



23 February 2024

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██████████
Arise Church
PO Box 38228
Wellington Mail Centre
Petone
Lower Hutt 5045

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Kia ora ██████

Letter of Expectations – Arise Church

I am writing to advise you that the Department of Internal Affairs, Charities Services, have closed our Investigation into Arise Church ('your charity'), registration number CC30589.

Our investigation did not find sufficient evidence to determine an ongoing breach of the Charities Act 2005 ('the Act'). There was, however, sufficient evidence to support this letter of expectations about the steps that your charity must take to support improved compliance with the Act.

Background to our investigation

Charities Services received media reporting and a complaint about your charity alleging misuse of charitable funds, dysfunctional governance, gross mismanagement and criminal offending.

The issues within Charities Services mandate under the Charities Act 2005 were considered by our Investigations Team on 18 August 2022, and we decided to open an investigation to establish if there was prima facie evidence of serious wrongdoing as defined by the Act.

Charities Services' investigation

Charities Services initiates an investigation to determine whether the charity has engaged in 'serious wrongdoing', as defined in section 4 of the Act, or other breaches of the Act.

Often because of an investigation, matters of concern are identified that indicate issues that can be improved within the governance or management of a charity. Serious wrongdoing includes gross mismanagement, and although some issues may fall short of gross mismanagement, they may indicate a pattern of behaviour that may lead to a finding of serious wrongdoing.

When this occurs, Charities Services may send a letter of expectations to the charity advising of the issues and specific areas where improvements in governance and management are expected to support ongoing compliance with the Act. We note that if governance issues that seriously impact on the management of the charity are not addressed, they may lead to gross mismanagement, which is a form of serious wrongdoing under the Act.

Charities Services' findings

Thank you for the information that you have provided Charities Services, and for your co-operation with our inquiries.

During our inquiries we did not find sufficient evidence to support a finding of that specific incidents of serious wrongdoing as defined in the Act had occurred, and the investigation into your charity has now been closed. We note that there will be ongoing monitoring of the matters listed below.

However, we did find that your charity previously had insufficient policies and practices in place to support effective governance and to ensure compliance with the Act, including compliance with your financial management, health and safety and governance obligations.

The remainder of this letter sets out Charities Services' expectations of the steps that your charity must take and maintain to ensure its ongoing compliance with the Act and its trust deed. Charities Services expects these issues to be addressed within six months from the date of this letter.

Expectations on Organisational Culture

It is Charities Services expectations that, by 23 August 2024;

- Completed 2022. • the church's people and culture role is reporting directly to the board
- Employee Handbook 2023. Volunteer Handbook due May 2024. • the code of conduct has been reviewed and includes definitions of unacceptable behaviours.
- That all staff and volunteers read and sign the code of conduct as part of orientation and that there is a process for each staff member and volunteer to re-read and re-sign the code of conduct.

Expectations on Financial Management

It is Charities Services expectations that, by 23 August 2024;

- Included in Policy April 2024. • donations made to other churches are approved by the board.
- Reviewed 2023. • reviewed processes for salary setting and banding are in place.
- Policies amended 2023. • the staff expenditure policy clearly outlines expenses staff cannot claim.

Expectations on Human Resources

It is Charities Services expectations that, by 23 August 2024;

- Completed 2023. • an external expert has reviewed employment terms and conditions, policies, current practices and ensured Arise is meeting its legislative obligations.
- Implemented 2023. • there is a process, supported by an external mediator or mentor, for Ministry School students should there be issues requiring resolution.
- Completed 2023. • [REDACTED] job descriptions have been reviewed.

Personal information

Expectations on Privacy

It is Charities Services expectations that, by 23 August 2024;

- Completed 2023. • at least one Privacy Officer role has been established.
- Completed April 2024. • a compulsory privacy training module is in place for all staff and volunteers.

Expectations on Health, Safety and Wellbeing

It is Charities Services expectations that, by 23 August 2024;

- Reviewed resourcing 2022. • a national health, safety and wellbeing role has been established.
- Policy Completed 2023. • guidance is in place for leaders supporting someone struggling with mental health and / or anxiety
- Review complete 2022. • a health and safety Incident Management Policy is in place, including clear processes for determining the seriousness of incidents, record keeping and escalation to the board when a serious incident has occurred.
- Training completed 2023. • all church leaders have received compulsory training on expected responses to incidents of sexual assault.
- Completed 2022. • a publicly accessible channel for reporting health and safety incidents is available.
- Completed. • Arise has funded counselling for those who have engaged in the review process.

Expectations on Governance

It is Charities Services expectations that, by 23 August 2024:

- Due May 2024. • The Arise Church rules document is complete, correct and compliant by 23 August 2024;
- Personal information [REDACTED]
- Implemented 2022. • there is a contact channel for the board available on the Arise church website.
- Existing Policy updated 2024. • a conflict-of-interest register is in place.

Please note, Charities Services will continue to monitor your charity to ensure ongoing compliance with the Act. This will include checks to ensure your charity continues to comply with the Act.

To assist your compliance and meeting this letter of expectations, you may find the resources and templates provided here helpful:

Community Law's 'Community Toolkit' has information on an officer's legal duties - <http://communitytoolkit.org.nz/>

- CommunityNet Aotearoa has a wealth of governance resources for charitable entities - <https://community.net.nz/>
- CommunityNet also has information on the importance of appropriate policies and how to develop them - <https://community.net.nz/resources/community-resource-kit/introduction-to-policies/>
- NZ Navigator Charitable Trust helps to build strong and effective organisations - <https://www.nznavigator.org.nz/>
- The Institute of Directors NZ has resources for Board Meetings and Decision making - <https://www.iod.org.nz/resources-and-insights/guides-and-resources/board-meeting-resources/#>

- Charities Services - <https://www.charities.govt.nz/im-a-registered-charity/running-your-charity/> - I have also attached a copy of Charities Services' Officer Kit, a resource for officers of registered charities.

If you wish to discuss any of the detail in this letter of expectations please contact Frances Churstain, Senior Investigator at frances.churstain@dia.govt.nz.

Ngā mihi nui



Penelope Cox
Manager Regulatory

RELEASED BY ARISE CHURCH