

**Working together to create a borough of opportunity
Predictive Equality Impact Assessment (PEIA) (V.5)
FOR ALL COUNCIL DECISIONS ONLY**



Title of report or proposal:

3rd Sector Strategy

Describe in full the aims, objectives and purpose of the proposal, including desired outcomes:

The Cabinet report incorporates three key recommendations:

1. to approve the draft 3rd sector strategy

The 3rd sector strategy sets the framework for the allocation of the 3rd Sector Investment Fund and premises support to the local sector. Support to the sector has not always been consistent, nor sufficiently focussed to assist the delivery of Council priorities and targets. The VCS Funding Review in 06-07 began the process of clarifying to the sector that funding support is aligned with Council priorities, and this strategy is an ongoing development of that approach.

The strategy incorporates two elements: Investment Plan and a Premises Plan. The two elements of the strategy will be implemented jointly, although along different timescales, with the implementation of the Premises Plan being determined by existing leasing terms. The anticipated outcomes are:

- increased clarity regarding the process for accessing support
- Increased clarity regarding the benefits to residents sought from the provision of support to the sector
- Improved outcomes for residents as a result of the support to the sector

2. To approve extensions to current funding agreements

This is to allow for a new approach to allocating the 3rd Sector Investment Fund over a rolling two year programme. This will ensure sufficient time to undertake a full tendering process, and for service specifications to be reviewed in line with wider interdependencies.

3. To delegate authority to departmental directors for the finalisation of service specifications for the 3rd Sector Investment fund

The report also seeks approval to delegate authority to departmental Directors for the agreement of service specifications for the 3rd Sector Investment Fund. This aims to ensure that service specifications take account of wider interdependencies, reflect the range of preventative services sought that will support statutory provision, and to make best use of resources available.

Department:

Community Services

Officer Responsible: *(to be completed by the report author)*

Sue Spiller, ext 2483, sue.spiller@lbhf.gov.uk

(Signature, Print Name, Contact Number and Email Address)

Form and report MUST be checked and countersigned by the Opportunities Officer (Organisational Development)

Opportunities Officer: *(to be completed by the Opportunities Manager)*

Signed off by Khadijah Rafiq on **11/08/09** Email PEIA@lbhf.gov.uk Tel 020 8753 1874

A full Equality Impact Assessment will take place prior to implementation of strategy. KR.

PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. Who are the main people that this decision will affect?

3rd sector organisations and their service users.

3rd sector organisations – staff and trustees

local residents

2. Identify the risks that could prevent the planned outcomes

3rd Sector Strategy: organisations may oppose the Premises Plan element of the strategy

The recommendations under the Premises Plan element of the strategy seek to improve the council's provision of premises to the sector, through developing 3rd sector "hubs". Whilst this is likely to result in

some existing premises being disposed of, a clear eligibility criteria combined with a robust process to determine whether an asset should be retained or disposed, the strategy should in fact result in a much improved system to maximise usage of premises, and to ensure that assets are used to target communities in most need. This approach will also assist the council to move away from the historical allocation of premises to groups, and to a system whereby a clear rationale is evident for the investment of premises support to particular groups delivering services to meet local needs.

3rd Sector Strategy: opposition to eligibility criteria

The 3rd Sector Strategy states that organisations that are not based in the borough, but have a demonstrable significant presence in the borough would be eligible for investment. Some local organisations have already expressed a view that this budget should ONLY be available to organisations with local residents on their management committee. However, in considering the nature of some organisations, it is considered that this would have a negative impact on some local residents who benefit from the services of an organisation who may not be borough based, but have a strong track record of delivering local services that meet local needs. This is particularly the case in terms of residents with specific needs, such as those from emerging BME or refugee communities and disabled people.

Extension to funding agreements: Currently unfunded group may challenge the Council's decision to extend funding agreements.

As part of the Funding Review which concluded in 2007, it had been intended to offer longer term funding i.e. up to the end of the four year cycle 31 March 2011, where groups met the additional criteria. However, it was not possible to recommend applicants for longer term funding at that time, as the budget was over subscribed the vast majority of awards were been offered at less than requested. This meant that funding would be conditional upon a satisfactory renegotiation of outputs and outcomes with successful applicants.

