

## FAQs Charity Commission (England and Wales)

### Pre-Registration

#### 1. Does our PTA have to register as a charity?

If your association has a gross income of over £5k per annum (so all income, not just profit), and you are engaged in exclusively charitable purposes, then it is a legal requirement to register as a charity.

#### 2. How do we register?

The application is done online on the Charity Commission's website, Parentkind have produced a [step by step guide](#) to help you with this.

#### 3. Who should register on our behalf?

Your committee should register the charity and one of your committee members will create the account and act as the main point of contact. You decide who that will be.

This may be a good time to create a generic email for your association, if you don't already have one, as the contact details will be shown on the Charity Commission Website – please also add this to your associations information in the [Parentkind my account area](#).

#### 4. Who will we need to name as our charity trustees?

All of your elected committee members need be listed as charity trustees – it's the same people, just different terminology. You cannot appoint anyone who hasn't been elected onto your committee and if one of your committee members doesn't want to be a charity trustee or [isn't eligible](#), then they will have to stand down.

You can read more about being a trustee in the Charity Commission's CC3 ["The essential Trustee"](#)

#### 5. What information will we need to provide at [time of registration](#)?

Your association need their own bank account and a governing document (Constitution). Parentkind members have access to a [model constitution](#) which is our best practice for PTAs and is already pre-approved by the Charity Commission when adopted in its entirety.

You will also need to get your committee members/trustees to complete the [Trustee declaration form](#).

#### 6. How long does it take to register?

Once you have completed the form, assuming everything is ok, then this can be very quick. If you are using our model constitution as your governing document, this could be as little as a few days. If you have written your own constitution, this will need checking so your registration will take longer. You can start completing the form, save it and go back to it. You must complete within 30 days though otherwise it will be deleted and you'll have to start from the beginning.

#### 7. What sort of charity type should we register as? We are worried about personal liability for our trustees.

The majority of PTAs should register as an unincorporated charity. The Parentkind model

constitution is only suitable for unincorporated charities. Membership of Parentkind also provides insurance cover, provided by Zurich Insurance plc, which does include Trustees Liability insurance. If your association are considering registering as an Incorporated charity, the Parentkind constitution is not suitable for your organisation and you should speak directly to the Charity Commission.

### **8. If I have a problem with our registration, who should I contact?**

Please contact the Charity Commission. Their telephone line is open Monday to Friday 9am to 5pm. Closed on Wednesdays between midday and 1pm for staff training. The telephone number is 0300 066 9197

## **Post Registration**

### **1. What do we do now?**

Once you have your charity number let Parentkind know and display it on any communications you send out or have printed e.g. Raffle tickets or posters and flyers.

### **2. How do we complete the annual return?**

The annual return needs to be submitted within 10 months of the end of your financial year also updating the Charity Commission with changes and new details of your Trustees. [Check the questions that will be asked](#) and see our information sheet [here](#).

### **3. How do we access our account on the Charity Commission's website?**

You will have set up a log in using your registered charity number and your online services password to [log on to the system](#). If you have any problems accessing your online services contact the Charity Commission for assistance.

### **4. Can we change details throughout the year?**

Yes, you should update the charity commission of any changes as soon as possible eg any changes to the committee or bank account changes.

### **5. What do you need us to do when we've changed committee members?**

Each committee member needs to be eligible so they must be able to sign the [Trustee declaration form](#). The form should be kept internally to show your association have done their due diligence and the new committee members details should be submitted and old committee members removed from the charity commission website.

### **6. Are co opted committee members trustees too?**

Yes, co-opting is when a committee member is elected by the committee (not the members), to either, take over a role or because they have a particular skill – until the AGM when, if applicable, they can be elected by the members in the normal fashion. They become a trustee as soon as they have been elected, so will need to sign the [Trustee declaration form](#) and their details added to the Charity Commissions website.

### **7. Do we have to have our accounts audited?**

Full audits are only required if you have an income over £1 million, but you will need an Independent Examination if your association's income is over £25,000 and submit a PDF copy of the independent examiner's report – [template](#). We suggest all PTAs do this as best practice regardless of your income. An Independent Examiner needs to have the necessary skills and competency to carry out the independent examination, they do not need to hold any formal qualification but it cannot be carried out by a committee member or anyone related to a committee member – they should not have a close relationship with the charity or its trustees - maybe a Treasurer from another PTA, a Maths Teacher, School Office staff, or a Parent who runs a business.

#### **8. What if we fall under the £5000 threshold? Do we have to de register?**

There is no requirement on the Charity Commission to accept voluntary registrations below the £5K threshold limit. However, the Charity Commission for England and Wales has agreed it will register Parentkind's members, using our model constitution in its entirety, even if they have an income under the £5k threshold.

#### **9. We've discovered a problem with our accounts. Do we have to let the Charity Commission know?**

For essential advice on why, what and how to report fraud incidents to the Charity Commission, read their guidance on [how to report a serious incident in your charity](#).

#### **10. We're closing the PTA, what do we have to do?**

First, check if your PTAs governing document/constitution contains a 'dissolution' or 'disbanding' section. If you have a Parentkind constitution it is clause 13. This tells you how to [close your charity](#), once this is done correctly you should [inform the Charity Commission](#).

#### **11. We've lost our constitution. Where can we get another copy?**

If you are a registered charity then a copy of your constitution may be held on file by the Charity Commission contact them on 0300 066 9197 and they may be able to send you a copy.

#### **12. How can we see details of our charity on the Charity Commission website?**

[Search on their website](#) using either your charity number or name of the association.

#### **13. Our contact for the Charity Commission is no longer on the PTA and we can't get hold of them. How do we change the details?**

Contact the Charity Commission on 0300 066 9197.

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