

Code of good practice on Funding and Commissioning

Introduction

Local public bodies and partnerships recognise the positive and creative role that voluntary and community organisations (VCOs) can play in building strong and cohesive communities, including the provision of services. Many VCOs enter into financial relationships with public bodies to deliver outcomes on their behalf. Others rely on small grants with few conditions attached. This code sets out key principles and undertakings for all involved and is consistent with the general public duty to achieve value for money and principles in Government accounting and procurement law.

Key principles

The following principles should apply at all stages of the financial relationship:

- discussion and dialogue between partners can help to build trust and identify and overcome problems before they impact on the delivery of outcomes
- funding and commissioning processes should encourage business with the sector, including opportunities that are accessible to newer or smaller community and BME organisations as well as larger staffed organisations
- procedures should be as simple as possible and proportionate to the level of funding and allow sufficient time for planning, decision-making and action
- contracts should be awarded on the basis of their community benefit, quality and cost effectiveness. Small grants, with minimal bureaucracy attached, should also be available to promote strong communities and active citizens
- there should be consistency and co-ordination amongst funders, to help minimise the burdens on all organisations involved and achieve more efficient and sustainable outcomes.

Public bodies undertake to:

- acknowledge and respect the independence of VCOs
- provide appropriate opportunities for relevant VCOs to contribute to the design of new funding opportunities, procedures and reviews
- implement longer term financial arrangements (usually for at least 3 years) where this is consistent with programme design and the constraints of each body's financial regime
- provide sufficient information to enable organisations to decide whether or not to bid for funding, including: what funding is available, the criteria to be applied, deadlines and decision-making timetables, documentation required and contact name(s) for enquiries
- seek only information which is relevant
- allow sufficient time for organisations to respond to funding or bidding opportunities by making information widely available, in accessible formats, normally at least 6 weeks before the application deadline
- in respect of tenders for contracts, clearly state the commissioning procedures to be used at the outset and to follow them

- accept that adequate reserves are essential to a VCO's financial stability and sustainability, and only take into account high levels of free reserves, usually above 6 months revenue expenditure
- consider the value of 'in kind' resources by organisations under matched funding arrangements
- recognise, have commitment to and encourage Full Cost Recovery, (the inclusion of relevant elements of overhead costs in estimates for providing a particular service)
- always make payments on time and in advance of expenditure where possible and appropriate
- keep organisations informed of progress with their application or bid
- work towards giving notice of all funding decisions 3 months in advance of the start of funding
- give at least 3 months notice of terminations or reductions in funding.

Termination of funding

A funder considering terminating funding due to changing priorities or if outcomes are not delivered, should first discuss ways of changing or improving outcomes with the VCO concerned.

If funding is to be terminated early, public bodies should give enough notice to enable the organisation to make alternative plans and to fulfil its duties as an employer. This should be a minimum of 3 months notice and include reasons for ending the agreement. It should allow the provider to respond to the proposal.

Voluntary and community organisations undertake to:

- respect confidentiality and be clear about whose views they represent when consulted about the design or review of funding opportunities and procedures
- ensure they are eligible before applying for funding or contracts
- have clear lines of accountability, especially with joint bids
- clearly identify costs so that Full Cost Recovery can be achieved
- have good systems in place to manage the work and account for finances
- agree terms of delivery at the outset and be aware of responsibility for risks
- be honest and transparent in reporting performance.
- give early notice of any issues arising concerning budgets or outcomes
- plan in good time for different situations to reduce any potential negative impact on both beneficiaries and the VCO itself

All parties undertake to:

Discuss in advance, the terms and conditions of the service delivery including:

- potential risks and who is best able to manage them, including non-delivery, variable levels of demand and sustainability;
- outcome success measures in proportion to the size of the grant or contract
- the treatment of any underspends.

Code of good practice on Consultation

Introduction

Consultation is important in building and developing positive working relationships and partnerships in the city. Listening to and engaging effectively with voluntary and community sector organisations (VCOs) will help public bodies to plan and deliver better services. Consultation provides an opportunity for VCOs to input their knowledge, experience and expertise.

Key principles

The scope of any consultation should be made clear at the start and the process itself should be transparent; giving clear information about who is being consulted, about what, when, how and why and how results will be used. For major consultations it can help to consult a small group of organisations or individuals in advance about the scope and method of the consultation. Where possible, organisations should plan consultations collaboratively with others to avoid duplication and minimise consultation overload.

