

# Executive Briefing

## November 2015

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Working with the city's Voluntary & Community Sector to  
support engagement with communities

Lead director: Miranda Cannon

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## **Useful information**

- Ward(s) affected: All
- Report author: Miranda Cannon / Andrew Shilliam / George Ballentyne
- Author contact details: 454 0102
- Report version number: 1.0

### **1. Summary**

- 1.1. This report seeks agreement on the preferred way forward from the City Mayor and Executive on the review into the City Council's relationship and arrangements with the Voluntary and Community Sector (VCS) to support our engagement with the diverse communities of Leicester. In particular, the report:
- Outlines the findings from the recent public consultation which considered the possible future models for this type of support; and
  - Offers a number of options, informed by the outcome of the consultation, for carrying forward this form of support.
- 1.2. This report uses specific terminology and the Executive are asked to refer to Appendix A to ensure there is a consistent understanding of what is meant by key terms.

### **2. Recommendations**

- 2.1. This report recommends that the City Mayor and Executive:
- (1) Note the findings and outcome of the consultation;
  - (2) Consider the three options outlined in the report and determine a preferred option to progress;
  - (3) Note the implications outlined in the Equality Impact Assessment (EIA) and agree the mitigating actions proposed; and
  - (4) Determine any other mitigating actions that should be considered in response to the equalities and other implications highlighted in the report.

### **3. Background**

- 3.1. The Voluntary and Community Sector (VCS) is a key partner for the City Council and other public bodies, providing a range of services in Leicester. A significant number of these services are commissioned by the City Council, which directly supports VCS groups and organisations in the city to the tune of several million pounds per annum. This support includes a range of city-based VCS groups and organisations, including:
- Those working with well-defined primary service users (e.g. carers; children; disabled people including people with learning disabilities; drug and alcohol users; families; homeless people; offenders and those at risk

of offending; older people; refugees and asylum seekers; teenage parents; young people); and

- Those delivering services around particular topic areas (e.g. domestic violence; events and festivals; HIV/AIDS; mental health; supported housing).

3.3. Other VCS groups and organisations exist which provide a variety of services that are not directly purchased by the City Council, but which are still of benefit to the people of Leicester. This current review should be seen in the wider context of the City Council's overall support for the VCS and the City Council's intention to support a thriving Voluntary and Community Sector locally.

3.4. The City Council is currently contracted with six local VCS organisations to help engage with a variety of communities and groups in the city. These are:

- African Caribbean Citizens Forum (ACCF)
- Federation of Muslim Organisations (FMO)
- Gujarat Hindu Association (GHA)
- Leicester Council of Faiths (LCoF)
- Somali Development Service (SDS)
- The Race Equality Centre (TREC)

3.5. The City Council has worked with these organisations for a number of years, during which time they have been required to deliver certain services to the City Council, to different communities and to the city at large. These include:

- Providing the council with a two-way channel of communication with specific communities;
- Developing the economic, educational and employment potential within communities;
- Acting as a moderating influence on issues threatening peaceful coexistence of communities;
- Tackling inequalities and disparity of outcomes that affect particular communities; and
- Maximising the positive contribution of different communities to the city in general.

3.6. The overall aim of these services has been to support Leicester being a cohesive city. This concept of cohesion is in keeping with two of the Public Sector Equality Duty aims: promotion of equality of opportunity and fostering good relations between different groups.

3.7. The City Council spends £286,300 per annum on the six organisations for these and (in some instances) other services (see details below regarding provision of information, advice and guidance (IAG) and related support by some of the organisations). These contracts are coming to an end and the level of funding available to be used for any future arrangements is subject to significant reduction.

3.8. The nature of these existing contracts or agreements has been to specify the outcomes that the City Council would like to see but not explicitly to describe how those outcomes are to be delivered. This is in line with nationally

recognised good practice in terms of commissioning (e.g. the National Audit Office's *Successful Commissioning Guide*) and is the approach taken elsewhere in terms of commissioning by other City Council departments.

