

MAYOR'S EXECUTIVE DECISION MAKING

Friday, 11 July 2014


Mayor's Decision Log No. 60

1. **MSG APPLICATION - BOISHAKHI MELA (Pages 1 - 54)**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: John S. Williams, Service Head, Democratic Services

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<p>Individual Mayoral Decision Proforma</p> <p>Decision Log No: 60</p>	 <p>TOWER HAMLETS</p>
<p>Report in response to a recommendation to the Executive Mayor by the Corporate Grants Programme Board held on the 16th May 2014</p>	<p>Classification: Unrestricted</p>
<p>Title: MSG funding application for the Boishakhi Mela</p>	

Is this a Key Decision?	Yes
Decision Notice Publication Date:	27 MAY 2014
General Exception or Urgency Notice published?	N/A
Restrictions:	—

EXECUTIVE SUMMARY

1. Request for Advice / Recommendation

The Mayor is advised by the Corporate Grants Programme Board to :

- Approve the grant of £100,000 to the Boishakhi Mela Community Trust (BMCT / Trust) to enable the Trust to deliver a successful Mela in 2014 at Victoria Park.
- Require that officers draw up a proposed phased payment approach to the grant funding taking into account the formula agreed in 2013 and also the successful completion of the independent audit of the 2013 event

The Mayor is therefore advised to:

- Delegate to the Monitoring Officer, in consultation with the Acting Corporate Director, Resources, arrangements for making phased payments to the Trust

2. Background Information

- 2.1 The Boishakhi Mela event was run by the Council from 2008 to 2011. Prior to this it had been delivered by community based organisations. The delivery of the Boishakhi Mela was tendered out from 2012 for a period of up to 9 years. The Boishakhi Mela Community Trust won that tender process and the broad intention was that there would be continued but tapering support for the trust from the Council over the

period of the tendered period. Financial support would be considered via the standard MSG application process. The approach taken to the Mela outsourcing is set out in the Cabinet Report of the 3rd August 2011.

- 2.2 The Corporate Grants Programme Board met on the 16th May 2014 to consider an application for MSG funding for the Boishakhi Mela. The assessment of the application by the Boishakhi Mela Community Trust and relevant context is summarised in the report attached to this form.
- 2.3 The Board has no executive authority to make decisions and can only make informed recommendations to the Mayor who can either agree or reject the recommendation when making the formal executive decision. This Decision proforma is presented to the Mayor in order to present clearly the recommendations of the Board and the considerations taken in to account when reaching their conclusions. In that regard a summary of the officers' assessment is attached.

3. Comments of the Chief Financial Officer

- 3.1 Cabinet agreed at its meeting of 3rd August 2011 to return the Baishakhi Mela to community management from 2012 onwards, run by a not-for-profit trust, and that the Council would provide financial support towards the parade to be allocated through the Council's mainstream grants awards process. As this is a cultural event, then it falls within the remit for assessment and monitoring as per the existing Arts, Sports and Environmental Services MSG programme.
- 3.2 Although the application process was not part of the Main 2012-15 MSG programme, Cabinet in June 2012 agreed the following provision for further appropriate support to third sector organisations:
 - That the funds identified ...be combined to create another Mainstream Grants Fund of £0.954 million.
 - That the secondary Mainstream Grants Fund be used for the same funding priorities as the existing Mainstream Grants Fund.
- 3.3 This assessment follows from the similar award to the Boishakhi Mela Community Trust of £170,000 to deliver the 2013 event at Victoria Park.
- 3.4 The additional Mainstream Grants Fund was set aside as an earmarked reserve and has subsequently been utilised in accordance with decisions both of Council (as part of the 2013/14 budget) and the Mayor, in accordance with the March 2012 Mayor in Cabinet decision that all awards over £1,000 are made by the Mayor under his executive powers.

- 3.5 The recommendation, as considered by the Corporate Grants Programme Board is to award £100,000 to support the Trust in delivering the 2014 Mela, and that officers draw up a suitable phased payment mechanism taking account the formula agreed in 2013 and outcome of the independent audit of the 2013 Mela accounts. That will be determined by officers following receipt of appropriate cashflow and invoice evidence to demonstrate the need for payment. The recommended award is significantly lower than the application request, and last year's award.
- 3.6 There are sufficient resources from this one-off reserve available to provide for the recommended £100,000 to support the Mela 2014.
- 3.7 Subject to Mayoral approval, the recommended award of £100,000 will be transferred to the Arts and Events third party payments budget held within Communities, Localities and Culture.
- 3.8 The report seeks approval to a phased payment plan to be agreed. This is prudent given the independent audit of the organisation's 2013 financial accounting processes has yet to be concluded. This was a condition of the Mayoral Executive decision of 25th April 2013. The purpose of the annual audit is to review the financial claim made by the Trust and to satisfy the authority that the appropriate governance arrangements are in place to provide reasonable assurance over the management of the Boishakhi Mela. Further an independent panel established to review all matters relating to the Trust, would receive and raise recommendations in relation to the audit findings.
- 3.9 The claim from the Trust for the Mela run in May 2013, was received in full in March 2014. Consequently although the audit has begun, the auditors have not reported their findings and the independent panel has not had an opportunity to assess the findings and raise any recommendations. Any payments made to the trust prior to the completion of the audit report could present a financial risk to the authority, in so far as the audit findings may reduce eligible expenditure payable to the Trust for the running of the Mela.
- 3.10 The Trust will need to provide evidence that Council funds have been used in compliance with Council contracting procedures and evidence to demonstrate no subsidy from public provided funds to support commercial activities relating to the Trust or Mela, and further adhere to the contractual requirements regarding record keeping, accounting and independent audit.

4. Legal Comments

- 4.1 It is proposed to provide a grant of £100,000 from the MSG 954 budget to support delivery of the 2014 Mela by Boishakhi Mela Community

Trust Ltd. The proposed grant may be supported under a variety of the Council's statutory powers.

4.2 The Council has power under section 145 of the Local Government Act 1972 relevantly to do, or arrange for the doing of, or contribute towards the expenses of the doing of, anything (whether inside or outside Tower Hamlets) necessary or expedient for any of the following purposes –

- The provision of entertainment of any nature in Tower Hamlets
- The development or improvement of the knowledge, understanding and practice of the arts and the crafts which serve the arts.

4.3 The Council is required by section 507B of the Education Act 1996 to secure sufficient educational and recreational leisure-time activities for young people in Tower Hamlets.

4.4 Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. This general power of competence may support the giving of grants to community groups, provided there is a good reason to do so.

4.5 There may be a good reason for giving a grant if it is likely to further the Council's sustainable community strategy under section 4 of the Local Government Act 2000, which is contained within the Tower Hamlets Community Plan. The report identifies that the Mela is popular but questions:-

4.5.1 whether it is value for money;

4.5.2 whether the cultural content is of sufficient quality; and

4.5.3 whether it promotes the One Tower Hamlets objective in the Community Plan.

The Mayor will need to take these concerns into account and give serious consideration to whether there remain good reasons for supporting the event, having regard to the Council's statutory powers. Although the report raises concerns it nevertheless appears to conclude that there are some strong reasons for continuing to provide some support to the event.

4.6 A grant decision will be a key decision under Article 13.03 of the Council's Constitution if either or both of the following conditions is met: (1) it involves significant expenditure having regard to the Council's budget for the service or function in question (the financial test); or (b) it will have a significant effect on communities living or working in an area comprising two or more wards in the borough (the community impact test). Key decisions require 28 days' forward planning in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. In this instance

the grant amounts to more than 10% of the MSG 954 budget but just over 1% of the mainstream grants fund. It may be considered, however, that this is a large cultural event which will have a real (as opposed to insignificant) effect on people across the whole borough and may be considered to meet the community impact test.

- 4.7 The Council and the grantee must ensure that the grant is used solely for the purposes for which it is intended and in any event the sum granted must not include any sums in respect of profit for the grantee. If it can be shown that any sum included in the grant has led to a profit this amounts to either state aid or commercial activity. It should be noted that the audit for the 2013 Mela has not yet been concluded and consequently if the audit identified a significant weakness in the financial governance there is a risk that any sum awarded might not achieve most advantageous use. The proposal to implement a phased payment plan may mitigate the risk somewhat.
- 4.8 Paragraph 34 of the Code of Recommended Practice on Local Authority Publicity provides that during the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views on proposals in such a way that identifies them with any individual members or groups of members. Clearly an individual Mayoral Decision would identify with the Mayor seeking re-election in a few days' time and in those circumstances the Council should not issue any publicity about this decision other than the publication of the decision as required by law.
- 4.9 When deciding whether to make a grant to support the Mela, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. The Board considered that issue and accepted that since there had been no Equality Impact Assessment in the previously approved similar application, none was required in respect of this application..

APPENDICES:

1. Application Form: Boishaki Mela Community Trust
2. CLC Department Comments on above Application.
3. Minutes of 16 May 2014 Meeting of Corporate Third Sector Grants Programme Board
4. Chair of Board's Record of Recommendation

APPROVALS

1. Proposed decision recommended by the Corporate Grants Board Chair

I approve the proposed decision above for submission to the Mayor.

See Appendix 4

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed  Date 25/6/14

3. Monitoring Officer

I have produced the attached report.

For Key Decision only –

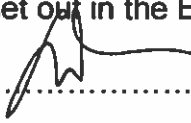
I confirm that this decision:-

- (a) has been published in advance on the Council's Forward Plan OR
- (b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed  Date 25/6/14

4. Mayor

I agree the decision proposed in paragraph 1 of the attached report for the reasons set out in the Executive summary.

