

Letter to the Independent School Council relating to the public benefit of schools

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Alison Paines

PARTNER | UK

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The Charity Commission has published a letter which it has sent to the Independent School Council relating to public benefit issues raised by peers in the debates on the Charities (Protection and Social Investment) Bill (the 'Bill'). In particular, the letter addresses the point raised by Lord Moynihan who argued that some charitable independent schools could do more to share their sport facilities and other resources with schools in the state sector in order to meet their public benefit requirement.

The letter, which is published on the Charity Commission's website (and can be accessed [here](#)), addresses the following points:

- it sets out the Charity Commission's initial concerns about introducing a new duty into primary legislation applicable only to a sub-set of the registered charity sector and the unintended consequences this can have.
- it provides a summary of the Charity Commission's guidance on public benefit and notes that the Charity Commission will be publishing a revised 'Public Benefit: Reporting' guidance so that it includes more examples of reporting on sharing sports facilities and other resources.
- it sets out the Charity Commission's intention to commission and publish independent research to assess the impact of initiatives to increase partnerships between charitable schools and the state sector.


The proposed amendments regarding this issue were voted down by the House of Lords on the basis that the Charity Commission gave assurances that it would look to pursue an alternative non-legislative route to address the public benefit requirement issue.

Authors

Alison Paines

PARTNER | LONDON

Charities

 +44 20 7597 6057

 alison.paines@withersworldwide.com