CHURCHES' LEGISLATION ADVISORY SERVICE

140-148 Borough High Street, London SE1 1LB

E: info@churcheslegislation.org.uk
www.churcheslegislation.org.uk
T: 020 7222 1265

Chairman: Rt Revd David Walker, Bishop of Manchester
Secretary: Bénédicte Petit

CLAS CIRCULAR
2026/13 (14 July)

CHARITIES AND CHARITY LAW

Reminder: a new duty for organisations handling personal data

For information and possibly for action

The new legal requirements are now in force under which all organisations that process personal data must provide data-subjects with a clear mechanism for raising data protection complaints, acknowledge receipt within 30 calendar days, investigate them appropriately and communicate the outcome.

The Information Commissioner's Office's research reveals that more than two in three businesses aware of the Data (Use and Access) Act either do not know about the new law or incorrectly assume that it does not apply to them. The ICO's guidance sets out its expectations of data processors and gives practical examples based on real complaints that businesses regularly receive, such as subject access requests, inaccuracies in personal data and marketing concerns.

We would suggest that if you process data and have not yet adopted a data-handling policy, you should do so as a matter of urgency. It doesn't have to be complicated – but you do need to have one.

[Source: Bates Wells, 30 June]

Charity and donor tax relief

For information

The Government has published statistics on tax reliefs for charities and their donors for the tax year to April 2026. In brief:

- tax reliefs for charities and their donors, where an estimate is available, were around £7.4 billion, up 4% year-on-year;
- the estimated non-domestic rates relief was £2.87 billion (down 1% on the previous tax year);
- £1.88 billion was paid in Gift Aid to charities at the basic rate of Income Tax (up 10% on the previous tax year);
- payments under the Gift Aid Small Donations Scheme stayed the same at £40 million;

- charities received £1.28 billion Inheritance Tax reliefs for donations (up 6% on the previous year); and
- individual taxpayers received £920 million Higher Rate Relief on Gift Aided donations (up 10% on the previous tax year).

Just under half the value of Gift Aid payments went to charities that received less than £1 million each. In total, 1.3 million people declared a donation on their Self-Assessment return for tax year ending April 2025 – about 2% fewer than the previous year. However, the value of their declarations of all types of donations rose by 12%.

Overall, charities received £5.05 billion of reliefs, up 2% year-on-year, while donors received £2.34 billion of reliefs for donors, up 7% year-on-year. The full data is **here**.

[Source: HMRC, 1 July]

FAITH AND SOCIETY

Burials and water quality

For information

Jodie Gosling (Lab, Nuneaton) asked the Secretary of State for Environment, Food and Rural Affairs, what assessment she has made of the potential impact of burial sites on downstream water quality during heavy rainfall.

Emma Hardy (Lab, Kingston upon Hull West and Haltemprice) replied as follows:

"The Environment Agency (EA), as a statutory consultee in the planning system, advises against locating new cemeteries in areas with highly vulnerable groundwater and seeks to prevent developments that could pose significant risks to the water environment.

Since October 2023, new cemeteries or extensions requiring planning permission must either qualify for an exemption or obtain a permit under the Environmental Permitting Regulations. These permits include conditions such as minimum distances from springs, watercourses and protected sites, helping to ensure burial sites are both respectful and environmentally safe.

Existing cemeteries established before 2023 are also expected to manage any potential risks to water quality.

Where voluntary measures are not sufficient, permitting may be required. If pollution does occur, the EA will take proportionate and appropriate enforcement action, while seeking to ensure that any intervention is handled sensitively given the importance of these sites to local communities."

[Source: Commons *Hansard*, 18 June]

Assisted dying in Jersey

For information

On Thursday, it was **announced** that Jersey's Assisted Dying Bill had been given Royal Assent. The **Assisted Dying (Jersey) Law 2026** will come into force when it is registered at Jersey's Royal Court, although it will not come into effect until next year.

[Source, *BBC News*, 9 July]

EMPLOYMENT

Updated guidance: Working or volunteering in regulated activity with children

For information and possibly for action

The update coming into force on **1 September 2026** is the **removal of the "supervision exemption"** from the definition of regulated activity with children in England. This change was made by the Crime and Policing Act 2026 and primarily affects **volunteers** rather than paid staff.

Key changes:

Until **31 August 2026**, an unpaid volunteer who teaches, trains, instructs, cares for, or supervises children **may not be considered to be carrying out regulated activity** if he or she is appropriately supervised by someone who is already in regulated activity.

FROM 1 SEPTEMBER 2026, THE SUPERVISION EXEMPTION WILL BE REMOVED.

- Supervision **no longer prevents** a volunteer's role from being classed as regulated activity.
- If the volunteer's role meets the normal frequency ("period") rules, it is regulated activity regardless of whether or not the volunteer is supervised.

Who is affected?

The main group affected is **volunteers** in schools, colleges, **childcare settings and providers**, and other organisations working with children.

[Source: DoE, 29 June]

PROPERTY AND PLANNING

Culture, Media and Sport Committee: *Protecting built heritage*

For information

On 13 July, the Commons Culture, Media and Sport Committee published its Third Report of Session 2026-27: Protecting built heritage. Specifically on the care and maintenance of listed places of worship, it notes in the Introduction that:

> "Recent changes to support schemes, including the replacement of the Listed Places of Worship Grant Scheme with the Places of Worship Renewal Fund, represent a significant shift in approach. While directing funds towards areas of socio-economic need has merit, reliance on area-based indicators risks disadvantaging places of worship of high historic and architectural significance outside these areas and could overlook the wider community value and reach of such sites. Meanwhile, the current VAT regime discourages repair and reuse by making it more expensive than new construction. Without immediate attention, these pressures could limit investment and support for heritage assets."