Signed  Date 09/7/14



London Borough of Tower Hamlets

Mainstream Grant Commissioning 2012-15

Application Form

GENERAL INFORMATION

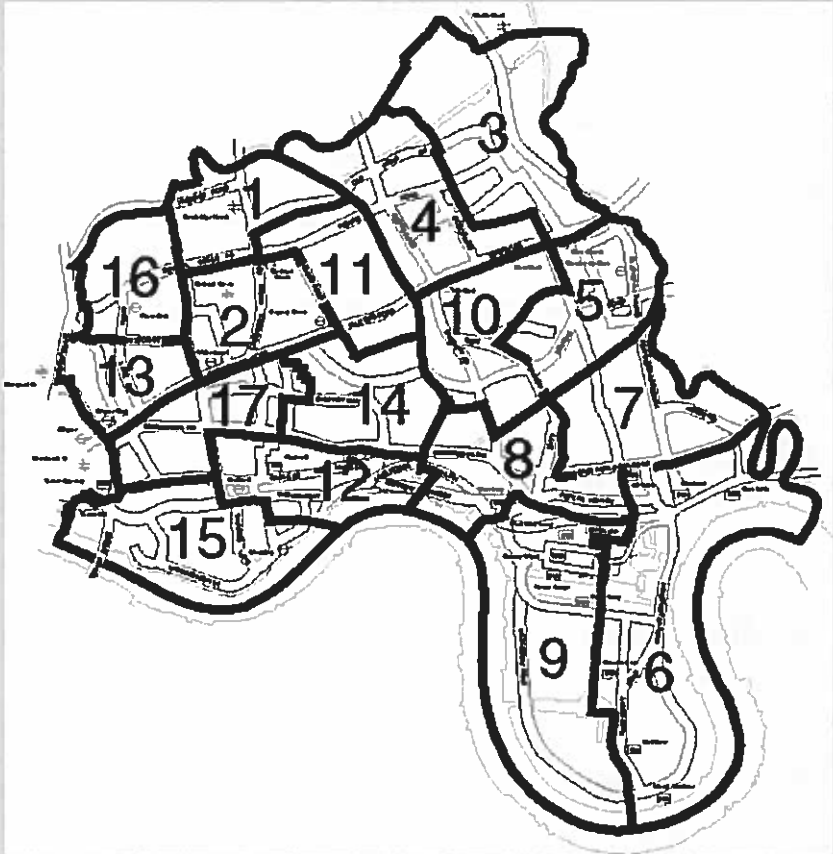
1	Organisation name:	Boishakhi Mela Community Trust
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2	Organisation address and postcode:	5 Old Montague Street, London E1 5NL	
	Phone number:	020 7377 5995	Website: www.boishakhimela.org

3 Geographical Area Based

Please tick the ward your organisation is based in. (See guidance note x for further information)

1	Bethnal Green North	<input type="checkbox"/>
2	Bethnal Green South	<input type="checkbox"/>
3	Bow East	<input type="checkbox"/>
4	Bow West	<input type="checkbox"/>
5	Bromley by Bow	<input type="checkbox"/>
6	Blackwall and Cubitt Town	<input type="checkbox"/>
7	East India and Lansbury	<input type="checkbox"/>
8	Limehouse	<input type="checkbox"/>
9	Millwall	<input type="checkbox"/>
10	Mile End East	<input type="checkbox"/>
11	Mile End and Globe Town	<input type="checkbox"/>
12	Shadwell	<input type="checkbox"/>
13	Spitalfields and Banglatown	<input checked="" type="checkbox"/>
14	St Dunstan's and Stepney Green	<input type="checkbox"/>
15	St Katherine's and Wapping	<input type="checkbox"/>
16	Weavers	<input type="checkbox"/>
17	Whitechapel	<input type="checkbox"/>
18	But of Borough	<input type="checkbox"/>



4 Legal Status
What is the legal status of the organisation?

1 None	<input type="checkbox"/>
2 Unregistered Organisation	<input type="checkbox"/>
3 Registered Charity	<input checked="" type="checkbox"/>
4 Company Limited by Guarantee	<input checked="" type="checkbox"/>
5 Other - <i>please specify</i>	<input type="text"/>

5 Charity Number (if applicable)

6 Company Registration Number (if applicable)

7 Governing Document(s)
(See guidance note 7 for further information)

The Memorandum and Articles of Association are attached. These were incorporated on 12th November 2009. The objects for which the company is established are:

- a) To advance the education of the public in Bengali arts and culture and in particular but not exclusively by holding an annual Boishakhi Mela where people can learn about and participate in the arts.
- b) To promote the physical and mental health of the public by conducting and promoting participation in sporting activities.

These objects remain the same and no changes are pending or planned at this time.

CONTACT DETAILS

8 Prefix (Mr, Mrs, Miss, Ms, etc)

9 First Name

10 Last Name

11 Job Title

12 Email address

ORGANISATION & ADMINISTRATIVE DETAILS

13 General Organisational Administration and Management

Please answer all of the following questions (See guidance note 13 for further information).

i	When was your organisation formally constituted or established?	12/11/2009
ii	Who are your organisation's primary target beneficiaries?	Tower Hamlets Residents
iii	How many people on your Management Committee/Board?	4
iv	How many of the Management Committee/Board are women?	1
v	How many of the Management Committee/Board are from BME communities?	4
vi	How many of the Management Committee/Board have a disability?	0
vii	How many members of the Committee/Board are Tower Hamlets residents?	3
viii	Does your organisation have a written Safeguarding Policy?	No
ix	Does your organisation have written financial systems and procedures?	Yes
x	Does your organisation have a bank or building society account?	Yes
xi	Does your organisation have a written fundraising strategy?	No
xii	Does your organisation have a written health and safety policy?	Yes
xiii	When was your organisation's equalities and diversity policy last approved?	January 2014
xiv	Does your organisation have a written volunteer induction and training programme?	Yes
xv	How many paid (FTE) members of staff are employed by your organisation?	3
xvi	How many (FTE) of the organisation's paid employees are Borough residents?	2

Your responses to the above may be subject to verification checks as part of the application assessment process

The primary objective with these questions is to help with the population of fields within GIFTS so that we have useful information about third sector orgs to be used for various purposes – for example funding opportunities for BME-led or Women-led organisations. Some of the information will also be used to assess eligibility

14 Compliance

What is the organisation's current position with regard to the filing of documents and the validity of information registered with the Charity Commission? (See guidance note 14 for further information)

We are up to date with the filing of all necessary reports and accounts.

We can confirm that the organisation is operating in strict accordance with its Constitution and the contacts and officers listed for the organisation are up to date and accurate.

Organisational Structure & Governance

15

Describe the trustee, management and staffing structure of the organisation together with the key strengths which enable it to effectively deliver its agreed aims and objectives (max 200 words). (See Guidance Note 15 for further information).

Our board of Directors are highly experienced professionals from across the public, private and voluntary sector. Their mixed professional experience means they are able to provide strategic project guidance and personnel support and have an array of experience, expertise, skills and knowledge in financial planning, project design delivery and management. They provide clear strategic guidance and support to enable us to plan and deliver the Boishakhi Mela.

The Board have extensive experience of working with councillors, chief and senior officers of public sector organisations and external agencies. They are able to demonstrate competence, engender confidence and trust as well as display an understanding of the issues at hand. The Board are able to understand the mechanics of all relationships, demonstrate an understanding of others needs and facilitate solutions that allow all parties to achieve our mutual aims.

On a day to day basis the project is be managed by the Festival Co-ordinator whose work is managed on a day to basis by the Chairperson. The Festival Co-ordinator reports directly to the Board of Directors, attending meetings to provide formal feedback on all aspects of financial and project management. All information, guidance and support to external contractors, other staff and volunteers is passed down from the Board through the Project Co-ordinator in order to ensure control and effective communication as part of project delivery and financial management.

PROJECT PROPOSAL

16 Funding Stream

Please indicate which funding stream you are applying to. (See guidance note 16 for further information)

- | | | |
|----|---|-------------------------------------|
| 1 | Arts, Sports and Environmental Services | <input checked="" type="checkbox"/> |
| 2 | Children and Families Services | <input type="checkbox"/> |
| 3 | Community Language Services | <input type="checkbox"/> |
| 4 | Community and Economic Engagement | <input type="checkbox"/> |
| 5 | Early Years Services | <input type="checkbox"/> |
| 6 | Lifelong Learning Services | <input type="checkbox"/> |
| 7 | Older People Lunch-club Services | <input type="checkbox"/> |
| 8 | Social Welfare Advice Services | <input type="checkbox"/> |
| 9 | Study Support Services | <input type="checkbox"/> |
| 10 | Third Sector Infrastructure Support | <input type="checkbox"/> |
| 11 | Youth and Connexions Services | <input type="checkbox"/> |

17 Consortium

Is your application being made on behalf of a consortium – please select

N

18 Project Name

What is the name of your Project?

19 Project Description

Please describe your project clarifying how it meets the detailed service specification – maximum 800 words (See guidance note 19 for further information)

- **Geographical and Beneficiary Targeting**

As a hugely popular cultural celebration, the Boishakhi Mela has grown enormously both in reputation and audience (2013 attracted an audience in the region of 100,000). As such this project will have a borough wide impact and engage diverse people from across all LAP areas.

