



Executive

16 January 2012

**Report from the Director of Strategy,
Partnerships and Improvement**

For Action

Wards Affected: All

Report Title: Voluntary Sector Initiative Fund

1.0 Purpose of Report

This report seeks agreement to the creation of a newly named Voluntary Sector Initiative Fund from existing Main Programme Grant and Advice Services Budgets; maintaining the overall level of funding as detailed in Section 6. As existing grant terms come to an end, the report proposes allocating the Main Programme Grant budget to grant-funded Borough Plan aligned projects, enhancing infrastructure support for the voluntary sector and some advice, guidance and advocacy. The report also seeks agreement to extending existing arrangements for advice services and some of the grant projects to enable a review of the advice, guidance and advocacy in 2012-2013.

2.0 Recommendations

Members are asked to agree the following proposals:

- 2.1 To agree to the creation of a newly named Voluntary Sector Initiative Fund from the existing Main Programme Grant and the Advice Services budgets;
- 2.2 To agree to the creation of three funding streams within the Voluntary Sector Initiative Fund in the financial year 2012 – 2013, which are as follows:
- (i) a funding stream using existing Main Programme Grant Budget for projects which run for two year and nine months aligned to Borough Plan priorities excluding crime and regeneration as set out in paragraph 4.3 of this report;
 - (ii) a funding stream using existing Main Programme Grant Budget to commission infrastructure support for Brent's voluntary and community sector for three years from 1st April 2012 until 31st March 2013 as set out in paragraph 4.10 of this report;
 - (iii) a funding stream containing existing advice, guidance and advocacy arrangements funded from the Advice Services budget and Main Programme Grant Budget from 1st April 2012 and 31st March 2013 as set out in paragraph 4.13 of this report;
- 2.3 To agree to the addition of a further three year funding stream to commence in the financial year 2013-2014 for projects aligned to the range of borough plan priorities as set out in paragraph 4.4 of this report using the existing Main Programme Grant Budget as existing grant terms come to an end

Grant projects aligned to Borough Plan priorities

- 2.4 To extend (within existing budgets) all existing grant agreements under the children and young people's theme and decommission, with appropriate notice, these projects at the point the new themed funding becomes available;
- 2.5 To decommission, with appropriate notice, the last set of projects being funded by the council under one year agreements at the point new funding streams become available with the exception of those covered by the advice, guidance and advocacy proposal;
- 2.6 To decommission the crime and regeneration themed funding stream at the end of its three year grant period in March 2013 and replace it as outlined in paragraph 2.3 above;
- 2.7 To agree and maintain the grant funding principles set out in paragraph 4.7 of this report

Advice, Guidance and Advocacy

- 2.8 To extend (within existing budgets) the existing one year grant agreements for projects provided by Brent Mencap, Brent Association of Disabled People and Age UK until March 31st 2013 whilst a review of advice guidance and advocacy stream is undertaken;
- 2.9 To extend (within existing budgets) the existing arrangements for Brent Citizen's Advice Bureau, Brent Community Law Centre and Brent Private Tenants Rights Group until March 31st 2013 whilst a review of the advice, guidance and advocacy stream is undertaken.

Operational Arrangements

- 2.10 To agree the draft themed grant funding criteria as set out in Appendix 3 of this report;
- 2.11 To agree the amended grant funding terms and conditions set out in Appendix 4 of this report;
- 2.12 In line with arrangements in place in Housing and Community Care, to grant delegated authority to the Director of Strategy, Partnerships and Improvement to commission replacement projects where allocated funding is not taken up by a successful bidder or the project monitoring highlights a need to cease funding the agreed project.
- 2.13 To note that the review of advice guidance and advocacy will take place in the year 2012/ 2013 as set out in paragraph 4.13 of this report;
- 2.14 To note that a further equality impact assessment will be undertaken for the review of the advice, guidance and advocacy funding stream in 2012/2013 which will accompany any proposals to the Executive arising from the review;
- 2.15 To note the content of the equality impact assessment which is set out in Appendix 7 of this report upon consideration of the recommendations set out in this report.

3.0 Context

The proposals in this report take into account a number of contextual factors. The national economic context, with reductions in public sector and voluntary sector funding from national government is challenging for local service delivery. National policy changes are affecting or are about to affect the lives of residents in the borough who are already contending with the difficult financial context.

Main Programme Grant

3.1 The council gives grants to voluntary sector organisations through the Main Programme Grant (MPG). The present council policy on voluntary sector grant funding was shaped by the recommendations of a Voluntary Sector Funding Scrutiny Task Group in 2007. The council agreed changes to how they would give grants to voluntary sector organisations in 2008 and have gradually made these changes. Two thirds of grants have new terms and conditions. The criteria for these themed grant funding streams includes alignment to Borough Strategy priorities, three-year grant agreements and a requirement to develop an exit strategy, since the same project would not be funded for two consecutive three year periods. The Executive agreed a limit of £25,000 per project each year for these funding streams. This enables a range of organisations not previously funded through MPG to access funding and a better match over time between the projects funded and the work of the statutory partner agencies. The grants with new terms and conditions are in the children and young people and crime and regeneration funding streams. In April 2009 the Executive agreed the first set of grants for projects in the Children and Young People's Theme. In June 2010, the Executive agreed a second set of grants for projects under a crime and regeneration theme. Children and young people's grants run from 2009-2012. Crime and regeneration grants run from 2010-2013. Detail of the projects funded under each of these streams is included in appendix 2

