

# **Getting It Right Together – The West Cheshire Compact in Action**

West Cheshire's public sector and the local third sector have had a long-standing and successful working relationship over a number of years. Partnerships have been established in recent years which have already helped us to improve the way services are planned and delivered to residents and communities in West Cheshire. Additionally, informal associations with a wide variety of groups and organisations have proved equally valuable and productive in improving peoples' lives and life chances.

The West Cheshire Compact will underline the positive relationship between the local public sector and the broad range of independent voluntary and community organisations active across the borough, and will set out the way we intend to build upon the mutual trust and cooperation that already exists. It will be closely linked to other local and national government initiatives that involve both sectors and influence important public programmes and strategies and to deliver quality and cost-effective services. More than just a document, the West Cheshire Compact will become an active and effective joint working process.

Our priorities are to:

- Develop the Compact in a way that more actively includes community groups.
- Extend the Compact to the other statutory organisations and encourage joint working between the different private and public sector organisations and agencies working in Cheshire West.

## **Compact Values**

Our Cheshire West Compact has been developed and will be implemented jointly by public sector and third sector partners. It is underpinned by a set of agreed shared values which mean that:

- Everything we do as partners is done for the benefit of Cheshire West and Chester borough area, its people and communities.
- We share a commitment to maintaining and developing a thriving third sector in Cheshire West and Chester borough.
- We recognise and celebrate our differences and the things we have in common.
- We recognise that we are dependent on each other and work together for mutual benefit and with mutual respect.

- We share a commitment to the relevant plans and strategies in place to develop and deliver public services in the borough e.g. Health & Wellbeing Strategy, Altogether Better programme, etc.
- We have to work within available resources that are linked to current priorities.
- We ensure that the partnerships that serve the borough are as effective and inclusive as possible.
- Our partnership work is made effective by openness, transparency, accountability, integrity, objectivity, honesty, leadership and by putting Cheshire West and Chester and its people and communities first.

## **The Compact Implementation Group**

A multi-agency Compact Implementation Group is responsible for leading on the implementation, monitoring and championing of the West Cheshire Compact. It will oversee the way the Compact is put into practice, including the setting up and running of the Compact Resolution Process which is aimed at resolving any conflicts that may arise. The Compact Implementation Group will also review the success of the Compact and report on activity and issues on an annual basis.

The Group's members include representatives from the public sector and the third sector. Full details of the Group's membership and a record of its work can be seen by clicking on [www.tsa-cheshirewest.org.uk](http://www.tsa-cheshirewest.org.uk).

## **The West Cheshire Compact and You**

The Compact is relevant to all third sector\* organisations and groups – whether large or small, registered charities or more informal constituted groups - and for all public sector organisations engaged in either service delivery or working in other ways with partners.

It is our shared responsibility.

*\*The third sector is defined by the Third Sector Assembly as voluntary, community, faith, social enterprise, and other not for profit groups and organisations.*

## **INTRODUCTION**

### **Compact Codes and Undertakings**

The West Cheshire Compact is underpinned by four key **codes of practice**:

- 1. Grant Funding, Commissioning and Procurement**
- 2. Consultation and Policy Appraisal**
- 3. Volunteering**
- 4. Equality** (this includes both the Black & Minority Ethnic and Community codes in the previous Cheshire West and Chester Compact and expands them in line with existing legislation, guidance and good practice).

Within these codes of practice are a series of agreed undertakings in the form of **shared undertakings, public sector undertakings** and **third sector undertakings** which, taken together, will make a positive impact on both day-to-day partnership working in Cheshire West and support the delivery of services for Cheshire West's residents and communities.

These undertakings are understood to be agreed to by all those signing up to the West Cheshire Compact.

In addition to the four codes of practice, and in recognition of the changing face of public service delivery and third sector roles and participation in that service delivery, the new West Cheshire Compact includes two additional sets of undertakings. These aim to be both responsive to the local situation and improve the working relationship between the public and third sector locally. They also recognise the importance of new local structures and potential partnerships (including those with other public sector and private sector partners) which will be formed as new ways of working, including integrated service delivery mechanisms and programmes, develop and progress. The two new sets of undertakings are:

- **Working Within Partnerships and Consortium Arrangements**
- **Managing Changes in Services.**

## Section 1

### Grant Funding, Commissioning and Procurement Code

This code of practice clarifies funding relationships between the public sector and the third sector. It recognises:

- The third sector's need for greater security.
- The public sector's requirement for greater accountability.
- The service users desire for good quality services.

#### Introduction

Public sector bodies are increasingly moving from commissioning services from third sector organisations via grants to procurement via contract arrangements, and most public sector organisations currently have in place a mixture of both grant funded and contracted services. To help to see how the Cheshire West Compact works within this "mixed economy" of service funding and provision the following definitions apply:

- **commissioning** is defined as the securing of services that most appropriately address the needs and wishes of the individual service user making use of market intelligence and research, and planning accordingly.
- **procurement** is defined as the specific activities within the commissioning cycle that focus on the process of acquiring goods, works and services from third parties.
- **funding** is taken to mean money for a project, person, business etc, or the way in which that money is provided, e.g. via a grant, contract or loan.
- a **grant** is financial support given to an organisation which provides a service or activity in line with the organisations aim's and objectives.
- a **contract** is a payment for services with agreed outputs and outcomes.
- **decommissioning** - is defined as involving a change in the provision of a service. This may mean stopping a service or a significant part of it. It can also include terminating or re-negotiating a contract or grant with an existing service provider, where this is driven by commissioning needs, including reduced budgets. Existing provision may end to:
  - make space for a new and improved service
  - enable innovation in service provision
  - provide better value for money, perhaps through more effective achievement of the desired outcomes or more efficient delivery; or
  - better fit the level of provision to demand.

