

WEST OXFORDSHIRE DISTRICT COUNCIL

CABINET - WEDNESDAY 10 JANUARY 2018

REVIEW OF THE MANAGEMENT OF REVENUE GRANTS

REPORT OF THE HEAD OF LEISURE AND COMMUNITIES

(Contact: Diana Shelton, Tel: (01993) 861551)

(The decisions on this matter will be resolutions)

1. PURPOSE

To consider and approve proposals for the future management of revenue grants.

2. RECOMMENDATIONS

- (a) That the Cabinet considers and approves the proposals for the future management of revenue grants and authorises the further development of the revenue grant scheme guidance and application procedure consistent with the approach outlined, and
- (b) That a parallel process is followed to oversee grant decision-making in the case of currently funded organisations that ensures a managed transition is achieved which incorporates appropriate consultation and notice periods in cases where any funding is reduced; and
- (c) That the Cabinet approves the re-classification of the future budget provision (from 2018-19) in support of the Citizen's Advice Bureau (CAB) as a commissioning activity that falls outside the future grants approval process.

3. BACKGROUND

- 3.1. The Council recognises that the voluntary and community sector provide a range of valued services to local communities in West Oxfordshire. In some cases the activity is either grant funded or formally contracted by the District Council and/ or by other public bodies.
- 3.2. The Council's Cabinet has asked for a review of the current arrangements for managing revenue grants so that it can move to an updated and more robust process for the award of future grants. It is intended that the new process will allow for a stronger linking of the support of grant funded activity with Council objectives. The new process should provide for an application cycle that allows a fresh look at supported activities and the scope for introducing changes through the new decision-making arrangements and the potential to fund new activity. The current report outlines a proposed new approach for the future management of revenue grants and transition arrangements for continued working with currently funded voluntary and community sector organisations.
- 3.3. The review of finance records and relevant input from service areas shows that across the various cost centres the total budgeted expenditure (2017/18) properly classed as grants is £257,500. Taking the current budget, by far the most significant grant award is to activity supported through the Citizens Advice Bureau (£132,000 representing 51% of total budgeted grant expenditure). A schedule showing current year grant awards is included at [Appendix I](#) (page 5).
- 3.4. The Council has not undertaken a significant review of revenue grants in the recent past. There has been a look at grants in previous years as part of the preparation for setting the Council's budget.
- 3.5. As a general approach, the Council has acted to maintain its revenue grants in a context of budget pressure. The draft budget for 2018/19 also proposes the maintenance of this treatment.

- 3.6. Historically, the Council has not had an open application process for community revenue grants. In many cases, grant funded activity has come forward through partnership arrangements between the Council and voluntary/ community sector organisations. The joint work has then typically resulted in the identification of project activity which has then been supported through grant awards. Although formal Council practice has been to award revenue grants for a period of one year, many funding arrangements are in fact long-standing and subject to periodic review. In some cases and at certain times Service Level Agreements (SLAs) have been used to help structure relationships but there is no uniform approach.
- 3.7. The current management overview of the Council's grants is maintained in the various service areas that link most closely with the activity being funded. The approach has resulted in positive voluntary and community activity linked to the Council's aims. There is often an important role fulfilled by designated Councillors in acting as representatives on outside bodies. However, current working has not provided for a clear entry route for new community initiatives that could warrant support. Additionally, there is no central co-ordination of grants beyond the overall determination of the grants budgets as part of the overall budget setting process.
- 3.8. The new approach to managing revenue grants will need to incorporate the desired features for overseeing grants into the future and the positive aspects of current arrangements. This will entail introducing a new application procedure that is co-ordinated centrally whilst maintaining the role of the service areas in linking with associated voluntary and community sector activity. The new arrangements should allow for effective Councillor governance, efficient administration and the regular (annual) review and approval of grants.
- 3.9. The current report proposes that the new grants process introduces a specific link with the achievement of the Council's priorities as expressed in the Council Plan. It is possible for the new revenue grants process to incorporate features of the current capital Community Facilities Grants and the revenue Community Activities Grant. The new process will also need to define agreed guidance on funding criteria (i.e. what type of organisations qualify for potential funding and what types of activity can and cannot be funded). An outline of the proposed revenue grants guidance is included at [Appendix 2](#) (page 6) and this, subject to further development, is brought forward as draft initial parameters for how it will work. Members may wish to comment on the suggested parameters for the revenue grants process.
- 3.10. As part of the move to the new arrangements for revenue grants, an early step must be to consider the most appropriate future treatment for currently funded activity. This re-evaluation needs to be in terms of defining how the activity relates to the host service area. The key question in this is whether the activity is best characterised as grant supported work or a service that should be defined and procured through commissioning. An overview of the differences in approach is set out in [Appendix 3](#). The recommended future treatment of currently funded organisations is set out in the finance summary in [Appendix 1](#).
- 3.11. The step to introduce a proper definition and separation of the commissioning of services and grant funded activity is recommended here so that the Council can modernise its approach in accordance with current best practice which has seen a move beyond SLAs to better defined grants on the one hand and commissioning on the other. The decision as to which funding mechanism to use in any given case must be based on a combination of factors. The commentary at [Appendix 3](#) (page 9) draws on HM Treasury Guidance which outlines relevant considerations.
- 3.12. It is for individual client service areas to assess and recommend the most appropriate future treatment in given cases following the outline guidance. The present report is informed through relevant officer input and it has taken an initial look at currently

