

National Equality Partnership response to Compact refresh

The National Equality Partnership supports the third sector to challenge inequality and promote equality and human rights. It is a three year project (2008-11) funded by Capacitybuilders under the Improving Support Programme. Our national programme covers the whole of England.

What do we do?

We offer training, information and one-to-one support to umbrella organisations to help them challenge disablism, homophobia, racism, sexism and other forms of discrimination and human rights abuse. We enable equalities organisations to increase their voices so that inequality is tackled effectively. All of our work promotes collaboration and partnerships, sharing expertise and encouraging long-term relationships between equalities organisations and the wider third sector.

Our work is closely informed by our reference group encompassing all equalities sectors as well as generalist organisations. The partnership of NEP is made up of:

- Women's Resource Centre (WRC)
- Voice4Change England
- Consortium of Lesbian, Gay, Bisexual and Transgender Voluntary and Community Organisations
- National Association for Voluntary and Community Action (NAVCA)

Women's Resource Centre is the lead partner with core staff based at our London office.

We believe that organisations run by people with direct experience of inequality and discrimination have a unique and vital role in creating lasting solutions to inequality. At NEP we ensure that all work to address equality, diversity and human rights in the third sector is done with close involvement of equality organisations.

For more information go to: www.improvingsupport.org.uk/equalityanddiversity



General comments

We are pleased that the draft Compact document now includes a broader emphasis on all of the equalities strands and highlights in particular the role of public bodies and the third sector in tackling inequality and discrimination. It is vital that a section is written about all of the equalities strands, although we would suggest that further signposting is included for people to obtain further and more detailed information on the relevant issues.

We would also like to see organisations working with refugees, asylum seekers, migrants, gypsies and travellers, young and older people and those with mental health problems mentioned.

It has been a difficult time for many equalities organisations, particularly BME organisations, in the context of the drive towards cutting single group funding and the proposed Cohesion Funding Guidance. This has now been abandoned by Government after fierce campaigning led by the BME sector. However, they said that the decision would be left to local authorities so many will still decide to cut funding to so-called 'single-groups.' As a result of this, NEP supports Voice4Change England in their calls for a more robust Compact document in terms of protecting the equalities sector, which includes the 6 core recommendations from the BME Code to be included in full in the new Compact document.

There also needs to be more emphasis on the role of the voluntary sector, and equalities sector in particular, as essential campaigners, drivers of social change, advocates, and experts in local knowledge, holders of specialist expertise, and pro-community cohesion, rather than just public service deliverers.

Although grants and other forms of funding are often more suitable and the only forms of funding available to equalities organisations, grant funding is declining. We are still concerned about the emphasis on procurement and contracting over other types of funding in the Compact. Whilst we support the commitment on how to use procurement when delivering public services, the emphasis on procurement gives the misleading impression that public bodies should use procurement over grants throughout their funding of the voluntary sector. Grants provide resources for research and innovative work and retain the diversity of the sector.

Consultation question 2. The independence of the sector

We would call for a clearer assertion of the protection of independence of the third sector, especially in light of the impact of commissioning and procurement practices that can affect the balance of a relationship between third sector organisations and local authorities.

The passage on independence on p.18 of the draft Compact document should read:

'...Third sector organisations remain entitled to campaign, within the law, advance their aims, to manage their own affairs, to highlight issues which are important to them, *and exercise its right within law to challenge institutions, policy and practice.*'

Consultation question 10. Equalities strands

We welcome the fact that the draft Compact document has incorporated previous responses and concerns from the voluntary and community sector with respect to the inclusion of the equalities strands (race, age, disability, gender, sexual orientation and religion or belief). It is imperative that all equalities strands are mentioned in this chapter. Seeing as there is only room for brief introductions to the main issues of these groups, further signposting would be useful for people to obtain further and more detailed information.

However, we also support Voice4Change England in their assertion that the most important BME and Community Code commitments will be lost if vital changes are not made to the draft document. The 6 core recommendations from the BME Code need to be included in full in the new Compact document.

How the third sector works with diverse groups

NEP was asked to write a short section on women's organisations for this document, which appears under the section entitled, 'Organisations representing the interests of women.' However, some changes have been made to this which we feel very strongly need to be changed back to the original statement.

These changes are as follows:

'Because effort is needed across the board to ensure women's equality' should be changed back to '*Because women's inequality is widespread...*'

The final paragraph needs to be deleted in favour of what was originally stated:

'Despite their vital work tackling women's inequality and abuse, women's organisations currently face an acute and worsening funding crisis. There is no single reason why women's organisations lack adequate investment, but rather it is likely to be a combination of lack of women's sector representation and influence in decision making processes, gender-neutral policies, disregard amongst funders for women-only services, and the shift away from grant aid and increasing use of competitive tendering.'

The assertion that women's organisations can advise on the development of "gender neutral" policy across the spectrum of services is extremely misleading and seems to advocate *for* gender-neutral policy, when actually the opposite is

true. This needs to be rectified as a matter of urgency and the above statement that was originally submitted needs to be reinstated.

The final sentence of this paragraph ('sometimes the sensitive nature of such services may require women-only provision to be developed') is also misleading as it implies that such provision does not already exist. Therefore, if this sentence is used it should read:

'Sometimes the sensitive nature of such services may require women-only provision to be utilised.'

