

Overview & Scrutiny Committee



SCRUTINY PANEL 3

Councillor Empowerment Fund

December 2011



NORTHAMPTON
BOROUGH COUNCIL

Index

Chair's Foreword	2
Executive Summary	3
Final Report including recommendations	10

APPENDICES

Appendix A	Scope of the Review
Appendix B	Localism Bill 2010
Appendix C	Councillor Empowerment Fund Schemes External to Northampton Borough Council
Appendix D	Equality Impact Assessment (Screening) for the development of a Councillor Empowerment Fund Scheme
Appendix E	Draft Application Form and Terms and Conditions – Councillor Empowerment Fund

Foreword

The objective of this Scrutiny Panel was to recommend a suitable scheme for a Northampton Councillor Empowerment Fund that enables Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities.

The Scrutiny Panel was made up of Members of the Overview and Scrutiny Committee: myself (Chair of the Scrutiny Panel); Councillors Anna King, Nilesh Parekh, Brian Sargeant, together with other non-Executives Councillors Joy Capstick, Ifty Choudary and Dennis Meredith.

The Review took place between July 2011 and November 2011.

The Councillor role is an important one and the Council's Scrutiny process is a good place for Councillors to make a real difference. I believe that in this report the Panel has done that and I would like to convey my sincere thanks to members of the Scrutiny Panel for their work on this Scrutiny Review.

The Panel received both written and spoken evidence from a wide variety of expert advisors including the Portfolio Holders for Community Engagement and Finance, Northampton Borough Council, Officers of Kettering Borough Council and Northamptonshire County Council and representatives of the Voluntary and Community Sector.

Desk-top research was carried out by the Scrutiny Officer, into Councillor Empowerment Fund Schemes elsewhere, including Devon County Council, Newark and Sherwood District Council, East Lindsey District Council, Nottinghamshire County Council and the City of Lincoln Council.

Recommendations are contained within the report.

I would like to thank everyone who contributed to this Review.



Councillor Matt Lynch

Chair, Scrutiny Panel 3, Councillor Empowerment Fund

Acknowledgements to all those who took part in the Review: -

- Councillors Joy Capstick, Ifty Choudary, Anna King, Dennis Meredith, Nilesh Parekh and Brian Sargeant who sat with me on this Review
- Cassie Triggs, Democratic and Chief Executive Services Manager, Nicci Marzec, Director of Partnerships and Thomas Hall, Head of Policy and Community Engagement, for their support to this Review
- Councillor Michael Hill, Portfolio Holder (Community Engagement), Northampton Borough Council (NBC) and Councillor Alan Bottwood, Portfolio Holder (Finance), NBC, Sandra Bell, Chair, Voluntary Sector Forum, Clement Chunga of the Malawi Association, Joanna Steer, Deaf Connect, Zahira Case, Pearls of Peace, Sue Lyons, Head of Legal and Democratic Services, Anne Ireson, Democratic Services Manager, Rachel Paling, Democratic Services Officer, Kettering Borough Council and Catherine Greenfield, Committee Assistant, and James Edmunds, Scrutiny Manager, Northamptonshire County Council, for providing expert advice to inform this Review
- Mansfield District Council, Staffordshire County Council and Wycombe District Council for providing a written response to inform the Panel's evidence base

EXECUTIVE SUMMARY

The purpose of the Review was to recommend a suitable scheme for a Northampton Councillor Empowerment Fund that enables Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities.

The Leader of the Council addressed the Overview and Scrutiny Work Programming event for 2011/2012 and informed non-Executives of the Council's priorities and challenges for the forthcoming year. The establishment of a Councillor Empowerment Fund Scheme was recognised as a key priority. This issue was therefore included within the Overview and Scrutiny Work Programme 2011/2012.

A Scrutiny Panel was established comprising Councillor Matt Lynch (Chair); Councillors Anna King, Nilesh Parekh, Brian Sargeant, Joy Capstick, Ifty Choudary and Dennis Meredith.

The Review commenced in July 2011 and the Scrutiny Panel concluded its work in November 2011.

This Review links to the Council's corporate priorities - Corporate priority CP1 – Supporting you when you need it – Supporting community involvement and give you opportunity to take part. The Corporate Plan 2012/2013 is currently in development and it is anticipated that the Scheme will be identified as a Corporate priority.