Listed places of worship

It appears to accept the estimate that there are around 14,800 listed places of worship in England, 83 per cent of which are owned by the Church of England:

> "We heard that listed places of worship face a complex combination of financial, demographic and organisational challenges. Witnesses repeatedly stressed that these challenges were interlinked and financial pressures had intensified since heritage lottery grants for places of worship ended in 2017" [48].

The Committee also noted concerns about the ending of the Listed Places of Worship Grant Scheme [52]. It concluded as follows:

> "The government's decision to replace the Listed Places of Worship Grant Scheme with the Places of Worship Renewal Fund represents a significant shift. While we recognise the rationale for directing limited public funds towards areas of greatest socio-economic need, we remain concerned that reliance on area-based indicators risks disadvantaging places of worship of high historic and architectural significance that fall outside narrowly defined measures of deprivation. There is also a risk that the community value and reach of places of worship may be overlooked, particularly where their activities extend beyond their immediate postcode" [54].

It recommends at [55] that the Government

> "… ensures that overall funding available through the Places of Worship Renewal Fund is at least as generous in real terms as the level of support provided through the Listed Places

of Worship Grant Scheme prior to its reductions in budget and the introduction of per-site caps, to prevent any reduction in the number and scale of essential repair projects. The government must also ensure that the eligibility criteria for the Places of Worship Renewal Fund strike an appropriate balance between measures of deprivation and the heritage value of buildings. The government should provide an update on the implementation and early progress of the scheme in its response to this report and should write to the committee again on the matter at six and 12 months thereafter".

VAT on repairs to listed buildings

On what is, in effect, the imposition of VAT on repairs, it concludes at [60] as follows:

> "The current VAT regime creates a structural disincentive to repair, maintain and reuse historic buildings. Sector bodies have told us that changes, such as rebate schemes or equalisation with new-build rates, could unlock stalled housing schemes, prevent managed decline and generate wider economic benefits. The current approach is out of step with the government's ambition to promote adaptive reuse and safeguard the UK's historic environment. **We understand the government's reluctance to introduce tax relief in a time of fiscal constraint but given what we have heard about the potentially huge contribution that built heritage can make to meeting housing targets, it is clear that the returns would be more than worth the investment**" [emphasis added].

It goes on to recommend at [61] that DCMS

> "… initiate formal discussions with HM Treasury on the impact of VAT on heritage repair and reuse. The government should introduce targeted VAT relief for maintenance and conversion of listed heritage buildings. This could include reducing or removing the VAT rate altogether for eligible restoration works or establishing a rebate scheme for listed properties open for a minimum number of days each year",

and at [62] that the Government should

> "… reform VAT rules applying to the repurposing of existing buildings to remove the current disincentive to investment and to support national carbon reduction objectives. The new rules should replace the narrow and complex 5% reduced-rate provisions—which exclude most heritage buildings and energy efficiency upgrades—and end the structural bias towards demolition over conservation. These reforms would be part of a revised regime that reduces the disparity between new-build construction and heritage conversion and promotes reuse and retrofit as the default development pathway".

Volunteering

Later in the report, it addresses the issue of volunteering and possible volunteer burnout and makes reference to our memorandum to the Committee:

> "The Churches' Legislation Advisory Service told us that thousands of historic places of worship depended on volunteers. They said:

> If the task of maintaining them proves too overwhelming or becomes financially unsustainable, they may simply walk away." [96].

At the final evidence session, the Minister acknowledged that the sector had two and a half times as many volunteers as full-time employees and acknowledged the concerns about volunteer burnout, and that DCMS and its arm's-length bodies (presumably Historic England and English Heritage "were aware that they needed to make processes more accessible for volunteers" [97].

The Committee recommended at [98] that DCMS and its arm's-length bodies

> "… develop a funded support framework that gives volunteer-led organisations access to practical assistance, including 'critical friends', mentoring and shared technical resources. This could include, for example, funded access to short-term professional support (such as surveyors, project managers or conservation architects) to help volunteers develop realistic plans, manage complex heritage projects more effectively and reduce the risk of volunteer burnout".

Planning and listed buildings

On planning, in our evidence we cited the failed planning application for solar panels on the roof of St Anne's church, Ings, Cumbria, as an example of aesthetic considerations being given undue weight against the need to keep the church warm and dry, and the wider issue of net-zero. At [106], the Committee recommended that DCMS should

> "… work closely with the Ministry of Housing, Communities and Local Government to ensure that the revised National Planning Policy Framework delivers tangible improvements for the heritage sector. In particular, the government, within two years of the revised framework coming into force, should publish an assessment of the framework's impact on heritage outcomes, including the number of heritage buildings brought back into use and evidence of greater consistency in decision-making across local planning authorities".

Next steps?

The DCMS will consider the report, and we can expect a response from the Government at some future date – but certainly not this side of the Summer Adjournment.

[Source: CMS Committee, 13 July]

Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025 (aka "Awaab's Law"): implementation

For information and possibly for action

The second phase of implementation of the **Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025** (aka "Awaab's Law") will come into force on 30 November 2026, so that more dangerous hazards are fixed quickly to help tenants living in social housing. The recently introduced **Social Housing Bill** will strengthen protections for tenants facing domestic abuse and its Right to Buy reforms will help keep more social homes for future tenants.

The third and final phase of the Regulations will be introduced in 2027, extending them to all remaining hazards in the **Housing Health and Safety Rating System**, except in relation to overcrowding.

Guidance also been published, or in some cases, updated to help social landlords navigate their responsibilities and duties under the new Regulations:

- **Awaab's Law Phase 1: Guidance for social landlords - GOV.UK**
- **Awaab's Law: Regulations - GOV.UK**
- **Awaab's Law in the social rented sector - GOV.UK**

[Source: MHCLG, 13 & 14 July]