19 on Scottish charities.

[Read Maureen's blog here.](#)

## Consultation on our 'Meeting the Charity Test guidance' updates

We are seeking views on updates we propose to make to sections of our 'Meeting the Charity Test' guidance.

These updates clarify our guidance on public benefit following the 29 January 2021 decision by the Court of Session on the charitable status of New Lanark Hotels Limited and New Lanark Trading Ltd.



The Court directed that both of these companies should be registered as charities on the basis of the facts in the case, and emphasised the unusual nature of the activities undertaken on the New Lanark World Heritage site. OSCR's intention in bringing the appeals was to clarify the position with respect to our guidance on public benefit in charities. The Court's findings made it clear that charitable status for these companies was in accordance with OSCR's public benefit guidance.

That's why we have proposed changes to the 'What is public benefit?' section in our Meeting the Charity Test guidance. We have reflected the detail of the court's findings on how public benefit should be considered when a charity is undertaking activities, including commercial trading, that do not further its charitable purposes.

In addition, we have taken this opportunity to clarify some of the language in the private benefit section.

We are running a 6 week consultation on the changes to ensure that they are clear and easily understood. We would like to hear your views on these proposed changes.

[You can respond to the consultation by filling in our short survey here.](#)

The closing date for responses will be 5 May 2021. If you have any questions on the survey, please contact [info@oscr.org.uk](mailto:info@oscr.org.uk).

## Updated guidance for charities campaigning on political issues



Elections to the Scottish Parliament will be held on the 6 May 2021.

We are already in the Regulated Period when spending on political campaigns and activities is regulated by the Electoral

Commission. The Electoral Commission rules on campaigning have been modified slightly since OSCR's 2018 guidance, so we have updated our guidance to reflect this. For example, all election material now requires an 'imprint', including digital communications.

Under Scottish charity law, your charity can campaign if:

- it is advancing your charitable purposes
- your governing document does not prevent the activity
- you are not advancing a political party and,
- you can show you are acting in the charity's best interests.

When considering whether you are acting in a charity's best interests, this should include the reputational implications of your actions.

While there are restrictions on what campaigning activities a charity can undertake, it is important to note that political campaigning in principle is not forbidden. In fact, political campaigning on particular issues can be an important way for charities to achieve their charitable purposes.

If you intend to campaign on political issues please read our guidance below so you are aware of the rules.

[Read 'Charities and campaigning on political issues: FAQs' here.](#)

## Video: Crisis Recovery - Lessons Learned for Charities

In this webinar for Cyber Scotland Week, Martin Tyson (Head of Regulation and Improvement at OSCR) and Jim Preen (Crisis Management Director at Yudu Sentinel) have a conversation about a recent high profile OSCR inquiry case. They discuss what happened when a group of charity trustees found themselves in a crisis, the mistakes they made and what they could have done to better manage the situation.



[View the webinar recording here.](#)

## 'Grace Period' ends



This has been a very difficult 12 months for charities.

A specific concern raised with OSCR early on was that it might be difficult for charities to submit their annual reports and accounts to us on time.

Before the COVID-19 pandemic, charities had 9 months after their 'year-end' date to submit annual information to OSCR. To address concerns, OSCR allowed charities extra time to submit annual reports and accounts (referred to as a 'grace period'). This grace period extended a charity's annual return deadline by an additional 9 months when their deadline date fell between 01 March 2020 and 31 March 2021.

This means that charities with deadlines from 01 April 2021 onwards will no longer receive additional time, and so should again plan to submit within 9 months of a year-end date. If annual information is

submitted to OSCR late, this is indicated on the [Scottish Charity Register](#) entry for the charity.

OSCR has carefully considered its decision to end the grace period. We have given charities time to make adjustments and we will continue to signpost those in need of help as best we can. However, public trust in charities is vital and regular reporting provides the level of transparency and accountability expected from the sector.

In the past year, significant amounts of charities have been able to use online methods to get accounts finalised and signed off. There are great examples demonstrating the effort, energy and creativity of charity trustees to make sure they can keep on top of their affairs and their commitments.

If your charity requires any support, please get in touch with us at [info@oscr.org.uk](mailto:info@oscr.org.uk)

## New online PVG service

Disclosure Scotland is launching a new digital channel to apply for PVG level disclosures.



Taking a digital first approach, the [new online PVG service](#) will become the main application process for most PVG applications.

An initial trial of the new service saw Disclosure Scotland process thousands of PVG applications from over 250 organisations. Those who took part in the trial have seen key benefits, with:

- a better, easier to use, application service
- faster application turnaround times

You can access the service from [Disclosure Scotland's website](#). Organisations enrolled with Volunteer Scotland Disclosure Services (VSDS) can access PVG Online through VSDS.

To find out more, please contact Disclosure Scotland via [response@disclosurescotland.gov.scot](mailto:response@disclosurescotland.gov.scot)

## Blog: Measure your digital progress and get help on your next steps



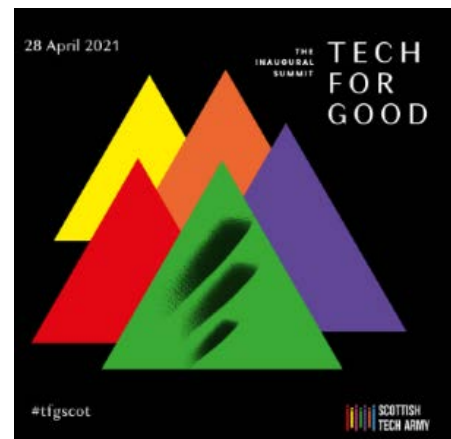
In this blog, SCVO's Digital Evolution Manager John Fitzgerald talks about SCVO's digital checkup - a free online tool that lets you

measure your organisation's digital capability against organisations of a similar size.

[You can read the blog here.](#)

## The Scottish Tech Army in partnership with OSCR, ScotlandIS and Codeclan partner to launch the inaugural Tech for Good Summit Scotland.

The Scottish Tech Army, in partnership with OSCR, the tech industry body ScotlandIS and Scotland's digital skills academy, CodeClan, will be presenting the inaugural Tech for Good Summit on Wednesday 28th April 2021.



The summit will welcome participants from across the whole tech for good ecosystem – charities, business leaders, educators, SMEs and volunteers - for a day of inspiration, discussion, debate, collaboration and challenge.

[You can find out more about the summit and how to sign up in this blog.](#)

Scotland's charity regulator: OSCR is the independent registrar and regulator of Scotland's 23,000 charities

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OSCR Online makes it easier for charities to report to OSCR, and improves transparency for the public. For more information, or to register, visit [www.oscr.org.uk](http://www.oscr.org.uk)

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