

## CLAS CIRCULAR 2020/11 (21 April 2020)

### Disclaimer

**CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.**

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

<b>CHARITIES AND CHARITY LAW .....</b>	<b>2</b>
Coronavirus (COVID-19) guidance for the charity sector .....	2
Duty to report any matters of significance.....	2
<b>DATA PROTECTION.....</b>	<b>3</b>
ICO: Regulating during coronavirus .....	3
<b>EMPLOYMENT.....</b>	<b>4</b>
National Minimum and Living Wage increases come into effect.....	4
<b>FAITH &amp; SOCIETY .....</b>	<b>5</b>
Funerals in relation to COVID-19 .....	5
<b>FUNDING .....</b>	<b>6</b>
Community Security Trust funding.....	6
Places of Worship Security Funding Scheme.....	6
<b>ODDS &amp; ENDS .....</b>	<b>7</b>
New Minister for Building Safety, Faith and Communities .....	7
Sir Keir Starmer becomes Labour leader .....	7
<b>PROPERTY &amp; PLANNING .....</b>	<b>9</b>
Government announcements on building safety .....	9
Securing and caring for church buildings.....	9

## CHARITIES AND CHARITY LAW

### Coronavirus (COVID-19) guidance for the charity sector

For information

The Charity Commission has [published](#) guidance for the charity sector in relation to the coronavirus outbreak. The guidance answers the following questions:

- Can our charity assist with COVID-19?
- How do I get support to pay my charity staff?
- Can I use reserves and restricted funds to help my charity through the crisis?
- Can I cancel or postpone my charity's AGM or other key meetings?
- Can I use video, teleconferencing and the internet in place of face-to-face meetings?
- What do I need to report to the Charity Commission?

A particularly noteworthy point is that is that if trust deeds/governing documents do not include the power to hold a [virtual meeting](#) but trustees decide to hold a virtual meeting rather than not meet at all, *the fact that a virtual meeting has taken place should be minuted*. The guidance also discusses keeping people safe and the Charity SORP's [updated guidance about what and how to report](#).

[Source: Charity Commission, 7 April]

### Duty to report any matters of significance

For information

The Charity Commission has [updated](#) its guidance on a charity's duty to report any matters of significance to the Charity Commission for England and Wales, the Office of the Scottish Charity Regulator and the Charity Commission for Northern Ireland.

The updated guidance gives examples and clarity on which matters to report, particularly with respect to modified audit opinions. The guidance also reflects the current COVID-19 pandemic, with a section on reporting at times of national emergency.

[Source: Charity Commission, 15 April]

## DATA PROTECTION

### ICO: Regulating during coronavirus

For information

The ICO has [published](#) a document setting out its regulatory approach during the coronavirus pandemic. The ICO states that:

'We acknowledge our responsibility to take into account these exceptional circumstances. We set out the flexibility the law gives us to be a pragmatic and empathetic regulator. We confirm our efforts will be focused on the greatest threats. And we acknowledge the important role that people's information rights will continue to have.'

[Source: ICO, 15 April]

## EMPLOYMENT

### National Minimum and Living Wage increases come into effect

**For action**

BEIS has [reminded](#) organisations that increases to the National Minimum and Living Wage have now come into effect. Organisations should ensure that employees have their wage increased to reflect the following:

- The National Living Wage for those aged 25 and over will increase by 6.2% to £8.72 an hour
- The National Minimum Wage for those aged 21 to 24 is increasing by 6.5% to £8.20 an hour
- The National Minimum Wage for those aged 18 to 20 is increasing by 4.9% to £6.45 an hour
- The National Minimum Wage for those aged under 18 is increasing by 4.6% to £4.55 an hour
- The rate for apprentices is increasing by 6.4% to £4.15 per hour.

[Source: BEIS, 1 April]

## FAITH & SOCIETY

### Funerals in relation to COVID-19

For information

Public Health England has [published](#) guidance designed to assist people who are involved in managing or organising a funeral related to a death (from any cause) during the coronavirus pandemic.

It details where exceptions can be made to the 'stay at home' advice currently in place to allow families and friends, including those who are self-isolating or who have been defined as extremely clinically vulnerable, to attend funerals should they wish to. The guidance includes the following:

- Those who have symptoms of COVID-19 must not attend and must stay at home.
- Limiting the numbers in attendance to as low as possible to ensure safe social distancing.
- Observing social distancing guidance across all aspects of attending a funeral.
- People who are extremely clinically vulnerable (shielded) can attend with measures put in place to reduce their risk.
- People self-isolating because someone in their household is ill may attend if they do not have symptoms themselves.

