CABINET

15 MARCH 2011

REPORT OF THE CABINET MEMBER FOR CRIME, JUSTICE AND COMMUNITIES

Title: Corporate Grants Programme 2011/12 and	For Decision
Commissioning Programme 2011-14	

Summary:

The report seeks approval for grants under the Corporate Grants Programme for 2011/12 and for commissions for the Corporate Grants Programme for three years from 2011 – 2014. The assessment process used and the monitoring procedures put in place are summarised.

This report proposes actions to implement changes agreed by Cabinet to the corporate grants and commissioning programme following the Strategic Grants Review which was agreed by Cabinet on 28 September 2010.

The report outlines the impact of reductions to the London Councils grants programme in 2011/12, provides estimates of the reductions in the 2012/13 and 2013/14 and indicates how budget reductions required in response to funding cuts by the Coalition Government will be achieved.

Wards Affected: All

Recommendation(s)

The Cabinet is recommended to agree:

- (i) The award of commissions to provide capacity building services for 2011/12 June 2014 to a total value of £425,000 (as outlined in Appendix 2);
- (ii) The award of commissions to provide strengthening community services for 2011/12 June 2014 to a total value of £156,000 (as outlined in Appendix 2);
- (iii) The delegation of authority to the Corporate Director for Adult and Community Services, in consultation with the Portfolio Holder, to let the contract for Strengthening Communities at a total value in 2011/12 of £52,000, as detailed in paragraphs 2.2 and 3.11
- (iv) The award of grants from the Innovation Fund for 2011/12, to a total value of £60,000 (as outlined in Appendix 3);
- (v) The allocation of £5,000 for small grants for Pump Priming in 2011/12;
- (vi) The virement of £10,000 from the Community Cohesion divisional budget to the Leisure and Arts division to provide grants for talented and gifted young people;
- (vii) The allocation of an additional £170,000 to support the recommissioning where appropriate of services previously commissioned by London Councils Grants, and

the delegation of authority to the Corporate Director for Adult and Community Services, in consultation with the Portfolio Holder and relevant Directors, to allocate that funding as appropriate in full or part funding of such recommissioning;

- (viii) The delegation of authority to the Corporate Director Adult and Community Services, in consultation with the Portfolio Holder, to undertake an annual review of the corporate grants and commissioning programme contract values and grant awards, in light of the current level of uncertainty in this area and to enable adjustment to contract values where required:
- (ix) The delegation of authority to the Corporate Director Adult and Community Services, in consultation with the Portfolio Holder, to award the re-advertised contracts for the LGBT Forum and the Disability Forum, and for the Volunteering Support commission, as detailed in paragraphs 3.9 and 3.10.

Reason(s)

Agreement of the recommendations will enable achievement of the overall objectives of the grants programme, i.e. building capacity in the third sector and strengthening community services. In turn, this will contribute directly towards achievement of corporate and partnership objectives particularly the community priorities of "Fair and Respectful" and "Prosperous".

Comments of the Chief Financial Officer

In 2011-12, the grants and commissions being recommended for approval will be funded within existing budgets, also delivering the corporate savings requirement of £250,000.

In future years, 2012/13 and 2013/14, further reviews of grants and commissioning are being proposed to ensure future corporate savings are achieved.

Comments of the Legal Partner

Legal issues in respect of the contract provisions are addressed throughout the body of the report.

In considering the recommendations Members should have regard to the Council's duties under the equality legislation found at paragraph 5 to this report.

Head of Service: Heather Wills	Title: Head of Community Cohesion & Equalities	Contact Details: Tel: 020 8227 2786 E-mail: heather.wills@lbbd.gov.uk
Cabinet Member: Cllr Jeanne Alexander	Portfolio: Crime Justice and Communities	Contact Details: Tel: 020 8227 2116 E-mail: jeannette.alexander@lbbd.gov.uk