The Compact applies to grant funding and contracts. Whilst a contract places different obligations on both parties and their working relationship, Compact principles should apply to the process when a contract is being let to a third sector body up to the point at which a contract is signed. This would include any decommissioning process or other changes to a contract previously let to a third sector organisation or group. Once the contract is signed contract law supersedes Compact principles.

Third sector organisations are often disadvantaged when services are put out to contract as this is a different and often competitive process of which many (especially smaller) organisations have limited experience and expertise. Conversely, the third sector also has the local information and specialist knowledge to inform the development of contract specifications which better meet the needs of local communities, and which will result in better and more appropriate local services. Consultation with and involvement of third sector partners in identifying service needs and producing tender specifications, where this does not create unfair competition, is one such way of ensuring better targeted and quality services.

## **Best Value**

Under the Duty of Best Value, public authorities have to consider overall value, including economic, environmental and social value when reviewing service provision. Social Value is about seeking to maximise the additional benefit that can be created by procuring or commissioning goods and services, above and beyond the benefit of merely the goods and services themselves. Best Value Guidance sets out an expectation that local authorities will honour commitments made in local Compacts in the way that they work, including where they have responsibility for implementing health and social care reforms and commission as a result of these (including commissioning local Healthwatch). The Best Value Statutory Guidance (2011) also requires authorities to:

- be responsive to the benefits and needs of voluntary and community organisations of all sizes (honouring the commitments set out in Local Compacts) and small businesses.
- seek to avoid passing on disproportionate reductions – by not passing on larger reductions (to grant funding and service contracts) than they take on themselves and in particular to:
  - give at least three months notice of the actual reduction to both the organisation involved and the public/service users when intending to reduce or end funding (where funding means both grant funding and any fixed term contract)

- actively engage the organisation and service users as early as possible before making a decision on the future of a service, any knock-on effects on assets used to provide this service, and the impact on the local community
- make provision for the organisation, service users and wider community to put forward options on how to reshape the service of project and to make available all appropriate information in line with the government's transparency agenda.

## **Social Value**

The Public Services (Social Value) Act 2012 – which came into force in January 2013 – requires certain public authorities such as local authorities and health authorities to consider how procurement of a service may improve the social, economic and environmental wellbeing of an area. The government defines Social Value as "*a concept which seeks to maximise the additional benefit that can be created by commissioning goods and services above and beyond the benefit of merely the goods and services themselves*". Under the Social Value Act if a potential service provider offers a community benefit beyond the contract specification (e.g. by employing people with disabilities enabling them to become more independent) then this should be taken into consideration by the authority in deciding where to award the contract. In most cases Social Value must be considered at the point where the authority proposes to enter into a public service contract i.e. in the pre-procurement stage.

## **Social Return on Investment**

SROI (Social Return on Investment) is a framework for measuring and analysing the social, economic and environmental value of activities and services being commissioned or procured. It has been developed from social accounting methods and Cost Benefit Analysis.

## **Shared Undertakings**

Compact partners from both the public and third sector agree to:

- Integrate the principles of "intelligent commissioning" and Social Value into all commissioning process and policy.
- Agree how outcomes, including the social, environmental or economic value, will be monitored before a contract or funding agreement is set up.

- Engage in co-development of funding/investment/commissioning opportunities so that resources are used effectively.

## **Public Sector Undertakings**

Public sector partners agree to:

1. Give at least 12 weeks notice of any changes to policy and/or procedures which may have an impact on the funding to or commissioning arrangements with the third sector, recognising that Employment Law, which requires a statutory 12-week redundancy period, overrides other legislation in this area.
2. Include the third sector in the process when evaluating and reviewing existing funding schemes.
3. Consult and involve the third sector in funding scheme development, timetables, design, application processes, monitoring and assessment processes, etc. e.g. third sector representation on funding reference groups and panels.
4. Recognise the value of partnership or consortium bidding and ensure that commissioning processes recognise the time needed for joint and consortium bids and have in place suitable support arrangements, such as lead funder and other partnership delivery arrangements, to ensure that the third sector is able to develop consortium approaches to service delivery.
5. Develop other flexible commissioning processes, for example splitting tenders for services where appropriate, to enable and maximise the opportunities for small local third sector organisations to participate in commissioned delivery of public services, whilst acting within procurement law
6. Make details of funding opportunities widely available to third sector organisations through a range of accessible media sources, and provide applicants/bidders with access to relevant information.
7. Have single points of contact for third sector organisations, whether or not currently funded, seeking information or advice and ensure that appropriate practical help is available.

8. Develop grant assessment procedures that recognise the value of local investment and the additional value brought by the third sector in line with Social Value.
9. Ensure that grant funding, commissioning and procurement processes - including application/ bidding / tendering, monitoring and conditions - are:
  - Clear and understandable
  - Proportionate e.g. what is being asked of applicants is realistic and reasonable
  - Accessible in terms of format, language, timing, timescale etc including electronically
  - Consistent, co-ordinated and, where appropriate, standardised
  - Timely i.e. notice of funding programmes, receipt of funding on time and to agreed timescales for payments and, where possible, paid in advance.
10. Ensure that funding and commissioning processes balance the need for accountability and value for money with a commitment to proportionate and effective processes that monitor and evaluate outcomes commensurate with the value of the funding or tender.
11. Put in place multi-year funding arrangements, aiming for three-year arrangements where possible and appropriate, recognising that this improves confidence and sustainability.
12. Ensure that grant funding processes are open, transparent, fair and rational, including working to a published funding framework that is corporately agreed across their organisation when working with voluntary and community sector organisations.
13. Recognise that it is legitimate for third sector organisations to:
  - include relevant elements of full overhead costs (full cost recovery) within grant applications
  - make a surplus within a contractual agreement
  - have a policy on reserves in line with the Charity Commission's requirements and good practice guidelines.
14. Provide information, and where appropriate training, on procurement, commissioning, tendering, grant processes and procedures.
15. Recognise that payment in advance mechanisms enable more third sector organisations to better engage in funding, investment and/or commissioning

opportunities and increase the sustainability of service delivery, and to use these mechanisms as standard wherever possible.

