

## COVID-19 Resources and Support for Trustees

As a trustee you have a legal duty to:

- act in your charity's best interest
- manage your charity's resources responsibly
- act with reasonable care and skill

These responsibilities have not changed because of COVID-19 but the impact of the outbreak requires us to apply these duties in unprecedented, and often uncharted circumstances. This resource aims to help you think about your responsibilities across four areas of your charitable activity – Governance, Funding and Finance, [People](#), [Buildings](#) - and provide you with information and links to help you better understand steps you can take to minimise risk, and maximise your future sustainability. Neither of the authors of this resource are lawyers, or have specialist professional qualifications in the areas highlighted, so we always urge you to take further advice where appropriate, and record the decisions you take and the information that you have based these on.

[The Essential Trustee: what you need to know, what you need to do \(CC3\)](#)

[Coronavirus \(COVID-19\) guidance for the charity sector](#) - this guidance covers a range of topics including AGMs, holding remote meetings and keeping people safe.

### Other Useful Governance Resources

The law firm Bates Wells have created [Charity Trustee Meetings – A Coronavirus Guide](#).

[theFSI](#) and the [Association of Chairs](#) have useful top tips in relation to online meetings.

[icsa - The Chartered Governance Institute](#) offers guidance on [holding AGM's during COVID-19](#).

## Funding and Finance

### Financial Support

The government has put a package of finance initiatives in place to support business continuity, which includes many charities and social enterprises. Full guidance on these schemes can be found [on the government website](#).

Richmond Council has also created a useful webpage for local businesses – [view the page here](#).

We have collated some information, as below on initiatives that could be of interest to the voluntary sector but trustees should always check the full guidance. All charities are different and there may be other support yours is eligible to claim for.

### **Small Business Grants Fund (SBGF):**

Grant funding of £10,000 for all businesses in receipt of Small Business or Rural Rate Relief.

### **Retail, Hospitality and Leisure Grant Fund (RHLGF):**

This is available to businesses with a property that, on 11 March 2020, were eligible for Small Business Rates Relief. To qualify for the business rates discount, which you would have been receiving pre-COVID-19 (effectively 100% rates relief), you are likely to be a shop, restaurant, café, bar, pub, cinema, music or arts venue, gym, spa, casino or hotel. We are aware of several community spaces that have been eligible and received this grant.

Those with a rateable value of up to £15k are eligible for a grant of £10,000.

Those with a rateable value of up to £50,999 are eligible for a grant of £25,000.

Both the above schemes are administered by Local Authorities. The grant is payable to the ratepayer, not the landlord, and is paid directly to the ratepayer's bank account. Richmond Council sent letters to all those they knew to be eligible after the lockdown, so you may not have received it. [Information and how to apply can be found on the Council website.](#)

### **Coronavirus Business Interruption Loan Scheme (CBILS):**

Where 50% of activity is trading, a charity or social enterprise may be eligible for a Business Interruption Loan from the British Business Bank. This is a conglomerate of 40 banks. Obviously, it is important that all trustees understand the terms of the loan and the pay back requirements before entering into any agreement. This is a loan, not a grant, and must be repaid on a sliding scale over six years. More information on applying for these can be found at the [British Business Bank website](#).

### **Coronavirus Job Retention Scheme** ([go to the People section](#))

### **Resilience and Recovery Loan Fund (RRLF):**

Social Investment Business (SIB), in partnership with Big Society Capital, has announced £25m of repayable crisis loans to charities and social enterprises. As with the government scheme, your charity or social enterprise needs to generate 50% of its income from trading. Unlike the government scheme, these loans do not require directors to offer a personal guarantee. [Find out more from SIB.](#)

### **Business Interruption Insurance:** ([go to the Building section](#))

### **Other Useful Information:**

**State Aid:** Charity Tax Group has some useful guidance on the government's new [Expanded Retail Discount](#) and the implications this may have on some charities' state aid limit.

