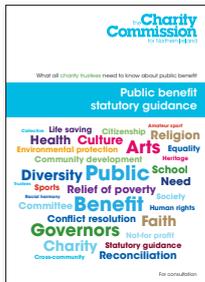


Supporting guidance for charity trustees

The advancement of citizenship or community development

A word cloud of terms related to citizenship and community development. The words are in various sizes and shades of blue and red. The largest words are 'Citizenship', 'Community development', 'Improvement', 'Governors', and 'Charity'. Other prominent words include 'Health', 'Culture', 'Arts', 'Religion', 'Diversity', 'Animal welfare', 'Faith', 'Reconciliation', 'Need', 'Equality', 'Heritage', 'School', 'Society', 'Advancement', 'Human rights', 'Relief of poverty', 'Cross-community', 'Racial harmony', 'Trustees', 'Sports', 'Committee', 'Conflict resolution', 'Not-for profit', 'Amateur sport', 'Environmental protection', 'Life saving', 'Collective', and 'Heritage'.



This supporting guidance must be read alongside the Commission's statutory guidance on public benefit.

Online or in print

If you are viewing this guidance online, you will be able to navigate your way around by clicking on links either within the text, at the top of each page, or in the chart.

If you choose to read this document in a printed format, you can still use the section headings and page numbers to assist you in moving around the guidance.

We have produced a glossary which provides further information, definitions and descriptions of some key terms. The words in **green type** indicate words that are found in the glossary. You can find these definitions either by downloading the glossary as a separate document or, if you are reading the guidance online, by clicking on the green words which link to the glossary.

Our vision

The Commission's vision is to deliver, in partnership with other key stakeholders in the charitable sector:

'A dynamic and well governed charities sector in which the public has confidence, underpinned by the Commission's effective delivery of its regulatory and advisory role.'

Our values

The Commission aspires to be respected and valued in the execution of its functions and will ensure that in the performance of our role as the charity regulator for Northern Ireland we will be:

Independent: we will maintain independence in our decision making, acting without fear or favour, in the public interest.

Accountable: we will be proactive in accounting to all our stakeholders, which will include involving others on a continuous and appropriate basis and taking responsibility for our decisions.

Proportionate: our actions, procedures and culture will be proportionate to the burden of regulation on charities of different sizes, to the degree of risk involved and to the potential impact within the resources available to us.

Impartial: we will exercise our powers and discretion in a way which is non-partisan and even-handed.

Transparent: we will communicate with and listen to our stakeholders and will be clear about our actions, intentions and expectations.

Consistent: we will act consistently in our decision making.

Equality and accessibility

The Charity Commission for Northern Ireland is totally committed to equality and diversity in all that we do.

We intend to make all of our guidance available to all stakeholders. We will aim to meet all accessibility needs and offer other languages and formats for this guidance, for example Braille or audio or meet any other requirements needed in line with the Commission's Equality Scheme.

If you have any accessibility requirements please contact us.



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Section 1: What is meant by the advancement of citizenship and community development?

1.1 Definition

This covers a broad range of **purposes** aimed at supporting social and community infrastructure. It must be focused on the community rather than on an individual.

There are two main areas into which these purposes may fall:

1. Developing and inspiring civic values and encouraging voluntary and community activity;
2. Regenerating communities through physical, social and economic improvements.

Examples

The following is a list of examples of the sorts of **charities** and charitable purposes which might fall within this description. The list is not exhaustive, so even if there is not an example which relates directly to your organisation's purposes, they may still fit under this description.

- promoting **rural and urban regeneration**;
- managing a community centre;
- promoting volunteering and the voluntary sector;
- promoting the effectiveness of charities and the use of charitable resources.

Examples of purposes which are not charitable, or where the case is yet to be made

Examples include:

- an organisation set up to train individuals in social behaviours or manners.

This is because principles drawn from case law suggest that they are unlikely to be able to do so. We will always, however, consider organisations' and trustees' rationale on a case by case basis.

Section 2: Applying the principles of public benefit to the advancement of citizenship and community development

The guidance below sets out examples of how public benefit applies to an organisation with the purpose of advancing citizenship or community development. It is not intended to be a full interpretation of the law in every set of circumstances. However, it is our intention that the examples we provide will help you to apply the public benefit principles to your organisation.

This should help you to clarify:

1. The benefits your charity's **purposes** are intended to provide;
2. Whether your charity's purposes are intended to benefit the public in general; or
3. The section of the public that your charity's purposes are intended to benefit.

A charity aiming to advance citizenship or community development must:

- identify the section of the public or group of persons to benefit; and,
- determine how the actions of the charity can benefit that section of the public.

The advancement of citizenship and community development is a reasonably new charitable purpose and as such, has not been tested by the courts. Therefore it is difficult to provide examples of the application of the law in this area.

However, we can look at how charity law deals with other similar matters and how public benefit is demonstrated in these cases, and apply the principles of public benefit more generally.

2.1 Identifying your intended beneficiaries

For an organisation concerned with the promotion of community development to be charitable, it must be able to show that community work is required and would benefit the public. Those persons or groups of persons who are intended **beneficiaries** must be identified.

2.2 Identifying your benefits

Benefits must be clear and so, any organisation that intends to advance citizenship or community development must clearly state both what the benefits are and who the **beneficiaries** are.

Benefits must be related to **purposes** and appropriate to purposes. For example, if the purpose of an organisation was to promote volunteering, and instead it educated young people about the benefits of environmental protection, then this would not match the charity's purposes.

2.3 Ensuring your benefits are for the public

Benefit must be to the public or to a section of the public and must not be unreasonably **restricted**. For example, it may be legitimate for persons of two particular faiths to attend events if the aim of the organisation is to promote religious harmony between these two groups only. An organisation that promotes diversity by working towards harmony between Catholics and Protestants, for example, would be for the benefit of the public.

2.4 Balancing benefit against detriment or harm

Benefit must be measured against **detriment**.

For example, an organisation which promoted the interests of one group in society to the detriment of another may not be charitable.

2.5 Public benefit rather than private benefit

Any **private benefit** must be **incidental**.

For example, a charity may employ staff if necessary to further its **purposes**. The staff may receive a private benefit in the form of payment, but this is justified if it is necessary and incidental in advancing the charity's purposes.

Local businesses may incidentally benefit from increased trade as a result of a charity undertaking projects to regenerate the area.

Useful publications

Statutory guidance on public benefit

The 'public' and 'benefit' elements supporting guidance

The prevention or relief of poverty supporting guidance

The advancement of education supporting guidance

The advancement of religion supporting guidance

The advancement of health or the saving of lives supporting guidance

The advancement of the arts, culture, heritage or science supporting guidance

The advancement of amateur sport supporting guidance

The advancement of human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity supporting guidance

The advancement of environmental protection or improvement supporting guidance

The relief of those in need supporting guidance

The advancement of animal welfare supporting guidance

Any other purposes supporting guidance

Glossary

Frequently asked questions (FAQs)

For more information on all of our work
please see the Charity Commission website:

www.charitycommissionni.org.uk

Our preferred method of contact is email:

admin@charitycommissionni.org.uk

The Charity Commission for Northern Ireland (CCNI) is the new regulator of charities in Northern Ireland, a non-departmental public body sponsored by the Department for Social Development.

Our aims

- the Commission aims to develop a regulatory framework in which the public have confidence and in which charities can grow and flourish, clear in the knowledge of their rights and responsibilities;

And

- manage the establishment of the organisation to a statutory non-departmental public body following the full implementation of the **Charities Act (Northern Ireland) 2008**.

Further information about our activities is available from:

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