

When charity shouldn't begin at home

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The foundation, created to continue the fundraising legacy of Captain Sir Tom Moore*, is now being shut down following a damning Charity Commission inquiry that found "significant personal benefit" had been gained by his family.



Victoria Holland at West End Law Firm RIAA Barker Gillette (UK) said:

"While the family has had their name removed from the charity, the damage has been done — not just to the foundation itself, but to public trust in charitable organisations. This case highlights the risks of failing to establish strong governance from the outset and why professional oversight is crucial in running a charity."

Understanding charity governance

Many people assume that running a charity is much like running a business, but charities operate under a stricter legal and ethical framework. Trustees are legally responsible for ensuring that funds raised are used solely for the charity's stated purpose. Unlike company directors, they cannot profit from their role unless explicitly permitted by the charity's governing documents.

In the case of the [Captain Tom Foundation](#), the inquiry found that trustees failed in their duties by allowing

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financial benefits to flow to the family. These included excessive salary requests, payments linked to personal commercial deals, and mismanagement of book royalties. The daughter of Captain Sir Tom Moore, Hannah Ingram-Moore, and her husband, Colin, have been banned from being charity trustees for ten and eight years, respectively.

Victoria continued:

“Charities play a vital role in society and are rightly held to high standards. However, often, an individual with a passion or a small group focused on social change starts a charity, frequently with little knowledge of what it takes to run a charitable operation

. This case is a reminder that good intentions alone are not enough. Strong governance and oversight are essential to protect both the charity and those it aims to help. Appointing trustees with a range of knowledge and expertise is a good start, combined with some specialist guidance.”

Lessons for setting up a charity

The legal requirements for setting up and running a charity are complex, covering everything from governance structures to financial reporting and conflict-of-interest policies.

Common pitfalls in charity governance:

- **Poor governance** – Failing to appoint a diverse and independent board of trustees.
- **Conflicts of interest** – Not separating personal or business interests from the charity's activities.
- **Financial mismanagement** – Lack of proper financial oversight can lead to misuse of funds, whether intentional or not.
- **Lack of transparency** – Failing to properly report on fundraising and spending, even if appropriately managed, will bring scrutiny from regulators and the public.

Professional guidance can help ensure that strong governance structures are in place, trustees understand their legal responsibilities, and processes exist to safeguard funds. Regular independent audits and clear separation between personal and charitable interests can also help avoid the issues seen in the Captain Tom Foundation case.

Need expert advice on charity governance?

Contact [Victoria Holland](#), Partner and Head of Corporate and Commercial at RIAA Barker Gillette (UK), for guidance on charity governance and legal best practices.

** Captain Sir Tom Moore was a World War II veteran who became a national hero during the first COVID-19 lockdown. He raised over £38.9 million for NHS Charities Together by completing laps of his driveway. His initial target was to raise £1,000 by walking 100 laps of his garden, 10 each day, leading up to his 100th birthday on 30 April 2020. His fundraising was through a JustGiving page that closed on that day. The money was managed and distributed by [NHS Charities Together](#). His family later set up the Captain Tom Foundation in June 2020, and he died in February 2021.*

Note: This article is not legal advice; it provides information of general interest about current legal issues.