

Annual Report and Accounts 2012-13



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Annual Report

Organisational Background and Governance Status

The Office of the Scottish Charity Regulator (OSCR) is a Non-Ministerial Department (NMD) established in April 2006 following Royal Assent of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act). As an NMD, OSCR is an independent body and part of the Scottish Administration, not the Scottish Government.

The Corporate Body is headed by a Board of up to eight Members, which is appointed by Scottish Ministers following a public appointments process. The Board is responsible for strategic direction, oversight and governance and Members also act as ambassadors for OSCR, promoting policies and values and bringing specialist knowledge to the Board.

This Annual Report and Accounts gives a brief account of our activities in 2012-13 including general recommendations which have arisen from the exercise of our functions during the year. The report will be laid before the Scottish Parliament and sent to Scottish Ministers for consideration. In common with all other materials produced by OSCR, including our Annual Review document which is aimed at a more general readership, this Report and Accounts is also published on our website, and is available in a range of formats, on request.

The 2012-13 Accounts have been prepared in accordance with a Direction given by the Scottish Ministers in pursuance of the Public Finance and Accountability (Scotland) Act 2000. The Direction is produced as an appendix to these accounts.

As a public body, OSCR has a general responsibility to deliver public value, to operate in accordance with best value principles and to take account of relevant policy priorities of the Scottish Government such as the Corporate Expectations of Scottish Ministers, whilst maintaining operational independence.

Statement of Activity

OSCR is the independent registrar and regulator for Scotland's charities. We regulate over 23,000 Scottish charities which include community groups, care providers, environmental groups, religious charities, schools, universities, museums, and grant-giving charities.

Charities contribute directly as a major economic force to the Scottish economy, and figures taken from the Scottish Charity Register indicate that Scottish based charities have an annual turnover of over £8billion. The range of activities carried out by the charitable sector link directly to the Scottish Government Strategic Objectives, and to the National Outcomes.

As a publicly funded organisation, OSCR has a role to play in ensuring that the services we provide are high quality, continually improving, efficient and responsive to stakeholder needs.

Corporate Objectives and Review of Principal Activities for 2012-13

The Charity and Trustee Investment (Scotland) Act 2005 states that OSCR is responsible for:

- granting charitable status;
- maintaining a public register of charities;
- encouraging, facilitating and monitoring compliance by charities with the Charity and Trustee Investment (Scotland) Act 2005;
- identifying and investigating apparent misconduct in the administration of charities; and
- providing information or advice, including proposals, to Scottish Ministers on matters relating to OSCR's functions.

Over the last six years, as Scotland's first charity regulator, OSCR has built a solid base. Having met the initial challenges of setting up the organisation and establishing a new regulatory regime, in 2012-13 we took stock of what we had achieved and learned, and tried to identify what had changed or needed to change in the way that we conduct our business in respect of the above.

Using the information we gathered, we agreed that we wanted OSCR to consolidate its position as a modern, progressive, light touch regulator.

As part of this, our Vision has been updated to reflect the renewed focus of our activities on supporting and delivering

'charities you can trust and that provide public benefit'.

Our 2011-14 Corporate Plan outlined the following as our Strategic Objectives for the year:

- increase public confidence in charities through effective regulation;
- increase transparency and public accountability of charities;
- increase charity trustees' awareness of and compliance with their statutory responsibilities;
- establish and maintain OSCR as a trusted, effective and innovative regulator;
- minimise the burden of regulation on charities wherever possible, with particular emphasis on reducing multiple reporting; and
- operate effectively and efficiently, demonstrating a commitment to the principles and practice of Best Value.

These objectives are long term in nature, and much of our outcome reporting is in the form of longitudinal studies which show trends over time.

In accordance with the requirements of the Public Services Reform (Scotland) Act 2010, we publish information on our website relating to certain expenditure and to the exercise of our functions. We also publish monthly performance statistics tracking our efficiency as a public body, and how charities are responding to the regulatory regime.

Activities and Outcomes in 2012-13

On a monthly basis we collate Management Information from across the organisation, and publish it on our website. Appendix 2 of this document provides details in respect of some of these measures, together with additional commentary in respect of other key business activities which we undertake and which relate to our strategic objectives. Outcomes can sometimes be more qualitative than quantitative, and looking forward we plan to review how and what we report publicly on a monthly, quarterly and annual basis.

The information below supplements that information provided in Appendix 2, and gives an overview of our key activities during 2012-13.

Online services

Perhaps our most significant achievement in the year was the introduction of online services for charities, OSCR Online, in June 2012. The Online system allows charities to complete and forward Annual and Monitoring returns and accounts to us electronically. Uptake of online services has so far exceeded our expectations, with over 50% of charities accessing the system within three months of its launch, and electronic submission rates averaging 45%. The impact of the online system on our day-to-day work is considerable in terms of time and cost efficiencies resulting from the reduced requirement to create and post paper return forms. Charities who choose to make their returns online have also reported savings in terms of time and postage, and generally a reduction in the burden of regulation. A further benefit of the Online Service has been the enhancement of information about charities which we display on the Register. Detailed expenditure information for larger charities is now provided, and enhancements which clearly show whether charities had complied with submission deadlines, have been added. This has the effect of increasing transparency and public accountability of charities, which should contribute to increasing public confidence issues.

Casework

- At the end of March 2013 there were 23,634 charities listed on the Register, which is a slight increase from the 23,459 in March 2012. The overall number of applications for charitable status remained relatively stable compared with previous years, with Scottish Charitable Incorporated Organisation (SCIO) applications making up over a third of those received. The number of charities removed from the Register, at 674, was a slight decrease on previous levels, but earlier figures are likely to have been influenced by 'bulk removal' programmes, for example around Scottish Women's Rural Institutes.
- Other areas of casework, for example in respect of applications from charities to make changes, or to reorganise, remained fairly stable in terms of overall volumes when compared to previous years. We have found, however, that the cases we are asked to consider are becoming increasingly complex. Whilst the proportion of decisions we are requested to review remains low, actual numbers increased from seven in 2011-12 to 13 in 2012-13, and one appeal was heard by the Scottish Charity Appeals Panel (SCAP).

Charity Compliance

- The levels of charity accounts which meet the legislative requirements remained high, with only 10% of charities being required to resubmit 'failed' accounts. This level is consistent with the previous year, as is the submission rate, with over 90% of charities filing their returns and accounts with us, within 12 months of their year end.
- On average 27 new concerns about charities have been received each month, which is consistent with levels experienced in previous years. Twenty-one inquiry reports were published on our website, including our findings in respect of the Glasgow East Regeneration Area Ltd, which attracted considerable media coverage.
- 2012-13 saw our work in respect of reviewing compliance with the Charity Test continuing. In January 2013 we published our decisions in respect of 13 feecharging schools which had been identified as a priority group for assessment. Our work in respect of status reviews for priority groups continues.

Communication with Stakeholders

- We launched our Twitter account in July 2012, and at 1 May 2013 had over 600 followers. We have found Twitter to be a useful additional means of engaging with stakeholders, both in terms of gathering their views, and distributing our information.
- Rather than holding a single Annual Open Meeting, our Board decided that it might be more effective to hold a series of small 'Meet the regulator' events throughout Scotland, at which OSCR and the local Third Sector Interface could meet, share information, and respond to charity concerns. Pilot events held in Paisley and Stirling were well received, leading to the further scheduling of events in a variety of locations throughout Scotland, early in 2013-14. We ran a live feed on Twitter during our event in Aberdeen, attracting 14 new followers, with information reTweeted to a potential audience of 4,036 people.

Changes at OSCR

■ In October 2012 our Chief Executive announced a new structure for OSCR, which will enable us to more effectively focus for the future. A key element of the revisions was the establishment of an Engagement Team, whose role will be to lead dialogue and capacity building with stakeholders. A Contact Team has been created to enhance the way we respond to inquiries from stakeholders. Recruitment for a Head of Engagement commenced early in 2013-14.

Advice to Ministers

The 2005 Act provides that the Scottish Charity Regulator has the function of advising Ministers on matters relating to its functions, and that its Annual Report may include general recommendations arising from the exercise of its functions.

Since our establishment in 2006 we have made a number of recommendations to Scottish Ministers on a variety of subjects. We have welcomed Ministers' willingness to act on previous recommendations, the aims of which have been either:

- to increase public confidence in charities;
- to reduce the regulatory burden on charities;
- to improve our effectiveness as a regulator; or
- to address unintended consequences, confusion or lack of consistency in the 2005 Act, or other legislation which impacts on charities.