Figure 1: Main Programme Grant in 2011- 2012

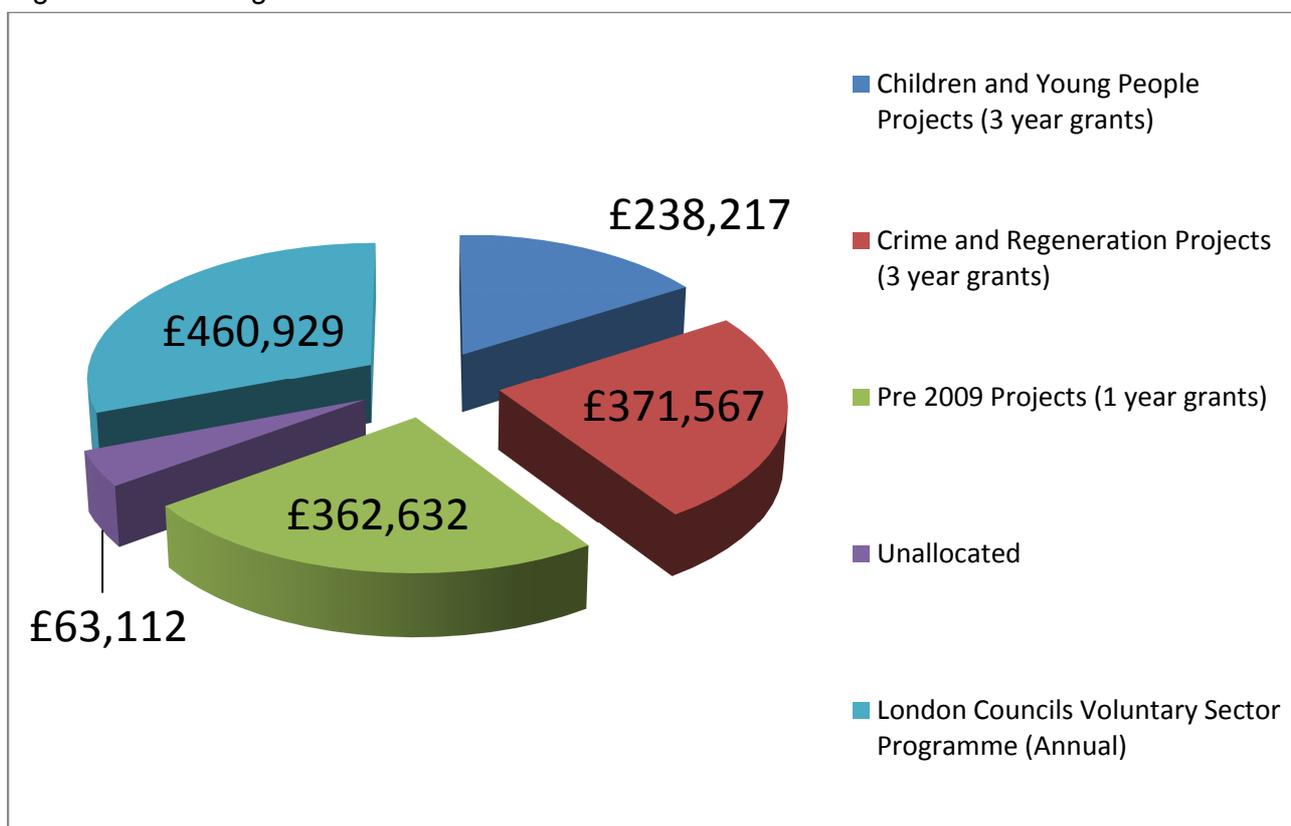
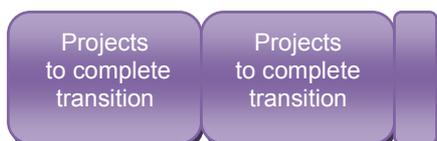


Figure 2: Present allocation of local grants from Main Programme Grant Pot



Children and Young People Theme

Crime and Regeneration Theme



- 3.2 There remains a set of projects which has continued under the pre 2009 model of grant funding; that is to say the projects are not aligned with a particular Borough Plan theme, they are not limited to funding of £25,000 per year and the projects have not yet been offered three year funding. Executive agreed to grants for one year for these projects for 2010/2011 and more information about the projects is included in appendix 1. The grant agreements were due to finish in March 2011 but the judicial review of London Council's decision to reduce funding for its voluntary sector grant scheme and the need to develop proposals for the changed financial and policy context delayed this. The grant agreements rolled over into 2011/2012 so that these organisations would be in a position to benefit from the any alternative funding offered at the point present funding ceases. This approach is consistent with the transition from non themed to themed funding seen with the Children and Young People and Crime and Regeneration themed funding streams and equality impact assessment undertaken at that time.
- 3.3 It was originally envisaged that the next set of proposals for Main Programme Grant would complete the transition to a themed grants model. This would have involved decommissioning the projects not yet subject to the themed grant model and using the funding to create another themed funding stream as done with the children and young people and crime and regeneration themes. When this approach was analysed it transpired that it had the potential to be problematic. A combination of factors led to the conclusion that completing the transition to themed funding in this way should not be pursued. The importance of advice and guidance in the context of national cuts to public spending and significant changes to public policy impacting on the benefits system, unemployment and risk of homelessness was recognised. There were other factors which were taken into account. Some projects were in receipt of funding levels well above the £25,000 per year which other projects had received in the themed grant funding. Also, some organisations received the core amount of their funding from the Council's voluntary grants. Furthermore, the advice and guidance element of some projects presently delivered to disabled people and some elderly people is of a more specialist nature and in at least one case, no other organisation provides a similar function of providing such advice and guidance in the borough.

