

THE SAFE TO BE ME FUND: BUILDING BRITAIN'S INVESTMENT IN GLOBAL LGBTI+ RIGHTS

Technical Annex

By Equal International

The Safe To Be Me Fund: Building Britain's investment in Global LGBTI+ rights

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The Baring Foundation commissioned Equal International to outline the rationale for and potential design of a new UK fund to support LGBTI+ civil society in the Global South and East. This Technical Annex is an accompaniment to the high level recommendations briefing paper. This report was developed with contributions from Government donors, private foundations and civil society worldwide.

The UK Alliance for Global Equality participated in conceptualising this Technical Annex, and reviewed the draft report.

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About Equal International

Equal International is a leading inclusive development consultancy focused on addressing the needs of marginalised communities through research, strategy and programme support. Equal International are thought leaders in consultation and co-creation processes.

www.equalinternational.org



About the Baring Foundation

The Baring Foundation is an independent foundation which protects and advances human rights and promotes inclusion. Since 2015, its International Development programme has supported civil society organisations to address discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI+) individuals and communities in sub-Saharan Africa, with a specific focus on lesbian and transgender communities.

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By Equal International with support from the Baring Foundation

*This Technical Annex follows on from the report, *The Safe To Be Me Fund: Building Britain's investment in global LGBTI+ rights*, published in July 2021. It is designed to support FCDO decision-making through exploring some of the technical questions that the FCDO will need to address in programme design, with a particular focus on concept note and business case development as part of FCDO smart rules.*

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ABBREVIATIONS

AFE MENA	Arab Foundation for Freedom and Equality, Middle East and North Africa
DFID	Department for International Development
ERC	Equal Rights Coalition
FCO	Foreign and Commonwealth Office
FCDO	Foreign, Commonwealth and Development Office
GATE	Trans, Gender Diverse and Intersex Advocacy in Action
GPP	Global Philanthropy Project
HIV	Human immunodeficiency virus
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association
ISDAO	Initiative Sankofa d’Afrique de l’Ouest
ITF	International Trans Fund
LBQ	Lesbian, bisexual and queer
LGBTI+	Lesbian, gay, bisexual, transgender, intersex +
ODA	Official Development Assistance
SOGIESC	Sexual orientation, gender identity and expression and sex characteristics
UKAGE	UK Alliance for Global Equality

Introduction

This Technical Annex is an accompaniment to the report – *Safe To Be Me Fund: Building Britain's investment in Global LGBTI+ rights* – which outlines recommendations to the UK Government to scale up its support for LGBTI+ human rights and inclusion globally to an average of 0.3% of official development assistance (ODA) over five years, focused on the creation of a new FCDO participatory and flexible funding mechanism.

The global Safe To Be Me Conference, which will be hosted by the UK, as co-chair of the Equal Rights Coalition, in June 2022, presents a 'golden moment' to launch this new funding mechanism, provisionally named the Safe To Be Me Fund. Consultations with FCDO and politicians during the preparation of the Safe to Be Me report indicate a high degree of ambition and commitment to scaling up funding for LGBTI+ human rights globally, and in particular, advancing the localisation agenda, and embracing participatory grant-making.

The Safe To Be Me Fund presents the UK with a unique opportunity to create a pathfinder fund for the newly merged Foreign, Commonwealth and Development Office, an opportunity to transform the department's vision of integrated diplomacy and development into an impactful global programme, with synergistic human rights and human development outcomes.

For maximum impact, the Safe To Be Me Fund should focus on resourcing local LGBTI+ civil society, particularly in the Global South and East – empowering them to craft solutions that work for their local contexts and the challenges they face, supported by appropriate technical assistance and resources.

This Annex builds on the *Safe To Be Me Fund: Building Britain's investment in Global LGBTI+ rights* report¹, expanding on its principles, analysis and recommendations. It is designed to support FCDO decision-making through exploring some of the technical questions that the FCDO will need to address in programme design, with a particular focus on concept note and business case development as part of FCDO smart rules.

The document was informed by consultations and key informant interviews with FCDO officials, as well as those working for other government donors; a range of LGBTI+-led organisations and networks from the UK and the Global South and East; as well as researchers and LGBTI+-focused donors and intermediary grant-makers. In addition, the document was guided by discussions during the All-Party Parliamentary Group on Global LGBTI+ Rights event, "Effectively funding LGBTI+ rights", held on 14 July 2021.

¹ *The Safe To Be Me Fund: Building Britain's investment in global LGBTI+ rights*, Equal International, 2021. https://cdn.baringfoundation.org.uk/wp-content/uploads/BF_Safe-to-be-me-fund_Briefing-final3.pdf

Background and Scope

In November 2020 members of the UK Alliance for Global Equality (UKAGE) published *Leading the Way*². The report observed that the UK, which is considered a world leader in the promotion and protection of global LGBTI+ rights, currently spends just 0.08% of Official Development Assistance (ODA) on LGBTI+ issues worldwide.

Leading the Way set out the need and rationale for the UK government to **contribute an average of 0.3% of Official Development Assistance (ODA) per year over five years** to fund new commitments to help safeguard and protect LGBTI+ people around the world.

A key recommendation for the UK Government was to:

> Create a new flexible funding mechanism ... to ensure any future UK funding commitments on LGBTI+ rights have maximum impact within the communities they aim to serve.

A little under a year since the publication of *Leading the Way*, the risks and vulnerabilities faced by LGBTI+ people worldwide remain as dire, if not more so, as COVID-19 has only exacerbated inequality and marginalisation.

We re-iterate all of the findings and recommendations of *Leading the Way* and, in the *Safe To Be Me* report (and this technical annex), we provide an update on the increasingly urgent case for increased UK support for global LGBTI+ rights.

WHAT IS COVERED IN THIS TECHNICAL ANNEX?

The Annex contributes towards the development of a business case for the Safe To Be Me Fund, outlining the rationale, evidence and policy base for the Fund, and proposing considerations and options for the fund architecture and delivery. The Annex aligns with the Strategic Case and Appraisal Case sections of the FCDO business case template.

What this Annex does NOT do is make recommendations on specific strategic objectives for the Safe To Be Me Fund, beyond the broad aim of contributing to LGBTI+ human rights globally.

The Safe To Be Me theory of change has not been developed yet: this is an important next step. In the spirit of 'nothing about us without us', and as emphasised in both the *Leading the Way* and *Safe To Be Me* reports, the theory of change for the fund must be developed through co-creation and with the participation of LGBTI+ civil society.

² *Leading the Way: The role of global Britain in safeguarding the rights of the global LGBTI+ community*, The Baring Foundation, 2020. <https://baringfoundation.org.uk/resource/leading-the-way-the-role-of-global-britain-in-safeguarding-the-rights-of-the-global-lgbti-community/>

Six Key Principles

The *Safe To Be Me Fund* report highlights six key principles which emerged as priorities for the proposed new fund during consultation and research.

01

Accountability

Create the fund in a transparent and accountable way, with adequate consultation.

02

'Nothing about us without us'

Manage the fund using participatory grant-making and co-creation as key pillars, putting the 'nothing about us without us' principle at the heart of the new fund.

03

Dependability and flexibility

Provide long term, multi-year, flexible funding to achieve lasting social change.

04

Grassroot support and relevance

Support local, grassroots LGBTI+ rights civil society organisations, building their capacities and skills and enabling local people to make change that is relevant to their specific contexts.

05

Collaboration and local reach

Utilise intermediary organisations to ensure funds and capacity support reach grassroots LGBTI+ organisations who are often not able to register as legal entities, prioritising LGBTI+-led intermediaries from the Global South and East.

06

Evidence and impact

Ensure evidence is generated and impact is measured, in order to build long term, appropriate and effective support for social change.

The Strategic Case

The Strategic Case sets out the rationale, evidence and policy framework for the Safe To Be Me Fund.

THE SITUATION OF LGBTI+ RIGHTS GLOBALLY

Leading the Way points out that recent decades have seen a dramatic and positive shift in both societal attitudes and political acceptance of lesbian, gay, bisexual, transgender and intersex (LGBTI+) people and their rights across many parts of the world. However, there is still a long road ahead until LGBTI+ people globally can enjoy full equality and equity.

The authorities of many countries continue actively to persecute LGBTI+ people. Consensual same-sex relations continue to be criminalised in 69 countries, including 35 out of 54 Commonwealth countries³. In twelve countries adults who engage in consensual same-sex acts can still face the death penalty.

Even where same-sex sexual activity is not illegal, officials often overlook abuse and murder of LGBTI+ individuals perpetrated by law enforcement officers, militant groups, street gangs, and even their own family members. Forced marriages, so-called honour killings, and the use of rape as a way of “undoing” a victim’s sexual orientation or gender identity continue to jeopardize lives in places where state capacity is limited. Lesbian, bisexual and transgender women are especially vulnerable to these acts of violence.

A mere twenty-nine countries legally recognise marriage equality. And even among countries where same-sex marriage is legal, some still lag behind in protecting LGBTI+ people from discrimination in access to social and

commercial services, education, health, and employment; only eleven countries mention sexual orientation in constitutional non-discrimination clauses⁴.

Like canaries in the coalmine, how our societies treat lesbian, gay, bisexual, transgender and intersex (LGBTI+) people is symptomatic of the dangers facing all people who are excluded in some way or another in our societies, by those who have a grip on social, economic, and political power⁵.

STATUS OF GLOBAL LGBTI+ FUNDING

Despite the hostile climate, local activism for LGBTI+ rights by civil society has been growing in strength and vibrancy. Civil society in the Global South and East, both LGBTI+ focused groups and those who work on related issues such as women’s rights, human rights and HIV, have a hugely important role to play in affirming, advocating for and realising the rights of LGBTI+ people.

Many are, however, seriously underfunded and/or at an early and crucial stage of development. According to the Global Philanthropy Project (GPP), between 2017-2018, donor government funding on LGBTI+ issues accounted for just 0.04% of all international development aid efforts. Of all LGBTI+ funding globally, almost 60% was focused on the Global North, and just 31% allocated to communities in the Global South and East⁶.

