

# Scottish Charity Regulator (OSCR) Business Plan 2016-17

## 1. BACKGROUND

### Our purpose and role

The Scottish Charity Regulator is the independent registrar and regulator for around 24,000 charities in Scotland.

We were set up under the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act) and took up our formal powers ten years ago, in April 2006. We are a non-ministerial department and part of the Scottish Administration. As charity Regulator, we are operationally independent of the Scottish Government but take account of its policy priorities - and our work contributes to the delivery of the National Outcomes. As a publicly funded body we have a duty to deliver best value and in addition we carry out our work in accordance with the regulatory principles of being proportionate, accountable, consistent and transparent.

### Our vision

***Charities you can trust and that provide public benefit.***

### Our regulatory duties

Our regulatory functions are defined by the 2005 Act, which places a duty on us to:

- Determine which bodies are charities
- Keep an accurate public Register of charities
- Encourage, facilitate and monitor compliance by charities
- Identify and investigate apparent misconduct
- Give information and advice to Scottish Ministers.

## **2. OUR STRATEGIC AIMS**

All of our activities are undertaken within the context of our Corporate Plan, a link to which is as follows: INSERT. 2016-17 marks not only our 10<sup>th</sup> year of operation, but also the final delivery year in respect of the current document. Our four strategic aims for the year, as set out in the Plan, are as follows

- **Help the public to have more confidence in charities**
- **Help charity trustees to understand and comply with their legal duties**
- **Keep registration and reporting straightforward and proportionate**
- **Continually improve the way we operate and deliver services**

We will begin the process of preparing our 2017-20 Corporate Plan in late 2016.

## **3. OUR BUSINESS PRIORITIES FOR 2016-17: TARGETED REGULATION & OUR RISK FRAMEWORK**

2016-17 is a significant year for OSCR as we begin the implementation of a more targeted, risk based approach to the regulation of charities. Using a dynamic Risk Framework as the key, we will concentrate our efforts on identifying, supporting and influencing those charities whose activities are most likely to pose a risk to public trust and confidence in the sector; as well as providing stakeholders with a clearer range of relevant information on a broad range of matters.

This work is the culmination of activities and consultations which began in 2014-15, and will require process, procedural and structural change, at a corporate level. Whilst this will not happen overnight, the context of transition underpins the current Business Plan. We will work to ensure that our strategic aims are delivered, but the key objectives and milestones listed may be subject to change, as Targeted Regulation work streams are implemented.

It is also worth noting that this Plan does not fully articulate the reactive work involved in the management of complex and high-profile cases which can arise at any time during the year, which by its nature is unpredictable and usually substantial.

## Our business priorities for 2016-17

<b>Strategic aim 1: Help the public to have more confidence in charities</b>			
<b>Key measures of success 2014-17:</b> <ul style="list-style-type: none"> <li>• We will run bi-annual surveys</li> <li>• We will publish more information about charities on our Register and our website</li> <li>• We will publish case studies and inquiry reports on our website</li> <li>• Our new annual reporting framework will be implemented</li> </ul>			
<b>Objective: Implement our new annual return reporting regime</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Issue the new Annual Returns	Q1 to Q4	Charity Review Team	
Regularly review & analyse AR data, identifying emerging issues & trends, and take appropriate action where necessary	Quarterly		
Measure effectiveness of the new annual return guidance, taking remedial action where necessary	Quarterly		
<b>Objective: Publish annual reports and accounts of charities with income of at least £25,000 and all SCIOs</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Publish redacted AR & accounts for charities of £25k upwards and all SCIOs	Q1 to Q4	A4 staff	
1.2% increase in no. of direct links to charity accounts accessed from the OSCR website	Q1 to Q4	Engagement/TRU	

<b>Objective: Work with Ministers and other stakeholders to achieve a review of the 2005 Act, including specific changes to legislation</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Identify and scope specific changes to the 2005 Act and other relevant legislation	Complete Q1	PAI	
Complete informal review of 2005 Act and have legislative change proposals ready for incoming Scottish Government	Q1 (Start May 2016)		
<b>Objective: Fulfil our role as one half of the Charities SORP-making body</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Co-chair SORP committee meetings	Q1 to Q4	Head of PAI & Accounts Advisor	
Jointly manage secretariat relationship with CIPFA	Q1 to Q4		
Prepare SORP research papers and launch research	Q1		
Consider findings of SORP research and implications for future developments of the Charities SORP	Q3 to Q4		