funded activity and has sought to define which form of governance is most suited in each case.

- 3.13. A commissioning approach is more applicable where the Council seeks to support a core service to meet an identified need and where it wishes to specify the design and intended outcomes of the service. It also applies in situations where the Council takes a decision to outsource a core service which would otherwise need to be provided directly to exercise statutory functions. In such cases, the deployment of expenditure is governed in accordance with the processes set out in the commissioning framework and contract rules.
- 3.14. It is considered that in most current cases grant funding is the most appropriate future approach. However, in the case of the future support of the Citizen's Advice Bureau (CAB), this area of activity is advocated as more effectively specified and procured through a commissioning approach due to the close tie in with the host service area's activity. For this reason, the current report recommends this alternative future treatment of CAB funding (in a similar approach to that now applied to supporting activities directed at homelessness support).
- 3.15. The use of grants is properly reserved for funding that supports strategic development to build capacity in the voluntary and community sector. It can sometimes be used to encourage innovation and/ or to develop and support strategic partnerships between voluntary and community organisations and public bodies. Grant awards (with suitable funding agreements) are best used to fund services which are distinct from but complement public services and which are in broad alignment with public sector strategic objectives (e.g. to promote community well-being). It is this type of funding that the new community revenue grants guidance and process will control.
- 3.16. The transition to a new community revenue grants process must take into account certain factors that should inform how this change is managed. The Council must observe its responsibilities under relevant legislation and statutory guidance. Firstly, the Council must consider the potential equalities impact of any changes and to this end complete an Equalities Impact Assessment based on relevant consultation with currently funded organisations. Secondly, the Council operates under Best Value Statutory Guidance 2012 which necessitates appropriate consultation with currently funded bodies around the introduction of any possible changes. Finally, the Council is a signatory to the Oxfordshire Compact (and the supporting funding code) and it will wish to ensure adherence to the key provisions in this (again around consultation and the provision of appropriate notice around the introduction of changes).
- 3.17. The purpose of transition measures is to ensure that the introduction of changes does not have any negative unintended consequences and that any adjustments to funding levels are telegraphed allowing affected organisations an appropriate time to adjust. The Council has started the process by notifying funded organisations (in October 2017) that the process for revenue grant awards is under review in readiness for 2018/19.
- 3.18. It is advised that a progressive adoption of the new process for community revenue grants is implemented so that the proper management of the change can be followed. This should involve the provision of advance notice to relevant organisations in any cases where a significant reduction in funding is under consideration. It should also involve engagement with the relevant organisation to consider the knock-on effects to service provision and the possible impacts in the local community. This means that any adjustment in the funding level awarded to current grant recipients may not take effect from the start of the financial year but must follow a suitable notice period (six months is suggested).

- 3.19. Following Cabinet's outline approval of the proposed new revenue grants scheme, the further development and drafting of the grant scheme guidance and application procedure will be completed. These resources will then be used to operate the new revenue grants scheme. The proposed core elements of the new scheme are set out in [Appendix 2](#).

4. ALTERNATIVES/OPTIONS

- 4.1. The approach recommended in this report takes account of the current decentralised management of revenue grants and seeks to complement this with a central co-ordination of the future application process. It recognises that no staff members are designated wholly to grants administration but those involved fit this work alongside their wider roles. The proposed management is intended to limit the administrative burden of the process so that it can be operated within existing resources.
- 4.2. An alternative way forward would be to develop a new management and administration of revenue grants that is wholly operated from a central point. This would need further assessment as it would be likely to generate the need for a designated central staffing resource and would be unlikely to be met from existing resources.
- 4.3. Another option would be to move to stopping the award of revenue grants. This would remove the need for an administrative process but would also place the authority in an unusual position in it not offering revenue grant support and remove the scope to achieve Council Plan priority outcomes through grant finance.