3 *Human Rights & Democracy, The 2020 Foreign, Commonwealth & Development Office Report, 2021:* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999607/Human_Rights_and_Democracy_the_2020_Foreign_Commonwealth_Development_Office_report.pdf

4 ‘The Changing Landscape of Global LGBTQ+ Rights’, Paul J. Angelo and Dominic Bocci / Council on Foreign Relations, 2021. <https://www.cfr.org/article/changing-landscape-global-lgbtq-rights>

5 *Canaries in the coal mines: an analysis of LGBTI activism in Southern Africa*, The Other Foundation, 2016. <https://theotherfoundation.org/canaries-in-the-coal-mines-angola/>

6 *Global Resources Report 2017-18*, Global Philanthropy Project, 2020. https://globalresourcesreport.org/wp-content/uploads/2020/05/GRR_2017-2018_Color.pdf

Funding for civil society groups supporting lesbian and transgender rights is particularly precarious, despite the inspiring and transformative work in the sector.

Many lesbian, bisexual, queer (LBQ), trans, and intersex organisations are working in 'survival mode.' According to the Astraea Lesbian Foundation and Mama Cash report, *Vibrant Yet Under-resourced: The State of Lesbian, Bisexual and Queer Movements*, almost half (47%) of all LBQ-led organisations operate on less than \$10,000 per year and fewer than one in four groups receive sufficient funding to fully implement their strategies⁷.

However, despite the fact that funding for LGBTI+ rights is inadequate, it is still increasing gradually year on year. The GPP Global Resource Report⁸ found that global funding for LGBTI+ rights in the 2017-2018 reporting period totalled \$560 million, an increase of 11% compared to the previous reporting period of 2015-2016. The number of donors is also growing, with 800 donors supporting LGBTI+ rights in 2017-2018, compared to 500 in 2015-2016. Several new donor governments are now reporting their contributions to LGBTI+ rights, including Australia, New Zealand and Luxembourg.

Behind the numbers, the experience of LGBTI+-focused grant-makers and intermediaries is growing in strength and depth. Several foundations, including Open Society Foundation and Ford Foundation now have decades of experience in supporting integrated human rights and development programmes led by LGBTI civil society organisations, and in strengthening LGBTI+ movements and community systems. Beyond programmatic expertise, the legacy of this work is also expertise in the technical aspects of grant-making, including identifying and mitigating risks.

GPP harnesses the collective expertise and experience which exists in the LGBTI+ donor sector, bringing together a partnership of 21

committed donors which support LGBTI+ rights (including the Baring Foundation), and serving as a platform for research, convening, collaboration, and the sharing of best practices.

STATUS AND CAPACITY OF LGBTI+ ORGANISATIONS

The past decade has seen increasing growth in the number, strength, visibility and impact of LGBTI+ organisations and movements, at all levels: global, regional, national and local. A 2018 report by Outright International identified LGBTI+ rights organisations in 164 countries out of 194 countries surveyed⁹. The report found that LGBTI+ organisations are able to register legally in 109 countries, whereas in 55 countries they cannot register. In the 30 countries where LGBTI+ organisations could not be identified, organising may still be happening, but clandestinely, due to the harsh, restrictive legal, political and social environments.

The countries where LGBTI+ organisations experience barriers to registering are often the ones where funding is most desperately needed, as they are the places where human rights violations are most severe. For example, in Tanzania in 2019, three LGBTI+ organisations had their registration revoked by the government for "promoting unethical acts", at the same time that the country experienced a surge in homophobic rhetoric from politicians, and a rise in discrimination and violence towards LGBTI+ people.¹⁰

LGBTI+ civil society organisations supported by HIV donors

The HIV response has, over the 40 years since the onset of the epidemic, been a source of funding for LGBTI+ organising. All over the world, established LGBTI+ organisations have a decades-long track record of addressing both the health and human rights of LGBTI+ people. Many of these organisations have expertise in working to address the human rights which increase vulnerability to HIV: criminalisation, stigma and discrimination, violence, and

7 *Vibrant yet underresourced: The State Of Lesbian, Bisexual, And Queer Movements*, Mama Cash and Astraea Foundation, 2020. <https://baringfoundation.org.uk/resource/vibrant-yet-underresourced-the-state-of-lesbian-bisexual-and-queer-movements/>

8 *Global Resources Report 2017-18*

9 *The global state of LGBTIQ organising: the right to register*, Outright Action International, 2018. <https://outrightinternational.org/righttoregister>

10 "If We Don't Get Services, We Will Die" Tanzania's Anti-LGBT Crackdown and the Right to Health, Human Rights Watch, 2020. <https://www.hrw.org/report/2020/02/03/if-we-dont-get-services-we-will-die/tanzanias-anti-lgbt-crackdown-and-right>

harmful social norms around gender and sexuality. Successive global HIV strategies¹¹ and the major HIV donors all support work to address the human rights drivers of HIV, and to strengthen community-led responses, even though funding is still woefully insufficient to meet the need¹². For example, the Global Fund supported two ambitious regional grants to consortia addressing the human rights and inclusion of HIV “key populations”¹³ in sub-Saharan Africa between 2016 and 2019. The first, KP REACH, supported the strengthening and/or establishment of regional key population networks (including African Men for Sexual Health and Rights, Coalition of African Lesbians and the nascent Southern African Trans* Forum), and also worked to shift harmful social norms regarding gender and sexuality¹⁴. The second, Removing Legal Barriers, worked to create a more enabling legal and policy environment at regional and national level¹⁵.

Global and regional LGBTI-led networks

Several global networks focusing on LGBTI+ rights and inclusion exist, either for all populations (e.g. Commonwealth Equality Network, Outright International, ILGA) or for individual populations (e.g. MPact for gay men, GATE for transgender and intersex, etc). Regional networks of LGBTI+-led civil society organisations exist in every region of the world. These networks support their members through convening, capacity-building, advocacy, research, and sometimes onward granting. As an example, the MPact Global Action for Gay Men’s Health and Rights currently coordinates and is fiscal host for a global consortium entitled SHAG: Sustainable Health Advocacy for Gay men, in partnership with Africagay Contre le Sida (AGCS) in Western and Central Africa, the Eurasian Coalition on

Male Health (ECOM) in Eastern Europe and Central Asia, SOMOSGAY in Latin America, and M-Coalition in Middle East and North Africa. The consortium is funded by the Robert Carr Fund (RCF) (discussed in more detail below).

UKAGE

Finally, but importantly, the UK Alliance for Global Equality (UKAGE) is a coalition of UK-based civil society organisations¹⁶ working together to promote and support progress in global LGBT rights. The mission of UKAGE is to use their collective resources and influence to promote the human rights and equality of LGBT individuals and communities outside the UK, to end persecution and discrimination¹⁷. One of their strategies to achieve this is by supporting the UK Government and Parliament to be effective champions for global LGBT rights and equality. Many members of UKAGE also engage in participatory grant-making to LGBTI+ civil society organisations in the Global South and East, and provide technical assistance directly to LGBTI+ CSOs in the Global South and East.

THE ROLE OF LGBTI+-LED INTERMEDIARIES IN THE SAFE TO BE ME FUND

LGBTI+-led intermediary funders now exist in the majority of regions globally. The 2017–2018 Global Resources Report documents six years of global LGBTI+ funding, from 2013 to 2018, and indicates that intermediary funders – also known as regrantee funders – hold an increasingly important role in the global LGBTI+ funding landscape.

11 Including the current Global AIDS Strategy 2021-2026: <https://www.unaids.org/en/Global-AIDS-Strategy-2021-2026>

12 *Fast Track or Off Track: How insufficient funding for key populations jeopardises ending AIDS by 2030*, Aidsfonds. <https://aidsfonds.org/resource/fast-track-or-off-track-how-insufficient-funding-for-key-populations-jeopardises-ending-aids-by-2030>

13 Key populations in the context of HIV are those who experience increased vulnerability to HIV, whilst also experiencing human rights barriers: gay, bisexual and other men who have sex with men; transgender people; sex workers; people who inject drugs and prisoners.

14 <https://kpreach.net>

15 <https://www.africa.undp.org/content/rba/en/home/about-us/projects/africa-regional-grant-on-hiv--removing-legal-barriers.html>

16 UKAGE members are: ACT SA (Action for Southern Africa); African Rainbow Family; All Out; Commonwealth HIV/AIDS Action Group; Equality Network; Frontline AIDS; House of Guramayle (HofG); Human Dignity Trust; Kaleidoscope International Trust; Micro Rainbow International; Ozanne Foundation; Stop AIDS; Stonewall; UK Black Pride; and the UK Lesbian and Gay Immigration Group.

17 <https://www.ukallianceforglobalequality.org.uk>

In the context of development funding, an intermediary is an institution that receives funding from one or more donors and meets at least one of the following three criteria:

1. funds a grantee or grantees directly;
2. performs a function so important that, absent the intermediary, the funder would have to perform itself;
3. relates to grantees or a field of interest in any way that makes it act as a grant-making advisor¹⁸.

Intermediaries can complement the processes and leverage the resources of funders. Ultimately, they can help increase donor impact, especially in complex and dynamic settings.

Regional intermediaries

Regional LGBTI+-led intermediary funders have grown considerably in the past decade, both in terms of geographic reach and the number and size of grants which they manage. Regional LGBTI+-led intermediaries in Africa and Asia include The Other Foundation in Southern Africa; UHAI-EASHRI in East Africa; ISDAO in West Africa, AFE-MENA in the Middle East and North Africa, and the ASEAN-SOGIE Caucus in South-East Asia.

These intermediary funders are all organisations led by LGBTI+ activists and advocates, who are part of the communities to which they provide grants. All the organisations undertake other work which complements their grant-making, typically advocacy, convening, movement building and research.

While the above-named intermediaries vary in size and capacity, several have developed in terms of their capacity and infrastructure to the extent that they manage a considerable portfolio of grants. For example, The Other Foundation in 2019 managed a total grant portfolio of roughly £537,924, comprising 76 grants across 10 Southern African countries. Grants ranged in amount from £500 to almost £100,000, with the average grant amount being around £7,000. The Other Foundation provides a range of grant types ranging from small grants to individual artists, activists

or researchers, to grants for emerging organisations, to funds for projects, to core funding for anchor organisations.

Despite the growth in intermediaries, gaps exist. Some regions do not appear to have regional LGBTI+ intermediary funders, e.g. Central Africa, South Asia and East Asia. Other intermediaries are in their infancy and/or may lack the infrastructure and capacity to manage a large number of grants, or grants of the amount which, for example, The Other Foundation currently manages, or more.