16. Give sufficient notice and/or lead in time to forthcoming commissioning and tendering opportunities and grant schemes with realistic timetables to ensure that funding processes allow for the distribution of information.
17. Have clear and timely assessment procedures and provide, where appropriate, feedback on why a funding application, bid or tender has been unsuccessful.
18. Publish a list of successful applicants, bids or tenders e.g. through annual reports, and via websites.
19. Respect the third sector's independence and its right to campaign and/or act as a "critical friend", irrespective of any funding relationship that may exist.
20. Provide timely information to the voluntary and community sector about changing public policy, development of new service outcomes, and related funding opportunities allowing sufficient time for bids or tenders to be prepared.
21. Support the third sector in ways other than funding (for example, community asset transfer and capacity building support).

## **Third Sector Undertakings**

Third sector partners agree to:

1. Recognise that the receipt of public money carries responsibilities and the need to ensure sound and proportionate financial policies, procedures and controls e.g. having a reserves policy that meets compliance requirements.
2. Be open and transparent about reporting, recognising that monitoring is an aspect of good management practice and a reasonable expectation of funders and commissioners.
3. Respond positively to advance information about funding, investment and/or commissioning opportunities by engaging with service users and governing bodies.

4. Respond positively to any funding opportunities that arise, meeting deadlines and providing information requested to the best of their ability and capacity.
5. Follow good practice and have in place, proportionate to the size and scope of the organisation, robust and effective management processes and procedures, including:
  - effective governance and financial management processes
  - systems for planning & implementing work, and monitoring & evaluating activities
  - appropriate quality systems
  - equal opportunities policy and procedures
  - volunteer and employment policies (if applicable)
  - training and development of trustees, staff and volunteers
  - mechanisms to ensure accountability and engagement with local stakeholders and residents
  - robust monitoring processes and arrangements
  - volunteer and user involvement in the development of service provision.
6. Have in place proportionate policies and procedures that meet good practice and, where necessary, legal requirements in areas such as Equality and Diversity, Disability Discrimination, Health and Safety, Data Protection, Child Protection and Child and Adult Safeguarding.
7. Work collaboratively and co-operatively with third sector and/or other partners, and, where appropriate, share resources and bid jointly for funding.
8. Agree service delivery requirements and outcomes with the funder at the outset of funding and be aware of the risks for which they are responsible.
9. Take advantage of appropriate funding opportunities and opportunities and cost reductions available - such as rate relief, VAT relief, Gift Aid etc.
10. Encourage and promote effective use of resources and take full advantage of opportunities to share and reduce costs and maximise opportunities for joint and collaborative working in the development of policy, strategy, co-location and local initiatives.
11. Recognise that funders can legitimately expect third sector organisations to give public acknowledgment and/or recognition of funding and fully comply

with any requirements to do so which are specified within the funding/contract.

12. Facilitate feedback from users and communities to help improve current and future delivery of programmes and services.
13. To recognise the link between public sector and government priorities and the constraints placed on public sector funding.

NB. Appendix 2 contains a guidance note on late payments.

## **Section 2**

### **Consultation and Policy Appraisal Code**

This code of practice ensures that policy and/or service delivery decisions affecting the residents and communities of Cheshire West and Chester and/or the third sector take into account the views of residents, the third sector, their members and service users. For third sector organisations, effective consultation presents an opportunity to put forward the voice and interests of the people they work with and for. It also brings benefits to the public sector in the development of policies and services that are informed by the third sector's experience and understanding of local issues and needs. Alongside public sector commitments for improvement, third sector organisations are expected to commit to having appropriate mechanisms in place to reflect the views of those they work with and/or represent. Consultation is a vital part of the relationship between the two sectors. However, this does not remove the need for other local involvement and participation which encourages effective joint working.

### **Effective Consultation**

Partners' commitment to effective consultation recognises that it:

- Demonstrates the public sector's commitment to be open, transparent and accountable.
- Leads to more realistic and robust policy that better reflects peoples' needs and wishes and which is based on locally relevant evidence and experience.
- Helps to plan, prioritise and deliver better services.
- Can create a working partnership and mutual understanding with those consulted.

- Identifies problems quickly, enabling matters to be put right before problems escalate.
- Ensures that all communities, especially smaller and under-represented groups, are heard and involved.

## **Shared Undertakings**

Public sector and third sector partners agree to:

1. Clearly explain the purpose of each consultation exercise, describing who they need to engage and gain views from and why, and ensure appropriate and accessible communication with the target group/s.
2. Be clear about what can and cannot change in each consultation process (for example, if the consultation aims to change a policy, service or outcome) so that everyone is aware of the expected or desired results of the consultation process.
3. Allow sufficient time for meaningful and robust consultation. The National Compact guidelines state that this should normally be a minimum of 12 weeks (unless there is a good reason for a shorter consultation period) for responses to written consultations and that consultations should avoid running over extended holiday periods (e.g Christmas and summer holiday periods). Where there is a good reason why a 12 week consultation is not possible (and meeting a self-imposed deadline has not normally been considered to be a good excuse where Compact challenges have been made so far) then an 8 week consultation should be considered to be the absolute minimum consultation period.
4. Use a variety of methods and approaches (for example, events, written communications, surveys, focus groups) depending on the type of consultation, the target group for responses and understandings of how best to engage with them. Relying on just one method of obtaining views (i.e. via a website) should be avoided.
5. Make reasonable arrangements for events and activities so that as wide and diverse involvement as possible is encouraged. This might include different timing of events, or, where possible, providing reasonable expenses (to cover, for example, transport or travel costs, childcare, and/or personal assistance).

6. Take account of the specific needs, interests and contributions of community groups, minority groups and the socially excluded and make arrangements to actively seek views from these constituencies.
7. Produce and publish feedback after consultations to describe views and themes and actions arising from them.
8. Avoid duplication by either using previous relevant consultation and survey work of specific localities, people or communities, or undertaking joint consultations.