- **Scope of Service**

In respect of the specification for the provision of arts and culture the project will enable increased participation in:

- celebratory events which celebrate diversity and improve community cohesion;
- art and cultural activity delivered through specialist facilities

This will:

- Promote Bangladeshi culture and its rich heritage through intercultural activities that will help establish better community harmony and togetherness. This is a key part of the ethos of One Tower Hamlets.
- Provide artistic independence to users to demonstrate their skills and artistic talent by enabling them to come up with ideas and suggestions that will inform elements of the performances on stage and the procession.
- Imbed cultural learning around schools through their involvement such that the yearly celebration of Boishakhi through the Mela in Tower Hamlets becomes part of the annual school involvement and/or curriculum offer.

- **Main Scope of Activities**

The main aspect of the activities for the Mela is the delivery of a range of dance, music and song performances on stage and a procession.

Main Stage

The main stage will focus on the delivery of performances of high profile UK and local performers as well as international artists co-designed in partnership with relevant local groups and individuals.

Community Stage

The community stage (2nd stage) will aim to showcase local and young talent, providing a platform for young people, community groups and talented new performers on stage. This will enable such performers profile an opportunity to showcase their talent.

The Procession

The procession has the increased participation and engagement of local people and the fostering of excellence in cultural activity and arts at its core. It will engage local artists, schools, youth and community groups and individuals to come together to ensure meaningful engagement and fun participation.

- **Delivery Plan**

The delivery of the Boishakhi Mela 2014 will be underpinned by an Event Management Plan and Crowd Management Plan that will underpinned by a risk assessment for all aspects of the Boishakhi Mela planning and delivery process. These will be developed by specialist contractors whom we will appoint via a robust procurement process.

- **Outputs**

The key outputs are the throughput of people at the Boishakhi Mela:

- We expect to engage in the region of 500 people to participate in the Procession
- There will be in the region of 19,500 people in the allocated Mela area of Victoria Park at any one time. The throughput of people throughout the day is expected to be in the region of 100,000.

- **when and where activities/services will be provided**

The Boishakhi Mela will take place on Sunday 22nd June 2014 at Victoria Park between the hours of 12pm to 8.00pm. The procession will begin earlier (at 11.00am) setting off from Museum Garden Field and traveling via Bethnal Green Road, Cambridge Heath Road, Old Ford Road and then reaching Victoria Park. The route is approximately 0.8 miles long and is expected to take 60 minutes to complete.

- **Partnerships**

We will identify and work with a range of community organisations, schools and other interested groups from across the borough to ensure the widest reach. We will ensure inward referrals by working with a range of partners including those that are prevalent in the local arts scene. The planning of the Mela itself will be undertaken with a Multi Partnership Advisory Group that will include the Local Authority, Police, Fire Brigade, London Ambulance Service, and Transport for London amongst others.

20 Project/Service Outcomes

Please tell us what outcomes you think your project or service will achieve – maximum 150 words
(See guidance note 20 for further information)

The Boishakhi Mela direct outcomes are as follows:

- o The Mela and Procession will form an integral part of the Council's festival and events programme.
- o A community engagement project that increase the involvement of young people in dance, music and performing arts.
- o The Boishakhi Mela develops a brand identity to make it financially viable and sustainable.

Further indirect outcomes include:

- o Improve life chances of participants by promoting volunteering and lifelong learning.
- o Enable participants in achieving better engagement and participation in the wider community.

21 Experience and Track Record

Provide details of the experience your organisation has in the development and delivery of projects similar to the one described in this application – maximum 1000 words- (See guidance note 21 for further information).

London Borough of Tower Hamlets have commissioned the Boishakhi Mela Community Trust Ltd (BMCT) to deliver the Boishakhi Mela. We are a (not for profit) Company Limited by Guarantee – 7074978 – and a Registered Charity No: 1143467. We promote the development and growth of this significant event of behalf of the Bangladeshi community in the UK as well as other arts, cultural and community events. BMCT successfully delivered the Boishakhi Mela 2012 and 2013.

The majority of our Board members have knowledge and awareness of how to manage and deliver projects in excess of £100,000. This includes our Chair who has a successful business and property portfolio and has previously been responsible for managing the Boishakhi Mela. We also have a successful property developer on our Board who has developed properties in excess of £100,000.

This Board includes business people and professionals who have a sound and detailed knowledge around financial forecasting and budgeting in complex arenas such as construction and property development as well as financial services. One of our board members has extensive experience in the field of administration and human resource management. This will enable them to provide ongoing advice and support around effective management and administrative systems to ensure tight controls on planning and delivery methodology. Furthermore, their expertise in the area of human resource management will ensure that we are able to develop appropriate recruitment methods to meet short term staff needs in planning and delivering the Boishakhi Mela. Furthermore, we have experts in the field of ethnic media and promotions who will be able to provide strategic advice and guidance to inform our PR and marketing campaign. They will ensure that they are able to utilise their extensive networks in the ethnic media industry to develop working relationships with a range of media contacts to meet the broadcasting and media relations work relevant to the Boishakhi Mela. Our Board includes long standing members of the community who have previously been involved in planning the Boishakhi Mela as well new members who have a vast array of cultural knowledge and expertise that will add new ideas and impetus to the Boishakhi Mela. This includes an expert in radio and TV programme presenting with a sound and up to date knowledge on various types of Bengali music, song and dance.

The Board have extensive experience of working with councillors, chief and senior officers of public sector organisations and external agencies. They are able to demonstrate competence, engender confidence and trust as well as display an understanding of the issues at hand. The Board are able to understand the mechanics of all relationships, demonstrate an understanding of others needs and facilitate solutions that allow all parties to achieve our mutual aims.

The chair possesses excellent communication skills and is confident communicating on an individual basis or in front of large audiences and is able to communicate effectively with individuals from all walks of life and has the ability to adapt his communication style to suit the target audience.

Our Board has a good gender balance within a broad age range group. They will provide clear strategic guidance and support to the delivery team and relevant partners.

Additionally, many of the board members of the Boishakhi Mela Community Trust Ltd are involved in other similar initiatives locally. For example, the Brick Lane Festival which was founded by Shiraj Haque (Chair and founder of the Boishakhi Mela Community Trust Ltd) began in 1996 and continued to 2002. Shiraj Haque developed the idea and concept and supported it both in his capacity as a business person in Brick Lane as well as generously funding the event. Shiraj Haque has a continued commitment to develop local business; therefore, the Boishakhi Mela from 2014 onwards will have a strong focus on enterprise support and activity (through the dedicated Enterprise Zone on the Boishakhi Mela site).

Likewise, we organised the Banglatown International Curry Festival which began in 2004 and continues to flourish and thrive. It is held every year in September, benefiting local businesses by the fact it attracts around 50,000 to Brick Lane and Allen Gardens. We have also undertaken the successful production of the UK's first 'jhatra' (opera) in 2007.

22 Quality Assurance Standards

Please set out details of the Quality Assurance standards that the organisation has in place that will support the effective delivery of the proposed project - maximum 300 words. (See guidance note 22 for further information).

The BMCT Board provides strong and effective leadership in respect of the delivery of the Boishakhi Mela. We have in previous years (and this year too) been had a rigorous independent audit commissioned by the local authority and undertaken by Deloitte. This has enabled us to hone and strengthen our governance, finance and accountability measures and ensured that our organisation is fit for purpose and compliant with Charities Commission requirements.

We have also applied for funding and support from the council (through the Community Chest fund) to further strengthen our organisational capacity and a number of core functions. This will augment the organisation and directly contribute to the creation of a more effective, efficient and productive service, which will directly benefit the communities that we serve. Namely this is:

Board Capacity Building

In focusing on organisational development, we will ensure that we achieve the following from this grant:

- o Enable the Board to develop strategic thinking and planning around governance, management, co-ordination and delivery.
- o Understand that effective partnerships between groups maximises efforts and facilitates innovation in service provision.
- o Understand the need for the Board to play a strong role in financial management, financial strategy, financial oversight and fundraising.
- o Developing policies and procedures to ensure robust governance and service delivery.

The training courses will sharpen our internal management skills. As part of this process, we will be looking at the following topics:

- o Public speaking, communication and presentation skills
- o Negotiating and influencing skills
- o Fundraising
- o Project Management
- o People management and team leadership
- o Understanding and implementing change

Business Plan and Fundraising Strategy

In these financially constrained times a business plan and fundraising strategy will help BMCT bid for new resources, better manage those available and produce better outcomes. This will help improve our ability to work corporately, pool resources, joint bid and produce outcomes that will benefit a wider section of the local community. It will help us to define our services, expansion plans and key areas of concern to our clients. We aim to use the business plan and fundraising strategy as the principle tool in formulating a sustainability strategy and developing strategic links with key stakeholders / partner agencies working in the borough. The business plan and fundraising strategy will clearly define how we move forward as an organisation over the next 5 years.

23 Project Management and Control

Please describe how you will ensure that the project is effectively managed and controlled - maximum 500 words. (See guidance note 23 for further information).

