

# The Promotion of Social Inclusion



## The Charity Commission

The Charity Commission is the independent regulator of charities in England and Wales. Its aim is to provide the best possible regulation of charities in England and Wales in order to increase charities' effectiveness and public confidence and trust. Most charities must register with the Commission, although some special types of charity do not have to register. There are some 180,000 registered charities in England and Wales. In Scotland the framework is different, and the Commission does not regulate Scottish charities.

The Commission provides a wide range of advice and guidance to charities and their trustees, and can often help with problems. Registered charities with an annual income over £10,000 must provide annual information to the Commission. The Commission has wide powers to intervene in the affairs of a charity where things have gone wrong.

## **Contents**

<b>What is this guidance about?</b>	<b>2</b>
<b>What is 'social inclusion'?</b>	<b>2</b>
<b>When is it charitable to promote social inclusion?</b>	<b>4</b>
<b>Ways of promoting social inclusion</b>	<b>4</b>
<b>What should charities promoting social inclusion consider when drafting what they do as a charitable aim?</b>	<b>5</b>
<b>Public Benefit</b>	<b>7</b>

## What is this guidance about?

1. This guidance is for the trustees of existing charities, and anyone thinking of setting up a new charity, who wish to include the promotion of social inclusion as one or more of their charity's aims.

## What is 'social inclusion'?

2. The term 'social inclusion', together with 'social exclusion' and 'social cohesion' are terms that are often used in relation to government initiatives and funding packages. The terms are broad and mean different things to different people in different contexts.
3. **'Social inclusion'** is often used to describe the opposite effect to 'social exclusion'. It usually results from positive action taken to change the circumstances and habits that lead, or have led, to social exclusion. It is about enabling people or communities to fully participate in society.
4. **'Social exclusion'** generally describes the phenomenon where particular people have no recognition by, or voice or stake in, the society in which they live. The causes of social exclusion are multiple and usually appear connected with factors affecting a person's or community's social or economic circumstances, where the effect prevents people from participating fully in society. Communities might also self-exclude by removing themselves from the wider community.

**For example, one definition of 'social exclusion' might be:**

**'being excluded from society, or parts of society, as a result of one or more of the following factors:**

- **unemployment;**
  - **financial hardship;**
  - **youth, or old age;**
  - **ill health (physical or mental);**
  - **substance abuse or dependency, including alcohol and drugs;**
  - **discrimination on the grounds of sex, race, ethnic origin, religion, creed or sexuality;**
  - **poor educational or skills attainment;**
  - **relationship and family breakdown;**
  - **poor housing (that is housing that does not meet basic habitable standards);**
  - **crime (either as a victim of crime or as an offender rehabilitating into society).**
5. **'Social cohesion'** is a term commonly used in social policy, sociology and political science to describe the bonds that bring people together, in the context of cultural diversity.
  6. Some charities for the prevention or relief of poverty regard poverty as a form of 'social exclusion'. There is an overlap between the two; poverty is often a cause of social exclusion. However, other factors, not solely attributable to poverty, such as disability or old age, may also cause social exclusion. Our experience of charities working to combat social exclusion indicates that, usually, multiple factors combine to cause people, or communities, to be socially excluded.

**For example, in addition to poverty, other factors that might cause people or communities to be socially excluded might include their:**

- **social background;**
- **inability to drive a car;**
- **inability to qualify to join a particular group or association;**
- **locality or district lacking, or having restricted, access to adequate facilities and amenities; or**
- **reduced or limited opportunities for social engagement or career prospects.**

**7.** The key elements of promoting social inclusion appear to be:

- helping socially excluded people and communities overcome inequality and disadvantage, arising as a result of the circumstances an individual is born into, or as a result of his or her own particular circumstances; and
- promoting equality of opportunities. Promoting social inclusion usually includes promoting equal opportunities for those who are excluded and eliminating discrimination and so there is clearly a link between promoting social inclusion and promoting equality and diversity. Therefore social inclusion work may be carried out as a way of furthering the promotion of equality and diversity.

**8.** However, promoting social inclusion is wider than promoting equality of opportunity and eliminating discrimination. It is usually also about addressing wider social (and often charitable) needs.

**For example, in relieving poverty or sickness or the needs of old age, an organisation might concentrate on building the capacity of people in poverty (or people who are sick or old) to enable them to be included in society as a means of relieving their needs and promoting social inclusion. It might include helping those who have been isolated from, or who are out of touch with, society to re-adjust and re-integrate, such as helping people who have completed a long period of service in the armed forces, or have spent a long time in prison, and are finding it hard to re-adjust to life outside those institutions.**

**9.** Social inclusion may also sometimes be promoted within communities with particular needs arising from their circumstances, eg immigrants, travellers or people living in an isolated area.

