

**Agenda Item No:**

**Report To:** Cabinet

**Date of Meeting:** 27<sup>th</sup> July 2023

**Report Title:** Policy for Funding the Voluntary and Community Sector and Shared Prosperity Fund criteria.

**Report Author & Job Title:** Michelle Byrne, Funding and Partnerships Officer  
Tom Jenkins, Economic Development Manager

**Portfolio Holder** Cllr. Heather Hayward  
**Portfolio Holder for:** Performance and Direction



**Summary:**

In March 2023 the draft policy funding the voluntary and community sector (VCS) was presented to Cabinet and approval sought to consult with VCS organisations. This report updates on outcome of the consultation and presents a final draft of the policy.  
In addition the report notes the successful bid to the UK Shared Prosperity Fund and Rural England Prosperity Fund and inclusion of this funding stream within the final draft policy.

**Key Decision:** YES

**Significantly Affected Wards:** ALL

**Recommendations:** **The Cabinet is recommended to:-**

- I. Note the outcome of the consultation for the Policy for Funding the Voluntary and Community Sector
- II. Note the inclusion of UK Shared Prosperity Fund and Rural England Prosperity Fund grants
- III. Agree the final draft policy and recommend the policy for adoption

**Policy Overview:** Delivery of the three themes in the Corporate Plan 2022-2024; Green Pioneer, Caring Ashford and Targeted Growth are all supported by work undertaken by the VCS.

**Financial Implications:** The policy aims to ensure that funding is allocated to the VCS in a coordinated and efficient manner and provides more stability for those organisations that are adding value or providing additional services to support the corporate objectives.  
The UK Shared Prosperity Fund and Rural England Prosperity Fund provide opportunities for additional support to communities in the borough at no additional expense to the council.

<b>Legal Implications:</b>	There are no legal implications associated with this policy.
<b>Equalities Impact Assessment:</b>	No adverse impacts identified (Equalities Impact Assessment – Appendix 3)
<b>Data Protection Impact Assessment:</b>	Any data gathered through the submission of funding applications will be processed in accordance with the Data Protection Act and GDPR UK.
<b>Risk Assessment (Risk Appetite Statement):</b>	Without a policy for funding the VCS there is a risk of a lack of coordination and understanding of how funding is allocated potentially leading to inefficient use of resources.
<b>Sustainability Implications:</b>	The policy requires projects or services that the VCS are putting forward for funding to support the council’s corporate priorities, one of which is Green Pioneer. Supporting projects that contribute towards tackling climate change will contribute to the borough wide carbon neutral target.
<b>Other Material Implications:</b>	None
<b>Exempt from Publication:</b>	NO
<b>Background Papers:</b>	None
<b>Contact:</b>	<a href="mailto:michelle.byrne@ashford.gov.uk">michelle.byrne@ashford.gov.uk</a> – Tel: (01233) 330485 <a href="mailto:tom.jenkins@ashford.gov.uk">tom.jenkins@ashford.gov.uk</a> – Tel: (01233) 330326

## **Report Title: Policy for Funding the Voluntary and Community Sector and Shared Prosperity Fund criteria**

### **Introduction and Background**

1. The draft policy for funding the voluntary and community sector was presented to Cabinet in March 2023 (Agenda Item 8).
2. That report noted the valuable contribution made by the VCS organisations to delivering Corporate Priorities and the benefits they bring to local communities across the borough. Helping resident's access activities, services and advice in areas such as health, welfare, sport, recreation, culture and education.
3. Cabinet resolved the recommendations in March that:
  - i) Note the draft policy and agree the proposed funding streams.
  - ii) Agree for the Head of Policy and Performance to undertake a consultation on the draft policy with Ward Members and the Voluntary and Community Sector, reporting the outcome back to Cabinet.  
(Minute item 365)
4. Since the report came to Cabinet in March, the council has been successful in bidding for funding through the UK Shared Prosperity Fund and Rural England Prosperity Fund. The fund aims to improve the places people live in, and support individuals and businesses and to drive noticeable improvements that matter to local communities, foster local pride in place and increase life chances including health outcomes.  
The council has £80,000 available to allocate under the Shared Prosperity Fund and £150,000 under the Rural England Prosperity Fund to be spent over 2023/24 and 2024/25.

