

Voice4Change England

**Review of central government's implementation of the
renewed Compact**

Consultation Response

Submitted to the National Audit Office

November 2011



Voice4Change England response to the National Audit Office's review of central government's implementation of the renewed Compact

1. Recommendations

- **Consistent compliance:** Government should limit its powers to overlook the Compact in its decision making by **prescribing when it may and may not depart from compliance.**
- **Increased implementation in policy development:** Government should use the Compact to improve its policy making practices and to **ensure barriers to engagement with the wider VCS are broken down.**
- **Compliance with Commitment 3.11:** Government must understand that sub-contracting is not a way of evading duties under the Compact.
- **Resources:** Government should increase implementation of the Compact by **supporting and resourcing implementation** as well as **developing implementation guides** in partnership with the VCS.
- **Equality and diversity:** Government should make resources available to **up skill the government around equality and diversity issues and equalities legislation** and how it links with the Compact.
- **Compact Ambassadors:** Government departments should **appoint a Compact representative(s)** to be responsible for: promoting and raising awareness about the Compact within their departments; monitoring and evaluating Compact compliance; and working with VCOs to support implementation.
- **Accountability and transparency:** Government departments should **report annually on Compact progress** and ensure data and reports are made available to the public for scrutiny.

2. Structure of the Response

2.1 We have responded in the structure set out in the letter sent to Compact Voice Board Members, dated 12 October 2011: About you and your organisation; About your awareness and knowledge of the Compact; About central government's awareness and implementation of the renewed Compact. We have provided specific examples where necessary to illustrate the key points made.

2.2 In responding to this consultation, we have revisited several of our comprehensive responses made to the Commission for the Compact and Office for Civil Society as well as other key policy documents relating to the Compact:

- Response to the Commission for the Compact's consultation on Compact Business Plan 2007-10 (July 2007)
- Response to the Compact Debate (Oct 2008)
- Response to the (legal) review of the BME Code (Feb 2009)
- Response to the Compact Refresh (Oct 2009)
- Response to the Compact Renewed (Oct 2010)
- Shared Vision for the Future of the BME VCS (Sept 2010)

2.3 **This response therefore should be seen in line with our other submissions as well as other key policy papers relating to the Compact.** Our publication 'Shared vision for the future of the BME VCS' was informed by 100 online survey respondents representing a cross section of the BME VCS as well as in depth interview responses from thirteen leading figures working closely with or in the BME VCS. One of the areas of focus was the Compact.

2.4 Additionally this response incorporates the views of the Chief Executive of one of our member organisations, with who we carried out an in depth interview.

3. About you and your organisation

1. What is your job title and role within your organisation?
2. Please tell us about your organisation.

3.1 About Voice4Change England

Voice4Change England (V4CE) is a national advocate for the Black and Minority Ethnic voluntary and community sector (BME VCS). BME voluntary and community organisations (BME VCOs) are a crucial part of civil society that have emerged from and work for BME communities. By supporting the BME VCS we aim to improve the life outcomes for BME and other disadvantaged communities. As the only national membership organisation dedicated to the BME VCS we speak up to policymakers on the issues that matter to the sector; bring the sector together to share good practice; and develop the sector to better meet the needs of communities.

3.2 About the BME VCS

The BME-led VCS plays a crucial role in tackling race inequalities. Through a range of activities including cultural, social and economic support programmes; advocacy and advice on legal issues; health services; supplementary schools; and day care community centres, the BME VCS empowers communities to design solutions; build social cohesion; tackle race inequalities and discrimination; identify

and respond to needs; and to be heard by policymakers. BME VCOs reach communities that others cannot and do not reach. They combine creativity, flexibility and commitment to meet the changing needs of BME communities. They also play an active role in advocating for changes in the policy and practice of generic service providers.

