

BURWASH WEALD & COMMON MEMORIAL FUND PLAYING FIELD

STONEGATE ROAD, BURWASH COMMON, EAST SUSSEX, TN19 7NA

(REGISTERED CHARITY NO. 282296)

Policy Name	Tax Compliance	Created Date	17/02/2020
Created by	G Lewis	Last Reviewed Date	
Approved by	J Richardson	Next Review Due	28/02/2023

INTRODUCTION

A new corporate criminal offence of failure to prevent the criminal facilitation of tax evasion was introduced by the Criminal Finances Act 2017. If an offence occurs, the charity is criminally liable even if it is unaware of the offence unless it can be demonstrated there were 'reasonable procedures' in place at the time of the offence to prevent the associated person from committing it, or that it was unreasonable to have such procedures. Conviction could result in an unlimited financial penalty, director disqualification, trustee disqualification and reputational damage.

(Source: Charity Tax Group December 2019)

This policy seeks to ensure that the charity and its associated limited company are and will remain in compliance with HMRC rules on tax evasion.

POLICY

1. This policy and its associated Risk Assessment will be approved by a full and minuted meeting of the Committee, and reviewed by a minuted meeting of the Finance Committee every three years or when a major change is made to either document.
2. A Risk Assessment will be created and will be reviewed when any major change in the charity's or its associated company's affairs may affect its responsibilities for preventing evasion of tax.
3. We will not make any non-invoiced 'cash' payments to contractors or suppliers.
4. We will review the tax status of contractors if the nature of their relationship with the charity changes, for example if a contractor starts to do regular work under the control of an officer of the charity.
5. Corporate sponsors will not be guaranteed any return for donations made. This does not preclude the charity from, for example, publicly thanking the sponsors, but this can only be made a condition of sponsorship if the sponsor is informed that they cannot then claim tax relief on the donation. In this circumstance, it is better for both parties if an invoice for advertising is issued.
6. We do not currently claim Gift Aid on donations. A separate policy will be written if we do start doing so.