


<b>Commissioner Decision Report</b> 21 <sup>st</sup> October 2015	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Andy Bamber – Service Head of Safer Communities	<b>Classification:</b> Unrestricted
<b>Youth Volunteering – Volunteer Centre Tower Hamlets (VCTH)</b>	

<b>Originating Officer(s)</b>	Hasan Faruq
<b>Wards affected</b>	All wards
<b>Key Decision</b>	Yes
<b>Community Plan Theme</b>	<b>All</b>

## 1. Executive Summary

- 1.1 Volunteer Centre Tower Hamlets (VCTH) is the volunteering infrastructure organisation for Tower Hamlets, and a registered charity (1127300). VCTH provides a borough-wide, universal youth volunteering brokerage service for 15-19 year olds (up to 25 years with Special Educational Needs), helping them to find suitable volunteering placements.
- 1.2 The Youth Service has been utilising VCTH's skills and expertise for a number of years and a Service Level Agreement (SLA) was agreed to a value of £40,000 for a whole year which the commissioners initially approved for 5 months until 31st August 2015 back in April.
- 1.3 The Youth Service is now seeking approval from the commissioners to approve the remaining 7 months of the SLA to deliver activities as stipulated in Appendix 3.
- 1.4 The Youth Service is able to use VCTH to offer free advice, information and training to Volunteer Involving Organisations (VIOs) on implementing best practice in volunteer management and to provide assistance to non-profit organisations to enable them to develop their volunteering programmes and volunteer opportunities. This includes organisations that apply for PAYP, YOF and MSG grants.
- 1.5 The Youth Service can draw on the skills & expertise VCTH offers to respond to national and local policy and campaigning on volunteering issues, marketing and promotion of volunteering in Tower Hamlets and the development of LBTH's 3 year Youth Volunteering Strategy, which will require a refresh this year.

## **2. Recommendations**

The Commissioners are recommended to:

- Authorise a further 7 month extension from 1st September 2015 to 31st March 2016 to the existing Service Level Agreement which was approved back in April for a sum of £16,667 from 1st April 2015 to 31st August 2015 and for the sum of £23,333 to be paid for the provision of the services in the VCTH outline programme plan at Appendix 4.

## **3. REASONS FOR THE DECISIONS**

- 3.1 The decisions are required in order that the Council is able to deliver a successful youth volunteering brokerage service to young LBTH residents and ensure that in a climate of austerity & challenge there are alternative options for gaining experience and developing personal portfolios leading to employment or further education.

## **4. ALTERNATIVE OPTIONS**

- 4.1 The commissioners may choose not to approve extension for a further 7 months which will lead to at least one worker being made redundant and the potential closure of this valuable third sector organisation and partner.

## **5. DETAILS OF REPORT**

- 5.1 The commissioners initially approved a 5 month SLA with VCTH running from 1st April 2015 to 31st August 2015.
- 5.2 VCTH have delivered between this period 7 successful presentations in schools, colleges, youth clubs and other community youth settings, to 114 young people.
- 5.3 VCTH has also distributed between this period new volunteering publicity materials, specifically targeting a youth audience. Materials were sent to all LBTH-funded youth clubs and are being delivered to all state-run secondary schools in the borough before the autumn term starts.
- 5.4 VCTH have offered during this period 1:1 appointment with trained advisors for young people at their office in Commercial Street and also offered appointments at outreach venues where presentations have been delivered. 53 young people have booked appointments with VCTH to date, and 44 (83%) of them have attended by mid-August. VCTH is on track to meet its target of 52 appointments conducted for young people by 31 August 2015.

- 5.5 VCTH is an inclusive organisation that values diversity. It has an outstanding track record of reaching all communities of young people. Last year 53% of the volunteer starters were female and 47% were male. More than 85% of its young service users were from BAME communities. 69% were in the younger age range of 15-17 years. A total of 16% of young volunteer starters had a disability
- 5.6 Of the 44 young people advised during this period, many have already started or are due to start a volunteering placement successfully
- 5.7 VCTH plays an important safeguarding role in ensuring that local organisations offer suitable environments in which young people can have an enjoyable and worthwhile volunteering experience. Critical to young people starting volunteering is the ongoing availability of high quality, varied and meaningful volunteering placements. To achieve this VCTH have visited, health-checked and registered 9 new Volunteer Involving Organisations since April. This, combined with updating opportunities at 442 organisations already registered with VCTH has produced a further 57 new volunteering roles between April and August 2015. VCTH continues to conduct ongoing work with registered organisations to ensure that they are young-people friendly and that they can offer good roles to volunteers aged 15 plus.
- 5.8 VCTH have submitted a plan for the next 7 months see appendix 4 which outlines the programme that will be delivered from 1st September 2015 until 31st March 2016.
- 5.9 VCTH was instrumental in helping LBTH IYCS to develop its current Youth Volunteering Strategy. VCTH will be working with LBTH IYCS to refresh the 3 year Youth Volunteering Strategy and to develop the action plan going forward for next 3 years. VCTH are currently supporting the service to revise the application and guidance notes for PAYP and YOF and are an integral part of the assessment and moderation process.
- 5.10 VCTH will provide a comprehensive end of year report which will be available for the commissioners once completed.
- 5.11 This SLA arrangement will conclude on 31st March 2016 and will not be renewed. The contract will be subject to a formal procurement process from 2016/17 with targets and performance agreed and monitored within a SLA.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 The report sets out the delivery of youth volunteering by VCTH for the first five months of the year (1<sup>st</sup> April to 31<sup>st</sup> August 2015) which was agreed by the commissioners back in April 2015.
- 6.2 The report seeks the Commissioners agreement to a further seven months extension from 1<sup>st</sup> September 2015 to 31<sup>st</sup> March for a total agreement value of £23,333.