- 3.9. The way in which each of these organisations has approached this service and the activities they have delivered has varied in accordance with the nature of the community or communities they seek to represent and what might be considered fitting for those communities. In practice it has often proved difficult to monitor and therefore ensure that value for money has been achieved from contracts framed in such broad terms. This has led to concerns being raised repeatedly (including within the most recent public consultation) about the suitability of arrangements between the City Council and these organisations and the outcomes achieved under them.
- 3.10. Our current arrangements were the subject of an earlier review which commenced in 2013 and resulted in a 12-week public consultation between October 2013 and January 2014. After analysing the findings of that consultation and further consideration by Scrutiny of the proposals a tendering process seeking invitation to tender for the following five specific services was commenced:
- Strand 1a (TAN148) – Supporting Collaboration and Guaranteeing a Collective Voice for the City's Voluntary and Community Sector;
  - Strand 1b (TAN159) – Providing Infrastructure Support for the City's Voluntary and Community Structure;
  - Strand 2 (TAN158) – Engaging with Key Communities to Support a Cohesive City;
  - Strand 3 (TAN159) – Supporting Volunteers and Volunteering in the City; and
  - Strand 4 (TAN162) – Contributing to a Network of Sustainable Support for New Arrivals in the City.
- 3.11. During this review the City Council received a challenge to the lawfulness of the decision-making process and specifically concerning Strand 2 and Strand 4. In particular, the challenge focused on the provision of IAG and related support to individual service users and the lack of due consideration of these services within the scope and consultation process for the review. Such services are provided as part of existing agreements with TREC and SDS alongside the provision of the services within the scope of this review.
- 3.12. After detailed consideration of the challenge the City Council determined that it and the people of Leicester would be best served by ensuring that the decision in relation to Strand 2 in particular was robust and that there could be no doubt whatsoever about its lawfulness. Accordingly, the procurement exercises for Strand 2 and Strand 4 were terminated and the existing contracts extended pending further consideration of the most appropriate way forward.
- 3.13. Consequently, it was agreed that a further period of consultation would take place specifically focusing on the support required for engagement with communities in order to support a cohesive city. The provision of IAG by TREC and SDS have been separated out from this process and are to be included within a broader review of the City Council's advice services, to be concluded

by April 2017.

- 3.14. Separate arrangements have been made with the organisations so that they will continue to be funded for these activities until the broader review is conducted. The aspect of the review addressing infrastructure support was taken to its conclusion, with three new contracts being awarded to Voluntary Action LeicesterShire (VAL) following a procurement exercise.
- 3.15. The work expected to be covered by Strand 4 (i.e. that of providing support to new arrivals in the city) was proposed as an alternative to the delivery of IAG by both TREC and SDS. As these are continuing for some time until the future review of the City Council's support for provision of IAG, it is not necessary at this time to seek an additional level of support through a separate route.

### **Scope of the current review**

- 3.16. All public authorities must comply with the Public Sector Equality Duty (PSED), which arises from the Equality Act 2010. The following are listed as "protected characteristics" in the Equality Act:
- Age;
  - Disability;
  - Gender Reassignment;
  - Pregnancy and Maternity;
  - Race;
  - Religion or Belief;
  - Sex; and
  - Sexual Orientation.
- 3.17. The current review and consultation was limited to considering ways in which the City Council might be able to engage effectively with communities that identify with the following protected characteristics:
- Race;
  - Religion or belief; and
  - Lesbian, gay, bisexual or transgender (LGBT)
- 3.18. Some of the currently-contracted service providers concentrate on race, others on religion or belief, while some address both. The City Council does not currently have this kind of arrangement with any group or organisation in relation to LGBT communities or matters, nor has it had such arrangements for these purposes in the past.
- 3.19. These protected characteristics were selected because they were seen as having most salience with the rapidly changing demography of Leicester and the resulting cultural/social development of the city. Further details are provided in the EIA at Appendix D.
- 3.20. It should also be noted that, while "Race" and "Religion or Belief" are two discreet "protected characteristics" defined in the Equality Act 2010, "LGBT" is not, in itself, a protected characteristic. However, the two protected characteristics of gender reassignment and sexual orientation are subsumed

within this term. So, for the purposes of this report LGBT will be referred to as a “protected characteristic”, for the sake of brevity, convenience and simplicity.