**Statement of Recommended Practice (SORP):** Read the latest [guidance on charity SORP](#).

### **Gift Aid & Charity Events:**

Following representations by [Charity Tax Group](#) and others, HMRC has agreed that if a charity event is cancelled due to COVID-19, HMRC will accept that where a person is due a refund but decides to donate this to a charity, Gift Aid can be applied. This is provided that the individual does not receive a benefit as a result of their donation, agrees that the cost of their ticket becomes a donation and they complete a Gift Aid declaration. The charity must keep an audit trail, including a copy of the individual's agreement to the donation of the cost of the ticket. [View the government guidance.](#)

**National Council for Voluntary Organisations (NCVO)**: Find a wide range of guidance at NCVO to support charities, [including contingency planning and financial implications](#).

**Charity Finance Group (CFG)**: Take a look at their guide, [Coronavirus and Your Charity](#).

## Funding & Fundraising

Richmond CVS has created a [COVID-19 Funding page](#) which is updated as new funds are announced. If you have a funding query, please do not hesitate to call our helpline on **07401 279771**, Tuesday to Thursday, between 10am and 1pm.

If you can't contact us during the above hours, or you have an urgent query on *any* matter concerning your charity, you can call our main number 020 8843 7945 or email us at any time at [action@richmondcvcs.org.uk](mailto:action@richmondcvcs.org.uk).

As a CVS we are planning a programme of further funding support including webinars and free funding advice sessions. The best way to stay up to date with the latest funding news and support from Richmond CVS is to [sign up for our e-alerts](#).

If your charity is planning any fundraising at this time, it is worth reviewing the Fundraising Regulator's guidance [Coronavirus \(COVID-19\): advice on fundraising](#) and also the Institute of Fundraising's [Information for Fundraisers](#).

Virtual fundraising may be an area you need to develop. A useful guide is available at [Charity Fundraising](#) and Blackbaud have created a downloadable guide – [Virtual Fundraising 101](#).

Finally, if your charity is facing financial difficulties, please seek help as soon as possible. The Charity Commission has [guidance for charities facing financial difficulties](#). If you need additional support, don't hesitate to contact us on our helpline - **07401 279771** – or via [action@richmondcvcs.org.uk](mailto:action@richmondcvcs.org.uk).

## People

### Human Resources (HR)

The government guidance, last updated on 7 April, [COVID 19 Guidance for Employees, Employers, and Business](#), is still useful and relevant as an overview of what needs to be thought about.

[acas](#) – offers guidance with [Coronavirus \(COVID-19\): advice for employers and employees](#).

### Coronavirus Job Retention Scheme:

The scheme, which will fund 80% of employee pay up to a maximum of £2,500 per month, opened on 20 April. Employees must have been on your payroll on 19 March 2020 and the scheme is now in place until June 2020. [Read the full government guidance on the scheme](#).

### Analysis and Illustration of the Coronavirus Job Retention Scheme:

The Institute of Chartered Accountants in England and Wales (ICAEW) have published an excellent analysis of how they anticipate the new scheme will work. Visit [www.icaew.com](http://www.icaew.com)

Support is available from HMRC on [how to apply](#) to the Job Retention Scheme and they have created a [step by step guide for employers](#).

Our top tips are:

- read all the guidance in advance, making sure you have checked for updates as the guidance has been updated on multiple occasions.
- use the [HMRC calculator](#) to work out 80% of your employees wages.
- have all the information you need to complete the application to hand - currently the application must be completed in **30 minutes** and there is no opportunity to save as you go.

Practical guidance is also available from [Charity Tax Group on how to apply](#).

The Richmond CVS webinar, COVID-19 & HR for the Voluntary Sector offers clear and concise information, with accompanying notes, and is full of links to additional sources of advice and support. [Visit our website to download the presentation](#).

Following the webinar we answered some of the trickier questions attendees had posed. Do bear in mind that the webinar and the responses we have given are an interpretation of government advice and can't be confirmed until the guidance becomes legislation.

Contact us if you have questions about the scheme and we can share these or connect you to some expert advice. Email [training@richmondcvcs.org.uk](mailto:training@richmondcvcs.org.uk).