Figure 3: Projects not subject to themed grant model

Organisation	Project	£
Association of Muslims with disabilities	Drop in Centre	10,404.00
Age Concern	Advice, guidance and partnership working	90,474.00
Brent Advocacy Concerns	Advocacy support, NCT Learning disability day service	28,735.00
Brent Association of Disabled People	Core activities, welfare rights, resource centre, information and advice service	159,380.00
Brent Heart of Gold Support Group	Hire of premises and exercise sessions	4,692.00
Brent Indian Community Centre	Daily activities, outings and trips for the elderly	14,014.00
Kingsbury Asian Elders Group	Cultural programmes, general activities with elderly	1,665.00
Magnolia Senior Citizens	Older people's activities	1,248.00
Brent Mencap	Social activities, advice, guidance, information about learning disabilities	52,020.00
Total		362,632.00
BrAVA (has now ceased to operate)	CVS core costs including volunteer bureau,	31,212.00
Original Total		393,844.00

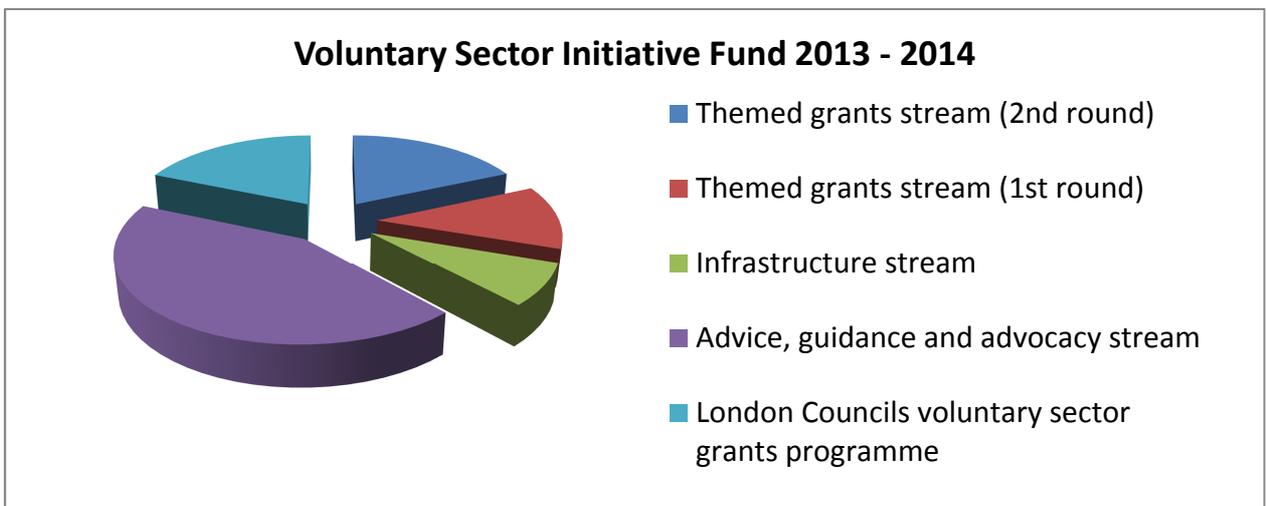
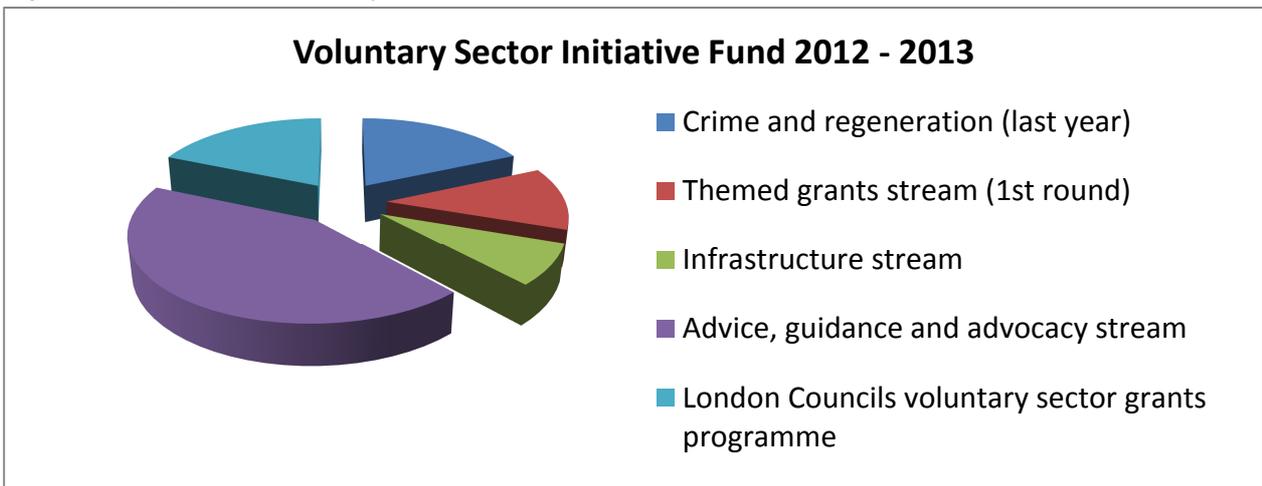
- 3.4 Main Programme Grant Budget also includes Brent's contribution to the London Councils Voluntary Sector Grant Scheme. All the London boroughs contribute to the London Councils voluntary sector grants scheme. Delays to decisions about the contributions to be made by London Boroughs to London Council's Voluntary Sector Grant Scheme have, in turn, delayed this report coming to Executive. As a result of the decision by London Councils to reduce funding, Brent was ultimately asked to contribute £460,929 to the London Councils Pot in 2011/2012, instead of £935,051 the year before and an increase of £24,583 on the budgeted figure for 2011/2012. The Council's 2011/2012 budget set out an intention to utilise the funding no longer contributing to the London Council's Voluntary Sector Grants Scheme to safeguard some of the advice and guidance services provided by the voluntary sector and to make savings: £231,500 was allocated to safeguard advice and guidance services and £249,000 was allocated to savings.
- 3.5 London Councils has recommended a budget for 2012/2013 with the associated contribution to the Voluntary Sector Grant Scheme from Brent of £377,097. The decision on the contribution to London Councils will be made by through a separate report to January 2012 Executive. The report recommends the reallocation of the sum of £83,832, which is no longer paid towards the London Councils. It recommends that £24,583 of this sum, covers the overspend created by the increase in the contribution sought from London Councils during 2011/2012 and £59,249 of the sum is allocated to Brent Council's Voluntary Sector Initiative Fund. This report includes this proposed allocation.
- 3.6 This report addresses the Main Programme Grant funding stream not operating on a themed grant model. It also makes proposals about allocation of funding once the children and young people's themed funding comes to an end in March 2012 and the crime and regeneration themed funding comes to an end in March 2013. The report seeks to build on the principles of the present voluntary sector grants policy, restating it and refining its implementation to ensure good, Borough Plan aligned, project outcomes which make the best use of limited resources