### **Public consultation**

- 3.21. A twelve-week long public consultation which considered the current and future possible arrangements was conducted, March to May 2015. Input was actively sought from those directly impacted by the review (i.e. representatives and service users from VCS organisations including those with which the City Council is currently contracted) and from the population of the city at large to help develop informed proposals about any future provision (bearing in mind that it is not necessary, practical or realistic to expect the City Council to enter into contracted arrangements for representation and engagement with everyone fitting within the protected characteristics of LGBT, Race, and Religion or Belief).
- 3.22. The following consultation methods were used:
- Online survey through Citizen Space (10 March to 29 May);
  - Public meetings at eight Neighbourhood & Community Centres across the city;
  - Four themed meetings based on the highlighted protected characteristics (LGBT; Race; Religion or belief); and
  - Discussions with the existing contracted providers.
- 3.23. A summary overview of the consultation findings is outlined below, with a more detailed account provided at Appendix C to this report.
- 3.24. Summary of quantitative responses:
- 51 survey responses in total, including;
  - 10 from those who identify with one of these communities, identities, or protected characteristics;
  - 18 from a director, trustee, employee or volunteer with an organisation concerned with one of these communities, identities or protected characteristics;
  - 18 from “interested citizens of Leicester”; and
  - 5 from service users of an organisation with one of these communities, identities or protected characteristics.
- 3.25. Groups or organisations with which respondents identified:
- African Caribbean Citizens Forum
  - Age UK
  - Leicester City of Sanctuary
  - Leicester Civil Rights Movement
  - Leicester LGBT Centre
  - Leicester Secular Society
  - Leicestershire Aids Support Service (LASS)
  - Mainstream Partnership
  - Polish Mums and Children’s Centre

- Reaching Partnership People
- Recovery
- Somali Community & Parents Association
- Somali Development Service
- St Philip's Centre for Study & Engagement in a Multi-Faith Society

3.26. Summary of responses to questions:

- 65% of respondents agreed in general with the City Council's approach to this review;
- 47% thought that the City Council should give preference to supporting "umbrella" organisations, which work with a number of communities and groups sharing an identity or protected characteristics;
- 78% agreed with the City Council's approach in preferring to work with organisations that can demonstrate experience, knowledge and understanding of the diverse communities of Leicester;
- 86% agreed with the City Council's approach in preferring to work with organisations that include people from the community (or communities) they represent among their board, staff and volunteers;
- 45% thought that the City Council is not doing enough to engage the city's newer communities in the review process;
- 55% said they could identify something that might hinder VCS organisations from becoming involved with the City Council's approach to this review;
- 51% said they could think of ways that the City Council might make it easier for VCS organisations to engage with this approach;
- 47% said they had no specific concerns that this approach might mean changing the City Council's current arrangements with certain communities and their organisations; and
- 69% said they had ideas about how the City Council can maximise effective representation and engagement with the funding available.

**Summary of qualitative response across the public consultation**

3.27. Some of the suggestions which arose from the public consultation are included here (without judgment or comment regarding their practicability) in order to illustrate the kind of input received.

- Consider fixed term contracts (i.e. not extending them forever and a day) open to all qualified applicant groups and organisations to provide representative community services;
- Consider targeting specific communities based on proportional representation (i.e. size of community and newness to the city); this could be read both ways: that the larger the community, the more significant the issues of cohesion, therefore the more funding they should receive – or, the smaller the community, the less able they are to work on cohesion issues without support, so the larger the proportion of funding they should receive;
- Some respondents referenced the city's changing demographic and questioned whether the City Council should stop supporting long-established communities and switch to supporting newer ones;

