



Brent

Briefing note on Barham Park Veterans' Club

For information

1.0 Summary

This briefing note outlines the position of the Barham Park Trust in relation to concerns raised about the accessibility and inclusivity of the membership of the Barham Park Veteran's Club, a charity registered with the Charity Commission that has had a long-term lease relationship with the Council.

2.0 Recommendations

2.1 To note the contents of this briefing note and the proposed next steps.

3.0 Detail

3.1 Legal background

- 3.1.1 The Equality Act 2010 places a general duty on public bodies to have due regard to the need to 1) eliminate discrimination, 2) advance equality of opportunity and 3) foster good relations when exercising their public functions.
- 3.1.2 Although charities are not public bodies, they may still be covered by the general duty if they exercise public functions, and equality legislation does have an impact on their service delivery or charitable objects.
- 3.1.3 The Equality and Human Rights Commission has produced a [Code of Practice for voluntary and community sector organisations \(including charities\)](#) which outlines the general provisions, as well as the specific charity exceptions in relation to their charitable objects and positive actions in service delivery.
- 3.1.4 The key provisions that charities must consider to ensure they act in accordance with equality law, as well as thinking about how they can use the positive provisions to further their charitable objects are:
- Firstly, equality law is about providing protection from less favourable treatment because of a protected characteristic and encouraging progress on equality. In doing so, equality law recognises that sometimes we need to treat people differently by providing specific services and taking positive action.
 - Secondly, if a charity wants to take positive action or to rely on an exception to the general rule of non-discrimination they must be satisfied that they are doing this to meet a legitimate aim and that what they are doing is both necessary and appropriate to meet this aim.

3.2 Background

- 3.2.1** At its July meeting (under the Genral Update to Trust Members on Property Matters) the Barham Park Trust highlighted that *'concerns had been raised by a member of the public regarding accessibility of the membership of the Barham Park Veterans' Club (Wembley)'*. The Trust therefore resolved that the decision to proceed to complete the approved letting of Unit 2, the Snooker and Billiard Rooms, to the Barham Park Veterans' (Wembley) be deferred to the next [8th September] meeting.
- 3.2.2** At the September meeting (under the General Update to Trust Members on Property Matters) Trust Members *'expressed their continuing concern over the membership criteria and the actual operation of the club and were reluctant to take any decision on formalising the club's occupation of Unit 2 until they had received re-assurances as to the clubs inclusivity. It was therefore agreed to ask the Council's Equality team to discuss with the club how it might update its constitution to better reflect the approach to diversity that the club was expected to endorse.'*
- 3.2.3** It was resolved that a report be submitted to the next meeting of the Trust [on 28th October] on the outcome of the work carried out by the Council's Equality team with the Barham Park Veterans' Club before a decision is taken on leasing the snooker and billiard rooms (Unit 2) to the club.

3.3 Follow up conversations between the Head of Equality and relevant officers

- 3.3.1** The Head of Equality met with the Operational Director of Property and Project to further discuss the current position on leasing Unit 2 to the Barham Park Veterans' Club. Richard Barrett confirmed that he has obtained a copy of the constitution, as well as some membership diversity profile information of the club that he kindly shared with the Head of Equality.
- 3.3.2** Findings based on the available information provided by the Chair of the club:
- The constitution was last updated in 2004, i.e. before the introduction of the Equality Act 2010 and the amended Charities Act 2011.
 - The Chair hasn't provided an Equality of Opportunity statement or policy. While it is not a mandatory requirement for the club to have such a statement / policy, it is considered to be good practice.
 - The members' diversity profile shows that the club currently has 95 members in total. All of the members are aged 65 and above. Of these, 89 are Asian or Asian British and the remaining six are White or White British. The majority (88 members) are Hindu, four are Christian and 3 are defining their religious beliefs as Other. The gender profile of the club is as follows: 58 members are men and 37 are women. Only 11 out of the 95 members have declared a disability.
- 3.3.3** The Head of Equality also met with the Operational Director of Community Services to discuss the matter, after which they arranged a meeting with the Chair of the club.
- 3.3.4** The Head of Equality and the Operational Director of Community Services met with the Chair and Secretary of the club on 15 October. The outcome of the meeting was positive. The Chair and Secretary gave their verbal assurance that they would work with the Council to resolve any concerns, and agreed to review the club's Constitution and make necessary amendments.

3.4 Next steps

- 3.4.1** The Chair of the Barham Park Veterans' Club to provide the Council with an up-to-date membership list and other relevant membership documents (31 October 2015).
- 3.4.2** The Equality team to support the Chair in updating the Constitution, their membership documents and communication materials to ensure that the club is compliant with current legislation and is abiding by the Council's Equality and Diversity policies (30 November 2015).
- 3.4.3** The Property and Projects team, with support from the Equality team, to review the Equality and Diversity clause that applies to all leases, including the lease with Barham Park Veterans' Club to ensure that it is fit for purpose (30 November 2015).
- 3.4.4** The adoption of the proposed measures is not an end in itself and the impact of these arrangements must be monitored. The Council should also aim to establish an ongoing relationship with the Barham Park Veterans' Club and engage the club in activities and initiatives that could help diversify its membership and contribute to more inclusive approaches to recruiting new members.