All organisations involved recognise that effective consultation should:

- take place early enough in planning and decision-making processes for it to make a difference
- be announced in advance, and allow sufficient time for responses
- use varied and accessible methods to encourage maximum participation
- reach those most affected by the proposals
- pay special attention to including community groups and black and minority ethnic (BME) organisations
- be clear about which areas are open to change and which are not
- include an analysis and review of all responses
- include feedback on the findings of the consultation and resulting decisions.

Public bodies undertake to:

- consult with VCOs where proposed changes, initiatives or decisions may have a significant impact on them or their users. This is likely to include the development or review of strategies, policies and services; budgetary or funding matters including changes to charges and fees, changes to grants, commissioning, performance monitoring and evaluation arrangements; changes to partnership arrangements
- be willing to make changes to proposals as a result of consultations
- invite comments on how the consultation proposals may affect 'the sector'
- take account of the time and financial constraints of 'the sector' in carrying out consultations and consider offering expenses for taking part in consultation processes where appropriate
- ensure that the views of York's diverse communities are reflected in responses
- comply with the principles and practice outlined in this code and to be clear about any constraints which may limit their full application.

Voluntary and community sector organisations undertake to:

- take steps to consult their members and service users when responding to consultations and to state clearly who has been consulted
- where appropriate, identify issues for the organisation as a service provider separately from issues affecting members or users
- provide clear and objective information in their responses.

Timescales:

The period allowed for major public consultations should comply with the relevant statutory duties; otherwise, the minimum period allowed should be 8 weeks and avoid school holiday periods wherever possible (the national compact between Government and the sector states 'generally a minimum of 12 weeks').

Consultations should:

- be appropriate and accessible for the audience concerned. Any written materials should be easy to read (checked for plain language), and be available in languages and formats other than written English to meet the needs of disabled people and those whose first language is not English
- explain the scope and process of the consultation, including timescales
- list those being consulted
- be clear about whether or not views given will be kept confidential
- give the names of staff who can be contacted about the consultation
- explain why one option is preferred, if multiple options have been put forward
- enable respondents to put forward their own proposals
- invite comments on the methods and quality of the consultation
- make clear when decisions will be taken, and by whom
- publicise the way in which feedback will be provided. This could include written responses, posting of outcomes on agency websites, public meetings, and a contact person for follow-up enquiries.

Feedback:

Feedback is an essential part of consultation. It allows participants to see how their views have been used in arriving at a decision, and to know what will happen next.

Feedback should be made available by various means, to everyone consulted. It should include information about the method of consultation, a summary of responses, the outcome and how decisions have been reached.

The way in which feedback is provided should be publicised at the time of the consultation. It may not necessarily include sending an individual response to each organisation consulted.

Code of good practice on Volunteering

Introduction

This code aims to set out guidance on good practice in the use of volunteers by public bodies and voluntary and community organisations (VCOs) in York.

Key Principles

Local public bodies and the voluntary and community sector (VCS) endorse the principles which underpin the national Code of Practice on Volunteering:

Choice: volunteering must be a choice freely made by each individual. Freedom to volunteer implies freedom not to become involved.

Diversity: Volunteering should be open to all no matter what their background.

Mutual benefit: Volunteers offer their contribution and skills unwaged but should benefit in other ways in return for their contribution.

Recognition: Valuing the contribution of volunteers is fundamental to a fair relationship between volunteers, voluntary and community organisations, and local public bodies. This includes recognising the contribution to the organisation, the community, the social economy and wider social objectives.

All parties undertake to:

- apply this Code of Practice in their work with volunteers
- treat volunteers with respect and care and as of equal value to paid staff
- recognise that volunteers should not be exploited or used to replace established paid workers
- provide suitable training opportunities for volunteers (with accreditation wherever possible)
- adopt a policy on their use of volunteers
- identify a 'Volunteering Champion' who is responsible for volunteer involvement throughout the organisation, and for the implementation of the volunteer policy
- provide a 'Volunteer Agreement' between the volunteer and the organisation which should include:
 - clear task descriptions for the volunteer
 - the organisation's induction, supervision and appraisal systems
 - the names of the organisation's 'Volunteering Champion' and the individual's supervisor
 - a commitment to take volunteers' views into account in decision-making and including them in internal communications
 - details of payment of volunteers' out-of-pocket expenses (for example, travel and childcare, but not recompense for lost working time)
 - training opportunities
 - policies on: equal opportunities; racial, sexual and other harassment; health and safety; confidentiality; dealing with problems.
- improve the public perception of volunteers by recognising their skills, dedication and significance in the well-being of the local community.
- quantify and publicise the value of volunteers' contributions in reports and through the media