- Funding should be based upon outputs and outcomes, with payments made as certain achievement thresholds are reached;
- Rather than fund organisations, we should find key individuals capable of working within the specific community areas and charge them with specific responsibilities;
- Communities should be involved in the assessment of any bids (which might be difficult to do without tending toward bias, as it would be hard to find a local community not related to one of the applicant organisations.);
- The City Council is lacking vision in terms of cohesion, diversity, equality, integration and related issues;
- There is a degree of scepticism (even outright cynicism) regarding the motivation behind the review and it being nothing more than a cover for cuts in services;
- Concerns were strongly voiced about the authenticity and legitimacy of continuing to use the model of “representation” and to work with groups who claim to “represent” specific communities. It is important that there is confidence in our proposals, that we have confidence in the ability of people and organisations to deliver, and that the community with which they claim to work have confidence in them;
- There was a strong sense that something new and fresh is required. Remarks were made specifically about assessing the state of play with organisations that have been funded for a number of years; organisations that have delivered should be rewarded; and there must be room for new organisations to come to the table; services users’ needs change rapidly – the City Council should identify the needs of the current (and future) population;
- There was general acknowledgement that the VCS has not developed well enough in terms of skills and experience to deliver services effectively. VAL is now specifically contracted to improve this – we must ensure that they do; and
- Several other contributors remarked about the need for umbrella organisations in the city, although the evidence does not overwhelmingly demonstrate a preference one way or the other. During the previous consultation exercise, Scrutiny recommended specifically that umbrella organisations be considered.

3.28. The themed meetings, which generated a significant amount of qualitative information, were arranged together with the LGBT Centre, Leicestershire Aids Support Service, Trade Sexual Health, FMO, GHA, LCoF, ACCF, SDS and TREC. Whilst it is correct to say that most of these organisations did not engage through the Citizen Space survey, they did play a significant part in the meetings that generated the qualitative information.

3.29. It would also be fair comment that many of the service users who were encouraged by some of the currently contracted organisations to attend these themed meetings did not necessarily know about the VCS Support Review as such, and were there on the basis of a misconception, however that came about, that the City Council intends to close an organisation that had helped them – and they were there to show support for it and appeal to us not to shut it down. Wherever opportunities arose to disabuse service users of this notion, they were taken.

## Options for consideration

- 3.30. Even a cursory reading of responses to the public consultation shows that there is widespread desire for change and improvement in how the City Council engages with Leicester's communities. However, there is little (if any) agreement on how this change and improvement should be brought about. Most people appear to want something different from the previous and current arrangements, but can't articulate (let alone agree) what that should be.
- 3.31. Given the absence of any clear direction which can be derived from the results of the public consultation, the Executive should consider itself relatively free to consider a number of options which would serve to refresh and renew ways in which the City Council works with the city's VCS to support engagement with Leicester's diverse communities. In practical terms, of course, engaging with communities means engaging with the groups and organisations which work for them, with them or on their behalf.
- 3.32. In considering the options presented below, the Executive may be minded to adopt whichever option would enable the City Council to:
- Respond to the strongly voiced desire for change from previous arrangements;
  - Identify and outline measureable positive outcomes for people, communities, groups and organisations self-identifying with protected characteristics;
  - Outline clearly defined outcomes, tending to more discernible impact in terms of equality, diversity, and cohesion;
  - Identify, track and respond more directly to the needs of the city's demographic as it changes and develops; and
  - Open out support where possible to a wider range of organisations.
- 3.33. There are risks and challenges common to all the options proposed, particularly in finding a workable approach within a relatively tight funding envelope. The question of representation emerged as one of the major topics in the public consultation and Appendix C covers this in further detail. The Executive needs to be fully aware that it is unrealistic to expect to be able to establish an approach which represents all individuals and communities across protected characteristics because:
- As flagged in the consultation, there is generally a loss of confidence in this sort of approach of "representative" organisations;
  - A more flexible and responsive approach is required in the face of the continually changing demographic nature of the city and its communities;
  - No single organisation can ever say they it represents all the views and perspectives of every member of a single defined community, or the many individuals and communities who share a protected characteristic;
  - Organisations do not exist for all individuals and communities within these protected characteristics and it is not feasible to expect the City Council to facilitate the creation or development of organisations to address such gaps;
  - The ability and capacity of smaller organisations or new and emerging

organisations representing specific communities may mean that they will struggle to engage in any form of structured process even where we provide appropriate help and support to do so; and

- Not all organisations representing specific communities may wish to participate and engage in this way with the City Council, or alternatively they may seek to do so but not meet the necessary criteria (e.g. they have no “legal personality” or cannot evidence good practice in their arrangements for finance or governance).