- 6.3 If the Commissioners agree this extension the total funding received by VCTH for 2015/16 will be £40k. The cost will be funded from the budget allocated within the Youth Service core budget, (Vote E87).

## **7. LEGAL COMMENTS**

- 7.1 The power of the commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31 March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 7.2 The proposed grant may be supported under a variety of the Council's statutory powers, depending upon the outcomes achieved and the activities supported.
- 7.3 By virtue of section 111 of the Local Government Act 1972, the Council has power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. This may involve expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights. This power may support the grant to the VCTH.
- 7.4 The proposed grant may additionally be supported by others of the Council's statutory powers, such as its general power of competence. 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 also support the grant to the VCTH.
- 7.5 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty. For the short term pending new arrangements for the provision of services it is considered that the continuation of the present arrangements provides value for money for the reasons specified in the report. Best Value considerations have also been addressed in paragraph 9 of the report.
- 7.6 The Council must operate a fair and open application procedure to process a request to obtain funding. Requests for grant funding should ordinarily be measured against a predetermined set of criteria and the criteria themselves must be fair and transparent. However, as the request is for a further 7 month extension following a 5 month extension of an existing arrangement

established 3 years ago, with a prorata payment to be made based on the previous funding, the Commissioners may consider that adhering to a fresh selection process in the circumstances is not feasible. VCTH have submitted a plan for the next 7 months and which is at Appendix 4 and which outlines the programme to be delivered between 1<sup>st</sup> September 2015 and 31<sup>st</sup> March 2016.

- 7.7 The grant agreement (or extension thereof) should include a clear monitoring process against defined parameters in order for the Council to demonstrate either: that delivery is in line with the application and, therefore, the grant achieved its purpose; or provide clear delineation where outcomes were not achieved and the reasons for such failure are apparent. Monitoring should therefore include measuring performance against the expected outcomes.
- 7.8 All the proposed grants appear to fall under the *de minimis* threshold for the purposes of European restrictions on State aid.
- 7.9 When implementing the scheme, the Council must ensure that no part of the funds issued represents a profit element to any of the recipients. The inclusion of profit or the opportunity of making a profit from the grant or third parties indicates that the grant is really procurement activity and would otherwise be subject to the Council's Procurement Procedures and other appropriate domestic and European law. This would mean therefore, that the Council would have failed to abide by the appropriate internal procedures and external law applicable to such purchases.
- 7.10 When making grants decisions, 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 do not (the public sector equality duty). A proportionate level of equality analysis is required to discharge the duty and information relevant to this is contained in the One Tower Hamlets section of the report.

## **8. ONE TOWER HAMLETS CONSIDERATIONS**

- 8.1 The purpose of this Service Level Agreement is to ensure that all of our resident's especially young people between the age of 15 to 19 are able to benefit from volunteering opportunities due to the challenges brought about by austerity.
- 8.2 The SLA offer contributes to the broad aims of One Tower Hamlets, i.e. tackle inequality, strengthen cohesion and build community cohesion.

## **9. BEST VALUE (BV) IMPLICATIONS**

- 9.1 The VCTH offer enables residents to engage with a service which is local, provides personalised services and helps to build a more resilient community one that enjoys active lifestyle and is not rudimentary.

## **10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 10.1 Provision of local activities for residents within walking distance of their homes can contribute to fewer car journeys.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 A number of different risks arise from funding of external organisations. The Key risks are:
- The funding may not be fully utilised i.e. allocations remain unspent and outcomes are not maximised.
  - The funding may be used for purposes that have not been agreed e.g. in the case of fraud
  - The organisation may not in the event have the capacity to achieve the contracted outputs/outcomes.
- 11.2 To ensure that the risks are minimised, the organisation will be required to comply with standard grant agreement terms. There will also be appropriate performance targets to be met and evidence required.

## **12. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 12.1 Volunteering helps residents to engage in positive activities and develops personal skills without which young people may get involved in anti-social behaviour and petty crimes.

## **13. SAFEGUARDING IMPLICATIONS**

- 13.1 All volunteers working with Children and Young People require DBS checks and the Council has appropriate safeguarding structures in place to report any incidents.

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Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1: 5 Month SLA as agreed by the commissioners in April 2015
- Appendix 2: 7 months SLA – 1<sup>st</sup> September 2015 to 31<sup>st</sup> March 2016
- Appendix 3: April-August 2015 monitoring report
- Appendix 4 – VCTH outline programme plan

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None.

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