1. Background

- 1.1. The corporate grants programme has been an established way for the Council to support diverse voluntary sector organisations and individuals from all communities in the borough to meet local and national priorities.
- 1.2. In December 2007, the Cabinet agreed allocations to commission voluntary sector groups for a period of three years to provide specific services. At the time, providing support with smaller amounts as grant aid and larger sums as commissions was regarded an innovative and progressive funding model. This has proved to be the case.
- 1.3. On 28 September 2010, Cabinet agreed a revised model for the corporate grants and commissioning programme and a new procurement strategy for the provision of Local Infrastructure support. The changes are designed to ensure that limited funds are targeted to where they will be most effective in achieving the programme's objectives. In particular, the focus of the programme is towards building the capacity of the third sector in the borough, and building community cohesion. At that time, Cabinet also agreed to receive a further report which would make proposals for the allocation of funding under this programme prepared in response to latest information about funding available at that time this is that report.
- 1.4. Cabinet also agreed under the Grants Review that due to the timetable required to complete the tender process, new commissions will commence in July 2011. As these are three year contracts, the commissions will expire in June 2014. To allow maximum flexibility, and the achievement of this timetable, the following existing commissions will be continued for one further quarter beyond March until July 2011

Specification	Organisation
Local infrastructure organisation	Barking and Dagenham CVS
Community accountancy support	Accounting for Community Enterprise (HAVCO)
Volunteering support	Barking and Dagenham Volunteer Bureau
BAME Forum	RAMFEL
Disability Forum	CIIIL
Faith Forum	Barking and Dagenham Faith Forum
LGBT Forum	Caress
Community Cohesion	Harmony House

- 1.5. Two services which have been previously commissioned under the Voluntary Sector Grants Programme will continue during 2011/12 as their contracts have not yet expired. These are the contract to tackle discrimination and promote cohesion, held by Harmony House, and the Community Legal Aid Centre contract for advice services, held by the Citizens Advice Bureau and Edwards Duthie. These two contracts are detailed in Appendix 1.
- 1.6. London Councils has completed a review of its Grants Scheme, and as a result the Council will be required to make a reduced contribution to that scheme in 2011/12 and years going forward. However, the Council has carried out a review of all grants previously made under this programme in light of local needs, including consideration of equalities implications, and proposes to continue to commission

- some of those services in some form ongoing. Further information appears at paragraph 3.24.
- 1.7. The Cabinet is asked to endorse the commissions and grants which have now been tendered and assessed as set out in full in the Appendices to this report. The process used and the proposed length of contracts are consistent with government guidance (Office of the Third Sector, 2008). This will help to improve financial stability and for organisations to maximise the potential of the services they are delivering.

2. Financial summary

2.1 The following funding is available for the wider grants and commissioning programme (including contributions to the London Councils Grants Scheme for the next 3 years):

	2011/12	2012/13	2013/14
			(indicative)*
Corporate grants programme	788,000	788,000	788,000
Contribution to London Councils	588,000	588,000	588,000
Community cohesion budget contribution	20,000	20,000	20,000
to Strengthening communities			
commission			
Less saving required by Medium Term	-250,000	-500,000	-750,000
Financial Strategy			
TOTAL	1,146,000	896,000	646,000

^{*}See paragraph 2.5

2.2 A financial summary of the proposals for the programme appears below:

	2011/12**	2012/13	2013/14 (indicative) *
Strategic Commissions – Capacity Build	ling		
Local infrastructure organisation	126,150	126,000	114,000
Community accountancy support	20,000	20,000	20,000
Volunteering support	50,000	47,000	45,000
•			
Strategic Commissions – Strengthening	Communitie	:S	
BAME & Refugee Forum	21,250	20,000	20,000
Disability Forum	16,000	16,000	16,000
Faith Forum	16,000	16,000	16,000
LGBT Forum	16,000	16,000	16,000
Older People's Forum	16,000	16,000	16,000
Strengthening communities commissions	52,000	45,000	40,000
CLAC/ advice commission	205,000	196,500	196,500
Tackling discrimination commission	62,600	50,000	50,000

	2011/12**	2012/13	2013/14 (indicative) *
Innovation Fund (under £10k grants)	60,000	60,000	60,000
Pump Priming Fund	5,000	5,000	5,000
Talented & Gifted programme	10,000	10,000	10,000
Contribution to London Councils Grants	300,000	200,000	185,000
Scheme			
Support to recommission activities	170,000	160,000	150,000
previously commissioned by London			
Councils			
TOTAL	1,146,000	1,003,500	959,500

^{**}The figures shown are the annual values of each contract / programme proposed, and include expenditure remaining for the previous contracts in the first quarter of 2011/12.