This year, we have engaged with the Scottish Government on a wide range of matters, including:

- Eligibility for charity relief under the new Land and Building Transaction Tax.
- Consideration of the general position in relation to Ministerial involvement in public bodies with charitable status.
- Consideration of specific instances of this issue (e.g. on NHS Endowments).
- Possible constitutional change. Scottish Ministers are currently engaged in strategic planning: OSCR has a particular interest in any proposed arrangements which may impact upon charities, especially those that operate on a cross-border basis. We stand ready to continue to contribute to these planning processes.

Looking ahead, the areas where we expect to engage over the coming months relate to:

- Fundraising.
- The operation of the Scottish Charity Appeals Panel (SCAP).
- Arm's Length Executive Organisations (ALEOs) which are registered as charities.
- The availability and skills of charity trustees.
- Regulatory and risk issues arising from charity funding concerns.

We also invite Scottish Ministers to consider the following recommendations which would enhance our operational effectiveness and help us to realise our vision of 'charities you can trust and that provide public benefit'.

Removal of unresponsive charities from the Register

There is a clear regulatory risk in having charities on the Register with whom we have no contact, and about whom we have only limited information. Yet failure to communicate with OSCR or to provide required regulatory information does not, as things stand, constitute grounds for removal from the Register.

The only means we have of removing a charity from the Register is by demonstrating that it has failed to undertake any activities, and therefore to provide public benefit. It seems reasonable that a charity must be required to submit certain information about its activity to the regulator in a timely fashion, and if it does not do so, that OSCR should be able to remove it from the Register. Giving the Regulator powers to revoke the registration of a charity which significantly and persistently fails to comply with the reporting requirements associated with Registration, would address the risk of having charities listed on the Register, which are operating without any oversight.

Registration: geographical or legal link to Scotland

If a charity has no physical or legal link to Scotland and all of its operations are outwith Scotland, OSCR is likely to find it more difficult to effectively monitor that charity and its activities. This gap in the legislation was raised in recent discussions in the Scottish Parliament and with the Scottish Government in respect of the new Land and Building Transaction Tax and eligibility for charity relief. We would draw Ministers' attention to our previous recommendation in respect of charitable status, and specifically to our proposal that charities applying for status in Scotland should be required to have a geographical or legal link to Scotland through the residence of a charity trustee, an office or a Scottish company registration. We believe this presents a potential future risk, rather than a current problem, and that it would be correct to address it with preemptive legislation.

Protecting and recovering charitable assets

We could be more effective in protecting charitable assets if we had a power to direct charity trustees to take certain specific actions. In our 2012 inquiry into Glasgow Regeneration Agency Limited we concluded that the

decisions by trustees which resulted in the award of a significant discretionary payment, funded from charitable assets, being made to a staff member, constituted misconduct by charity trustees. We were, however, unable to recoup the funds for charitable purposes, since we have no powers to positively direct charity trustees to take an action. We would welcome the opportunity to explore this issue further with Ministers, and to consider any means of protecting and recovering charitable assets, in such situations.

Previous recommendations to Ministers

We would ask that Ministers give consideration to those previous recommendations which we have made, and which still remain unresolved.

■ Technical legal issues

There are also a number of areas of technical concern concerning Chapter 5 (Charity Reorganisations) of the 2005 Act, where we would wish to see clearer wording, to reduce bureaucracy and give charities more certainty about the routes for reorganisation open to them.

Key Priorities for 2012-13

The national economic downturn has brought challenges for our stakeholders and for OSCR, which have made it essential for us to reflect and review the nature of our business as regulator, and prioritise and rationalise the activities we undertake, and the way in which we undertake them, and add value.

Our work in this area is ongoing, and is critical in ensuring that we maintain our position as a proportionate and engaged Regulator; and an effective and efficient public body which is fit for purpose.

2013-14 sees OSCR entering into a new phase in terms of our operational activity, reflecting our maturity as an organisation. Whilst our previous focus has been almost solely on regulatory delivery, our Board has an ambition for us to develop into a more outward reaching proactive organisation, and our 2013-14 Business Plan, which should be published in June 2013, sets out the detail of the work which we are undertaking corporately, to affect these changes and ensure that we deliver against our objectives of:

■ Ensuring that the public understand which organisations are charities, who they are and what they do.

- Ensuring Charity trustees and staff understand their responsibilities and are able to carry them out with integrity.
- Taking decisive action against those who put the reputation of charities at risk.

Analysis of work volumes for the past seven years has enabled us to identify key trends emerging, and make certain assumptions in respect of the volumes of work we receive annually. This information, together with consideration of staffing levels, has been used to help determine our business capacity and priorities in the year ahead.

We have identified the following priorities for 2013-14:

- Development of proposals in respect of a more risk-based, intelligence-led approach to proactively monitoring charities compliance with legislation, including analysing and reviewing overseas charities to understand how they ensure compliance with the Charities and Trustee Investment (Scotland) Act.
- Revising our Policy in respect of those charities which fail to submit returns and Accounts to us.
- Exploring the feasibility of publishing charity Accounts on the Register.
- The development of guidance for charities on appropriate engagement in the Scottish independence referendum.
- Reviewing and refreshing our Inquiry and Intervention Policy.
- Updating our Framework Agreement with the Scottish Government.
- Working with Third Sector Interfaces to develop a rolling programme of events for charity Trustees, throughout Scotland.
- Engaging with individual charities and stakeholders to assess and address status and governance issues in charitable local authority Arm's Length Executive Organisations.
- Reviewing our Complaints Handling Procedures, in accordance with the Scottish Public Services Ombudsman requirements.
- Complying with the requirements of the Public Records Scotland Act.

- We are aware of two Scottish Charity Appeal Panel (SCAP) hearings scheduled for 2013-14. Once the outcome of each hearing is known further action may be required by us.
- By the end of the year, we should have completed our reviews in respect of fee charging schools, and will ourselves review how we carried out this task, so that lessons can be learned moving forward.

The Status of, and Provision of, Information to Employees

OSCR staff are employed by Scottish Ministers as Home Civil Servants. At a practical level, this means they have the same terms and conditions as staff within the Scottish Government, and have access to the civil service pension arrangements. OSCR's HR and payroll functions are carried out by the Scottish Government Human Resource Division on a shared service basis.

OSCR is committed to ensuring that all staff have a full understanding of the objectives and role of the organisation, together with the legislative context within which we operate as a NMD.

We have a comprehensive staff induction programme for all new staff which includes a series of one-to-one induction sessions between the new employee, representatives from each of the OSCR teams, members of the Senior Management Team and the Chief Executive.

As in previous years, in October 2012, OSCR took part in the UK Civil Service People's Survey. The results from this Cabinet Office co-ordinated survey provided information about staff engagement levels at OSCR, as well as high level comparator data for the other participating organisations. The survey results, which were published on our website, were very positive, and will be used to inform staff learning and development in 2013-14.

Pensions

OSCR staff members are eligible to be members of the Principal Civil Service Pension Scheme (PCSPS). As at 31 March 2013 all 52 members of staff were PCSPS scheme members (2011-12 51 PCSPS members). In accordance with the Government Financial Reporting Manual (FReM) the PCSPS is accounted for as if it were a

defined contribution scheme. Accounting policy note 1.6 (page 25) provides further information and details of the scheme are included in note 6 to these accounts. Details of the pension entitlements of OSCR's senior management team are given in the Remuneration Report.

Sickness Absence

The total number of days lost and the average number of days lost per full time equivalent (FTE) to sickness absence has increased. This represents a 15% increase in short term sickness (periods of absence up to 20 days in duration) and a 180% increase in long-term absence (periods of absence over 20 days in duration). The significant increase in the average number of days lost reflects the fact that with an average FTE of only 50 staff, there is significant impact of a small number of staff being absent on a long-term basis.

	2012-13	2011-12
Days sickness absence		
Short term	183	159
Long term	238	85
Total	421	244
Average per FTE member of staff	8.6	5.0

Personal Data Security

There were no known incidents of personal data breaches in 2012-13 (nil 2011-12).

Equal Opportunities and Diversity Policies

OSCR's equality duties arise from two main sources: The Equality Act 2010 (the 2010 Act) and the Charities and Trustee Investment (Scotland) Act 2005. Section 1 (8) of the Act requires OSCR to perform its functions in a manner that encourages equal opportunities and in particular the observance of the equal opportunities requirements.

The main provisions of the 2010 Act came into force on 1 October 2010, requiring OSCR to deliver its functions in a manner that encourages equal opportunities, aims to eliminate unlawful discrimination and other conduct prohibited by equality legislation and foster good relations between people who share a protected characteristic and those who do not.

