



# THE BARLOW

EDGORTH

## **STATEMENT FROM THE CHAIRMAN**

As I am sure you are aware over the past few years The Charity has been improving its governance and during the past year has taken advice during the resilience work that has been carried out.

With this in mind and our continuing effort to improve we plan to convert The Charity to a CIO this year. A CIO is a Charitable Incorporated Organisation and is a new type of legal format for a registered charity. The intention is to afford the charity limited liability without having to register as a limited company at Companies House.

In short a CIO

- Is an incorporated form of charity which is not a limited company
- Only has to register with the Charity Commission and not Companies House
- Is only created once it is registered by the Charity Commission
- Is a legal entity that can enter into contracts in its own right
- In normal circumstances has trustees who will not have to carry any personal liability for charity finances

This gives far more protection for volunteer trustees than the existing scheme. It will also enshrine clear governance and bring The Charity up-to-date. The CIO structure has several benefits over unincorporated charities and charities that are limited companies:

- The members and trustees are usually personally protected from the financial and contractual liabilities incurred by the charity – this is not the case for an unincorporated charity.
- The charity has a legal personality of its own, enabling it to conduct business in its own name, instead of the name of the trustees as per an unincorporated charity.
- There is only one registry to deal with – The Charity Commission: whereas a limited company charity has to file accounts with Companies House and The Charity Commission

This is a very important step for The Charity and one that I and the Board feel is essential to the future of The Barlow Charity. We want to be able, after due consideration with the

Charity solicitors and approval from The Charity Commission, to sign the CIO off at the AGM. Please find attached a draft copy of the CIO we are to planning adopt. If you have any questions then please do not hesitate to speak to me or any of the trustees as we are keen that everybody understands how this will work and the implications of converting.

Following recent Board resignations, we have positions available on the board and we would like to invite nominations or applications to be considered at the AGM. We intend to change the way we elect trustees and this is written into the new constitution but in short, we would meet the applicants to understand their aims and how they might bring continued success to the Charity. We would want to make this as undemanding as possible while at the same time ensuring we have a strong and capable board. I have attached a short notice inviting expressions of interest and would encourage anyone wishing to get involved as a trustee to get in touch

Kind Regards,

Jonathan Mather  
Board Chair