- 2.3 In order to ensure that the financial savings targets for 2012/13 and 2013/14 are met, it is proposed to review commissioning budgets in adult and children's services. Many of the commissions in these areas are reliant on there being a strong third sector locally: it is aimed to look at the commissioning of services across preventative and statutory functions so that the best mix of services can be commissioned. A balance between supporting people to remain independent and well and not require our services, and services which meet our statutory duty of care, needs to be reached. In addition, many voluntary sector organisations provide high quality social care services or are in a good position to provide services in the future. It would not be in the Council's best interest to destabilise good quality local providers and it is necessary to look at funding organisations across budgets rather than individually, and levering in additional funds.
- 2.4 It is also aimed to reduce further the contribution made to London Councils and therefore achieve further savings through this route. If the allocation made to support recommissioning of services previously commissioned through London Councils is not fully utilised, this too will contribute to achieving the budget reductions.
- 2.5 However, if it is not possible to achieve the budget targets through this route it will be necessary to make further adjustments to this programme in 2012/13 and 2013/14. This risk is increased since the Council does not yet have clarity about its funding from central Government for the year 2013/14. It is proposed to make it clear in the contract documentation that the value of each contract is subject to review in light of the changing financial climate. Cabinet is asked to delegate to the Corporate Director Adult and Community Services, in consultation with the Portfolio Holder, an annual review of the corporate grants and commissioning programme contract values and grant awards, in light of the current level of uncertainty in this area, and to enable adjustment to contract values where required.

3. Proposal

Strategic Commissions

- 3.1 Cabinet agreed in September 2010 that, due to the timetable required to complete the tender process, new commissions will commence in July 2011. As these are three year contracts, the commissions will expire in July 2014. This means that the commissions will not fit easily with the financial year. The financial summaries in the Appendices all give the cost for financial years, recognising that in each year the quarter April to June will be the last quarter of the previous year's contract.
- 3.2 Contracts will have the flexibility to be extended if required to enable appropriate consultation for the next round of commissioning.
- 3.3 Two themes have been previously agreed as the remit for this fund:
 - 1. **Infrastructure** (Outcome: increased organisational capacity)
 This will focus on capacity building and engagement. Under this heading there is a clear link to the themes of the Third sector strategy as this will focus on the "environment for a thriving third sector".
 - Strengthening communities (Outcome: increased community cohesion)
 This will include community resources such as community hubs and development, forums and networks which support and empower local communities.
- 3.4 Following a tendering exercise, the following organisations are recommended to deliver 2 key infrastructure commissions:
 - Local Infrastructure Organisation: Barking and Dagenham CVS
 - Community Accountancy Support: Accounting for Community Enterprise (hosted by HAVCO)
- 3.5 Again, following a tendering exercise, the following organisations are recommended to deliver equalities fora:
 - BAME & Refugee Forum: RAMFEL
 - Faith Forum: Barking and Dagenham Faith Forum
 - Older People's Forum: Harmony House

(It should be noted that the BAD Youth Forum is separately funded by Children's Services).

- 3.6 Since these are three year contracts, there will be break points at the end of years one and two, and subject to satisfactory funding and performance, continuation of the contract will be approved by the Corporate Director of Adult and Community Services, in consultation with the Portfolio Holder.
- 3.7 Cabinet approved the procurement strategy for the Local Infrastructure Organisation commission at its meeting on 28 September 2010 because the total value (over three years) of the contract is over £400,000. The remaining commissions have been advertised and tenders assessed in line with the Council's standing orders.
- 3.8 The commissions agreed by Cabinet on the 28th September were advertised in line with the Council's procurement process. The application window ran from mid October to mid November with information workshops provided for each

commission. Once applications were submitted they were assessed and up to three organisations were invited to interview for each commission. A representative from the voluntary sector locally sat on the panel for the Local Infrastructure Organisation commission.