CONCLUSIONS AND KEY FINDINGS

A significant amount of evidence was heard, details of which are contained in the report. After gathering evidence the Scrutiny Panel established that: -

Funds similar to that of the Councillor Empowerment and Community Scheme seem to be highly supported by Councillors where such a Scheme has been introduced. The Scrutiny Panel acknowledged the need for a flexible Scheme to be introduced at Northampton Borough Council (NBC) that would allow Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities. In particular, it was noted that such Schemes have been particularly successful at providing access to funding for smaller and sometimes less well known community groups that are either not eligible for or not frequent recipients of other types of grants that may available. If NBC wishes to promote this fund as such it will need to give consideration to how it will bring it to the attention of lesser known groups in the town.

The advice of the Portfolio Holder (Finance) of setting the allowance at £1,500 per Councillor per year was acknowledged. A growth item of £69, 000 would need to

be considered along side other priorities of the Council as part of the medium term financial plan and the 2012/13 budget process.

The Scrutiny Panel noted that two Councils have reduced the sums allocated to Councillors through Empowering Councillors and Communities Schemes this year - Northamptonshire County Council and East Lindsey District Council. Northamptonshire County Council allocates its Councillors £7,000 per year and East Lindsey, £1,500 per Member. Newark and Sherwood deleted its Community Fund as part of budget savings some years ago. However, Mansfield proposed that Councillors are allocated £20,000 per year, but this was not approved and their Councillors now receive £1,000 per year. Kettering Borough Council allocates each Member £625 per year through its Fund.

The administration of Schemes appear to be resource heavy, often with the need for a full time post, at least during the implementation phase and for two to three years afterwards. For example Northamptonshire County Council reported that Officer time is around 25 hours a week to administer its Scheme. Kettering Borough Council confirmed Officer time to be in the region of five to ten hours a month. Wycombe District Council estimated Officer time to be in the region of 85 hours a year and Mansfield District Council reported that it took thirty minutes to administer one application form. From the evidence received the Scrutiny Panel acknowledged that the duties of providing advice and support in completing applications, reviewing and approving applications, processing and issuing cheques and monitoring outcomes and effectiveness of the Scheme will take in the region of 112.5 Officer hours per year. (based on an average of two allocations per Councillor per year). From the evidence received, the Scrutiny Panel felt that the Councillor Empowerment Fund Scheme could sit either in the area of responsibility of the Director of Finance or the Assistant Chief Executive, depending on whether the greater emphasis is given to the issuing of the fund or the authorisation procedure. As a guide, the Panel felt that the work could be divided as follows:

- Political Assistants: Provide support and advice to Councillors in completing forms and obtaining feedback for monitoring and reporting purposes (approximately 55 hours per year total)
- Chief Executive's Office: Review and approve applications (including referring them back to the Councillor and Political Assistant if further information is required), provide support and advice to any Group that does not have a Political Assistant and compile the quarterly and annual reports (approximately 55 hours per year)
- Finance: Processing and issuing cheques for payment (approximately 22.5 hours per year)

The Scrutiny Panel acknowledged that the majority of Schemes elsewhere allow Councillors to allocate their budgets in proportions that they see fit within the rules. However Devon County Council advises that there is an administrative cost to every payment. Councillors are therefore asked that they do not allocate less than £100 to any one project.

The Scrutiny Panel highlighted the main reported pitfalls of such a Scheme as lack of audit, Community Groups that 'shout the loudest' are often responded to the most; which raises the query of whether the Scheme is equitable, lack of

Councillor engagement in the Scheme and substantial amount of officer time required to support the Scheme.

The Scrutiny Panel realised the need for a Councillor Empowerment Fund to be accompanied by clear guidance notes which in the main would explain how the Scheme will run and what is prohibited. It is recognised that the prohibitions detailed below are regularly used by other Local Authorities and are therefore thought appropriate to be used by Northampton Borough Council:

- Expenditure that is unlawful or for which the Council is not entitled to spend money
- Proposals that would replace expenditure that the Council has withdrawn
- Proposals which commit the Council or its partners to ongoing funding without explicit approval or that would result in future maintenance costs for which ongoing funding has not been committed (note: a commitment to use future councillor empowerment funds for this purpose would not be permitted)
- Proposals which advocate positions of Political Groups
- Any proposal that is not related to the delivery of the Council's strategic goals and priorities
- Applications which are proposed by profit making organisations, businesses, Local Authorities or statutory bodies (excluding applications from Parish Council)
- Proposals which exclusively support or promote religion or religious belief
- Proposals which have started before the application has been agreed. Grants cannot be given retrospectively
- Expenditure that would improve a Councillor's financial position
- On a project that relates to a function which is the legal responsibility of another statutory body or organisation, e.g. highways or education matters.