5. FINANCIAL IMPLICATIONS

The financial commitment in terms of the overall revenue grants budget will be determined as part of the budget setting process. The proposed new arrangements for grants administration are intended to be managed within existing resources.

6. RISKS

There is a risk that the Council will fail to properly observe equalities legislation, Best Value Statutory Guidance and its commitment to the principles of the Oxfordshire Compact if it does not enact meaningful consultation and a managed transition to the new revenue grant arrangements.

7. REASONS

The proposed new handling of revenue grants is intended to offer an efficient and value for money approach in accordance with the Council Plan. The continued award of revenue grants and the commissioning of voluntary and community sector activity provide one way in which the Council can support the achievement of outcomes that contribute to achieving Council Plan priorities on the environment, economy and community ambitions.

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Background Papers:

Leisure and Communities Grant Scheme Application Forms

Financial summary of grants budgets 2017-18

Equality Impact Assessment Guidance

Local Authority Revenue Grant Schemes (various)

Derby City Partnership: Commissioning Framework for the Voluntary and Community Sector.

Appendix I

Revenue Grants Awarded

Recommended future
approach from 2018/19:
Commissioning or Grant?

	Budget 2017/18 £	
Arts Development		
Base 33	10,000	Grant
One off Arts (Community Activities Grant) (existing grants scheme)	13,500	Grant
Chipping Norton Theatre	25,900	Grant
	49,400	
Heritage & Museums		
Heritage Grants (Community Activities Grant) (existing grants scheme)	3,000	Grant
Democratic Representation and Management		
CAB- Core grant and £20k Rural Advice Project	132,000	Commissioning
Age UK	10,000	Grant
Critical Unknown Grants 2012/13	5,600	Grant
	147,600	
Economic Development		
Volunteer Linkup	2,000	Grant
Other (includes Community First Oxfordshire)	12,700	Grant
	14,700	
Housing Enabling		
	2,500	Grant
Landscape Initiatives		
Cotswold Conservation Board	10,300	Grant
Lower Windrush Valley Project	2,000	Grant
Wychwood Forest Projects	18,600	Grant
Other	4,000	Grant
	34,900	
Sports Development		
Coaching Grants (Individual Development in Sport, Active Recreation and Play Grant) (existing grants scheme)	1,700	Grant
Play		
Oxfordshire Play Association	1,400	Grant
Other	2,300	Grant
	3,700	
TOTAL	257,500	

Community Revenue Grants Guidance

An application form to be derived from the current Community Facilities Grant (Capital) Grant / Community Activities Grant Pro-formas but adapted as appropriate to suit the scope of the proposed new revenue grant funding. This enables consistency in approach and the use of features that work in current arrangements supplemented by controls appropriate to a revenue grant context.

Alongside the new revenue grants process, the Council will continue to operate small existing revenue grant pots that already have governing criteria and established application processes. These are Community Activities Grants (maximum award: £500) for developing heritage or arts opportunities and Grants for individual development in sport, active recreation (maximum award £200). These current grants programmes are overseen in the Council's Leisure and Communities Service: <http://www.westoxon.gov.uk/residents/leisure/community-leisure-grants/>

Commissioning or Grant award?

The service area linked to the community activity should firstly address whether the funding is to be directed through a commissioning or grant award process. The prompts in Appendix 3 can guide this appraisal. If the activity is assessed as commissioning, then the approach set out in the Council's commissioning framework should be followed and contract rules observed. The management process should be proportionate to the planned scale of expenditure.

Grants - eligible organisations

Community and voluntary organisations with an appropriate constitution/ governing structure (this will be defined in the information for applicants).

The scheme will not be open to town/parish councils; other statutory bodies (or organisations providing a service on behalf of a statutory body); unincorporated groups and associations; education providers.

The scheme will allow the funding of joint partnership initiatives with other statutory agencies where there is a significant voluntary/ community sector input but where a statutory body takes a lead role as the host organisation for the project activity.

Criteria and eligible costs – illustrative

The need for the project - evidence will be requested to show the project is needed. The community benefit will need to be defined in a project outline.

In order to be eligible for funding, the project or activity will need to demonstrate a contribution to the District Council's priorities as established in the Council Plan.