### **Outcome of consultation**

5. A summary of the consultation is at Appendix 1.  
The main points arising from the consultation are:
  - The priorities are clear
  - The policy supports equality and diversity
  - Small organisations not registered with the charities commission may be excluded
  - Small organisations might not have the capacity to use the system
  - Very specific programmes may be considered to specialised to receive funding
  - Not all respondents were aware of how to apply for the Ashford Local Lottery
6. The consultation responses are welcomed.

The application process will be reviewed to ensure organisations meeting the qualifying criteria receive support, as necessary, to submit a funding application.

The policy states that organisations without charitable status who have a constitution and a formally appointed voluntary management committee are eligible to apply for funding.

The funding priorities are set to support the corporate priorities and as such are relevant to a wide range of organisations supporting local people.

Over 70 local organisations are registered with and supported by the Ashford Local Lottery. Further information will be shared to encourage further participation.

7. The consultation indicates that the draft policy (appendix 2) needs no further amendment and subject to Cabinet agreement can go forward for adoption.
8. The Shared Prosperity Fund and Rural England Prosperity Fund monies are available for eligible community organisations to bid for as set out in the draft policy under Communities Amenities Grants to support improvements to community spaces across the borough.

## **Equalities Impact Assessment**

9. An Equalities Impact Assessment has been completed. Members are referred to the attached Assessment (Appendix 3). There are no adverse impacts identified.

## **Next Steps in Process**

10. The Policy will be shared with VCS organisations and local councils.

## **Portfolio Holder's Views**

11. This policy demonstrates the council's ongoing commitment to our communities through supporting the amazing work undertaken by the voluntary and community sector and local councils across the borough.
12. Projects supported by the funding set out in this policy will contribute to achieving our corporate aims and long term vision for the borough.

## **Contact and Email**

13. Michelle Byrne [michelle.byrne@ashford.gov.uk](mailto:michelle.byrne@ashford.gov.uk)
14. Tom Jenkins [tom.jenkins@ashford.gov.uk](mailto:tom.jenkins@ashford.gov.uk)

## Summary of the consultation on the draft policy for funding the Voluntary and Community Sector

The consultation ran from 6<sup>th</sup> April to 31<sup>st</sup> March 2023. Responses were invited from the VCS organisations, parish and community councils. They received a link to the consultation portal via email.

A total of 5 responses were received. A summary of responses and comments is found below:

*Has your organisation received a grant from Ashford Borough Council in the last 3 years?*

Yes = 3

No = 2

*Do you agree that the policy provides equal opportunity for VCS organisations to apply for funding?*

Yes = 4

No = 1

(From experience, we have found the staff and policy unable to commit to funding programmes for young people who have been in contact with the Criminal Justice Sector. The usual reply is that it is too narrow a group)

*Do you think the funding priorities are clear?*

Yes = 5

*Do you think any organisation that should be able to apply for funding is excluded?*

No = 4

Yes = 1

(Very small community groups who are not registered charities, for example, appear to be excluded (unless I've missed something). But along with that, the smaller the group, the less likely it is to know about the availability of grants, and the less it is likely to have people able to navigate the system, and to ensure all criteria is covered)

*Are you aware of how to register with the Ashford Local Lottery?*

Yes = 2

No = 3

*Do you think the policy supports equality and diversity?*

Yes = 5

## Voluntary and Community Sector Funding Policy Consultation: Comments

---

“Biddenden Village Halls and Sports Committee has received support from the Capital Grant facility to upgrade ageing facilities. We have found the application process and administration straightforward and timely. The ABC staff are very helpful. The level of funding is suitable for the size of projects we undertake.”

**Biddenden Village Halls and Sports Committee**

“I live in an ABC communal area where we have various functions for the residents, and also we look after the communal garden to enhance the presentation of the court. Last year we won a prize in the ABC garden competition, and we were able to achieve this with help from our Parish Council, and ABC via our Ward Councillor to purchase essential items for our garden. This is a perfect example of just what the funding can do, regardless of the amount, but more importantly, the joy and pleasure it brings to many people.”

**Askes Court**

“From experience, we have found the staff and policy unable to commit to funding programmes for young people who have been in contact with the Criminal Justice Sector. The usual reply is that it is too narrow a group.”

“We need a better point of contact with the council, who understands the issues and how they can work with us. Our priorities are also ABCs priorities, but it seems that the funding decision makers are not in contact with the ABCs staff who we are being asked to partner with.”