4.0 Detailed Considerations

Voluntary Sector Initiative Fund Proposal

- 4.1 The proposal is to create a newly named Voluntary Sector Initiative Fund from the existing Main Programme Grant and Advice Services budgets. It is proposed that the Voluntary Sector Initiative Fund has three funding streams – a themed grant funding stream, an infrastructure stream and an advice, guidance and advocacy stream. This proposal consolidates the progress already made in developing an approach to grant giving which better aligns with Borough Plan objectives and offers some stability for voluntary sector organisations through three year funding. It responds to a need for improved infrastructure in the voluntary sector and safeguards more specialised advice and guidance presently funded through main programme grant.
- 4.2 The proposal has been consulted on through an online questionnaire and engagement of the sector at two voluntary sector liaison forums. A letter was sent to the council’s voluntary sector contacts including groups we presently fund and to the members of the Disabilities and Mental Health User Forum. The consultation was also advertised in the local paper and in local voluntary sector organisations communications. The consultation pack is included as Appendix 6 and the results of the consultation including main themes arising are included in Appendix 5. The findings are referred to in the main body of the report.

Figure 4: Proposed Voluntary Sector Initiative Fund

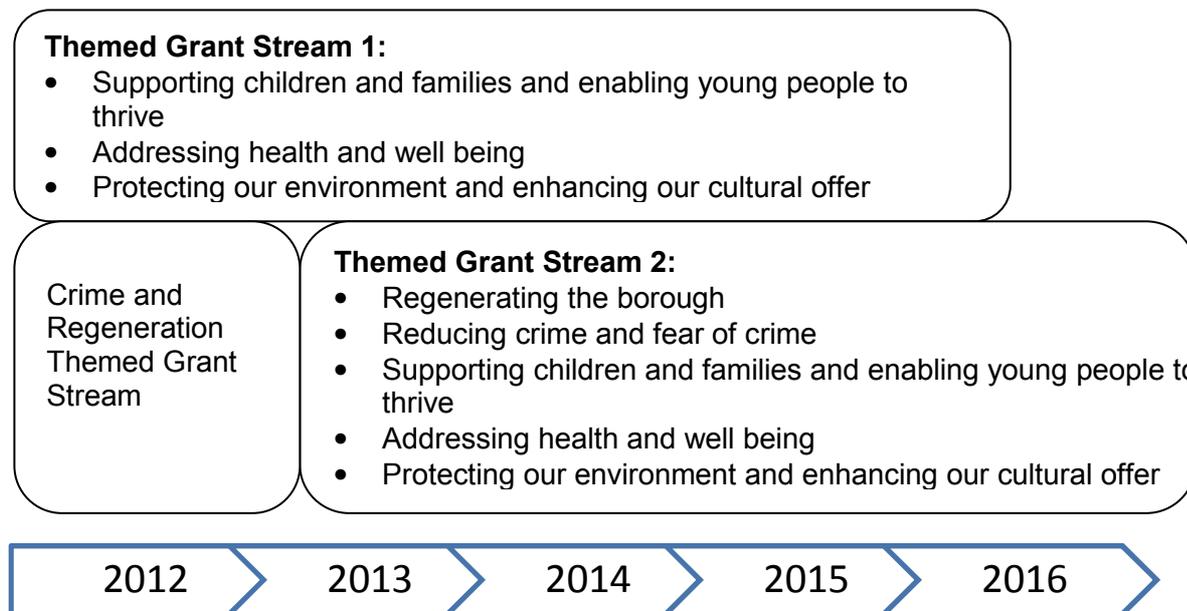


Themed Grant Funding Stream

- 4.3 The children and young people's themed funding comes to an end in March 2012. It is proposed that some of this funding is used to create another themed grant funding stream and some to support infrastructure development for the voluntary sector. Themed grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2012 the proposal is that the council seeks to fund projects which support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough. Crime and regeneration grant funded projects will still be running in 2012 and 2013 and this is why these priorities are not included in the proposed list.
- 4.4 Crime and regeneration theme funding comes to an end in March 2013. It is proposed that this funding is used to create a further themed grant funding stream between April 2013 and March 2016. Themed grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2013 it is proposed that the council seeks to fund projects which tackle crime and fear of crime, help regenerate the borough, support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.
- 4.5 53% of responses to consultation agreed with the themed grant funding proposal, with 24% of responses neither agreeing nor disagreeing. Consultation responses emphasised the importance of funding projects which tackle inequalities. There was a positive response to the opportunity to bid for projects relating to a wider range of Borough Plan priorities. Organisations wanted to suggest a range of aspects which they considered consistent with the Borough Plan priorities and an underlying focus on tackling poverty including employment related projects, support for refugees, addressing language barriers, tackling hate crime, addressing youth unemployment, funding activities for children and young people and to improve health and well being. These suggestions have been taken into account in the draft funding criteria in appendix 3. Organisations which disagreed with the proposal expressed concern about the existing principle of funding projects for three years and not funding the same project in the following round of funding. At the moment an exit strategy forms part of the agreement for receiving a three year grant. The intention is to continue to strike a balance between secure medium term funding with the three year grant term and responding to the changing needs in the borough and broadening the range of organisations which can access grant funding over time.
- 4.6 Clarification was sought on what was meant by a project and whether this precluded an organisation bidding to deliver a different project. The existing and proposed criteria state that an organisation which has already accessed funding to deliver a project can bid to deliver a different project. Consideration is given in assessing bids to organisations which have not benefited from main programme grant before. Requests were made to consider receiving bids through a lead agency working with smaller organisations and to ensure that projects which are funded would benefit the borough with 90% of people benefiting from projects living in the borough. The way in which these suggestions can be included is now being considered. There was also a request to limit the size of organisations who can apply for grant funding. Limiting the size of organisations which can apply is not proposed as it would limit the range of different projects different sized voluntary sector organisations have to offer.
- 4.7 It is recommended that the existing policy principles for themed grants are maintained: three year funding agreements, not funding the same project in two consecutive three year periods and a requirement for an exit strategy. In addition it is recommended that the council continue to fund projects for between £1,000 and £25,000 each year and for a maximum of £75,000 over three years. These principles enable different voluntary sector organisations to gain access to council grant funding, give an indication of future funding and seek to address the risks of core funding.
- 4.8 Feedback from the voluntary sector highlights that there could be better alignment between statutory service provision and that provided in the voluntary sector. This sort of strategic alignment between statutory service provision and voluntary sector projects can be achieved for grant funding. It is