Overall project responsibility lies with the Festival Co-ordinator (under direction from the Chairperson of BMCT), ensuring the project is operational on time & runs efficiently & effectively. The project will be delivered and co-ordinated day-to-day by the Festival Co-ordinator. They will act as the lead person in the areas of:

- o First line of contact and communication with London Borough of Tower Hamlets in all areas of the Boishakhi Mela 2014 delivery, funding and contractual matters.
- o First line of contact in all areas of press and media queries as well as leading on writing and releasing all relevant press releases for and on behalf of the BMCT.
- o Work with the appointed contractors for the Boishakhi Mela 2014 and to be aware of the wider delivery of the Boishakhi Mela 2014.
- o Attending and organising meetings with BMCT, LBTH, Police and other relevant groups and stakeholders (including the Safety Advisory Group) in relation to the overall planning and management of the Boishakhi Mela Parade 2014.
- o Leading the development and management of the procurement of all relevant goods and services required in delivering the Boishakhi Mela 2014, providing clear direction, advice and support to the BMCT Board and relevant stakeholders.

The Festival Co-ordinator will be responsible for monitoring and reporting the spend of the project to the BMCT board on a regular basis. This in turn is inspected by the Board to ensure an organisational check is placed as far as budgetary controls are concerned. As with all funded projects, the BMCT Board will be the overall accountable body for the project delivery, financial spend and achievement of the outcomes of the project.

Monitoring outputs and outcomes and evaluation methodology:

- o Regular feedback from partners & interested customers and consumers through both informal and formal processes, will also allow BMCT to monitor the progress and make adjustments as necessary.
- o The Multi Partner Advisory Group will help to address any problems at an early stage and will be able to devise solutions or invite suggestions on how to rectify any problems highlighted.
- o All monitoring information will be evaluated every month against the project work plan and strategic outcome targets.
- o The project staff will receive monthly supervision sessions where they will discuss all aspects of the project as part of support and supervision.
- o An end of project evaluation meeting will take place where the beneficiaries will have an opportunity to give their views, comment on the draft evaluation report, address any specific problems experienced or what worked well. The beneficiaries will be able to give comments and ideas for the future.

24 Equalities and Diversity

Describe how the organisation (or partnership/consortium) will ensure that equalities and diversity issues are taken into account in the planning and delivery of the proposed project – maximum 200 words. (See guidance note 24 for further information).

BMCT have an Equal Opportunities Policy against which we measure our equalities practice. A part of our anti-discriminatory approach in delivering this service we will:

- Provide access to staff with bi-lingual language skills;
- Deliver services that are supportive of the cultural requirements of different groups and attuned to the needs of socio-economically excluded groups;
- Use premises that have been audited and adapted to ensure accessibility for disabled clients across all impairment groups;
- Ensure that all necessary steps are taken to overcome obstacles/barriers to specific groups accessing the service (whether that be geography, hours or use of aids and adaptations, etc) to positively promote equality;
- Provide a warm and welcoming environment, which makes all visitors, staff, volunteers and associates feel welcome and comfortable;
- Provide accessible and responsive services that ensure that individuals specific needs are met and their dignity is preserved and they are treated with respect; and
- Ensure confidentiality for individuals and be aware of cultural sensitivities and other issues that adversely impact upon specific groups (i.e. ethnicity, gender, disability, faith, sexuality, age, etc)

The project will be run in accordance with equalities principles. All individuals will be respected and valued. We will maintain a discrimination free environment and any breaches of our equal opportunities policies will be taken extremely seriously and acted upon.

We will ensure that both service delivery and employment is monitored by the 9 'protected characteristics, as defined in the Equality Act 2010.

25 Project Staff and Volunteers

Provide details of the staff and volunteers who will be involved in delivering the proposed project/services - maximum 600 words. (See guidance note 25 for further information).

The project will be led by a Festival Co-ordinator who will be involved in the lead in period to and including the day of the Mela project. They will develop the details of the project plan outlined in this bid and establish the communication and engagement methods to ensure the widest possible reach for the involvement of Tower Hamlets residents in the Boishakhi Mela 2014. They will have substantial experience and skills in programme and financial management and the expertise to develop, harness and sustain partnerships with a wide range of stakeholders as required for this project. The co-ordinator will manage and oversee the project as a whole:

- o First line of contact and communication with London Borough of Tower Hamlets in all areas of the Boishakhi Mela 2014 delivery, funding and contractual matters.
- o First line of contact in all areas of press and media queries as well as leading on writing and releasing all relevant press releases for and on behalf of the BMCT.
- o Work with the appointed contractors for the Boishakhi Mela 2014 and to be aware of the wider delivery of the Boishakhi Mela 2014.
- o Attending and organising meetings with BMCT, LBTH, Police and other relevant groups and stakeholders (including the Safety Advisory Group) in relation to the overall planning and management of the Boishakhi Mela Parade 2014.
- o Leading the development and management of the procurement of all relevant goods and services required in delivering the Boishakhi Mela 2014, providing clear direction, advice and support to the BMCT Board and relevant stakeholders.

The Outreach and Engagement Officer will carry out outreach and engagement activities that will ensure that a broad and diverse group of people are engaged and involved in Mela activities as well as consumers of the Mela itself. They will engage and work with a range of stakeholders that will help to shape and deliver the performances on stage and the procession ensuring that a wide range of the community are involved in the delivery of the procession. They will also engage with a number of local artists and ensure their involvement as volunteers, champions and facilitators for the Boishakhi Mela 2014.

We will also recruit an administrator and administrative assistant to oversee the substantial amount of administrative tasks as well as liaising with the public in respect of enquires in relation to general visitor enquires as well as participatory enquiries including for trading and performance.

The Festival Co-ordinator will oversee all aspect of project finance to maintain budgetary control. The BMCT Board will be the overall accountable body for the project delivery, financial spend and achievement of the outcomes of the project.

Our Trustees take an active role in becoming involved in our work. In this regard, we will seek their involvement in becoming involved in these activities as a matter of course. They will act as ambassadors and advocates for involvement in activity that promotes the wider objectives of the Boishakhi Mela 2014.

26 Project Finances

Clarify your project finances in relation to the completed Table B. (See guidance note 26 for further information).

The attached cashflow is the detailed budget for the project proposal (Table B). We require funding of £224,853 from LBTH for the Boishakhi Mela 2014. The remainder of the funding will be derived from other funding sources as identified in the cashflow.

The cashflow for the Boishakhi Mela 2014 has been developed on the basis that this is the only project that the organisation (BMCT) is delivering currently. Given the short term nature of the Boishakhi Mela planning and delivery, our cashflow is effectively for the period from March 2014 through to June 2014 and contains all expenditure that is required for the Boishakhi Mela 2014. Going forward, as BMCT gains funding and contracts for other work, this will be developed accordingly.

Costs for running the Boishakhi Mela 2014 are based on the costs of running the event at Victoria Park in 2014. Costs are then profiled accordingly based on sound inflationary costs (5%). A substantial cost of delivering the Mela is the infrastructure costs, most of which will be procured by virtue of an invitation to tender or through a process of gathering a minimum of 3 quotes to ensure VFM considerations are made (*Please see attached our Financial Policy and Procurement Policy*).

Start-up income is required in each year as there are fixed costs of running the event (namely staffing costs and premises licence application). In future years this will be factored and secured well before the event planning beginnings with the possibility that we will be able to draw monies from grants and charitable funding sources and secured by the end of December of the year before the event in June.

Staffing costs and office running costs have been assumed to run from March through to June 2014. Although the event will take place by 22nd June 2014, there will be a number of operational matters and event de-briefing and evaluation exercises that will take place post the Mela that will require staff support.

All other costs have been arrived at through independent advice, quotes from a range of suppliers and the expertise of the Boishakhi Mela Community Trust Ltd Board in managing and running the event in previous years.

Boishakhi Mela Community Trust

Financial Management Policy

January 2014

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1. Responsibilities of the Board and Staff

- a) The Memorandum and Articles of Association of the Boishakhi Mela Community Trust (BMCT) impose on the Board certain duties regarding accounts, audit and financial control.
- b) The Board is ultimately responsible for the financial control of the organisation and for financial reporting to relevant parties. This Financial Management Policy sets out the terms under which it delegates to its Chair, Treasurer and employees certain functions for which it is responsible.
- c) All members of the Board and staff are required to declare interests which might influence their judgement or which could be perceived to do so. Staff and trustees are required to abide by the Codes of Practices and other guidance by the charity commission.
- d) All members of the Board and staff have a responsibility to safeguard the resources of BMCT and to use them in an economical and effective way in furthering the work of BMCT. All staff have a responsibility to raise with the Board any concerns they have about the financial administration of BMCT.
- e) Where a person who fulfils a role referred to in this Financial Management Policy is absent, their immediate senior or a person on the same grade will take over their duties.
- f) Any change in the title of a post will not affect the responsibilities set out below.
- g) To date, the staff appointed by the BMCT to date are responsible only for the administrative and / or programme and event management aspects of the Boishakhi Mela 2014. To date, the BMCT has not appointed any staff who have a remit around the operation of our new Financial Management Policy. Therefore financial management will continue to be in the remit of the Board of BMCT.
- h) However, in the future, where we employ staff that will have this remit, we will either ensure that they have the suitable skills, qualifications and experience in the field as part of the recruitment process or provide training where relevant.

2. Maintenance of the Financial Management Policy

- a) This **Financial Management Policy** was reviewed approved by the Board at its meeting on 27 January 2014 and is updated from the previous Financial Management Policy agreed and approved January 2013.
- b) This Financial Management Policy sets out the BMCT's financial matters and will be reviewed annually by the Board. Staff or board members may also request changes at other times should the need arise. The Board will need to review this Financial Management Policy should we appoint staff who have a remit around the operation of this Financial Management Policy.

