



CHANGING LEGAL STATUS TO A CHARITABLE INCORPORATED ORGANISATION (CIO) BY AN RDA MEMBER GROUP

A CIO is a Charitable Incorporated Organisation. It is a slightly simpler legal form than a Company Limited by Guarantee, which carries the same protection as being an Incorporated Charity, but only requires the charity to report to the Charity Commission (or OSCR for Scotland), and not Companies House.

Changing status to a CIO is a relatively simple process, but, as always, there is a trail of decisions and paperwork that needs to be completed. We are here to help you though this, but these are the steps that need to be completed once you have decided to proceed:-

- 1 Group Committee (the Trustees) agree to a proposal to become a Charitable Incorporated Organisation (CIO) – this needs to be agreed and minuted at a meeting of the trustees

- 2 Contact Amanda Perkins at RDA National office (Tel: 01926 476 303) or e-mail aperkins@rda.org.uk) to discuss the best way to proceed forward

- 3 Group submit Change of Status Application Form to RDA National (sent to Amanda, as above)

- 4 Group approve the RDA/Charity Commission approved CIO Constitution. This is a standard RDA document, which has been agreed with the Charity Commission. This needs to be approved at an AGM or EGM, by the Group's Members (called in accordance with the Group's existing Constitution and **NOT** the CIO Constitution)

- 5 Group complete relevant sections of the Charity Commission registration forms. As a large part of the application form is standard for all RDA Groups, please complete the sections highlighted in blue. **NOTE:** If the Group have assets, we recommend that they seek legal advice at this stage to ensure they are properly transferred.

- 6 After completing the relevant forms please return to National Office with the following:-
- Minutes of the AGM or EGM of the existing charity agreeing:-
 1. to change its legal form to CIO and acceptance of the new Governing Document and;
 2. that all current and future assets and liabilities be transferred from the old to the new Charity.
 - Copy of the existing Constitution
 - Copy of the new completed Constitution
 - Copy of last accounts
 - Up to date bank statement
 - Any Lease/Letter of Agreement held with Landlord
 - Completed Charity Commission Trustee Eligibility Declaration
 - List of all assets held by the Group
 - Completed Membership Agreement for CIO (to be completed once transfer has been completed)
- 7 Once the process is complete (all assets have been transferred to the new Charity and Bank Accounts updated etc) the Trustees of the old charity contact the Charity Commission and remove the old charity from the register in due course.

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