



## DIVERSITY, EQUITY AND INCLUSION POLICY

### 1. PURPOSE AND SCOPE

- 1.1 The Community Foundation serving Tyne & Wear and Northumberland (the Foundation) believes that being held back because of who you are or where you're from is not acceptable. However, some groups and communities face inequalities and injustices in the way opportunities and resources are shared in society. If we address these barriers and include people with a diverse range of lived and learned experiences, we know our work will be richer and make more of a difference.
- 1.2 The purpose of this policy is to explain how we:
- comply with equality and anti-discrimination laws and regulation;
  - go beyond legal requirements to understand, implement and promote greater diversity, equity and inclusion;
  - live the Foundation's values of embracing diversity and treating everyone fairly, while championing disadvantaged people and less well supported causes; and
  - make sure we tackle prejudice, discrimination and unconscious bias at the Foundation and across everything we do.
- 1.3 The policy is based on best practice, legal advice and Charity Commission guidance on the Equality Act 2010 (i.e. that grant-making counts as service provision). It applies to all Foundation employees, Board members and volunteers.

### 2. DEFINITIONS

- 2.1 **Diversity:** means people's different experiences, identities and points of view. For the Foundation, our focus is the diverse characteristics and backgrounds of our area's population. That includes legally protected characteristics and other things which can affect people's life chances, like appearance, gender identity, caring responsibilities, being from a working-class background, or being a migrant, refugee or asylum seeker.
- 2.2 **Equity:** means everyone, no matter their background or characteristics, getting fair treatment and access to opportunities. This means recognising that some people experience *inequality* and *injustice*. So, for the Foundation, treating everyone the same ('equality') is not enough – we must strive to remove barriers people face.
- 2.3 **Inclusion:** means everyone feeling they belong, being safe and respected, able take part and realise their potential. For the Foundation, this involves striving to reach, listen to and involve people in our work who tend to be under-represented or whose voices tend not to be heard.
- 2.4 **Protected characteristics** are defined in the Equality Act 2010 as:
- age
  - disability (a physical or mental impairment which has a substantial and long-term effect on your ability to do normal day-to-day activities – it includes learning disabilities, autism spectrum disorders, sensory impairments, mental health issues, dementia and impairments resulting from injuries),

- gender reassignment (transitioning from one gender to another),
- marriage or civil partnership for same- or opposite-sex couples
- pregnancy or maternity (if you are expecting a baby and the period after birth),
- your race, colour, nationality, ethnic or national origin
- having a religion or belief (including no religion) which affects the way you live,
- your sex (whether you are a man or woman)
- sexual orientation (whether you are sexually attracted to men, women or both).

The Act also covers people who care for someone who is elderly or disabled as being 'associated' with someone whose characteristics are legally protected.

- 2.5 **Positive action** in law means proportionate measures to help people with one or more protected characteristics to have the same chances as everyone else. This may include providing additional or targeted support to achieve equity, help address specific needs, overcome disadvantage linked to a protected characteristic or increase inclusion where there is under-representation.
- 2.6 **Charitable instrument** in law is a formal document setting out the purposes for which donated funds must be applied. For the Foundation, this is normally our fund/ philanthropy agreement, a Will, trust deed or other governing document.
- 2.7 **Legitimate aim** in law is one which the Foundation can justify as effective on social policy grounds or which is consistent with our charitable purposes for public benefit.
- 2.8 **Prejudice** means an unjustified, usually negative, attitude towards a person or a group of people based on their different characteristics or background.
- 2.9 **Discrimination** means treating a person or a group of people unfairly because of their differences. **Direct discrimination** means someone with a protected characteristic being treated less favourably than someone without that characteristic. **Indirect discrimination** is where a rule or practice applies to everyone, but it disadvantages people with a protected characteristic. **Discrimination by association** is where someone experiences direct discrimination because of their link to someone else's protected characteristic.
- 2.10 **Reasonable adjustment** is a change an employer or provider of a service or activity must make to reduce a substantial disadvantage for a disabled person. Whether a proposed adjustment counts as reasonable depends on things like how far it would remove or reduce the disadvantage, and whether it's practical and affordable.
- 2.11 **Unconscious bias** is where, without actively intending to, people favour others who are most like them, which can increase barriers for people from diverse backgrounds.

### 3. GIVING AND PHILANTHROPY

- 3.1 The Foundation seeks to involve donors from diverse backgrounds, so we offer options to give in line with different wishes and means. Some groups – notably people from Black, Asian and minority ethnic communities – are under-represented among our donors. So, we will take positive action to encourage and support people with protected characteristics and from other diverse backgrounds to take part.