The application form should be simple, laying out the criteria of the Scheme with a tick box completion for the Councillor. Each Scheme must be approved by an Officer to ensure that it does not breach any of the criteria, with the Chief Executive having final say in the case of a dispute. The nature of this approval process could draw upon Northamptonshire County Council's experience and also that of Kettering Borough Council. The Scrutiny Panel highlighted that the form must be completed prior to the issue of approval and money being granted must take into account all rules and regulations so as to ensure that the Council does not breach its responsibilities in this regard. If further guidance is required, this should be sought from the Borough Solicitor and Monitoring Officer.

It was recognised that most Councils permit the Fund to be rolled over year on year, for the life of the Council. Kettering Borough Council states that amounts under spent as at 31st March each year should be returned to balances unless expenditure has been authorised by that date but not yet expended. However the Portfolio Holder (Finance) felt that there was a need to make monitoring of the Scheme as simple as possible and all monies should be spend in each financial year or forfeited.

It was highlighted that a number of Local Authorities stipulate a date when monies must be spent in year four; this is normally prior to the Purdah period.

The Scrutiny Panel agreed that Councillors should be encouraged to spend the Fund on projects that were either taking place in their ward or would bring benefit to those in their ward. However, it was agreed that this did not preclude them from allocating their Fund to benefit other wards instead if this was how they wished to spend their allocation. The Scrutiny Panel supported the pooling of Councillors Empowerment Fund, acknowledging that a ward may be a two Councillor Ward and they may decide on one project for their area or two (preferably adjacent) ward Councillors may feel that the area would benefit by them jointly funding a project.

The Scrutiny Panel agreed that it was important for the recipient to be required to identify outcomes from the money given by the Fund. The need to evaluate the Scheme on a regular basis was recognised by methods such as an Annual Survey to all those who received funds. Details could be reported in an Annual Report. The Scrutiny Panel felt information could be provided on a more regular basis, such as quarterly so that all parties are aware of the funding that has been applied across the whole Borough. This would also assist in reviewing the effectiveness of the Scheme.

The Scrutiny Panel felt that organisations and Groups that were granted funds through the Scheme should be properly constituted and able to provide bank account details. Cheques would be issued directly to the organisation or Group.

The Scrutiny Panel recognised the importance of publicity for the Councillor Empowerment Fund and felt it would be appropriate for the Corporate Communications Team to be asked to assist in generating positive publicity for the Scheme and promote examples of projects the Scheme has funded. Political Assistants will also, in collaboration with the Corporate Communications Team, assist Councillors in communicating how they have spent their Funds.

The Scrutiny Panel acknowledged that it should be the Councillors' responsibility to promote the Scheme within their ward, raise interest, assist organisations in completing their application forms, communicating their final decision and any positive outcomes of the Fund.

The support of the Voluntary and Community Sector Forum to promote and publicise the Scheme was welcomed.

The Scrutiny Panel acknowledged the concerns of the Voluntary and Community Sector that Groups within its network may require assistance in completing application forms and contacting their local ward Councillor. An annual event promoting the Scheme would be useful in promoting its value to local Groups and organisations.

RECOMMENDATIONS

The above overall findings have formed the basis for the following recommendations: -

A Councillor Empowerment Fund for Councillors of Northampton Borough Council with an annual allocation of £1,500 per Councillor is introduced from 1st April 2012. A growth item of £69,000 is considered along side other priorities of the Council as part of the medium term financial plan and the 2012/13 budget process.

The draft application form (as attached at Appendix E) is adopted in order to identify the purpose and result of the funding. The application form must be completed prior to the issue of approval and money being granted to ensure that the Council does not breach its responsibilities in this regard. The draft Terms of Conditions and criteria of the Scheme (as contained within the draft application form) are adopted in consultation with the Director of Finance and Support and the Borough Solicitor and Monitoring Officer.

