



Participation strategy

How the Charity Commission for Northern Ireland consults and engages with stakeholders

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

Our vision

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”.

Further information about our aims and activities is available on our website www.charitycommissionni.org.uk

Equality

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

Accessibility

If you have any accessibility requirements please contact us.

Online or in print

If you are viewing this document online, you will be able to navigate your way around by clicking on links either within the contents page or text.

We have produced a glossary that provides further information, definitions and descriptions of some key terms. The words in **bold green type** indicate words that are found in the glossary towards the end of this document. If you are reading the document online you can click on the word and it will link you to the definition in the glossary.

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Section 1: Overview

The Charity Commission for Northern Ireland is committed to the principle of ongoing dialogue with stakeholders forming an essential part of general policy making. We aim to be accountable and transparent, and this aim underpins much of our strategy as set out in our Corporate and Business Plans.

Effective participation and consultation provide a vital and significant contribution to our own decision making and policy making. Stakeholder participation in our consultation processes will help us to ensure that we:

- deliver our statutory functions to the highest standards and quality
- realise our commitment to openness and accountability
- foster working partnerships with all of our stakeholders to raise mutual understanding and awareness
- enable those who may be affected by our policies to participate in the process of policy making
- plan effectively by gathering knowledge to inform our practice or to tell us about the practical implications of policy
- prioritise and make best use of resources
- set performance standards about customer services and monitor them
- are aware of emerging issues in the charity sector.

The Commission has sought the participation of stakeholders in a number of consultations including on our public benefit statutory guidance and interim reporting programme for registered charities. These consultations have highlighted the importance of stakeholder participation in enabling us to make more informed decisions.

We are grateful for the ongoing participation of our stakeholders and, through embedding the principles set out in this strategy, we hope to continue to encourage open, honest and active participation.

Section 2: About this strategy

2.1 What do we mean by participation and consultation

By participation and consultation we mean open and two-way engagement with our stakeholders that informs and shapes the work we do. This can range from informal or individual meetings with those directly affected by our policies, to full public consultation exercises involving formal consultation events.

There are many routes through which our stakeholders can participate in, and influence, the work we do. The Commission's website is our principal tool for opening dialogue and provides details of how to contact us with comments and suggestions.

2.2 What does this strategy cover?

This strategy sets out how the Charity Commission for Northern Ireland proposes to consult, participate with and be accountable to our stakeholders in the development and delivery of our policies, procedures and functions. The strategy sets out:

- our consultation principles and standards
- the consultation mechanisms we use and the good practice we follow in using them
- the framework we use to decide appropriate approaches for consulting and engaging stakeholders
- the procedures and guidance that we follow in managing consultations.

2.3 Our statutory duties

The Commission has a number of statutory duties in respect of consultation and participation. Some of these are found in the **Charities Act (Northern Ireland) 2008** (the Charities Act) as amended by the **Charities Act (Northern Ireland) 2013** which specifies when the Commission must and may consult with stakeholders and interested parties. For example, the Commission has a duty to consult before issuing guidance on the public benefit requirement.

The Charities Act also provides that the Commission may seek the views of third parties when exercising our regulatory function by, for example, making a decision, an order or a direction.

The individual provisions of the Charities Act are set out in the following table on page 7. Note that not all parts of the Charities Act are in force.