Our draft Equality Strategy details our approach to equality, and details how we will address our equality duties in terms of Policy Development; Service Delivery and Regulatory functions.

When developing policy, policy makers at all levels carry out an analysis of the policy's effects on equality, and during the year, all staff were trained on how to conduct an Equality Impact Assessment. We recognise that staff have a key role to play in ensuring that those with whom we come into contact are dealt with in a manner consistent with our equality duties; and that OSCR services and information must be as accessible as possible. We follow W3C's Website Accessibility Initiative ((WAI) guidelines, and our site is Speak IT Plus enabled. We are also a member of Happy to Translate.

We have developed and published guidance for charities, 'Charities and the Equality Act 2010 — what charity trustees should consider', which is designed to help those running charities assess whether their charity is meeting equality law requirements, and assist with compliance with the law. In 2012-13 we piloted a series of Meet the Regulator events, which were small scale events held in locations throughout Scotland, which provided OSCR staff and Board Members with an opportunity to meet, discuss and answer questions from a diverse range of charity trustees. Briefings on the equality duty for charities, were given at some of these events.

As an employer, OSCR adopts the Scottish Government policies on equal opportunities and diversity. The policy on equal opportunity states that all staff should be treated equally irrespective of their sex, marital status, age, race, ethnic origin, sexual orientation, disability, religion or belief, working pattern, employment status, gender identity, caring responsibility or trade union membership. In line with Scottish Government policy, OSCR is specifically required to increase the diversity of staff within the organisation, although this is something which is not wholly within our control. OSCR undertakes to develop all staff and positively values the different perspectives and skills each brings to our work.

Environmental Matters

OSCR remains committed to meeting its environmental responsibilities as a public body. We adhere to environmental requirements in areas such as procurement, business travel and buildings management. We also

recognise the importance of consistent environmental reporting across public sector bodies and our full Sustainability Report conforms to the public sector sustainability reporting guidance produced by the Scottish Government.

Our Carbon Management Plan 2011-14 sets a target of a 10% reduction in our CO2 emissions, which we believe is realistic given that we are a relatively small organisation occupying a building already accredited as Very Good under the Buildings Research Establishment Environmental Assessment Methodology. We intend to achieve our target through the implementation of specific projects, both on a standalone basis and in co-operation with the other bodies occupying Quadrant House. Several of our projects have required behavioural changes among our staff and all have been implemented successfully. These projects are published in our CMP and our progress set out in our full Sustainability Report which is available on our website.

Expenditure for the Year

The resource expenditure for the year ended 31 March 2013 was $\pounds 2.806$ million as shown in the Statement of Comprehensive Net Expenditure. Non-current assets to the value of $\pounds 0.050$ million were acquired during the year, resulting in a total outflow of $\pounds 2.856$ million.

Payment Practice Code

In line with Scottish Government policy, OSCR requires that all suppliers' invoices not in dispute are paid within the terms of the relevant contract. OSCR aims to pay 100 per cent of invoices, including disputed invoices once the dispute has been settled, on time in these terms. During the year ended 31 March 2013, OSCR paid 99.1 per cent of its invoices within these terms (99.8 per cent in 2011-12).

Following the Scottish Ministers' announcement to reduce the time taken to make payments to suppliers in October 2008, OSCR has set a second target requiring payment to be with suppliers within 10 working days of the receipt of a valid and undisputed invoice. During the year ended 31 March 2013, OSCR paid 96.6 per cent of its invoices within these terms (98.4 per cent in 2011-12).

Provision of Relevant Information

So far as the Accountable Officer is aware, there is no relevant audit information of which the entity's auditors are unaware and the Accountable Officer has taken all the steps that he ought to have taken to make himself aware of any relevant audit information and to establish that OSCR's auditors are aware of that information.

Auditor

The Auditor General for Scotland has appointed Audit Scotland as auditor. Details of the audit fee for the year to 31 March 2013 are disclosed in note 7 to the accounts.



DAVID ROBB Chief Executive and Accountable Officer 25 June 2013

Remuneration Report

Introduction

This report provides information on the remuneration of OSCR Board members and senior managers. The senior managers are:

- David Robb, Chief Executive
- Laura Anderson, Head of Inquiry and Investigation
- Judith Hayhow, Head of Corporate Services
- Martin Tyson, Head of Charity Services

Quentin Fisher (Head of Policy and Development) left OSCR in July 2012.

This report contains audited information and also information which is not subject to audit.

Remuneration Policy

Board members are not employees of OSCR or part of the Civil Service. Board members' remuneration is determined in accordance with the 'Public Sector Pay Policy for Senior Appointments 2012-13'. Further information about the policy may be found at www.scotland.gov.uk/
Publications

The remuneration of senior civil servants is set in accordance with the Civil Service Management Code (available at **www.civilservice.gov.uk**) and with independent advice from the Senior Salaries Review Body.

Staff employed below senior civil service level are part of the Scottish Government main collective bargaining unit for the determination of salary. Remuneration is determined by the Scottish Government and, in determining policy, account is taken of the need for pay to be set at a level which will ensure the recruitment, retention and motivation of staff. Also taken into account are the UK Government's policies on the Civil Service and public sector pay and the need to observe public spending controls.

Service Contracts

Board Members

Board members are appointed for a period determined by Scottish Ministers. Board members are eligible to be re-appointed following the end of their first period of Board membership. Either party may terminate early by giving notice. Normally there is no payment available in the event of early termination of the contract. However, where special circumstances exist, Scottish Ministers may decide that compensation for early termination is appropriate and instruct OSCR to make a payment. The amount of the payment would also be decided by Scottish Ministers.

Details of the service contracts for Board members serving during the year are detailed below:

		Current term	Date of initial appointment	Date of termination of appointment
The Very Reverend Dr Graham Forbes CBE	Chair	1st	March 11	February 15
Lindsay Montgomery CBE	Deputy Chair	2nd	March 06	February 14
Fiona Ballantyne	Member	2nd	June 08	June 16
Annie Gunner Logan	Member	2nd	March 06	February 14
Professor David Harrison	Member	1st	March 10	February 14
David Hughes Hallett	Member	2nd	June 08	June 16
Kaliani Lyle	Member	1st	March 10	February 14
Oscar Mendoza	Member	1st	June 08	June 12

Employees (including the Senior Management Team)

The Constitutional Reform and Governance Act 2010 require Civil Service appointments to be on merit on the basis of open and fair competition. The Recruitment Principles published by the Civil Service Commission specify the circumstances when appointments may be made otherwise.

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in Civil Service Compensation Scheme.

Further information about the work of the Civil Service Commission can be found at

www.civilservicecommission.org.uk

Audited Information

Board Remuneration

Board members were due remuneration in the following bands:

20	12-13 £'000	2011-12 £'000
Graham Forbes CBE (Chair)	5-10	5-10
Lindsay Montgomery CBE (Deputy Chair)	Nil	Nil
Fiona Ballantyne	0-5	0-5
Annie Gunner Logan	0-5	0-5
David Harrison	Nil	Nil
David Hughes Hallett	0-5	0-5
Kaliani Lyle	0-5	0-5
Oscar Mendoza	0-5	0-5

Lindsay Montgomery and David Harrison have elected not to claim remuneration for their work as OSCR Board Members. Graham Forbes and Annie Gunner Logan have passed on their remuneration to their employers (St Mary's Cathedral, Edinburgh and CCPS Coalition of Care and Support Providers in Scotland). All members are eligible to claim out of pocket expenses relating to their work as OSCR Board Members.

There was no increase in the daily rate in 2012-13 in accordance with the UK and Scottish Government policy on pay restraint.

Salary and Pension Entitlements

The following sections provide details of the remuneration and pension interests of the most senior officials of the department during their period in office.

	Salary 2012-13 £'000	Salary 2011-12 £'000
Chief Executive David Robb (from 24 October 2011)	75-80	30-35 (75-80 fye*)
Jane Ryder (to 30 September 2011)	n/a	35-40 70-75 fye*)
Senior Management Team Laura Anderson	45-50	40-45
Quentin Fisher	10-15 (50-55 fye)	50-55
Judith Hayhow	60-65	60-65
Martin Tyson *fye is full year equivalent	50-55	40-45

Salary

'Salary' includes gross salary; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to UK taxation. This report is based on accrued payments made by OSCR and as recorded in these accounts.

Bonus

No bonuses were paid in 2012-13 or 2011-12.

Benefits in kind

There were no benefits in kind in 2012-13 or 2011-12.