**10.** There are also elements of promoting good citizenship in promoting social inclusion; by raising the awareness of the public generally about the needs of particular groups, challenging discrimination and encouraging people to develop the talents and capabilities of all members of a community for the benefit of society as a whole.

**11.** Promoting social inclusion can also include improving intangible qualities, such as self-worth.

**For example, young single parents are not necessarily excluded from society. However, they might be socially excluded if they are in a community:**

- **which is socially and economically disadvantaged;**
- **where they are without support;**
- **where they experience a lack of self-worth or self-confidence; and**
- **where they feel out of place with other people.**

12. Organisations which promote community capacity building might address some social inclusion issues, but they are largely concerned with providing new opportunities to learn through experience and with processes and functional assistance. Community capacity building will usually revolve around providing an immediate, concrete result for the community.

## When is it charitable to promote social inclusion? ■

13. The term 'socially excluded' clearly includes groups of people who it would be charitable to assist because of their circumstances. The promotion of social inclusion for the public benefit by preventing people from becoming socially excluded, relieving the needs of those people who are socially excluded and assisting them to integrate into society, is therefore capable of being a charitable aim.
14. However, because the term 'socially excluded' is broad and undefined in meaning, it needs to be defined in a charity's aims, so that it refers only to people who have a charitable need.
15. It should also be clear from a charitable aim for the promotion of social inclusion how social inclusion is to be promoted.
16. An organisation whose aims include promoting social inclusion must be able to demonstrate that:
- it carries out its activities amongst those who are socially excluded (as defined above);
  - the purpose of those activities is the promotion of social inclusion for the public benefit;
  - those activities are capable of impacting upon the inclusion in society of the people who they are aimed at helping (ie there is a link between the activities and the aim);
  - any benefit to an individual or organisation must either directly further the charity's aims or be incidental to carrying out the charity's aims; and
  - its promotion of social inclusion aim is set out in its objects clause in a way that clearly describes the aim and how it is to be carried out, and provides a suitable definition of social exclusion.

## Ways of promoting social inclusion

17. There are a variety of ways in which charities can promote social inclusion.

### **Examples of ways in which charities can promote social inclusion include:**

- **providing advice and assistance to people who are excluded from society. This includes providing tangible services, such as childcare facilities to enable young single parents to attend education or training, or advocacy services for people with learning difficulties, or who are unable to advocate for themselves because of language barriers. It might also include assistance of a capacity building nature to help provide skills and competencies which communities would not otherwise have, which enable them to participate fully eg assertiveness and confidence training;**
- **research into the effects and causes of social exclusion;**
- **educational and awareness campaigns on the needs of people who are socially excluded, to encourage service providers to adapt their services to meet their needs, or the public to generally be more accepting of, and engaging with, particular communities;**

- **regeneration activities to change and improve the social and economic circumstances of a community;**
- **providing a local network group, linking groups in an area concerned with different issues affecting a particular community to enable them to make a more effective and joined up approach;**
- **increasing or co-ordinating opportunities for particular communities to participate in society (eg places on local decision making groups).**

## **What should charities promoting social inclusion consider when drafting what they do as a charitable aim? ■**

- 18.** A charity's aims are usually found in the objects clause of its governing document, which should adequately and fully express what the organisation is set up to do. All of a charity's aims should be set out in its objects clause.
- 19.** The aims are essential when considering the public benefit of any charitable organisation because:
  - each of a charity's aims must be for the public benefit;
  - only benefits that arise from carrying out those aims can be taken into consideration; and
  - the beneficiaries must be appropriate to the aims.
- 20.** It can sometimes be difficult to word the objects clause as a charitable aim in the way that the law recognises as charitable. An incorrectly worded objects clause, or an objects clause that does not correctly express the organisation's aims, might not only cause problems when registering the organisation; it can also lead to difficulties when assessing the organisation's public benefit.
- 21.** With charities whose aims include promoting social inclusion, it should be clear exactly whom the organisation's aims are intended to benefit and how.