Cabinet is recommended to ask the Chief Executive to decide where in the organisation the Fund should sit and specifically delegate the tasks of providing advice and support in completing applications, reviewing and approving applications, processing and issuing cheques and monitoring outcomes and effectiveness of the scheme.

A report of the Councillor Empowerment Fund that details expenditure authorised, the originating Member, the amount and the purpose authorised is produced and submitted to Cabinet on a quarterly basis.

An Annual Survey is issued to all those who received funds. The results of which are provided in a summary within the Council's Annual Report.

The Corporate Communications Team is asked to assist in generating positive publicity for the Scheme and promote examples of projects the Scheme has funded. Political Assistants will also, in collaboration with the Corporate Communications Team, assist Councillors in communicating how they have spent their Funds.

Cabinet instructs Officers to make information on the Scheme publically available on the Internet and ensures that the Scheme is promoted by the Corporate Communications Team.

Cabinet instructs Officers to hold an open evening once a year to promote the Councillor Empowerment Fund Scheme to community Groups and Organisations, to which all Councillors would also be invited to attend.

Cabinet asks the Voluntary and Community Sector Forum to promote the Councillor Empowerment Fund within its network.

The Councillor Enabling Fund Advisory Panel (CEFAP) monitors the effectiveness of the Scheme on an annual basis and recommends any changes as appropriate. The

Overview and Scrutiny Committee, as part of its monitoring regime, reviews the impact of this report after six months.

Northampton Borough Council

Overview and Scrutiny

Report of Scrutiny Panel 3 – Councillor Empowerment Fund

1 Purpose

- 1.1 The purpose of the Scrutiny Panel was to recommend a suitable scheme for a Northampton Councillor Empowerment Fund that enables Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities.
- 1.2 A copy of the Scope of the Review is attached at Appendix A.

2 Context and Background

- 2.1 The Leader of the Council addressed the Overview and Scrutiny Work Programming event for 2011/2012 and informed non-Executives of the Council's priorities and challenges for the forthcoming year. The establishment of a Councillor Empowerment Fund Scheme was recognised as a key priority. This issue was therefore included within the Overview and Scrutiny Work Programme for 2011/2012.
- 2.2 Following approval of the Overview and Scrutiny Work Programme for 2011/2012, it was agreed that a short, sharp Review would commence in July 2011 and conclude early November 2011.
- 2.3 The Administration, in its Manifesto, gave its commitment to the development of a *"Councillor Community Fund Scheme for Borough Councillors to allocate money within their ward to make a positive impact on the areas they represent and to empower local residents who are active in their communities. A Conservative administration will consult Northamptonshire County Council and use best practice and advice from the successful Empowering Councillors and Communities Scheme"*.
- 2.4 Part 1 of the Local Government Act 2000 gives Councils broader powers to promote the social, economic and environmental well being of its area. This power brings with it benefits for Authorities and local communities through more effective relationships with partners and the public, greater freedoms and flexibilities and the ability to be innovative and creative. It is of particular relevance to promoting Councillors' community leadership role and the development of Empowering Councillors and Communities Schemes.
- 2.5 A Councillor Empowerment Fund is a Scheme which grants a set sum per year to each of the Council's elected Councillors to spend within their electoral ward. The Scheme could detail what the fund could be spent on, the process, whether it could be rolled over for the life of the Council and any prohibitions

- 2.6 A Scrutiny Panel was established comprising Councillor Matt Lynch (Chair); Councillors Anna King, Nilesh Parekh, Brian Sargeant, together with other non-Executives Councillors Joy Capstick, Ifty Choudary and Dennis Meredith.
- 2.7 The Scrutiny Panel agreed that the following needed to be investigated and linked to the realisation of the Council's corporate priorities:
- A synopsis of the relevant section of the Localism Bill
 - Evidence from the Portfolio Holder (Finance)
 - Evidence from the Portfolio Holder (Community Engagement)
 - Evidence from Voluntary and Community Organisations
 - Desktop research detailing Councillor Empowerment Schemes elsewhere
 - Evidence from Local Authorities who have implemented a Community Empowerment Scheme
- 2.8 This Review links to the Council's corporate priorities - Corporate priority 1 (Supporting you when you need it) – Supporting community involvement and give you opportunity to take part. The Corporate Plan 2012/2013 is currently in development and it is anticipated that the Scheme will be identified as a Corporate priority.