## **Public Sector Undertakings**

The public sector commits to establishing and maintaining best practice in effective consultation and policy appraisal. It undertakes to:

1. Recognise that third sector organisations are connected with people and communities and that those relationships can help make consultation more thorough and effective.
2. Consult the third sector on issues that are relevant to and/or likely to affect it and/or the people it works with and for or to local communities.
3. Build consultation with the third sector into policy development.
4. Appraise all policies and procedures to identify any implications for the third sector.
5. Involve the third sector as early as possible in policy development and appraisal, subject to considerations of urgency, sensitivity and/or confidentiality.
6. Give advance notice of consultations, allowing wherever possible (and as good practice) a minimum of 12 weeks for consultations in order to fit in with third sector work and meeting cycles so that local networks and communities are reached and informed and responses from the third sector are encouraged.
7. Publicise consultations as widely as possible, working to realistic timescales, and making consultation material available in a variety of formats to increase accessibility and participation.

8. Respect the confidentiality of information provided by the third sector, within the constraints of the law and the proper performance of public duties.
9. Analyse the results of its consultation exercises and evaluate with a view to developing good practice.
10. Always provide feedback on the consultation including the analysis, any proposed changes and explanations (if appropriate) why particular actions are being pursued or not.
11. Promote good practice amongst the public sector by issuing guidance on effective consultation with third sector organisations.
12. Include, where appropriate, consultation evaluation in their organisation's quality systems and be proactive in keeping informed about third sector partners' policy procedures and development.

## **Third Sector Commitments**

In responding to public sector consultations, third sector organisations and groups undertake to:

1. Recognise that consultations are important opportunities to input the perspectives of the third sector to influence policy, strategy and practice.
2. Demonstrate how they represent their constituencies (including members and service users) and by stating who they are and what causes or interests they represent.
3. Ensure that they inform their constituents/members about consultations being carried out, including informing about their own policies and positions, and about responding to the consultation itself.
4. Directly seek the views of service users, clients, carers, beneficiaries, members, volunteers, and trustees when making representations, wherever possible, being clear on who is being represented, in what capacity, and on what basis that representation is being made.
5. Where direct consultation with service users, clients, carers, beneficiaries, members, volunteers, and trustees is not practical, organisations should

indicate that they are responding on the basis of their knowledge and experience of working with the groups concerned.

6. Use their local networks and infrastructure to encourage participation in public sector consultations and co-operate with each other through appropriate networks.
7. Build consultation with the public sector into policy development and procedures.
8. Facilitate feedback from users and communities to the public sector to help improve delivery of programmes and services.
9. Ensure that the information they present to the public sector is accurate and that any consultation or research has been conducted in an objective, impartial and equitable manner.
10. Respect the confidentiality of information provided by the public sector within the constraints of the law and proper performance of organisational duties, when given access to it.
11. Have regard to the regulatory framework that governs their organisation when representing their constituents, e.g. Charity Commission guidance for charities on what they should do and not do in relation to their representational and campaigning work.
12. Promote good practice by issuing guidance on effective representation for use both within the third sector and public sector representative bodies.
13. Include, where appropriate, consultation evaluation in their organisation's quality systems and be proactive in keeping informed about public sector partners' policy procedures and development.
14. Always give their constituency/members feedback on the outcome of consultation undertaken including the analysis and any proposed changes.

## **Section 3**

### **Volunteering Code**

Volunteering involves spending unpaid time on an activity that aims to benefit the community. People volunteer for many different reasons, including personal development such as gaining skills experience, to create or expand opportunities to socialise with others, and/or to give something back to society in general and their local community in particular. Volunteering takes many forms with volunteers offering their time, skills and commitment in different settings through a wide range of activities within voluntary, community, faith and public bodies. Volunteering brings benefit both to individuals and to the wider community.

Volunteering may be considered to be either:

- **Formal Volunteering** – where a volunteer gives unpaid help within an organisation through a formal agreement or placement
- **Informal Volunteering** – where a volunteer gives unpaid help more than once a year as an individual to people who are not relatives. Examples include: befriending, Time Banking or neighbour-to-neighbour community participation. Informal volunteering is also the term used to describe people who are active citizens, e.g. tenant representatives and community leaders.

Many voluntary and community groups are made up entirely of volunteers, other organisations have both paid staff and volunteers. Volunteers operate at many different levels of responsibility within organisations; for example, volunteers in a charity may help to deliver a service whilst the organisation's trustees are legally responsible for managing the organisation's affairs. Public bodies also often have volunteers supporting them to deliver their services to the community in addition to paid staff.

This code of practice:

- Provides a framework of good practice for recruiting and retaining volunteers that will benefit organisations, service users, and volunteers alike.
- Promotes volunteering as a valued contribution to service delivery, as well as an important community activity and opportunity for personal development.

## **Shared Principles**

The Cheshire West Compact will, through partners' commitments, strengthen volunteering and the volunteering infrastructure across Cheshire West and Chester and promote the benefits of volunteering to local individuals, third sector organisations and groups and public sector organisations. Working through volunteer recruitment and brokerage, and training and support for good practice in volunteer management, voluntary sector infrastructure organisations such as Volunteer Centres will continue to work to put in place a co-ordinated framework of

volunteering services based upon the quality standards set by Volunteering England. These volunteering services will improve the capacity of local organisations to recruit, support, and retain a more diverse range of volunteers, including volunteers from under-represented groups, and will support the development of volunteering opportunities which will encourage people from other cultures to volunteer. Compact partners recognise that:

- Although volunteers give their time freely, they need resources with which to work, and need their volunteering activities not to leave them out of pocket, particularly where this is a barrier to participation.
- Short term funding creates problems for attracting, motivating and supporting individual volunteers.
- Poor experiences of volunteering do not just affect the individual volunteer and the organisation, but detract from the wider public perception of volunteering.