- c) This Financial Management Policy sets out the entire financial procedures of the BMCT, which needs to be followed by relevant members of the board or staff in relation to financial matters. Any changes to the procedures contained within this Financial Management Policy need to be agreed and approved by the Board.

3. Maintenance of Records and Financial Control

- a) A nominated member of the Board of BMCT will hold the position of **Treasurer** for BMCT. They will be responsible and accountable for maintaining proper accounting records for BMCT. These must be adequate for BMCT to fulfil its statutory responsibilities, to meet the requirements of its Memorandum and Articles of Association and to enable its annual accounts to show a true and fair view of the state of the company's affairs.
- b) The Treasurer will ensure that there are internal controls appropriate to the size and nature of business of BMCT. These will include segregation of duties wherever possible.
- c) The Treasurer will ensure that where donors have placed restrictions on the use of any funds that appropriate records are kept to comply with these restrictions.
- d) Any member of staff, volunteer or board member who is assigned responsibility for the management and / or delivery of a project will need to ensure that the grant award or contracts are in place and forward copies of relevant documents to the Treasurer for approval and information.
- e) The Chair of the Board will undertake some duties for elements of this Financial Management Policy and assume responsibility for the duties of the Treasurer in their absence and deputise for them.

4. Security of Financial Information

- a) The Chair will be responsible for ensuring that the physical security of the premises and its contents is kept at an appropriate level.
- b) The Treasurer will be responsible for ensuring that all financial information is kept at an appropriate level of security.
- c) Records held on paper must be appropriately filed. Reasonable care must be taken both in and out of the office to ensure that all records are retained undamaged for the statutory time periods.
- d) The Chair will ensure that BMCT complies with the 1998 Data Protection Act.

5. Annual Accounts

- a) The Treasurer will be responsible for preparing or arranging the preparation of the annual accounts. The annual accounts will comply with all relevant legislation, with the Charity Commission's Statement of Recommended Practice 2005 (as amended) and will follow best practice.
- b) Draft accounts will be submitted to the Board for approval at a meeting no more than 6 months after the year end. Approved accounts will be circulated at least three weeks before the Annual General Meeting of BMCT to members and others as required by statute and by the Memorandum and Articles of Association.
- c) The Company Secretary is responsible for ensuring that annual returns are submitted to Companies House and to the Charity Commission.

6. Audit

- a) The appointment of auditors will be reviewed annually by the Finance Sub-Committee. If the performance and fees of the auditors are considered to be satisfactory the Board will be invited to recommend their reappointment to the Annual General Meeting.
- b) Once every five years the Finance Sub-Committee will invite at least three suitably qualified firms to tender for the audit. A firm will be selected for appointment on the basis of price and quality.
- c) The Board will be invited to recommend to the Annual General Meeting that the selection and appointment of the auditors be delegated to the Finance Sub-Committee.
- d) The auditors will be requested to produce a Management Letter following completion of the audit. This will highlight any areas of weakness in financial control and accounting systems. The letter will be submitted to the Board together with the Treasurers' report on how the areas of weakness are to be dealt with.

7. Budgetary Control

- a) The Treasurer, in consultation with any relevant members of staff, will prepare an annual budget of income and expenditure. The budget will be for the unrestricted elements of the organisation only.
- b) The budget will be submitted to the Board for approval on or before 31 March each year.

- c) The Treasurer will produce a report detailing the actual plus forecast spend compared to the budgeted spend for the year for each board meeting. The Board will be invited to approve the report after sufficient discussion to leave them satisfied as to the robustness of the report.
- d) Approval by the Board of the budget gives the authority to incur any expenditure contained within it, subject to any prior approvals that may be needed (see Section 12 on Authorisation of Expenditure).
- e) Any budget amendments over £5,000 which do not have an impact on the overall budget position for the organisation will be reported to the Finance Sub-Committee. Any amendments regardless of the sum which result in a movement to an overall deficit position for the organisation will be reported to the Board.
- f) Some members of staff may be appointed as Budget Holders for parts of the budget. A list of Budget Holders will be produced annually and updated throughout the year as required. Budget authority will only be delegated to staff at manager level but with the Treasurer remaining ultimately responsible for the budgets held by staff members.
- g) Budget Holders will be responsible for monitoring spend against their budgets using information supplied by the Treasurer. Budget Holders' powers to authorise expenditure within their budgets are set out in section 12 of this Financial Policy. These powers are subject to the right of the Finance Sub-Committee to override a decision where the needs of the whole organisation dictate.
- h) The Budget Holder(s) is responsible for monitoring actual income and expenditure in comparison with the budget and for ensuring that appropriate action is taken where actual performance is not as forecast.
- i) The Treasurer will be responsible for the preparation of quarterly financial reports. These will be prepared within 2 weeks of the quarter end. The reports will compare actual against budgeted performance for the unrestricted funds and for individual projects. All significant variances from budget will be explained.
- j) All project budgets will be monitored and any potential under/over spends will be reported to the Finance Sub-Committee and then to the whole Board.
- k) Potential project overspends greater than £1,000 will be reported to the Finance Sub-Committee in order that action might be taken to mitigate the over spend.
- l) Any unmitigated project over spend will be reported firstly to the Finance Sub-Committee and then to the whole Board.

8. Maintenance of Bank Accounts

- a) The Treasurer will recommend to the Board that BMCT opens such bank accounts as they consider necessary to comply with the organisation's investment policy (see section 15).

- b) The BMCT will not open any accounts or use overdraft facilities or invest speculatively unless authorised and approved by the Board.
- c) All bank accounts are to be reconciled to the bank records on a monthly basis.
- d) The Chair and Treasurer will be responsible for the safe custody of cheques and any passwords associated with bank accounts.
- e) The Chair and Treasurer, other members of the board and relevant Officers (if appointed) will be the signatories on the bank mandate.
- f) The bank mandate listing the board members who can sign cheques on the organisation's behalf will always be authorised and approved by the Board as will all changes to it.
- g) All cheques must be signed by two authorised signatories. Cheques for £5,000 or more, with the exception of Inland Revenue or VAT payments, must be authorised for signature by the Finance Sub-Committee.
- h) Cheques must not be signed by the person to whom they are made payable. Blank cheques must not be signed under any circumstances.
- i) The relevant payee's name will always be inscribed on the cheque before signature and the cheque stub will always be filled in.
- j) Whenever possible, the same person should not be responsible for ordering, processing and checking invoices as well as raising cheque requisitions, signing cheques and payments.
- k) The relevant payee's name will always be inscribed on the cheque before signature; the cheque stub will always be filled in.
- l) Any instructions to the bank to make payments by direct debit, standing order or BACS must be signed in accordance with the rules governing cheque signatories.
- m) Salaries, PAYE, NIC and VAT will be paid by cheque and must be signed in accordance with the rules governing cheque signatories.
- n) Documents authorising transfers between accounts must be signed by two cheque signatories. Such transfers must be reported to the Finance Sub-Committee.
- o) Business debit or credit cards will not be used and if issued by the bank will be immediately destroyed.

9. Authorisation of Funding

- a) All funding proposals for up to £5,000 must be discussed with the Chair. The formal approval of the Chair must be obtained before the submission is made.
- b) All funding proposals for more than £5,000 but less than £50,000 must be discussed with the Finance Sub-Committee. The formal approval of the Finance Sub-Committee must be obtained before the submission is made or in urgent situations the approval of the Chair, who will provide full details to the next Finance Sub-Committee.
- c) All funding proposals for more than £50,000 must be discussed with the Board. The formal approval of the Board must be obtained before the submission is made.
- d) The Treasurer is responsible for ensuring that any periodic payments for funding arrangements are received as set down in the funding agreement.

10. Authorisation of Income

- a) The aim is to demonstrate that BMCT has received all the income to which it is entitled and that it is all reasonably evidenced.
- b) All monies received will be recorded promptly in the relevant recording and / or filing system and banked without delay. BMCT will maintain files of documentation i.e. letters from funding bodies to back this up.
- c) All cash received will be acknowledged immediately upon receipt.
- d) All cash and cheques will be banked as soon as possible on receipt or otherwise kept in the safe.
- e) All cash received will be banked and kept separately from the petty cash.
- f) All receipts will be recorded on bank deposit sheets with the related documentation attached.
- g) Summaries of banking sheets will be entered in both electronic and manual recording systems on a monthly basis.
- h) Receipt of payments via BACS will be verified as part of the monthly reconciliation process using relevant documentation that confirms transaction amount and details.

11. Authorisation of Expenditure

- a) Written orders will be issued for all work, goods or services to be supplied to the organisation except for supplies of public utility services, for periodical payments such as rent or rates or such other exceptions as the Board approves.
- b) Orders will be placed in accordance with BMCT Procurement Policy.
- c) Orders will be signed by an authorised person as follows:

Approval of expenditure:

Value of order	Authorised by
£0 - £499.99	Chair or Treasurer
£500.00 - £4,999.99	Finance Sub-Committee
£5,000 and over	Board

- d) Any budget amendments over £5,000 which do not have an impact on the overall budget position will be reported to the Chair. Any amendments regardless of the sum which result in a movement to an overall deficit position for the organisation will be reported to the Board.
- e) All payments will be supported by an original invoice (never against a supplier's statement or final demand). The person who signs the cheque should ensure that the following information is added onto the original invoice:
 - i. Cheque number;
 - ii. Date cheque drawn;
 - iii. Amount of cheque;
 - iv. Payee name;
 - v. Who signed the cheque.
- f) The only exceptions to cheques not being supported by an original invoice would be for such items as advanced booking fees for a future course, VAT, etc. Here a cheque requisition form will be used and a photocopy of the cheque kept.
- g) All payments of staff personal expenses will be authorised by either the budget holder or the line manager of the member of staff. Payments of expenses to any member of the Board (including the Chair) must be authorised by the Board.
- h) No one shall authorise a payment of expenses to themselves.
- i) All entries on the accounting system, except bad debt write offs, made on the accounting system must be authorised by the Treasurer or a member of the Finance Sub-Committee.

