

Compliance Checklist for Churches

Board of Trustees

Do you have at least 3 trustees?
Are fewer than 50% of your trustees paid by the church? (You will still need constitutional authority or Charity Commission consent for the payment)
Do you keep a record of trustees' details and are they up to date?
Do you keep a record of trustees' length of service and meeting attendance?
Is the appointment, resignation or retirement of trustees in line with governing documents and filed with regulators, such as the Charity Commission?
Do you check that trustees are eligible to be appointed and ask for declarations of eligibility from them?
Are trustee meetings called and run in accordance with you governing documents?
Are minutes of meetings kept and decisions made clearly recorded in the minutes, with a summary of the reasons for the decision?
Are decisions made by the trustees affected by other considerations than the best interests of the charity?
Are trustees invited to declare conflicts of interest at the start of meetings and then absent for any part of the meeting in which they are conflicted?
Are conflicts of interest recorded in the minutes of trustee meetings and decisions?

Governance- general

Are you currently registered with Charity Commission? If so, do you know your charity number?
Do you know what your governing documents are (including any trust deeds for property, if applicable)?
Do you know where your governing documents are stored?
As a charity, you are regulated by the Charity Commission and you may have to report to them. Do you know your reporting duties? (See https://www.edwardconnor.com/2019/10/10/what-are-your-reporting-duties-to-the-charity-commission/)
We are up-to-date with our Annual Returns to the Charity Commission <input type="checkbox"/>
We are up-to-date with our Annual Reports and Accounts to the Charity Commission <input type="checkbox"/>
Are members meetings and AGM called and run in accordance with the charity's governing documents?
Do you abide by your governing documents regarding the admission / exclusion of members?
Do you keep an accurate register of your members?
Are you clear on the scope of your charitable purposes?
Are your spending and activities in line with your governing documents?
Do you have your accounts annually audited or independently examined (if required)?
Are you registered with HMRC for Gift Aid?

Governance - companies

Are your registered details at Companies House up to date?
Do you know what your reporting and filing duties are as a registered company?
Do you know your registered address?

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Are you compliant with the statutory requirements to hold certain records at your company's registered address (e.g. register of members and directors, copies of resolutions, directors' contracts etc), or at a SAIL (single alternative inspection location)?
Do you include the necessary regulatory information (full company name, number and details) on your business letters, stationery and website?
Do you include the requisite signs at your registered address and any other locations where you carry on business?

Governance - CIOs

Do you include reference to your status as a CIO on your correspondence and official stationery?
Do you display your status as a CIO (along with your official name) at your registered address, other official locations and on your website?

Operations

Do you have a safeguarding policy? (See https://christiansafeguardingservices.phasic-ltd.co.uk/)
Are you complying with copyright law? (See https://www.edwardconnor.com/2018/10/19/copyright-and-your-church/)
Do you have up-to-date and adequate insurance?
Do you display your certificate of employers' liability insurance?
Do you abide by Health and Safety Law? <ul style="list-style-type: none"> • First aid requirements for employees • Manual handling training for employees / volunteers when appropriate • Food safety requirements • Fire Safety • Arrangements for feminine hygiene • Accident Book
Are you displaying a Health and Safety Law poster?
Do you have a risk register, and is it regularly reviewed by the trustees?
Do you perform necessary risk assessments for all activities?

Data Protection

Are you complying with data protection law? (See https://www.edwardconnor.com/2018/08/30/data-protection-law-and-your-church/)
Have you registered with the Information Commissioner, or established that you do not need to?
Have you undertaken an assessment of your use of personal data?
Do you have a privacy notice in place explaining your use of data?
Do you have a privacy notice on your website?
Do you have someone responsible for data protection?
Do you have a cookies policy for your website?