Section	Details
Section 18	Claims and objections to registration
Section 20	Name changes
Section 21	Name changes re company
Section 29	Making a cy-pres scheme
Section 43	Common investment schemes
Section 46	Authorisation of property dealings
Section 47	Authorisation of ex-gratia payments
Section 48	Directions re dormant bank accounts
Section 57	Charity land
Section 60	Restriction on mortgaging
Section 65	Annual audit of charity accounts
Section 66	Provisions re audits
Section 69	Public inspection of annual reports
Section 70	Annual returns by charities
Section 81	Enforcement of orders and directions
Section 84	Power to dissolve incorporated body
Section 86	Persons disqualified being charity trustee
Section 87	Persons acting as trustee while disqualified
Section 90	Disqualification of trustees receiving remuneration re s88
Section 95	Winding up a charity
Section 104	Investigation of accounts
Section 118	Transfer of CIO undertakings
Section 123	Powers to transfer property of unincorporated charity
Section 124	Resolution not to take effect/delayed
Section 126	Replace purposes of unincorporated charity
Section 129	Power large unincorporated charities spend capital
Section 136	Exemption for local/short-term collections
Section 137	Application for certificates
Section 138	Determinations on applications/issue of certificates
Section 139	Grounds for refusing to issue a certificate
Section 140	Power to call for info and docs
Section 141	Transfer certificates between trustees unincorporated charity
Section 142	Withdrawal or variation of cert
Section 143	Application permits for public charitable collections
Section 144	Application permits for public charitable collections
Section 146	Withdrawal/variation of permits
Section 147	Appeals against CCNI decisions
Section 173	Enforcement of requirements by Order

Additionally, as a non-departmental public body, under section 75 of the **Northern Ireland Act (1998)**, the Charity Commission is required to “have due regard” for the need to promote equality of opportunity and “to have regard” to the desirability of promoting good relations.

These obligations ensure that the Charity Commission makes equality and good relations considerations central to policy development and implementation.

Our *Equality Scheme and Action Plan* set out how we will achieve this in practice. The document sets out how the Commission will consider the potential impact of any policy on the following groups of people, and how we consult with them:

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- men and women generally
- persons with a disability and persons without and
- persons with dependants and persons without.

It is vitally important that individuals and representatives from these groups are involved in policy development and implementation from the outset.

2.4 Our participation objectives

Our overall aim in developing our participation and consultation procedures is to enhance our decision making through the exchange of information, opinions, ideas and feedback.

Our three specific objectives in relation to participation and consultation are:

1. To develop an ongoing and meaningful dialogue with our stakeholders;
2. To ensure that consultation contributes positively to the development of improved decision making and good policy;
3. To provide opportunities for all interested parties to participate in the development of policy, strategic decisions and to test new ideas.

2.5 When we will consult

In addition to our statutory obligation to consult, we will consider consulting with our stakeholders when:

- initiating major new policies, services or plans which are likely to impact on them
- making significant changes to existing major policies, services or plans which may impact how we engage
- establishing major priorities
- making significant changes to the range and type of services or access to services.

2.6 Participation principles

The Commission considers consultation and participation to be an important aspect of our work and it will be considered when we make plans and set out priorities.

When we participate with stakeholders, we commit to the following principles:

- commitment
- honesty and integrity
- openness
- adherence to best practice
- a proactive approach
- early involvement
- information sharing
- accessibility
- separation of functions
- evaluation
- clear communication.

Commitment

All staff are committed to consultation and participation and understand it's important. We will ensure that specific training is provided to ensure that those facilitating consultations have the necessary skills to do so effectively.

Honesty and integrity

As with all aspects of our work, we will always act with honesty and integrity. We will be clear about the scope of the exercise including what, if anything, has already been decided and where there is room to influence the development of the policy.

Openness

We will enter each consultation process with an open mind and an appreciation of the value of the participation of others.

Adherence to best practice

We will adhere to the consultation best practice guidance set out in the Permanent Secretaries' Group Practical Guide to Policy-Making and will endeavour to learn lessons from other public bodies where appropriate.

A proactive approach

We will consider a proactive and targeted approach to consultation with key stakeholders to ensure their participation.

Early involvement

In developing draft policies, procedures or guidance we may engage in pre-consultation work using vehicles such as focus groups, working groups or workshops.

Information sharing

The Commission will always seek to provide enough information to enable participants to be adequately informed. This will assist them in making an informed and useful response and we will advise them how to request further information.

In all of our consultation exercises we will explain what has taken place prior to the consultation, how the consultation will be run and what the post consultation next steps will be.