- j) Any entries on the accounting system which have the effect of writing off debts to BMCT must be authorised by the Treasurer if over £1,000 and reported to the Finance Sub-Committee. The board will receive an annual report of any debts written off.
- k) The issuing of sales credit notes will be authorised in accordance with the following table except where it relates to the credit and reissue of an incorrect invoice:

Value of Credit Note	Authorised by	Reported to
£0 - £499.99	Chair or Treasurer	Finance Sub-Committee
£500 and over	Finance Sub-Committee	Board

12. Petty Cash

- a) The Treasurer will be responsible for maintaining an adequate petty cash system. The float will not normally exceed £300.
- b) BMCT will, if asked, reimburse expenditure paid for personally by staff, providing:
 - i. Fares are evidenced by tickets (where possible).
 - ii. Other expenditure is evidenced by original receipts.
- c) A petty cash voucher must be completed for each payment and vouchers should be accompanied by evidence of payment wherever possible.
- d) All petty cash vouchers must be signed by the Treasurer. The petty cash should be reconciled at least on a monthly basis and this must be signed off by the Treasurer.
- e) When the petty cash float is more or less expended, a cheque will be drawn for the sufficient sum bringing up the float to the agreed sum (currently agreed at £300.00), the cheque being supported by a complete set of expenditure vouchers and when possible receipts, totalling the amount spent.
- f) Petty cash should not be drawn in advance in normal circumstances.
- g) The petty cash box will be kept in a locked safe at all times.

13. Staffing and Salary Levels

- a) The Board must approve the establishment and deletion of all salary grades.
- b) The Board must approve the promotion to a higher grade of a member of staff.
- c) The Board must approve any annual cost of living increase in salary levels.

- d) The Treasurer will ensure that all salaries, wages and other emoluments to all employees of BMCT are paid in accordance with statutory requirements and any policies adopted by BMCT.
- e) The Chair or Treasurer will authorise any expenses advances to employees should the need arise. This must be reported to the Finance Sub-Committee.
- f) The creation of new staff posts that fall outside the annual budget or individual project budgets must be agreed by the Board.
- g) The deletion or freezing of staff posts must be agreed by the Board.
- h) The appointment of all staff, use of suppliers including any overseas artists will be in accordance with UK employment and immigration legislation and regulations.

14. Insurances

- a) The Treasurer will be responsible for maintaining adequate insurance cover for all the organisation's activities including but not limited to:
 - i. employer's liability (including cover for volunteers);
 - ii. public liability;
 - iii. office contents insurance including cover for any rented items if required by the rental agreement and landlords' fixtures and fittings if required by any lease;
 - iv. legal expenses;
 - v. professional indemnity.
- b) The appropriateness, scope and level of insurances and excesses should be kept under continual review. The Board will approve the level of insurance cover annually.
- c) A schedule of insurance policies and cover should be kept and updated each time a new agreement is entered into.
- d) Any procedures for ensuring compliance with insurance policies will be formally documented and updated as and when necessary.

15. Fixed Assets

- a) The Treasurer will be responsible for the maintenance of a fixed assets register. This will record the details of each asset owned by BMCT.
- b) The Treasurer will ensure that all equipment is adequately maintained and safeguarded.

- c) All Board members, staff and volunteers will be responsible for ensuring that they adhere to the security and personal safety procedures.
- d) The responsibilities of Board members, staff and volunteers with respect to the safety of premises and equipment will be set out in a health and safety policy.

16. Investment Policy

- a) The Finance Sub-Committee will be responsible for ensuring that BMCT maximises income from any funds and minimises interest charges.
- b) The Finance Sub-Committee will identify future cash flows and plan the movement of funds accordingly.
- c) Any investments made will be in accordance with the powers set out in the Memorandum and Articles of Association and within any ethical constraints set by the Board.
- d) The Treasurer will report annually on the bank accounts and other investments held by BMCT and the income earned from those accounts and investments.

17. Risk management

- a) The Treasurer will be responsible for maintaining a risk register. This will record the major risks faced by BMCT and each will be scored according to probability of occurrence and severity of impact. The control measures taken in respect of each risk will also be recorded.
- b) The risk register will be reviewed by the Board every year.

Boishakhi Mela Community Trust

Procurement Policy

January 2014

Contents

1. Purpose of the Policy
2. Main Principles
3. Roles and Responsibilities
4. Legal Obligations
5. Supplier Relationships
6. Procurement Processes
7. Corporate Social Responsibility (CSR)
8. Rental / Purchase of Assets

1. PURPOSE OF THE POLICY

- a) The purpose of this Policy is to set out guidelines for the Boishakhi Mela Community Trust (BMCT) Board and staff that are engaged in procurement activity, in order to ensure compliance with varying legal requirements whilst allowing the BMCT to meet its objectives.
- b) The BMCT is bound by the legal and regulatory framework as directed by the Charity Commission, and has subsequently developed this Procurement Policy which governs all of BMCT's procurement activity.

2. MAIN PRINCIPLES

a) Definition of Procurement

The term "Procurement" refers to the process by which goods services and works are acquired from third parties. This is a lifecycle process that covers from the initial purchase concept through to the end of the life of the purchased asset or service.

b) Value for Money

In procuring goods, services or works, all staff and board members are responsible and accountable for achieving value for money (VfM). In addition, all staff and board members are urged to seek continuous improvements in value for money. This includes considering opportunities for barter and trade offs with those partner organisations that work closely with BMCT, including sponsors.

c) Commitment to Competition

VfM is best achieved by competition. Competition promotes economy, efficiency and effectiveness in public expenditure and contributes to the competitiveness of suppliers.

3. ROLES AND RESPONSIBILITIES

- a) All BMCT board members and staff are responsible for ensuring that procurement activity is carried out in accordance with this Procurement Policy. The BMCT board will engage all BMCT staff to fully establish their needs and deliver effective procurement solutions, working with them at an early stage to drive down costs and improve quality in the goods and services to be procured.

4. LEGAL OBLIGATIONS

- a) BMCT must comply with all of its legal obligations. The legal framework for procurement includes:
 - i. EU and other international obligations, as implemented in UK legislation or by virtue of direct effect, e.g. discrimination on grounds of nationality, restrictions of free movement of goods and services, equal treatment, transparency and competitive procurement;

- ii. Specific domestic legislation, e.g. on immigration, corrupt gifts or unfair contract terms;
- iii. Contract and commercial law in general; and
- iv. Domestic case law - BMCT will ensure compliance with all legal requirements relating to procurement activity, and will refer any legal issues to BMCT legal advisors.

5. SUPPLIER RELATIONSHIPS

- a) All Suppliers will be dealt with equally, with integrity, fairness, and courtesy and in a professional manner. Relationships with suppliers should be constructive, but built on a competitive approach that will lead to cost savings and better quality.
- b) All procurement undertaken and approved by the Trust Board automatically gets put on our preferred supplier list.

6. PROCUREMENT PROCESSES

a) Tendering Process

Any goods and services to be procured by BMCT will be undertaken either by virtue of an invitation to tender or through a process of gathering a minimum of 3 quotes to ensure VfM considerations are made.

b) Evaluation Criteria

The evaluation criteria for a procurement activity should be agreed by the Finance Sub-Committee prior to the issue of tender or quotation documents. Any criteria that is mandatory or has a minimum standard should be clearly identified.

c) Procurement Procedures

Following submission of proposal the BMCT will consider all the proposals at the Finance Sub-Committee who will make recommendations to Board who will consider the proposals prior to settling any contract. Consideration will be given to resources, experience and expertise of the contractor/consultant, their compliance with Health & Safety standards, other BMCT policies.

d) Contracts and Purchase Orders

All Suppliers of goods and services will be covered by an appropriate contract, purchase order or agreement (reflecting value and level of risk to BMCT). A formal contract should be agreed with all suppliers regardless of cost and / or duration of the agreement.

All purchase orders/contracts regardless of cost and / or duration of the agreement require prior board approval. The duration of any procured contract on behalf of BMCT will be determined in accordance with the work required. The Chair or Treasurer should sign the contract.

e) BMCT Terms and Conditions

The BMCT's Terms and Conditions for the procurement of services will form the basis of any contract entered into with suppliers unless otherwise agreed in

writing. Any amendments to the BMCT standard terms and conditions must be agreed in writing by the Board.

Any proposed variation to a contract must be authorised by the Board and the contract will be amended and signed by the Chair or Treasurer.

f) Authorisation and approval of Expenditure

The authorisation and approval of expenditure for the award of contracts and/or purchase orders will be governed by the relevant sections on the BMCT Financial Management Policy.