## Shared Undertakings

Cheshire West Public and Third Sector partners are jointly committed to good practice in volunteering in both their own sectors and in partnership and collaborative working including undertaking to:

1. Recognise and value that volunteering must be a **choice** freely made by each individual, without any form of sanction, penalty, pressure or coercion, and that freedom to volunteer also implies freedom not to become involved.
2. Recognise that volunteers offer their contribution unwaged but should **benefit** in other ways in return for their contribution to the organisation.
3. Recognise that giving voluntary time and skills establishes a reciprocal relationship with **mutual benefit** in which the volunteer and the organisation or partnership both benefit e.g. by giving and receiving experience, skills development, sense of achievement, and inclusion in the life of the organisation.
4. Explicitly recognise the **value** of volunteers' contribution to the organisation, the community, the social economy, and to wider social objectives as fundamental to the relationship between volunteers and the organisation or partnership.
5. Include the cost and value of volunteer contributions in service proposals and reports wherever possible and appropriate.

6. Recognise that **good support, management and training** of volunteers are an essential part of volunteering, enabling volunteers to have a worthwhile experience and to feel valued, as well as being able to contribute to an organisation's objectives.
7. Take positive action to promote the status, image and benefits of volunteering and community involvement such as skills development, confidence building and social interaction and opportunities to gain experience to support career development. Positive action includes monitoring and publicising the benefits and wider impact that volunteers bring to an organisation and to the local community including social capital, skills development and economic contributions.
8. Recognise and value volunteering as an **opportunity which should be open to all** and the need to take a consistent approach to ensure equality is embedded into working with volunteers through implementing equalities policies, procedures and practice which makes it easier for people to get involved, such as:
  - Promoting and supporting opportunities for all individuals regardless of economic status, age, disability, gender, race, religion or belief, and sexual orientation or transgender.
  - Ensuring that volunteers receive out of pocket expenses where the non-provision of expenses is a barrier to participation
  - Taking into account Welfare Benefits rules and how they are applied in practice
  - Countering poor images of volunteering in the media and elsewhere
  - Addressing social isolation and difficulties in obtaining information on volunteering
  - Providing an environment for volunteering that is sensitive to different cultural or community needs e.g. disability.

## **Public Sector Undertakings**

Public sector partners undertake to:

1. Recognise and value the contribution that volunteers make to organisations, the community, the social economy and wider social objectives.
2. Promote and support volunteering within their own organisations.
3. Recognise that volunteers are not substitutes or replacements for paid employees.

4. Recognise that volunteers require support, management (including supervision), training and development and that the costs of this need to be understood and included in service delivery plans and costs where relevant.
5. Assess the potential impact of any new policy, procedure or practice on volunteering where possible and appropriate.

## **Third Sector Undertakings**

Third sector partners undertake to:

1. Have in place all the relevant policies and procedures which enable and support volunteering within their organisation.
2. Recognise that volunteers require support, management (including supervision), training and development and that the costs of this need to be understood and included in funding applications, service delivery plans and costs where relevant.
3. Manage volunteers respectfully and professionally and have in place all the relevant policies and procedures which support individuals to volunteer.
4. Report and acknowledge the impact and value of volunteering in publications and reports.
5. Implement policies that promote equality in employment practices and involvement of volunteers, helping to secure employment and volunteering opportunities for local people.
6. Provide development opportunities for volunteers and voluntary management committees.
7. Ensure inclusion by promoting and developing volunteering opportunities that are open and accessible to all.

## **Section 4 Equality and Diversity Code**

This code replaces the Black & Ethnic Minority (BME) Code and the Community Code contained in the previous local Compact for West Cheshire, with a single Equality

and Diversity Code which reflects both the wider principles of the Equality Act and other recent equality legislation, and looks in more depth at partnership working with communities. A number of specific groups and communities are now recognised within discrimination legislation, specifically the Equality Act 2010. This code supports opportunities for as many people as possible within West Cheshire to be involved in the work of our organisations and in their communities, including those with protected characteristics according to the Equality Act 2010. These are:

- age
- disability
- race
- sex
- sexual orientation
- pregnancy and maternity
- gender reassignment / transgender
- marriage or civil partnership status
- religion or belief.

Locally, many organisations within the third sector work to promote equality for people who possess the specific protected characteristics outlined above.

Organisations within the third sector play an important role in representing, acting as advocates for and providing services to people who have explicit protection in equality law, for example because of their race, age, gender, sex, sexual orientation, religion or belief, or disability. If organisations deliver services or provide goods or facilities on behalf of public bodies, they will also be bound by the race, gender and disability duties which exist in equality law. They often work with the public sector and may be involved in designing and delivering services for or with them. This Code puts in place principles and commitments to ensure that both sectors work together to enhance and promote the benefits of diversity and meet their mutual duties to promote equality and challenge and address inequality in our local community. Other organisations work with communities which are disadvantaged and socially excluded but are not covered by the protected characteristics detailed in the 2010 Equality Act.

The West Cheshire Compact seeks to recognise and appreciate the value of diversity that exists in West Cheshire and in our society generally, aiming specifically to promote the inclusion of all groups and individuals within our communities that are under-represented, disadvantaged or excluded. It recognises that everyone is different and that the different communities and groups within West Cheshire will have a range of views dependant on cultural, economic and social background, age, disability, sexual orientation and other factors. The West Cheshire Compact also puts in place principles and commitments to ensure that both sectors work together

to enhance and promote the benefits of diversity and meet their mutual duties to promote equality and challenge and address inequality across our local community. Therefore the organisations signed up to the West Cheshire Compact will also work together to address issues such as rural and social isolation and socio-economic disadvantage.