Highest paid employee

Reporting bodies are required to disclose the relationship between the total remuneration of the highest paid employee in their organisation and the median remuneration of the organisation's workforce. Total remuneration includes salary, non consolidated performance related pay, benefits in kind as well as severance payments. It does not include employer pension contributions and the cash equivalent transfer value of pensions.

	2012-13	2011-12
Band of highest paid		
employee	£75-80,000	£75-80,000
Median total	£28,227	£27,207
Remuneration ratio	2.75	2.85

Pension Benefits

	Accrued pension at pension age as at 31-3-13 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31-3-13	CETV at 31-3-12	Real increase in CETV
	£'000	£'000	£'000	£'000	£'000
Chief Executive David Robb	15-20 Lump sum 55-60	0	326	313	0
Senior Management Team	F 10	0.5	40	00	0
Laura Anderson	5-10	0-5	40	29	6
Quentin Fisher	5-10 Lump sum 25-30	0-5 Lump sum 0-5	122	119	3
Judith Hayhow	15-20 Lump sum 55-60	0-5 Lump sum 0-5	282	253	13
Martin Tyson	10-15 Lump sum 15-20	0-5 Lump sum 0-5	195	166	18

Accrued Pension

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus and 65 for members of nuvos. (See note 6 to the accounts for further details.)

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former

scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the individual has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked in accordance with The Occupational Pension Scheme (Transfer Values) (Amendment) regulations 2008 and do not take into account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

The real increase reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Compensation for loss of office

No Board Member or senior manager left under voluntary or compulsory exit schemes in 2012-13 (0 in 2011-12).

Statement of Accountable Officer's Responsibilities

In accordance with section 19(4) of the Public Finance and Accountability (Scotland) Act 2000, Scottish Ministers have directed the Office of the Scottish Charity Regulator (OSCR) to prepare a statement of accounts for each financial year in the form and on the basis set out in the Accounts Direction issued by the Scottish Ministers.

The accounts are prepared on an accruals basis and must give a true and fair view of OSCR's state of affairs at the period end and of its operating costs, recognised gains and losses and cash flows for the financial period.

In preparing the accounts, the Accountable Officer is required to:

- observe the Accounts Direction issued by Scottish Ministers including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed, and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

The Permanent Secretary of the Scottish Administration has appointed the Chief Executive as the Accountable Officer for OSCR.

As Accountable Officer, I am responsible for the regularity and propriety of the public finances for which I am answerable, for keeping proper records and for safeguarding OSCR's assets, as set out in the Accountable Officer's Memorandum issued by Scottish Ministers.

Man

David Robb Chief Executive and Accountable Officer 25 June 2013

Governance Statement

Scope of Responsibility

As Accountable Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Office of the Scottish Charity Regulator's policies, aims and objectives, while safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me.

The Office of the Scottish Charity Regulator (OSCR) is a Non-Ministerial Department which, while part of the Scottish Administration, is not formally part of the Scottish Government. Whilst our accounts are not consolidated, we liaise with Scottish Government finance colleagues on a monthly basis, providing them with information relating to our expenditure and anticipated outturn. During 2012-13 I held meetings with the Scottish Government Director for Local Government and Communities, who oversees the Local Government and Third Sector Team, which has policy responsibility for the third sector as a whole. The Chair and I also met with the Director General for Learning and Justice, who was responsible for the Third Sector team, prior to its move to the Governance and Communities Directorate. I hope to finalise a Framework Agreement with the Scottish Government early in 2013-14.

The Purpose of the Governance Statement

The Governance Framework accords with the guidance from the Scottish Government provided in the Scottish Public Finance Manual (SPFM) and section 2 of 'On Board: A Guide for Board Members of Public Bodies in Scotland'.

The system of internal control we have developed is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve corporate policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.

At OSCR our internal control system is based on an ongoing process designed to identify and prioritise the risks to the achievement of OSCR's policies, aims and objectives, to evaluate the likelihood and impact of those risks being realised and to manage them efficiently, effectively and economically.

OSCR relies upon core Scottish Government Divisions for the provision of certain business critical areas of functionality; in particular aspects of core services relating to transactional

finance and human resources. Internal control is addressed by the respective Divisions and I am provided with Annual Certificates of Assurance by the Scottish Government Director of Corporate Services and also the Director of Finance.

Our Board

OSCR is headed by a Board consisting of a Chair, a Deputy Chair and up to six Board members. The appointments are made by Scottish Ministers and overseen by the Scottish Public Appointments Commissioner.

In June 2012, Oscar Mendoza resigned from the Board, and following consideration, members decided to carry the vacancy until the next significant round of member recruitment, which is likely to commence in Autumn 2013.

Each Board member is subject to an annual appraisal by the Chair, and Board members participate in training and briefings as required. The Chair meets with the relevant Scottish Government's Director General annually to consider the Board and his own performance, and it has been agreed that members will complete a retrospective annual self assessment checklist in respect of overall Board performance, in June 2013.

Membership of the Board and their roles during the period to the date of this report are given below:

The Very Reverend Dr Graham Forbes CBE	Chair
Lindsay Montgomery CBE	Deputy Chair
Fiona Ballantyne	Member
Annie Gunner Logan	Member
Professor David Harrison	Member
David Hughes Hallett	Member
Kaliani Lyle	Member
Oscar Mendoza	Member
	until June
	2012

The Board is responsible for providing strategic direction, oversight and governance and for monitoring expenditure and operations. The Board met regularly throughout the period to fulfil this role.

Members of the Board also serve on the Audit Committee, which under its terms of reference meets a minimum of three times a year. Membership of the Audit Committee is given below:

Lindsay Montgomery CBE

David Hughes Hallett

Oscar Mendoza

Member
until June
2012

Professor David Harrison

Member
from June
2012

Minutes of Board meetings, brief biographies and the Register of Interest of Board Members are available on our website.

Chief Executive

The Chief Executive of OSCR is appointed by the Permanent Secretary as the Accountable Officer of OSCR, and is accountable to the Board for the day-to-day running of the organisation. David Robb was appointed as Chief Executive in October 2011, and is a member of the Senior Civil Service.

Senior Management Team

OSCR has an internal management structure which is headed by the Senior Management Team who are responsible for day-to-day operations.

Senior Management Team

David Robb	Chief Executive
Laura Anderson	Head of Inquiry and Investigations
Quentin Fisher	Head of Policy and Development*
Judith Hayhow	Head of Corporate Services
Martin Tyson	Head of Charity Services

*(Quentin Fisher left his post at OSCR at the end of June 2012, and has not yet been replaced.)

Details of the salaries and pensions entitlements of the Senior Management Team can be found in the Remuneration Report. No performance pay is currently being awarded in the civil service.

In terms of corporate staffing levels, in 2012-13 the overall staff headcount number was 52 with eight staff members working on a part-time basis.

The Risk and Control Framework

All bodies to which the Scottish Public Finance Manual (SPFM) is directly applicable must operate a risk management strategy in accordance with key principles specified and these have been adopted by OSCR.

The OSCR Board regularly considers risk in respect of specific issues, and in 2012-13 also considered matters relating to the undertaking of core functions within the current economic climate, and in light of legislative changes, e.g. The Equality Act 2010. Our Audit Committee considered all of the risks associated with our activities at each of its meetings.

At OSCR, risk management is embedded in our operational activities in the following ways:

- At the request of our Audit Committee, the style and content of our Corporate risk register was considerably revised during 2012-13, the updated format being approved by the Board in June 2012. All staff training on risk identification and management to support the introduction of the revised Framework was held in September 2012.
- The Audit Committee considers and reviews the risk register at every one of its meetings, and reports on this exercise to the Board, who also undertake one annual formal review of the register. Under the revised format, OSCR staff consider risks at their regular team meetings, and this information feeds in to the Senior Management Team risk considerations, which take place on a bimonthly basis.
- In accordance with Scottish Government Guidance, OSCR's Audit Committee uses the self assessment checklist to consider and evaluate its performance, annually. The Audit Committee Chair provides a formal annual update of activities to the Board, around June each year.
- The Audit Committee recommended that a self assessment checklist be implemented in respect of Board performance, and members will carry out their first retrospective assessment, in June 2013.

In addition to these formal Risk Management practices, we have:

- A comprehensive induction programme for all staff and Board Members which covers governance, accountability and risk management. Included in this programme is training in respect of secure data handling; and awareness sessions to clarify the roles and responsibilities associated with each staff team.
- A number of all-staff meetings throughout the year at which topical policy and procedural matters are presented and discussed with staff.
- A Best Value Plan 2011-14 which complies with the revised Scottish Government guidance in particular taking account of the National Performance Framework and Audit Scotland's Best Value Toolkits and is reviewed by the Audit Committee annually.
- A UK Government Security Policy Framework Document which contains the mandatory requirements for all Public Bodies for the security of electronic and paper records

OSCR staff participate in the Annual Cabinet Office survey, which takes place around November each year, and is usually participated in by around 100 publicly funded organisations. The results from this give us a clear indication of staff engagement levels, and are used to identify learning requirements for the year ahead.