**Safer Kent**

Not sure how far this consultation has been shared across the community - we saw it almost by chance.

**East Kent Baby Memorial Gardens Charity**

Happy to help ABC to implement the policy should you wish - as the major infrastructure organisation in Kent. Please do feel free to give me a call if this would be of benefit.

**Social Enterprise Kent**



Policy for  
Funding the Voluntary  
and  
Community Sector

Date: July 2023

Review due: July 2026

## Contents

1. Background .....	3
2. Introduction .....	3
3. Corporate Priorities.....	4
4. Types of Grant.....	5
5. Who can make an application.....	6
6. Exclusions .....	6
7. Eligibility criteria.....	6
8. Funding priorities .....	7
9. Grant conditions .....	7
10. Application process and decision making.....	8
10.1 Revenue Grants.....	8
10.2 Community Grants Fund .....	9
10.3 Crisis / Emergency Grants and Loans.....	10
10.4 In-Kind Funding (foregone income) .....	10
11. Monitoring and Review.....	10
12. Complaints .....	10
13. Communities Amenities Grants Eligibility Maps.....	11



## 1. Background

In 2022 the voluntary sector contributed around £20bn to the UK economy and employed over 950,000 workers, about 3% of the total UK workforce. 16.3 million people volunteered through a group, club or organisation in 2020/21<sup>1</sup>.

In Kent there are 3,147 active voluntary organisations with 9,004 employees and 11,304 volunteers<sup>2</sup>.

Locally, the Ashford Volunteer Centre (AVC) has 262 voluntary, community and social enterprise (VCSE) groups registered with them. Other organisations, not registered with AVC, include; 40 Parish Councils and 2 Community Councils in the borough, Parent & Teacher Associations at schools and national organisations that work in the borough but are registered elsewhere.

The Value of the Charity Sector (2019)<sup>3</sup> states that the charity sector is large and increasingly important and that Charities are particularly well placed to respond to social challenges facing the UK, such as increasing social and income inequality. Charities add value in five areas:

- **Direct recipients** – those people who receive the services of the organisation
- **Employees** – the sense of fulfilment from working in a sector that helps others is of greater importance than salary expectations for some VCS employees
- **Volunteers** - Charitable work can bring substantial benefits to volunteers, mainly in the form of enhanced well-being and health benefits. Volunteering and charitable activities have been shown to increase life satisfaction and levels of happiness. Volunteering also increases skills and employability, especially for marginalised groups of society
- **Donors** - create and derive value directly linked to the services provided but also may derive value from a range of less tangible impacts on themselves including everything from their social standing to tax relief to emotional wellbeing, explaining why people often donate to causes linked to events in their lives, rather than based on any formal analysis of the highest returns for their money
- **Wider public** - The charity sector contributes to fostering economic and social cohesion at the community level and charities make wider contributions through their participation in public and private debates relevant to their services, in providing an alternative point of view from private and public sector organisations and an alternative means by which people can engage with that point of view

## 2. Introduction

The Council recognises and supports the valuable role of the voluntary and community sector (VCS) in helping resident's access activities, services and advice in areas such as health, welfare, sport, recreation, culture and education.

Working closely with VCS in Ashford helps deliver and add value to the council's own services, meet the objectives in its corporate plan and support its communities to thrive. This was demonstrated by the VCS in its rapid response to the Covid 19 pandemic, and the subsequent cost of living crisis. From food banks and warm spaces, help with shopping and befriending services, mental health and

---

<sup>1</sup> <https://www.ncvo.org.uk/news-and-insights/news-index/uk-civil-society-almanac-2022/#/>

<sup>2</sup> Headline analysis of the voluntary & community sector in Kent, KCC, January 2023

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/835686/Value\\_of\\_Charity\\_-\\_Oct\\_19\\_-\\_published.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835686/Value_of_Charity_-_Oct_19_-_published.pdf)

wellbeing support to debt and financial advice, the VCS is playing a vital role in keeping Ashford residents healthy and safe.

The council provides financial and in-kind support to ensure there is a vibrant VCS across the borough that often reaches out to residents who otherwise maybe unaware of or unable to access services or activities.

This policy is for Councillors, Officers and the VCS to:

- Guide the allocation of funding, ensuring decisions are consistent, fair and transparent.
- Provide a more coordinated funding service to the VCS.
- Ensure value for money.
- Strengthen the VCS by fostering a sustainable approach to funding.