Approaches to delivery can never be “one size fits all”, and people in each equality “strand” (which includes race, gender, age, sexual orientation, religion or belief, disability and gender reassignment) are diverse. While inclusiveness should generally be the hallmark of promoting equality, it may sometimes be necessary to provide services specifically targeted at individual groups within the community. This can promote community cohesion by giving disadvantaged groups the tailored support they need to play a full part in the community as a whole, for the benefit of themselves and others.

Whilst this code specifically deals with equality and diversity issues, it should also be noted that equality principles are also embedded within all other codes and the values and principles of the West Cheshire Compact.

## **The Black and Minority Ethnic (BME) Sector in West Cheshire**

The local BME Sector represents diverse people, communities and families, including faith groups, refugee and asylum seekers, migrant workers and others. There should also be recognition that the different communities and groups within the sector will have a range of views dependant on cultural, economic and social background, age, disability, sexual orientation and other factors. The BME sector consists of all organisations led and managed primarily by people of Black or Minority Ethnic background. The BME Sector has a very important role in bringing a distinctive value to Society, enabling BME individuals and groups to contribute to public life and in supporting the creation of a more cohesive and inclusive society which is enriched by the different cultures and communities within it. It is also extremely important to be aware that within any particular culture, BME and /or faith community there is wide variation in people’s ways of doing things, their standards, aspirations and beliefs.

## **Other Communities and Groups**

The aim of this code of practice is to strengthen relationships between statutory agencies and third sector organisations working with and for people who have characteristics protected by the Equality Act 2010, and with and for those who are not included within the provisions of the Act, but who are, because of other

circumstances, vulnerable, disadvantaged or socially isolated. The code of practice also aims to enable organisations working with and for vulnerable and disadvantaged groups and communities to:

- Contribute to policy development and service delivery in the Cheshire West area on a more equal footing with statutory partners, and the wider third sector.
- Ensure that delivery of services has maximum benefit for people who are socially and economically excluded.
- Ensure that policies and practices actively encourage the participation of people who are, or are at risk of, social exclusion.
- Help achieve equality of opportunity through working in a way that is open, accessible, accountable and inclusive.
  - Challenge discrimination.
  - Ensure that the diversity and needs of the many different communities of Cheshire West and Chester, whether they are communities of interest such as BME communities, people with disabilities, communities of place such as rural or urban communities, and/or neighbourhoods.

## **Shared Principles**

1. All partners recognise that many people and communities can be affected by social and economic exclusion, including black and minority ethnic people; members of faith groups; refugees and asylum seekers; disabled people; lesbians and gay men; women; carers; young and older members of society and people experiencing poverty, social isolation and ill health, including mental illness.
2. All partners agree to recognise that we have individual and complementary roles but a shared responsibility to promote equality and diversity across West Cheshire.
3. All partners recognise the importance of:
  - Delivering high quality services to all communities
  - Tackling the problems of social and economic exclusion and allowing all groups and individuals to have a say in the decisions that affect their lives
  - Respecting and celebrating West Cheshire's cultural diversity
  - Working in a way that is open, accessible, accountable and inclusive.

## **Shared Undertakings**

In supporting this code Compact partners agree to:

1. Work together to end unlawful discrimination by complying with all relevant legislation and codes of practice relating to equality and discrimination.
2. Share a vision of how this Code of Practice can contribute to significant improvements in promoting equality and diversity in joint working.
3. Review ways of working in order to create full and equal partnerships and a 'level playing field' for working together is an open and transparent way and with mutual respect and trust.
4. Implement, support and promote equality as required by the **Equality Act 2010** and any other equalities legislation.
5. Understand the specific needs of under-represented and disadvantaged groups by actively seeking the views of service users and clients, and take these needs into account including assessing any impact on these groups, when designing and implementing policies, programmes and services.
6. Regularly review, assess and develop solutions for enhancing existing services and introducing new services, where appropriate, to meet the needs of BME and other vulnerable, disadvantaged or socially excluded communities.
7. Ensure that the equality principles contained within the Compact are written into partners' strategies and plans.
8. Offer additional support to encourage volunteering amongst disadvantaged or socially excluded communities.
9. Ensure that the development of and consultation about policies and practices encourages the active involvement of all disadvantaged or socially excluded communities.
10. Work in partnership to achieve equality of opportunity including sharing and promoting examples of good practice and celebrating diversity.

## **Public Sector Undertakings**

In supporting this code, public sector organisations agree to:

1. Deliver a diverse range of services to meet the needs of all sectors of our community.

2. Build and promote stronger communities.
3. Use a range of methods to reach out to underrepresented and socially excluded communities and to appropriately engage and consult with disadvantaged or socially excluded communities and individuals.
4. Empower communities to participate in decisions that affect their lives.
5. Develop and implement policies that promote equality, good race relations, improve social inclusion and challenge discrimination throughout its services, activities and employment practices across West Cheshire.
6. Continue to achieve higher levels of the Equality Standard for Local Government and to share its knowledge with the third sector.
7. Recognise the key role the third sector plays in a democratic and inclusive society and value its vibrant and vital contribution to our culturally diverse area.
8. Work with third sector organisations that represent, support or provide services to people specifically protected by legislation and to other under-represented and disadvantaged groups.
9. Acknowledge that organisations representing specific disadvantaged or under-represented groups can help promote social and community cohesion and should have fair access to public funding.
10. Involve the third sector fully in identifying community needs and carrying out strategies that meet shared policy objectives.
11. Use funding and practical assistance to build the capacity of third organisations and groups so that they can effectively deliver their services to BME and other disadvantaged or socially excluded communities and to improve social inclusion, reduce poverty, celebrate diversity and promote equality among all disadvantaged individuals and groups.
12. Consult third sector partners on ways of making it as easy as possible for all community organisations, including small, informal groups, to become effectively involved in the decisions that affect them.
13. Provide guidance to voluntary and community groups on the accessibility of their services and buildings on request.

14. Value the work, knowledge, expertise and experience of third sector groups and organisations working with and/or for BME and other vulnerable, disadvantaged or socially excluded communities.
15. Use plain language when communicating with third sector partners and produce information, publicity material, application forms and other documents in accessible formats.

