



EQUALITY AND DIVERSITY POLICY

1. INTRODUCTION

- 1.1 The Community Foundation is a registered charity and limited company with broad charitable purposes to benefit of the community in particular, but not exclusively, in the area of Tyne & Wear and Northumberland. The Community Foundation's operational aims are enabling effective giving by people and business; supporting organisations and individuals with funding, time and expertise; and informing and influencing issues affecting our communities.
- 1.2 The Community Foundation recognises that everyone has a unique contribution to make to the life of our communities. We welcome the involvement of all people and aim to treat everyone with equal respect. Among the principles underpinning our work are advocating for disadvantaged people and less well supported causes and reflecting and involving our area's diverse communities. We aim to create a working environment in which all individuals can make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

2. PURPOSE AND SCOPE

- 2.1 The purpose of this policy is to show how the Community Foundation complies with relevant laws and guidance on discrimination and equality, and how we work towards best practice in celebrating diversity and promoting equal opportunities. In adopting the policy, the Board has taken legal advice and account of the Charity Commission guidance on the Equality Act 2010, in particular that grant-making is service provision within the meaning of the Act.
- 2.2 The policy covers each of our three operational aims and the overarching area of governance and operations. It applies to all employees and Board members of the Community Foundation and to volunteers.

3. MEANING OF TERMS

- 3.1 **Protected characteristics:** as defined in the Equality Act 2010 they are age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.
- 3.2 **Positive Action:** proportionate measures to help people who share a protected characteristic to have the same chances as everyone else. This may include providing additional or bespoke services or targeted support to help them address their specific needs, to overcome disadvantage linked to their protected characteristic or to increase their participation where there is disproportionate underrepresentation.

- 3.3 **Charitable instrument** a formal document setting out the purposes for which funds have to be applied. For the Community Foundation, this is normally the fund/philanthropy agreement, a will or a trust deed or other governing document.
- 3.4 **Legitimate aim** is one which can be objectively justified as effective on social policy grounds, or is consistent with the Community Foundation's operational purpose for the public benefit.

4. PHILANTHROPY AND GIVING

- 4.1 Donors may wish to establish funds at the Community Foundation with benefits restricted to people with a particular protected characteristic. Such restrictions may be accepted where the donor's intention is to tackle greater needs or disadvantages linked to that protected characteristic. In such cases, the donor's wishes will be clearly set out in the relevant charitable instrument.
- 4.2 Donors may also seek restrictions on who may benefit from a fund that do not relate to a protected characteristic. For example, a fund may legitimately be restricted to a particular locality or type of activity without excluding people with any protected characteristics.
- 4.3 Community Foundation staff will advise potential donors on how this policy may apply to named funds they establish. However, in line with its Gift Acceptance Policy, the Board reserves the right not to accept a gift if restrictions regarding any protected characteristic cannot be justified on the grounds of needs or disadvantages or would otherwise be unlawful.
- 4.4 Participation in Community Foundation fundraising activities may, where appropriate, be restricted to one sex i.e. for attendance at the Women in Philanthropy fundraising annual lunch.

5. FUNDING AND SUPPORT

- 5.1 In line with our Grant-Making policy, it is the Community Foundation's wish to make grants to a wide range of organisations supporting diverse communities and, in certain circumstances, to individuals. We consider all requests for grants and other support fairly on their merits.
- 5.2 If a fund has been established with restricted purposes as described above, the Community Foundation may make grants or offer other forms of support restricted to people with the protected characteristic(s) in question where doing so is a fair, balanced and reasonable way of meeting a legitimate aim.
- 5.3 Alternatively, the Community Foundation may make grants or offer other forms of support restricted to people with a particular protected characteristic(s) where doing so is an objectively justifiable means of achieving positive action.
- 5.4 We aim to do our best to take any particular needs into account when dealing with requests for grants or other support. In particular, the Community Foundation will take

reasonable steps to make information available in accessible formats for disabled people. The Community Foundation may also take positive action to encourage and enable applications from groups representing or helping people with other protected characteristics where they are disproportionately underrepresented across our grant-making and other support.

- 5.5 The Community Foundation welcomes applications from faith groups but, as stated in our Grant-Making policy, we will not normally support religious activity which is not for wider public benefit.
- 5.6 In line with its Gift Acceptance and Grant-Making policies, the Board reserves the right not to approve any recommendation or nomination if the resulting grant would not be charitable, or would conflict with our stated policies or damage our reputation.

6. KNOWLEDGE AND LEADERSHIP

- 6.1 As well as providing funding, advice and support, where appropriate the Community Foundation also carries out advocacy, research and development linked in particular to our *Vital Signs* reports. This can mean investing in policy work, initiatives and collaborations or making targeted grants to address gaps and lever in funding. It can also involve providing thinking, convening and brokerage around our areas of expertise. In carrying out such activities, we may take positive action where it is justified to address particular needs, disadvantages or lower levels of participation for groups sharing one or more protected characteristics.

7. GOVERNANCE AND OPERATIONS

- 7.1 The Community Foundation welcomes the involvement of a wide range of people and organisations through its membership structure, and aims to treat all members with equal respect. Our Board is representative of the membership through nominations and elections made in advance of the Annual General Meeting. The Board's policy is to aim for a gender balance of at most 2:1. We may also take positive action where justifiable to encourage and enable the participation of underrepresented groups in our governance.
- 7.2 The Community Foundation's staff handbook includes our policy on equality and diversity in employment which applies to all aspects of our relationship with staff and relations between staff members. The handbook also covers harassment and bullying.
- 7.3 The principles of non-discrimination and equality of opportunity apply to the way in which Community Foundation staff must treat visitors, Board members, grantees, donors, potential donors, suppliers and former staff members.

8. RESPONSIBILITIES AND REVIEW

- 8.1 Ultimate responsibility for this policy rests with the Board of Trustees and its sub-committees. The Board delegates responsibility for implementation to the Chief Executive. However, everyone who works for the organisation, whether paid or unpaid, has an individual responsibility to accept the policy and contribute to its application.

- 8.2 Where it appears that there may be a breach of the policy, the Chief Executive will investigate and take appropriate action. Complaints may be made externally through the Community Foundation’s complaints procedure, or internally through the procedures set out in the staff handbook.
- 8.3 The Board will receive a report on Equality and Diversity annually, including appropriate statistics on application of the policy in relation to services, governance and operations. The Board will review the policy itself every three years.

Date approved by Board	December 2017
This version	2017 1.1
Date last updated	April 2019
Reason for last update	Update to align with changes to committees approved by Board in March 2019
Next review due	November 2020
Owner	Sonia Waugh
Job title	Chief Finance & Operating Officer