Population-specific intermediaries

Population-specific intermediaries in the global LGBTI+ ecosystem include Astraea Lesbian Foundation for Justice, which is fiscal host for a portfolio of funds including the Intersex Human Rights Fund and the International Trans Fund. The International Trans Fund (ITF) is a global participatory grant-making fund made up of trans activists and donors and is the only trans-led, global funder focused on safety, dignity and justice for trans people. The ITF launched its first round of grants in 2017, and since then has disbursed nearly \$2.7 million dollars to 105 trans-led groups in 66 countries.

The GPP report, *Diving Deeper*,¹⁹ outlines several benefits of working with intermediaries for LGBTI+ funding.

Many intermediary funders are better positioned to make grants to smaller, grassroots institutions due to regional, population-related, or issue-area expertise.

All the above-mentioned intermediaries view themselves as a part of the LGBTI+ activist community, with participatory grant-making seen as an extension of their activism. They are familiar with the tapestry of organisations in their ecosystems; they have had an opportunity to observe their reach; the depth at which they work; the level of trust which they enjoy from the communities; and their growth and developmental impact over time. They understand that the set of skills which make for an excellent funding proposal may be different from those which make for a trusted, impactful community-based organisation on the ground.

¹⁸ Resonance in a Stakeholder Ecology: Working Effectively with Intermediaries, Oak Foundation, 2017. <https://oakfnd.org/wp-content/uploads/2019/11/resonance-in-a-stakeholder-ecology.pdf>

¹⁹ Diving Deeper: Under the surface of LGBTI funding data, Global Philanthropy Project, 2021. <https://globalphilanthropyproject.org/2021/02/02/diving-deeper/>

Many intermediary funders are participatory grant-makers.

LGBTI+ communities are empowered in the grants decision-making process, contributing to ever stronger movements and influence for LGBTI+ communities.

Intermediary funders are more agile and responsive.

Intermediary funders are able to identify and rapidly respond to needs, including providing emergency funds. They are also responsive to the fact that most grassroots organisations have small budgets, and few donors, meaning that they cannot afford long grant-making processes, or gaps between different phases of grants.

Intermediary funders serve as a buffer between smaller grantees and larger funders, taking on reporting requirements and navigating risks to move funds.

An intermediary can break down a large funder grant into smaller grants and provide grant management and grantee support. This has the advantage for FCDO of reducing the administrative burden and cost of direct grant management of local civil society or community organisations.

Intermediaries are able to make numerous small grants that would not be possible for FCDO as, like other large donor agencies, its systems are geared towards disbursing much bigger grants with heavy reporting burdens.

Importantly, LGBTI+ intermediary funders generally tend to treat due diligence assessments of potential grantees as going hand in hand with capacity building. A due diligence assessment is treated not so much as a test as a dialogue, and the beginning of a partnership between the intermediary and grantee. The assessment is therefore an opportunity for a frank conversation about the grantees' strengths, as well as areas which need to be strengthened. The intermediary is then able to develop a bespoke capacity building plan for support over the course of the grant.

Intermediaries can provide spaces to address common concerns.

Intermediaries are well placed to analyse common issues across the region or population with which they work and to respond to these issues through convening, learning, research and advocacy. Intermediaries may also be in a position to amplify the voices of community organisations at regional or global advocacy platforms, or alternatively facilitate access to these platforms for community organisations.

Intermediary funders are in a good position to facilitate capacity-building, movement building and networking

Intermediaries can contribute to the strengthening of LGBTI+ movements by mobilising funding to bring people and organisations together, allowing LGBTI+ communities to grow their networks, reach and influence.

Intermediaries may also take on a range of capacity building roles, including training; mentoring; facilitating spaces to learn and reflect; technical support in areas of, for example, communications and monitoring and evaluation; and incubation of emerging organisations or movements.

Intermediary funders have experience supporting integrated human rights and development programmes

Intermediary donors, particularly in the Global South and East, are experienced in developing programmes which respond holistically to the needs of LGBTI+ communities in those contexts. Often this means working at the intersection of human rights and development. Thus, while historically, the division of labour between the former FCO and former DFID was such that, crudely put, FCO focused on human rights and DFID focused on development, there is not a strict distinction between these two programme areas when it comes to civil society in the Global South and East. For example, programmes which aim to strengthen LGBTI+ rights may undertake a range of typical "human rights" strategies including addressing legal barriers, supporting access to justice, improving legal literacy, as well as implementing typical "development" strategies such as working to

overcome inequalities and LGBTI+ exclusion in education, workplaces, economies, and civic spaces.

It is important to note that the partnership between donors, intermediaries and beneficiaries is a complex relationship, in which issues relating to power dynamics,

budget allocations, reporting requirements and deadlines, information sharing, and accountability, all have the potential to raise tensions. The co-creation process to develop the Safe To Be Me Fund should create a space where these potential tensions can be surfaced and considered reflexively throughout the grant cycle.

LGBTI+-led Intermediary Case study: UHAI EASHRI

UHAI EASHRI (UHAI) is Africa's first indigenous activist fund for and by sex workers and lesbian, gay, bisexual, trans, and intersex (LGBTI+) people. UHAI funds civil society organising for human rights and social justice in seven Eastern African countries, as well as mission-aligned Pan-African human rights organising across the continent.

UHAI supports a broad range of issues as identified and prioritized by sex worker and LGBTI+ communities in Eastern Africa based on the prevailing environment. They use a flexible and accessible participatory funding approach that includes support for capacity building and convenings.

As a participatory fund, UHAI's grantee partners are involved in grant decisions. They also mentor each other in capacity support and develop and implement their own research and convening agendas. UHAI also engages local activists in its periodic strategic planning.

UHAI provides a portfolio of four grant types: Peer Grants; Strategic grants; Opportunity Grants; and Capacity Support grants.

The grants which make up the majority of UHAI's grants are **Peer Grants**. These are flexible, made annually in an open, competitive, and participatory process that follows a call for proposals. Proposals are reviewed by the Peer Grant Committee (PGC), which consists of 13 activists nominated by and from sex worker and LGBTI+ communities across Eastern Africa, representing the diversity of the countries and communities which UHAI supports. The PGC recommends proposals for funding, and their decisions are final.

There are three categories of Peer Grants: one-year seed funding for new small-scale activities capped at USD\$5,000; one-year grants for large-scale projects, program continuation and core costs with funding of up to USD\$15,000; and two-year general support grants that provide unrestricted support/core funding to established organisations of up to USD\$50,000 to US\$250,000 yearly.

Strategic Grants, which are large-scale, longer-term initiatives and based on current needs within sex workers and LGBTI+ movements. These grants are targeted, non-competitive, and determined by UHAI's secretariat. They are flexible in amount and duration, are made year-round, and have a fast turnaround time.

Opportunity Grants address critical and urgent opportunities that emerge outside the Peer and/or Strategic Grants cycle. Recent grants have supported innovative and urgent advocacy opportunities; security and protection needs; and emergency assistance in response to threats of violence. Based on the urgency of the requests, these grants may be made in a matter of days. Opportunity Grants are also flexible in amount and duration and made year-round.

Capacity Support Grants (Uwezeshaji Grants) respond to community partner requests for self-identified learning needs that will help them advance their mission and goals. Needs may include strategic planning, advocacy skills strengthening, professional development for program teams, leadership development, and transition planning. The grants are capped at USD\$2,500, and are considered by the secretariat all year round²⁰.

20 See: <https://grantcraft.org/wp-content/uploads/sites/2/2018/12/PGM-uhai.pdf>

UK GOVERNMENT'S COMMITMENTS ON LGBTI+ HUMAN RIGHTS AND DEVELOPMENT

Participation in multilateral structures

The UK has a seat in every major multilateral organisation. The UK has a history of actively advancing global LGBTI+ human rights and inclusion through its participation in multilateral structures. Currently, the UK works through international organisations, including the UN, the Organisation for Security and Cooperation in Europe (OSCE), the G7 (as president in 2021) and the Commonwealth to combat discrimination against LGBTI+ people, and to address discriminatory laws²¹. The UK is also an active participant in the Council of Europe's LGBTI+ Focal Points Network (EFPN), a network of 37 Council of Europe member states.

Sustainable Development Goals

The 17 Sustainable Development Goals²² (SDGs) were adopted by all UN Member States, including the UK, in 2015. A key pillar of the SDGs is the promise to "leave no one behind," recognising that to eradicate poverty and create a sustainably developed world, the 169 targets need to be met for all segments of society, including marginalised groups and vulnerable populations. This principle is especially relevant for LGBTI+ persons who are systematically excluded from society based on their real or perceived sexual orientation, gender identity and expression, and sex characteristics (SOGIESC).²³

DFID's approach on LGBTI+ rights

In 2016, DFID issued its approach on 'LGB&T rights', recognising that shifts in the human rights context for LGB&T people will ultimately be driven by local change, including shifts in social attitudes and increased political support for human rights²⁴. This approach is best achieved through:

- facilitating voices from the Global South (and East) at country level, regionally and internationally, through building local relationships, and working with existing stakeholders that are supporting progressive change on sexual rights where there are opportunities to do so;
- developing new partnerships with civil society and the private sector for more effective influencing in relation to decision-makers and with communities and societies;
- embedding an inclusive development approach centred on evidence of what works.

The Government Equalities Office (GEO) LGBTI+ Action Plan

The four-year LGBTI+ Action Plan²⁵, launched in 2018, highlights the special responsibility that the UK has in addressing laws discriminating against LGBTI+ people in the Commonwealth, owing to so many originating from Britain's colonial-era legislation. The Action Plan makes several commitments in the international arena, including: supporting Commonwealth countries that want help to repeal laws discriminating against LGBTI+ people; promoting LGBTI+ rights through multilateral organisations (the United Nations, European institutions and the Commonwealth), the private sector and international civil society organisations; as well as providing funding to promote LGBTI+ equality worldwide.