Review of the Effectiveness of the System of Internal Control

As Accountable Officer, I have responsibility for reviewing the effectiveness of the governance arrangements including the system of internal control. My review of the effectiveness of the system is informed by the work of the internal auditors and the OSCR Senior Management Team, who meet informally on a weekly basis, and formally every six weeks. The Senior Management Team have responsibility for the development and maintenance of the internal control framework, and for considering and responding to comments made by the external auditors in their management letter and other reports. The Senior Management Team also receive and consider Management Accounts on a monthly basis, and either meet with, or hold an email exchange with the Head of Support Services in respect of incurred and projected expenditure, approximately every six weeks. We have a

Business Continuity Plan which is subject to annual review, and during 2012-13 we commissioned an Independent IT Security Review.

The wider system of internal control is based on ongoing identification of the principal risks in achieving OSCR policies, aims and objectives as outlined in our Corporate Plan. Following identification, the nature and extent of those risks are considered, and a decision taken as to how to manage them effectively, economically and efficiently.

The OSCR Board meets at least every two months, with meetings attended by myself and Senior Management Team members.

The OSCR Audit Committee, which the Head of Support Services and I attend, alongside representatives from both Internal and External Audit, meets at least three times a year. The Audit Committee has responsibility for reviewing OSCR's financial statements prior to publication, and for ensuring that risk is properly identified and mitigated against in the Risk Register. The Audit Committee considers the scope of internal and external audit plans, receives audit reports and makes recommendations where appropriate.

In addition to the above, I have individual monthly meetings with each of the Heads of Service to discuss operational and performance activities and risk associated with their service area. I also receive end of year Certificates of Assurance from them in respect of their individual service area.



David Robb Chief Executive and Accountable Officer 25 June 2013

Independent Auditor's Report

Independent Auditor's Report to the Office of the Scottish Charity Regulator, the Auditor General for Scotland and the Scottish Parliament

I have audited the financial statements of the Office of the Scottish Charity Regulator for the year ended 31 March 2013 under the Public Finance and Accountability (Scotland) Act 2000. The financial statements comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity, the Statement of Operating Costs by Departmental Strategic Objective and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union, and as interpreted and adapted by the 2012/13 Government Financial Reporting Manual (the 2012/13 FReM).

This report is made solely to the parties to whom it is addressed in accordance with the Public Finance and Accountability (Scotland) Act 2000 and for no other purpose. In accordance with paragraph 125 of the Code of Audit Practice approved by the Auditor General for Scotland, I do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Respective responsibilities of Accountable Officer and auditor

As explained more fully in the Statement of the Accountable Officer's Responsibilities, the Accountable Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and is also responsible for ensuring the regularity of expenditure and income. My responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland) as required by the Code of Audit Practice approved by the Auditor General for Scotland. Those standards require me to comply with the Auditing Practices Board's Ethical Standards for Auditors. I am also responsible for giving an opinion on the regularity of expenditure and income in accordance with the Public Finance and Accountability (Scotland) Act 2000.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the body's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Accountable Officer; and the overall presentation of the financial statements. It also involves obtaining evidence about the regularity of expenditure and income. In addition, I read all the financial and non-financial information in the Annual Report to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements, irregularities or inconsistencies I consider the implications for my report.

Opinion on financial statements

In my opinion the financial statements:

- give a true and fair view in accordance with the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scotlish Ministers of the state of the body's affairs as at 31 March 2013 and of its net operating cost for the year then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union, as interpreted and adapted by the 2012/13 FReM; and
- have been prepared in accordance with the requirements of the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers.

Opinion on regularity

In my opinion in all material respects:

- the expenditure and income in the financial statements were incurred or applied in accordance with any applicable enactments and guidance issued by the Scottish Ministers, the Budget (Scotland) Act covering the financial year and sections 4 to 7 of the Public Finance and Accountability (Scotland) Act 2000; and
- the sums paid out of the Scottish Consolidated Fund for the purpose of meeting the expenditure shown in the financial statements were applied in accordance with section 65 of the Scotland Act 1998.

Opinion on other prescribed matters

In my opinion:

- the part of the Remuneration Report to be audited has been properly prepared in accordance with the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers; and
- the information given in the Annual Report and Performance against Business Objectives for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I am required to report by exception

I am required to report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the part of the Remuneration Report to be audited are not in agreement with the accounting records; or
- I have not received all the information and explanations I require for my audit; or
- the Governance Statement does not comply with guidance from the Scottish Ministers.

I have nothing to report in respect of these matters.

Jan M'Connell

David McConnell

Assistant Director of Audit Audit Scotland 4th Floor, South Suite The Athenaeum Building 8 Nelson Mandela Place Glasgow G2 1BT

25 June 2013

Statement of Comprehensive Net Expenditure

	Note	2012-13 £'000	Restated 2011-12 £'000
Operating costs Staff costs	4	2,030	1,953
Other administration costs	7	682	763
Depreciation and Impairment	8,9	94	71
Net operating cost		2,806	2,787

Statement of Financial Position

as at 31 March 2013

	Note	2012-13 £'000	Restated 2011-12 £'000
Non-current assets: Property, plant and equipment Intangible assets	8 9	94 190	122 206
Total non-current assets		284	328
Current assets: Trade and other receivables Other current assets	11 11	0 65	0 48
Total current assets		65	48
Total assets		349	376
Current liabilities: Trade and other payables	12	193	203
Total current liabilities		193	203
Non-current assets less net liabilities		156	173
Non-current liabilities: Provisions	13	3	5
Total non-current liabilities		3	5
Assets less liabilities		153	168
Taxpayers' equity: General fund		153	168

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DAVID ROBB Chief Executive and Accountable Officer 25 June 2013

The notes on pages 24 to 34 form part of these accounts.

Statement of Cash Flows

Ocale flavor from an avating a pativities	Note	2012-13 £'000	Restated 2011-12 £'000
Cash flows from operating activities Net operating cost	SCNE	(2,806)	(2,787)
Adjustments for non-cash transactions: Depreciation and Impairment Audit fee	8,9 7	94 12	71 13
Movements in working capital: (Increase)/decrease in trade and other receivables Increase/(decrease) in trade and other payables Use of provisions	11 12 13	(17) (10) (2)	(38) (2) (2)
Net cash outflow from operating activities		(2,729)	(2,745)
Cash flows from investing activities Purchase of property plant and equipment Purchase of intangible assets	8 9	(8) (42)	(70) (188)
Net cash flow from investing activities		(50)	(258)
Cash flows from financing activities Net funding	3	2,779	3,003
Net increase/(decrease) in cash and cash equivalents Cash and cash equivalents at the beginning of the period Cash and cash equivalents at the end of the period		0 0 0	0 0 0

Statement of Changes in Taxpayers' Equity

Balance at 1 April 2011	Note	General Fund £'000 (61)
Changes in taxpayers' equity for 2011-12 Non-cash charges – auditor's remuneration Net operating cost for the year	7 SCNE	13 (2,787)
Total recognised income and expenditure for 2011-12		(2,774)
Net funding	SCF	3,003
Balance at 31 March 2012		168
Changes in taxpayers' equity for 2012-13 Non-cash charges – auditor's remuneration Net operating cost for the year	7 SCNE	12 (2,806)
Total recognised income and expenditure for 2012-13		(2,794)
Net funding	3	2,779
Balance at 31 March 2013		153

Statement of Operating Costs by Departmental Strategic Objective

Strategic objective To develop a flourishing charity sector in Scotland in which the public has confidence, underpinned by OSCR's effective delivery of its regulatory role.	2012-13 £'000	2011-12 £'000
Allocation of resources and assets:		
Net expenditure	2,806	2,787
Total assets	349	376

Notes to the Accounts

1. Statement of accounting policies

The financial statements have been prepared in accordance with the 2012-13 'Government Financial Reporting Manual' (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. The particular policies adopted by OSCR are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

The accounts are prepared using accounting policies and, where necessary, estimation techniques, which are selected as the most appropriate for the purpose of giving a true and fair view in accordance with the principles set out in International Accounting Standard 8 (IAS 8): Accounting Policies, Changes in Accounting Estimates and Errors.