- 3.2 Donors may establish named or collective funds at the Foundation with benefits restricted to people with one or more protected characteristics. An example is our Women's Fund. We will accept such restrictions where the intention is to tackle greater needs or disadvantages linked to that protected characteristic. In such cases, donor's wishes will be clearly set out in a charitable instrument. Donors can also seek restrictions on who benefits from a fund that do not relate to a protected characteristic. For example, a fund can legitimately be restricted to people with a particular social need or disadvantage, a place, or a type of activity, without unlawfully excluding people with one or more protected characteristics.
- 3.3 Participation in Foundation fundraising activities can, where appropriate, be restricted to one sex e.g. an holding an event to raise money for the Women's Fund.
- 3.4 We advise donors and panel members on how this policy applies to funds and to grant recommendations. Where needed, we will constructively challenge donor assumptions and attitudes which are based on prejudices or unconscious bias. In line with our Gift Acceptance and Stewardship Policy, the Board reserves the right not to accept, or to return, a gift if any restrictions cannot be justified on the grounds of need or disadvantage, or doing so would otherwise be unlawful, conflict with our values or breach this policy. We also reserve the right not to approve grants recommended by donors or panels if doing so would conflict with this policy.

#### **4. FUNDING AND SUPPORT**

- 4.1 As set out in our Grant-Making policy, we make grants to a diverse range of charities and community organisations, and to individuals. We also support organisations with training and other help to improve governance, leadership and capabilities. We are committed to making our processes easy to use and we consider all requests for support on their merits and in line with our policies, priorities and fund criteria.
- 4.2 We will make grants or offer other support where the benefit is restricted to people with one or more protected characteristics where doing so is a reasonable way of meeting a legitimate aim or is a justifiable means of achieving positive action. We will also take positive action to consult with, support applications from, or target funding towards groups led by or helping people with one or more protected characteristics, or other disadvantages. For example, in seeking to address hate crime experienced by lesbian, gay, bisexual and transgender people, we will seek to fund organisations set up by and serving those communities.
- 4.3 We ask grant applicants to tell us in their own words who and where their organisation is set up to benefit, and who will be helped by work they are asking us to fund. We make clear that our funding can benefit a specific population or place. Based on what applicants tell us, we record data on communities served by applicants and who benefit from our funding. Our data covers protected characteristics and the focus of the work (e.g. 'anti-poverty', 'job creation' 'support for parents, families and carers'). We use this data to help us address gaps in support from us and others.
- 4.4 We also ask applicants to tell us how they make sure their organisation is welcoming to everyone they are set up to help, what they do to reach and include people and how they prevent and tackle prejudice and discrimination. Where appropriate, we ask

for more information about their policies on diversity, equity and inclusion. If we think organisation's policies and practices are not adequate, we will reject their request and/or offer other advice or support so they can improve.

- 4.5 The Foundation welcomes applications from faith groups but we do not normally make grants to support religious activity which is not for wider public benefit.

## **5. KNOWLEDGE, RESEARCH AND ADVOCACY**

- 5.1 The Foundation gathers, analyses and shares knowledge as part of meeting our charitable purposes. In doing so, we will take positive action to help us to understand and address needs or lower levels of inclusion for people sharing one or more protected characteristics or experiencing other kinds of disadvantage. This might include policy and advocacy work, convening, targeted initiatives, or collaborations with other funders.
- 5.2 Where it's available, we will use good quality regional-level data about our area to set benchmarks so we can understand whether and how our people and our activities reflect the communities we serve. This is more useful than England or UK data which is affected by very different demographics elsewhere in the country.

## **6. GOVERNANCE AND ACCOUNTABILITY**

- 6.1 We seek to include and be accountable to our communities through our governance. Membership of the Foundation is free for qualifying charities, community organisations and public bodies in our area of benefit. We also offer membership to people and businesses that set up funds or who otherwise make qualifying contributions to us.
- 6.2 We aim to have a Board with diverse lived and learned experience that broadly reflects communities in our area. Our governing document sets out how our four membership groups appoint two trustees each through open nominations and elections. The Board co-opts up to five more trustees to ensure we draw on a range of skills and experience. In advertising vacancies and when recruiting trustees, we will take positive action to make sure we attract under-represented groups.
- 6.3 Trustees are not required to have specific qualifications except where relevant to a role (e.g. accountancy qualifications for the post of Treasurer). Board and committee meetings take place at the most convenient times agreed collectively by members, with options for those not able to be there in person. Reasonable expenses are paid to support everyone's participation. Trustees sign a code of conduct, and must comply with our policies, and they can be removed by the Board if they breach them.

