

Memorandum of understanding between the Charity Tribunal and the Independent Complaints Reviewer

From time to time, an appeal raised with the Charity Tribunal or a complaint received by the ICR for the Charity Commission may raise multiple issues that involve both services. This could, for example, involve a situation where an individual or organisation is dissatisfied with the decision taken by the Charity Commission and also unhappy about the way in which matters have been handled. They may wish to achieve a change of decision, and also access the redress available from the ICR in terms of a recommendation for an apology, a consolatory payment, or systemic improvement to the Commission's procedures.

This memorandum sets out the agreed arrangements for ensuring that appellants or complainants in this situation, will be appropriately signposted to ensure that they do not fall within gaps between our services. Each office will have access to information and published documents which can be provided for such individuals, and staff will have relevant training.

The ICR will ensure that such individuals are informed of their rights in good time to appeal. In most cases, the ICR will seek to agree with complainants that appeals should take precedence over the complaint process, given the longer 6 months time limit for complaint to the ICR following the Charity Commission's final response. Advice and assistance will take into account the best interests of the complainant, together with any administrative difficulties that might arise.

Where an individual has expressed a wish to complain in relation to the standards of service by the Charity Commission, and have included this in the Charity Appeal Tribunal notice of appeal form, the Tribunal will inform the appellant of the procedure for complaint to the ICR.

A liaison officer will be appointed by each service to ensure the smooth running of arrangements. Any areas of doubt or concern will be discussed at an annual meeting between the liaison officers. If agreement cannot be reached, the matter will progress for discussion between the Charity Tribunal Manager and the ICR Service Manager.

There will be a six-monthly meeting between the President of the Charity Tribunal and the ICR to discuss matters of mutual interest.