In accordance with IAS 8, changes to IFRS that have been issued but not yet effective have been reviewed for impact on the financial statements in the period of initial application. Other than an amendment to IAS19 post-employment benefits which may affect the recognition and measurement of termination benefits, no significant impact on future periods' financial statements is anticipated.

In addition to the primary statements prepared under IFRS, the FReM also requires the Department to prepare additional statements and notes. These include the Statement of Operating Cost by Departmental Strategic Objectives and supporting notes to show outturn against budget in terms of the net resource requirement.

1.1 Accounting convention

These accounts have been prepared under the historical cost convention modified to account for the revaluation of property, plant and equipment and intangible assets where material at their value to the organisation by reference to their current cost.

1.2 Property, plant and equipment

OSCR occupies a leasehold building under a 17-year operating lease with five-year rent reviews. Leaseholder improvements to the building are capitalised at the cost of construction. Plant and equipment and information technology are capitalised at cost. Generally, leasehold improvements over £10,000 and plant and equipment and information technology over £1,000 are capitalised. Furniture and fittings are not capitalised and the full cost is charged to the operating costs in the year of acquisition.

As required under International Accounting Standard (IAS) 16 all non-current assets are valued at fair value. Depreciated historic cost is used as a proxy for fair value as the assets held under this category have a short life and are low value.

Depreciation is provided on a straight-line basis, to write off the cost of the asset over its estimated useful life. The depreciation periods which normally apply to the categories of assets are:

Leasehold improvements 5-11 years
Plant and machinery 5 years
Information technology 3-5 years

Assets in the course of construction are not depreciated until the asset is brought into use.

1.3 Intangible assets

Intangible assets are valued initially at cost and subsequently at fair value using the revaluation model. Where an active market does not exist, income generating assets are valued at the lower of depreciated replacement cost and value in use. Non-income generating assets are carried at depreciated historic cost. These valuations are considered to be a proxy for fair value.

Future economic benefit has been used as the criteria in assessing whether an intangible asset meets the definition and recognition criteria of IAS 38 where assets do not generate income. IAS 38 defines future economic benefit as, 'revenue from the sale of products or services, cost savings, or other benefits resulting from the use of the asset by the entity'.

The main category of intangible asset is software and its associated development. These assets have an estimated useful life of three to five years and are amortised over this period.

Intangible assets in the course of construction are not amortised until the asset is brought into use.

1.4 Impairment of tangible and intangible assets

All tangible and intangible non-current assets are reviewed for impairment in accordance with IAS 36 'Impairment of Assets' when there are indications that the carrying value may not be recoverable. If such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss (if any).

The recoverable amount is the higher of fair value less costs to sell, and value in use. If the recoverable amount of an asset is estimated to be less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount.

Whenever there is an indication that an asset may be impaired, any losses/gains arising on the disposal of the asset are posted to the Statement of Comprehensive Net Expenditure.

1.5 Value Added Tax

OSCR is registered for VAT and where applicable will recover VAT on expenditure incurred. Where VAT is not recoverable, expenditure is charged including VAT, to operating costs or included in the cost of property, plant and equipment and intangible assets.

1.6 Pension

Past and present employees are covered by the provisions of the Principal Civil Service Pension Schemes (PCSPS). The defined benefit schemes are unfunded and are non-contributory except in respect of dependents' benefits. OSCR recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of defined contribution schemes, OSCR recognises the contributions payable for the year.

1.7 Leasing

Rentals applicable to operating leases are charged to operating costs as they are incurred in accordance with IAS17.

1.8 Contingent liabilities

In addition to contingent liabilities disclosed in accordance with IAS37, OSCR discloses for parliamentary reporting and accountability purposes certain statutory and non statutory contingent liabilities where the likelihood of a transfer of economic benefit is remote, but have been reported to Parliament in accordance with the requirements of the Scottish Public Finance Manual.

Where the time value of money is material, contingent liabilities which are required to be disclosed under IAS37 are stated at discounted amounts and the amount reported to Parliament separately noted. Contingent liabilities that are not required to be disclosed by IAS37 are stated at the amounts reported to Parliament.

2. Outturn against budget				
	Budç £'0	get 0	012-13 Outturn £'000	2011-12 Outturn £'000
Gross budget	2,9	50	2,856	3,046
3. Reconciliation of net resource outturn to net	cash requirement in			
	Note	Budget £'000	Outturn £'000	Variance £'000
Resource outturn	11010	2,900	2,806	94
Capital				
Acquisition of property, plant and equipment Acquisition of intangible assets	8 9	6 44	8 42	(2)
		50	50	0
Accruals adjustments Non cash items			(106)	
Changes in working capital other than cash			29	
Net cash requirement			2,779	
4. Staff numbers and related costs Staff costs comprise				
	£'000	£'000	2012-13 £'000	2011-12 £'000
	Permanently employed staff	Others	Total	Total
Wages and salaries	1,496		1,496	1,466
Social security costs Other pension costs	113 281		113 281	110 277
Inward secondments	201	60	60	68
Agency staff costs	40	68	68	29
Exit packages	12		12	3
Total	1,902	128	2,030	1,953
Average number of permanent persons employed wa	s 52.			
The average number of whole-time equivalent person	ns employed during th	e year was as fol	lows:	
			2012-13	2011-12
Senior management			WTE 4.25	WTE 5.25
Other permanent staff			45.76	45.00
Inward secondments			1.22	1.71
Agency staff			2.24	0.91
Total			53.47	52.87

5. Reporting of voluntary early severance/voluntary early retirement scheme

Early retirement and other departure costs have been paid in accordance with the provisions of the Civil Service Compensation Scheme, a statutory scheme made under the Superannuation Act 1972. Exit costs are accounted for in full in the year of departure. Where OSCR has agreed early retirements, the additional costs are met by OSCR and not by the Civil Service pension scheme. III-health retirement costs are met by the pension scheme.

One person retired under voluntary early severance packages in 2012-13. No persons retired on ill-health grounds.

	2012-13		2011-12	
Exit package cost band	Number of departures agreed	Total cost £000	Number of departures agreed	Total cost £000
£10,000 to £25,000	1	12	0	0

6. Post Employment Benefits: Pension

International Accounting Standard 19 (IAS 19) 'Employee Benefits' sets out the accounting treatment to be followed when accounting for the costs of providing a pension scheme.

Principal Civil Service Pension Scheme (PCSPS)

The PCSPS is an unfunded multi-employer defined benefit scheme but OSCR is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2007. You can find details in the resource account of the Cabinet Office: Civil Superannuation (**www.civilservice.gov.uk/pensions**).

For 2012-13, employers' contributions of £281,210 were payable to the PCSPS (2011-12 £276,611) at one of four rates in the range 16.7 to 24.3 per cent of pensionable pay, based on salary bands. The scheme actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2012-13 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

From 30 July 2007, civil servants may be in one of four defined benefit schemes; either a 'final salary' scheme (classic, premium, or classic plus); or a 'whole career scheme' (nuvos). These statutory arrangements are unfunded with the cost of benefits met by monies voted by the UK Parliament each year. Pensions payable under classic, premium, classic plus and nuvos are increased annually in line with Pension Increase legislation. Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

During 2012-13, employee contribution rates were set as follows:

Classic:

Full Time Equivalent Annual Pay Range	Contribution rate from 1 April 2012	Contribution rate from 1 April 2011
Up to £15,000	1.5%	1.5%
£15,001 - £21,000	2.1%	1.5%
£21,001 - £30,000	2.7%	1.5%
£30,001 - £50,000	3.1%	1.5%
£50,001 - £60,000	3.5%	1.5%
Over £60,000	3.9%	1.5%

Benefits accrue at the rate of 1/80th of the final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement.

Premium, Classic Plus and Nuvos:

Full Time Equivalent Annual Pay Range	Contribution rate from 1 April 2012	Contribution rate from 1 April 2011
Up to £15,000	3.5%	3.5%
£15,001 - £21,000	4.1%	3.5%
£21,001 - £30,000	4.7%	3.5%
£30,001 - £50,000	5.1%	3.5%
£50,001 - £60,000	5.5%	3.5%
Over £60,000	5.9%	3.5%

Benefits accrue as follows:

Premium:

Benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. There is no automatic lump sum.

Classic Plus:

Benefits in respect of service before 1 October 2002 are calculated broadly as per Classic and benefits for service from October 2002 are worked out as per Premium.

Nuvos

In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is up-rated in line with Pension Increase legislation.

In all cases members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3 per cent and 12.5 per cent (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3 per cent of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8 per cent of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill-health retirement).

