



— Livery companies and charities: independence conflicts and risk

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Livery charities

- 200 charitable funds overseen by Livery companies
- £81million in giving 2024
- Education – and a broad range of causes
- More than just financial support
- Charitable structures
 - Trusts and trustees
 - Incorporation



Charitable status and trustee duties

- Charitable purposes and public benefit
- Trustee duties
 - Carry out charitable purposes for the public benefit
 - Comply with the law and governing document
 - Managing resources responsibly
 - Acting with reasonable care and skill
 - Ensure the charity is accountable
 - Identifying and managing conflicts
- Best interests of the charity



Charity independence

- Corporate trusteeship vs independent trustees
- Powers of appointment
- Charities connected to non-charities
- Charity Commission guidance and checklist
 - Recognising risk
 - Do not further a non-charitable purpose
 - Operate independently
 - Manage conflicts and personal benefit
 - Maintain the charity's separate identity
 - Protect your charity



Managing conflicts

- Conflicts of interest
- Conflicts of loyalty
- Dealing with conflicts in practice
- In-kind support – trustee oversight
- Authorising conflicts



Governance and decision making

- Checking the governing document
- Who should be making the decision?
- Recording decisions
- CC27: It's your decision
 - Act within your powers, managing conflicts
 - Act in good faith and in the charity's best interests
 - Be sufficiently informed
 - Take account of all relevant factors, and ignore irrelevant ones
 - Make decisions that are within the range of decisions that a reasonable trustee body could make
- Charity Governance Code



Risk management

CC27 Charities and Risk Management

“Risk is an everyday part of charitable activity and managing it effectively is essential if the trustees are to achieve their key objectives and safeguard their charity’s funds and assets.”

- Risk register
- When things go wrong: Serious Incident Report policy and professional advice where appropriate
- When things go wrong: case studies
- When things go wrong: personal liability





Any questions?