

CLAS CIRCULAR 2025/05 (24 March)

Disclaimer

CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

CHARITIES & CHARITY LAW	2
Charity Commission scam warning	2
EMPLOYMENT & VOLUNTEERING.....	3
Reminder on the National Minimum Wage	3
FAITH & SOCIETY.....	4
The House of Commons debates safeguarding.....	4
PROPERTY & PLANNING.....	5
Leasehold reform	5
Listed Places of Worship Grant Scheme: update	6
SCOTLAND	7
OSCR: updated guidance on charity trustee disqualification.....	7

CHARITIES & CHARITY LAW

Charity Commission scam warning

For information

[The Charity Commission has warned charities about fake messages supposedly sent on its behalf.](#) The messages typically request action to be taken such as removing a trustee or chief executive from their position, releasing funds as part of a grant or supplying documents such as a passport or utility bill. They may be signed as coming from 'the Commission,' Chief Executive Officer and/or its Directors. The Commission has released a list of circumstances in which it will contact charities, and what the letter is likely to say:

"It's not always easy to tell if correspondence is real or fake, however please note we:

- will only send you a letter just by post only if we do not have your current email address;
- rarely address letters generically, for example 'to whom it may concern';
- do not write letters or emails of certification on behalf of UK charities regarding tax exemption or any other matters;
- do not issue requests to authenticate an account online by supplying personal identity documents; and
- will not ask you to provide banking information."

In the rare circumstance in which the Commission might send a letter to a charity by post, it will be franked rather than stamped, it will normally have a case number or reference on it, it is unlikely to be marked as 'Strictly Private and Confidential', and it will come from the Charity Commission of *England and Wales*, not the 'UK' or 'England'.

[Source: Charity Commission, 17 March]

EMPLOYMENT & VOLUNTEERING

Reminder on the National Minimum Wage

For information **and possibly for action**

The Government is reminding employers that from 1 April the National Minimum and Living Wages are set to rise.

From April 2025, the rates will be as follows:

Category	NMW rate	Increase (£)	Percentage increase
National Living Wage (21 and over)	£12.21	£0.77	6.7
18-20 Year Old Rate	£10.00	£1.40	16.3
16-17 Year Old Rate	£7.55	£1.15	18.0
Apprentice Rate	£7.55	£1.15	18.0
Accommodation Offset	£10.66	£.067	6.7

[Source: Department of Work and Pensions, 19 March]

FAITH & SOCIETY

The House of Commons debates safeguarding

For information

On Monday 3 March, the Commons had a surprisingly full [debate](#) on safeguarding in the Church of England. Though the debate focused on the C of E, it was clear from the speech of Jess Phillips, Parliamentary Under-Secretary of State for the Home Department and Minister for Safeguarding, that the Government is intent on introducing mandatory reporting of child sexual abuse.

She condemned all forms of abuse and agreed that institutional inaction exacerbated survivors' trauma. She reiterated that failures in safeguarding were not to be tolerated; the fundamental point was that, "big or small, rich or poor, organisations that are in a position of power and responsibility and are working with children or vulnerable adults have a safeguarding responsibility". The Government had

"made a commitment to introduce a mandatory duty for those working with children to report sexual abuse and exploitation, making it a clear legal requirement for anyone in regulated activity—which will include the Church—relating to children in England to report to the police or the local authority if they are made aware that a child is being sexually abused. We are pleased that that commitment was introduced last week in the [Crime and Policing Bill](#). We are also committed to making grooming an aggravating factor, toughening up sentencing and setting up a new victims and survivors panel, and we will set out a clear timeline for taking forward the 20 recommendations of the final IICSA report on child sexual abuse."

[Source: Commons *Hansard*, 3 March]

PROPERTY & PLANNING

Leasehold reform

For information

The MHCLG has [published](#) a Commonhold White Paper about the Government's plans for leasehold and commonhold reform.

The announcement outlines the following policies:

- Commonhold will replace leasehold as the default form of tenure. This would mean those who occupy flats within a building will own their flats outright, together with a share of the building, and have a say in how the building is run. This differs from the current standard form of ownership, leasehold, under which a freeholder owns the building and the flats are owned on lease for a set period of time by the purchasers.
- *The sale of new leasehold flats will be banned*, with details subject to a consultation to be released later this year.
- The Government will publish a draft Leasehold and Commonhold Reform Bill later in the year to provide a legal framework for the reforms.
- The White Paper (we are told) outlines how commonhold will differ from leasehold. Commonhold owners will not have to pay ground rent and will have a say in how their buildings are run by automatically becoming part of a commonhold association. There will be new rules for managing commonholds, such as the appointment of directors, standards of repair, mandating use of reserve funds and requiring greater commonhold input in agreeing annual budgets.
- A new Code of Practice which will be published setting out how costs should be apportioned in commonholds.

It should be emphasised that *the proposals apply to new leases only*. As we understand it, existing leaseholds will not be affected by the proposed legislation – but the new legislation could include powers to enable existing leaseholders to convert their leases into Commonhold.

[Source: MHCLG, 3 March]

Listed Places of Worship Grant Scheme: update

For information

The DCMS has published [guidance for the change in arrangements for the Listed Places of Worship Grant Scheme](#), detailing how claims will be handled up to 31 March and from 1 April onwards. It emphasises the importance of the 31 March deadline for claims to avoid the new cap. It also deals with other matters, such as missing information and appeals. [*With our thanks to the Historic Religious Buildings Alliance.*]

[Source: DCMS, 21 March]

SCOTLAND

OSCR: updated guidance on charity trustee disqualification

For information **and possibly for action**

OSCR has updated its [guidance](#) on the rules on automatic disqualification of individuals as charity trustees. The guidance covers:

- the definition of a charity trustee;
- the current disqualification criteria;
- when exemptions apply and how exemption decisions are made; and
- further changes coming in summer 2025.

All charities should review this guidance and refer to the latest version when recruiting new trustees.

The current rules are set out under the [Charities and Trustee Investment \(Scotland\) Act 2005](#) and will be further updated in the coming months as the [Charities \(Regulation and Administration\) \(Scotland\) Act 2023](#) introduces extended disqualification criteria. The new criteria will apply to individuals convicted of terrorism offences, those on the sex offenders register, and staff or volunteers with a senior management function within charities.

[Source: OSCR, 11 March]