

# Commission finds misconduct and mismanagement by trustees who lacked the skills to manage a charity

A Charity Commission [inquiry](#) into a Hereford and Worcester-based charity has found a series of failures in the way the charity was run, amounting to misconduct and mismanagement. Three of the trustees have since resigned.

The [Jalalabad Association's](#) objects are to advance Islam in the areas around Hereford and Worcester.

The charity was initially entered into a [class inquiry](#) in November 2017, along with several other charities, for failing to submit their financial information, for four years. The Commission issued guidance to the charity on their financial responsibilities and directed them to submit all outstanding information.

The charity failed again to submit the required financial information to the Commission, amounting to 5 consecutive years without accounts and so, in December 2018, a [separate inquiry](#) was opened to examine wider concerns at the Jalalabad Association.

Following the opening of the inquiry and engagement with the Commission, the three founder trustees all resigned their posts. The inquiry found there were 3 further trustees, who had never been registered with the Commission, nor did they know they were trustees, despite legally holding this position.

The inquiry found that no one had taken overall responsibility for the administration of the charity, which included their safeguarding and financial arrangements.

Until 2017 the charity had been providing after school education at the mosque, however, the trustees could not show that any safeguarding measures, such as DBS checks, had been carried out or considered. This could have put the charity and its beneficiaries at risk.

In addition, the Commission found:

- three of the former trustees had been in post since the charity was founded, without ever standing for re-election
- the former trustees had not read the constitution and the charity was operating with an insufficient number of trustees.
- apart from bank statements, there was little evidence of the details of the charity's income or expenditure
- the trustees did not oversee the accounts and as a result they were late from April 2013 to April 2019

- most money was collected in cash, with no formal records kept to account for all of the charity's income

The charity did not implement guidance provided by the Commission when it was subject to a class inquiry and failed to comply with a legal direction requiring them to submit their accounts in 2017. Failure to comply with a direction is misconduct and mismanagement on the part of all of the charity's trustees.

On 13 June 2019 the Commission issued an order under section 84(2) of the Act, directing the charity's executive committee to undertake a series of actions by December 2019. This includes a direction on safeguarding, and the current trustees have already implemented a new policy, which includes the requirement for DBS checks.

**Amy Spiller, Head of Investigations Team, said:**

Being a charity means something and trustees, when setting up an organisation to do good work, should take their responsibilities towards their charity seriously.

Instead, our inquiry found that the founder trustees of the Jalalabad Association lacked the skills to cope with their responsibilities and the trust people placed in them. This included failing to account for the money donated to them and worryingly they operated an after-school club, without safeguarding arrangements being in place. It's therefore right that the founder trustees – those most responsible – have resigned.

The action plan we have issued to the current trustees will ensure they are held to account for introducing the significant changes now needed at the Jalalabad Association – including in the area of safeguarding. The current trustees have already made some important changes to their charity and we expect the charity to continue to learn and improve from our engagement.

The Commission requested and obtained a written undertaking from the 3 founder trustees on 12 September 2019 that they will not take on any future trustee roles for this or any other charity for a period of 10 years.

The full report is available on [GOV.UK](https://www.gov.uk).

**Ends**