There are 4 main categories of funding to the VCS:

- Revenue Grants
  - Strategic/Service Grants
  - Member Grants
- Community Grants Fund
  - Capital Grants
  - Event Reset Grants
  - Community Amenities Grants
- Crisis/Emergency Grants and Loans
- In-kind Grants (Foregone Income)

### 3. Corporate Priorities

The Corporate Plan 2022 – 2024 was developed in consultation with a range of local stakeholders to agree the priorities the council should focus on. A long term ambition and three themes, each with a set of objectives, were the outcome of this work.

The long term ambition for the borough is:

*To be a thriving, productive and inclusive borough by 2030 and beyond; a vital part of Kent and the South East where local businesses, social enterprises, communities and the public sector provide collective leadership to promote shared prosperity, happiness and wellbeing.*

Applications for grant funding must demonstrate how the activity, project or service will contribute to achieving one or more of the council’s corporate objectives as listed below.

Theme	Objectives
Green Pioneer	GP1: Reduce reliance on fossil fuels in line with our carbon neutral targets
	GP2: Increase biodiversity and encourage sustainable lifestyles
	GP3: Reduce the amount of waste produced from homes and business
Caring Ashford	CA1: Homes and neighbourhoods in the borough meet the needs of local people of all ages, incomes and abilities to live sustainably and safely
	CA2: Local people have access to life-long learning to ensure they have knowledge and skills to take up local employment
	CA3: Reduce health inequalities and improve the wellbeing of local people
	CA4: Communities celebrate their heritage and the diversity of their population to build a more connected community and strengthen social Responsibility

Targeted Growth	TG1: Increase productivity and job opportunities and the establishment of sustainable, knowledge based and creative industries in the borough
	TG2: Enable the improvement of digital infrastructure to support the growing needs of business, voluntary sector and residents
	TG3: Strengthen local supply chains and increase the resilience of the local economy
	TG4: Support growth in the visitor economy
	TG5: Stimulate vibrant, accessible and sustainable Town Centres for residents, visitors and business

## 4. Types of Grant

The table below sets out the type of grants and the amount of funding available.

Revenue Grants		Community Grants Fund			Crisis/Emergency Grants and Loans	In- Kind Grants (forgone income)
Strategic / Service Grants	Member Grants	Capital Grants*	Event Reset Grants	Community Amenities Grants		
For operational (running) and maintenance costs or delivery of a specific service. Up to 3 years agreement.	Each Ward Member has an allocation of funding (agreed annually) to award to local organisations / projects within their own ward that benefits residents in that ward. Minimum grant £100.	One-off grant for capital projects up to £10,000. Value of grant must not exceed 50% of total project costs E.g. Equipment, furniture purchase, building refurbishment , improving open space.	Revenue funding to help deliver community events and festivals. Up to £1,000.	One-off grant for projects up to £10,000 to improve community spaces across the borough. Within the UKSPF Ashford Urban Area, this supports internal and external works. In the REPF Rural Area this supports works to external areas. Projects should not have been funded by ABC or Government already.	Short term (up to 1 year) to fill funding gap not covered by organisations reserves or other funding sources. Up to £10,000. In exceptional circumstances a loan maybe considered up to £25,000	Whereby the council provides premises for the operation of an organisation at either a low or no rent or allows occasional use of a premises free of charge e.g. meeting rooms

\*Applicants can only apply for a capital grant once every three years unless there are exceptional circumstances.

## 5. Who can make an application

The following organisations are eligible to submit an application for funding:

- Not-for-profit organisations with a formal charitable status.
- An unincorporated organisation with a constitution and a formally appointed voluntary management committee.
- A parish council or community council (on condition that the funding is for something that provides additionality).
- A faith based organisation where the project is open to the wider community and does not have any religious bias.

## 6. Exclusions

The following are not eligible to submit applications for funding:

- Individuals
- Sole Traders
- Organisations that are aimed at generating profits primarily for private distribution
- Organisations that can pay profits to directors or shareholders
- Community Interest Companies (CICs) limited by shares
- Mainstream public services e.g. health, education
- Churches/faith groups to fund their core purposes e.g. religious instruction
- Political Parties
- For Community Amenities Grants, projects that have already received funding by ABC and/or Government are not eligible
- For Community Amenities Grants, facilities that are managed directly by ABC, where the upkeep of the property/equipment is ABC's responsibility, are not eligible

## 7. Eligibility criteria

The council will only fund projects or services where there is a clear financial need due to lack of available funds and will not fund projects or services that have already been delivered or work that has already been carried out.