Voice4Change England's work on the Compact

3.3 In 2010 Voice4Change England was awarded funding by the Big Lottery Fund under its BASIS programme to provide infrastructure services nationally to BME VCOs. One of the project outcomes requires that by the end of the project 500 BME VCOs will have a raised awareness of the Compact and its implementation. Leading on the delivery of this outcome, the Policy officer at Voice4Change England has engaged in the following Compact activities:

- a) Training:** A bespoke training package for the BME VCS has been developed to skill up organisations on how to use the Compact to strengthen relations with statutory partners. Launched in May 2010, training has been delivered to over 220 BME VCOs across the country.
- b) Resources:** To supplement the training we have developed The Compact and You¹ training guide which provides a comprehensive guide for the BME VCS on the implementation of the Compact. The guide provides a background on the national Compact and key commitments and includes good practice case studies to demonstrate where BME VCOs have successfully used the Compact to improve their relationships with government.
- c) Policy Development:** We have long advocated for a stronger Compact to support the BME VCS. We took an active role in influencing the refresh of the Compact to ensure it remained a useful tool for BME VCOs. We consulted widely with the sector; submitted detailed evidence to the Government; and advocated and negotiated for the sector on the Compact Refresh group. Whilst we were not successful in retaining the BME code, the Compact Commissioner acknowledged that we campaigned well. We were also successful in securing an equalities section aligned with equalities legislation in the renewed Compact.
- d) Representation:** Voice4Change England is a Board Member of Compact Voice².
- e) Advocacy:** Voice4Change England works closely with the Compact Advocacy Project, based at the National Council for Voluntary

¹ [The Compact and You: A guide for the Black and Minority Ethnic voluntary and community sector](#) (Edition 2, October 2011, Voice4Change England)

² Compact Voice is the VCS representative for the Compact. To find out more visit www.compactvoice.org.uk.

Organisations, to provide advice and guidance to organisations that have had Compact non-compliant decisions made against them by government bodies.

3. Could you list the central government bodies such as departments and other bodies such as non-departmental bodies with which your organisation mainly interacted during 2011, briefly describing the nature of those interactions?

3.4 During 2011 Voice4Change England has worked and communicated with the following bodies:

- a) **Office for Civil Society and Cabinet Office (OCS):** OCS is one of our key stakeholders thus we maintain a close relationship. Prior to April 2011 we were a strategic partner of OCS. In April we lost our place as a strategic partner and in response launched our Big Unfair Society campaign. As a result of the campaign, although we were not reinstated as strategic partners, we have been commissioned as an equality advisor on the Big Society to provide advice on: the challenges that inequalities present to the Big Society agenda and how to address them; and the opportunities for tackling inequalities that the Big Society agenda offers. We will be engaging with voluntary and community organisations focused on equality, to find out their experience and views on the Big Society. We will report our findings to Government and make sure that equality sector voices, including those on the frontline, are heard.

In addition to this work we continue to influence policy and programmes being developed by OCS. In January 2011 we responded to the OCS consultation on the Modernising Commissioning Green Paper³. More recently we responded to the Cabinet Office's White Paper on Opening up Public Services⁴.

- b) **Communities and Local Government Department (CLG):** In 2010 we were invited by CLG to bring together a coalition of leaders from the BME VCS. The coalition of the BME VCS for race equality produced a position statement to inform the Government's development of a race equality strategy and affirm a collective commitment to work with the Government

³ [Voice4Change England response to OCS Modernising Commissioning Green Paper](#) (January 2011)

⁴ [Voice4Change England response to Cabinet Office White Paper on Opening up Public Services](#) (September 2011)

to reduce racial inequalities. The paper represents a starting point for discussions between the Coalition and the Minister for Race Equality.

We have also submitted a response to CLG's consultation on the Right to Challenge initiative and continue to monitor and influence the Localism Bill and initiatives proposed within.

- c) **Big Lottery Fund (BLF):** Voice4Change England is funded by BLF under its BASIS programme to deliver infrastructure support services to the BME VCS. We also recently wrote to BLF and OCS to convey our dismay with the processes governing the administering of the Transforming Local Infrastructure Support Fund, specifically around the short time frames involved and the lack of compliance with Compact commitment 3.2.
- d) **Commission for the Compact:** Prior to its closure in April 2011, Voice4Change England was part funded by the Commission for the Compact in the delivery of the BLF funded project. We also worked closely with the Commission to develop the BME Implementation Guide following the launch of the refreshed Compact in December 2009.

4. About your awareness and knowledge of the Compact

4. In December 2010, the Compact was renewed and re-launched. Has the renewed Compact made any difference to your organisation?

- 4.1 Although the loss of the BME Code of Practice following the Compact Refresh on 2009 led to dismay amongst the BME VCS, we continued to advocate to ensure that equalities was not omitted from the Compact framework and that the much needed 'teeth' of the Compact was installed. Voice4Change England welcomed the introduction of the renewed Compact with clear links to equalities legislation and accountability measures.
- 4.2 In a time of austerity, rapid change in government policy and the introduction of new programmes and services, government must be seen to be using fair, open and transparent decision making processes. This includes compliance with the renewed Compact which it has committed to.
- 4.3 Voice4Change England has continued to use the Compact to encourage fairness in the implementation of government's decisions making, policies and programmes, and to ensure government is held to account.