3.34. In recognition of this risk, the City Council's approach has always been to utilise a range of ways in which to engage with individuals and communities, and understand needs and impacts. This recognises particularly that there will always be individuals who are not represented via formal structures or organisations, and also those who do not wish their views to be represented via such means, or are “silent” and simply do not engage.

3.35. The City Council has different mechanisms for engagement with the public in policy development and decision-making (e.g. consultation on specific proposals, ward meetings with elected councillors and other activities such as meetings of the City Mayor's Faith and Community Forum). New opportunities for consultation, discussion and engagement are being developed, such as City Mayor's Question time, which is being launched as a public event with extensive media coverage this autumn.

3.36. As the City Council itself is arguably the most diverse institution in Leicester, it would also make use of its own employee groups for consultation, and reference. At the moment, there are BME, Carer, Disabled, LGBT, Christian and Muslim employee groups within the City Council, These can be expanded, if and when called upon for consultation and reference.

3.37. There is little likelihood, then, of particular communities or groups going unheard by the City Council (or vice versa) as long as there is a genuine intention of keeping open the channels of communication. The City Council will continue to use other mechanisms (alongside whichever option might be chosen from this report) to ensure any approach to engagement across different communities, maximises opportunities for individuals to have their say and to articulate their needs and concerns, and is supported by other means through which the City Council assesses need and reviews potential impacts including across protected characteristics. Existing approaches include, but are not limited to, the following:

- Development and review of policy and practice, regularly informed by consultation with relevant stakeholders;
- Using nationally and locally sourced data on the demographics and needs of communities, and feeding this into policy development and review;
- Decision-makers are fully aware of the implications when making decisions about policy and practice informed as appropriate via (for example) demographic data, consultation findings and Equality Impact Assessments;
- Detailed Equality Impact Assessments are done for budget spending reviews and a panel of independent external representatives with

particular expertise in equalities is used to review and challenge the assessments that have been done;

- There is a wide range of community networks outside the scope of this VCS review that the City Council facilitates and supports, including the Young People's Council, Big Mouth Forum, Children in Care Council, Older People's Forum, the City Mayor's Faith and Community Forum (to name but a few), which provide different ways of keeping abreast of issues on the ground and those which may be emerging among, between or within communities and responding accordingly;
- An established approach to identifying and assessing potential community tensions working closely with Leicestershire Police;
- Using frontline staff and services including Community Engagement Officers, City Wardens, Neighbourhood Housing Offices, Libraries, and Community Services to help provide an on the ground, neighbourhood perspective;
- Community ward meetings led by ward councillors which seek to engage local residents on specific issues and are used to gather feedback from residents, along with other ways in which local ward councillors engage such as patch walks;
- A track record of councillors, officers and local residents collectively and effectively responding to community tension when it does arise, via constructive direct engagement; and
- Working in partnership with universities to tap into their local expertise e.g. Leicester Centre for Hate Studies and the newly established Unit for Diversity, Inclusion and Community Cohesion (DICE) at the University of Leicester.

3.38. Whichever option is chosen from this review, it is recommended that the City Council should foreground the goal of helping VCS groups and organisations become independent of its funding and support. In future, the City Council could obtain certain services from these bodies, but it should take immediate steps to avoid repetition of the current situation, where many of them appear to have become dependent on the City Council as their major (or sole) source of income. Given the clear implications of the current financial climate, the City Council should consider prioritising this aim with those organisations which benefit from arrangements arising from this review.

3.39. Appendix B outlines three possible options for consideration and an indication of some of the main strengths and weaknesses of each case.