- work together to create and maintain a modern and dynamic volunteering infrastructure, including the sharing of resources and expertise, for example through shared training, and networking opportunities.
- work to effectively tackle discrimination to ensure that volunteering is open to all, and ensure that arrangements made for volunteers do not unfairly exclude particular groups from volunteering
- maintain the principles of this Code of Practice in service provision agreements between local statutory agencies and voluntary and community organisations.

Public Bodies undertake to:

- consider the impact on volunteering of their policies and services and carry out appropriate consultation when necessary.
- work with the voluntary and community sector to promote volunteering, for example through their publications and communication media
- accept that the following non-service costs for volunteers may be included within an organisation's budget for service provision:
 - insurance cover, including public and employer's liability, drivers' no claims discount protection, and professional indemnity
 - recruitment and on-going support costs to maintain the volunteer base
 - training and accreditation
 - statutory Criminal Records Bureau checks
 - out-of-pocket expenses, for example, travel and childcare
- recognise that there can be higher costs involved in engaging some groups of volunteers
- support the provision of specialist volunteering infrastructure.

Voluntary and community organisations undertake to:

- promote volunteering opportunities within their organisation and take steps to include groups of people who are often excluded or under-represented in the volunteering community
- ensure that they have both the time and resources to support and train volunteers
- identify a 'Volunteering Champion' for their organisation.

Expectations of volunteers:

- organisations using volunteers expect that volunteers will contribute to maintaining high quality service provision by:
 - observing the organisation's 'Volunteer agreement' and its policies
 - working to health and safety standards and within the law
 - being reliable
 - participating in supervision and appraisal and undergoing the training required of them
- attending and contributing to staff/volunteers meetings, and offering feedback to the organisation on the volunteering experience.

Code of good practice for partnership with the black and minority (BME) ethnic voluntary and community sector

Introduction

This code aims to strengthen relationships between local public bodies, the voluntary and community sector (VCS) and black and minority ethnic (BME) community organisations. It seeks to enable BME organisations, including Traveller and faith organisations, which represent York's diverse communities to contribute to policy development, partnership working and service delivery in York on an equal footing to other agencies. The code takes into account the requirements of the Race Relations (Amendment) Act 2000

It is based on the national compact's BME code in which Government recognises the important role of the BME sector in 'ensuring the wider voluntary and community sector is more representative of society and in supporting Government efforts to create a more cohesive and inclusive society'.

Key principles

All partners to the Compact recognise that:

- the needs of York's BME communities, including Gypsies and Travellers, have not been adequately met in the past, and that, especially bearing in mind the changing and increasing BME population, there is still a need for issues affecting BME communities to be given priority by all sectors.
- BME voluntary and community organisations, including some faith-based organisations, may be especially well placed to identify and/or meet the special needs of refugees and asylum seekers, migrant workers and new BME communities.
- BME voluntary and community organisations can face barriers which exclude them from effective engagement with local consultation processes. Attention needs to be given to enabling and supporting smaller and under-resourced BME organisations to engage effectively.
- BME individuals may face particular barriers to volunteering in mainstream voluntary and public sector organisations. These need to be removed if BME members of the community are to participate fully in volunteering.
- organisations such as York Racial Equality Network and York Travellers' Trust have a particular role in promoting awareness of the needs of BME people in York and in encouraging a multi-agency approach to race issues.

Public bodies undertake to:

- establish named contacts within each directorate to deal with issues raised by BME organisations. These officers will receive training in BME issues and the particular concerns of the minority ethnic voluntary and community sector.
- support the York BME Citizens' Open Forum where ethnic minority groups and individuals can set the agenda, raising their concerns. This includes responding positively to invitations to attend Forum meetings so that they can respond to concerns and discuss action on the issues raised.
- work with existing BME voluntary and community sector specialist organisations such as the York Racial Equality Network, York Travellers'

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Trust and general VCS infrastructure organisations such as York CVS to make sure that support is available to new and emerging BME groups.