Organisations applying for funding must fulfil all the criteria below.

- Operate in Ashford borough and serve the borough's residents
- Are non-political
- Have a bank or building society account in the organisation's name (requiring two unrelated signatories)
- Have relevant insurances in place e.g. public liability insurance, buildings insurance
- Have relevant safeguards and policies in place i.e. risk assessments, health and safety policy, safeguarding policy
- Have effective management/governance arrangements in place
- Promote equalities within their structure and operations
- Have support for their project from an Ashford Borough Council Ward Councillor or the Portfolio Holder
- Are providing a service(s), project(s) or facilities that are open to any resident in the borough (or have a clear, non-financial justification for targeting or prioritising a client group)
- Do not have more than 12 months' worth of expenditure in unrestricted reserves or savings

- Have no overdue debts owed to the council

## 8. Funding priorities

All applications for funding must contribute towards achieving the council's corporate priorities by meeting at least one of the following funding priorities in both section A and section B.

### Section A

- Reduces greenhouse gas emissions and/or increases biodiversity
- Encourages more active and healthier people and communities
- Delivers improved facilities for the local community
- Creates opportunities to learn about or participate in local arts, heritage and culture
- Provides advice/mentoring for vulnerable people
- Creates opportunities for multicultural and/or intergenerational activities

### Section B

- Increases knowledge and skills
- Reduces loneliness and isolation
- Improves community engagement
- Fostering good relations between communities
- Increases personal wellbeing, independence and resilience
- Demonstrates value for money

\*Community Amenities Grants must meet priority 'c' in Section A.

## 9. Grant conditions

Any funding award is made in agreement to the following conditions:

Where required the applicant will enter into a Service Level Agreement (SLA) with the council. The SLA will be appropriate for the level of funding awarded and the complexity of the project /service funded.

Funding can only be spent on the project/service as described in the application and for no other purpose.

Applicants have not received funding from an alternative council grant source for the same project or service, in that financial year.

It is the responsibility of applicants to comply with all relevant regulations and legislation.

If expenditure on the grant-aided aspect of the project/ service is less than stated in your application, the grant amount paid to you may be reduced.

Any unspent funds must be returned to the council.

Not for profit / charitable organisations to register with the Ashford Local Lottery

Details of how the funding was spent, evidenced with copies of receipts must be received by the council within 1 year of the firm offer of funding.

Applicants will, when requested, report to a relevant committee / panel either in person or by writing regarding how the funding was spent and the outcomes achieved.

Any publicity materials, advertisements, press releases and programmes relating to the project/event/service for which the funding has been awarded will credit Ashford Borough Council through use of the council logo and the words “supported by Ashford Borough Council”.

For Community Amenities Grants, a plaque will need to be produced and installed (to be paid for by the applicant) which will credit Ashford Borough Council and the UK Government through the use of the words “supported by” and the council logo, the HMG and Levelling Up logos. Applications will need to demonstrate this has been planned.

The funding received will be acknowledged in the applicant’s annual report and accounts which cover the funding period.

The council reserves the right to use details of the project/service that received funding in its own publicity.

Any changes to use / retention of equipment or assets must be agreed with the council. No equipment or other assets purchased with the funding can be sold without the council’s prior written permission.

Any details later proved to be incorrect may prejudice a subsequent application and could result in a requirement to repay any funding awarded.

## 10. Application process and decision making

All applications for funding to be submitted on the correct form.

### 10.1 Revenue Grants

#### *Strategic/Service Grants*

Applications for funding must be received by end of July prior to the next financial year to enable funding requests to be accommodated in budget setting timeframes.

Applications will be assessed by the relevant Assistant Director.

Funding awards will be decided as follows:

Applications for funding of up to £25,000 for 1 year by the Assistant Director

Applications for funding between, £25,000 and £50,000 or for more than 1 year by Director

Applications above £50,000 by the Senior Management Team

Applicants will be notified that their application is complete and is being considered within 4 weeks of date of submission. If any further documentation is required, the 4 weeks will commence from the date the additional documentation is received.