3.40. Specifically, the three options are:

- (1) Invite tenders from organisations that are able to demonstrate that they can engage effectively with communities identifying with the three protected characteristics foregrounded in this review (i.e. LGBT; Race; Religion or Belief respectively). This is in line with the current process and would lead to specific groups that represent particular defined communities applying for funding, subject to an agreed fixed upper threshold. Allocations could be based on size of communities (more support for the larger communities) and would be for longer periods (i.e. three years);

- (2) Pursue the umbrella organisation model. Call for one umbrella body in each of the three protected characteristics foregrounded in this review (i.e. one for LGBT, one for Race and one for Religion or Belief respectively); or
- (3) Establish a new VCS Engagement Support Fund, with the purpose of engaging VCS groups and organisations as active partners through applications for activities, initiatives and projects which better equip the City Council to fulfil its Public Sector Equality Duty.

3.41. Further consideration will need to be given to the implementation of the preferred option. Because it was not generated by the consultation process (but did arise as a result of the nature of the feedback and other sorts of suggestions put forward), if Option 3 is preferred it is likely that a focused consultation exercise (e.g. not more than four weeks) will be required to help shape how this would best be implemented.

### **Financial impact**

3.42. Each one of the six organisations with whom we currently contract have been formally notified that the extended agreements currently in place will conclude on 31 October 2015. It is not intended that these be extended further.

3.43. The need to review our current arrangements in part because of the need to reduce expenditure was clearly communicated through the consultation process. Specifically, it was stated that an expected overall reduction in the current budget would be likely to be in the region of some 30% (i.e. from £286,000 p.a. to somewhere in the region of £200,000 p.a.).

3.44. Negotiations are currently taking place with both TREC and SDS regarding the cost of maintaining their provision of IAG. It is proposed, in line with the suggested overall budget reduction referred to during the consultation, that a 30% reduction will be made to the annual amounts each currently receive in order to cover the IAG element of the service that they will continue to provide.

3.45. The total budget available across Strands 1a–4 was originally £582,200. A reduction of £132,200 has since been applied to this budget as a result of the original decision in order to achieve departmental budget reductions and cost savings, leaving a total available budget of £450,000.

3.46. It is expected that this budget will cover both the new VAL contracts (net cost £224,731) the cost of any new proposals that enable us to engage effectively with communities, and a contribution to the future provision of IAG that will be considered as part of the wider review (at this stage it is difficult to determine what this might eventually be, although it is possible that this will result in a further reduction in the overall amount spent with both TREC and SDS).

3.47. The total overall cost of the new VAL contracts, the extended contracts with the existing organisations and the revised agreements with TREC and SDS are likely to cost £439,215 for the 2015/16 financial year, showing a saving of some £10,785. It is likely that this will be needed as a contribution towards expenditure against the preferred option.

- 3.48. Working on the basis that the costs of the IAG provision are unlikely to exceed currently agreed levels, it is anticipated that the costs for this provision together with the new VAL contract will be £338,691 for the 2016/17 financial year, leading to an underspend of some £111,300. To begin with it might be sensible to agree a total available amount of £100,000 to be set aside for the preferred option, with the remainder in reserve as a contingency.
- 3.49. Overall, the total budget envelope that would be spent on VCS organisations to help the City Council engage effectively with communities that identify with the protected characteristics, strengthen or commitment to our Public Sector Equality Duty, and to provide IAG would be £213,960 p.a. This is in line with the amount communicated during the consultation process (i.e. in the region of £200,000 p.a.).
- 3.50. It has become apparent that, during the course of the current contracts, some of the six organisations featured in this report have become reliant upon the funding provided to them by the City Council and that any loss of funding is likely to have a significant impact upon their respective futures. However, it is commonplace amongst the Voluntary and Community Sector to experience funding challenges such as these and to make appropriate provision to address them.
- 3.51. The cyclical nature and changing availability of funding for this sector makes these organisations more vulnerable when changes to funding occur. On the other hand, it is often these types of organisation that demonstrate well their ability to adapt and respond to the changing financial landscape. The City Council will make all reasonable efforts to assist and support organisations where it becomes clear that no funding will be available.

#### **4. Details of Scrutiny**

- 4.1. The Neighbourhood Services and Community Involvement Scrutiny Commission were updated on the matter leading up to the start of the most recent consultation process. The previous decision (i.e. to procure Stands 1a, 1b, 2, 3 and 4) was subject to call-in and was subsequently considered at Overview Select Committee and then Full Council in June 2014.
- 4.2. Given the interest in the matter previously it would be appropriate to further brief the relevant Scrutiny Commission of the proposals once the City Mayor and Executive have determined an appropriate way forward.