- 3.9 Whilst tenders have been received for all the services advertised, three commissions have not received tenders which meet the Council's requirements. These are:
 - Volunteering Support (Theme 1)
 - LGBT Forum (Theme 2)
 - Disability Forum (Theme 2)
- 3.10 It is proposed to readvertise these three contracts, and if successful to delegate their award to the Corporate Director of Adult and Community Services in consultation with the Portfolio Holder.
- 3.11 In relation to the Strategic Commission for Strengthening Communities, 2 strong applications have been received. It is therefore proposed to clarify the bids of both tenderers with a view to identifying the best option including the possibility of joint working, built on the strength of both applications. It is therefore recommended to delegate the letting of this contract to the Corporate Director of Adult and Community Services in consultation with the Portfolio Holder.

One-Year Grants

- 3.12 Unlike the strategic commissions, the one year grants all relate to the financial year, i.e. from April 2011 to March 2012.
- 3.13 The Innovation Fund and Pump Priming fund are both focussed on an extension of theme 2 strengthening communities, particularly:
 - Building social capital both to build community spirit and to assist in moving towards the community doing more and the public sector doing less
 - Building volunteering (for similar reasons)
 - Building community cohesion and social inclusion
 - Capacity building of the organisations themselves (focused support)
 - Market development- where gaps are identified in local capacity. Themes will be identified ahead of the annual process, to be included in the criteria. It is proposed in the first instance (2011/12) to seek proposals to support people to live independently in the community through local community activity.

Innovation Fund (under £10,000 grants)

- 3.14 The model agreed and applied since 2007, developed following consultation and discussion with the voluntary sector, has been employed again. The application process seeks to ensure that applicants were fully mature organisations before they applied but not predominantly large organisations which might be perceived to have an additional advantage in securing grants.
- 3.15 The Council received 28 grant applications in total. These were asking for a total of £234,942 considerably more than the funding that is actually available. All organisations applying for funding were required to demonstrate that they had appropriate management policies in place including policies on safeguarding where they were intending to work with children and young people and other vulnerable groups.

- 3.16 Council officers checked each application to ensure that it had the necessary accompanying paperwork. Only those who provided the necessary paperwork were assessed further.
- 3.17 Each application was scored independently twice and then all scores were moderated to ensure a consistent approach. Points were allocated in each of 14 categories. The final results were then reviewed by a panel of officers to arrive at the final recommendations to the Cabinet.
- 3.18 Officers considered equalities implications as an integral part of the grant award process to ensure that the proposals are fair and equitable and that there would be no disproportionate adverse impact upon equality groups within the local community. The following actions will be taken to further mitigate impacts on organisations not funded:
 - annual consultations with the equalities forums in relation to applications and process
 - Further analysis of unsuccessful bids. Grants workshops are held as an opportunity to discuss bids before they are submitted to drive up the quality of the applications.
- 3.19 All applications to the programme were also assessed in relation to their capacity to support delivery of the Community Priorities and to the organisation's demonstrated ability to generate funding from other sources.
- 3.20 All voluntary and community organisations recommended to receive funding through this process will be required to sign a service level agreement and to complete a quarterly return evidencing their performance against agreed outcome measures. These returns will be monitored by officers and, where funded organisations are not delivering as agreed, a range of remedies and sanctions are available to the Council up to and including the removal of grant aid.
- 3.21 Lists of the grants considered and recommended are contained in Appendix 3.

Pump Priming Fund

3.22 £5,000 has been allocated for small grants that will 'pump prime', low cost but high value local activities and initiatives, that is individual sums of £500 and below. Allocations to this fund will be made in consultation with the Portfolio Holder.

Talented and Gifted Young People

3.23 £10,000 has been allocated for Talented and Gifted young people, of which £5,000 is particularly targeted towards support for 'Living the Dream'. Because the young people benefiting from this programme are predominantly assessed as being talented and gifted in relation to arts and/or sports, it is proposed to transfer the assessment and administration of this programme to the Leisure and Arts division who will manage the grants in consultation with the Children's Services department, and to vire the funding accordingly.

3.24 London Councils grants review

The grants previously funded by the London Councils Grants Scheme which are now being ended have been reviewed in consultation with the Portfolio Holder and categorised as follows:

- Activities to cease supporting as no benefit has been identified for Barking and Dagenham
- Activities proposed to ask London Councils to recommission as they are more appropriately delivered at a London-wide level
- Activities which it is proposed to review and, where applicable, to continue to commission to some extent locally

This review has included consideration of the equalities implications of each activity, insofar as they related to benefits received by the residents of Barking and Dagenham.