4.4 Following the withdrawal of Voice4Change England from the OCS Strategic Partners Programme in March 2011, we wrote to the Minister for Civil Society to convey, amongst other issues, our concerns around the processes used to implement the decision. Specifically we highlighted that the decision contradicted Commitment 5.3 of the renewed Compact which requires government to “Take practical action to eliminate unlawful discrimination, advance equality and to ensure a voice for under-represented and disadvantaged groups”. Despite the campaigning around this Voice4Change England was not reinstated as a strategic partner however we were commissioned by the OCS to provide advice on how the Big Society can be used as an opportunity for tackling inequalities.

4.5 We interviewed the Chief Executive of one of our member organisations who has found the Compact effective in negotiating with government and public authorities. However he put this down to the organisation being considered a medium sized or larger small charity, as well as having a certain level of maturity when it came to the Compact:

“I am aware that there are several smaller charities that we work with who are having similar problems with this particular PCT, and when I told them what we had done they were too scared to do that. So there is still the problem that in the community people are afraid of reprisals from those who hold the purse strings.

Certainly for us it has been really helpful but it may be because we have a more mature relationship with our funders. So there is something there that the Compact is useful if you have achieved a certain level of maturity but if you haven't then you might be scared to use it without somebody holding your hand. That was the case for us a few years ago but now we are willing to have those discussions.”

4.6 This reflects the circumstances of Voice4Change England's members, many of whom are small locally based VCOs. Many smaller BME VCOs are unaware of the Compact and its uses and thus struggle to implement it within their interactions with government and public authorities:

“I think it can be really, really helpful but I just don't think that there are enough voluntary sector organisations that know about it and know how to use it and that agencies and public bodies do not have the will to use it.”

Shared Vision interviewee. 2010

5. About central government's awareness and implementation of the renewed Compact

5. What are your views on central government bodies' level of awareness and understanding of the Compact?

5.1 Central government bodies are aware of the Compact however they hesitate to implement it as it is seen as an additional burden rather than a tool of good practice. Government has too much discretionary power to overlook the Compact in its decision making.

"I think they are aware of it but they will do anything to avoid having to deal with it directly. So once things start being framed in terms of the Compact they will get very shy, it's like they don't want to address things from that basis."

Chief Executive, National health organisation

5.2 In August 2011 OCS announced the Transforming Local Infrastructure programme. Voice4Change England wrote to both OCS and BLF to express its concerns that the fund's administration processes risked excluding small, specialist organisations. In particular we argued that the short timescales allowed little time for partnerships based on mutual respect to be developed. This contravened Commitment 3.2 of the renewed Compact which requires for barriers to be removed which prevent smaller VCOs from accessing government funding, thereby enabling them to deliver services. In its response the Minister for Civil Society stated that the time frame was sufficient for partnerships to come together and develop bids and that OCS wanted to make the grants before the end of the financial year. **No reference to the Compact was made within the response.** Since then Voice4Change England has been supporting some of the partnerships in local areas and all have highlighted the challenges the short timeframes have brought in trying to bring together partners harmoniously.

6. What aspects of the renewed Compact are central government bodies implementing well?

5.3 Our research shows that BME VCOs feel that the Compact has not been implemented well within government because of the lack of awareness and unwillingness to comply with the Compact⁵.

⁵ [Shared Vision for the Future of the BME VCS](#) (September 2010, Voice4Change England)

5.4 Specifically BME VCOs continue to fall foul of poor policy making. We have referred a number of cases on to Compact Advocacy Programme in which BME VCOs have felt that they have not been consulted with properly prior to a decision being made by a public body. Case findings have concluded that often BME VCOs and equality groups generally feel they are used as a tick box to cover a public body's equality duties. This often results in groups becoming marginalised within decision making processes. The consultation on CLG's Best Value statutory guidance ran for four weeks, contrary to the requirement within the Compact to carry out 12 week consultations to ensure meaningful consultation. This provides a primary example of the government developing policy which has a clear impact on VCOs, yet failing to breakdown the barriers to engagement with the wider sector, especially smaller equality VCOs.