The project/ activity must define how it will monitor and evaluate its operation – providing for appropriate reporting on what has been achieved. The Council will use monitoring information returned in deciding on recommendations for any future funding applications from the same group. A summary of the monitoring information returned to the Council will be used to support to the annual grant decision-making process.

The revenue grants scheme will not fund service activity that is more properly the responsibility of other statutory organisations (eg social care; extended school activities).

Revenue grant awards will not fund party political promotion or activities; worship or religious affiliation; projects that do not primarily benefit West Oxfordshire residents; or projects where there is a commercial gain.

Grant funding can contribute to meeting day to day running costs/ salaries etc. Grant awards will typically be in the range of £1,000 to £5,000. It will remain possible for organisations to be awarded grants in excess of this range but only in circumstances where the activity offers significant benefits across an extensive part of the District. In such circumstances, there would

normally be strong partnership working links between the organisation seeking funding and the most closely related Council service area.

The grant scheme will specify a grant level as a maximum potential percentage of an organisation's total annual running costs in any financial year (33.3% - to be determined). Organisations will be required to demonstrate that they are financially sustainable and will not rely on the District Council as their only source of income. The Council will look more favourably on applications that have significant match funding towards the cost of the project. Information will be requested on sources of funding being sought. Typically, the Council will look to limit its funding to no more than 33.33% of the planned project costs. Each case will be assessed on its own merits.

Applicants must have at least three unrelated people on the governing body.

Applicants will need to supply a copy of a written governing document, for example a signed constitution, set of rules or trust deed.

Applicants must demonstrate that the project or activity is accessible and open to the wider community and it should observe equal opportunities.

Applicants wishing to undertake activities involving children and young people or vulnerable adults must demonstrate that an appropriate process for safeguarding is in place.

Applicants must have a bank account in the name of the organisation with at least two unrelated signatories.

Only one grant can be allocated per project.

Grants will not be made retrospectively and purchases must not be made, or work commenced, before an offer of a grant has been received in writing.

Applicants must demonstrate a financial need for grant funding from West Oxfordshire District Council. Financial details of the organisation requesting funding will be reviewed.

The forecast financial details of the project activity will be defined in support of the application. To safeguard the Council's investment in the project, the organisation must ensure the preparation and maintenance of appropriate accounting records (ie as set out in Charity Commission reporting and accounting guidelines).

Applicants must provide copies of supporting documentation as specified. This will include full accounts for the last two years (or a detailed working budget and financial plan for new organisations).

Grant parameters

Council Plan priorities set the framework for revenue grant awards. The Council's revenue grant awards aim to support voluntary and community sector activity that helps achieve District Council priorities as established in the Council Plan and other supporting strategies.

The revenue grants process and application process will enable unsolicited grant applications as well as future grant applications from currently funded organisations and proposed voluntary and community sector activity that forms out of partnership working with the District Council's direct service areas.

An assessment panel process will be used in forming grant award recommendations based on an appropriate scoring system. The Council's Cabinet will approve grant awards informed through the appraisal and scoring process.

Funding agreements will be used with provisions that are appropriate to the scale of the grant award for a financial year (eg up to £5,000; £5,001 up to £25,000; £25,001 and over). Outcome measures that relate to Council Plan priorities will be sought and periodic reporting to members is envisaged.

Annual application timetable

To run with full effect from 2018/19 financial year.

Applications to close 30 November 2018, with funding decisions in January/ February for the impending financial year.

Grant term

One year as the default with scope for 2 or 3 year awards to be considered (longer term funding allows voluntary and community sector organisations to plan for the future and have a reliable funding base).

Grant terms and conditions

To be specified. This will be based a suitable development of the Council's current grant funding terms and conditions.

Requirements for acknowledgement of West Oxfordshire District Council's support

To be specified. This will be based on the required funding acknowledgement defined in existing Council grant programmes.

Commissioning (Contracts) versus Grant Funding

(Extract from Derby City Partnership – Commissioning Framework for the Voluntary and Community Sector July 2010) This paper draws on relevant HM Treasury and National Audit Office Guidance and sets out helpful guidance that helps assess the most appropriate treatment of planned expenditure.

Extract (adapted in places):

6.1 There has been a lack of clarity on the part of funding bodies concerning the distinction between grants and contracts. The HM Treasury Guidance² states that “a grant is a financial transfer used to fund an activity that is in broad alignment with the funder’s objectives, a contract is a legally binding document between 2 or more parties.”