21 Human Rights & Democracy, FCDO, 2021. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999607/Human_Rights_and_Democracy_the_2020_Foreign_Commonwealth_Development_Office_report.pdf

22 www.un.org/sustainabledevelopment

23 'LGBTI and the Sustainable Development Goals: Fostering Economic Well-Being', Brianna Scolaro, 2020. <https://LGBTI+q.hkspublications.org/2020/06/24/LGBTI+i-and-the-sustainable-development-goals-fostering-economic-well-being/>

24 DFID's approach on lesbian, gay, bisexual and transgender (LGB&T) rights, DFID, 2016. <https://www.gov.uk/government/publications/dfids-approach-on-lesbian-gay-bisexual-and-transgender-LGBTI+-rights>

25 LGBT Action Plan, Government Equalities Office, 2018. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721367/GEO-LGBTI+-Action-Plan.pdf

Leaving no one behind

In the spirit of the SDGs, in 2019, the UK Government issued its own commitment: *Leaving no one behind: Our promise*²⁶. In the commitment, the UK pledges to prioritise the interests of the world's most vulnerable and disadvantaged people; the poorest of the poor and those people who are most excluded and at risk of violence and discrimination. This will be achieved through a number of actions, including the following which have relevance for the Safe To Be Me Fund:

- listening and responding to the voices of those left furthest behind;
- holding ourselves and each other accountable for designing policies and building inclusive institutions that put the furthest behind first and sustainably address the root causes of poverty and exclusion;
- challenging the social barriers that deny people opportunity and limit their potential, including changing discrimination and exclusion, including that based on sexual identity;
- building inclusive and open economies and societies.

These principles are beginning to materialise into inclusive policies and strategies, including the Disability and Inclusion Strategy and the Strategic Vision for Gender Equality.

Manifesto Commitments

The Government's 2019 Manifesto states that leaving the European Union (EU) will allow the UK to do more on the international stage, including in the area of human rights²⁷. The Manifesto explicitly states the government's ongoing support of marginalised communities such as LGBTI+ populations in the Global South

and East, and specifically pledges to host the UK government's first ever international LGBTI+ conference.

Through the Safe To Be Me Fund, the UK Government can enhance its contribution to global LGBTI+ human rights, building the UK's reputation in this area at a time when there is a vacuum in traditional global leadership.

The FCDO Merger

In September 2020, the UK merged the FCO and DFID to create the Foreign, Commonwealth, and Development Office (FCDO), with the aim of synergising Britain's development and diplomatic efforts. Encouragingly, the FCDO has adopted and strengthened DFID inclusion strategies, especially the Strategic Vision for Gender Equality, and the Strategy for Disability Inclusive Development, and is creating dedicated teams on inclusive development with the mandate, expertise and resources to implement these strategies across the department.

The FCDO's strategic framework focuses on seven global challenges, of which one "Open Societies and Conflict Resolution" relates directly to LGBTI+ human rights²⁸. The merger situates LGBTI+ rights and inclusion within the Education, Gender and Equality (EGE) Directorate.

As the FCDO undergoes a process of shaping its new development strategy, there are opportunities to rethink ODA funding and operational models, enabling more funds to reach CSOs directly in-country more swiftly, and with more autonomy. The Foreign Secretary has, for example, pledged to put an end to outdated practices which forced DFID to outsource work to expensive consultants²⁹, thereby allowing greater flexibility to develop the best delivery mechanisms, which are inclusive and advance the localisation agenda.

26 <https://www.gov.uk/government/publications/leaving-no-one-behind-our-promise/leaving-no-one-behind-our-promise#contents>

27 Available at: https://assets-global.website-files.com/5da42e2cae7ebd3f8bde353c/5dda924905da587992a064ba_Conservative%202019%20Manifesto.pdf

28 <https://committees.parliament.uk/publications/3683/documents/38142/default/>

29 <https://committees.parliament.uk/publications/3683/documents/38142/default/>

30 FCDO Outcome Delivery Plan: 2021 to 2022, July 2021. <https://www.gov.uk/government/publications/foreign-commonwealth-development-office-outcome-delivery-plan/fcdo-outcome-delivery-plan-2021-to-2022>

In the FCDO Outcome Delivery Plan: 2021 to 2022, published on 15 July 2021³⁰, the FCDO commits to meeting its equality objectives through using “our diplomatic network, bilateral relationships and prominent voice in national and international fora to mobilise change”. One of the specific equality objectives pledges to:

“coordinate action against discrimination on the basis of the protected characteristics (gender, disability, sexuality and race) and advance equality, internationally and in all geographies. The UK will increase diplomacy at national and international levels and ensure ODA supports marginalised and minority groups through targeted and mainstreamed programming”.

Two of the specific actions planned to achieve this objective are the delivery of the UK’s first international LGBT conference in 2022 and the first global Equal Rights Coalition (ERC) strategy on LGBT rights as ERC co-chair with Argentina until 2022.

The Equal Rights Coalition

Since 2019, the United Kingdom has proudly served as co-chair of the Equal Rights Coalition (ERC), along with Argentina.

The ERC is an intergovernmental coalition, currently with 42 member states, which aims to protect the rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI+) people. The ERC advances the human rights of LGBTI+ persons and promotes inclusive development in both member and non-member countries. The ERC pursues its agenda by engaging with civil society organisations and multilateral agencies.

Co-chairs, UK and Argentina, launched the ERC’s first five year strategic Plan (2021-2026) in July 2021³¹. The Plan outlines four strategic objectives, aligned to the Sustainable Development Goals:

- eliminate violence and discrimination based on SOGI;
- end the criminalisation of LGBTI+ persons;
- advance the implementation and monitoring of SDGs for LGBTI+ inclusion;
- enlarge and build the capacity of the ERC.

Safe To Be Me Conference 2022

The UK will host its first ever global LGBTI+ conference in June 2022 to tackle inequality around the world and urge countries to take action. The Safe To Be Me Conference will be the largest event of its kind and will focus on making progress on legislative reform, tackling violence and discrimination, and ensuring equal access to public services for LGBTI+ people³². Conference Chair Nick Herbert (Lord Herbert of South Downs) has also been appointed by the Prime Minister as the UK’s Special Envoy on LGBT rights to promote the conference and champion LGBTI+ equality at home and abroad.

31 Equal Rights Coalition: strategic plan 2021 to 2026, FCDO, July 2021. <https://www.gov.uk/government/publications/equal-rights-coalition-strategic-plan-2021-to-2026>

32 The Global Launch of the Equal Rights Coalition Strategy, July 2021. <https://www.wiltonpark.org.uk/wp-content/uploads/2021/08/WP1953V-Report.pdf>

RATIONALE FOR THE SAFE TO BE ME FUND

Establishment of the Fund is based on four lines of rationale: the human rights rationale; the economic and commercial rationale; the health and wellbeing rationale, and the strategic rationale.

Advancing LGBTI+ human rights is in line with international law and obligations

The legal obligations of States to safeguard the human rights of LGBTI+ people are well established in international human rights law on the basis of the Universal Declaration of Human Rights, international human rights treaties, and customary international law. All people, irrespective of sexual orientation, gender identity or sex characteristics, are entitled to enjoy the protections provided by international human rights law, including rights to life, security of person and privacy, the right to be free from torture, arbitrary arrest and detention, the right to be free from discrimination, equality before the law, and the right to freedom of expression, association and peaceful assembly.

Addressing these concerns is therefore a legal obligation. However, it is more than that – more than 115 States, a significant majority of the membership of the United Nations, have made voluntary commitments to address violence and discrimination based on sexual orientation and gender identity in the context of the Universal Periodic Review.³³

LGBTI+ inclusion makes economic and commercial sense

The evidence shows that open, inclusive and diverse societies are better for economic growth, and that discrimination on the basis of sexual orientation or gender identity can damage long-term economic prospects³⁴.

Across multiple dimensions, including competitiveness, entrepreneurship, immigration,

national reputation, national productivity and gross domestic product, LGBTI+-inclusive societies are more successful³⁵.

Businesses demonstrate stronger financial performance as LGBTI+ inclusive companies are better able to attract and retain talent, to innovate, and to build customer loyalty and brand strength. Individuals working in open, diverse and inclusive environments tend to perform better. A culture of inclusion and diversity can boost individual performance – for everyone, not just LGBTI+ individuals³⁶.

Advancing LGBTI+ rights is critical for achieving health and wellbeing for all

Sustainable Development Goal 3 promises to ensure healthy lives and promote wellbeing for all. Research shows that criminalisation of and stigma and discrimination towards LGBTI+ people have a negative effect on mental and physical health outcomes. Anti-LGBTI+ discrimination increases the risks of depression, anxiety, suicidality, post-traumatic stress disorder, substance use and cardiovascular disease. Harms are exacerbated when LGBTI+ individuals also experience discrimination on the basis of intersecting identities such as gender, race or socioeconomic status³⁷.

Regarding HIV, evidence shows that the legal and social climate has a clear impact on HIV prevalence. Where same-sex sexual relationships are criminalised, levels of HIV status knowledge and viral suppression among people living with HIV are significantly lower than in countries that opted not to criminalise them³⁸. Conversely, there was a positive correlation between better HIV outcomes and the adoption of laws that advance non-discrimination, the existence of human rights institutions and responses to gender-based violence³⁹.

33 *Born free and equal: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law*, 2nd edition, UN OHCHR, 2019. https://www.ohchr.org/Documents/Publications/Born_Free_and_Equal_WEB.pdf

34 <https://open-for-business.org/theeconomiccase>

35 <https://open-for-business.org/theeconomiccase>

36 <https://open-for-business.org/theeconomiccase>

37 'Discrimination impacts health of LGBT people, analysis finds', Cornell Chronicle, 2019. <https://news.cornell.edu/stories/2019/12/discrimination-impacts-health-lgbt-people-analysis-finds>

38 Kavanagh MM, Agbla SC, Joy M, Aneja K, Pillinger M, Case A, Erundu NA, Erkkola T, Graeden E. *Law, criminalisation and HIV in the world: have countries that criminalise achieved more or less successful pandemic response?* O'Neill Institute for National and Global Health pre-print white paper, 2021. <https://gh.bmj.com/content/6/8/e006315>

39 *Confronting inequalities: lessons for pandemic responses from 40 years of AIDS*, Global AIDS Update 2021. https://www.unaids.org/sites/default/files/media_asset/2021-global-aids-update_en.pdf

Advancing LGBTI+ rights is aligned with the vision of 21st century Global Britain

The integrated review of security, defence, development and foreign policy, *Britain in a Competitive Age*, describes the government's vision for the UK's role in the world over the next decade⁴⁰. The review makes clear Global Britain's ambition to be a Force for Good: supporting open societies, defending human rights and promoting gender equality. In launching the Safe To Be Me Conference, Foreign Secretary Dominic Raab reiterated these intentions, stating: "The right to live life without fear and persecution are the bedrock of inclusive and open societies and the UK, as a force for good, will protect and promote these values at home and around the world."⁴¹

GEOGRAPHIC FOOTPRINT

The geographic approach of the new FCDO to ODA is to focus aid on those regions and countries where UK's "development, security and economic interests align, and where it can have the greatest life-changing impact in the long term"⁴².