### **Homeworking Policies**

Our thanks to [Sandy Adirondack](#) for highlighting the following useful model policies for employees. She has also developed one for volunteers working at home. If you would like a copy, please email us at [training@richmondcvcs.org.uk](mailto:training@richmondcvcs.org.uk).

Scottish solicitors, Brodies, have produced a template homeworking policy specifically for temporary homeworking by employees, workers and contractors. The policy is suitable for use in the UK and includes issues of hours of work, communication, health and safety, equipment, expenses and security. Download the template at [www.brodies.com](http://www.brodies.com).

In response to the Coronavirus crisis, Daniel Bartlett has made his Homeworking Policy available for free download. It is part of a suite of 20 employment policies and is suitable for temporary or permanent homeworking. As such, it includes provisions that are not relevant in the current situation, but which are worth noting for potential future use, especially where organisations or workers may wish to continue homeworking. [Download the Daniel Bartlett Homeworking Policy](#).

[www.acas.org.uk](http://www.acas.org.uk) – visit the site for their working from home guidance.

### **Other sources of support to help employees, staff and volunteers work from home safely:**

The [Health & Safety Executive](#) (HSE) have useful guidance on employer responsibilities for remote workers. Essentially nothing has changed and employers must take account of their responsibility for their employees' physical working conditions and mental wellbeing. See [Protect Home Workers](#).

The [National Cyber Security Centre](#) provides guidance for individuals and businesses on cybersecurity and has created new guidance as homeworking has increased. Have a look at [Home working: preparing your organisation and staff](#).

## Additional Human Resources Support

If you need to talk through any HR-related issues, there is lots of support available:

**ACAS free helpline** - 0300 123 1100

**The Cranfield Trust** provides a free tailored HR service, HRNet (currently experiencing high demand).

### **NCVO/Croner helpline - 0844 561 8133**

NCVO's trusted supplier, Croner, is offering a free helpline to all VCS organisations, regardless of whether you are an NCVO member or not. They are specialists in HR and employment law and handle over 270,000 advice calls a year. Call 0844 561 8133 and state the name of your organisation. Calls cost 7p a minute plus your network access charge. Check charges with your provider, as calls from mobiles can be high. eg. Vodafone 55p per minute access charge.

### **Russell-Cooke**

Through our partnership with Russell-Cooke, Richmond CVS members can access a free 15 minute session of pro bono legal advice which covers a range of topics, including HR, data protection and charity law. If you are interested in this service please email us at [training@richmondcvcs.org.uk](mailto:training@richmondcvcs.org.uk).

## **Volunteers**

Richmond CVS has created two great resources to support volunteering during the COVID-19 crisis. One aimed at informal groups, [Everybody Needs a Good Neighbour](#) and the other to support established organisations, [Recruiting Volunteers Safely for Your Organisation](#).

**NCVO** provide guidance for organisations in this area, including [advice on involving volunteers](#).

**Volunteering Matters** have put together an FAQ sheet to [Volunteer Safely](#) and they have useful risk assessment templates for different activities.

## **Health & Wellbeing**

There are local and national counselling services, if your charity doesn't have the resources to pay for these. Before you refer staff or volunteers to local voluntary sector provision, we suggest you contact the proposed local organisation in advance, to check their capacity to help and to let them know that you will be highlighting their services to your teams.

**Wellbeing Tips from Mind** – this includes managing your mental health and practical tips for working from home and self-isolation.

**CFG** - have a blog of useful wellbeing resources in [Are you looking after yourself during the crisis?](#)

### **Richmond Wellbeing Service:**

This service can help with coping with working from home, eating, sleep, exercise, relaxation and health anxiety. They provide support for anyone living or working in Richmond.

## **Support for bereavement**

During the pandemic, your team may experience bereavement or your organisation may lose a staff member, trustee or volunteer. It is important to know what your policies are in relation to bereavement during this time, as well as being as adaptable and flexible as you can. The following are resources available to help:

## [NHS - Grief after bereavement or loss](#)

**CRUSE Bereavement:** [Coronavirus: dealing with bereavement and grief](#) is a resource to understand how bereavement and grief may be affected by the pandemic.