5.5 Our member organisations have also claimed that in sub-contracting relationships, the prime contractors often try to absolve themselves of their duties under the Compact. In particular the Chief Executive that we interviewed stated that the Department of Health were particularly reluctant to be held accountable for the Compact failings of organisations they had contracted out to. This brings into question the role of the Compact in the future of sub-contracting relationships, especially in areas such as health where many contracts will be delivered by private sector organisations.

5.6 Linked to this is the feeling that government departments shy away from conflict situations when being challenged using the Compact:

"If you can frame the conflict as a conflict they will deal with the issue. But once you start using Compact language in a conflict situation there is an anxiety which starts generating... But my sense with Primary Care Trusts and local Councils is that when you can use the Compact you could actually pin down some very specific issues and it actually helps the problem solving. Thus my experience is that the Department of Health does not like framing issues in terms of the Compact."

Chief Executive, National health organisation

7. What barriers exist across central government bodies to improving the implementation of the renewed Compact?

5.7 A fundamental barrier to improving central government bodies' implementation of the Compact is the lack of resources. With the removal of the Commission for the Compact in April 2011, less support and resources are available to raise the profile and awareness of the Compact within government.

5.8 This issue is exacerbated by the current financial situation in which government is operating. It begs the question of whether government still expects that in a time of financial restraint the Compact still holds. Government should provide more clarity on where the Compact stands in conflict with financial stability.

5.9 Specifically around equalities, there is a lack of knowledge and awareness around equality and diversity issues. This further leads to a lack of knowledge around how the Compact links with equality initiatives and in particular equalities legislation. With the loss of the BME Code of Practice BME VCOs increasingly lost faith in the Compact as it lacked 'teeth' and became meaningless for them. This provided reason for which Voice4Change England strongly campaigned for the renewed Compact to be aligned with equalities legislation. If government is seen to be disregarding the equality commitments within the renewed Compact, the equality VCOs will be reluctant to implement it also. Therefore what is required is resources to be made available to up skill the government around equality and diversity issues and equalities legislation and how it links with the Compact.

8. What do central government bodies need to do to improve implementation of the renewed Compact?

9. Is central government's approach to implementing the Compact accountable and transparent?

10. What more could the Cabinet Office do - within government and across the sector - to promote and support the implementation of the Compact?

5.10 The BME VCS has previously been low on the uptake to implement the Compact for a number of reasons one of which being that it feels there is a lack of accountability and compliance by government of the Compact. The Minister for Civil Society has on a number of occasions asserted the government's commitment to the Compact, however if this commitment is to manifest government must be seen to be putting in place practical measures to implement the Compact. The accountability measures go some way to demonstrating the government's commitment however there are further practical steps which should be taken to ensure compliance specifically in a time when new programmes and services are being introduced:

a) Implementation Guides: In May 2010 Voice4Change England and the Commission for the Compact brought together 10 BME VCOs from across the country, as well as the Government Equalities Office and CLG, to inform

the development of a BME Implementation Guide. Despite the effort, time and resources put into finalising the guide, it was never published. The guide would have provided support for BME VCOs and public bodies to interpret their commitments under the Compact. We call on government to review and publish the implementation guides. These sentiments are shared by our members and those who contributed to the guide:

"To me it's a real disappointment that the BME Implementation Guide hasn't come out. We need some more explicit discussion about equalities issues. I think we need something more explicit around how the Compact might relate to equalities strands.

Chief Executive, National health organisation

b) Compact Ambassadors: Each government department and public body should have a representative(s) who act as an ambassador for the Compact. They would be responsible for: promoting and raising awareness about the Compact within their departments; monitoring and evaluating Compact compliance; and working with VCOs to support implementation.

c) Ensure transparency in data: Reporting annually on Compact progress and ensuring data and reports are made available to the public for scrutiny. Under the UN Global Compact, there is a mandatory disclosure framework which requires business participants to communicate their progress to their stakeholders annually and to post a copy on the Global Compact website. Lessons can be learned from this practice. Government departments will be required to include a statement on how the Compact is being implemented in their business plans. Government should include delivery plans with implementation targets and regular monitoring, which are then reported against annually.

6. Further information

If you would like to discuss our response further or if you have any questions please contact Ravi Chauhan, Policy Officer, Voice4Change England at ravi@voice4change-england.co.uk or on 020 7843 6129.

For more information about Voice4Change England's activities, please visit www.voice4change-england.co.uk.

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