FCDO has signalled its intention to allocate 50% of its bilateral ODA budget to Africa, (60% of which will go to East African countries), and 32% of bilateral ODA to the Indo-Pacific and South Asia⁴³.

In addition, the Commonwealth continues to be an important space for UK intervention. This is commendable given the number of Commonwealth countries which inherited the UK's colonial-era sodomy laws, and the fact that almost half the countries which still criminalise same-sex relationships are located in the Commonwealth⁴⁴.

The FCDO merger offers an opportunity to move beyond DFID's historic focus on the world's poorest countries. As *Leading the Way* points out, the correlation between a country's income status and the human rights status of its LGBTI+ citizens is not a constant one. The opportunity now exists for FCDO to consider extending its footprint to include some middle income countries, where an investment in LGBTI+ rights may have the potential to deliver impactful change.

A range of factors would therefore need to be considered in deciding where the Safe To Be Me Fund should focus. This will include weighing up where the need is the greatest and where investment is likely to have significant development impact.

The new flexibility to move beyond DFID ODA countries can also bring to bear the considerable experience, knowledge and geographic reach of the former FCO at country, regional and global levels in supporting LGBTI+ rights.

THE LOCALISATION AGENDA

In recent years, the concept of "localisation" has become increasingly prominent in debates about international aid. FCDO endorses the principles of localisation across its policy and programmatic documents.

The localisation agenda broadly refers to shifting the power, influence and resources towards organisations working to address development challenges at national and local levels. Localisation acknowledges that these organisations are best placed to develop and implement solutions to the problems they face.⁴⁵

40 *Global Britain in a competitive age, The Integrated Review of Security, Defence, Development and Foreign Policy*, HM Government, March 2021. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975077/Global_Britain_in_a_Competitive_Age-the_Integrated_Review_of_Security_Defence_Development_and_Foreign_Policy.pdf

41 <https://www.gov.uk/government/news/uk-to-host-its-first-global-LGBTI+-conference>

42 <https://committees.parliament.uk/publications/5579/documents/55265/default/>

43 <https://committees.parliament.uk/publications/5579/documents/55265/default/>

44 *Leading the Way*, The Baring Foundation, 2020.

45 'Aid localisation: current state of the debate and potential impacts of the Covid-19 crisis', Martin Vielajus et Jean-Martial Bonis-Charanle, 2020. <https://alternatives-humanitaires.org/en/2020/07/23/aid-localisation-current-state-of-the-debate-and-potential-impacts-of-the-covid-19-crisis/>

Localisation can be conceptualised in terms of paradigm shifts across seven key dimensions⁴⁶: funding pathways and amounts; quantity and quality of relationships; approach to capacity-building; coordination mechanisms; visibility of

local and national partners; and engagement in policy debates. These shifts are demonstrated in the framework below:

FUNDING	PARTNER-SHIPS	CAPACITY	PARTICIPATION REVOLUTION	COORDINATION MECHANISMS	VISIBILITY	POLICY
As directly as possible	Less sub-contracting	Institutional development	Participation in decision making	Actors from recipient countries and communities have greater inclusion and influence	The role(s), contributions, innovations and achievements of national and local actors are acknowledged	Actors from recipient countries and communities have greater inclusion and influence in global policy debates
Adequate proportion of grant covers core costs	More equitable relationships	Valuing local knowledge and capacity	Inclusivity			

Table 1: Seven Dimensions of the Localisation Agenda

GENDER EQUALITY

Discrimination and abuse towards LGBTI+ people and discrimination and abuse towards women have the same root cause – harmful, patriarchal gender norms which marginalise and exclude people based on their sex, gender, sexual orientation and sexual identity and expression, and which punish those who deviate from narrow norms and expectations⁴⁷. For both LGBTI+

people and women, these patriarchal norms limit people from living freely and actualising their potential.

Lesbian, bisexual and trans women can experience multiple discrimination and violence, because of their intersecting LGBTI+ status and gender.

⁴⁶ Localisation in practice, Disaster & Emergencies Preparedness Programme, 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/Localisation-In-Practice-Full-Report-v4.pdf>

⁴⁷ 'Gender is where the feminist and LGBTI movements meet. Here's why', Julia Ehart, World Economic Forum, 2019. <https://www.weforum.org/agenda/2019/07/gender-where-feminist-movements-and-lgbti-movements-meet/>

The Appraisal Case

The Appraisal Case explores how the programme will deliver on the Strategic Case in a way that optimises developmental impact and value for money.

CO-CREATION: WHAT DOES IT MEAN FOR THE SAFE TO BE ME FUND?

We recommend that the Safe To Be Me Fund is co-created by the FCDO together with representatives of the communities which the fund is intended to benefit. Co-creation is the best way to craft credible, workable, appropriate solutions that all stakeholders can buy into as a result of them having ownership over the design. The starting point for co-creation is about seeking understanding from diverse stakeholders whose collective knowledge and intelligence together constitutes an engine of creativity and innovative solutions.

Therefore, a successful co-creation process has trust and ownership by those stakeholders at its heart. Successful co-creation processes recognise and seek to overcome the inherent inequalities and asymmetries between users or beneficiaries and experts or donors.

The process of co-creation can be described as a spiral of validation, as illustrated by the diagram below⁴⁸. In the case of developing the Safe To Be Me Fund, this would entail bringing stakeholders together over time through an iterative process of co-design and co-production. A clear focus on accountability and transparency should influence all phases of co-creation to ensure legitimacy.

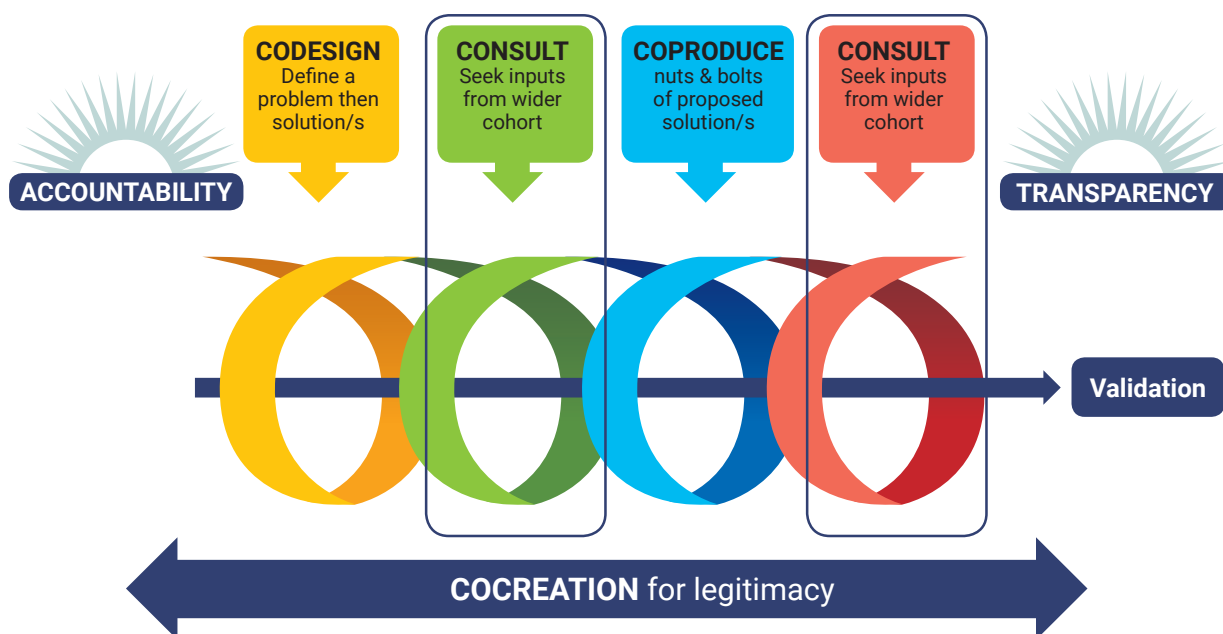


Figure 1 : Co-creation spiral of validation

48 Co-creation and consultation for Global Public Investment: Best practices and principles, Equal International, 2021. Available at: <https://secureservercdn.net/160.153.137.14/qjz.3c1.myftpupload.com/wp-content/uploads/2021/05/Equal-International-Cocreation-and-Consultation-for-Global-Public-Investment-.pdf?time=1630101733>

SAFEGUARDING

Safeguarding of beneficiaries reached through the Safe To Be Me Fund will be an important consideration. In line with the principle of “do no harm”, safeguarding policies, codes of conduct, procedures and practices are essential to protect LGBTI+ children, adolescents and adults from abuse, exploitation, harassment and neglect. Safeguarding considerations will be expected to adhere to the UK Strategy: *Safeguarding Against Sexual Exploitation and Abuse and Sexual Harassment within the Aid Sector*⁴⁹. It will be essential for safeguarding compliance to be incorporated throughout the chain of onward grants, throughout the grant delivery mechanism all the way down to the beneficiary level.

LGBTI+ children and adults may experience heightened vulnerabilities in many countries where homosexuality is illegal, for example, the use of blackmail or the threat of being reported to the authorities. UKAGE member Stonewall has developed a global safeguarding policy aimed at protecting children and adults at risk who engage with the organisation and/or its international partners, as well as a code of conduct which staff, volunteers, supporters and everyone who engages with Stonewall is expected to abide by. This policy and code of conduct could provide useful starting points for developing LGBTI+ focused safeguarding policies and procedures for the Safe To Be Me Fund. The recently established Funder Safeguarding Collaborative is also a resource for guidance, research and a community of practice around safeguarding⁵⁰.