Applicants will be informed of the funding decision within 6 weeks of receiving the notification of receipt of their application.

In exceptional circumstances funding may need to be approved by the Cabinet. In this instance the applicant will be informed of the date the report will be presented to Cabinet.

### *Member Grants*

Enquiries can be made directly to the Ward Member on an ongoing basis throughout the year. The Ward Member will provide an application form and on completion sign off the form and pass to the Funding and Partnerships Officer to process.

The grant will normally be paid within 15 working days of receipt of a fully and properly completed application form.

It is at the discretion of the Ward Member which local projects and services to fund as long as it is legal, does not conflict with council policy/priorities and directly benefits residents in the Councillor's own ward or, for example, a local primary school activity or local sports club used by them in a neighbouring ward.

National Charities cannot be funded.

Organisations that have already receive a grant in the same year from an alternative council fund (excluding crisis/emergency grants) for a service or project may not apply for a ward member grant for the same service or project.

In election years, the fund account will be closed at the end of February. No allocations will be permitted between 1 March and the election date, presuming it takes place before the end of May. In all other years, the cut off will be 31 March.

## 10.2 Community Grants Fund

### *Capital Grants Fund*

The completed application form to be submitted online by one of the deadlines, published on the internet.

Fully completed applications will be considered by the Community Grants Panel. Applicants will be required to attend the panel.

Applicants will be notified of the decision of the panel within 2 days of the panel meeting.

### *Event Reset Grants*

The completed application can be submitted at any time throughout the year.

An in principle decision will be notified to the applicant within 4 weeks of receiving a completed application.

The application will be passed to the Safety Advisory Group for consideration. On agreement of the Safety Advisory Group confirmation of funding will be made.

### *Community Amenities Grants*

We advise applicants to contact ABC to discuss a proposed project before submitting an application.

The completed application form to be submitted online by one of the deadlines, published on the internet. This will include the requirement to evidence a fully costed quote for the works or items, Planning Permission where required and recent photos of the facility showing its condition.

Fully completed applications will be considered by the Community Grants Panel. Applicants will be required to attend the panel.

Applicants will be notified of the decision of the panel within 2 days of the panel meeting.

### 10.3 Crisis / Emergency Grants and Loans

Applications will be acknowledged within 2 weeks of receipt.

The applicant will be notified of the decision within 6 weeks of the council receiving the application.

All decisions for crisis / emergency funding will be made by a Director and the Chief Executive.

### 10.4 In-Kind Funding (foregone income)

For use of council owned property, at a reduce rent, the applicant must gain the written agreement of the Assistant Director of Environment, Property & Recreation who, in consultation with the Director of Place, Space and Leisure and the Director of Customer, Technology and Finance, will agree the terms under which the property can be let.

For occasional use of meeting rooms at reduced or no cost, applicants must gain the agreement of the Property Building Services Manager.

## 11. Monitoring and Review

All grant funding provided under this policy should be reported to the Funding & Partnerships Officer so a central record can be maintained and reported on.

Applicants will be required to provide updates of their project or service as set out in the conditions of the grant offer. This includes confirmation that any equipment or assets purchased remain in their ownership and used for the purpose the grant was awarded.

The Overview and Scrutiny Committee will receive an annual report on funding to the Voluntary and Community Sector in July each year. Any issues will be highlighted in the report for consideration and any recommendations for change to be made to Cabinet.

This policy will be reviewed every 3 years.

## 12. Complaints

Decisions on grants will not be subject to appeals.

Any complaints regarding an application for funding should be made by following the council's complaints procedure.