Further details about the Civil Service pension arrangements can be found at the website www.civilservice.gov.uk/pensions

7. Other administration costs

	2012-13 £'000	2011-12 £'000
Property costs Supplies and services Staff-related costs Rentals under operating leases	139 367 60 104	134 437 55 124
Non-cash items: Auditors' remuneration and expenses	12	13
Total	682	763

Auditor's remuneration is disclosed as a notional charge and relates to fees notified to OSCR by Audit Scotland in respect of the audit work carried out in relation to the year ended 31 March 2013. All audit fees are paid from the Scottish Consolidated Fund.

No other work was carried out by Audit Scotland during the year ended 31 March 2013 (£nil in the year to 31 March 2012).

The 'Rentals under operating leases' figure in previous years has included an element of prepayment. This has been adjusted for in 2012-13 and as a result there has been a reduction in cost of £20k. Rentals under operating leases are anticipated to return to an annual value of £124k over the remaining life of the lease.

8. Property, plant and equipment				
	Leasehold improvements £'000	Information technology £'000	Plant and machinery £'000	Total £'000
Cost				
1 April 2012	191	222	55	468
Additions	0	8	0	8
Disposals	0	(44)	0	(44)
31 March 2013	191	186	55	432
Denvesiation				
Depreciation 1 April 2012	149	143	54	346
Charged in year	5	30	1	36
Impairment	0	0	0	0
Disposals	0	(44)	0	(44)
31 March 2013	154	129	55	338
Net book value at				
31 March 2013	37	57	0	94
All assets were owned at 31 March 2013.				
	Leasehold improvements £'000	Information technology £'000	Plant and machinery £'000	Total £'000
Cost	improvements £'000	technology £'000	machinery £'000	£'000
Cost 1 April 2011	improvements £'000	technology £'000	machinery £'000	£'000 415
Cost	improvements £'000	technology £'000	machinery £'000	£'000
Cost 1 April 2011 Additions	improvements £'000 158 33	technology £'000 202 37	machinery £'000 55	£'000 415 70
Cost 1 April 2011 Additions Disposals 31 March 2012	improvements £'000 158 33 0	technology £'000 202 37 (17)	### ### ##############################	£'000 415 70 (17)
Cost 1 April 2011 Additions Disposals	improvements £'000 158 33 0	technology £'000 202 37 (17)	### ### ##############################	£'000 415 70 (17)
Cost 1 April 2011 Additions Disposals 31 March 2012 Depreciation	improvements £'000 158 33 0	202 37 (17) 222	### ### ##############################	£'000 415 70 (17) 468 329 31
Cost 1 April 2011 Additions Disposals 31 March 2012 Depreciation 1 April 2011 Charged in year Impairment	improvements £'000 158 33 0	\$\frac{\technology}{\varepsilon^2\cdot 000}\$ 202 37 (17) 222	### ### ##############################	£'000 415 70 (17) 468 329 31 3
Cost 1 April 2011 Additions Disposals 31 March 2012 Depreciation 1 April 2011 Charged in year	improvements £'000 158 33 0	technology £'000 202 37 (17) 222 	### ### ##############################	£'000 415 70 (17) 468 329 31
Cost 1 April 2011 Additions Disposals 31 March 2012 Depreciation 1 April 2011 Charged in year Impairment	improvements £'000 158 33 0	\$\frac{\technology}{\varepsilon^2\cdot 000}\$ 202 37 (17) 222	### ### ##############################	£'000 415 70 (17) 468 329 31 3
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Cost 1 April 2011 Additions Disposals 31 March 2012 Depreciation 1 April 2011 Charged in year Impairment Disposals 31 March 2012	improvements £'000 158 33 0 191 143 3 3 0	202 37 (17) 222 134 26 0 (17)	### ### ##############################	£'000 415 70 (17) 468 329 31 3 (17)

All assets were owned at 31 March 2012 and 31 March 2011.

9. Intangible assets

	Software £'000	Assets under construction £'000	Total £'000
Cost 1 April 2012	1,014	134	1,148
Additions	42	0	42
Transfers	134	(134)	0
Disposals	(357)	0	(357)
31 March 2013	833	0	833
Depreciation			
1 April 2012	942	0	942
Charged in year	58	0	58
Disposals	(357)	0	(357)
31 March 2013	643	0	643
Net book value at 31 March 2013	190	0	190
	Software £'000	Assets under construction £'000	Total £'000
Cost 1 April 2011	£'000	construction £'000	£'000
Cost 1 April 2011 Additions		construction	
1 April 2011	£'000 960	construction £'000	£'000 960
1 April 2011 Additions	£'000 960 54	construction £'000 0 134	£'000 960 188
1 April 2011 Additions Transfers 31 March 2012 Depreciation	£'000 960 54 0 1,014	construction £'000 0 134 0	£'000 960 188 0 1,148
1 April 2011 Additions Transfers 31 March 2012 Depreciation 1 April 2011	£'000 960 54 0 1,014	Construction £'000 0 134 0 134	£'000 960 188 0 1,148
1 April 2011 Additions Transfers 31 March 2012 Depreciation 1 April 2011 Charged in year	960 54 0 1,014	Construction £'000 0 134 0 134 0 0 0	£'000 960 188 0 1,148 905 37
1 April 2011 Additions Transfers 31 March 2012 Depreciation 1 April 2011	£'000 960 54 0 1,014	Construction £'000 0 134 0 134	£'000 960 188 0 1,148
1 April 2011 Additions Transfers 31 March 2012 Depreciation 1 April 2011 Charged in year	960 54 0 1,014	Construction £'000 0 134 0 134 0 0 0	£'000 960 188 0 1,148 905 37
1 April 2011 Additions Transfers 31 March 2012 Depreciation 1 April 2011 Charged in year Transfers 31 March 2012 Net book value at	960 54 0 1,014 905 37 0	Construction £'000 0 134 0 134 0 0 0 0	960 188 0 1,148 905 37 0
1 April 2011 Additions Transfers 31 March 2012 Depreciation 1 April 2011 Charged in year Transfers 31 March 2012	960 54 0 1,014 905 37 0	Construction £'000 0 134 0 134 0 0 0 0 0	£'000 960 188 0 1,148 905 37 0

10. Financial instruments

As the cash requirement of the Non-Ministerial Department is met through the spending review process, financial instruments play a more limited role in creating and managing risk than in a non-public sector body. The majority of financial instruments relate to contracts to buy non-financial items in line with OSCR's expected purchase and usage requirements and therefore OSCR is exposed to little credit, liquidity or market risk.

11. Trade receivables and other current assets

11. Hade receivables and other current assets		
	31 March 2013 £'000	31 March 2012 £'000
Value Added Tax Prepayments	18 47	19 29
	65	48
Analysis of Trade and other current assets:	31 March 2013 £'000	31 March 2012 £'000
Balances with other central government bodies Balances with bodies external to government	18 47	22 26
	65	48
12. Trade payables and other current liabilities		
	31 March 2013 £'000	31 March 2012 £'000
Trade payables Accruals and deferred income	116 77	201
	193	203
Analysis of trade payables and other current liabilities:	31 March	31 March
	2013 £'000	2012 £'000
Balances with other central government bodies Balances with bodies external to government	25 168	32 171
	193	203

13. Provisions for liabilities and charges

	Early
	departure costs
	3,000
Balance at 1 April 2012	5
Provided in the year	0
Released in year	(2)
Balance at 31 March 2013	3
Analysis of expected timing of discounted flows	
Not later than one year	2
Later than one year and not later than five	1
Later than five years	0
Balance at 31 March 2013	3

OSCR meets the additional costs of benefits beyond the normal Approved Early Retirement scheme benefits of employees who retire early by paying the required amounts annually to PCSPS over the period between early departure and normal retirement date, or as required by the scheme. This is provided for in full when the early retirement programme becomes binding by establishing a provision for the estimated payments discounted by the Treasury discount rate of 1.5 per cent in real terms.

14. Capital commitments

Contracted capital commitments not otherwise included in these financial statements:

	31 March 2013 £'000	31 March 2012 £'000
Property, plant and equipment	0	0
Intangible assets	0	8

15. Commitments under leases

Total future annual lease payments under operating leases are given in the table below for each of the following periods:

	Restated
31 March	31 March
2013	2012
£'000	£'000
0	0
124	124
496	496
640	744
	2013 £'000 0 124 496

16. Related party transactions

OSCR is part of the wider Scottish Administration and it considers that the Scottish Government is a related party within this context. OSCR had significant financial and non-financial transactions with the Scottish Government in the year.

The Board members and Senior Management Team have not undertaken any material transactions or had a significant involvement with other related parties in the year except as reported in the remuneration report.