THE SAFE TO BE ME FUND: A PROPOSITION

While the specific goals and objectives of the Safe to Be Fund are still to be co-created, an initial proposition (based on the consultations and research which informed this paper) is that the Fund will work in three key ways:

- work to achieve sustainable empowerment, capacity and organisational strength of LGBTI+ movements, networks, civil society and community-based organisations and communities over time, in the Global South and East at regional and national levels;
- support LGBTI+ civil society, globally, and particularly in the Global South and East, to implement sustained programmes of action to create more favourable legal, political and social environments;
- empower LGBTI+ civil society to respond swiftly and flexibly to both threats and opportunities which arise in the environment.

The authors are mindful that this proposition is a “straw man”, but it is presented as a conversation starter, which will inevitably prompt rigorous discussion during consultation to develop the details of the Safe To Be Me Fund.

49 UK Strategy: *Safeguarding Against Sexual Exploitation and Abuse and Sexual Harassment within the Aid Sector*, HM Government, 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/916516/Safeguarding-Strategy-10092020.pdf

50 <https://globalfundforchildren.org/funder-safeguarding-collaborative/>

Stakeholders in the Safe To Be Me Fund

In this Technical Annex, we recommend that the new flexible funding mechanism should comprise a range of stakeholders, working in consortium, each harnessing their comparative strategic advantage, and pooling their efforts to create synergies. These elements will enable the Safe to Be Me Fund to achieve an ambitious scope and scale, and achieve maximum developmental impact for LGBTI+ communities globally. We will briefly outline these stakeholders here, and suggest a way in which the stakeholders could work in consortium in a way which meets the principles outlined in the *Safe To Be Me Fund* and *Leading the Way* reports.

- Intermediary funders with a global or regional footprint
- Intermediary funders with population-specific expertise
- Global (especially UK-based) LGBTI+ organisations with specific technical expertise, including, for example:
 - Institutional strengthening for LGBTI+ organisations
 - Technical legal assistance
 - Communications to shift social norms
 - Research and learning
- Donor mobilisation, collaboration and fundraising (e.g. co-funding)
- LGBTI+ community advisory committee
- Programme management and/or strategy committee

A potential model

A potential model is that **intermediary funders** are supported to strengthen onward granting for LGBTI+ civil society organisations in the Global South and East. In addition, intermediary funders which support specific populations will be funded to do so, with a focus on lesbian, bisexual and queer women and transgender and intersex people. The grants provided by the intermediaries could include a diverse portfolio, supporting organisations of different sizes and stages of development, as well as agile, rapid response grants for unforeseen threats and opportunities.

In regions where intermediary funders are non-existent, or not yet at a developmental stage to be able to manage the scope and scale of grants adequately, there are two solutions. Firstly, an experienced LGBTI+ intermediary funder (most likely a global organisation) could be appointed to onward grant to civil society organisations in those regions. Secondly, the experienced LGBTI+ intermediary funder could act as an **incubator for nascent regional intermediaries**.

Technical partners with specific technical expertise and experience (wherever possible, preferably LGBTI+-led) can play a complementary role in the consortium. This includes leading areas of work where regional and population-based intermediaries may lack certain expertise (e.g. technical legal assistance, as well as providing a supportive function for other consortium members (e.g. institutional strengthening) and growing giving from other sources.

Research will be a vital component of the Safe To Be Me Fund, in order to address knowledge and data gaps regarding the impact of human rights violations and exclusion on individuals and societies, as well as what works to address these challenges. It is proposed that the Safe To Be Me Fund integrate a research and learning objective, led by a partner with a track record LGBTI+ participatory learning research, but involving all partners in the consortium. A strong focus on research and learning can also support value for money considerations by assessing, in an ongoing way, which elements of the programme are working, and which need to be changed.

The Fund can also build in **accountability structures**, that is, structures which ensure accountability to FCDO and those which ensure accountability to the communities which the Fund serves. The role and composition of these structures will be fleshed out in the section below on three potential delivery mechanisms.

FCDO could amplify the scale and scope of the fund through **collaboration with other donors** (particularly private and public foundations).

This collaboration could be threefold: firstly, engaging other donors as co-funders of the Safe To Be Me Fund; secondly, drawing on the established track records, relevant expertise and extensive networks of many long-time LGBTI+ human rights donors; and, thirdly, working with public foundations to grow individual and corporate giving to support the aims of the Fund.

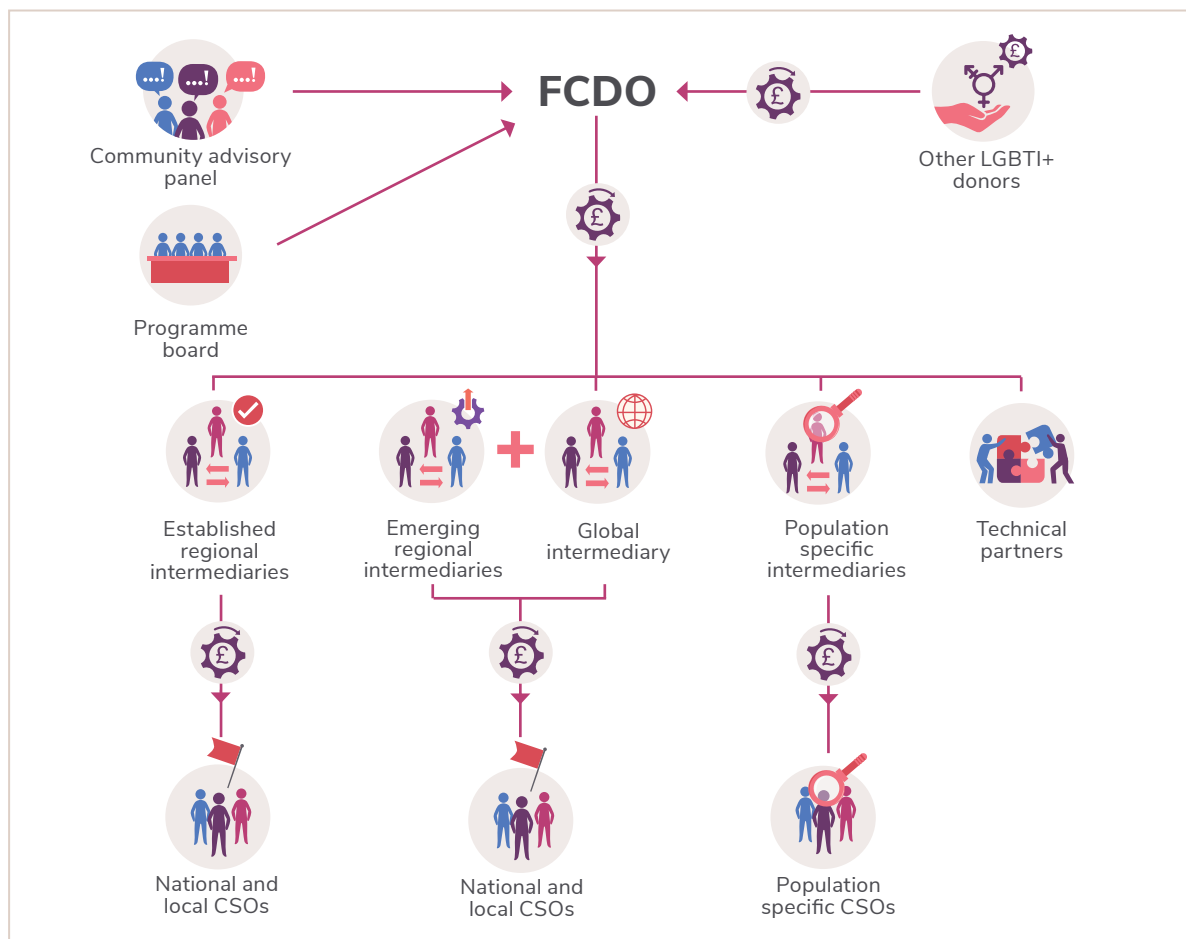


Figure 2: Diagram of the partners involved in the Safe To Be Me Fund

DELIVERY MECHANISMS: THE ‘HOW’ IS AS IMPORTANT AS THE ‘WHAT’

A 2016 study by the Global Philanthropy Project⁵¹ reviewed seven different partnership models of partnerships where governments in the Global North work with intermediaries to fund and support LGBTI+ groups on the ground. The key learning from the analysis of the seven different models is that the challenge for governments in how to do this work well

does not necessarily lie in selecting exactly the right model, but rather in ensuring that key elements, or conditions for success, are in place in the partnership that promote effective collaboration grounded in trust, transparency and shared decision-making.

51 The Road to Successful Partnerships, Barbary Cook, Dragonfly Partners and Bia Vieira, Moreno & Associates, 2016. <https://globalphilanthropyproject.org/2016/07/03/the-road-to-successful-partnerships/>

Conditions for success for LGBTI+ civil society grant-making

- *High-level, political commitment in government:*
There is support at the highest levels in the government funder.
- *Coordinated government strategy that takes a broad approach:*
There is overarching policy and strategy that coordinates government support.
- *Champion inside government:*
The work is driven forward by at least one senior-level champion within government.
- *LGBTI+-inclusive staff policy in all organisations:*
All stakeholder organisations including governments, intermediaries, and partners must all embody the LGBTI+ rights they are striving to enhance.
- *Local ownership and ability to influence project design and delivery:*
LGBTI+ groups receiving either funding or services have the power and ability to influence and co-design project design and delivery.
- *Local ownership and ability to influence strategy of intermediaries and funders:*
LGBTI+ groups receiving either funding or services have the power and have the capacity to influence and co-design the overarching policy and strategy that directs the funding.
- *Power analysis:*
Stakeholders have a realistic understanding of how power plays out in the global relations between the North, South and East and actively address power differentials in the structure of the partnership.
- *Sensitive and adaptable to local political, economic and cultural context:*
Stakeholders are able bring an awareness of the wider, local political, economic and cultural context and adapt to these conditions.
- *Flexible funding:*
Funders are responsive to grantees' needs to change funding.
- *Manageable reporting and monitoring and evaluation (M&E) burden:*
Funders ensure there is not an unreasonable reporting and M&E burden on grantees.
- *Intermediaries which have the following characteristics:*
 - Established relationships with LGBTI+ groups in the Global South and East.
 - Grant-making skills and a proven grants strategy.
 - Effective organisational capacity and infrastructure to manage money.
 - Excellent relationship management capacity.

