



## Vision Action COUNTER-TERRORISM POLICY

**Vision Action**, formally Vision Aid Overseas, is committed to the highest standards of openness, probity and accountability. This policy outlines the organisation's position on Counter-Terrorism and should be read in conjunction with other key Vision Action policies, particularly on Anti-Bribery and Whistle-Blowing.

The **UK Charity Commission** describes terrorism "as a serious and continuing threat to UK society, UK interests abroad and the wider international community. This threat applies to the charity sector as much as any other sector. All parts of the UK economy, including the financial sector, are tightening their safeguards and defences against terrorist abuse. As avenues for terrorists to exploit in these sectors are closed off, there is an increasing risk of attention focusing on others, including the charitable sector.

The abuse of charities for terrorist purposes may take a variety of different forms, including exploiting charity funding, abusing charity assets, misusing a charity name and status and setting up a charity for an illegal or improper purpose. It may also include inappropriate expressions of support by a trustee for a proscribed organisation or designated person or entity. Terrorism risks may arise when funds are raised and donations received, where grant funding is disbursed, and in the provision of services and other charitable activity. Case studies, examples and illustrations in the guidance by the Charities Commission highlight how this might happen. See the full Charity Commission Guidance: <https://www.gov.uk/government/publications/charities-and-terrorism>

Whatever the charity, its size, activities and areas of operation, those with strong governance arrangements, financial controls and risk management policies and procedures that fit their needs will be better safeguarded against a range of potential abuse, including terrorist abuse."

The commission's Counter-terrorism strategy sets out its four-strand approach for tackling the threat of terrorist abuse in the charitable sector, comprising Awareness; Oversight and Supervision; Co-operation and Intervention.

The way it tackles the risk of terrorist abuse in charities falls squarely within its existing approach to regulation. The commission is uniquely placed to deal with all kinds of abuse of charities where it does occur, collaborating with other regulators, law enforcement agencies and other government departments, and supporting trustees to protect their charities.

Where allegations of criminality arise, these will be for the police and law enforcement agencies to assess. The commission's role and concerns relate to the lawful exercise by the trustees of their duties and responsibilities and ensuring the charity is protected.

Effective regulation involves putting a strong emphasis on giving support and guidance to charities to prevent problems and abuse occurring in the first place.

When allegations of terrorist involvement or links with charities arise, the commission deal with them as a matter of priority. It will act proactively, swiftly and effectively when it has evidence or serious suspicions of terrorist abuse or support involving charities.

## **What the UK Charity Commission expects of charity trustees**

The UK's legislative framework for preventing and pursuing terrorists and those who support terrorist organisations is complex (the Terrorism Act 2000 is the primary piece of counter-terrorism legislation in the UK). Terrorist activity is a crime and charities need to be aware that concerns about terrorist abuse and activity are considered in the UK in that context. However, there are also charity law responsibilities that arise from trustees' positions in managing and administering a charity irrespective of whether a criminal offence has been committed.

Trustees are custodians of their charities. They are publicly accountable and have a responsibility and duty of care to their charity which will include taking the necessary steps to safeguard their charity and its beneficiaries from harm of all kinds, including links to or associations with terrorist activity and organisations or terrorist abuse.

The commission expects trustees to be vigilant to ensure that a charity's premises, assets, staff, volunteers or other resources cannot be used for activities that may, or appear to, support or condone terrorist activities.

- Trustees must ensure that proper and adequate procedures are put in place and properly implemented to prevent terrorist organisations taking advantage of a charity's status, reputation, facilities or assets.
- Trustees must consider and manage risks to the charity, whether operational, financial, or reputational, ensuring they exercise proper control over financial affairs and keeping accurate records.
- Trustees must ensure they and their charity comply with the law, including counter-terrorism laws.
- Trustees risk committing a criminal offence if they have financial dealings with someone who is a designated financial sanction target in the UK.
- Trustees risk committing a criminal offence if they are connected to or support a proscribed organisation or designated person or entity.
- Trustees must report a belief or suspicion of offences connected to terrorist financing. They should do this using the Anti-Terrorist Hotline on 0800 789 321. If trustees are concerned about an immediate threat to life and property they should contact the police immediately.
- Under the commission's Reporting Serious Incidents regime, trustees must report to the commission if their charity (including any individual staff, trustees or volunteers) has any known or alleged link to a proscribed organisation or to terrorist or other unlawful activity as soon as they become aware of it.
- Trustees must not engage in conduct or activities which would lead a reasonable member of the public to conclude that the charity or its trustees are associated with a proscribed organisation or terrorism generally.
- Where a charity representative or a charity's activities may give, or appear to give, support to any terrorist activity, the commission expects the charity's trustees to take immediate steps to dissociate the charity from the activity.
- Indirect or informal links with a terrorist organisation pose unacceptable risks to the property of a charity and its proper and effective administration. Even if the link or association does not amount to a criminal offence, it is difficult to see how a charity could adequately manage the risks to the charity and find a way in which the trustees could properly discharge their charity law duties and responsibilities.