7. CORPORATE SOCIAL RESPONSIBILITIES (CSR)

a) Local Procurement

Empowering the local community and promoting local enterprises is the dominant CSR policy of BMCT, which is followed in all procurement processes in preferring local enterprises in all its dealings. In the event suitable contractor/consultant is not found, then proposals would be accepted from contractors/consultant outside the community. Procurement has a very strong role to play in CSR of the organisation especially in relation to the way in which the BMCT treats its contractors/consultant (and the way in which they treat their sub-contractors). Furthermore, as a non-profit company, BMCT will be participating extensively in community and social activities and will thus be implementing its CSR objectives as far as possible.

b) Environmental Procurement

Environmental procurement leads to the embedding of environmental considerations into routine procurement decisions, the delivery of better value for money (e.g. through buying energy-efficient products), an improved organisational environment and improved reputation.

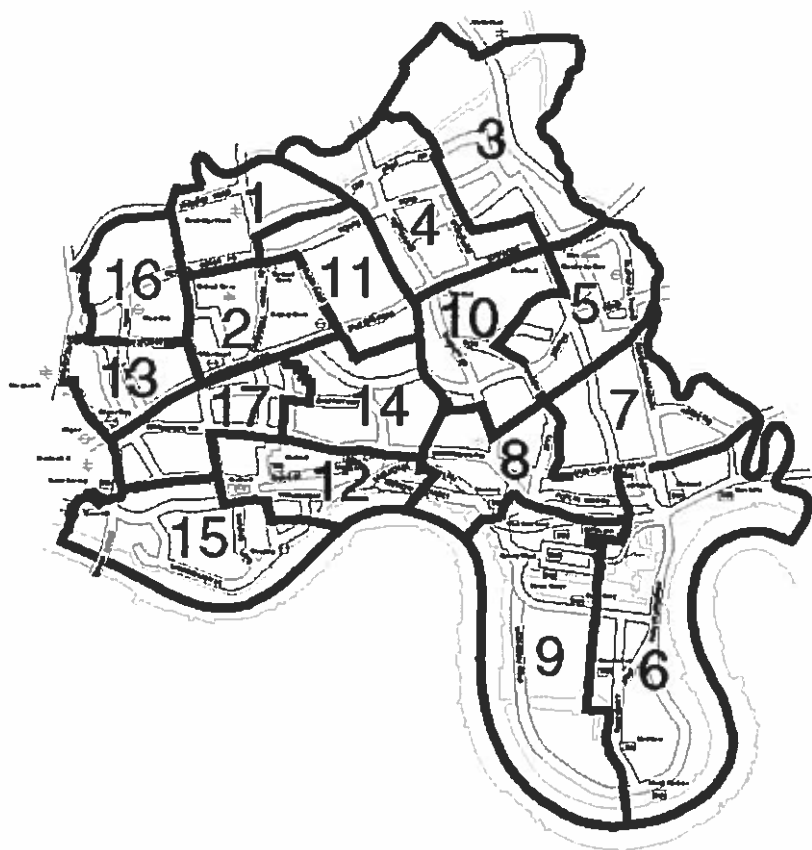
c) Social Issues

Social issues should be taken into account wherever possible. There will be cases where social issues can legitimately be applied – contracts for services, for example, are much more likely to have a social aspect than supply contracts.

Consideration of social issues is crucial where the BMCT has obligations of a social nature, for example under the Race Relations Amendment Act / Equality and Human Rights Act.

8. RENTAL / PURCHASE OF ASSETS

- a) The policy would be applicable to renting spaces for offices and events. The Chair or Treasurer would look at the market rate, location and accessibility, nature of the office (serviced or non-serviced) prior to settling on any tenancy or purchase agreement. This would also take into value for money in respect of such rents especially where short term lets for office space is concerned.



Boishakhi Mela Income 2014 - 2016				
Sponsors	2014 £	2015 £	2016 £	
Sponsorship	105,000	115,500	127,050	
Traders - Stalls	50,000	55,000	60,500	
Funfair	4,000	4,400	4,840	
Total Sponsorship and Other Income	159,000	174,900	192,390	
MSG Funding Income	224,853	218,899	212,923	
TOTAL	383,853	393,799	405,313	

Comments on MSG Application 2014 Boishakhi Mela from Communities, Localities and Culture

Background

Established in 1998 the Mela was administered by a community trust from 2001 - 2007. In 2008 the trust was in difficulty and the Council organised the Mela from 2009 to 2011. In 2011 the Council returned the Mela to community management. This decision has given a successor organisation the right to manage the Mela for a period of nine years subject to reviews at year one, three and six by an independent panel. Completion of the 2014 Mela will trigger the second panel review.

A key aspect of the commission was that the financial support from the Council would taper off over a period of years. This is referenced in both of the Mela funding agreements in 2012 and 2013. In the first year the core grant was up to £150,000 along with a one off payment of £30k (section 106 monies) to support the parade element. In 2013 the grant was up to £170,000, which was in part informed by the moving of the event from Weavers Fields to Victoria Park and associated costs this would incur. In this current application the Trust are requesting a sum of £224,000 and this increasing level of Council subsidy does not fit the original intention of reducing the Council contribution over the period of the concession. There is no evidence that the Mela has grown substantially over the period indicating that the business plan associated with the event is not performing as was hoped. The period covering the last two years coincides with the post credit crunch period and would have made sponsorship harder to attract. However, the Council faces significant financial challenges of its own over the next four years and it may not be in a position to sustain the Mela Trust if its business performance does not improve substantially.

Cultural offer

CLC has been invited, and is only qualified to provide comments on the application on the merits of the event as a cultural activity in the borough and from a cultural services events management perspective.

It is difficult to give any considered evaluation of the programme as there is a lack of detail within the application. It makes reference to music, dance and a parade within the context of Bangladeshi Culture and states that this includes a combination of international and UK based artists. It makes reference to intercultural activity but is unclear as to what this might entail.

It implies that there will be outreach work with schools but fails to state clearly what the offer is, how many schools would be engaged and how many workshops would take place. Cultural Services are unable to pass any judgement with regard to value for money on the information provided in the application.

Similarly with the community stage and youth showcase the lack of detail makes it difficult to judge the actual offer, numbers engaged etc.

The details of the parade indicate participation of 500 people but does not detail what structures and associated construction workshops or commissioned pieces would be

linked to this which would justify the £30k spend in the budget and give a clear picture of the cultural focus and impact of this element of the event.

Overall this element of the application is weak and lacking in the detail required to enable a proper assessment of what is being offered.

There is no doubt that the event has proved to be very popular in the past with good attendances even when the weather has been poor. However the popularity of the event does not in itself inform the quality of the cultural content or ensure its relevance to the objectives of One Tower Hamlets. Neither does it demonstrate in itself that it offers value for money. Any decision to fund the Mela by the Board will need to balance:

- the lack of clarity contained in the Mela MSG application and associated risks,
- the fact that the Trust is year on year asking for a larger Council Subsidy rather than a smaller one as required in the two previous funding agreements
- the previous track record of the provider and
- the iconic nature of this event.

Budget

An overall budget of £383,853 for Mela 2014 is projected. As stated above it is not possible to comment on the programme element of the budgets without more detail of what is being purchased and delivered. The production and security costs are broadly in keeping with previous years providing it's the same set up i.e. two stages and the same site lay out. Specific items which would benefit from more scrutiny and consideration would include:

- **Trading.** The income from stalls and concession is indicated at £50,000. The spend against this including refrigeration, catering equipment, water supplies, stalls management and staff comes to £28,380. This seems high against income generated, in particular stalls management and staffing at £10,500.
- **Guest and staff catering** at £7,500 seems high for a one day event with fairly short set up time.
- **Parade.** Costs of £30,000 seem high overall and there is a lack of detail making further analysis impossible.
- **Artists** £108,000. This is an area that is difficult to evaluate, particularly with regard to international artist fees. However it is also an area of expenditure that is easiest to bring down as opposed to necessary infrastructure and security. As a free event the draw of the artistic line up will not affect the income earned in any significant way and it then becomes a qualitative issue around the profile of artists.
- **Office running costs** of £8,000 appear high given that rent and rates are shown separately at £3,000 plus admin staff at £9,966. The application states this is on the assumption of office running for four months from March.
- **Staffing costs** £68,463. There is a lack of detail about some individual roles and period of working that make this difficult to judge in value for money terms.

Audit Requirements

It is best practice to ensure that the Mela Trust accounts be independently audited each year to (a) ensure that the Trust is maintaining proper standards of financial management (b) to inform the Council's decisions at the review points of the Agreement referred to above.

(c) subject to Audit completion to inform any decision associated with any further MSG applications for the Mela. The Corporate Director for Resources organises such an Audit following the delivery of each Mela. This is managed by the Council's Audit Team.

CLC has been informed that the Audit for the 2013 Mela has not yet been concluded. If the audit inspection identified significant weaknesses in the financial governance then there is a risk that any grant award that the Board may be minded to make might have to be withdrawn or suspended. Any sum paid with immediate effect may be difficult or impossible to recover under such circumstances.

Other Key Risks

The other key risks to flag up at this stage, given the event is due to take place on 22nd June 2014, are:

- Failure of the organisers to secure all the necessary infrastructure.
- Failure of the organisers to contract key personnel such as site managers, Health and Safety Officers, stewarding company in sufficient time or in sufficient numbers.
- Failure to secure artists from overseas. Key risk here being necessary visas and work permits.
- Failure of the organisers to produce a robust event plan and demonstrate that everything is in place to deliver it.
- Weak Business Plan. Failure to make income targets which would then impact on the ability to put on a safe and good quality event. Also could result in unpaid suppliers which may have a reputational impact on council as key supporter of the event.