3 Evidence Collection

- 3.1 In scoping this Review it was decided that evidence would be collected from a variety of sources:

3.2 Background data

3.2.1 Localism Bill 2010

- 3.2.1.1 The link between the Localism Bill 2010 and Councillor Empowerment Fund Schemes is detailed at Appendix B.

3.2.2 Councillor Empowerment Fund Schemes External to Northampton Borough Council

- 3.2.2.1 Desktop research was carried out regarding Councillor Empowerment Fund Schemes in operation elsewhere and the salient points are detailed below. Kettering Borough Council, Northamptonshire County Council, Wycombe District Council and Mansfield Borough Council provided a response to the Panel's core questions and this is detailed at section 3.5 of the report. Comprehensive details are contained at Appendix C.

3.2.2.2 Devon County Council - Locality Budgets

Key points:-

- Each Councillor is allocated £15,000 per year and can carry this money over year on year for the life of the Council.
- The purpose of the allocation of these budgets is to enable Councillors to respond to local needs in their divisions and support projects or activities for the benefit of the communities which they represent.
- The use of locality budgets varies from one area to another, in part reflecting the diverse nature of the communities that make up the County.
- Certain principles have been agreed by the Council to guide the use of locality budgets and to ensure financial probity, value for money and accountability.
- The onus is on Councillors to seek out organisations which may be in need of support.
- At each County Committee meeting a report is made about Councillors' spending in the previous quarter thereby ensuring the information is in the public domain.
- There are two main areas of expenditure which have been supported by Councillors since the scheme began – Small Local Projects and Larger Projects.
- There is an administrative cost to every payment. It is recommended that Councillors do not allocate less than £100 to any one project.
- The only maximum is the amount of money available in the current year's budget including anything that has been brought forward from the previous year. No commitment should be made which spans more than one financial year.
- Officer Support is a full time role, whose duties include:-
 - Gate keeper
 - Administrator
- If a County Committee meeting is pending, the application is on the agenda for the meeting for approval. Otherwise, the application is sent to the Committee Chair for their approval between meetings.
- A 'light touch' evaluation form is issued to each Community Group after they have received funding from the Scheme.
- Community Groups that 'shout the loudest' are often responded to the most; which raises the query of whether the Scheme is equitable. Another query is raised as to whether Hard to Reach Groups have the confidence to bid for funding through this Scheme.
- Prohibitions for use of the Locality Budget:
 1. Reinstating a cut in service or activity arising from an earlier policy decision of the County Council or other public body, excepting where any one-off funding is required to mitigate the immediate impact of any service reduction where a creative alternative solution has been found, that in other respects meets the operating principles, provided also that there is no commitment upon the Council or Member to provide ongoing support, examples detailed below:
 - a. Reduction in subsidies have caused a bus service to be withdrawn, Councillors may wish to fund a local community transport association or fare car scheme to develop their database of contacts and advertise their services in the area that has been affected by a reduction in bus services.

- b. A voluntary organisation has had a cut in funding and wants to re-locate to share premises with another voluntary organisation to reduce overheads. The local Member might contribute to the cost of re-location (removals and minor works).
 - c. The local Member grants funding via their locality budget to support the training and development costs associated with training volunteer youth workers supporting the removal of sessional youth worker support from a parish's youth club.
2. As ongoing yearly commitments, unless specifically agreed by the Executive in advance.
 3. Funding to benefit individuals or privately owned businesses.

3.2.2.3 Teinbridge District Council – Councillor Community Fund Scheme

Key points:

- Each Councillor is allocated £1,500 to spend on projects in their ward. Some wards have up to three Councillors.
- The Councillors' Community Fund can be used for any purpose which, in the view of the ward Councillor, will improve the community and enhance the quality of life for local residents.
- This fund can only support one-off projects and cannot be used to replace any withdrawn public sector funding or provide/imply any ongoing financial support.
- Applications for funding can only be received from not-for-profit groups/organisations and not individuals.
- There are no set timescales or deadlines. Ward Councillors consider projects throughout the year and make appropriate recommendations to the Council's Executive. Once the Executive has approved the ward Councillor's recommendation, Financial Services make the necessary grant payment.
- Retrospective Community Fund grants will not normally be considered for approval by the Executive. There will be exceptions, whereby an application can be submitted within six weeks of the conclusion of any project but this will need to be approved by the Executive and the reasons for the retrospective application will be given by the applying Councillor, to show that the scheme/project would not have happened without Council monies.
- Groups that have received a grant are asked to complete a simple form at the end of the project telling the Council about its achievements and the Council then undertakes to help the Group to publicise the difference that has been made to the local community.
- Councillors are expected to advertise their funds throughout their Wards and always ask Councillors of the public to give forms back to their Ward Member so that the Council knows that the Councillor has seen it
- Organisations are asked to submit a feedback form within three months of the project finishing with some sort of evidence, such as write ups in the paper or photographs just so that the Council can demonstrate for audit purposes that monies are spent as intended