- 3.25 The Council has asked London Councils to recommission (subject to clarification of cost) a variety of specialist advice services, which provide a level of highly specialist advice not available within the borough. This includes advice services in relation to social welfare law, discrimination law and advice for disadvantaged communities. The Council has also asked London Councils to review its commissions in this area to ensure that they are as efficient and effective as possible. London Councils has also been asked to recommission support for social enterprises. A response from London Councils is awaited: if a satisfactory response from London Councils is not received, the Council will seek to make alternative commissioning arrangements.
- 3.26 The Council proposes to recommission locally a range services, summarised as:
 - Specialist support for permanent and temporary accommodation for exoffenders on release
 - Counselling and support services for vulnerable adults and BAME groups
 - Targeted interventions to reduce youth homelessness
 - Interventions with children and young people at risk of sexual exploitation
 - Preventative work in relation to young people and gangs
 - Diversionary activities for young people to reduce offending and anti-social behaviour and increase educational attainment
 - Engage with and involve disadvantaged groups experiencing high levels of crime
 - Activities to increase the engagement of disadvantaged communities with the arts
- 3.27 There has been a recent judicial review of the London Councils grants programme: London Councils are currently considering the implications of this. Action to cease London Councils grant funding before contract end dates has therefore been suspended. If London Councils' review of next steps continues for much longer beyond March 2011 then there is a risk that the full savings required from the programme will not be achieved. It is anticipated that this risk can be mitigated by the fact that recommissioning of services will not be needed until London Councils have completed their own review.

4. Financial Issues

4.1 The grants and commissions being recommended for approval in 2011/12 total £1,146,000, of which £601,000 is earmarked for commissioned services, £60,000 for the Innovation Fund (grants under £10,000 in value), £5,000 for the Pump Priming Fund, £10,000 for grants to Talented and Gifted Young People, £300,000 for London Councils and £170,000 for grants for priority services which are no longer being funded by the London Councils grants programme.

5. Legal Issues

- 5.1 The Equality Act 2010 imposes a general duty on a public authority when carrying out its functions to have due regard to the need to eliminate discrimination and advance equality of opportunity.
- 5.2 The current legal requirements relate to race, disability, and gender. Barking and Dagenham has already extended these equality areas to also cover the full range of protected characteristics of age, gender reassignment, religion or belief, and sexual orientation, in readiness for the new general equality duty.
- 5.3 Early consultation with a range of equality groups, including the Disability, BAME, LGBT and Faith fora, as well as completion of the equality impact assessment (EIA) as set out at Appendix 4 has given the Council the opportunity to ensure that there is a systematic assessment of the likely effects of this review of grants and commissions on those people in the community in the above categories. The EIA is an integral part of this review. Members in considering the recommendations to this report must have due regard to the findings of the EIA including whether opportunity has been taken to promote equality as well as whether any negative or adverse impacts have been mitigated or removed, Following any decisions officer will also be able to monitor the actual impact of this review.

6. Other Implications

6.1 **Risk Management -** There will be significant risk to the viability of a range of voluntary organisations in the Borough if these allocations are not agreed. Officers will engage with relevant organisations to mitigate the effects of this if it occurs.

There is a risk that the services which are recommended to be commissioned for three years may receive further reduced funding in the second and third years; this is dependent on the settlement of the London Councils grant programme in years 2012/13 and 2013/14, a review of wider commissioning budgets, and the outcome of the review of activities previously commissioned by London Councils.

There is a risk that the services receiving funding will experience increased demand as the impact of the recession continues. This will be monitored through the regular grant monitoring, and funded organisations supported to adjust the services offered within the contract price if appropriate.

- 6.2 **Contractual Issues N**one, apart from those addressed within the body of the report.
- 6.3 **Staffing Issues None.**
- 6.4 **Customer Impact** Corporate grants and commissions support the provision of services by the voluntary and community sector that address priority needs consistent with the Council's community priorities and are responsive to needs identified in the community. They particularly support building community cohesion.