<https://www.ashford.gov.uk/contact-us/complaints>



### 13. Communities Amenities Grants Eligibility Maps

#### Rural England Prosperity Fund Boundaries

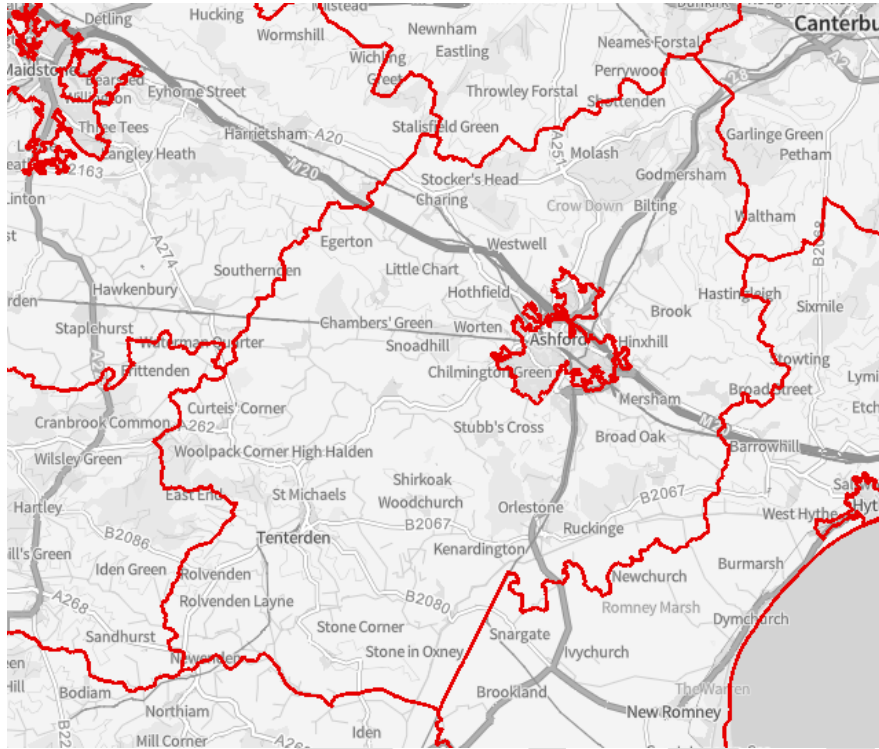


Figure 1. Defra, Rural England Prosperity Fund boundaries, [magic.defra.gov.uk](http://magic.defra.gov.uk), June 2023

Ashford Urban Area

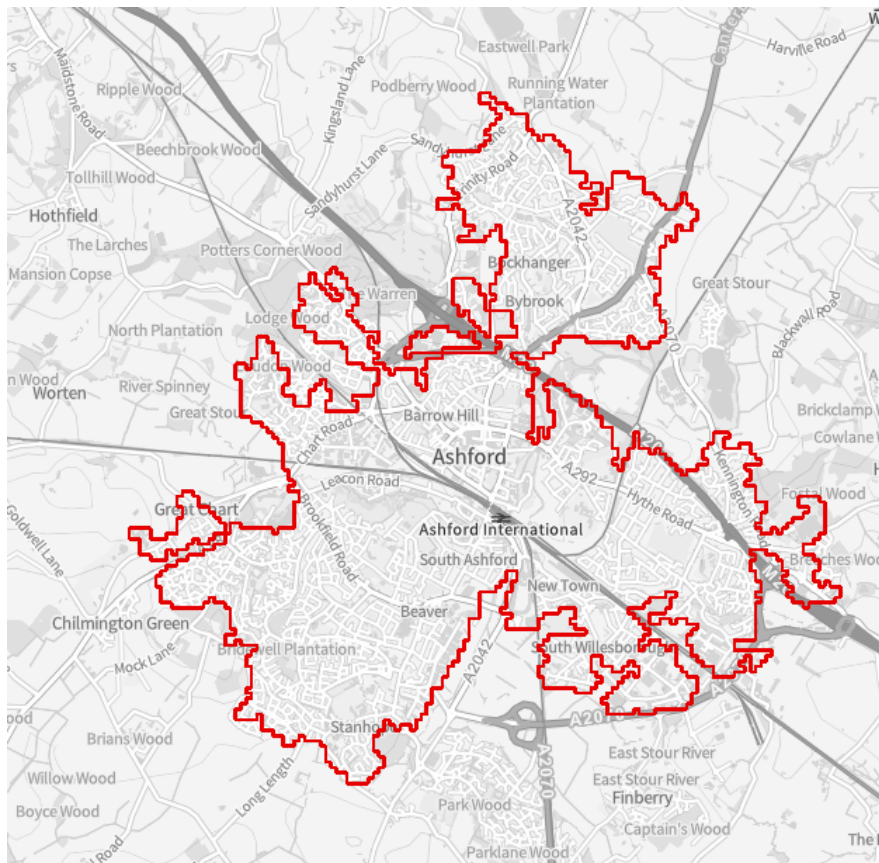


Figure 2. Defra, 'Ashford Urban Area' - applications within this red line will be eligible for UKSPF grants, [magic.defra.gov.uk](http://magic.defra.gov.uk), June 2023

# Equality Impact Assessment

---

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

## Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

## Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership\*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

## Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
  - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
  - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

### Armed Forces Community

9. As part of the council's commitment to the Armed Forces Community made through the signing of the Armed Forces Covenant the council's Cabinet agreed in November 2017 that potential impacts on the Armed Forces Community should be considered as part of the Equality Impact Assessment process.