3.2.2.4 Newark and Sherwood District Council

Key points:

- Newark and Sherwood District Council did have a small Community fund of £2,000 per Councillor but this was deleted as part of budget savings several years ago.
- Its impact on the local community was not measured.

3.2.2.5 East Lindsey District Council – Councillor Initiative Fund

Key points:-

- The amount that is available for each Councillor reduced from £2, 000 to £1,500 in 2011/2012.
- Councillors may roll forward any one year's budget allocation (or unspent monies) for one year only.
- The purpose of the Scheme:
 - To enable local Councillors to use resources to assist in the well-being of the inhabitants of their electoral divisions.
 - To promote the role of Councillors as community leaders.
 - To lead to better engagement between residents and the Council.
 - To help the Council respond to community needs.
 - Funding can be used of benefit to procure a service currently provided by the Council as long as it is on a one-off basis, such as, additional street cleaning.
 - Councillors within the same ward may choose to combine their allocations but each Councillor is required to complete an application form even if only one payment is made.
 - Councillors from different wards may combine their allocations provided there is clear evidence that residents from each ward will benefit.

Prohibitions of the Scheme:

- The support of political purposes.
- The promotion of religious views.
- Recoverable VAT.
- Bank, finance or audit charges.
- Any unlawful or illegal activity.
- Retrospective funding or to replace monies already spent.
- To replace Parish or Town Council Precept funding.
- To support a scheme/project that is already financially supported

- by the Council, e.g. through the community grants scheme.
- A scheme where the Councillor awarding the grant would have a personal or prejudicial interest (subject to discretionary approval of the Chief Executive where such an interest has been declared)
- The support of the same project more than two years running.
- During a four-week period prior to a local, European or General election, Councillors should not promote or use the Councillors' Community Initiative Scheme and no funding applications will be processed or paid, if received during this period.
- All Councillors have a responsibility to monitor the delivery of supported projects and ensure that the money awarded is used for the purpose specified.
- Each application receives ratification from the Chief Executive and all schemes that are accepted are published in the local papers.
- Applications may be submitted at any time but no later than the 15 March in any financial year to allow time for processing and payment before the financial year end.
- Member Services Officers log the application and, subject to the form being completed fully and correctly, they forward the form onto Financial Services for payment. Councillors are sent quarterly statements of the amount they have spent by Finance Services.

3.3 Witness Evidence

3.3.1 Core Questions – Key Witnesses

3.3.1.1 The Scrutiny Panel produced a set of core questions that it put to key witnesses over a series of meetings.

3.3.1.2 Key witnesses provided a response to these core questions at the meetings of the Panel held on 29th September 2011 and 10th October 2011:

3.3.1.3 Key points of evidence: -

3.3.2 Portfolio Holder (Finance), Northampton Borough Council

- In the current financial climate the allocation should be set at £1,500 per Councillor.
- Individual Councillors should be allowed to determine the best use of the money, some may choose one worthy cause for the whole amount, others may chose 10 payments of £150 dependant on the needs of the ward.
- In order to keep the scheme simple to monitor the monies should be spent within the current financial year or forfeited.
- Councillors should be able to pool their fund, due to:
 - I. The ward may be a two Councillor ward and they may decide on one project for their area.