## **7. PEOPLE AND OPERATIONS**

- 7.1 We aim to have a staff team with diverse lived and learned experience, relevant to their job roles, and broadly reflective of our communities. We have standards and procedures to ensure open staff recruitment which attracts diverse candidates and gives everyone a fair chance regardless of background. We will take positive action to attract candidates from under-represented groups. We do not ask for specific qualifications unless they clearly link to a role's requirements. We remove information that might identify protected characteristics before applications go to a panel.

- 7.2 We are committed to an inclusive and healthy working environment and culture, and to people having a positive balance in their lives. Our staff handbook covers equality in employment and policies on sickness, maternity, paternity, parental, adoption, and dependants' leave, flexible working and our grievance and disciplinary procedures. There are separate policies on anti-bullying and harassment and on safeguarding. Diversity, equity and inclusion are central to our standards for staff conduct.
- 7.3 The Foundation's offices are fully accessible with on-site parking and close to public transport by bus and Metro. When running activities in other locations, we seek to ensure easy access for disabled people and for people without cars.
- 7.4 The Foundation provides induction and continuing training on this policy and other aspects of diversity, equity and inclusion to Board members, staff and volunteers.

## **8. COMMUNICATIONS, MARKETING AND ENGAGEMENT**

- 8.1 The Foundation's communications and marketing are designed to ensure we reach diverse audiences. We take reasonable steps to make information available in accessible formats for disabled people, including providing tools on our website and subtitles on videos. We ask all grant applicants to tell us if they have any communication needs. We also ask about communication or access needs when people book to attend our events. We aim to make reasonable adjustments to meet these needs e.g. by booking BSL interpreters or providing information in other languages or formats, subject to the likely effectiveness, practicality and cost.
- 8.2 We have a regularly updated style guide which covers the language we use in our communications. We strive to listen to communities and to describe people in words they would themselves use, while recognising we need to be understood by a range of audiences. We recognise that some terms which categorise groups together (e.g. 'BAME', 'disabled' and 'LGBT') can be problematic as their use may hide very different experiences. Wherever appropriate, we aim to be clear who we are talking about and why. Where we are talking about communities who experience similar prejudice and discrimination – like sexism, racism, anti-Semitism or homophobia – we will say so.
- 8.3 We gather and appropriately share data on diversity, equity and inclusion including about our Board, staff and grant beneficiaries, and on any related benchmarks or targets we set. We recognise that given the relatively small size of our team, and the nature of our work, our trustees and staff will not always fully reflect communities in our area. So, we will take positive action to make sure we engage and listen to the opinions and experiences of people and communities who are under-represented and who are affected by prejudice, discrimination and unconscious bias.

## **9. FINANCE**

- 9.1 The Foundation takes seriously our role as an investor in shares, government bonds and other assets. In our strategy to 2025, the Board has committed to moving towards a responsible investment approach across our endowment funds. Our aim is to take account of environmental, social and governance issues (ESG) relating to the assets we hold. Our investment managers would then be expected to be able to report on relevant diversity, equity and inclusion issues as part of their ESG expertise.

9.2 Where possible, the Foundation seeks to apply this policy when we buy services and to work with partners and suppliers who share our values.

## 10. RESPONSIBILITY FOR IMPLEMENTING THIS POLICY

10.1 Ultimate responsibility for this policy rests with the Foundation’s Board of Trustees. The Board delegates responsibility for implementation to the Chief Executive Officer (CEO). However, everyone who works for the organisation, whether paid or unpaid, has an individual responsibility to work within and promote the policy.

10.2 Where it appears that there may be a breach of the policy, the CEO will investigate and take appropriate action. Complaints may be made externally through the Foundation’s published complaints process or whistleblowing policy, or internally through the procedures set out in the staff handbook.

10.3 The Board will receive a report on diversity, equity and inclusion annually, including appropriate data on application of the policy, with actions to be included in the following year’s plan. The Board will review the policy itself every three years.

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This version	March 2021 2.0
Date last updated	March 2021
Reason for last update	Full review in line with 2020-25 strategy
Next review due	March 2024
Owner	Rob Williamson
Job title	Chief Executive
Related policies and procedures	<ul style="list-style-type: none"> <li>• Staff handbook</li> <li>• Complaints process</li> <li>• Whistle-blowing policy</li> <li>• Grant-making policy</li> <li>• Gift acceptance policy</li> <li>• Trustee code of conduct</li> <li>• Style guide</li> </ul>