

The three Charities Commission guidance documents, PB1 PB2 and PB3, are summarised below. SPCs purpose is set out in the table overleaf, against each of the elements to be considered by Trustees in accordance with the Charity Commission's guidance documents.

Public benefit

There are two aspects of public benefit:

1. Benefit aspect - whether the purpose is beneficial.

- Legally, for a purpose to be charitable it must be beneficial in a way that is
 - identifiable
 - capable of being proved by evidence
 - not based on personal views.
- The benefit should not be outweighed by detriment or harm to people, property or the environment - also based on evidence and not on personal views

2. Public aspect - whom the purpose benefits.

- The purpose should benefit the public in general, or a sufficient section of the public, giving proper consideration to the full range of ways of carrying out the charity's purpose.

Trustees should know who can potentially benefit, and take steps to ensure that the poor are not excluded. The charity may not provide benefit only to members unless a sufficient section of the public can access those benefits by becoming members, and/or the membership structure is a suitable way of carrying out the charity's purposes for the public benefit.

- The purpose should not give rise to more than incidental personal benefit.

Personal benefit (sometimes also called a private benefit) is a benefit that an individual or an organisation (as opposed to the public) receives from a charity. Personal benefit is only allowed where it is 'incidental', ie where it is a necessary result or by-product of carrying out the purpose. For example, a soloist or instrumentalist gains employment and exposure via a concert. However, this personal benefit is clearly incidental, so is allowed.

Trustee responsibilities in relation to public benefit

Trustees must:

- understand how the charity's purpose is beneficial, and carry out the purpose in such a way as to benefit the public in that way
- make decisions to ensure the charity's purpose provides benefit
- manage risks of harm to the charity's beneficiaries or to the public in general that might result from carrying out the purpose
- explain each year in their trustees' annual report, what the charity is there to achieve and what the charity has done to carry out those purposes for the public benefit
- include a statement in the trustees' annual report as to whether they have complied with their duty to have due regard to the public benefit guidance
- make sure personal benefits are no more than incidental

SPC Purpose

To advance the education of the general public in choral music by the regular performance of such music from the widest possible repertoire and such means as the Committee think fit

CC guidance aspect	How SPC meets the public benefit requirement
<p>Benefit is</p> <ul style="list-style-type: none"> • identifiable • capable of being proved by evidence rather than personal views 	<p>Identifiable: Benefit is identified as '<i>advance the education of the general public in choral music by the regular performance of such music from the widest possible repertoire</i>'. So achieving the public benefit is mainly by concerts featuring a diverse repertoire.</p> <p>Benefit is also achieved by '<i>such means as the Committee think fit</i>', so Trustees can decide on other methods if they feel these are appropriate. Examples might be by enhancing public awareness of choral music via a choral workshop, or by the production of a CD, or via resources on the Chorus website.</p> <p>Capable of being proved by evidence: Evidence could be drawn from listed works, concert programmes, audience and participant feedback, concert reviews, website visit stats and healthy ticket sales.</p>
<p>Benefit is not outweighed by detriment or harm to people, property or the environment - also based on evidence and not on personal views</p>	<p>There are few risks arising from the performance of classical works; indeed, there is growing evidence that music promotes well being.</p> <p>However, SPC aims to identify and minimise the risks that may arise from our activities, via the SPC Risk Management Policy.</p> <p>Though we don't deal directly with children, we may be involved with vulnerable adults so we do have a Safeguarding Policy.</p>
<p>Purpose will benefit the public in general, or a sufficient section of the public, giving proper consideration to the full range of ways of carrying out the charity's purpose.</p>	<p>Membership is open to anyone who wants to perform choral music with SPC, as long as they are able to sing to the required standard. The restriction in relation to singing is acceptable, since we can show that there are proper reasons for doing so, ie, in order to carry out our purposes.</p> <p>We do not exclude people on any other basis, and try to be pro-active in providing access for all. We offer reduced membership fees to those who would otherwise struggle to pay, on a case-by-case basis, thereby meeting the requirement to 'make more than minimal provision for the poor to benefit'.</p> <p>All concerts are open to everyone. We try to use venues that are accessible to all.</p>
<p>Purpose will not give rise to more than incidental personal benefit</p>	<p>The personal benefit experienced by some performers is acceptable as it is clearly 'incidental'. A new choral work is rarely performed unless a choir undertakes to do it, generally because of the costs involved. Soloists would struggle to perform without choirs to perform the work of which they form part.</p> <p>However, personal benefits that are not 'incidental' and to avoid might include payments to Trustees, members or their families, personnel being hired without robust recruitment and selection procedures, etc.</p>