## **Third Sector Undertakings**

In supporting this code third sector groups and organisations **working directly with and/or for BME or and other vulnerable, disadvantaged or socially excluded communities** agree to:

1. Participate actively within the wider community and play a full and active role as part of the wider third sector.
2. Actively work in partnership with the public sector and wider third sector in tackling social exclusion and promoting race equality and community cohesion.
3. Work in partnership with the public sector and wider third sector to identify trends and to monitor the changing needs of BME and other vulnerable, disadvantaged or socially excluded communities in West Cheshire and offer solutions in response to those needs.
4. Encourage co-operation and collaboration and strive to encourage joint working amongst the vulnerable, disadvantaged or socially isolated or excluded groups.
5. Actively develop open and dynamic organisations and make use of appropriate training and development support for trustees, staff and volunteers.
6. Adopt appropriate quality standards and applying best practice in management and service delivery within their organisations.

In supporting this code BME **wider third sector organisations and groups** commit to:

1. Take practical action to eliminate unlawful discrimination, advance equality and to ensure a voice for under-represented and disadvantaged groups.

2. Acknowledge Cheshire West and Chester Borough Council's legal duty to promote the well being of West Cheshire communities. This includes tackling all forms of inequality and social exclusion across the full range of geographical communities and communities of interest
3. Develop and implement policies, practices and services that celebrate diversity, promote the equality of disadvantaged individuals and groups, enhance social inclusion and challenge discrimination.
4. Work openly and cooperatively with partners to develop their services, so that they complement those delivered by the public sector and for part of a whole package of quality services that exist to improve the quality of life and promote equality in West Cheshire.
5. Work openly and cooperatively with other third sector partners, respecting cultural and other differences.
6. When participating in consultation activity, advise the public sector of groups that should be involved, share their proposals with other interested parties and ensure that their response is a fair representation of the views of the organisation as a whole and/or highlights different communities' views where necessary.
7. Make sure that their services and premises are accessible and work with the public sector partners to improve that accessibility.
8. Monitor how successful their services are in meeting the needs of disadvantaged or socially excluded communities and demonstrate how the value of this work can help in the delivery of public sector and other duties on promoting equality and tackling discrimination.

## **Section 5**

### **Working Within Partnerships, Collaborative, Consortium or other Joint Working Arrangements**

The Compact aims to make a positive impact on the relationship between the public sector and the voluntary and community sector in establishing effective partnership, collaborative, consortium or other joint working arrangements and to set a framework for:

- Understanding how to be effective when working with partners.
- Encouraging good practice in managing relationships with partners.
- Working together with mutual trust and respect.
- Enabling inclusion and full participation.

## **Shared Principles**

The Compact acknowledges that partnership working, in all its various forms, involves making a difference in a way that adds value to, and improves the effectiveness of service delivery. When considering a partnership, consortium or other collaborative or joint working arrangement, Compact partners agree that there should be:

- Active agreement that the arrangement is necessary and either enables work that could not otherwise be done to be achieved, or adds value to the work being undertaken.
- A shared, clear and defined purpose.

It is also agreed that crucial elements of partnership, consortium or collaborative working include:

- Confidence in the commitments, capacity and actions of different partners.
- Commitment to and the capacity to achieve the best outcomes for service users.
- Strong leadership by respected individuals.
- A clear and open decision-making process.
- Development of a shared vision of what might be achieved.
- Time to build the partnership.
- Shared or overlapping agendas.
- Good communication between partners.
- Consideration of the longer-term sustainability of projects and organisations as well as the wider issues of sustainability.
- Effective partnership management.

## **Shared Undertakings**

The public and third sectors across West Cheshire are committed to developing and maintaining best practice and mutual respect in their relationship. To act in line with the Compact all partners undertake to:

1. Identify common needs, goals and shared priorities through working together as partners.

2. Promote and share best practice in partnership working.
3. Develop and be part of partnerships, collaborative working and/or consortia where they can add value to existing work arrangements.
4. Review the effectiveness of partnerships on a regular basis and if necessary agree a way forward to improve effectiveness or end the partnership.
5. Develop open and representative processes and structures, promoting inclusion and ensuring that the needs and views of as many and as diverse a range of people as possible are considered by partners together.
6. Ensure equality of access to information, support and resources.
7. Consider how all sectors can work together to develop and maintain a community sector infrastructure at all levels.
8. Promote community development based on the following definition:  
*"Community development is about building active and sustainable communities based on social justice and mutual respect. It is about changing power structures to remove the barriers that prevent people from participating in the issues that affect their lives. It promotes the active involvement of people through sharing power, skills, knowledge and expertise".*
9. Assess the implications for the third sector of new policies, legislation and guidance, and aim to reduce the bureaucratic burden, particularly on small organisations.

Compact partners also commit to developing partnership or joint working arrangements based on good practice principles and which are effective, including:

1. Understanding what available resources are needed for a partnership to achieve planned outcomes.
2. Recognising the value of specific skills and expertise in all sectors.
3. Being clear about organisational interests and recognising the limits and boundaries of participating partners or their representatives.
4. Providing induction for new partners and representatives including awareness and the implications of The West Cheshire Compact.

5. Ensuring each partner is clear about their role and the commitments involved.
6. Ensuring that the role of staff members and volunteers in representing organisations working together as partners, or in partnerships, is fully recognised within their job roles and supported by their employing or sponsoring organisation (including identified training and development).
7. Being clear whose responsibility it is to ensure sound organisation, management and appropriate resourcing of a partnership including:
  - Clear Terms of Reference for a partnership including clarity on where it is positioned within a wider partnership structure
  - Clear and agreed administrative and secretariat function and resources
  - Clear and agreed strategic plan/s with Action Planning to achieve outcomes
  - A Communication and Involvement Strategy
  - Performance management and reporting mechanisms and processes
  - Where relevant, identify an accountable body for performance and/or the acceptance of risk if not to be equally shared amongst partners
  - Accessible meetings
  - Arrangements to cover costs of participation and representation if this would be a barrier to people being able to play a full part in the partnership
  - Identifying clearly the role of the Chair, and ensure this person is able to encourage the involvement and participation of all involved
  - Accepting ownership for decisions made by the partnership and their promotion
  - Using the representative structures and processes of the third sector to identify and encourage sector involvement in policy development and delivery design at the earliest practicable stage.