10. Accordingly, due regard should also be had throughout the decision making process to potential impacts on the groups covered by the Armed Forces Covenant:

- Current serving members of the Armed Forces (both Regular and Reserve)
- Former serving members of the Armed Forces (both Regular and Reserve)
- The families of current and former Armed Forces personnel.

### Case law principles

11. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or

service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

<b>Lead officer:</b>	Charlotte Hammersley
<b>Decision maker:</b>	Cabinet
<b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>	Policy for funding the voluntary and community sector
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	Cabinet – 27 <sup>th</sup> July 2023
<b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>	<p>The policy aims to provide a more streamlined and coordinated approach to funding the VCS giving greater clarity and stability to those organisations.</p> <p>In turn this should help them to support a wide range of local people and contribute to achieving the council's corporate priorities.</p>
<b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>	<p>A review of the council's existing funding streams has been conducted.</p> <p>This concluded there was a need for a more coordinated approach to ensure value for money for the council through improve efficiency between council services regarding funding and commissioning with the VCS.</p>
<b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul>	<p>A consultation was undertaken with VCS organisations, parish and community councils.</p> <p>All the respondents agreed that the policy supports equality and diversity.</p>

**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

<b>Protected characteristic</b>	<b>Relevance to Decision</b> High/Medium/Low/None	<b>Impact of Decision</b> <b>Positive</b> (Major/Minor) <b>Negative</b> (Major/Minor) <b>Neutral</b>
<u>AGE</u> Elderly	Medium – financial, social and health vulnerabilities	Positive - major
Middle age	Medium – cost of living crisis is resulting in more people seeking support such as with food and energy costs	Positive - major
Young adult	Medium – health (inc. mental health) , wellbeing, education and employment	Positive - major
Children	Medium – early years support	Positive - major
<u>DISABILITY</u> Physical	Medium – access to services, peer support, carers	Positive - major
Mental	Medium – access to services, peer support, carers	Positive - major
Sensory	Medium – access to services, peer support, carers	Positive - major
<u>GENDER RE-ASSIGNMENT</u>	Low	Positive - minor
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	Low	Positive - minor
<u>PREGNANCY/MATERNITY</u>	Low	Positive - minor
<u>RACE</u>	Low	Positive - minor
<u>RELIGION OR BELIEF</u>	Low	Neutral – specific religious practices are not supported but where a religious organisation works for the wider community this is provided for in the policy
<u>SEX</u> Men	Low	Positive - minor
Women	Low	Positive - minor

<u>SEXUAL ORIENTATION</u>	Low	Positive - minor
<u>ARMED FORCES COMMUNITY</u> Regular/Reserve personnel	Low	Positive - minor
Former service personnel	Low	Positive - minor
Service families	Low	Positive - minor

<b>Mitigating negative impact:</b> Where any negative impact has been identified, outline the measures taken to mitigate against it.	No negative impacts identified.
---	---------------------------------

<b>Is the decision relevant to the aims of the equality duty?</b> Guidance on the aims can be found in the EHRC's <a href="#">Essential Guide</a> , alongside fuller <a href="#">PSED Technical Guidance</a> .	
<b>Aim</b>	<b>Yes / No / N/A</b>
1) Eliminate discrimination, harassment and victimisation	yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	yes

<b>Conclusion:</b>	
<ul style="list-style-type: none"> <li>Consider how due regard has been had to the equality duty, from start to finish.</li> <li>There should be no unlawful discrimination arising from the decision (see guidance above).</li> <li>Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any</li> </ul>	<p>The draft policy was shared with VCS organisations. No organisation identified and an issue with equality.</p> <p>The awards made under the policy will be monitored by the Funding and Partnerships Officer and a report presented to Overview and Scrutiny Committee annually.</p>



<p>residual impacts are justified.</p> <ul style="list-style-type: none"><li>• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li></ul>	
<p><b>EIA completion date:</b></p>	<p>12/06/2023</p>