Accessibility

We will work to ensure that our publications, materials and events are accessible to all. If we decide to conduct stakeholder meetings or face to face interviews, we will take appropriate measures to ensure broad participation. This includes, for example, considering the time of day, the venue, use of appropriate language during the event.

Separation of functions

As far as is practical, we will keep the consultation function separate from our regulation and investigatory functions. In doing so we recognise that some charities may be reluctant to provide feedback to their regulatory body for fear of prejudicing future dealings.

Evaluation

We will evaluate consultation and participation activities to establish if they follow good practice and what impact they have made on decision-making.

Section 3: During the consultation

3.1 Participation methods

Participation and consultation can occur in a range of ways, depending on the nature of the issue at hand. The Commission acknowledges that the use of more than one participation method is likely to increase the chances of a better quality and quantity of responses. Accordingly, where possible, we will not rely on a single method. Instead, we will use a range of methods.

Our consultations will use one or a combination of the methods as set out below.

	Details	When would we use this method?	Associated issues
Written consultation exercises	We will use written consultation exercises to invite comment from our stakeholders. In doing so, we will take account of equality considerations and address barriers to participation. This is used across all of our work areas as stated in our Equality Scheme and Action Plan.	When we are seeking to implement new or revised policies or procedures which will affect most or all of our stakeholders.	<p>Freedom of information requirements: for reasons of cost and confidentiality we will not publish all responses as a matter of course but instead will provide a summary of responses.</p> <p>We will provide public feedback on our analysis of responses and how we have taken those responses into account.</p> <p>We will usually augment a written consultation with face to face discussions or meetings.</p>
Consultation meetings	<p>We may hold regional workshops or seminars as part of a consultation on a policy or proposal to give stakeholders an opportunity to engage.</p> <p>Targeted meetings allow for a more personal interaction and greater dialogue.</p>	<p>We may use consultation meetings at the beginning of or during a policy development process to bring together a range of stakeholders.</p> <p>Early focus group participation will allow us to discuss the issues at an early stage, before the production of draft guidance, policy or strategy.</p>	<p>Meetings must be accessible for all as per our Equality Scheme and Action Plan.</p> <p>Hard to reach groups will be considered when planning consultation meetings. An example of a hard to reach group may be those who do not speak English as a first language.</p> <p>We will also consider the format of meetings and through skilled facilitation ensure that we take note of as many views as possible, not just the loudest voice.</p> <p>We may organise these meetings ourselves or take part in events organised by others, eg representative groups or umbrella bodies.</p>

	Details	When would we use this method?	Associated issues
Face to face meetings	<p>These are semi-structured conversations with individual stakeholders. The meetings seek informal views about what issues we should consider, what approach we might take to consider them and who we might involve more formally, for example in a working group.</p> <p>They also help us to explore sensitive topics before or during a more public discussion.</p>	<p>As an early fact-finding process and to build dialogue with stakeholders.</p> <p>To augment wider consultations. For example, we might conduct interviews with hard to reach groups to guard against exclusion. This is also an outworking of our Equality Scheme and Action Plan.</p> <p>We may also use face to face interviews as part of a wider consultation to get more detailed feedback on complex issues.</p>	<p>We will be clear about the purpose of the face to face interview and what we will do with the information gathered.</p> <p>We will take an open approach and not ask leading or closed questions.</p> <p>We will not take decisions on the basis of a small number of interviews alone.</p>
Focus Groups	<p>They bring together a group of people led by a skilled facilitator in a discussion on a topic.</p>	<p>To obtain qualitative views from stakeholders on a specific and focused topic or to test out early thinking on a policy or</p>	<p>Requirement for skilled, experienced facilitators.</p> <p>Can be expensive and time consuming for those involved.</p>