The dilemma for the Board will be that some of the above specific to infrastructure and contracts would be at greater risk of failure if the Board decides not to fund the Mela. However, funding it doesn't guarantee that the Trust would not fail in these areas anyway. In the absence of sufficient detail within the application the Board can only draw on the organisers previous track record of delivery and advice from the Third Sector Team and the Council's Audit team. It will be for the Board to decide if this provides sufficient comfort to overcome the deficiencies in the application and the associated financial risks. In the light of this the Board may wish to consider staged payments of some kind based on outstanding risks or required clarifications being adequately addressed in a timely fashion by the Applicant and the outcome of the current external audit.

Multi Agency planning meetings have been taking place for some time for this event. As we are now very close to the event day the key agencies, including the Police and relevant Council services, will be looking to see clear evidence on key elements of delivery being in place. This includes the contracting of key personnel with the relevant skills and experience which has yet to be fully demonstrated. If these assurances cannot be provided by the Trust then there would be objections raised which could prevent the event taking place on Council land.

Points to Note

The Tower Hamlets Mela is the largest celebration of the Bengali New Year outside of Bangladesh. It is therefore of importance to the whole region as well as the local community. Properly managed it also provides an opportunity to promote the Borough positively and the ethos behind 'One Tower Hamlets'. It benefits community cohesion by bringing a wide range of communities together in a unique celebration of traditional and modern Bangladeshi culture embracing music, food, spectacle and wider aspects of Bangladeshi culture.

With any event of this nature a licence is required and the organisers have successfully been granted a licence for the 2014 Mela.

LONDON BOROUGH OF TOWER HAMLETS

**MINUTES OF THE CORPORATE THIRD SECTOR GRANTS PROGRAMME
BOARD**

HELD AT 10.15 A.M. ON FRIDAY, 16 MAY 2014

TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON E14 2BG

Members Present:

Councillor Md. Maium Miah (Chair)	(Advisor to the Mayor and Cabinet on Third Sector and Community Engagement)
Councillor Alibor Choudhury Shazia Hussain	(Cabinet Member for Resources) (Service Head Culture, Learning and Leisure, Communities Localities & Culture)
Barbara Disney (Substitute for Deborah Cohen)	(Service Manager, Strategic Commissioning, Adults Health & Wellbeing)
Graham White	(Interim Head of Legal Operations)

Other Councillors Present:

Officers Present:

Everett Haughton	– (Third Sector Programmes Manager, Third Sector Team, Development and Renewal)
Robert Mee	– (Programme Analysis and Review Officer)
Stephen Murray	– (Head of Arts and Events, Communities Localities & Culture)
Matthew Mannion	– (Committee Services Manager, Democratic Services, LPG)

Others In Attendance

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Deborah Cohen for whom Barbara Disney was substituting.

2. DECLARATIONS

Councillor Md. Maium Miah reported that he shopped at Cliftons which was his local superstore but he did not consider this to be a Pecuniary Interest in relation to Item 5.1 (Boishakhi Mela).

3. REVIEW OF NOTES OF PREVIOUS MEETING(S)

Subject to minor amendments to titles and the attendance list order, the minutes of the last meeting were agreed as an accurate record.

4. REVIEW OF OUTSTANDING/DEFERRED ACTIONS FROM PREVIOUS CGPB MEETINGS

4.1 Matters Arising

In response to questions regarding Item 4.4 (Mayor's Community Events Fund – Round 6), Everett Haughton (Third Sector Programme Manager) reported that the draft Mayoral Decision Proforma was awaiting final legal clearance and confirmation as to whether the decisions were 'Key Decisions' or not.

Councillor Alibor Choudhury requested it be noted that the Board were concerned it had taken nearly five weeks to address these issues and asked that they be concluded as soon as possible.

5. REPORTS FOR CONSIDERATION

5.1 MSG Application - Boishakhi Mela

Stephen Murray, Head of Arts and Events, introduced the report. He provided a short background on the Boishakhi Mela and then explained that he had been asked to look at the 2014 application from a cultural point of view and that his findings were outlined in the attached report. In particular he highlighted the lack of detail in many areas made it difficult to come to firm conclusions about the cultural offer and the related value for money of the Mela but that equally he had only written the report based on the application and not on any evidence from previous events.

The Board then discussed the application, they noted a number of points including that:

- The Mela was seen as a significant, successful and well attended event.
- Deloitte carried out a yearly audit of the financial performance of the Mela and were shortly due to report on the 2013 event.

- There had been a previous decision that funding for the Mela should be gradually reduced to encourage it to seek alternative funding sources.
- The risk to the Mela Trust should funding suddenly be removed.

The Board also noted that the report was set out in a different way to many Grants reports and without a specific recommendation. It was therefore for the Board to determine it had all necessary information and to come to its own recommendation.

Graham White, Interim Head of Legal Operations, reminded the Board of the principles of conducting business as usual during the pre-election period and the Code of Conduct for Pre-election Publicity. In particular that:

- The Board had to be particularly mindful of greater risks arising in particular that a controversial decision would carry a greater risk of challenge.
- The Council could not undertake any publicity of this decision before the election beyond the obligation to publish the decision report itself.

The Board noted the risks but considered that the Mela was a yearly event that regularly applied for grant funding and that it was not controversial. However, Graham White explained that it was the nature of the decision itself to be considered controversial if it did not comply with the previous Cabinet decisions concerning phased reduction of financial assistance and therefore a decision to reduce funding to the Trust in comparison to last year would mitigate that risk.

It agreed to let the Mayor decide whether he wished to take the decision and whether it should be taken before the election or afterwards.

The Board also noted the requirement to look to reduce funding for the event. The Board considered that £100k was an appropriate grant value for 2014 but that this must be subject to the completion of a satisfactory audit for 2013 and that it should be phased alongside a similar audit in 2014.

In relation to an Equalities Impact Assessment, the Board was notified that one had not been necessary for this decision in previous years and was therefore not considered necessary on this occasion either.

Finally, the Board also noted that the Mayoral Decision sheet would need full legal and financial comments before being presented to the Mayor including details of where the funding was coming from and whether this was a Key Decision. Legal advice at the Board meeting indicated that it was not likely to be a Key Decision.

The Board recommended that:

1. A report be prepared for the Mayor to consider awarding a £100k grant to the Boishakhi Mela Trust subject to the following conditions:

- i. That satisfactory legal and financial comments be provided including detailing the funding source.
- ii. That officers draw up a proposed phased payment approach to the grant funding taking into account the formula agreed in 2013 and also the successful completion of the Deloitte audit of the 2013 event.


6. ANY OTHER BUSINESS

Nil items.

The meeting ended at 10.42 a.m.

Chair, Councillor Md. Maium Miah
Corporate Third Sector Grants Programme Board

Appendix 4

<p>Individual Mayoral Decision Proforma</p> <p>Decision Log No: _____</p>	 TOWER HAMLETS
<p>Report of: [Insert name and title of corporate director]</p>	<p>Classification: [Insert Unrestricted or Exempt]</p>
<p>[Insert title here]</p>	

Is this a Key Decision?	Yes / No (Report author to delete as applicable)
Decision Notice Publication Date:	(Report author to state date of decision notice – either individual notice or within the Forward Plan)
General Exception or Urgency Notice published?	Yes (give details) / Not required (Report author to delete as applicable)
Restrictions:	(If restricted state which of the exempt/confidential criteria applies)

EXECUTIVE SUMMARY

[To be completed by Chief Officer seeking the decision]

The executive summary has been completed on behalf of the Corporate Grants Programme Board

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.....

The Board has considered the comments provided by CLC in the attached report and also guidance and input provided by D+R officers who have lead corporate responsibility for the management and administration of the MSG process.

The Board have made the recommendation set out below having had due regard to all of the issues raised. On balance the Board considered it appropriate to make this recommendation based on the following key considerations.

- 1) There are some indications that the business plans of the Mela Trust have been adversely impacted by the harsh economic environment brought about by the post credit crunch recession. It is appropriate for the Council to show some continued flexibility regarding grant award accepting that the Mela has yet to move towards a self - financing position. This matter will need to be closely monitored as the economy recovers and should not be taken as a change in the Councils position

12/16/2014

that the Mela must move towards a self- financing position as swiftly as possible.

- 2) The Trusts previous successful delivery of two Mela events
- 3) The iconic nature of the event and its local and regional importance
- 4) The risks to the event and to the Trust of withdrawing funding for the Mela at this late stage
- 5) Its importance as a vehicle for carrying the ethos of One Tower Hamlets and promoting community cohesion.
- 6) The fact that the Organisers have successfully secured a licence for the event.

Full details of the decision sought, including setting out the reasons for the recommendations and/or all the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Head of Legal Services; implications for One Tower Hamlets; Risk Assessment; Background Documents; **and other relevant matters are set out in the attached report.**

[all options put forward must be supported by reasons]

DECISION

[Proposed decision to be entered here]

.....
.....

APPROVALS

1. ~~(If applicable) Corporate Director proposing the decision or his/her deputy~~

I approve ~~the attached report and proposed decision above for submission to the Mayor.~~

Signed *[Signature]* Date

2. **Chief Finance Officer or his/her deputy**

I have been consulted on the content of the attached report which includes my comments.

Proposed decision recommended by the Corporate Grants Board Chair

Signed Date

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)

I confirm that this decision:-

(a) has been published in advance on the Council's Forward Plan OR
(b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed Date

4. Mayor

I agree the decision proposed in paragraph above for the reasons set out in paragraph X in the attached report.

Signed Date

