

## Organisations Working Overseas

Charities and other organisations working overseas are affected by specific issues and regulation. This briefing brings together some of the key information and guidance about the issues faced by organisations working internationally.



### Charity Commission Guidance

The Charity Commission has a whole section of guidance about charities working internationally. If you're thinking about working overseas you should make sure you have read and understood all of this guidance, which explains both the legal compliance requirements of English and Welsh registered charities, and practical advice about working overseas. Find the full guidance here:

<http://www.charitycommission.gov.uk/running-a-charity/your-charitys-work/working-internationally/>

Key points to remember (covered in more detail on the Charity Commission guidance) are:

- English and Welsh registered charities must ensure that when they are working abroad, all their activities comply with their stated charitable objects, and fit within the legal definition of Public Benefit. All money spent abroad must comply with this requirement, and charities must have sufficient control of the way money sent abroad is spent, to guarantee it is spent this way.
- This means charities working abroad must give particular attention to their due diligence, monitoring, and ensuring the appropriate use of end funds. Charities working abroad should think carefully about their financial management, and management of risk. It may be appropriate to enact additional checks and measures.
- Due diligence, monitoring, risk management, and financial management, are vital to ensure the charity complies with charity law and maintains its charitable status. It is also vital in protecting the charity's reputation and support of donors. Transparency and good reporting can also help promote the organisation's good reputation.
- Even if the charity is registered in England and Wales, it must respect the customs and the regulatory environment of the country it is working in. It is the organisation's responsibility to ensure it researches and complies with these arrangements.
- Changes in foreign exchange rates can be a risk when pursuing a charity's aims. They may affect a charity's purchasing power and it is important to plan strategies to minimise this risk.
- Partnership with individuals or agencies in the country the charity is working in can be extremely valuable, but care should be taken to select a suitable partner, and to respect local customs and practices.

- Organisations must think about and plan arrangements for protecting the charity's staff and beneficiaries abroad. This is likely to be a very different situation to the work of the charity in England and Wales, and separate risk assessment and practices should be implemented.

## Other useful guidance

- **NGO Regulation Network** has been set up by the Charity Commission and it holds information about the regulation of NGOs in different countries of the world. You can check the regulation and legal arrangements for NGOs in the country you hope to work in. Please note, the website does not have information on every country worldwide.  
<http://www.ngoregnet.org/>
- **HMRC** (Her Majesty's Revenue and Customs) provides guidance on the terms of payment to overseas bodies by charities. From September 2011, HMRC indicated that it is focusing on the area of overseas payments. It is vital to understand and comply with these, as charities failing to meet these conditions may lose their tax exemption status. Read the guidance here: [http://www.hmrc.gov.uk/charities/guidance-notes/annex2/annex\\_ii.htm#9](http://www.hmrc.gov.uk/charities/guidance-notes/annex2/annex_ii.htm#9)
- **Facilitation payments and guidance on bribery:** in July 2011, the Charity Commission's guidance on bribery was updated, making it clear that "facilitation payments" were not permissible, and could lead to charities being prosecuted.

The commission's guidance says: "Charities may encounter corruption wherever they operate... charity officials might be tempted to adopt and conform to prevailing custom or local standards and values. As a matter of general principle and to comply with the trustees' legal duties, trustees should avoid any situation where there is an expectation of a gift or payment in return for an advantage of any kind."

[http://www.charitycommission.gov.uk/Our\\_regulatory\\_activity/Counter\\_terrorism\\_work/compliance\\_toolkit\\_3.aspx#m](http://www.charitycommission.gov.uk/Our_regulatory_activity/Counter_terrorism_work/compliance_toolkit_3.aspx#m)

- **BOND** (the UK membership body for non-governmental organisations (NGOs) working in international development) has produced these **Anti-Bribery Principles and Guidance for NGOs** <https://www.mango.org.uk/Pool/NGO-anti-corruption-principles-final-Oct-2011.pdf>
- **How to set up your own NGO.** Guardian article: Establishing a charitable organisation can be exciting, but how can you avoid naive mistakes to ensure it makes the most positive impact? (January 2015) <http://www.theguardian.com/global-development-professionals-network/2015/jan/27/how-to-set-up-ngo>
- Know How Non Profit: NGO Registration In The UK Public Forum.  
<https://knowhownonprofit.org/chat/775166518>

## Fundraising

- [www.Globalgiving.co.uk](http://www.Globalgiving.co.uk) GlobalGiving enables the public to support well-vetted, grassroots projects all over the world. Most of the projects on GlobalGiving are in the developing world where a small amount of money usually goes a long way. GlobalGiving.co.uk is working with UK-based charities to provide projects to the website, and engage in joint initiatives to raise funds and awareness for their projects. Find out more about how to get your project featured on the website by clicking on "About".

- [Comic Relief](#) has various funding opportunities for projects working in Africa. Look in particular at the **Common Ground** funding which supports small and Diaspora organisations to tackle poverty and injustice in Africa.
- [DFID](#) (the Department for International Development) has a list of funding opportunities for not-for-profit organisations.
- [BOND](#) has a page about fundraising for NGOs, which includes discussion groups about different types or sources of funding, and workshops covering the skills of fundraising. You can sign up for information updates.
- [Big Lottery Fund](#) have recently announced a new fund for charities working for overseas development

## Other Resources

Many of these are membership organisations. You can see their resources and information online, but might need to be a member to attend training and events.

- ❖ [BOND](#) have lots of information about regulation of NCOs, and a very extensive section of resources located under **Sector** on the website (use the menu on the left to see all the resource headings)
- ❖ [ALNAP](#) (Active learning network for accountability and performance in humanitarian action) has a range of **Resources** including lessons for how to deal with natural disaster emergencies.
- ❖ [DFID](#) is a good place to find information on government policy for international development, and also statistics about aid expenditure
- ❖ [RedR](#) provides humanitarian training for NGOs and disaster relief worldwide. They run a range of training courses, and have a Resource centre with information on many of the practical aspects of disaster relief.
- ❖ [Mango](#) specialises in training NGOs in strong financial management
- ❖ [People in Aid](#) focus on recruitment and Human Resource issues for aid organisations. They have online information, interactive forums, and run events such as workshops.
- ❖ [IDS](#) (Institute of Development Studies) global charity for international development research, teaching and communications. Lots of the work is quite academic but they also run short training courses, discussion events, and organise networks.

## Support

If you would like any support with working overseas or any other issues facing your organisation, please contact the Development Team at Community Southwark: [development@communitysouthwark.org.uk](mailto:development@communitysouthwark.org.uk) or 020 7358 7020.