- recognise that extra resources may need to be allocated to provide adequate support for BME organisations, setting specific, measurable, attainable, realistic and time-based targets.
- regularly review funding programmes and criteria to see that they do not disadvantage BME groups. Such reviews should incorporate transparent and robust procedures designed to ensure that access, approval and funding rates compare equitably with the mainstream sector.
- recognise the independence of the BME sector and its right to challenge institutions, policy and practice as part of its goal of achieving race equality.

The black and minority ethnic voluntary sector undertake to:

- comply with undertakings set out in the rest of the Compact, when working in partnership with local public bodies and mainstream voluntary and community organisations
- encourage joint working by diverse groups within the BME sector
- play a full and active part within the wider voluntary and community sector and to work in partnership with the sector and public bodies to promote race equality and to tackle social exclusion
- work to ensure proper governance and effective management of BME organisations

Public bodies and the voluntary and community sector jointly undertake to:

- comply with undertakings set out in the rest of the Compact in working in partnership with the BME voluntary and community sector, and in addition:
- respond positively to the changing needs of York's BME citizens
- take active steps to consult appropriately with the BME organisations throughout policy development and implementation, including the development and review of the local community strategy
- take steps to eliminate unlawful racial discrimination (from individuals and/or institutions), promote equality of opportunity, promote good race relations between people of different racial groups and formulate and observe policies for responding to incidents of harassment
- take active steps to encourage volunteering by BME individuals across all types of organisation, in line with the guidance in the volunteering code
- provide training for their own staff, volunteers and management committee members to improve their awareness of BME issues in the area, help them to provide services in an appropriate way to BME citizens and to deal with racism in all its forms.
- advise BME organisations of available funding opportunities and offer practical support throughout the application process.
- work together to achieve these objectives.

Code of good practice on Community Groups

Introduction

The community sector is very diverse and people come from very different kinds of community. Communities of place are formed by people who live in particular geographical areas, whilst communities of interest may be formed by people who share common needs or interests.

The community sector contributes in many ways to building strong, cohesive and inclusive communities. Community groups can:

- promote good citizenship and provide community leadership
- give a voice to their communities and help strengthen local democracy
- identify the needs of their communities
- break the isolation of people who are socially excluded
- provide informal services and leisure facilities
- provide information and expertise on their specialist subjects

It is recognised that small community groups can be left out or marginalised by both public bodies and the wider voluntary sector and find it difficult to get involved. This code of practice outlines ways of ensuring that the skills and experience of community groups add value to policy and service development and delivery in the city.

Key principles

Community groups have different needs when working alongside or in partnership with public bodies and other voluntary organisations because they, generally, have less formal structures, are reliant on volunteers and have no or low levels of income or other resources. In particular:

- consultation with community groups will be more effective if there is more time to respond to consultations, easily accessible information and financial support to enable more people to participate
- small grants can play an important role in stimulating community activity and encouraging new ideas and fresh approaches, but they are often needed quickly and with a minimum of paperwork.

Public bodies and the voluntary and community sector undertake to:

- promote community development based on the following definition:
“Community development is about building active and sustainable communities based on social justice and mutual respect. It is about changing power structures to remove the barriers that prevent people from participating in the issues that affect their lives. It promotes the active involvement of people through sharing power, skills, knowledge and expertise.” (Standing Conference for Community Development - May 2001)
- work in partnership to promote good practice.

Public bodies undertake to:

- help create and maintain the conditions and support that help community groups to succeed
- value the work, knowledge and skills of community groups, and their role in helping local public bodies achieve their aims
- take account of the views of community groups when assessing needs, developing policies and consulting the public
- recognise the contribution community groups make to partnership working in the city and provide the resources they need for partnership working
- encourage the involvement of community groups in developing the local community strategy and local compact
- hold meetings at times convenient to community representatives and offer expenses, when their participation is sought
- make small grants available to community groups and ensure that any rules that apply are proportionate to the size of the grant and the capacity of the group, including monitoring requirements
- identify specific posts within their organisation to support community involvement.

