

Guideline Leaflet C08: Registering as a CIO Online

When churches register with the Charity Commission as a CIO they have to use an online process on the Commission's website. This leaflet offers guidance on how churches should complete their application for registration.

This Guideline Leaflet is regularly reviewed and updated. To ensure that you are using the most up to date version, please download the leaflet from the BUGB website at www.baptist.org.uk/resources

The date on which the leaflet was last updated can be found on the download page.

C08: Registering as a CIO Online

These notes are offered as guidelines by the Legal and Operations Team to provide information for Baptist churches.

The legal services undertaken by the Legal & Operations Team of the Baptist Union of Great Britain are carried out and/or supervised by a Solicitor who is authorised and regulated by the Solicitors Regulation Authority. Regulatory Information is available here:

[L17 Legal and Operations Team – Regulatory Information](#)

These notes can never be a substitute for detailed professional advice if there are serious and specific problems, but we hope you will find them helpful.

If you want to ask questions about the leaflets and one of the Baptist Trust Companies are your property trustees, you should contact them. They will do their best to help.

If your church property is in the name of private individuals who act as trustees they may also be able to help.

This guide to charity registration takes you through the process of registering your church as a CIO (Charitable Incorporated Organisation) using the Charity Commission's online application form. You must use the online form to register.

If you are registering your church as a charity, but not as a CIO, then please refer to C07 *Registering as a Charity Online* instead of this leaflet.

A CIO only comes into existence in a legal sense once it has registered with the Commission. All CIOs have to be registered, whatever their income level.

OVERVIEW OF WHAT YOU WILL NEED TO DO

This leaflet takes you through the steps needed to register your CIO with the Charity Commission using their online application system. The steps are:

1. **Preparation** – gathering the necessary information for registration
2. **Opening a User Account**
3. **Entering details about your church**, about what it does, and about the trustees
4. **Submitting Documents to the Commission**

PREPARATION

In this step you will need:

- The last set of accounts for your church, in a PDF format;
- The church's bank account details;
- The church's governing document (constitution), signed by the charity trustees, in PDF;
- You will also need the following information from each charity trustee:
 - Name (first names and surname);
 - Address;

- Date of birth;
- Date of appointment as trustee;
- An email address (unless the trustee does not have one) and telephone number;
- Whether the trustee is a trustee of another registered charity.

When you collect this information, you should ensure that no individual is disqualified or barred from being a charity trustee. It will be sufficient to ask each charity trustee to formally confirm that they are not disqualified. Some people are disqualified by law from acting as charity trustees, including:

- Anyone who has been convicted of an offence involving deception or dishonesty, unless the conviction is spent;
- Anyone who is an undischarged bankrupt;
- Anyone who has previously been removed from trusteeship of a charity by the Court or the Commissioners for misconduct or mismanagement;
- Anyone who is under a disqualification order under the Company Directors Disqualification Act 1986;
- Anyone under 18 years of age (16 years of age for a CIO).

Additional disqualification rules came into force from 1 August 2018. More detailed information about these can be found in guideline leaflet C15 Help I'm a Charity Trustee.

You are advised to complete and sign the Trustee Declaration (see below) prior to submitting the online application. This needs to be signed by all charity trustees and saved as a PDF. You may find it convenient to obtain the signatures when you are at a regular meeting of the charity trustees. As you will need to collect the above data from each trustee, it is worth getting this document signed in advance.

You can download the Trustee Declaration from the Charity Commission's website:

http://www.charitycommission.gov.uk/media/94239/trustee_declaration_form.pdf

GUIDANCE ON COMPLETING THE TRUSTEE DECLARATION

You should insert the total number of charity trustees in the box.

You should make a list of trustees, printing their names and then asking each one to read the declaration and sign their name next to the printed name.

Working with vulnerable groups: you should tick this box. The Charity Commission's safeguarding guidance is available [here](#).

Church trustees are eligible for an enhanced DBS check (without the barred list) and both the Charity Commission and BUGB advise that the church should undertake these checks.

All Baptist churches should leave the box about corporate trusteeship blank. This is the case even if the Baptist Union Corporation or another Baptist trust corporation are your property trustees. This question is about charity trustees, not property trustees.

OPENING A USER ACCOUNT

From the internet go to:

<https://apps.charitycommission.gov.uk/outreach/RegistrationLanding.ofml>

To register your church with the Commission, you will need to create a user account.