New and emerging groups are encouraged to establish new initiatives in this field. These grants extend services that are not mainstream and reach a customer base

often beyond the normal reach of mainstream services that is diverse and reflects the rapidly changing population of the borough.

A full Equalities Impact Assessment of the recommended programme has been completed (see Appendix 4). In summary, its findings are:

- The Strategic Grants Review (which this report seeks to implement) was
 designed to ensure that limited financial resources were used to greatest
 strategic effect so that groups in need can receive quality support rather than
 seeking to spread limited resources too thinly and thus disadvantaging all
 groups
- Development funding for smaller and emerging groups has been continued, in order to support those in most need, and to enable emerging needs to be met. The majority of the recommended Innovation Fund grant recommendations explicitly support at least one of the Equalities Groups
- Provision has been made in the corporate grants and commissions programme as follows:
 - specific activities to meet the needs of equalities groups, ie the equalities fora.
 - all capacity building specifications require the provider to ensure services are accessed by all communities
 - specific provision is made in the Local Infrastructure Organisation
 Specification (proposed to be delivered by the CVS) for the delivery of services which meet the needs of BAME organisations
 - specific provision to tackle discrimination and promote cohesion exists in the commission currently held by Harmony House's Race Equality Project

The equalities implications of the London Councils grants review have also been considered when identifying which activities to cease and which to continue to commission locally. Proposals for activities to be continued in some form have taken account of particular needs in respect of the borough's population.

- 6.5 **Safeguarding Children** It is a requirement for all funded organisations to be fully compliant with the provisions of the Children Act 2006 (and the increased safeguards introduced in October 2009) as well as being section 11 compliant or working towards section 11 compliance and to have written polices in place for the protection of vulnerable children and adults. Compliance with this requirement is routinely monitored through the grants programme. If a funded organisation failed to meet the requirements, a range of remedies and sanctions are available to the Council up to and including the removal of grant aid.
- 6.6 **Health Issues** The voluntary and community sector play an important part in reducing health inequalities and tackling the wider determinants of health such as social cohesion, discrimination and social isolation. The grants and commissions contained within this programme have the potential to make a positive contribution to tackling health inequalities by building community capacity.

Where appropriate, funded organisations will be made aware of the Health and Wellbeing Strategy and the themed sub-groups, and required to make linkages as appropriate.

In order to continue to tackle health inequalities it is important that the grants have robust contract performance management which enables and encourages development and capacity building, linking activity to outcomes, and supporting community organisations to income generate through alternative streams and resources to reach an ultimate aim of sustainability.

In implementing the larger grants relating to health there should be explicit reference to the Joint Strategic Needs Assessment and that the allocation and activity related to these grants is feedback into future JSNAs to ensure equity of provision and to reflect any gaps or inequalities developing. Looking forward the allocation and activity related to these grants should be mapped into the JSNA and Experian work to monitor an gaps in impact and investment.

The proposed restructuring of the grant allocations does not present any specific inequity or inequality through the reduced allocations and therefore in itself is unlikely to have any negative impact on health.

- 6.7 **Crime and Disorder Issues -** Some of the activities previously funded by London Councils Grants Scheme make a contribution to community safety in the borough. Discussions are underway with the relevant officers to identify the most appropriate way in which these can continue to be supported locally.
- 6.8 Property / Asset Issues None

7. Options appraisal

- 7.1 Members may choose to agree the entire funding programme, part of the funding programme or to provide no funding at all.
- 7.2 Recommendations to Members for funding have been prepared as a result of a robust process of assessment. Any reductions or amendments to the funding programme would run the risk of challenge if a robust rationale for decisions could not be demonstrated. Reductions would also reduce the ability of the programme to build capacity in the third sector locally and to contribute to the community priorities.

8. Background Papers Used in the Preparation of the Report:

- Completed Grant Applications from Voluntary Organisations together with supporting documents
- Completed Tender Returns from applicant organisations together with supporting documents
- Quarterly monitoring returns provided by funded organisations

9. List of appendices:

Appendix 1	Commissions previously let, continuing during 2011/12
Appendix 2	Strategic commissions recommended for 2011/12 – 2013/14
Appendix 3	Innovation Fund proposals received and recommended for 2011/12
Appendix 4	Equalities Impact Assessment