

# [Press release: Commission announces class investigation into independent school charities](#)

The Charity Commission, the independent regulator of charities in England and Wales, has opened a class statutory inquiry into The Martin Foundation (registered charity number [1110184](#)), and The Collegiate Charitable Foundation (registered charity number [1012924](#)). The inquiry was opened on 22 January 2018.

The charities provide bursaries to enable students to attend independent primary and secondary schools; provide advertising, facilities and equipment for the schools, and assist the local community, however The Martin Foundation is not currently carrying out any activity.

After receiving a complaint from the public and information from other regulators the Commission engaged with the charities in respect of a number of regulatory concerns. Our engagement established that there were clear and ongoing serious regulatory issues relating to the administration of the charities by the trustees. These included the management of conflicts of interest, protecting and properly accounting for the charities' assets, and potential unauthorised trustee benefit.

The inquiry is examining:

- The extent to which potential conflicts of interest and connected party transactions have been properly managed
- The extent to which there has been any unauthorised trustee benefit
- Whether the charities operated for exclusively charitable purposes

In order to protect the assets of the charities, the Commission has issued orders to the trustees and the charities' bank under section 76(3) of the Charities Act 2011. These are temporary orders and will be reviewed on a regular basis in line with normal procedures.

Due to the seriousness of its regulatory concerns the Commission also appointed Geoff Carton-Kelly and Tom McLennan of FRP Advisory as joint interim managers of the charities on 13 August 2018.

The interim managers are appointed with all the powers and duties of trustees and will act to the exclusion of the current charity trustees. These are temporary appointments and will be reviewed on a regular basis in line with normal procedures.

It is the Commission's policy, after it has concluded an inquiry, to publish a report detailing what issues the inquiry looked at, what actions were undertaken as part of the inquiry and what the outcomes were. Reports of previous inquiries by the Commission are available on [GOV.UK](#).

## Notes to Editors

1. The Charity Commission is the regulator of charities in England and Wales. To find out more about our work see the [about us](#) page on GOV.UK.
2. Search for charities on our [check charity](#) tool.
3. Section 46 of the Charities Act 2011 gives the Commission the power to institute inquiries. The opening of an inquiry gives the Commission access to a range of investigative, protective and remedial legal powers.
4. The Interim Manager appointment is a temporary and protective power that will be reviewed at regular intervals. It will continue until the Commission makes a further Order for its variation or discharge.