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Do you have an IT security policy?
Do you comply with PECR? (see https://ico.org.uk/for-organisations/guide-to-pecr/what-are-pecr/)

Employment

Do you know the employment status of all those working for you (i.e. employee, office holder, volunteer, voluntary worker, worker, self-employed)?
Do you have legally compliant written contracts for all employees of the church?
[From April 2020] Do you have legally compliant written contracts for all “workers” who are not employees?
Do you have appropriate documents in place for office holders and volunteers?
Are you registered as an employer with HMRC?
Do you have a staff handbook/appropriate policies and procedures for staff, including discrimination/equal opportunities, whistleblowing, and legally compliant grievance and disciplinary procedures?
Are you aware of and complying with your legal obligations relating to minimum wage, holiday entitlement, sick pay, working hours, rest breaks, maternity leave, adoption leave, shared parental leave, parental leave, paternity leave, emergency dependant leave, flexible working requests?
Do you adhere to income tax and National Insurance regulations?
Do you have appropriate agreements in place for staff whose accommodation is connected to their work?
Do you know which roles you can appropriately limit appointing Christians to?
Do all appropriate people working for you (including volunteers) have up-to-date Disclosure & Barring Service (DBS) checks?
If employees are also trustees, do you have constitutional authority or Charity Commission consent to their remuneration and other benefits?
Have you checked that senior employees and volunteers are not disqualified from holding a management role in a charity, and that other key individuals are “fit and proper persons”?
Are you aware of and complying with your legal obligations regarding auto-enrolment for employees and workers under the Pensions Act 2008?

Property – church building

Is the use of your church property in line with your governing documents, especially any trust deeds specific to the property?
If your church property is used by a third party, is there a written agreement with the third party?
If you use a property belonging to someone else, is there a written lease or licence agreement in place to clarify the terms of use?
Is your church building registered as a place of worship?
Is your church building registered as a place for the solemnisation of marriages?
Have you got planning permission for any work completed on the building?
Does all work completed on the property adhere to Building Regulations (including maintenance such as replacement windows and doors)?
Have you completed an Asbestos Survey for your building?
Is there a written Asbestos Management plan?
Is there a written fire risk assessment for your building?
Is there a regular assessment of the physical condition of the building?
Is there access for disabled users of your building?

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Is there an up-to-date Gas Safety Certificate (if applicable)?
Is there an up-to-date Electric Safety Certificate?
Have you got up-to-date PAT testing for your electrical appliances?
Do you have adequate and up-to-date insurance for the church building?
Does the insurance policy cover public liability?
If you have a burial ground, do you adhere to the regulations on burial grounds? (See https://www.gov.uk/government/publications/burial-grounds-guidance-for-managers)
Does your plumbing and other water-related fittings comply with the Water Supply (Water Fittings) Regulations 1999? (See https://www.wras.co.uk/)

Property – domestic dwelling

If the property is a manse, is there a written agreement in place between the church and the minister?
If the property is let, is there a written agreement with the tenant of the property?
Does the furniture comply with fire safety regulations?
Have you provided the tenant with a copy of the How to Rent Guide (published by gov.uk)? (See https://www.gov.uk/government/publications/how-to-rent)
Is your tenant's deposit placed with a government approved scheme?
Have you got planning permission for any work completed on the building?
Does all work completed on the property adhere to Building Regulations (including maintenance such as replacement windows and doors)?
Have you completed an Asbestos Survey for your building?
Is there a written Asbestos Management plan?
Is there a written fire risk assessment for your building?
Is there an up-to-date Gas Safety Certificate (if applicable)?
Is there an up-to-date Electric Safety Certificate?
Have you got up-to-date PAT testing for your electrical appliances?
Are there working smoke alarms installed on every story of occupation?
Are the smoke alarms connected to the mains electrical supply?
Is there a working carbon monoxide detector in every room containing a fuel burning appliance?
Are the carbon monoxide detectors connected to the mains electrical supply?
Is there an Energy Performance Certificate (EPC)?
Was the EPC rating within bands A to E?
Do you have adequate and up-to-date insurance for the property?
Do your plumbing and other water-related fittings comply with the Water Supply (Water Fittings) Regulations 1999? (See https://www.wras.co.uk/)