recommended that future themed funding streams encompass a range of Borough Plan priorities and that there is a better mix of projects benefiting the whole borough and projects benefiting particular neighbourhoods. Working collaboratively with voluntary sector organisations to release social capital in neighbourhoods will illustrate both Brent's own brand of localism and a move away from a relationship with the voluntary sector which has at times been too narrowly focussed on either commissioning specific services or the availability of grants.

Figure 4: Proposed themed voluntary sector grant funding streams – note phased timeframes



4.9 Members are asked to agree the recommendations relating to Grant projects aligned to Borough Plan priorities as set out at 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.11 and 2.12.

Infrastructure stream

4.10 It is proposed that an infrastructure stream of £159,249 is set aside each year for three years between April 2012 and March 2015 to commission projects which enhance infrastructure support for the voluntary sector. Members are asked to note that this figure includes the £59,249 which the separate London Councils Voluntary Sector Grants Report to Executive in January 2012 recommends is allocated to the Voluntary Sector Initiative Fund. The funding stream would include commissioning work from a constituted CVS, supporting the development of a voluntary sector resource centre and responding to identified gaps in infrastructure support. Brent's former Council for Voluntary Service, BrAVA, ceased to operate in the borough and the council is supporting the development of a new Council for Voluntary Service: CVS Brent: A range of powers being proposed in the Localism Bill, such as the community right to challenge and community right to buy, are impacting upon the relationship between the council and voluntary sector organisations. A CVS is a critical part of the council's engagement with the voluntary sector and voluntary sector organisations have highlighted the need for improved communication between the sectors. National government policy expects more from voluntary sector organisations and public sector cuts affect a number of these voluntary sector organisations. The proposal aims to enhance the sector's ability to bring funding into the borough to benefit residents from the range of trusts and government funding.

4.11 53% of consultation respondents agree with the infrastructure proposal with 27% neither agreeing nor disagreeing. Most of the responses related to being in a period of change with the new CVS yet to develop some of the support voluntary sector organisations indicate they would like. The need for infrastructure support was reiterated. Respondents wanted to be sure this would translate into

support they could benefit from, with some asking for consideration of more front line service delivery instead. The provision of infrastructure support is seen as critical in enabling the voluntary sector to bring more funding into the borough be that through mentoring between more experienced and less experienced organisations, more joint working, additional training or identifying supply chain opportunities. There was also a request to consider a hub to coordinate volunteering in the borough as part of what is funded through this stream. The intention is to consider this when identifying gaps in infrastructure support. Responding to a question about infrastructure in the consultation voluntary sector organisations said that: better alignment of service provision between the voluntary and public sectors and information about different sources of funding available for the voluntary sector were most important to them. This was closely followed by the need for improved communication about changes likely to impact the voluntary sector and development of more collaborative working between voluntary sector organisations

- 4.12 Members are asked to agree the following proposals relating to the infrastructure funding stream (as set out in 2.2 and 2.4):
- The creation of a funding stream using existing Main Programme Grant Budget to commission infrastructure services for Brent's voluntary and community sector for 3 years
 - To extend (within existing budgets) all existing grant agreements under the children and young people's theme and decommission, with appropriate notice, these projects at the point the new themed funding becomes available

Advice, Guidance and Advocacy Stream

- 4.13 A funding stream from which to commission advice, guidance and advocacy from the voluntary and community sector is proposed. This would be made up of the existing Advice Services budget for £372,000 (funding Brent Citizen's Advice Bureau, Brent Community Law Centre and Brent Private Tenants Rights Group) and the allocation of £301,847 of Main Programme Grant which is funding advice guidance and advocacy projects (the rationale for which is outlined at section 3.3). These projects are presently run by Brent Association of Disabled People, Age UK and Brent Mencap. The allocation of some of the Main Programme Grant to this funding stream is considered particularly important in the context of national policy changes which will affect a range of vulnerable people in the borough including provision of benefits, housing, adult education and employment support. It is recognised that voluntary sector organisations are well placed to provide advice and guidance and access hard to reach communities in this context. Having created the funding stream, it is recommended that a review of the existing arrangements and an assessment of future options for Advice, Guidance and Advocacy is undertaken during 2012-2013. This would include looking at three year funding for this stream and ensure better alignment within the funding stream. Proposals arising from the review would come to Executive for a decision.