COMPLETING THE APPLICATION FOR REGISTRATION

INTRODUCTION (PAGE 1)

The first screen is self-explanatory and provides you with general information about completing the application online. You can save your progress with the application at any time and return to it later; you can also click 'print a copy' at the top of the page to download and print a PDF copy of your progress.

GOVERNING DOCUMENT (PAGE 2)

Charities can be governed by a range of documents; Baptist churches and other pioneering projects that are registering as a CIO need to select 'CIO Association Constitution'. All Baptist churches and Baptist mission projects must use the Association CIO model rather than the Foundation CIO model.

Select the organisation's governing document type: you should choose 'CIO Association Constitution'.

The screen asks whether you have adopted an Approved Governing Document.

You should simply click the 'Yes' button.

You need to select BAPTIST UNION CORPORATION LTD CIO ASSOCIATION MODEL from the list.

You will need to attach a PDF copy of your constitution. This must have been signed by all of the church's charity trustees.

REPLACEMENT (PAGE 3)

If you are a new church/ mission project or an established church that is not registered with the Commission then you are not replacing an existing registered charity and should answer 'no'.

If you are an established church that is already registered with the Commission and is now incorporating as a CIO then you may be replacing an existing registered charity and if so the system will find the existing registration record for you. However some registered churches will want to retain their existing registered charities for a while to safeguard future legacies in which case you will not want to 'replace' that charity immediately.

CHARITY NAME (PAGE 4)

This should be the name that you have entered on the CIO Approved Governing Document. If this name does not include the geographical location of the church then this should be added. You are also able to add a 'working name' if the church is known by another name as well.

The system will check whether there are any other charities already registered with this name. The Charities Act 2011 gives the Commission power to delay a registration and direct that the registered or working name is changed if it is the same as or, in the opinion of the Commission, too like the name of any other charity (whether registered or not).

From 1 January 2018 Companies House will need to provide approval when a CIO's proposed name includes 'sensitive words or expressions' set out in [The Company, Limited Liability Partnership and Business Names \(Sensitive Words and Expressions\) Regulations 2014](#). This will not affect most churches but those based in Sheffield should note that 'Sheffield' is a word included on this list and in

order to use it they must consult The Company of Cutlers in Hallamshire! Their email address is admin@cutlers-hallamshire.org.uk

Where the proposed name for the CIO includes 'sensitive words or expressions' applicants will need to email Companies House enquiries@companies-house.gov.uk to obtain their non-objection before applying to the Charity Commission. Please include 'CIO' in the subject line of your email to Companies House.

Before applying, applicants are advised to view [Companies House website guidance \(Annex A\)](#). This sets out the criteria for approval. Applicants are also advised to view Annexes B and C.

STRUCTURE AND PURPOSES (PAGE 5)

If you have adopted the BUGB Approved Governing Document then the 'Purpose' clause will automatically appear in the box. **You must not amend this clause.**

CLASSIFICATION: WHAT (PAGE 6)

You need to tick Religion – Christianity – Baptist.

CLASSIFICATION: HOW (PAGE 7)

We suggest that you tick 'Provides buildings/facilities/open space' and 'Provides services', as appropriate.

Under 'Religion' you need to choose from the listed activities those that apply to your church.

CLASSIFICATION: WHO (PAGE 8)

You need to tick 'The general public/Mankind'.

CLASSIFICATION: WHERE (PAGE 9)

On this screen you should identify the area that you are located in. You should select 'specific areas in England and Wales' and then choose your local authority from the list given. You can select additional local authorities as well if this is appropriate, perhaps because your church is located close to the local authority boundary and your work takes place in more than one area.

Although many churches offer financial support to other charities that operate elsewhere in the UK and abroad you should not list all of the countries outside of the UK to which money might be sent, only those in which your own church is operating a specific project. This is important. We know of a church that inadvertently listed a country which raised a 'red flag' with their own bank. They then found themselves subject to close scrutiny which quickly led to their accounts being closed when they failed to respond promptly to their bank's queries. The country should not have been included on their charity registration record because the charitable work that they were supporting there was not an activity of the church.

RELIGION (PAGE 10)

The church advances the Christian faith in accordance with the principles of the Baptist denomination.

You will need to attach a copy of the BUGB Declaration of Principle.