#### **5. Financial, legal and other implications**

##### 5.1 Financial implications

The total budget for the existing agreements is £286,300 p.a.

<b>Contract</b>	<b>Budget p.a.</b>	<b>Contract Type</b>
African Caribbean Citizens Forum	£43,100	Funding Agreement
Federation of Muslim	£25,000	Funding Agreement

Organisations		
Gujarat Hindu Association	£30,000	Funding Agreement
Leicester Council of Faiths	£25,000	Funding Agreement
Somali Development Service	£45,000	Funding Agreement
The Race Equality Centre	£117,800	Funding Agreement
	Total	£286,300

This review is included in the City Council savings review programme and it is anticipated that savings will need to be delivered from a review of these existing arrangements. These savings (£132,200) have reduced the remaining amount available to £450,000 p.a. which must cover the new VAL contract, any continuing IAG commitments with existing providers, and any new agreements entered into to address our public sector equality duty.

*Colin Sharpe, Head of Finance.*

## 5.2 Legal implications

The legal implications to the report are marked “Not for Publication” because they contain exempt information as defined in paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended: i.e. “Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.”

*Kamal Adatia, City Barrister & Head of Standards*

## 5.3 Climate Change and Carbon Reduction implications

There are no significant climate change implications arising from this report.

*Duncan Bell, Senior Environmental Consultant, Environment Team. Ext. 37 2249.*

## 5.4 Equalities Implications

In order to meet our Public Sector Equality Duty, it is important that we understand the population affected by any of our proposed decisions and the protected characteristics relevant to that context, and then understand the likely impacts of our proposal on those affected.

Engaging with the city’s VCS organisations provides us with an evidence base to help inform the above assessment, and thereby assure ourselves, and our communities, that we are not inadvertently discriminating against them. This approach also enables us to consider whether we are effectively promoting equality of opportunity in our proposed actions, a second aim of our Public Sector Equality Duty. The desire to engage with our communities through community organisations also enables us to better understand how effectively we are fostering good relations between different groups within the city – the final aim of our Public Sector Duty – also referred to as community cohesion.

Although the focus of the report is on the three protected characteristics highlighted, we are obliged under the Equality Act to pay attention to the rights of all protected

characteristics to be respected and considered in actions that we carry out – the inclusive approach we highlight in our Equality and Diversity Strategy. The focus on the three protected characteristics enables us to provide a boundary around a specific piece of work, and anticipated equality outcomes arising, that make it easier to measure results achieved in keeping with our Public Sector Equality Duty and the Equality Act in general.

The Executive, when determining a suitable way forward, are encouraged to formally note the implications outlined in the EIA at Appendix D alongside the mitigating actions proposed.

*Irene Kszyk, Corporate Equalities Lead. Ext 37 4147*

5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

**6. Background information and other papers:**

None.

**7. Summary of appendices:**

Appendix A – Definitions

Appendix B – Table of Options

Appendix C – Consultation Analysis

Appendix D – Equality Impact Assessment

## Appendix A - Definitions

- **Protected characteristics** – these are defined in the Equality Act 2010, namely: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. The focus of this review and proposed approach is specifically on the characteristics of race, religion or belief, sexual orientation and gender reassignment (as most directly relating to community cohesion and integration in the city and not being supported in other areas of the City Council’s delivery).
- **Umbrella organisation** – this refers to an organisation which seeks to represent people who share a protected characteristic. This will therefore encompass different communities. For example this may be an organisation representing the characteristic of religion or belief and therefore encompassing different communities within that characteristic. Currently, as outlined in 2.3, the City Council has contracts with organisations which it would define as umbrella organisations; these being Leicester Council of Faiths for the protected characteristic of religion or belief, and The Race Equality Centre for the protected characteristic of race. Such umbrella organisations may seek to represent that protected characteristic by engaging directly with people who share the characteristic and / or by working with organisations which represent sub-groups within that characteristic (e.g. in the case of the Council of Faiths, specific organisations representing particular communities included within the protected characteristic of religion or belief).