Brent Citizen's Advice Bureau (BCAB)

- 4.14 The current grant agreement with the BCAB is for 6 months from 1st October to conclude on 31st March 2012. The BCAB is now funded by Strategy Partnerships and Improvement (previously Housing and Community Care) to provide a generalist legal advice service across all categories of law with a total annual value of £359,000. This report deals with the £359,000 budget. In addition to the Council's Strategy, Partnership and Improvement funding, the BCAB also receives approximately £175,000 one year funding from the Council's Children and Families (C&F) Department, delivering an outreach advice service across a number of Children's Centres which is due to expire 31st March 2012. The total Council funding amounts for the BCAB for 2011-12 is £534,000 (SPI + CF), the BCAB has also secured a total of £319,000 from a range of other external funding sources during 2011-12.

Brent Community Law Centre (BCLC)

- 4.15 The grant agreement with the BCLC is for 6 months from 1st October to conclude on 31st March 2012. The BCLC is funded by Strategy Partnerships and Improvement to provide a specialist legal advice

service across all categories of law with a total annual value of £183,000. The BCLC has also secured a total of £390,000 from a range of other external funding streams.

Brent Private Tenants Rights Group (BPTRG)

- 4.16 The current agreement with Brent Private Tenants Rights Group receives approximately £33,000 a year to give a voice to private sector tenants. As part of Housing's review of advice there was a clarification that the council grant relates to giving a voice to private sector tenants and not the provision of housing advice. This grant arrangement is due to be reviewed and the inclusion in the Advice, Guidance and Advocacy Funding stream will facilitate this.
- 4.17 71% of organisations responding to the consultation agreed with the proposal for an Advice and Guidance Funding Stream, some reiterating the increased need for this in light of the national financial context and changes to benefits. One theme from consultation responses was the importance of advocacy. The proposal has been amended in light of consultation to reflect the need to include advocacy in this funding stream. There was a reiteration of the need to examine the nature of the need for advice and guidance in the borough in light of national policy changes supporting the proposal to review this carefully. Some consultation responses emphasised the importance of ensuring benefits for a range of vulnerable people in addition to the disabled and elderly people identified as benefiting from some of the existing projects in this stream. Specific requests for consideration of advice for carers of elderly and disabled people and for BME women have been noted for consideration in the review of the whole advice, guidance and advocacy funding stream alongside several suggestions made about the way in which the £301,847 allocated to advice and guidance could be used. Suggestions included highlighting organisations in the borough with an interest in this work and different models for offering advice and guidance. A preference for grant funding agreements and the use of local providers was expressed.
- 4.18 Members are asked to note that a review of the advice, guidance and advocacy funding stream will take place in the next financial year, 2012-2013. Furthermore, a further equality impact assessment will be undertaken for the review of the advice, guidance and advocacy funding stream in 2012- 2013 to accompany separate proposals to Executive arising from the review.
- 4.19 In the meantime, Members are asked to agree the following recommendations relating to the advice, guidance and advocacy funding stream (as set out in 2.2, 2.8 and 2.9):
- Creation of a funding stream containing existing advice, guidance and advocacy arrangements funded from the Advice Services and Main Programme Grant Budgets until March 2013
 - To extend (within existing budgets) the existing grant agreements for projects provided by Brent Mencap, Brent Association of Disabled People and Age UK until March 2013 whilst a review of advice guidance and advocacy stream is undertaken
 - To extend (within existing budgets) the existing arrangements for Brent Citizen's Advice Bureau, Brent Community Law Centre and Brent Private Tenants Rights Group until March 2013 whilst a review of the advice, guidance and advocacy stream is undertaken.

Making it work in practice

- 4.20 The council has realigned its operational management arrangements so the voluntary sector has one main point of contact with the council through the Corporate Policy Team. The team will have (following completion of transition) responsibility for strategic engagement with the sector, voluntary sector strategy, ensuring a corporate overview of funding of the sector as well as administration of voluntary sector grants. This facilitates a 'one council' approach to managing the council's relationship with the voluntary sector, recognising this as the best way to respond to the new challenges arising from the Localism Bill which emphasises role of the voluntary sector in the public service mixed provider market. Consultation Responses highlighted a number of suggestions for

criteria for grant funding including: robust outcome focussed monitoring, a focus on projects which benefit residents in the borough, being able to bid to deliver projects in particular parts of the borough and not just borough wide and a clearer understanding of why bids are agreed based on the involvement of appropriate statutory service professionals. These suggestions have been incorporated into the proposals in this report. A corporate officer group is being established to ensure a collaborative approach to implementing the recommendations around strategic engagement with the voluntary sector and ensuring an overview of grant giving by particular expertise in different areas of statutory service provision. The team will review performance management arrangements for the newly named voluntary sector initiative fund. Success will be monitored through the council's performance management scorecards.

4.21 Members are asked to agree the following to enable the implementation the proposals (as set out in 2.10 and 2.13):

- In line with arrangements in place in Housing and Community Care, establish delegated responsibility for the Director of Strategy, Partnerships and Improvement to commission replacement projects where allocated funding is not taken up by a successful bidder or the project monitoring highlights a need to cease funding the agreed project.

5.0 Conclusion

5.1 The report recommends the creation of a Voluntary Sector Initiative Fund made up of three funding streams: a themed grant funding stream aligned to the range of Borough Plan priorities, a funding stream to enhance voluntary sector infrastructure support and a funding stream from which to commission advice, guidance and advocacy. The title 'voluntary sector initiative fund' better reflects the emphasis on harnessing the value of what can be delivered by voluntary sector organisations and the inclusion of specific support for the infrastructure to enhance this.