Separately, MHCLG has [published](#) guidance for local authorities (and those with an interest) on local and national death management. Section 58 and Schedule 28 of the Coronavirus Act 2020 introduced new powers for local authorities and the Government to support the resilience of local death management systems, including intervening if they become overwhelmed. The guidance sets out how and when the powers should be used by local authorities.

Further related documents include:

- [Guidance for care of the deceased](#)
- [Advice for safe funerals after discussions with faith leaders](#)
- [Temporary changes to the \*Cremation \(England and Wales\) Regulations 2008\* provided for in the \*Coronavirus Act 2020\*.](#)

[Source: MHCLG, 17 April; Public Health England, 30 March, 19 and 20 April; Ministry of Justice, 3 April]

## FUNDING

### Community Security Trust funding

For information

The Home Office has [announced](#) that it has provided the Community Security Trust with £14m of funding to provide security measures at Jewish schools and synagogues. The grant will cover protective security measures for the next financial year.

[Source: Home Office, 1 April]

### Places of Worship Security Funding Scheme

For information

Zarah Sultana MP [asked](#) the Home Secretary 'how many places of worship have made unsuccessful applications for funding from the Places of Worship Security Funding scheme in each category of place of worship in (a) England and (b) Wales', to which Kit Malthouse replied that, over the first three years, the Places of Worship scheme had received 431 applications in total, of which 134 were successful and 297 were unsuccessful.

[Source: Commons *Hansard*, 6 April]

## ODDS & ENDS

### New Minister for Building Safety, Faith and Communities

For information

Stephen Greenhalgh MP has been [announced](#) as the new Minister for Building Safety, Faith and Communities at MHCLG. Stephen will be of interest to CLAS members for two reasons (faith aside) as, in addition to the building safety part of his MHCLG brief, he is also the Fire Minister at the Home Office.

[Source: MHCLG, 18 March]

### Sir Keir Starmer becomes Labour leader

For information

Sir Keir Starmer has [won](#) the Labour leadership election, while Angela Rayner won the parallel deputy leadership election. Sir Keir's shadow cabinet appointments include:

- Anneliese Dodds, Shadow Chancellor
- Nick Thomas-Symonds, Shadow Home Secretary
- Lisa Nandy, Shadow Foreign Secretary
- Rachel Reeves, Shadow Cabinet Office Minister
- Jonathan Ashworth, Shadow Health Secretary
- Rachel Reeves, Shadow Chancellor of the Duchy Of Lancaster
- David Lammy, Shadow Justice Secretary
- John Healey, Shadow Defence Secretary
- Ed Miliband, Shadow BEIS Secretary
- Emily Thornberry, Shadow International Trade Secretary
- Jonathan Reynolds, Shadow DWP Secretary

- Rebecca Long-Bailey, Shadow Education Secretary
- Jo Stevens, Shadow DCMS Secretary
- Bridget Phillipson, Shadow Chief Secretary to The Treasury
- Luke Pollard, Shadow DEFRA Secretary
- Steve Reed, Shadow MHCLG Secretary
- Valerie Vaz, Shadow Leader of the Commons
- Lord Falconer, Shadow Attorney General
- Preet Kaur Gill, Shadow International Development Secretary
- Baroness (Angela) Smith, Shadow Leader of the Lords
- Nick Brown, Commons Chief Whip.

The Shadow Minister for the Voluntary Sector and Charities is Rachael Maskell

[Source: Labour Party, 5 April]



## PROPERTY & PLANNING

### Government announcements on building safety

For information

The Government has made [several announcements](#) in relation to building safety for new and existing buildings. The announcements include:

- The Government's response to the *Building a Safer Future* consultation;
- Remediation and Covid-19;
- Non-ACM cladding;
- Updates to Approved Document B; and
- Action on mortgages for properties in high-rise residential buildings.

[Source: MHCLG, 2 April]

### Securing and caring for church buildings

For information

The Church of England has issued comprehensive advice (which it is keeping updated) on [Securing and caring for your church buildings during the Covid-19 pandemic](#). While some of it is obviously specific to the Church of England, it may also be of interest to non-C of E members.

[Source: C of E Archbishops' Council Cathedral and Church Buildings Division, 20 April]