## **Public Sector Undertakings**

Public sector partners undertake to:

1. Recognise and value the skills, knowledge and expertise that voluntary and community sector organisations bring as partners.

2. Recognise that voluntary and community sector organisations have a strategic as well as a service delivery role.
3. Be clear about what role a particular representative or organisation plays in a joint working arrangement i.e. whether this is as a full partner (sharing costs and risks), as a voluntary and community sector representative (providing for example organisation or service users views and input), as a advisor (for a particular aspect or service) or as an organisation providing services commissioned by the partnership, when requested to join a partnership or joint working arrangement.

## **Third Sector Undertakings**

Third sector partners undertake to:

1. Ensure that third sector representatives consult and represent the wider views of the sector in an inclusive and accessible way.
2. Respect and work to support the statutory frameworks (including monitoring) within which the public sector operates.
3. Ensure that issues concerning third sector funding are raised only when directly relevant to the partnership's current business to hand.

## **Section 6**

### **Managing Changes to Services**

Public services have and are changing rapidly to meet demands placed upon them by:

- Increasing demand for services which meet individual needs better.
- Increasing demand for services which are locally responsive.
- Increasing demand for more complex and integrated services to meet the changing demographics of improved life expectancy of those with complex health or care issues and an increasing elderly population.
- Reduced budgets for public and health services.
- A changing culture of public sector bodies as commissioners of services rather than direct providers of services.
- A continued move towards commissioning services through contracts with a corresponding decrease in third sector organisations as deliverers of services funded through grant arrangements.

Services are increasingly being developed and delivered through joint working and other co-production arrangements to meet these demands. Additionally, fundamental changes in both the way services are being delivered and the types of services being delivered are bringing new challenges to partnership working and to the relationship between the public and third sectors.

## **Shared Principles**

This new set of undertakings in the revised Compact aims to consider how best to meet these challenges, it acknowledges a number of key shared principles including that:

- decommissioning of services, or reductions in funding, services or activities may be necessary from time to time and that, where and when this happens, the situation will be managed within the spirit and principles of the Compact.
- decommissioning of services should only happen after a review which includes the views of service users and service providers obtained through a clear consultation process.
- strategic decisions to alter levels of funding to third sector organisations and groups can have a de-stabilising effect, and must be carefully managed and communicated.
- there is a respect for the third sector's independence and its lawful right to speak out on behalf of its members and service users, on the basis of robust evidence, irrespective of any funding relationships which may exist.

## **Shared Undertakings**

All Compact partners recognise that it may be necessary to end or change funding arrangements (for example, when people or communities' needs change, or when funding streams cease, etc.). They commit to working together to ensure that:

- The impact of any changes on service users and employees is considered before deciding to end or change funding.
- Any changes are implemented legally and respectfully and that any negative impacts on service users and employees are minimised.

## **Public Sector Undertakings**

Public Sector partners undertake, where third sector organisations are either providers of a particular service and/or provide support, advocacy or a voice for service users, that:

1. If a programme or service is encountering problems, they will discuss and agree with the service provider a timetable of actions to improve performance before making a decision to end a financial relationship.
2. If a programme or service is being decommissioned, they will give as much notice as possible of this bearing in mind third sector legal obligations as employers and need to discuss with trustees and/or other governing bodies, and will, preferably, discuss and agree with the service provider a timetable for the decommissioning process.
3. Give a minimum of three months, and ideally six months' notice in writing when changing or ending a funding relationship or other support, apart from in exceptional circumstances.
4. Provide a clear rationale for why the decision has been taken and details of any appeal process.
5. A review process will be undertaken before deciding to reduce or end funding. This should include a 12 week period of consultation (or less by mutual consent) that will, at the point of launch, publish the criteria and outcomes upon which a decision will be made. During the consultation period an assessment of the impact on beneficiaries, service users and volunteers, including an Equalities Analysis, will be undertaken, with appropriate third sector representation detailing the effects on affected communities or service users.
6. They will review consultation feedback before deciding to proceed.
7. Follow the consultation review, if proceeding, with a three month period of formal notice with continuing dialogue that gives sufficient financial information to the affected organisation upon which to base management action (such as 'risk of redundancy notice' to staff, or re-direction of services or resources).
8. Where there are restrictions or changes to future resources, there will be discussions with third sector organisations on the potential implications as early as possible, give organisations the opportunity to respond, and consider the response fully, respecting sector expertise, before making a final decision.

## **Third Sector Undertakings**

Third Sector partners undertake to:

1. Plan for the end of funding to reduce any potential negative impact on beneficiaries and the organisation.
2. Seek to create a mix of funding sources and types (including short term and time limited projects)
3. Use good risk management principles that include a financial reserves policy.
4. Contribute positively to reviews of and consultations on changes to services, programmes and funding practice.
5. Advise the public sector on the social, environmental or economic impact of funding changes, and on ways to minimise their effects on people in vulnerable situations
6. Where proportionate and appropriate to do so, develop business plans to ensure the sustainability of their organisation and its services which may include collaboration or consortia arrangements with other organisations.
7. Provide clear monitoring and evaluation information which shows the return on a public sector agency's investment in an agreed format proportional in scope to the investment made.
8. Establish, where appropriate and practical to do so, the value of the services that they provide, including a recognition of the added value of such services e.g. by including a monetary value to volunteering, the potential costs of not providing a service or intervention, etc.