There then follows a series of detailed questions that will appear depending on the answers that you gave on page 7 'How'.

There is no need to repeat information that you have included earlier in the application; where

appropriate you can just refer the Commission back to earlier answers.

It is important to note that Charity Commission staff may look at your church website to check that the information on your application matches the information that they find online.

BENEFITS (PAGE 11)

You need to explain the public benefit provided by your church's charitable purposes i.e. the advancement of the Christian faith according to the principles of the Baptist denomination. The Commission has provided examples of ways in which advancing religion has the potential to be for the public benefit, for example by:

- the provision of sacred spaces, church buildings and worship services;
- the provision of public rituals and ceremonies;
- contributing to the spiritual and moral education of children;
- contributing towards a better society for example by promoting social cohesion and social capital;
- carrying out, as a practical expression of religious beliefs, other activities (such as advancing education or conflict resolution, or relieving poverty), which may also be charitable;
- contributing to followers' or adherents' good mental and physical health; aiding the prevention of ill health, speeding recovery and fostering composure in the face of ill health;
- providing comfort to the bereaved;
- healthcare and social care.

Many of these examples will apply to your church and you should adapt a few accordingly. You do not need to go through every activity that you have listed on the previous page; the focus on this page is on how the advancement of the Christian faith provides benefit to the public and you can draw from the examples above which the Commission have offered as illustrations.

Further information about public benefit requirements can be found in the guideline leaflet C09 *Registered Charities and Public Benefit*.

To the question 'Who can benefit from the organisation's purposes' you should answer 'Available to everyone'.

GRANT MAKING (PAGE 12)

Churches are not primarily grant-making organisations and it is recommended that you answer 'no'.

MEMBERSHIP (PAGE 13)

No, people do not have to be members of your church to benefit from its purposes.

PROPERTY (PAGE 14)

This page applies to both church and manse premises but should primarily be answered with church premises in mind.

Does the organisation have use of land or property? – most churches will answer 'yes'.

Does the organisation own the land or property? – churches should answer 'yes' even though their property is held by property trustees (usually a Baptist trust corporation).

What is the land or property used for? – churches should briefly outline the activities that take place on their premises or refer the Commission back to previous answers. Where the church owns a manse you can mention that this is used as the place of residence for the minister.

'Will any land or property used by the organisation benefit from Business Rate relief?' – most churches should answer 'no'.

If a church answers 'no' to 'does the organisation own the land or property', perhaps because there are no church premises and the minister owns their own home, then a follow-up question 'Does the organisation use premises owned by a trustee or someone related to a trustee?' will appear. If your Minister is living in a property which they own themselves under a formal agreement with the church you will need to answer 'yes' and then respond to the supplementary questions.

CONTACT FOR THIS APPLICATION (PAGE 15)

This page is self-explanatory.

ORGANISATION CONTACT – COMMISSION USE ONLY (PAGE 16)

This page is self-explanatory.

ORGANISATION DETAILS (PAGE 17)

This page is self-explanatory.

OTHER REGULATORS (PAGE 18)

If you are an established church then it is likely that your church will be registered with HMRC for gift aid claims and that you will have a gift aid number to enter on this page. Your treasurer should know what the number is. These registration numbers usually start with a letter e.g. XN12345.

INCOME AND BANK DETAILS (PAGE 19)

This page is self-explanatory.

FUNDING (PAGE 20)

Many churches will need to tick 'public donations', 'legacies', 'investments' and 'funding from interest and return on endowments' but you need to select those that apply to your church. If you select 'public donations' and 'legacies' then a further question will appear about how you identify and verify donors and consider any conditions attached to their donations. There is also a link to the relevant Charity Commission guidance.

Our suggested response to these questions would be:

Most of our income is donated by members of the church and the wider congregation who are all known to us personally. It is usual for donations to be made for the general purposes of the church or for a specific church fund. Any unusual conditions would be considered by the charity trustees in accordance with Charity Commission guidance.

And

It is usual for legacies to come from members of the church and the wider congregation who are all known to us personally. It is usual for donations to be made for the general purposes of the church or for a specific church fund. Any unusual conditions would be considered by the charity trustees in accordance with Charity Commission guidance.

EMPLOYMENT (PAGE 21)

You need to include the details of any charity trustee who is employed by the church, as well as the details of anybody related to a trustee who the church employs.

