

From: Max White maxwhite@whiteandco-pm.co.uk
Subject: Re: Camphill Village Trust - 232402 CRM:0164047
Date: 15 December 2014 13:50
To: Operations - Wales (Queue) OperationsWales@charitycommission.gsi.gov.uk

MW

Dear Ms Wilkins-Jones

Thank you for your December 8th reply to my email.

I note from the statement attached to your reply that *"it is important to note here that the Commission cannot determine matters of ethos and doctrine. As we cannot determine the principles of Rudolf Steiner, we also cannot decide whether the change of status of co-workers to employees is in accordance with those Steiner principles."*

You follow this with stating that

"The Commission is satisfied that the trustees in reaching their decision to move from co-workers to employees have acted in accordance with their duties as trustees, and followed a proper decision-making process. This has included taking account of the Steiner principles and seeking the appropriate financial and legal professional advice to inform their decision-making. Furthermore, it is a legitimate use of charity funds to obtain professional advice to inform trustee decision making."

In addition, it is for the trustees to decide how to run the charity on a day to day basis. The decision to use charity funds to introduce a management structure can also be a legitimate use of charitable funds."

If as you state you are unable to *"decide whether the change of status of co-workers to employees is in accordance with Steiner principles"* in complying with their Memorandum, it follows that you must equally be unable to *"be satisfied that the trustees in reaching their decision to move from co-workers to employees have acted in accordance with their duties as trustees"*.

Attached is a letter from the Association of Camphill Communities setting out the actual situation concerning vocational co-workers as confirmed by the HMRC and the Treasury. This situation applies to vocational co-workers in CVT as much as it does to those in other Camphill communities. That CVT have tried to create a situation to the detriment of the co-workers within the charity and issue profoundly wrong and misleading information regarding the HMRC just as they have with their dealings with yourselves confirms without doubt that the trustees have not acted within their duties nor have they complied with the Memorandum or the standards of common morality.

In your letter to us of the 1st November 2013 you stated that in reply to our assertion that CVT had diverted from its Memorandum *"the charity's response to that is that they "do not believe the charity has departed from its charitable purpose"*. We have since given you evidence that they gave misleading information in that response. If ever a charity needed full investigation it is CVT and if the Commission fail to do so it has to be questioned whether it has any justifiable purpose.

CVT embarked upon a policy of removing co-workers as far back as 2010 and have used every excuse, real or manufactured and opportunity to put it into effect. This is totally contrary to the best interests of our relatives who chose to live in Camphill communities as families with volunteer co-worker houseparents.

The extraordinary number of complaints you have received from families surely cannot be ignored and I hope you will now confirm that CVT will be the subject of the most rigorous and urgent investigation.

Yours sincerely

Max White

----- Original Message -----

From: [Operations - Wales \(Queue\)](#)
To: [Max White](#)
Sent: Monday, December 08, 2014 1:52 PM
Subject: Re: Camphill Village Trust - 232402 CRM:0164047

Charity Commission

Your Ref:
Our Ref: BNWJ/232402/C-383769

Dear Mr White,

Re: Camphill Village Trust - 232402

Thank you for your email of 28 November 2014.

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

Co-worker life-share model of care

The question of whether the trustees' particular proposals for care provisions are within the Objects (as stated in the charity's Memorandum and Articles of Association) is not a question that the Commission can answer.

You have advised that simply reading the Appendix of the Memorandum would suffice to establish whether the proposals are in accordance with Steiner principles. However, there is legal uncertainty, not simply about what Dr Steiner's principles have to say on the matter but whether, as a matter of construction, these proposals are in accordance with those principles. The Commission simply does not have a power to authoritatively determine the construction of the memorandum of a charitable company, such as Camphill Village Trust.

Decision to move from co-workers to employees

The Commission is unable to determine whether the change of status from co-workers to employees 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.

The task of running the charity falls to the trustees. They have outlined a strategic direction for the charity and taken a number of administrative decisions about the way in which the charity wants to provide for its beneficiaries.

The Commission is satisfied that the trustees have acted in accordance with their duties as trustees and followed a proper decision making process having carefully considered Steiner principles. The Commission cannot determine whether the decisions reached are in accordance with Steiner principles because, as discussed above, that is something that we cannot determine.

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. The Commission has nothing further to add about our current involvement with the charity.

I hope that this is of help.

Yours sincerely

Bethan Wilkins-Jones

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www.gov.uk/charity-commission

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