Details	When would we use this method?	Associated issues
	<p>They enable an in-depth exploration of issues and enable focus group members to have an open discussion.</p>	<p>proposal.</p> <p>To get the views of a sample of the general public who might not otherwise engage with us.</p> <p>To augment a general consultation with the views of stakeholders who may be under-represented.</p>
<p>Information technology</p>	<p>New information and communication technologies make it possible to consult and involve users in new ways.</p> <p>For many, new technology makes it easier and more time efficient to take part which in turn increases levels of involvement.</p>	<p>All consultation exercises will be available in electronic form and we will make it possible for people to respond by email.</p> <p>If resources allow we will enable people to complete consultation questionnaires on-line which can be more cost and time effective for</p>

Focus groups have limits, for example the topic has to be fairly focused and so it can be difficult for members to prioritise issues.

Dominant members can hold sway and reduce opportunities for others to input.

Have a qualitative rather than quantitative use.

Research suggests that the more similar the group is in terms of gender, age and social class, the easier it is for them to communicate effectively so we may need to consider holding multiple focus groups to gather the views of different stakeholders.

Electronic communication is our preferred method of communication. This means that where possible we will publish all consultation material and information on our website.

Not all our stakeholders have access to the internet or to information technology more generally and we will provide alternative formats when requested.

We will equality assure our website and electronic materials.

We will use appropriate expertise when designing

Details	When would we use this method?	Associated issues
	<p>both parties.</p> <p>This also includes telephone or TextPhone consultation responses which will involve transcribing consultation comments.</p>	<p>on-line questionnaires.</p>
<p>Questionnaires and surveys</p>	<p>Questionnaires and surveys are used to establish the views of stakeholders when developing policies or programmes or reviewing internal services.</p> <p>On-line surveys are preferred as we look to communicate electronically where possible. Free to use yet intuitive survey software will be used. Additionally, we may engage independent consultants to conduct surveys where appropriate.</p>	<p>As part of a broader consultation questionnaires and surveys may be used to get customer feedback or evaluate the effectiveness of our processes.</p> <p>We will give clear instructions, use plain language and make the questionnaire as short as possible.</p> <p>We will follow our Equality Scheme and Action Plan to ensure that we remove barriers for users.</p>

	Details	When would we use this method?	Associated issues
Pilots/test groups	A pilot tests out major procedures with a small sample of charities or other users to ascertain whether changes will work and to improve processes before full roll-out.	<p>To try out major changes to our services.</p> <p>To enable us to make informed judgements about implications and costs and benefits.</p> <p>To discuss with stakeholders and resolve problems at an early stage and prior to roll out.</p>	<p>We will recruit a variety of participants to ensure good representation and we will explain what is involved and the benefits and costs to participants.</p> <p>We may notify groups about pending pilots, and invite them to express an interest in participating.</p> <p>We will be open with participants about what elements of the pilot are up for change, those which are not, and why.</p> <p>We will plan our evaluation and success indicators before we start.</p> <p>We will take account of changing circumstances throughout the pilot.</p>
Meet the regulator meetings	<p>Open meetings arranged for charity staff, trustees and members of the public to learn about our work, to ask questions and to provide feedback.</p> <p>Meetings may be organised through an intermediary body such as a specialist umbrella body.</p>	<p>We will hold these events in various locations across Northern Ireland to raise awareness and understanding of the Commission and charity regulation in general.</p> <p>Inevitably meetings will largely involve us providing information to</p>	<p>We will make sure that meetings are organised in line with our Equality Scheme and Action Plan stipulations.</p> <p>We will take proactive action to target communities of interest or hard to each groups.</p> <p>We will take serious account of views expressed and feed them into wider feedback but not make decisions based on one or two strong views expressed at one meeting.</p>

Details	When would we use this method?	Associated issues
	<p>attendees and answering their questions but there will always be an opportunity for general engagement.</p>	
<p>Attending events and conferences</p> <p>We will take opportunities to attend relevant events, meetings and conferences to provide information about our work and the regulatory regime.</p>	<p>We receive numerous invitations to attend events and conferences and cannot accept them all. We will take decisions based on current and future commitments.</p>	<p>We will actively consider geographical locations to take us to areas or groups otherwise hard to reach.</p> <p>We are likely to take a specific theme or focus in the presentation we give to ensure we address issues of particular relevance to the group.</p> <p>People who attend may not be particularly representative.</p> <p>There may be limited opportunity to get or record feedback.</p> <p>Conferences and events organised by others reduce our administrative time and cost.</p>

3.2 Consultation duration and periods

The minimum period for a formal consultation exercise is eight weeks and twelve weeks is the standard period. The Commission will always adhere to these timeframes.