² <http://www.aasdni.gov.uk/pubs/FD/fd1506att2v2.pdf>

6.2 The HM Treasury Guidance, Improving financial relationships with the third sector Guidance to funders and purchasers, and the National Audit Office’s web-based Successful Commissioning toolkit on Financial relationships with third sector organisations, helps to clarify some of the factors when deciding whether to procure services under a competitive tendering process, or whether to fund an organisation by means of a grant.

6.3 The HM Treasury guidance states that:

“A grant maker is not contracting for a service that forms part of its own business. It is offering financial support in an area of work, designed and proposed by the third sector organisation, which it wishes to sponsor. The work to be carried out by the third sector organisation would be deemed to add value to a public body’s overall aims or objectives”.

6.4 The NAO’s Successful Commissioning Toolkit advises that, there is no hard and fast rule as to which funding channel is appropriate for any given situation, the more developed the market, and the more specific the service or project objectives, the more likely it is that a procurement process (contract) will be used. Grants are more likely to be favoured where the market is not developed and/or where there is a desire for innovative approaches, or where funding is provided for ‘development’ or ‘strategic’ purposes.

6.5 Distinguishing between grants and contracts can have tax implications for the public sector and for the VCS. For example, grant income is outside the scope of VAT whereas contracts are not. However, there is a VAT exemption covering welfare and health care services. Specialist legal and VAT advice may be needed.

6.6 If it is clear that we are outsourcing core statutory business, where a VCS organisation is delivering a service on behalf of the statutory body, this should be on a contract. Grant funded services should be regarded as complementary, enabling VCS organisations to operate in furtherance of their own missions, where these also support the objectives of the public sector.

If a service has an open referral system, it is more likely to be grant funded: if it has a closed referral system, where services can only be accessed via a health or social care professional needs assessment, it should normally be on a contract.

Summary of Factors to consider in determining whether to grant fund or procure

6.7 The decision as to which funding mechanism to use should be based on a combination of factors. The HM Treasury Guidance states that:

“Despite the trend towards open competition and contractual relationships between funding bodies and the third sector, procurement does not necessarily always represent the optimum value for money option - there is clearly an ongoing role for strategic or development funding, most commonly channelled through grants.”

The potential implications of exposing existing grant funded voluntary sector services to competition require careful consideration, since it is by no means the case that this would necessarily result in improvements, either in terms of cost or quality.

The HM Treasury Guidance states that “the main determinant of the nature of the financial relationship is the nature of the intended outcomes”. This is summarised at **A.** below. However, a range of supplementary factors, summarised as **B** to **F**, below, should also be used to help inform the decision.

A. What is the nature of intended outcomes?

GRANT (Funding Agreement)	PROCURE (Contract)
<p>G1 Strategic development to build capacity in the VCS</p> <p>G2 To encourage innovation by the VCS and / or to develop and support key strategic partnerships between VCOs and statutory agencies</p> <p>G3 Services which are distinct but complement, public services and which are in broad alignment with public sector strategic objectives (e.g. to promote community well-being or to reduce social exclusion)</p>	<p>C1 Where the public sector is ‘shopping’ for a supplier to deliver a core service to meet an identified need</p> <p>C2 Where the public sector wish to specify closely the design and intended outcomes of the service</p> <p>C3 Where a decision has been taken to outsource a core service, which would otherwise need to be provided directly by the public sector to exercise statutory functions</p>

B. The value of the agreement

The higher the value of the agreement, the more likely it is that a procurement / contracting route will be taken.

C. Which funding mechanism will achieve best value for money?

Factors to be taken into consideration include the transaction costs of the funding process, weighed against the value of the agreement, bearing in mind the need for proportionality and Roots Review efficiencies.

D. How competitive is the market?

If there is only one potential provider in the market place, a grant is more likely to be used; if there are many, a contract is likely to be more appropriate.

E. What level of control over the agreement and outcomes is appropriate?

This is based on the degree of risk, vulnerability of the service user group, value of the agreement, level of detail needed for the service specification, terms & conditions. The higher the level of control needed, the more likely it is that a procurement / contracting route will be taken.

F. How specific will the measurement of outcomes and outputs need to be?

Both grants and contracts need to be monitored, but the level of detail of indicators used to measure outcomes will vary. The value of the agreement may again be a factor, following the principle of proportionality. The more specific the measurement of outcomes needs to be, the more likely it is that a procurement / contracting approach will be used.