<b>Objective: Implement Targeted Regulation by carrying out proactive work on high priority issues</b>			
<b>MILESTONES</b>	<b>COMPLETION</b>	<b>TEAM/PM</b>	<b>Year end position</b>
Embed the risk framework into our daily operations; ensuring our case work & engagement work are determined by it.	Q1-Q4	TRU/ Registration/ Enforcement	
Regularly review the risk framework, ensuring it is “fit for purpose”	At quarterly SMT meetings		
Begin the review of ‘high risk’ charities identified through the Framework.	Q1 and Q2		
Provide regular reports on the progress of the Charity Review work	Every SMT meeting		
Develop work plan for Dec 2016 to Dec 2017	Q4		
<b>Objective: Make better use of our charity information</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Charity data is being creatively used on the website to illustrate key information and trends about and within the sector.	Q1-Q4	Engagement	
Information held by OSCAR is being made more easily accessible to others	Q1-Q4		
There is published evidence that OSCAR information and data published is being used by other orgs and individuals	Q1-Q4 (tracked quarterly)		

## Strategic aim 2: Help charity trustees to understand and comply with their legal duties

### Key measures of success 2014-17:

- The number of charities which don't submit annual returns and accounts to us will have gone down
- Fewer applications for charitable status will be closed or withdrawn by the applicants without a decision
- We get fewer complaints about charities within the first 18 months of their being registered
- Consultations and feedback on new guidance from the public and charities tell us it's easier to understand than previous guidance

### ***Objective: Implement a Notifiable Events Regime***

Milestones	Completion	Team/PM	Year end position
Assess Notifiable Event reports that are received in line with our policy and take action where appropriate	Q1 to Q4	TRU	
Raise sector awareness of our Notifiable Events Regime	Q1-Q4	Engagement & TRU	

### ***Objective: Undertake inquiries in response to concerns raised, in line with OSCR's Inquiry Policy***

Milestones	Completion	Team/PM	Year end position
Conclude our consideration of 75% of concerns within 9 months of receipt	Q1 to Q4	Casework	

<b>Objective: Undertake reviews of submitted accounts on a targeted (pre &amp; post) &amp; sample basis, &amp; in-line with OSCR policy</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Develop & approve new accounts review policy	Q1	TRU & PAI	
Undertake accounts reviews in line with our new accounts review policy.	Q1 to Q4		
Undertake accounts compliance work, looking at a sample of submitted accounts to identify possible issues	Q3 to Q4		
<b>Objective: Implement changes to the Change of Legal Form process to ensure continuous oversight of charitable assets and to help charity trustees be better prepared for all aspects of incorporation</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Draft new web-based guidance	Q1	Casework/ Engagement	
Implement new procedures	Q3		

**Objective: Facilitate increased compliance across the sector through clear and targeted communication, guidance and training**

Milestones	Completion	Team/PM	Year end position
Complete review of web-site looking at functionality, performance and usage	Dec 2016	Engagement	
Implement recommendations of web-site review	Mar 2017		
Develop & begin implementation of a strategy for delivery of Charity Law Training modules	Q3 (by Oct 2016)		
Achieve a 90% approval rating at our Meet the Charity Regulator events	Q3 (by Dec 2016)		
Organise Scottish contribution to Trustees' Week, ensuring that the event has generated relevant activities for trustees which have been organised and widely publicized	November 2016		
Develop and deliver a minimum of three Webinars to address themes identified through targeted regulation	Throughout the year		
Produce guidance materials on: <ul style="list-style-type: none"> <li>• Social enterprise FAQs</li> <li>• Being a Charity in Scotland</li> <li>• Trustees' Annual Report guidance</li> <li>• Fundraising guidance</li> <li>• Village Halls guidance</li> <li>• Change of Legal Form guidance</li> </ul>	May 2016		
	Feb 2017		
	Apr 2017		
	Dec 2016		
	Apr 2017		
	Apr 2017		

**Objective: Prepare case studies, guidance and other learning materials based on our inquiry work, including lessons learned**

Milestones	Completion	Team/PM	Year end position
Produce 6 new case studies as fresh material for the Good Governance page on the website	Q1 to Q4	Enforcement & Engagement	