**The following are some examples of ways in which charities whose aims include promoting social inclusion might express those aims in their objects clause. This is not a definitive list and it is possible that an organisation may need to have several other charitable aims in addition to a promotion of social inclusion aim:**

- **"To promote social inclusion for the public benefit by preventing people from becoming socially excluded, relieving the needs of those people who are socially excluded and assisting them to integrate into society.**

**For the purpose of this clause 'socially excluded' means being excluded from society, or parts of society, as a result of one or more of the following factors: unemployment; financial hardship; youth or old age; ill health (physical or mental); substance abuse or dependency including alcohol and drugs; discrimination on the grounds of sex, race, disability, ethnic origin, religion, belief, creed, sexual orientation or gender re-assignment; poor educational or skills attainment; relationship and family breakdown; poor housing (that is housing that does not meet basic habitable standards; crime (either as a victim of crime or as an offender rehabilitating into society)."**

An alternative definition of 'people who are socially excluded' to that given above, which also restricts the provision of benefits to relieving persons in charitable need only, could be:

**'being excluded from society, or part of society, as a result of being a member of a socially and economically deprived community'.**

- **"To promote social inclusion for the public benefit by working with people in (insert geographical area of operation) who are socially excluded on the grounds of their ethnic origin, religion, belief or creed (in particular, members of the Muslim community) to relieve the needs of such people and assist them to integrate into society, in particular by:**
  - 1. providing a local network group that encourages and enables members of the Muslim community to participate more effectively with the wider community;**
  - 2. increasing, or co-ordinating, opportunities for members of the Muslim community to engage with service providers, to enable those providers to adapt services to better meet the needs of that community."**
- **"The promotion of social inclusion for the public benefit amongst people between the ages of 16 to 30 who are socially excluded by providing them with an opportunity to build capacity by establishing and growing a business to relieve the needs of those people and assist them to integrate into society.**

**(For the purposes of this clause 'socially excluded' means 'young people between the ages of 16 to 30 years of age who are excluded from society, or parts of society, as a result of one or more of the following factors: unemployment; financial hardship; race; gender; poor educational or skills attainment; disability; ethnic origin; or who are within, or have experienced, the public care or penal system')."**

- **"The promotion of social inclusion among deaf parents and their children who are socially excluded from society, or parts of society, as a result of being deaf by:**
  - 1. providing education and information to support and enable deaf parents to maximise educational opportunities for their children;**
  - 2. raising public awareness of the issues affecting deaf parents and their children, both generally and in relation to their social exclusion;**
  - 3. providing workshops, forums, advocacy and general support;**
  - 4. providing recreational facilities and opportunities for deaf and hearing people."**
- **"The promotion of social inclusion among elderly persons who are excluded from society because they are house-bound, or who are unable to drive or easily access public transport, by the provision of:**
  - 1. a transport service to and from recreational and public services;**
  - 2. outings and social trips including transport to and from home;**
  - 3. information technology at home to enable them to access the internet"**.



- **“The promotion of social inclusion among single parents and their children, who are excluded from society, or parts of society, due to their social and economic position by the provision of a crèche, play scheme and drop in support and education centre to enable single parents and their children to develop and gain new skills”.**
- **“The promotion of social inclusion for the public benefit among people who are refugees and asylum seekers who are socially excluded on the grounds of their social and economic position, by providing:**
  - 1. education and training in the English language and in vocational skills;**
  - 2. social and recreational facilities and events involving the local community.”**

## Public Benefit

22. ‘Public benefit’ is the legal requirement that every organisation set up for one or more charitable aims must be able to demonstrate that its aims are for the public benefit if it is to be recognised and registered as a charity in England and Wales. This is known as the ‘public benefit requirement’.
23. Charitable aims are those that fall within the various descriptions of purposes in the Charities Act 2006 (including any new purposes that might be recognised as charitable in the future), and which are for the public benefit. You can find out more about this in our Commentary on the Descriptions of Charitable Purposes in the Charities Act on our website.
24. We have an obligation to ensure all charities meet the public benefit requirement and to provide guidance on what the requirement means. Charity trustees have a legal duty to have regard to our public benefit guidance and to report on their charity’s public benefit.
25. Our guidance Charities and Public Benefit, explains, in general terms, what the public benefit requirement means.
26. Charity trustees must have regard to all of our statutory public benefit guidance that is relevant to their charity. Therefore, all charity trustees must have regard to our general public benefit guidance, Charities and Public Benefit.
27. In addition, charity trustees must have regard to the statutory guidance contained in our supplementary public benefit guidance on any subject that is relevant to their charity’s aims, or the way in which they carry out those aims. (We indicate in our guidance which elements are supplementary public benefit guidance which forms part of our statutory guidance on public benefit.)
28. If we have not produced supplementary public benefit guidance in relation to one or more of your charity’s aims, you need to apply the principles as set out in Charities and Public Benefit to those aims.
29. For details of all our public benefit guidance that is available please see our website [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk) under ‘About Charities’ – ‘Public Benefit’. Hard copies are available by calling Charity Commission Direct on 0845 3000218.
30. Our website also contains details of our other guidance and publications.



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