We will plan any consultation so that it doesn't fall during holiday periods, for example over Christmas. If this is unavoidable, we will consider extending the consultation period.

Following any consultation process we will feed back to stakeholders to make it clear how we have taken account of consultation responses and why a particular decision has been taken.

We will aim not to launch large public consultation exercises during **purdah**, the pre-election period.

3.3 Consultation documents

Consultation documents, past and current, will always be available on our website. They can also be obtained in hard copy on request. We will endeavour to ensure that they are concise, clearly laid out and written in plain language.

Our consultation documents will:

- contain an explanation of the subject matter and the purpose of the consultation
- set out the issues clearly, including what decisions have already been taken and preferred options
- include any assumptions which have been made
- state the questions which we are asking (in all cases we will try to ensure that a mixture of open and closed questions is used and in an effort to ensure inclusivity, we will also ask questions about which groups or sectors would be likely to be affected by the policy in question)
- describe the methods through which people can participate in the process and how they can get involved
- offer consultees the opportunity to express views on related issues;
- state the deadline for responses
- outline the timetable for the rest of the decision-making process and implementation
- provide the name and contact details (address, telephone, TextPhone, fax number and e-mail address) of the Consultation Coordinator or of another contact person, if appropriate
- state that responses will normally be made publicly available unless respondents ask that they be kept confidential
- confirm that the document will be made available on request in other formats such as Braille, large print and audiotape and in other languages where appropriate.

Section 4: After the consultation

4.1 Post consultation feedback

The Commission undertakes to analyse carefully all consultation responses and those made through other channels such as public meetings.

At the close of a consultation period, we will normally provide a summary of consultation responses, including the views expressed against each question. The summary will also provide other significant comments received.

The Commission upholds the right of individuals and organisations to make non-attributed submissions. Therefore we will offer an opportunity for participants to opt out of having consultation responses or comments made public.

However, in the interests of transparency, the starting point will be that the views of those who have participated will be publically accessible, unless the participant requests otherwise.

We are bound by Freedom of Information requirements and will therefore publish response summaries rather than information containing personal data.

The feedback will also indicate if a decision has been taken as a result of the responses to the consultation exercise.

4.2 Evaluation of our participation process

After each individual consultation we will evaluate our consultation process to ensure that our procedures are as effective as possible.

This will involve looking at who responded to the consultation and asking whether they constitute an appropriate cross section and number of our stakeholders. This will allow us to assess the extent to which the consultation has empowered stakeholders to participate and to influence policy and practice.

Routine evaluation will examine our consultation principles and processes as a whole.

Section 5: Reviewing the strategy

This strategy will be consulted on and reviewed in Spring 2014 following three public consultations run by the Commission:

- Equality scheme and action plan (spring 2012)
- Public benefit and registration guidance (spring 2013)
- Interim reporting requirements (autumn 2013).

This will enable the Commission to integrate learning from those consultation exercises and will give our stakeholders the opportunity to comment on their experiences of our consultation methods.

The Commission will continue to ask for feedback on our methods during consultations and, if necessary, consider any changes required to our participation strategy. Where any significant changes are made we will consult with stakeholders.