Source:

Global Philanthropy Project (2016). *The road to successful partnerships: How governments in the Global North can effectively partner with intermediary organizations to support LGBTI communities in the Global South and East.*

OPTIONS FOR SAFE TO BE ME FUND DELIVERY MODELS

In this section, we present three potential options for delivery models for the Safe To Be Me Fund. These three options have been selected from a wide range of operational models which exist as vehicles to deliver government ODA, whilst maximising impact, managing risk and allowing for meaningful engagement from LGBTI+ people. These options have been 'short-listed' because they align with the principles and priorities outlined in the Safe To Be Me Fund report, as well as in this Technical Annex. The strengths and weaknesses of each of the three options will then be assessed.

Option 1

A new Safe To Be Me Fund governance structure is established to undertake participatory grant-making

With Option 1 a new fund governance structure is established. Ultimate responsibility and final decision-making about the fund rests with a Board or Steering Committee. In the case of the Safe To Be Me Fund, the steering committee could consist of FCDO representatives and LGBTI+ civil society representatives and advocates. The steering committee mandates the various bodies which make up the governance structure to fulfil their role.

Day to day management and oversight of the participatory grant-making process would be undertaken by a small secretariat. The secretariat would be hosted by an organisation (fiduciary host) which would be responsible for administrative, contractual and financial management functions. Funds would flow from FCDO to the fiduciary host, and on to the grantees. Working with this kind of fiduciary host, as opposed to a private, for-profit grant management company, reduces the overhead and management costs, and maximises the proportion of the fund which reaches beneficiaries. In addition, this kind of fiduciary host is more familiar with the field and is more likely to have experience in consultation and co-creation.

Selection of grantees would be undertaken in a participatory manner by a panel of community representatives set up to co-create and co-design grant-making priorities, review grant proposals and recommend applicants to be funded.

Requests for proposals would be developed, seeking applications which contribute to the Fund's theory of change. There could be the option of funding either single organisations or consortia of organisations, or intermediary grant-makers, which would then onward grant to local organisations.

Example: Robert Carr Fund

The Robert Carr Fund is an international fund focused on providing sustainable, multi-year funding to regional and global networks led by and involving and serving inadequately served populations. The Fund is a pooled funding mechanism, with contributions from Global North governments (including the UK), and private foundations. The Fund supports a portfolio of grantees which are either single organisations or consortia, which, collectively, serve diverse populations and geographies.

The structure of the fund has been designed to maximize participation, empowerment, equity, transparency and accountability in its fundraising and grant making.

Governance is undertaken by the International Steering Committee and Programme Advisory Panel, while management of the fund is the responsibility of a Secretariat and Fund Management Agent.

The International Steering Committee (ISC) is the governing board of the Robert Carr Fund. The ISC sets strategic direction for the Fund, makes decisions about funding priorities and the framework for monitoring, evaluation and learning, has the final say on funding allocations, supports fundraising, provides oversight of the funds activities, and approves key plans and reports. The ISC consists of five donor representatives and five civil society members.

The Program Advisory Panel (PAP) consists of community representatives. The PAP reviews grant proposals and makes recommendations for funding to the ISC, and also provides on-going programmatic advice to the Fund.

The Secretariat is responsible for implementing the work of the Fund, including administering grant making processes, convening grantees, managing reporting, monitoring, evaluation and learning, and mediating between the different structures of the Fund.

The Fund Management Agent for the Robert Carr Fund is Aidsfonds. Aidsfonds, as a registered organisation, is responsible for contracting with grantees, supporting the financial management of the fund, and providing the physical office infrastructure for the secretariat to do its work.

Option 1	
Strengths	Weaknesses
<ul style="list-style-type: none"> — Co-creation and participatory grant-making are built into the structure of the funding model. — The model allows for a high degree of transparency and accountability. — The administrative burden for FCDO would be reduced, as many of the grant management functions would be allocated to the fiduciary host and secretariat. — This option allows the fund to keep to the principles of accountability; ‘nothing about us, without us’; grassroots support and relevance; dependability and flexibility; and collaboration and local reach. 	<ul style="list-style-type: none"> — The establishment of a secretariat adds a layer to the fund hierarchy. — Grantees themselves are largely excluded from strategic decision-making, and may have a low sense of ownership and investment in the grant, in comparison to the other options.

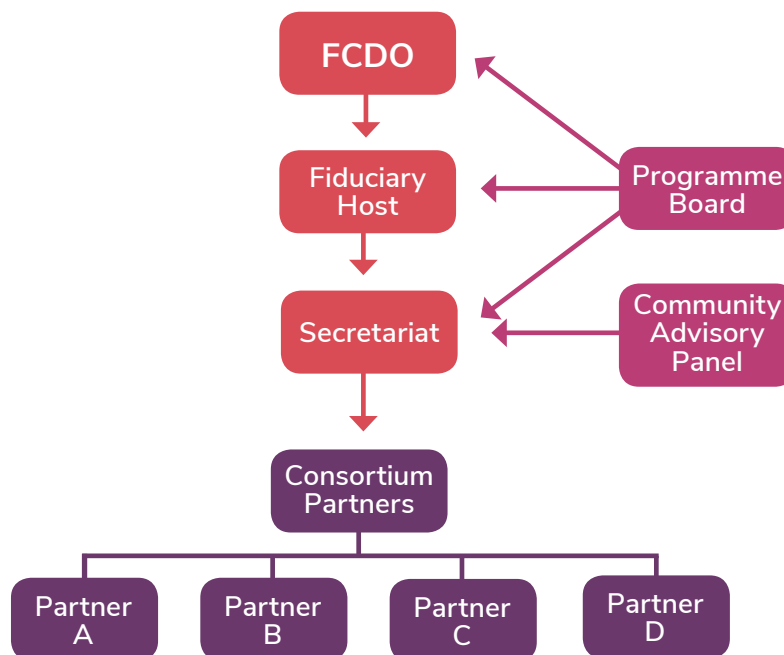


Figure 3: Option 1 - Safe To Be Me Fund delivery model

Option 2

A consortium is established, and FCDO contracts with principal consortium members directly.

With this option, a consortium of partner organisations would be established. The leading or principal consortium members would each receive funds directly from FCDO and would report back to FCDO directly.

The consortium members would each contribute towards an aspect of the Safe To Be Me Fund's overall theory of change. Consortium members could consist of a range of regional and/or population-focused intermediaries, as well as technical or thematic partners with specific areas of expertise which cut across geographies and populations, for example, technical legal assistance or research. LGBTI+ leadership of consortium member organisations would be prioritised.

The consortium members which are intermediaries would then onward grant to LGBTI+ civil society and community organisations, through participatory grant-making processes, including the establishment of community-led advisory committees. The intermediaries would have relative autonomy in the selection of grantees, within the parameters of the Safe To Be Me Fund theory of change.

With this option, FCDO would be responsible for granting and contracting arrangements with each principal consortium member, including functions such as conducting due diligence assessments; developing programme plans; M&E frameworks and budgets; disbursing funds; reviewing and approving reports etc. The intermediaries would be responsible for the same set of functions in relation to their grantees.

Given the administrative burden for the FCDO of managing principal consortium members, it may be a consideration to limit the number of principle consortium members (for example, to under 5).

There is also the option of principal consortium members not being single organisations, but rather consortia in their own right, as is the case with the FCDO Disability Inclusion Capacity Building programme (discussed below). This would make the Safe To Be Me Fund a "consortium of consortia".

Example: Disability Inclusion Capacity Building programme, FCDO

FCDO's Disability Inclusion Capacity Building programme funds four consortium partners directly. Each partner occupies a particular niche, according to its realm of expertise and influence and expertise. Different outputs in the theory of change are allocated to each consortium partner. Partners include the Disability Rights Fund (DRF), a partnership between funders and the disability community that provides participatory grants; the International Disability Alliance (IDA), an alliance of eight global and six regional organisations of persons with disabilities; the United National Partnership on the Rights of Persons with Disabilities (UNPRPD) which brings together UN entities with Disabled Peoples Organisations, broader civil society and governments with the aim of triggering systemic change on disability inclusion; and a partnership between IDA and International NGO Sightsavers to set up a Global Support Facility to support expansion, and greater coordination, of the disability movement.

The Disability Inclusion Team within FCDO coordinates and oversees the grant with each consortium partner.

Option 2	
Strengths	Weaknesses
<ul style="list-style-type: none"> — This option gives intermediaries a central role in developing grant strategies, priorities and processes. — Intermediaries are trusted to make sound grant-making decisions based on their grounded knowledge and experience working with LGBTI+ populations in different regions. — A layer in the hierarchy (of a grant management agency) is removed. This makes the hierarchy flatter in terms of power dynamics. It also reduces the costs that would be necessary to support a secretariat and fund management agency. — FCDO has a direct relationship with each principal consortium member, and therefore has the potential to be seen as a partner, ally and co-creator, as opposed to a remote, bureaucratic grant manager. — This option allows the fund to keep to the principles of accountability; ‘nothing about us, without us’; grassroots support and relevance; dependability and flexibility; and collaboration and local reach. 	<ul style="list-style-type: none"> — Contracting and overseeing grants to each principal consortium member separately centralises the bulk of the administrative burden with FCDO. This may require FCDO to bring on additional capacity to deal with the grant management workload. — The mechanism is more suited to a relatively small number of consortium partners. — There is the potential for this model to lead to siloed work by the different consortium partners, as each is primarily accountable vertically to FCDO. Attention would need to be paid to setting up horizontal structures for joint planning, coordination and collaboration between consortium partners. — This model is less participatory than the other options when it comes to the relationship between FCDO and principal consortium members. — Of the 3 options, Option 2 is most like ‘business as usual’. It is less risky, but also does not address many of the critiques of traditional North-South grant-making.

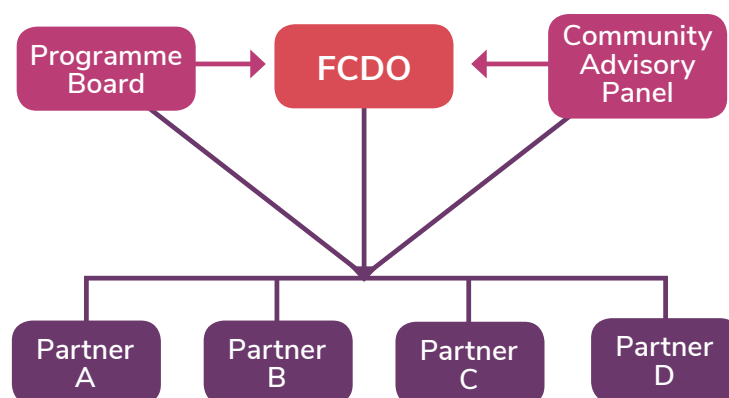


Figure 4: Option 2 - Safe To Be Me Fund delivery model

Option 3

A consortium is established, with one consortium member appointed as administrative lead. FCDO contracts with the administrative lead, which takes responsibility for contracting with other principal consortium members.