6.0 Financial Implications

6.1 The Voluntary Sector Initiative Fund budget will be £2,068,457 with £1,035,528 from the present Main Programme Grant budget and £575,000 from the present Advice Services budget. The proposals are funded within the present Main Programme Grant Advice Services budgets and the proposal is to maintain the overall level of funding in these budgets. Figure 6 sets out proposed allocation of funding based on the proposals in this report.

Figure 6: Proposed Future Voluntary Initiative Fund Allocations

Cost Item	2011/2012	2012/13	2013/14	2014/15
Pre 2009 Model Projects	362,632	15,190	0	0
Themed Grant Streams				
Children and Young people	238,217	59,554	0	0
Crime & Regeneration	371,567	371,567	0	0
	0		242,087	242,087
Combined Themed Grants		167,344	613,654	613,654
Infrastructure Stream	0	159,249	159,249	159,249
Advice, Guidance and Advocacy Stream				
Advice and Guidance pre 2009 projects		301,874	301,874	301,874
Advice Services	575,000	575,000	575,000	575,000
Other	63,112	20,000	20,000	20,000
Sub total	1,610,528	1,610,528	1,610,528	1,610,528
London Councils Contribution	460,929	377,097	377,097	377,097
Total	2,071,457	2,046,875	2,046,875	2,046,875

Note: 2011/2012 London Councils Figure includes the £24,583 overspend

- 6.2 The Local Authority operates a mixed economy of service provision with the public private and voluntary sectors as providers depending on who can offer the best service at an affordable price. The proposed Voluntary Sector Initiative Fund is only one small part of service provision provided by voluntary and community organisations on behalf of the council. An initial estimate shows that the council spends in the region of £35.9 million either commissioning or grant funding voluntary and community sector organisations to deliver a range of services and projects. 94% of this spend relates to commissioned services, 6% to grants for advice and guidance and Main Programme Grant, some ward working projects and the Prevent Programme. The Main Programme Grant Pot including both the required payment to the London Councils Voluntary Grant Scheme and local grant funding is £1,035,528 and makes up 3 % of the £35.9 million figure.

Main Programme Grant

- 6.3 This budget is 1,035,528 for 2012 – 2013. A payment of £460,929 is made for 2011/12 from this budget to the London Councils Grant Programme. Subject to the decision in a separate report on the London councils Budget, we expect that the payment in 2012/2013 will be £377,097
- 6.4 Proposals funded within the existing Main Programme Grant budget do not involve a reduction in the overall level of funding in the pot, but a reallocation of funding. The proposal replaces £362,632 presently allocated to a set of projects on the pre 2009 grant model with £301,874 towards an advice, guidance and advocacy stream and £60,758 included within the themed grant funding stream. The children and young people's theme 2009 – 2012, under the themed grant model, has an annual cost of £238,217 and is replaced with £181,329 of the £242,087 themed grant funding stream (a reduction of £56,888 compared to the previous allocation) and a £159,249 infrastructure stream to support all voluntary sector organisations to have greater resilience and enhance their ability to bring funding into the borough. In addition it should be noted that the criteria for children and young people three year grant agreement included the requirement for an exit strategy as projects are not funded for two consecutive three year periods.
- 6.5 It is proposed that the £20,000 unallocated in figure 6 will contribute to funding initiatives that will enable effective liaison and engagement with the voluntary sector, such as the Voluntary Sector Liaison Forum and Annual Voluntary Sector Conference.

Advice Services

- 6.6 The current budget for advice services for 2012-13 is circa £575,000, covering advice services provision by Brent Community Law Centre (BCLC) - £183,000 and Brent Citizens Advice Bureau (BCAB) - £359,000 and provision by Brent Private Tenants Rights Group - £33,000. The proposed renewal of the existing arrangement will be contained within the existing Advice Services budget.

Voluntary Sector Initiative Fund

- 6.7 The recommendations made in this report can be implemented within the available budget.

7.0 Legal Implications

- 7.1 The Council has powers under s137 Local Government Act 1972 and s2 Local Government Act 2000 to make grants to voluntary organisations.
- 7.2 The decision to award a grant is discretionary. The Council's discretion must not be fettered by previous commitments they may have given and it should make its decision in the light of present circumstances.
- 7.3 The Council is bound to act reasonably and must take into account relevant considerations and to ignore irrelevant considerations and should consider its fiduciary duty towards local taxpayers.
- 7.4 Under section 3(1) of the Local Government Act 1999, Brent Council, as a "best value authority" is under general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Under the duty of best value, the Council should consider overall value, including environmental and social value, when reviewing service provision.
- 7.5 Before deciding how to fulfil their best value duty, local authorities are required to consult a wide range of local persons, including voluntary and community sector organisations and businesses as set out in section 3(2) of the Local Government Act 1999.
- 7.6 In April 2011, the Government circulated draft Best Value Statutory Guidance ("the Guidance") for consultation. According to that Guidance, local authorities should be sensitive to the benefits and needs of voluntary and community sector organisations and should seek to avoid passing on disproportionate cuts. The Guidance also advises that a local authority intending to reduce or end grant funding or other support to a voluntary or community organisation that will materially threaten the viability of the organisation or service it provides should give at least three months' notice to both the organisation involved and the public/service users. The Guidance also advises that a local authority should actively engage the organisation as early as possible on the future of the service, any knock-on effect on assets used to provide this service and the wider impact both on service users and the local community. The Guidance also advises that where appropriate, local authorities should make provision for an affected organisation or wider community to put forward options on how to reshape the service or project and local authorities should assist this by making available all appropriate information.
- 7.7 As a public authority the Council is subject to a specific duty in relation to the Equality Act 2010:

'Meeting the general equality duty requires 'a deliberate approach and a conscious state of mind'. R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin).