<b>Appendix B – Options</b>			
<b>No.</b>	<b>Option description</b>	<b>Strengths</b>	<b>Weaknesses</b>
1	<p>In line with the current process, invite tenders from organisations that are able to demonstrate that they can engage effectively with communities identifying with the three protected characteristics (LGBT; Race; Religion or Belief). This would lead to specific groups that represent particular defined communities to apply for funding, subject to an agreed fixed upper threshold. Allocations could be based on size of communities (more support for the larger communities) and would be for longer periods (i.e. 3 years);</p>	<p>Similar to the status quo so would require least upheaval for the currently contracted organisations.</p>	<p>It has always proved difficult to define sufficiently clear and measurable outcomes and deliverables for these sorts of contracts which has led to concerns and questions about whether value for money is being achieved. Likely to be perpetuated by continuing in a similar manner.</p>
		<p>This would enable the specific activities and interventions to be developed which fit our required outputs/outcomes.</p>	
		<p>More groups could end up with support who were not able to access it previously.</p>	<p>Funding would likely be spread more thinly and would be for a longer period of time (i.e. 2 – 3 years), within which period our desired outputs/outcomes may well change. We will have little or no ability to change our contracted relationship to focus on any new activity that may be required.</p>
		<p>Easier to administer internally.</p>	<p>Difficulties of any group being able to demonstrate they are sufficiently representative of any one specific community and therefore able to speak with authority and credibility for that community.</p> <p>Would require a procurement exercise, which many VCS groups and organisations find intimidating and off-putting.</p> <p>Would be ignoring the clear public appetite for change – except in the sense of making support available to a range of groups not covered before.</p>

No.	Option description	Strengths	Weaknesses
2	Pursue the umbrella organisation model. Call for one umbrella body in each of the three protected characteristics highlighted (i.e. one for LGBT, one for Race and one for Religion or Belief).	Pragmatic response to the changing situation, not only in terms of the funding and support which City Council can make available but also changing demographic of the city.	Few (if any) existing groups or organisations in city have the kind of credibility and widespread support that would make them good candidates to deliver this service.
		This would enable us to show that we have a mechanism in place through which we can engage directly whenever changes to services and/or policies are proposed.	Difficulties for any umbrella group to be able to say they represent whole communities within any one protected characteristic and therefore be able to speak with authority and credibility
		The groups which receive support should have sufficient funding to be able to make an impact.	Fewer groups and organisations would receive support (only three in total).
		Improve access to communities, groups and organisations that have not been able to access support previously (particularly regarding race and – even more so – religion or belief).	Would require a procurement exercise, which many VCS groups and organisations find intimidating and off-putting.
No.	Option description	Strengths	Weaknesses
3	Establish a new VCS Engagement Support Fund, with the purpose of engaging VCS groups and organisations as active partners through applications for activities, initiatives and projects which help the City Council strengthen its Public Sector Equality Duty.	Will allow more flexible funding arrangements with a greater range of VCS groups and organisations than before.	Could be a risk of scope creep away from any intended focus on protected characteristics.
		Help avoid channelling relatively large proportions of limited funds into a handful of organisations that might be locked into contracted arrangements covering a number of years.	Would still require some form of robust application and assessment process, which VCS groups and organisations may still find intimidating and off-putting.
		Will enable the City Council to encourage fledgling organisations that either reflect smaller or newer communities or can work	Will test City Council's speed and ability to respond. Will not necessarily help with the

	with such communities on activities that are in line with the overall aim of this fund.	requirement to engage and communicate with communities whenever changes to Council policies and/or services are proposed.
	Would require a lighter-touch kind of procurement exercise in order to assess and disburse funds.	
	Will allow the City Council to support quicker, more innovative and responsive proposals arising from within city communities.	
	Will allow the City Council to support micro-initiatives within existing communities, groups and organisations, tackling areas of perceived and evidenced need.	
	Will allow the City Council to enable groups and organisations to take quick action that can be measured and reproduced and/or mainstreamed if successful.	