**Objective: Maintain a good understanding of the external policy environment and respond where relevant**

Milestones	Completion	Team/PM	Year end position
Submit timeous and appropriate responses to relevant consultations	Ongoing	Engagement	
Positively influence relevant Third Sector SG policy	Ongoing		
Develop, implement & track a MSP engagement strategy	Q4		
Contribute positively to a good outcome in terms of regulation of fundraising	July 2016		
Work actively to improve SG's understanding of OSCR and the Scottish charity sector through awareness raising using Saltire and other media	March 2017		
Revised equality strategy written and published	Dec 2016		
Initial scoping of British Sign Language (BSL) Plan	July 2016		
Develop and implement MoU plan	March 2016		

**Strategic aim 3: Keep registration and reporting straightforward and proportionate**

**Key measures of success 2014-17:**

- Fewer applications for charitable status will be closed or withdrawn by the applicants without a decision
- The average number of days we take to decide whether or not an organisation can be a charity goes down
- We provide more services (for instance application for charitable status) interactively online
- The number of charities which don't submit annual returns and accounts to us has gone down
- Feedback in Surveys and at events indicates that our services have improved

***Objective: Develop and implement an online interactive version of at least one of our application forms (status/consent)***

<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Consult with TSIs and frequent users	Q2	Head of Change	
Scope and finalise online proposal, including any procurement	Q3		
Fully implement	Q4		

**Objective: Make decisions on applications for charitable status and consents for changes to charities proportionately and as quickly as possible**

Milestones	Completion	Team/PM	Year end position
Issue decisions on 80% of status apps within 90 days:	Q1-Q4	Registration	Q1:
			Q2
			Q3
			Q4
Ensure all statutory deadlines for reorganisations, consents & reviews are met	Q1-Q4		Q1
			Q2
			Q3
			Q4

**Objective: Identify wider process improvements within Targeted Regulation work undertaken by the Registration Team**

Milestones	Completion	Team/PM	Year end position
Develop block consents policy	Q2	Registration	
Complete 2 RFI pilot assessments	Q2		
Complete low risk assessment pilot	Q2		
Undertake high risk case assessment	Q3-4		
Consider policy for Silent Consent	Q4 (end)		

## Strategic aim 4: Continually improve the way we operate and deliver services

### Key measures of success 2014-17:

- Performance targets
- Feedback in surveys
- We offer an increased range of digital services
- Our accounts are unqualified
- The number of justified service complaints reduces
- Our carbon emissions will reduce annually
- Our staff engagement levels will remain high

**Objective: Implement Targeted Regulation to ensure that experiences, resources & skill is used to best effect in focusing priorities on charities & issues of highest risk**

Milestones	Completion	Team/PM	Year end position
Establish a new Advice & Review Team	Q1	PAI	
Review our internal procedures for Case Officers & implement identified changes	Q2	Registration/ Enforcement	
Integrate the work & staff of the Contact Team within our Registration & C&I Teams	Q1	Registration/ Enforcement	

**Objective: Fulfil our statutory duties as a public body**

Milestones	Completion	Team/PM	Year end position
Meet our legislative requirements under FOISA by: <ul style="list-style-type: none"> <li>• Responding to 100% of FOIs, EIRs &amp; DP SARs within legislative timescales</li> <li>• Updating &amp; publishing an approved Model Publication Scheme (MPS)</li> <li>• Undertaking a quarterly review of the MPS</li> </ul>	Q1-Q4      Q1 (by end May) Q2-Q4	Support Services	Q1 Q2 Q3 Q4
Respond to 100% of service complaints within timescales stated in our Complaints Handling Procedure (20 working days)	Q1-Q4	Support Services	Q1-Q4