Members must know and understand the legal duties in relation to the public sector equality duty and consciously apply the law to the facts when considering and reaching decisions where equality issues arise.

7.8 The Equality Act 2010 introduces a new public sector equality duty which came into force on 6th April 2011. The duty placed upon the council is similar to that provided in earlier discrimination legislation but those persons in relation to whom the duty applies have been extended.

7.9 The new public sector equality duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. A 'protected characteristic' is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;(including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

7.10 The previous public sector equalities duties only covered race, disability and gender.

7.11 Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities. Having due regard to 'fostering good relations' involves having due regard to the need to tackle prejudice and promote understanding. Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

7.12 In addition to the Equality Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty. The advice set out to members in this report is consistent with the previous Codes and published guidance.

7.13 There is no prescribed manner in which the equality duty must be exercised. However, the Council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups and by gathering relevant details. An equality impact assessment is attached to this report and a summary of this assessment is set out in the Diversity Implications of this report below

7.14 Members should be aware that the duty is not to achieve the objectives or take the steps set out in section 149 of the Equalities Act 2010. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions, which includes grant funding. "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must also be a proper regard

for the goals set out in s.149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable to consider, which include budgetary pressures, economics and practical factors. The weight of these countervailing factors in the decision making process is for Members in the first instance.

Advice Services

- 7.15 Under section 2 of the Local Government Act 2000 (“LGA”) whereby the Council is authorised to do anything that is likely to promote or improve the economic, social or environmental well being of its area, the Council has the power to provide financial assistance for the provision of advice services to the public of the sort provided by the BCAB and the BCLC.
- 7.16 Importantly, section 2(3) of the LGA provides that in exercising the power described in paragraph 8.1 above, the Council must have regard to its sustainable community strategy (“the Strategy”). Brent’s Strategy sets out how the Council will meet the needs and aspirations of Brent’s residents and expressly points to partnerships with voluntary organisations. The Strategy addresses issues pertaining to the overall wellbeing of Brent’s residents and in particular the Strategy focuses upon enhancing income and employment levels within the Borough and supporting vulnerable tenants within the Borough regardless of the nature of their tenure.
- 7.17 As noted in this Report, part of the work of the BCAB and the BCLC relates to housing advice and information. Section 180 of the Housing Act 1996 provides that the Council (being the local housing authority) may give assistance by way of grant or loan to voluntary organisations concerned with homelessness or matters relating to homelessness. The BCLC in particular is tasked with giving advice which is considered beneficial to the prevention of homelessness.
- 7.18 The renewal of grants is treated under the Council’s Constitution as the award of new grants. The Executive should be aware that the decision to award a grant is discretionary and the Council’s discretion must not be fettered by previous commitments. The Council should therefore make its decision in the light of present circumstances described in this Report. The Council is bound to act reasonably and must take into account only relevant considerations and its fiduciary duty towards taxpayers in the Borough.

8.0 Diversity Implications

Proposals relating to present Main Programme Grant Budget

- 8.1 The equality impact assessment analysing the policy now recommended to members is provided and set out in appendix 7 to this report. This equality impact assessment and consultation on proposals found no adverse impact arising from these proposals. This work has been audited by the Diversity Team.
- 8.2 The analysis was based upon information obtained directly from organisations about people benefiting from projects, people benefiting from the organisation as a whole and information already held by the council from regular monitoring of grant projects. Presently the equality monitoring data about projects which are grant funded is varied, with some organisations providing data relating to a project specifically, some providing data to the organisation as a whole. The council sought updated equality information from funded organisations covering all protected characteristics as part of the consultation process. Where this was provided it has been used to update analysis on older data already held.

Proposals relating to Advice Services Budget

- 8.3 This report does not make proposals changing the existing level of funding or existing arrangements for Advice Services, but requests extension of these arrangements whilst a review of Advice, Guidance and Advocacy is undertaken. As such paragraph 4.18 of this report asks members to note that the proposals arising from the review of Advice, Guidance and Advocacy would be subject to a separate equality impact assessment when they come to the Executive for a decision.

9.0 Background Documents

- Brent Our Future 2010-2014
- Brent Council Budget Book 2010/11
- Brent Council Main Programme Grant Executive Reports between 2008 and 2010
- Brent Council Executive Report September 2011 - Authority to renew grant funding for the Brent Citizens Advice Bureau and Brent Community Law Centre
- Equality Impact Assessment on new themed funding for grants 2009
- Brent Council Voluntary Sector consultation meeting on future use of Main Programme Grant 2010
- Consultation Responses (Summary at Appendix 5 and in the main body of the report)
- Brent Council Main Programme Grant Consultation Document (Appendix 6)
- London Councils Funding Report to Full Council, July 2011
- Treasury CSR Documentation
- DCLG Localism Bill
- DCLG Proposals to introduce Community Right to Challenge
- DCLG Proposals to introduce a Community Right to Buy – Assets of Community Value
- Draft Voluntary Sector Strategy background research and feedback from sector
- Minutes of Voluntary Sector Liaison Forums

10. Appendices

- Appendix 1: Remaining projects to transition to themed grants model
- Appendix 2: Themed Grant Projects as they were agreed by Executive in 2009 and 2010:
- Appendix 3: Draft Themed Grant Criteria – SUBJECT TO REVISION
- Appendix 4: Amended Standard Grant Terms and Conditions
- Appendix 5: Summary of Consultation Responses
- Appendix 6: Consultation Pack
- Appendix 7: Equality Impact Assessment and Equality Impact Assessment Data

Joanna McCormick, Partnerships Coordinator
Cathy Tyson, Assistant Director, Policy

Phil Newby, Director Strategy, Partnerships and Improvement