Strictly speaking most Ministers are office-holders rather than employees but you should still include details about your Minister and their stipend on this page.

You will need to attach a copy of the minutes of the meeting at which each of the employments listed above were agreed; this can be either a trustee or a members' meeting. If the historic minutes are not available, you may need to call another meeting at which the employment and the associated payments can be authorised and minuted.

GOODS OR SERVICES (PAGE 22)

It is fairly unlikely that your church buys goods or services from one of its trustees but if, for example, one of your trustees is an electrician and you pay them to do electrical work at the church then you will need to declare this here.

OTHER PERSONAL BENEFITS (PAGE 23)

The Commission wants to hear about any other way in which one of your trustees, or somebody related to them, receives a personal financial benefit or some other benefit from the church with a monetary value such as reduced rent accommodation. Anything that you have not declared on the previous two pages should be declared here. The purpose of these questions is to ensure that any personal benefit is reasonable and in the interests of the charity.

CONNECTIONS (PAGE 24)

'Is the organisation linked to, or has it been established by a non-charitable organisation?' – most churches should answer 'no'.

MANAGING RISKS (PAGE 25)

To the question 'Does the organisation work with children or vulnerable people' most churches need to answer 'yes' because they undertake youth and children's activities.

You then need to confirm that the trustees have read, understood and are following the Charity Commission's safeguarding guidance.

Some churches have been asked to provide the Commission with a copy of their safeguarding policy as part of the application process. To pre-empt this you could send the Commission a copy as 'supplementary documentation' on page 28.

TRUSTEE NUMBERS (PAGE 26)

This page asks 'what is the minimum number of trustees the organisation's governing document says it must have'. If your constitution is one of the BUGB Approved Governing Documents then you will not have a stated minimum. Unfortunately the system will only accept a numeric response to this question and anything else will be automatically deleted. In the circumstances we suggest that you enter 0 (zero).

TRUSTEES (PAGE 27)

This page is for you to enter the details of all your charity trustees.

DECLARATION (PAGE 28)

If there is anything further that you want to tell the Commission about your application for registration this final page offers an opportunity for you to do so.

The Charity Commission will acknowledge receipt of your application and once this has been processed they will let you know your registered charity number.

Once you are registered there is a legal requirement to include a statement to this effect on official publications, including church letterhead and cheques and on the church website. The requirement is to state that you are a registered charity, there is no particular need to state your registered charity number although in practice many charities do. Appropriate wording would be to say that you are a 'registered charity', 'registered as a charity', 'registered with the Charity Commission' or 'registered charity number ...'.

Association Trust Company	Contact
Baptist Union Corporation Ltd East Midland Baptist Trust Company Ltd	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
Heart of England Baptist Association	Heart of England Baptist Association 480 Chester Road Sutton Coldfield B73 5BP Office Mobile: 0730 505 1770
London Baptist Property Board	London Baptist Association Unit C2 15 Dock Street London E1 8JN Telephone: 020 7692 5592
Yorkshire Baptist Association	17-19 York Place Leeds LS1 2EZ Telephone: 0113 278 4954
West of England Baptist Trust Company Ltd	West of England Baptist Trust Company Ltd Little Stoke Baptist Church Kingsway Little Stoke Bristol BS34 6JW Telephone: 0117 965 8828

This is one of a series of *Guidelines* that are offered as a resource for Baptist ministers and churches. They have been prepared by the Legal and Operations Team and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff in the Legal and Operations Team at Baptist House (or your regional Trust Company) will be very pleased to answer your queries and help in any way possible. It helps us to respond as efficiently as possible to the many churches in trust with us if you write to us and set out your enquiry as simply as possible.

The Legal and Operations Team also support churches that are in trust with the East Midland Baptist Trust Company Limited.

If your holding trustees are one of the other Baptist Trust Corporations you must contact your own Trust Corporation for further advice. A list of contact details is provided above. If you have private trustees they too should be consulted as appropriate.

Contact Address and Registered Office:

Support Services Team, Baptist Union of Great Britain, Baptist House, PO Box 44,
129 Broadway, Didcot OX11 8RT Tel: 01235 517700 Fax: 01235 517715 Email: legal.ops@baptist.org.uk
Website: www.baptist.org.uk Registered CIO with Charity Number: 1181392

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