**Grief Chat** is a safe space for people to share their story, explore their feelings and be supported by a qualified bereavement counsellor online.

**Winstons Wish** has a range of information and resources to support bereaved children during the COVID-19 outbreak. They also have a helpline, online chat and email service.

## **Safeguarding**

Trustees have a duty of care to both beneficiaries and staff and volunteers. You can read an overview of [Safeguarding for Trustees](#) on the NCVO KnowHow site.

During the COVID-19 outbreak, nothing has changed in terms of your responsibilities as trustees to ensure all who come into contact with your organisation are adequately safeguarded, with specific legal requirements in relation to the protection of children and vulnerable adults. The needs of vulnerable adults are particularly visible at this time and you must make sure that you recruit safely, do all necessary checks, maintain confidentiality and adhere to data protection.

**Richmond CVS** has produced a resource for existing groups to help them operate safely when they recruit volunteers during the crisis - download [Recruiting Volunteers Safely for Your Organisation](#).

[A short video](#) provided by Waltham Forest Council is a helpful introduction to safeguarding awareness for volunteers. Where it refers to reporting concerns to the single point of contact, the details for Richmond are as below:

- For Children - Richmond Single Point of Access 020 8547 5008 (out of hours 0208770 5000)
- For Vulnerable Adults experiencing abuse or neglect – contact Richmond Council’s Access Team on 020 8891 7971 (out of hours 0208 744 2442), email [access.team.@richmond.gov.uk](mailto:access.team.@richmond.gov.uk) or report your concern online at [www.richmond.gov.uk](http://www.richmond.gov.uk).

***If the child or adult is in immediate danger always call 999.***

## **Safeguarding Training**

Richmond Council has refreshed its online [Training & Development Portal](#) and is currently offering free e-learning in [Safeguarding Adults](#) (1 hour introductory level), [Safeguarding Adults: Level 1](#) (Healthcare Services) and other topics. If your organisation or group is accessing the website for the first time, you will first need to register your group by email, including your organisation name, address and the name and email of a manager as a point of contact for the account.

**Childrens' online safeguarding training** is available at the [Kingston and Richmond Safeguarding Children Partnership website](#).

## **Staying Safe Online**

Many organisations are using technology to enable their staff to work remotely and to reach their beneficiaries to provide services and activity. This is positive, but you do need to be mindful of online safety and security. The following offer helpful guides and information to support safe delivery:

## Digital Support

[Superhighways](#) provides support to the charity sector across all aspects of technology. They are providing useful guides and resources to [help you work remotely](#) and have a handy blog [5 Ways to Make Zoom Safer](#). You can [sign up to their newsletter](#) to receive regular updates.

If you are using the Zoom platform you are probably aware that they have tightened their security in recent weeks so that 'waiting room' and passwords are automatically set for meeting organisers. However, there is some [useful additional security guidance from CST here](#).

## Child Exploitation and Online Protection Command (CEOP)

This is part of the National Crime Agency and is a one-stop shop for reporting concerns and for a huge range of resources from their sister site [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk) to support parents, carers and children aged 5+ to be online safely. They have also just launched a new suite of resources specifically designed for this situation - Online Safety at Home. Visit <http://www.ceop.police.uk>.

If you are working with children remotely using technology, we recommend always including this in the information you send to parents. If you are working with children and young people and are offering online services for the first time, we suggest you create a protocol for online contact. If you are interested in a simple template for this, please email [training@richmondcvcs.org.uk](mailto:training@richmondcvcs.org.uk).

## Other Legal and Compliance Issues

### Data Protection and Confidentiality for Community Groups and Charities

We have produced a quick guide of useful resources which has collated various information and guidance on data protection and associated legislation. It is aimed at new organisations and informal groups that have set up in response to COVID-19 but is also a useful refresher for established organisations. Click the title below to download.

[Data Protection and Confidentiality for Community Groups and Charities - April 2020](#)

### Pro bono legal advice from Russell-Cooke:

Again, through our partnership with Russell-Cooke, our members can access 15 minutes of free expert pro bono telephone advice. Their areas of expertise include data protection. If you are interested in this service, please read our [Terms of Use](#) before emailing your request to [training@richmondcvcs.org.uk](mailto:training@richmondcvcs.org.uk).