The paragraph should end with reassuring local decision-makers that women-only service provision is fully in line with equality legislation (either by reference to the relevant section of the Gender Equality Duty, Article 6 of the European Council Directive 2004/113/EC of 13 September 2004, and a future amendment in line with the relevant passage of the Equality Act when that comes into force) and has been proven to have excellent outcomes.

Disability LIB wrote up a passage for the 'Organisations representing people with a disability' section. This too has been changed to present a difference in perspective that we believe needs to stay as authentic to the original as possible.

The last sentence of the draft reads: 'They actively support the public sector...' whereas the original statement reads:

*'Like other community groups DPO's face many challenges in their day to day running and are increasingly losing out to bigger charities and contractors as funding arrangements change. However, DPOs **can** actively support the public sector.'*

We think it is important to describe the particular challenges these organisations are facing as well as the word 'can.' Its omission gives an inaccurate representation of the current role of DPOs and their relationships with the public sector. The point is that they *can* be extremely useful in supporting the public sector but at the moment they are not being engaged with as they could be.

'They are often run and controlled by disabled people' should change to read '*They are run...*'

The Consortium of LGBT organisations submitted a statement for the LGBT sector. While the statement that appears on page 46 stays faithful to most of the original the last part needs amending. The original point was that:

'Income for the majority is under £10K per annum. This limits sustainable LGBT involvement and policy engagement required for long-term local community development.'

'Moves towards procurement will further exclude LGBT organisations in local delivery and policy development.'

The sentence that appears in the draft paints an inaccurate picture of the situation by saying that LGBT organisations '*often* work in partnership with public authorities to provide sensitive and tailored services to LGBT people.' The original statement should be reinstated in place of this highly misleading one.

Commitments for the Government and public bodies

20.1 This point could include examples of what a public body's duties are under equality law, e.g. undertaking equality impact assessments and producing outcomes focused equality schemes in partnership with relevant third sector organisations.

20.2 This should include the point that if gaps are identified in terms of equalities groups not being sufficiently well represented at local level, this then needs to be *proactively* addressed by the local authority, which means approaching organisations that may be useful representatives.

20.3 This point should be emphasised by the fact it is a legal requirement.

20.4 It may be useful to suggest ways in which to provide a means for equalities organisations to have fair and equal opportunities to access Government funding programmes. This may include ring-fencing funding to build the capacity and infrastructure of organisations through strategic funding at local, regional and national level, or a commitment to a diverse provider base that is regularly monitored through fully disaggregated audits of funding and contracts.

20.6 It is felt that this point must make specific reference to 'undertaking a joint review' in the case of funding being withdrawn. As it is, it supports a 'top-down' approach to decision-making, which negates the spirit of partnership fostered in the Compact.

20.7 This should read:

'Support and build capacity of third sector organisations to be aware of their own obligations to comply with their duties under equality law...'

20.8 This should read:

'Undertake the assessment of the equality impact in advance of all relevant policy and funding decisions. This includes the process of contracting and commissioning.'

20.9 This statement should be supported by a clear recognition of the value of volunteering in the equality sector. For example, a quarter of interviewees in

WRC's 'why women?' report stated that service users were voluntarily engaged in a wide range of functions within their organisations, contributing towards a high level of service user involvement, peer support and work experience for women who may otherwise find it difficult to enter the job market.

20.10 There should be a single CRB check for volunteers who are volunteering for more than one cause.

21.1 Local demographics should be considered as an indication to fair representation on boards such as Local Strategic Partnerships. So areas with high levels of ethnic minorities should have this reflected in the membership of boards and partnerships and women who make up the half the population should be represented accordingly. Because of the difficulties faced by organisations being linked into LSPs for example, a pro-active approach to engagement needs to be taken by local authorities.

21.2 BME groups in particular should be mentioned here in relation to the 'cohesion' agenda, especially as it is these groups that are most at risk of being denied funding under the misguided notion that they do not promote cohesion when actually the opposite is true.

21.5 It is misleading to reiterate the polarisation of small and 'informal' groups with larger 'professional' groups. This only seeks to undermine the fact that much of the voluntary sector is run by skilled people with specialist expertise in local and equalities issues. While equality groups are often small, this does not necessarily translate into 'informal.'

Consultation question 11. Monitoring and analysis of funding arrangements

In line with good practice and ensuring that not just larger, generic voluntary sector organisations reap the rewards of public service contracts, local authorities should be advised to undertake regular audits to identify who contacts are being awarded to and how much these contracts are worth. Crucially, this data needs to not just be disaggregated by equalities strand, but by type of organisation, in order to ascertain whether a diverse provider base of specialist equalities organisations is being developed.

We believe that the Compact alone will be limited unless the commitments are mainstreamed into other auditing and monitoring mechanisms for public bodies, such as Local Area Agreements and Local Authority Comprehensive Performance Assessments (CPAs).

We would also agree with the following recommendations made by Voice4Change England:

- That Government should revisit its commitments under the Compact following the introduction of the Single Equality Act and to emphasise the responsibilities of public bodies to have 'due regard' to equality objectives.
- Their assertion that the Government and Commission for the Compact must attend to the views expressed by a number of BME groups throughout the consultation process and their right to be provided with a full explanation for not undertaking an Equality Impact Assessment and the withdrawal of the BME code. They also call for evidence and research to support the Government's and Commission's decision. We believe this process to be good practice.

For more information contact:

Ange Jones
National Equality Partnership
Women's Resource Centre
Ground Floor East
33-41 Dallington Street
London
EC1V 0BB
Ange@wrc.org.uk