Voluntary organisations undertake to:

- wherever possible include and involve the diversity of community groups in all their work
- recognise that the interests of community groups and voluntary organisations are not always the same, and clarify this when the sector is being represented or discussed
- regularly review the support they are giving to community groups and make sure that some are not being left out or marginalised
- challenge barriers to community sector involvement in planning and policy development
- encourage community group members to take on leadership roles.

Community groups undertake to:

- carry out any reasonable monitoring and evaluation of their expenditure, in proportion to the size of the grant that may be required by funders
- encourage good quality partnership working and community involvement
- encourage local people to get involved in the design and delivery of local services
- tackle racism and other forms of discrimination and promote diversity
- be clear about the community they claim to represent, consult them regularly and gather evidence to support what is said on their behalf
- channel information to and from the community
- work with voluntary sector organisations where appropriate.

Code of good practice on Partnership Working

Introduction

Partnerships vary greatly in structure and remit, but have in common the intention to achieve better solutions to local issues. Some partnerships have a statutory basis and significant resources, others may be more informal and less well resourced. Membership of partnerships also varies but might include public bodies, voluntary and community organisations (VCOs), service-users and private businesses.

For the purposes of this code, the following definition of a partnership is used: 'a coalition of organisations and individuals from more than one sector who agree to work together for a common aim or set of compatible aims, and who share resources and responsibilities and agree to work together in a cooperative and mutually supportive fashion' (Regional Action and Involvement South East, 2005)

This code of practice sets out a short, basic guide to working in partnership in the city with the particular aim of improving the effectiveness of voluntary and community sector (VCS) involvement.

Key principles

The starting point for any partnership should be to define what needs to be done and agree the type of joint working arrangement that is needed to achieve it. Is its role advisory, or, does it have executive powers and responsibilities for service delivery, with a budget and staff? Is it simply a discussion forum or subject to a service agreement or contract? Will it share risks and/or rewards?

Where some form of partnership is needed the following principles should apply:

- membership should include an adequate number of VCS representatives taking into account the particular contributions that may be made by black and minority ethnic (BME), faith and community organisations
- VCS representatives should be provided with sufficient support, training and resources to enable them to contribute effectively. This should include the reimbursement of reasonable expenses incurred by them in carrying out their work and enabling their participation
- relationships between partners should be based on trust and mutual respect, valuing what each brings to the partnership
- the Chair of the partnership should be agreed by all partners
- meetings should be fully accessible and conducted in a manner which seeks to enable and encourage the participation of all partners
- there should be clear agreements on: (a) the financial and other contributions expected from partners, and (b) the decision-making process and accountability for their use
- members of the partnership should share responsibility for its work and be collectively accountable to the constituencies represented
- all partners should be kept equally well informed.

Public bodies undertake to:

- ensure that resources and support are available to enable VCS representatives to participate fully
- share the costs of building and maintaining the partnership, which should include training and VCS expenses.

Voluntary and community organisations undertake to:

- be clear about whose views they are representing as members of the partnership and do the necessary work to back this up (for example, in consultation and feedback)
- contribute their time, expertise, experience and use of their links with their communities and the wider VCS.

All parties undertake to:

- ensure their members have the required skills, knowledge and commitment to cooperate in order to contribute to the partnership vision, aims and objectives
- do the necessary work to enable their meaningful participation in the partnership
- take part in an annual review of how the partnership itself is working, including in relation to this code of practice.

Good governance:

Effective partnerships are based on good governance arrangements, which should include:

- shared vision, clear aims and SMART objectives (specific, measurable, attainable, realistic, time-based)
- shared action plan (including timescales, resources, responsibilities)
- arrangements for monitoring, evaluation and achieving milestones
- clear roles and responsibilities of members
- agreements about sharing information and reporting outcomes, including confidentiality issues
- shared accountability to stakeholders
- clear management and decision-making structures
- ground rules for meetings (that is, the procedures and processes that govern meetings)
- arrangements for recording actions and chasing progress
- arrangements for resolving disagreements and ending the partnership
- risk assessment and arrangements for insurance / indemnity
- arrangements for finance and accounting (including identifying the accountable body, and contractual and financial liabilities)
- appropriate reference to other legal requirements including Health and Safety, Equalities, Human Resources, Freedom of Information and Data Protection

(Fuller guidance on partnership working in the City of York will shortly be available via the Council's A-Z of services at www.york.gov.uk)