



**Race Equality Scheme
Report on the Outcome of the Consultation
March 2003**

Introduction

1. The Race Relations (Amendment) Act 2000 established a statutory duty for all public authorities, including the Charity Commission, to promote race equality an aspect of this is the Commission's Race Equality Scheme (the RES) which sets out our action plan for working towards achieving this. This report sets out a summary of the comments that have been made about the draft RES following a consultation period and how we have dealt with those comments. We have revised the RES to take account of a number of the comments put to us.

2. The draft RES was published on our website for a four-month public consultation on the 31st May 2002. To raise awareness of the RES we issued a press release targeted at national, charity and black and ethnic minority press. We wrote to 75 individuals and organisations, including 25 newly registered black and minority ethnic charities, to alert them to the consultation and inviting them to provide a response to the consultation.

3. Following the consultation a final version of the RES has been published on our website.

The Response

4. We had 14 requests for hard copies of the RES. There were 641 hits on the RES on our Website.

5. We received only three responses to the consultation. However, two of the responses are from umbrella organisations (one with a membership of over 200 charities and one non-charitable body that has 700 members including many large charities and charity lawyers). We received one response from a non-charitable organisation concerned with racism.

6. This is a very poor response. We believe that this may in part be due to overload on the BME sector as all public authorities produced a RES at this time. Some BME organisations are small and may not be sufficiently resourced to consider and offer comments on such consultations. In addition the comments received indicate that the prescribed structure for the RES is not easily accessible in terms of its complexity and language.

7. We recognise that we need to think about how we might ensure greater interest for future versions of the RES and for other consultations which may affect the BME sector. One option which we are considering is inviting BME groups to send representatives to take part in discussions on relevant subjects.

8. With the RES consultation we issued a request that an ethnic monitoring form be completed. We received one completed form. The response was from an organisation providing services to ethnic minorities.

General Comments made about the RES

9. Overall we are commended for our work on race equality. There is also support for us providing a RES relating to both our service provision and our internal functioning.

10. We were told that the RES is not as clearly written as our other publications. We note this view and agree that this is a lengthy and at times difficult document. Some material describing the background to the legislation has been removed from the revised version to reduce the length and improve readability. The RES will be updated annually and we will aim to make future versions simpler in style.

11. Concern was expressed that the RES focuses on BME charities. Many charities serve BME groups or have significant BME involvement in their management. Such charities should also be included in initiatives aimed at dealing with issues of concern to the BME community. We note this concern and will consider this further.

12. There are requests for the Commission to translate all its guidance. We produce summary guidance on Trustee Responsibilities, Financial Issues, Disputes and Registering as a Charity. This is available in Arabic, Bengali, Cantonese, Gujarati, Kurdish, Somali, Urdu and Vietnamese. We are reviewing our translation services for our publications.

13. There is criticism that the consultation document was hard to find on our website. The website is being reviewed and further work will be done to help users find particular documents.

Comments on the RES Text

Comment	Response
<i>APPI or Annual Return Form</i>	
There is no category on these forms for either groups or charities to identify themselves as BME organisations.	We are concerned about the regulatory burden of requesting information but will consider whether this would be a helpful development of the form.
<i>Paragraphs 12-13 Charity Commission work on Race Relations</i>	
The objectives stated are directed to equality and diversity in the Commission's own internal operations, rather than ensuring quality in the execution of its function in the regulation of charitable activity.	<p>The current objectives include service delivery although they have a strong internal focus. In our view influencing cultural attitudes and behaviours of our staff will impact and benefit the way we work with our external customers.</p> <p>As we develop our aims, vision and values in the future we will look at ways of highlighting our duty to promote race equality.</p>

Comment	Response
<i>Paragraphs 14-22 Key Functions and Policies</i>	
<p>The complaints procedure and the evaluations and investigations action points should be given high rather than a medium priority. That is, they should be undertaken within the first year.</p>	<p>We acknowledge the importance of dealing constructively and appropriately with complaints. Unfortunately we are unable to tackle this area within the first 12 months of the RES. Customer Service is of great importance to the Commission. From next April this will be strengthened by the appointment of Mary Cridge as Head of Customer Services. She will give specific consideration to the effectiveness of the delivery of Commission services to the BME sector.</p> <p>For evaluations and investigations a number of the action points will start in April 2003 such as monitoring sample cases and monitoring feedback by ethnicity to gain information on the conduct of Investigations by the Commission.</p> <p>All staff working in this field have access to the guide "Faces of Britain".</p> <p>A number of the proposed actions will be undertaken within the first year. However, as we cannot fulfil all the actions in the first year we have kept them in a medium priority.</p>
<i>Paragraphs 23-43 The Policy Context</i>	
<p>We should provide all consultation documents in translation to assist wider dissemination amongst BME communities.</p> <p>Under Evaluation and Review of Policies we asked for suggestions as to whether there are existing policies that need to be reviewed in order to promote race equality.</p>	<p>The cost of translation will need to be considered in terms of the need and potential benefits. What we can do is constrained by the resources available.</p> <p>We will review the need to translate consultation documents and other Commission publications.</p>

Comment	Response
Two areas were mentioned	
<ol style="list-style-type: none"> 1. Our policy about the practical effect of the Race Relations Act on the name and objects of charities. 2. The impact of our policies in relation to different faith groups. 	<ol style="list-style-type: none"> 1. A commitment relating to this issue is made in the RES. 2. We will aim to be aware of the particular implications of our policies for different racial groups and groups of different faiths.
<i>Paragraph 44 Registration of Charities</i>	
Some difficulties relating to applications to register may occur at an earlier stage, before the promoters approach the Charity Commission or solicitors. The Charity Commission should help support BME groups at this pre-registration stage.	We are aware of the problems which BME groups have and have looked for ways in which we can support them. We would welcome suggestions as to how we might achieve this more effectively.
How will registration cases be reviewed? Will the tracking of cases be done by periodic randomised selection after case closure?	We are currently establishing how we will track and review cases.
<i>Paragraph 48 Complaints procedure and decision review procedure</i>	
We should offer translation services as part of our casework system and this should not be administered through the Customer Service Manager.	We offer a translation service (Language Line) for our casework. This is not administered through the Customer Service Manager. This service is referred to in paragraphs 46 and 52 of the RES. The revised RES has a fuller explanation of the service.
<i>Paragraph 49 Review Visits</i>	
The criteria for review visits should be made clear in the RES.	Review visits are mainly targeted at charities with an income between £250,000 and £10 million. The target is to complete 600 visits per year and to ensure coverage of the whole sector we try to include 3% from income bands outside the main target group. This information is given in the revised RES.
<i>Paragraph 50 Conducting evaluations and investigations into concerns about charities</i>	
We should make the investigations manual publicly available.	The manual will form part of our Operational Guidance in 2003 and will then be available on our website.
<i>Paragraph 52 Exercising legal authority</i>	
Cultural awareness training for staff should have a higher priority.	The training has been given a higher priority and will take place in January 2003. The RES has been revised to show this.

Comment	Response
<i>Paragraph 53 Annual Return enforcement</i>	
There is a need to support BME charities in understanding the context and implications of compliance.	We encourage compliance among all charities. Where a BME charity is identified as having particular difficulty understanding compliance we will help them understand their obligations.
<i>Paragraph 55 Contact Centre</i>	
Calls should be monitored and supervised to ensure that consistent and non-discriminatory attitudes and practices exist and are encouraged.	Calls are monitored but no specific targeting takes place. We do not analyse calls for race equality issues but where a call does highlight discriminatory attitudes or practices we take action to deal with the issue raised.