17. Contingent liabilities

A charity has submitted an appeal against a direction made by OSCR. If the charity is successful in its appeal then costs may be awarded against OSCR. It is not possible to quantify the liability at this stage.

There were no contingent liabilities at 31 March 2012 which require disclosure under IAS 37 or the Scottish Public Finance Manual.

18. Restatement of 2011-12 Comparative Figures

The 2011-12 comparative figures have been restated to adjust for an error in the presentation of impairment. The impact of the restatement is that the net operating cost reduced by £1,000 (Statement of Comprehensive Net Expenditure), the value of Property Plant and Equipment (Statement of Financial Position) increased by £1,000 and Net Funding (Statement of Cash Flows) increased by £3,000.

Appendix 1



OFFICE OF THE SCOTTISH CHARITY REGULATOR DIRECTION BY THE SCOTTISH MINISTERS

in accordance with section 19(4) of the Public Finance and Accountability (Scotland) Act 2000

- 1. The statement of accounts for the financial year ended 31 March 2007 and subsequent years shall comply with the accounting principles and disclosure requirements of the edition of the Government Financial Reporting Manual (FReM) which is in force for the year for which the statement of accounts are prepared.
- 2. The accounts shall be prepared so as to give a true and fair view of the income and expenditure, recognised gains and losses, and cash flows for the financial year, and of the state of affairs as at the end of the financial year.
- 3. This direction shall be reproduced as an appendix to the statement of accounts.

D A Stewart Acting Director of Finance

Signed by the authority of the Scottish Ministers

Dated 12 March 2007

Appendix 2

Performance against Business Objectives

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Business Objective	Performance Indicator	2012-13 Performance
1 To determine whether bodies are charit	ies.	
1.1 Assess new applications for charitable status.	Conclude 80% of status applications within 90 days of receipt.	86% of status applications were concluded within 90 days of receipt.
1.2 Undertake targeted risk-based reviews of charities.	Individual action is taken when required.	21 Inquiry Reports were published in 2012-13 covering action by OSCR against charities.
	Overall we report annually in the Annual Report and Accounts.	Summary included in the review of outcomes 2012-13.
1.3 Operate an effective consents regime for charities.	100% of consents are granted within statutory deadline of 28 days (from receipt of full application).	100% of consents were decided within the 28 day statutory deadline.
1.4 Operate an effective Charity Reorganisation regime.	100% of applications acknowledged within the statutory deadline of 14 days from receipt and	99% of re-organisation applications were acknowledged and had final decisions taken within the statutory
	100% of final decisions taken within the statutory deadline of six months from advertisement.	deadline.
1.5 Conduct appeals before the	SCAP clarifies points of law.	One appeal was heard by SCAP in
Scottish Charity Appeals Panel (SCAP).	SCAP upholds the integrity of OSCR's internal procedures.	2012-13. Following new evidence introduced by the charity during the hearing, a mutually satisfactory conclusion was reached.
2 To keep a public Register of charities.		
2.1 Maintain the definitive Charity Register of existing charities.	Annual Returns are issued to all registered charities within two months of their accounting reference date.	All annual returns issued within two months except for charities submitting late annual returns.
	The Register is updated each working	Register is updated each working day.
	day.	Financial Highlights in respect of charities appeared on the Register from June 2012 as part of the online development.
2.2 Operate a programme of Annual Returns which provides information for both the public and the regulator.	Register provides information highlights in respect of each charity.	Website content is reviewed and updated monthly. Updates in respect of individual charities are reported on Register the day after the charity complies with reporting requirements.

	1	
Business Objective	Performance Indicator	2012-13 Performance
2.3 Develop a programme of research using the Register as basis for selection.	Publication programme implemented.	No research based publications were prepared in 2012-13.
3 To encourage facilitate and monitor con	mpliance by charities with the provisions o	of the Act.
3.1 Maintain information service for charities and the public.	Website maintained and upgraded.	Website upgrade work undertaken to support OSCR online.
	Publication programme implemented.	We used our website to publish guidance for charities; Reports in respect of our own performance, and the outcomes of our inquiries; published our consultation document in respect of our equality strategy. We also launched online tutorials to support the introduction of OSCR online.
3.2 Develop and implement an education programme with charities' professional advisors and umbrella organisations.	Report annually, assessing the impact of our programmes in the Annual Report and Annual Review.	Our 2012-13 outreach programme was launched in April 2012 in association with the Scottish Council for Voluntary Organisations (SCVO), and a series of training events were held throughout Scotland.
		OSCR staff continued to contribute to seminars, conferences and workshops and we implemented a pilot series of 'Meet the Charity Regulator Events' at locations throughout Scotland.
3.3 Support the development of charity infrastructure.	Outcome depends on how SG policy in this area develops.	Our Outreach programme delivers training to charity advisors, and helps build sector capacity.
3.4 Develop new charity SORP within the new UK Accounting Framework.	New SORP endorsed by ASB for 2015 implementation.	As joint Chair of the UK SORP Committee, OSCR is heavily involved in preparing for implementation.
3.5 Continue to implement a risk-based and proportionate monitoring programme.	Close 80% of annual and monitoring returns within two months of submission.	97% of annual and monitoring returns were closed within two months of submission.
	Report annually via our Annual Report and Annual Review.	Our Annual Report and Accounts, and Annual Review document were both published on our website.

Business Objective	Performance Indicator	2012-13 Performance	
4 To identify, investigate and take appropriate action in relation to individual charities.			
4.1 Identify concerns and take appropriate action in relation to individual charities.	75% of enquiries are completed within nine months.	84% of complaints about charities from external sources were completed within nine months.	
4.2 Identify emerging trends as a basis for further enquiry.	We report annually via the Annual Report and Annual Review.	Summary in Annual Review and Annual Reports.	
4.3 Work with other regulators and enforcement agencies.	Concordats are published on our website.	We have 12 Memorandums of Understanding published on our website.	
	We report annually on referrals and joint enquiries.	During the year we did not conduct any joint enquires, and we made no referrals to other regulators. We did, however, receive six referrals from other regulators.	
5 Give information or advice, or make pro	oposals to, Scottish Ministers on matters r	elating to our functions.	
5.1 Advise Ministers in relation to primary legislation.	SG adopts formal recommendations made in our Annual Report and elsewhere.	OSCR continues to support Ministers to implement recommendations as legislative opportunities arise.	
	MSPs and MPs support our formal recommendations.		
5.2 Advise Ministers in relation to secondary legislation.	SG adopts our recommendations.	OSCR continues to support Ministers to implement recommendations as legislative opportunities arise.	
5.3 Advise Ministers on relation to policy for the wider Third Sector where appropriate.	We can evidence where we have contributed, including developing OSCR initiatives to complement SG policies.	OSCR continues to work with the Scottish Government on a full range of issues including charity law and third sector research.	
6 Operate effectively and efficiently as a fully accountable public body.			
6.1 Demonstrate how OSCR takes into account principles of Best Regulatory Practice.	External and internal audit confirm.	Internal audit report gave substantial assurance on charity regulatory systems reviewed. No external audit coverage in 2012-13.	
6.2 Demonstrate the principles and practice of Best Value.	External and internal audit confirm.	Internal audit report provided substantial assurance on all systems reviewed. No external audit coverage in 2012-13.	

Business Objective	Performance Indicator	2012-13 Performance
6.3 Demonstrate a commitment to shared services.	External and internal audit confirm.	Health and Safety shared service was subject to Internal Audit scrutiny in 2012-13.
		Shared service arrangements are operated in respect of Facilities Management.
6.4 Maintain a culture of excellence in staff management and development.	Investors in People accreditation maintained.	liP Strategic Review was undertaken in March 2012, and plans for re-accreditation in 2014 are being developed.
	Civil Service People Survey indicates that satisfaction levels among staff remain that high.	The survey results indicated high levels of staff engagement, and were published on our website in February 2013.
6.5 Undertake outcome and performance reporting.	OSCR Annual Report	Evidence relating to our performance is published in our annual report.
	OSCR website.	Our performance indicators are published monthly on our website. We also use the website to publish reports required under PSRA.
6.6 Develop other requirements as a public body.	Implement Equalities Strategy.	Our Draft Equalities strategy was launched as a consultation document in November 2012.
	Implement user focus plan to meet statutory requirements including SG guidance.	Our Public Focus Action Plan is available on our website.
	Publish information as appropriate (including expenditure details monthly on website).	Expenditure information published monthly on website. Annual statement on exercise of functions published on website.
	External and internal audit confirm.	No audit coverage in 2012-13.



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