

Code of Conduct for OSCR Staff

1. Introduction:

- 1.1 OSCR aims to inspire public confidence in charities, and can only do this if we are able to inspire public confidence in our own policies, practices and procedures.
- 1.2 As a Regulator, OSCR aims to act as an exemplar. This involves following best practice, particularly in areas where OSCR may be commenting on the practices and procedures of the regulated constituency.
- 1.3 OSCR has an innovative staffing policy, which involves recruiting staff from external organisations and not only from the core Civil Service. This makes it more likely that individual staff will have prior knowledge and involvement with other organisations with which OSCR has dealings, particularly organisations from the regulated constituency.

2. Identifying Interests

- 2.1 Every staff member on joining OSCR will complete a declaration of interest which will be lodged and available centrally. This records charities with whom the staff member has had an interest or connection over the previous 12 months.
- 2.2 Members of OSCR staff should not retain or take up any appointment to trusteeship or directorship of a charity or body related to a charity without the prior approval of the Chief Executive.
- 2.3 OSCR has developed a detailed Consultation and Participation Strategy. This includes hosting regional events and meeting with specialist groups on a formal basis. OSCR is concerned to ensure that the consultation process is transparent, fair and objective, and staff should exercise discretion in how they approach discussions, distinguishing consultation with charities from inappropriate access and lobbying by charities. As a general rule, it is not appropriate for OSCR staff to meet individual charities as part of a consultation exercise, but rather to meet groups of charities.
- 2.4 Staff will be in correspondence with individual charities where the exercise of OSCR functions requires this e.g. the granting of consents, or the granting of new applications for charitable status. There are relatively few occasions when it is appropriate for staff to meet individual charities for the

purpose of general guidance, as opposed to investigation and advice following a complaint.

- 2.5 OSCR does not have the same statutory role as the Charity Commission in providing directions and OSCR staff should not put themselves in a position of making directions which are properly the responsibility of charity trustees.

3. Managing Potential Conflicts:

- 3.1 If there is a specific complaint about an individual charity, before discussing the matter with another member of staff the first member of staff should consult the register of interests to ensure that the second member of staff has no personal interest.
- 3.2 In all circumstances a member of staff who identifies that they have an interest should declare this and withdraw from discussion, directing enquiries and discussion to another member of staff.
- 3.3 If the discussion involves one organisation as part of a larger group, staff should use their judgement as to whether the past interest is material, bearing in mind the key principle to be applied.
- 3.4 If there is any difficulty the matter should be raised with the Chief Executive.

4. Service Standards:

- 4.1 OSCR has published service standards which include a general principle of responding to enquiries within 15 days. In due course, the 2005 Act will introduce statutory time limits for taking certain decisions and responding to requests for OSCR to review those decisions. The procedures which OSCR is developing will take account of the rights as well as responsibilities of individual charities.

5. Using Information:

- 5.1 One of the benefits of our staffing policy is the knowledge which staff bring to the organisation. We wish to make best use of this knowledge and staff are encouraged to quote examples drawing on their past experience.
- 5.2. Existing knowledge should not be used to initiate complaints about a charity or individual. If, as a result of knowledge and better understanding, staff realise there is an issue with a charity or organisation they should discuss

this with their Line Manager. The discussion should identify what response is appropriate, bearing in mind the issues of confidentiality to previous employers and clients, balanced with OSCR duties to regulate and powers of enquiry and intervention.

- 5.3 On leaving OSCR, staff are encouraged to use their better knowledge of OSCR and of the sector for the benefit of other employers, clients or contacts. Staff are expected to recognise and use similar principles of trust and confidentiality towards OSCR, the regulated constituency and all stakeholders in their subsequent discussions.