- Where the risks are high, in order to fully discharge their duties, trustees must check partners and individuals against the list of proscribed and designated organisations. Whatever the level of risk, it is good practice to do so.
- A designated person cannot be appointed as a trustee. This is because a designated person cannot discharge all of his or her duties as a trustee in the management and administration of a charity. If a trustee is subsequently designated, they must resign from their position or they will be in breach of charity law.

The commission also explains why the terrorism lists of other governments are relevant to charities in the UK.

This **Vision Action Counter-Terrorism Policy** therefore manages its risk related to terrorism within the guidelines issued by the UK Charity Commission and we will use our best endeavours to ensure that all expenditure of funds and implementation of program activities, including those carried out by any partners or affiliates in-country, comply with all relevant and applicable UK (and Australian)<sup>1</sup> and Partner Government laws, policies and regulations, including but not limited to:

- Those in relation to the proscription against providing direct or indirect support or resources to entities and individuals associated with terrorism, including: a) 'Terrorist organisations' as defined in Division 102 of Part 5.3 of the Commonwealth Criminal Code Act 1995 and listed in regulation made under that Act; and b) Regulations made under Part 4 of the Charter of the United Nations Act 1945.
- Those in relation to corrupt practices, in particular the bribery of public and foreign officials.

Vision Action will comply with counter-terrorism laws and policies through ongoing monitoring of all in-country partners to ensure there is no link, to the best of our knowledge, whatsoever with any entity or individual associated with terrorism.

The following measures are in place to achieve this end.

- The Manager of any staff, consultant or volunteer is responsible for distributing and explaining this policy to all staff/consultant/volunteers based both in the UK and overseas.

The policy will also be included in the general induction process for all staff/consultant/volunteers and is accessible on our website. All staff/consultants/volunteers are required to complete the section below to confirm that they are aware and have read this policy.

- Vision Action will undertake due diligence in the selection of potential partners. Before any MOU or agreement is signed, the Country Director or delegated staff member must complete: a partner capacity assessment that indicates if the partner organisation or any senior staff or board members are listed on any UK or Australian DFAT terrorism list or any international terrorism list.

The following sources should be checked:

UK:

- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/725882/Terrorism\\_and\\_Terrorist.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/725882/Terrorism_and_Terrorist.pdf)

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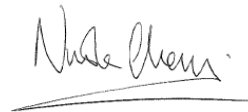
<sup>1</sup> As Vision Action is a partner of and in receipt of funds from the Brien Holden Vision Institute (BHVI), we are obliged to comply to the Counter-Terrorism Policy of BHVI

- <https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets/consolidated-list-of-targets>

Australian:

- <http://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/default.aspx>
- <http://www.dfat.gov.au/international-relations/security/sanctions/Pages/consolidated-list.aspx>
- A section addressing counter-terrorism will be included within Vision Action’s Risk Register (Global and at the Country Level). This will include stating the risk, likelihood, impact and management of possible links to terrorist organisations or individuals. This will be regularly monitored and updated at least on an annual basis.
- All new MOUs or Agreements with partners will include a clause requiring them to comply with counter-terrorism laws and policies through ongoing monitoring of all in-country partners to ensure there is no link whatsoever with any entity or individual associated with terrorism and will be built into existing MOUs or agreements on renewal.
- The Country Director will discuss the matter with partners at the time the MOU or agreement is being developed.

If, during the course of program implementation, **Vision Action** discovers any link whatsoever with any entity or individual associated with terrorism, the CEO must be informed immediately and the CEO must take whatever action is reasonably required following the guidance by the UK Charity Commission. The Board should be informed of the link and the action taken.



Nicola Chevis, CEO, August 2018

**ANNEX A TO COUNTER-TERRORISM POLICY**

**COUNTER-TERRORISM POLICY COMPLIANCE**

I have received and been briefed on the Vision Action Counter-terrorism Policy and fully understand my responsibilities to comply with and promote the Policy.

Signed	
Name	
Position within Vision Action	
Date	