Russell-Cooke also have the following useful briefings available online:

[Coronavirus: data protection challenges and working from home](#)

[Coronavirus - a more relaxed approach to insolvency?](#)

Longer term pro bono advice and support can be accessed at [Law Works](#) and [Trust Law](#).

## Buildings

### Trustee Responsibilities

Part of a trustee's role is to safeguard the charity's assets, which includes physical assets such as property and capital items belonging to the charity. This responsibility applies if you:

Richmond CVS | RHACC, Parkshot, Richmond, TW9 2RE | 020 8843 7945 | [www.richmondcvcs.org.uk](http://www.richmondcvcs.org.uk)

- own your building,
- you are the leaseholder
- you act as the landlord and/or building manager on behalf of the owner

### **Government Mandated Shut Down**

On the 23 March 2020 the government issued guidance on businesses and venues that must close. For the charity sector this included charity shops and leisure facilities, some of which are run by charitable trusts or social enterprises. However, exceptions applied including community centres, places of worship, youth centres and similar for the purpose of hosting essential voluntary or public services such as food banks, homeless services and blood donation services. If you are open, it is only the activities described above that you can deliver and you must maintain social distancing rules and adhere to [COVID-19 guidance](#).

If you took the decision to shut your building, record the date that you did so and ensure that you had your board's agreement. Describe in the notes the steps you took to minimise the risk of damage to property (see below for suggested risk assessment), and the advice you got from your insurer. Make sure it is clear who is the contact for any emergency or insurance related enquiries, should damage occur during the lockdown, and who is responsible for the weekly suggested checks. With many charities furloughed and staff working remotely, these contacts and emergencies may have changed, so be clear who they are and make sure your Chair is aware.

For those who are leaseholders, you must check the terms of your lease and what you are responsible for maintaining during a shut down and notify the freeholder accordingly.

For a landlord, or buildings manager, delivering services on behalf of the owner, you must check the terms of your contract, what your responsibilities are, and communicate what you are doing with the owner. If you are acting as a landlord and have contracts with tenants, then your tenancy agreements are legally binding and are not affected by the outbreak. The government has put a ban on evictions for tenants who miss rent payments for the next three months but if the terms of the contract require it, those rents legally stand and can be recouped. Russell-Cooke has a resource on [how the coronavirus outbreak affects commercial leases](#) which gives you more information about the legal position.

Universally, they recommend as a landlord or occupier that it is important to keep abreast of government guidance, maintain an open dialogue and, if making decisions based on advice at the time, keep a note of the reasoning behind your decision and, where possible, obtain agreement to those decisions. Collaboration rather than confrontation is recommended. Post lockdown it is likely that you may have some difficult decisions to make with regards to rent arrears for your tenants and contract breaches, etc, and you need to be well informed and plan for those discussions now. *You can talk to Richmond CVS to request pro bono legal advice.*

### **Business Interruption Insurance**

There has been much mention of this but the reality is loss of revenue cover comes into force only after damage to property caused by an insurance peril, such as flood, fire or storm. This type of insurance is designed to cover loss of income when the building is closed for a period of time in order for repairs to be carried out. Unfortunately, if the building is closed due to a breakout of a virus, no property damage has occurred, so there is no Business Interruption cover liability. Property insurers will not cover closure due to pandemic.

## Buildings Insurance

Most buildings insurance will have un-occupancy conditions, eg. some restrict cover if a building is unoccupied for over 30 days. Many insurers are agreeing to withhold the un-occupancy restrictions and you do not have to inform your insurers but *check with your insurer/insurer's website to confirm this*. Initially it seems the date for extension is 30 June 2020 but this will be reviewed as, currently, it is unclear when businesses will be able to resume.

## Empty Property Checklist

If your building is unoccupied this represents greater risk and trustees must assess the risk and take steps to minimise it. It is essential to record what you have done and have the agreement of your Board for the measures you have put in place.