Appendix 1: Stakeholders

Internal

Charity Commissioners
Staff

External

Charity sector
Charity trustees
Charity volunteers and staff
Press and Media
General Public
HM Revenue & Customs
Legal and accountancy professional bodies
Other charity regulators
Other regulators
Minister for Social Development
Social Development Committee
Department for Social Development
Northern Ireland Executive
Northern Ireland Assembly
Northern Ireland political parties
Funding Bodies
The Police Service of Northern Ireland
District Councils
Supermarkets and other corporates
Department of Enterprise, Trade and Investment
Northern Ireland Court Service
Attorney General for Northern Ireland
NILGA

Appendix 2: Glossary

Term	Definition
Charities Act (Northern Ireland) 2008	<p>References to 'the Charities Act' are to the Charities Act (Northern Ireland) 2008 (as amended). The full content of the 2008 Charities Act can be found at www.legislation.gov.uk</p> <p>Not all of the sections of the Charities Act are in force yet. Details of those sections that are in force are available on the Commission's website www.charitycommissionni.org.uk</p>
Charities Act (Northern Ireland) 2013	<p>The Charities Act (Northern Ireland) 2008 is the main piece of legislation establishing the Charity Commission for Northern Ireland, setting out its functions and powers.</p> <p>The Charities Act (Northern Ireland) 2013 is a much shorter act and was primarily brought in to amend the definition of a charity in the Charities Act (Northern Ireland) 2008.</p> <p>The full content of the 2013 Charities Act can be found at www.legislation.gov.uk</p>
Northern Ireland Act (1998)	<p>The Northern Ireland Act (1998) established a devolved legislature for Northern Ireland, the Northern Ireland Assembly.</p> <p>Section 75 of the Northern Ireland Act 1998 (the Act) places the following statutory requirements on each public authority:</p> <p>“(1) A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity</p> <ul style="list-style-type: none"> a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; b) between men and women generally; c) between persons with a disability and persons without; and

Term	Definition
	<p>d) between persons with dependants and persons without.</p> <p>(2) Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.”</p> <p>The full content of the Northern Ireland Act (1998) can be found at www.legislation.gov.uk</p>
Purdah	Purdah is the pre-election period in the United Kingdom, specifically, the time between an announced election and the final election results.

If you are dissatisfied with our service

The Commission is committed to delivering a quality service at all times. However, we know that sometimes things can go wrong. If you are dissatisfied with the service you have received, we would like to hear from you, and have a procedure that you can use. You will find further information on these processes in our guidance, *Making a complaint about our services*, which is on our website www.charitycommissionni.org.uk

Freedom of information and data protection

Data protection

Any information you give us will be held securely and in accordance with the rules on data protection. Your personal details will be treated as private and confidential and safeguarded, and will not be disclosed to anyone not connected to the Charity Commission for Northern Ireland unless you have agreed to its release, or in certain circumstances where:

- we are legally obliged to do so
- it is necessary for the proper discharge of our statutory functions
- it is necessary to disclose this information in compliance with our function as regulator of charities where it is in the public interest to do so.

We will ensure that any disclosure made for this purpose is proportionate, considers your right to privacy and is dealt with fairly and lawfully in accordance with the Data Protection Principles of the Data Protection Act.

The Data Protection Act 1998 regulates the use of “personal data”, which is essentially any information, whether kept in computer or paper files, about identifiable individuals. As a “data controller” under the Act, the Charity Commission for Northern Ireland must comply with its requirements.

Freedom of Information

The Freedom of Information Act 2000 gives members of the public the right to know about and request information that we hold. This includes information received from third parties.

If information is requested under the Freedom of Information Act we will release it, unless there are relevant exemptions. We may choose to consult with you first if this relates to your consultation or application. If you think that information you are providing may be exempt from release if requested, please let us know.

Further information on our activities is available from:

**Charity Commission for
Northern Ireland
257 Lough Road
Lurgan
Craigavon
BT66 6NQ**

www.charitycommissionni.org.uk



Email: admin@charitycommissionni.org.uk

Tel: 028 3832 0220

Fax: 028 3834 5943

TextPhone: 028 3834 7639

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