There could be an expectation from currently unfunded organisations that funding would have been available from April 2008. However, at Cabinet on 27 November 2006, Cabinet agreed the need to set funding priorities for the following four-year cycle (1 April 2007 until 31 March 2011) in line with the new administration's objectives.

The process of commissioning services includes the review of service specifications. All specifications for the 3rd Sector Investment Fund will be revised prior to the next round of tendering to amend these to outcome based specifications and ensure they are updated to reflect commissioning intentions as local need and demand shifts over time and to take account of wider independencies. This process is including engagement and consultation with 3rd sector organisations and there is, and will continue to be, opportunity for both funded and unfunded groups to influence the service specifications as they develop, and thereby the opportunity to ensure that their organisations are well informed and positioned to effectively compete.

The report states that where a service need has changed, officers are able to de-commission providers and carry out a discreet commissioning exercise with that portion of the budget which would offer small scale opportunities for unfunded groups to access the fund.

To date, one organisation has made representation to the Council for funding support and raised concern over the expanded timescale. However, in order to deliver robust and transparent funding decisions, it is not considered appropriate to award funding to organisations outside of an open tendering process.

3. Could the proposal have a positive impact on a) race b) disability c) gender d) sexual orientation e) age f) belief system groups? (Please provide evidence e.g. user feedback, complaints, monitoring?)

a) b) c) d) e) f)

It is considered that the strategy sets out a clear and robust procedure for allocating funding and premises support to the 3rd sector. This allocation takes account of local needs, existing services and

where the sector can best respond to the needs of our residents. The *implication* of the policy will require a further PEIA to ensure that funding allocations in particular have fully taken into consideration the positive or negative impact on all equality groups.

Consultation responses on the 3rd sector strategy were in the main positive, in particular, groups welcomed the approach of tendering the budget over a rolling programme, and the opportunity to help shape service specifications.

4. Could the proposal have a differential negative impact on **a) race b) disability c) gender d) sexual orientation e) age f) belief system groups?** (Please provide evidence e.g. user feedback, complaints, monitoring,?)

a) b) c) d) e) f)

Again, it is the implementation of the strategy that will require a further PEIA to ensure the principles as set out in the 3rd Sector Strategy have been adhered to. The allocation of funding and premises will inevitably result in disappointment for some groups, who will feel they have not been fairly treated, and that their service users will be the ones to bear any negative impact of the decision. However, recommendations will need to demonstrate that they have given due consideration to all equalities issues. Resources for funding and premises are limited, as so will be allocated according to council priorities of the day. Whilst the activities that an organisation is seeking support to deliver may be worthy, they may not be of sufficient priority to the council to resource.

5. Could the proposal have any differential impact (either positive, negative or neutral) on the health outcomes of the local population? Please provide details.

A number of outcomes sought have particular emphasis on health and wellbeing – in particular the Health & Wellbeing service specification will seek to deliver health outcomes for local residents in line with national and local indicators.

6. Can any differential negative impact of the decision be justified?

Only where the priorities of the council do not support a service or organisation receiving funding or premises support, or where it is considered that sufficient support is provided to the user group in question, through other services or funding routes.

7. If you have undertaken any internal/ external research or consultation(s) please list these below:

Consultation with the sector and officers on the 3rd sector strategy and service specifications. This included a questionnaire to over 900 local organisations, 6 consultation workshops (on the 3rd sector strategy) and 8 workshops on the service specifications of those areas being re-tendered during 09-10.

8. Do you need to undertake any further consultation? If so, what and with whom?

Further consultation will be undertaken in reviewing the service specifications to be tendered during 10-11.

9. If any differential negative impact is predicted, what actions are you planning to implement which would help lessen any adverse impact? Please give details.

Funding workshops with groups during September and October to give guidance and advice on the outcomes the council is seeking from the 3rd sector investment fund. In addition, further funding workshops with other funders – including Big Lottery, to build the capacity and funding base for local organisations.

The Council also funds the Community & Voluntary Sector Association to support local organisations, including in their fundraising and organisational development strategy activities.

PLEASE EMAIL COMPLETED FORM TO PEIA@lbhf.gov.uk

**Contact: Equalities & Diversity Officer, 020 8753 1874
London Borough of Hammersmith & Fulham**

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