Milestones	Completion	Team/PM	Year end position
<p>Meet the legislative requirements of the Public Services Reform Act (PSRA) &amp; the Public Records (Scotland) Act by:</p> <ul style="list-style-type: none"> <li>○ producing compliant annual reports &amp; accounts in a timely manner</li> <li>○ delivering an effective financial management &amp; payment process; ensuring 100% of payments are made within 30 days of receipt of a valid invoice. Continue to aspire to pay 100% of invoices within 10 days of a valid invoice</li> <li>○ co-ordinating and managing the internal &amp; external audit processes</li> <li>○ producing &amp; publishing monthly expenditure reports</li> <li>○ annually reviewing our Records Management (RM) Plan ensuring that it is fit for purpose &amp; undertaking monthly disposal of obsolete records</li> </ul>	Q1-Q4	Support Services	<div style="background-color: #92d050; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: #f4a460; height: 15px; margin-bottom: 5px; text-align: center;"><b>Q1-Q4</b></div> <div style="background-color: #92d050; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: #92d050; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: #92d050; height: 15px;"></div>
<p>Monitor &amp; lessen the impact of our business on the environment as set down in our Carbon Management Plan 2014-17 and in the Climate Change Act (Scotland) 2009, by:</p> <ul style="list-style-type: none"> <li>○ Developing an internal OSCR Travel Policy</li> <li>○ Implementing an internal communications plan aimed at raising staff awareness of climate change issues</li> <li>○ Meeting our annual reporting requirements as set down by SG</li> </ul>	<p>Q1-Q4</p> <p>Q1</p> <p>Q1-Q4</p> <p>Q3</p>	Support Services	<p><b>Q1-Q4</b></p>

<b>Objective: Review the handling of non-submission cases</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Develop and implement procedural improvements, taking account of changes to operational teams	End Q1	ALL	
<b>Objective: Have a skilled, motivated &amp; resilient team applying their expertise flexibly to meet changing demands</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Act in accordance with the SG 2020 People Strategy by:		Support Services	
<ul style="list-style-type: none"> <li>undertaking all necessary actions needed for PSIF implementation</li> </ul>	Q1-Q2		
<ul style="list-style-type: none"> <li>developing, monitoring &amp; reporting on corporate learning &amp; development activities</li> </ul>	Q2		
<ul style="list-style-type: none"> <li>preserving and enhancing well-being &amp; engagement among staff</li> </ul>	Q1-Q4	ALL	
Build a culture where everyone is part of Team OSCR	Q1-Q4	ALL	
Implement the PSIF improvement plan actions by:	Q3-Q4 & next yr	Head of Change	
<ol style="list-style-type: none"> <li>Ensuring our processes &amp; structures sufficiently meet our needs</li> <li>Develop approaches to ensure fairness of treatment towards staff</li> </ol>	Q4 & nxt yr	Support Services	
<ol style="list-style-type: none"> <li>Undertake vigorous action to address issues arising from staff surveys and undertake better communications in support of work</li> </ol>	Q4 & Q1(nxt yr)	CEO & Head of Casework	

<b>Objective: Support the effective delivery &amp; daily operation of OSCR's business infrastructure &amp; online applications</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Procure & manage our contracted services & their associated Service Level Agreements (SLAs). Eg. Objective, Health & Safety, OSCR Online, LAN support	Q1-Q4	Support Services	
<b>Objective: Maximise the options &amp; opportunities available to us in line with SG's Digital Agenda</b>			
<b>Milestones</b>	<b>Completion</b>	<b>Team/PM</b>	<b>Year end position</b>
Articulate & implement our Cyber Resilience Strategy	Q1 (end)	Support Services	
Update our Information Management Strategy to include details of our Digital Vision	Q2	Support Services	
Work with our SG colleagues & internal stakeholders to maximise digital delivery of our key business processes	Q1-Q4	Support Services	
Achieve 100% take up of OSCR Online	Q3 (90% by Oct)	Engagement & Support Services	
Achieve a 15% increase in our website visits	By Q4	Engagement	
Achieve a 15% increase in twitter accounts reached	Q4	Engagement	

**Objective: Support Corporate & Business Planning within OSCR**

Milestones	Completion	Team/PM	Year end position
Co-ordinate the development of an annual business plan for 2017-18	Q3-Q4	Support Services	
Plan, write & publicise OSCR's Corporate Plan 2017-20	Q3 & Q4		
Track the achievements of the Business Plan (BP) objectives & milestones by:	Q1-Q4		
<ul style="list-style-type: none"> <li>○ providing a fully tracked version of the BP at SMT meetings &amp; to all staff</li> </ul>	Q1-Q4		
<ul style="list-style-type: none"> <li>○ (in support of the introduction of Targeted regulation into OSCR)</li> </ul>	Q2		
<ul style="list-style-type: none"> <li>○ undertaking a mid-year review &amp; possible re-write of the BP (dependent on TR timescales)</li> </ul>	Q3		
<ul style="list-style-type: none"> <li>○ reporting BP achievements annually</li> </ul>	Q4 – Q1 (17-18 BP)		