Option 3 is similar to Option 2, in that a Safe To Be Me consortium is established. As with Option 2, the consortium would be led by a set of principal consortium members, which could consist of regional and/or population-focused intermediaries, as well as technical or thematic partners with specific areas of expertise, with each principal member contributing to particular outputs and outcomes in the theory of change. As with Option 2, the consortium members which are intermediaries would then onward grant to LGBTI+ civil society and community organisations, according to their region or population of focus.

The main difference would be that one of the consortium members would be appointed as administrative lead and would be tasked with managing the administrative requirements of the grant, such as due diligence, contracting, financial management and reporting. FCDO funds would flow to consortium via the administrative lead, which would then disburse funds to the other consortium members. In turn, consortium members would submit programme and financial reports to the administrative lead, which would submit a combined report to FCDO.

Principle consortium members would be of equal standing in the consortium hierarchy. Strategic planning and decision-making, for example about funding priorities for the consortium, would be undertaken by all principal consortium members.

Besides other strengths, which will be outlined below, this model makes it possible for more principal consortium members to be included, as one consortium member is responsible for grant management.

Example: The Love Alliance, Dutch Ministry of Foreign Affairs

The Love Alliance is an advocacy partnership, active at national, global and regional level, and runs from 2021 to 2025. The Love Alliance works to improve the health and rights of sex workers, people who use drugs, LGBTI+ people and people living with HIV in Africa. The Alliance brings together organisations led by communities most affected by HIV and AIDS. The Alliance is governed by a strategic board comprised of thought leaders (national organisations representing the key population communities), grant-makers (UHAJ EASHRI, AFE, ISDAO, Aidsfonds) and the global network of people living with HIV (GNP+). The Strategic Board makes its decisions by consensus, gives strategic direction to the partnership and decides about budget allocations between regions, roles and alliance partners, the partnership's theory of change, global advocacy strategy, planning, monitoring and evaluation and accountability systems.

Grantmaking to community organisations in each region is governed by regional grant committees, comprising community activists and activists appointed by the partners. Alliance partners are observers in the grantee selection process. An Advisory Activist Committee reviews key programme documents and provides technical advice to the Alliance.

Option 3	
Strengths	Weaknesses
<ul style="list-style-type: none"> — Of all the 3 options, Option 3 is most likely to be able to deliver on the aspiration of co-created, participatory grant-making. It represents an innovative and ambitious attempt to recalibrate power relationships between donors (particularly those from the Global North) and beneficiaries (particularly from the Global South and East) — As with Option 2, Option 3 gives intermediaries a central role in developing grant strategies, priorities and processes. — Intermediaries are trusted to make sound grant-making decisions based on their grounded knowledge and experience working with LGBTI+ populations in different regions. — As with Option 2, Option 3 removes a layer in the grant-making hierarchy. This reduces the administrative costs of the fund, with the result that a greater proportion of funds can reach community-based LGBTI+ organisations. — Some of the grant management functions which are undertaken by FCDO in Option 2 are assumed by the administrative lead in Option 3. This reduces the workload for FCDO. — This option is more conducive to horizontal relationships between consortium partners, which in turn is conducive to joined up, coordinated, synergistic work. — This option allows the fund to keep to the principles of accountability; 'nothing about us, without us'; grassroots support and relevance; dependability and flexibility; and collaboration and local reach. 	<ul style="list-style-type: none"> — Although this model professes to flatten the grant-making hierarchy, in effect the administrative lead may assume a leading position in the consortium. As the administrative lead has control over the disbursement of funds to other principal consortium partners, the intention of a consortium of equal partners may be illusory. — This is an innovative participatory grant-making model, which as yet has not been widely implemented. The Love Alliance, for example, is in its early stages. There is therefore not yet a body of evidence as to whether this model is sufficiently efficient and effective. Without any roadmaps to refer to, there will inevitably be an element of experimentation and 'learning while doing' in implementing this model. — FCDO may lack the in-house expertise in facilitating co-created, participatory grant-making.

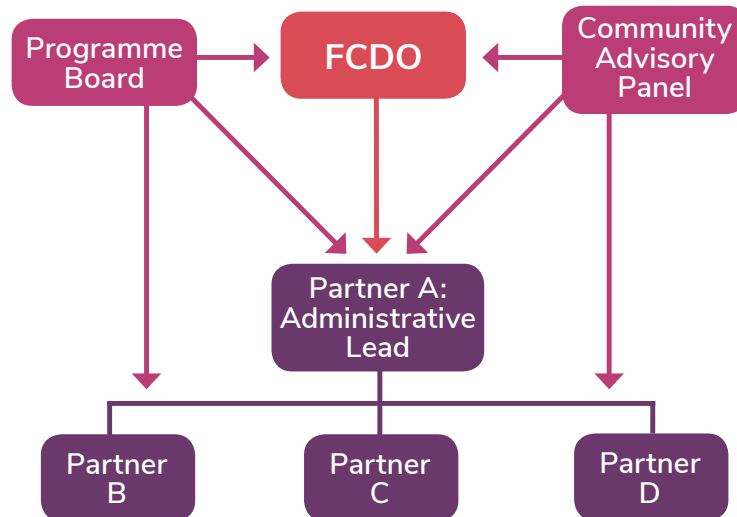


Figure 5: Option 3 - Safe To Be Me Fund delivery model

Identifying the best grant management option

On balance Option 3 is deemed to be the best grant management model to deliver on the ambitious scope and scale which is envisaged for the Safe To Be Me Fund. Option 3 is in line with the key principles which frame the Safe To Be Me Fund report: accountability; 'nothing about us, without us'; grassroots support and relevance; dependability and flexibility; collaboration and local reach, and evidence and impact⁵². Option 3 also aligns with many of the evidence-based 'conditions for success' for LGBTI+ civil society grant-making which we have outlined above.

This model capitalises on the window of opportunity which has been created by the FCDO merger to introduce flexibilities and to do things differently. Innovative and ambitious participatory grant management models do pose risks compared to business as usual models. However, they also hold the possibility of greater rewards.

Ultimately, the most appropriate delivery mechanism should reflect the Theory of Change for the Fund and capitalise on the FCDO's aim to innovate in its ODA delivery as a merged department.

52 The Safe To Be Me Fund: Building Britain's investment in global LGBTI+ rights, Equal International, July 2021. https://cdn.baringfoundation.org.uk/wp-content/uploads/BF_Safe-to-be-me-fund_Briefing-final3.pdf

Value for Money in the Safe To Be Me Fund

Value for money is about maximising the impact of each taxpayer's pound spent to improve lives. FCDO's value for money framework consists of four 'E's:

- Economy: are project inputs of the appropriate quality at the right price?
- Efficiency: how well are inputs being converted into outputs? ('Spending well')
- Effectiveness: are the outputs produced by an intervention having the intended effect? ('Spending wisely')
- Equity: how fairly are the benefits distributed? To what extent is the intervention supporting marginalised groups? ('Spending fairly')⁵³

We conclude this Technical Annex by reflecting on how the proposed Safe To Be Me Fund could provide value for money, in the table below:

53 <https://www.ukaidirect.org/wp-content/uploads/2019/08/UKAD-Technical-Guidance-Value-for-Money-180220195417.pdf>

The Four “E’s”: Value for money in the Safe To Be Me Fund	
Economy	<p>Adequate attention to co-creation and consultation in developing the Safe To Be Me Fund will ensure that the selected inputs are appropriate, based on available evidence of what works to promote LGBTI+ human rights and inclusion globally.</p> <p>A key principle of the Safe To Be Me Fund is to recognise, value and harness the expertise that exists in the LGBTI+ human rights sector at regional and national levels.</p>
Efficiency	<p>Grant management of LGBTI+ civil society organisations will be conducted largely by regional and/or population-specific intermediaries.</p> <p>Regional intermediaries may have somewhat lower costs than large, technical intermediaries based in the Global North.</p> <p>Regional and population-specific intermediaries have insider knowledge about the communities they support, and are often better able to anticipate and mitigate risks, thereby preventing misuse or wastage of funds.</p>
Effectiveness	<p>The design of the programme aims to maximise scale, such that the Safe To Be Me Fund will be able to support grassroots civil society organisations in multiple countries in the Global South and East.</p> <p>Regional intermediaries in the Global South and East often have greater experience of working in challenging and complex contexts. In difficult political and legal contexts, they have developed skills in organising and lobbying in ways which prevent a backlash to LGBTI+ civil society.</p> <p>Technical partners are able to bring transnational / cross-regional expertise to bear to support the effectiveness of regional intermediaries.</p>
Equity	<p>The Safe To Be Me Fund will prioritise LGBTI+ leadership in consortium members.</p> <p>The Safe To Be Me Fund is designed to reach the most marginalised LGBTI+ people in the Global South and East.</p>

Proposed Next Steps

We believe that the Safe To Be Me Fund offers a unique opportunity for the UK Government to turn its commitments on LGBTI+ rights and inclusion into something tangible. We recommend that FCDO starts immediately to develop this approach for announcement at the Safe To Be Me conference in June 2022, through leading a process of consultation and co-creation involving UK-based, global and regional LGBTI+ human rights organisations and intermediary grant-makers. FCDO may also want to explore innovative co-funding mechanisms, in partnership with private foundations and/or the private sector⁵⁴.

We recommend that the Government:

01

Earmarks funding in the next comprehensive spending review for a fund that can be launched and scaled up.

04

Considers how LGBTI+ rights can be included as a priority theme in future FCDO and directorate strategies.

02

Assesses the best practice and lessons to be learnt from existing funds that support the rights of those being left behind.

05

Continues to include LGBTI+ rights in the FCDO's approach to inclusive development and mainstreaming in broad programmes.

03

Works in partnership with civil society, foundations and the private sector to contribute to the co-creation of the new fund.

⁵⁴ See, for example, <https://giveout.org>

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