

Mr B S Knight

by email:

theknightsrhome@btinternet.com



Charity Commission
PO Box 1227
Liverpool, L69 3UG

t: 0300 065 1801

Your Ref:

Our Ref: BNWJ/232402/C-383769

Date: 25 November 2014

Dear Mr Knight,

Re: Camphill Village Trust – 232402

Thank you for your letter raising concerns about the charity.

The Commission's Approach to Complaints

It may be helpful if I begin by explaining the Commission's approach when dealing with complaints about charities.

As the independent regulator of charities in England and Wales, our aim is to provide the best possible regulation to enable charities to deliver effective services whilst also ensuring compliance with charity law. We do this by working with charities through providing advice and guidance and setting out best practice to resolve difficulties encountered. Where things go wrong in charities our action is evidence based and proportionate, taking account of the issue, the risk involved to the charity and its beneficiaries.

The Commission assesses concerns on a case-by-case basis against its published [Risk Framework](#) and its published guidance 'Complaints about Charities - [CC47](#)'. Both documents are available on our website and explain what types of complaints we will and will not take up.

If, having carefully considered the information you have provided, we identify issues of regulatory concern, we will take these forward with the trustees of the charity.

On track to meet your deadline?

Visit www.charitycommission.gov.uk for help on filing your annual return and accounts

General Enquiries: 0300 066 9197

Textphone: 0300 066 9219

Website: www.charitycommission.gov.uk

You have raised a number of concerns about the way the trustees are running the charity:-.

.Living Arrangements

You have advised that the charity is changing the living arrangements in the community from the live in family environment supported by unpaid volunteer co-workers to employed care workers.

You have raised concerns about whether the particular proposals for care provisions is moving away from the objects contained in the charity's Memorandum and Articles of Association. This is not a question that the Commission can answer. This is because in order to establish whether the care provisions are within the objects of the charity (i.e. following Steiner principles) we would firstly have to determine the principles of Dr Steiner. However, the Commission cannot determine matters of ethos and doctrine. We do not have the legal power to do so.

Co-worker to employees

You are concerned that the decision of CVT to insist that all co-workers become employed will have a profound effect on the Botton Village Community.

As you are aware, the Commission is unable to determine whether the change of status to co-workers amounts to a breach of the charity's objects. As discussed above, this is because the Commission cannot determine matters of ethos or doctrine. As we cannot determine the principles of Dr Steiner, we also cannot decide whether the change of status of co-workers to employees is in accordance with those principles.

Safeguarding

You have advised that your daughter, Tracey, was a party to a safeguarding incident caused by CVT management when they removed her co-worker from the house in July 2012. You state that this had a disastrous effect on her .You are very concerned that she will suffer a repeat of the same safeguarding incident when her live-in co-worker leaves.

You should raise this serious concern in the first place with the charity trustees who have the primary responsibility for safeguarding issues in their charity. In addition, the Local Authority leads on safeguarding matters and may have a role in this.

The Commission is not a safeguarding authority. We cannot approve or provide detailed advice to charities on the content of individual safeguarding policies.

Objects Changes

You are very worried that the charity might try to change its fundamental objects.

Changing a charitable company's objects is a two stage process:-

1. As the charity is a charitable company, the Charity Commission's consent would firstly be required under s198 of the Charities Act 2011 to change the objects of the charity.

2. Any proposed changes to the objects would need to be put in a special resolution to be passed at an Extraordinary General Meeting by members of the charitable company. It would have to be passed by a majority of not less than 75% of those members attending.

I am sorry but the Commission does not have the resources to advise you if an application is made to change the objects so that you can make representations. However, your opportunity to do so would be at any meeting called to pass the special resolution to change the objects.

.I can confirm that the charity has not applied to the Commission to change its objects.

Lastly, as you may be aware, a number of people have also raised concerns with us about the proposed changes at the charity's communities. Consequently, we have produced the attached statement covering the main areas of concern, explaining the Commission's engagement with the charity and our position on these issues.

I hope that this is of help.

Yours sincerely,

Bethan Wilkins-Jones

Bethan Wilkins-Jones
Charity Commission

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