

Bristol housing charity sanctioned for misconduct and mismanagement

A charity that ran supported housing facilities in Bristol has been sanctioned and heavily criticised by the charity regulator over long-running management failings.

[In an inquiry report published today](#), the Charity Commission finds that a number of former trustees of Bristol Sheltered Accommodation and Support (BSAS) are responsible for misconduct and mismanagement in the administration of the charity.

The Commission has issued the charity with an Official Warning to address past failings in its administration and two of the charity's former trustees have signed voluntary undertakings not to serve as trustees for a period variously of four and five years.

Five residents have died at Wick House since 2014. A recent inquest into the death of one of the residents heard in November 2018 did not find the charity responsible.

However, the report is critical of the trustees' failure to show that they had addressed the lessons from serious incidents involving the well-being of beneficiaries, including their failure to report the deaths of residents to the regulator.

Two new trustees were appointed in March 2019 and have positively engaged with the Commission. They are not responsible for the charity's past failings.

Separately, the Commission says that this and other cases have highlighted wider issues around the oversight of supported accommodation which it is discussing with government, and other decision makers.

Findings of the investigation

Safeguarding and the failure to report serious incidents

The Commission notes that the charity had adequate written safeguarding policies in place, and that trustees, staff and volunteers were appropriately vetted.

However, the inquiry identified weaknesses in the charity's records which meant the trustees could not evidence having discussed and addressed serious safeguarding incidents, including the deaths of residents, appropriately.

The Commission's report is also critical of the trustees' failure to report serious incidents to the Commission, despite repeated regulatory advice on their duties in this regard. The regulator cites a number of examples,

notably the trustees' failure to report:

- the death of a resident in November 2016
- the suspension, by Bristol City Council, of housing benefit payments for the residents at Shepherd Hall in March 2018
- notice given by the landlord of Shepherds Hall in September 2018 that the charity vacate the premises
- the closure of Shepherds Hall in December 2018

Unauthorised private benefit

Trustees of charities may not receive benefit from their charity unless this is expressly permitted by the charity's governing document or the Commission.

The Commission's investigation finds that, despite previous guidance on this matter, unauthorised payments amounting to over £48k in salary payments were made to two trustees between 2012 and 2015.

Unmanaged conflicts of interest or loyalty

The inquiry finds that the trustees did not properly manage a conflict of interest and/or loyalty arising from the fact that one of the trustees was also the director of company that purchased one of the properties the charity was leasing in 2015. Another individual connected to the trustee was also a trustee of the charity at the time.

Poor financial controls

The investigation finds that there were previously significant weaknesses in the charity's financial controls, which resulted in the charity's accounts for 2014 and 2015 being qualified by the auditors.

While the inquiry found no evidence that charity funds were misapplied or misappropriated, these weaknesses, which were not addressed following regulatory advice and guidance by the Commission, amount to misconduct and mismanagement.

Amy Spiller, Head of Investigations at the Commission whose team led the inquiry into Bristol Sheltered Accommodation and Support, said:

It is clear from our investigation that this charity was mismanaged over a long period of time, and that its trustees repeatedly disregarded regulatory advice and were receiving unauthorised payments. All charities should be managed with care and probity, and residents of Wick House and their families have been let down. We have held the charity to account for these failings.

The public expect charities that work with vulnerable people to demonstrate that the protection and welfare of their beneficiaries is a priority. The trustees in this case could not show that they

had taken these incidents seriously, and had not reported all of the deaths of the people in their care to the Commission. We are critical of their failures in this respect. All trustees, of all charities must uphold basic standards of conduct.

Wider concerns about supported housing

The Commission is not the regulator for specialist or professional care or services provided by any charity. It says its investigations into Bristol Sheltered Accommodation and Support have brought to light wider issues around the regulation of supported housing which limit the Commission's ability to hold charities providing such accommodation to account.

Some providers of supported accommodation are registered charities, but not all. Many providers offer a safe, stable and supportive place for vulnerable individuals. Indeed, such provision can be a life line for many vulnerable people. However, the case of Wick House is not the only example the Commission has seen where questions have been raised about the support provided to some residents.

It says that the lack of a regulatory framework setting out expectations of the quality of support provided in such settings, including those that have charitable status, impacts on the Commission's ability to hold trustees to account in that regard.

It is concerned that this, in turn, may mean some charities are not meeting the expectations of beneficiaries, or the public.

It is planning to share its concerns with a number of relevant parties, including the Chairs of two Parliamentary Committees and officials at the Ministry of Housing, Communities and Local Government.

Sarah Atkinson, Director of Policy at the Charity Commission, said:

Our inquiry has – rightly – held the former trustees of BSAS to account for their failings.

I am acutely aware, however, that our investigation alone goes a small way towards achieving what the families of men who have died at Wick House deserve. Namely that lessons are learnt from their deaths.

People living in settings such as Wick House – and their families – should have confidence in the support they will get. We are concerned that, at the moment, the lack of agreed standards of and regulatory oversight over what should be on offer in supported accommodation means that neither the public, nor we as the regulator, can confidently hold a charity offering this type of accommodation to account. Conversely, charities that are providing

appropriate support cannot currently show the public or their regulator that this is the case.

This represents a problem not just for residents and their families, but also for public trust in charities that are associated in the public mind with care and support for vulnerable people.

We are determined to ensure the lessons are learnt from Wick House and other similar settings.

ENDS