Where you are able to do safely, and within government guidelines, you must try to ensure:

1. the building is inspected internally and externally by an authorised person once a week to check security and general condition
2. all waste refuse and other combustible material is cleared from the building and any grounds adjacent to it
3. all external doors are securely locked, and all opening windows are closed and locked (where fitted with locking devices)
4. heating should be left on but other critical services powered down if not required, unless to support protection or detection systems
5. all tanks and pipes are drained down where and when you are able to do this\*
6. all fire protection, detection and security systems should remain active and be monitored remotely where possible
7. secure and seal all letterboxes and openings and redirect post if necessary
8. all keys are removed from the locks and kept securely off site.

\* **Legionella in building water systems** - the European Society of Clinical Microbiology and Infectious Diseases (ESCMID) have produced helpful guidance on managing legionella in building water systems during the coronavirus pandemic. [Read the guide here.](#)

\* **Code of Practice for Swimming Pool Operators** from the Pool Water Treatment Advisory Group including temporary closure of pools. [View the guidance here.](#)

## Hires and cancellation of ticketed events

For those who hire, look at the cancellation terms set out in your building's hire agreement. Most hirers will understand but if you don't have a formal arrangement, the government advice should be sufficient to support you. Nominate a trustee, or lead member of staff who has not been furloughed, to ensure all your hirers are advised of the cancellation of bookings, the suspension of activity, the predicted timeline and the situation regarding charges.

For the cancellation of ticketed events and your legal obligations (a ticket is a contract for services between you and your customer), there is a useful guide from the Arts Council and their partner, Arts Fundraising and Philanthropy, which outlines your obligations and GDPR requirements in relation to ticket refunds. [See the guide here.](#)

## Re-activation Of Building Services Post Outbreak

Buildings and services will eventually reopen but only when government advice allows it. As trustees, it is your role to avoid exposing the charity's assets, beneficiaries or reputation to undue risk. As you can imagine, post lockdown it will not be as simple as just opening your doors and now is the time to think through the steps that you will need to take to be able to reopen safely and in a

timely and staggered fashion for staff, volunteer and eventually public use. It is likely that Public Health England, HSE England and National Facilities Management Organisations will produce guidance. In the meantime, while this is awaited, below are some things to be aware of:

### **Deep Clean**

This is a much-used term but there is no exact definition of what it means. Certainly, all touch points are critical, and this would include desks, keyboards toilet and washroom areas, all kitchen areas and water coolers which are high risk transmission points. It is recommended that you have this done professionally, and you may want to consider looking at options now, get costing, and make a provisional booking.

### **Regular Cleaning**

Once the deep clean has been completed, you will need to ensure that the frequency of cleaning is maintained and that may require you to increase the cleaning regularity you have for a period of time. Make sure you are using appropriate disinfectant products and detailing to your cleaners that all high touch points, as identified above, are cleaned. Ensure their worksheets detail what needs to be done and that this is signed off by the cleaners every session.

### **Order Disinfectant Wipes and Hand Sanitiser Now**

Be ready, when your building opens, to provide staff with wipes to clean their own workstations and provide hand sanitiser in all toilet and kitchen areas. When lockdown ends, the risk of infection is still high and we must do all we can to minimise further outbreaks.

### **Take advice on reactivating water systems and similar**

Go through your shut down checklist in reverse and make sure you consider risks such as legionella and other public health hazards which may be present due to lockdown.

Richmond CVS are working with Richmond Council and hope to issue a fuller briefing in May 2020 for the management of building reactivation.

### **Useful sources of property and premises-related information:**

#### **Ethical Property Foundation**

The Ethical Property Foundation is the UK's property advice charity for the voluntary sector, offering free advice and training and affordable consultancy. To assist at this time, they are hosting a series of free webinars and online Q&A sessions. The first of these, on 23 April, will look specifically at [how to manage your building, questions for your landlord and next steps to consider in the current situation](#). Future webinars will be look at [Premises Management](#) (14 May) and [Negotiating Leases](#) (27 May) and you can also find free advice sheets on the EPF website.

#### **Health and Safety Executive**

#### **Public Health England**

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