- II. It may be that two adjacent ward Councillors feel that the area would benefit by them jointly funding a project.
- A time limit should be applied to year four to ensure that all allocations are completed by the end of the term. The Director of Finance and Support should be consulted to set this date.
 - Assuming that the scheme will commence 1st April 2012, a growth item of £69,000 would need to be considered alongside other priorities of the Council, as part of the medium term financial plan and the 2012/13 budget process.
 - Providing the scheme is simple to understand and monitored it should be able to be incorporated within the existing staffing levels within Northampton Borough Council
 - The Councillor Empowerment Fund should be completely separate from any other funds available. There would be no benefit in viring funds from pre existing Community Based Budgets as this would complicate the situation.
 - As the Scheme will impact on more than one department within the Borough it should be a decision of the Chief Executive where in the organisation the fund sits. Responsibilities are split between Finance and Democratic Services.
 - A report should be issued quarterly so that all parties are aware of the funding that has been applied across the whole Borough. This would also assist in reviewing the effectiveness of the scheme.
 - It should be ensured that the scheme is simple to implement and monitor with clear guidelines to Councillors and Officers involved.
 - All requests for funds from organisations should be based on a one off payment only with no commitment for future funding. That does not mean that an organisation could not apply the following year but each request must be on its own merits. No organisation should receive more than one allowance in any one financial year.
 - £69,000 for the scheme would be included in the budget proposals for inclusion in the medium term financial plan. However, there would still need to be a consideration of priorities and if this was included, then something else may have to be removed.
 - There are already several grants given to organisations and the Councillor Empowerment Fund would only be part of the funding support process.
 - It would not be suitable to consider the Councillor Empowerment Fund as “emergency” funding as often that is required quickly and the administrative process may be too slow.

3.3.3 Portfolio Holder (Community Engagement), Northampton Borough Council

- The beneficial outcomes that a successful Councillor Empowerment Fund Scheme could deliver are achieving better quality of life for people in the town through small grants being made to smaller local organisations.
- The barriers that need to be overcome in order to deliver a successful Scheme are to ensure that both Councillors and suitable local organisations make good use of the money available.
- A Councillor Empowerment Fund may be used to provide small grants to organisations such as Parent Teacher Associations, Boy Scouts, elderly persons’ clubs and organisations of a similar nature.

- Prohibitions, such as those detailed below, are applied by other Local Authorities and are therefore thought appropriate to be used by Northampton Borough Council :
 - Expenditure that is unlawful or for which the Council is not entitled to spend money.
 - Proposals that would replace expenditure that the Council has withdrawn.
 - Proposals which commit the Council or its partners to ongoing funding without explicit approval.
 - Proposals which advocate positions of Political Groups.
 - Any proposal that is not related to the delivery of the Council's strategic goals and priorities.
 - Expenditure that does not give direct benefit to the residents within the Councillor's ward."
 - Applications which are proposed by profit making organisations, businesses, Local Authorities or statutory bodies.
 - Proposals which exclusively support or promote religion or religious belief.
 - Proposals which have started before the application has been agreed. Grants cannot be given retrospectively.
- The recipient must be required to show an outcome from the money given by the Fund.
- A form similar to that used by Northamptonshire County Council should be adopted in order to identify the purpose and result of the funding.
- The most efficient method with minimal bureaucracy for Councillors to apply and demonstrate that their proposal meets the criteria could be through a simple form laying out the criteria of the Scheme with a tick box completion for the Councillor.
- Each fund must be approved by an officer to ensure that it does not breach any of the criteria, with the Chief Executive having final say in the case of a dispute. The nature of the approval process could draw upon Northamptonshire County Council's experience.
- The form that must be completed prior to the issue of approval and money being granted must take into account all rules and regulations referred to above so as to ensure that the Council does not breach its responsibilities in this regard. If further guidance is required, this should be sought from the Council's Borough Solicitor and Monitoring Officer.
- A Councillor Empowerment Fund could sit either in the area of responsibility of the Director of Finance or the Assistant Chief Executive, depending on whether the greater emphasis is given to the issuing of the fund or the authorisation procedure.
- The process for appeals or disputes should be handled by the Chief Executive.
- Advice on the Scheme should be given by the Political Assistants or the Group Leaders (if there are no Political Assistants).
- The Scheme should be as un-bureaucratic as possible, but a light form of financial oversight needs to be in place to ensure the appropriate use of public money. This should be carried out by an officer, but it is for further decision

where this responsibility should sit. It could be investigated whether this responsibility could be added to a current post.

- There should be a report to full Council on how much money each Councillor has spent on each allocation. The report should be published as soon as possible after the financial year. This can be processed for inclusion in the Annual Report by the Political Assistants or the Group Leader of any Group that does not have a Political Assistant.
- It is not felt necessary for Councillors to attend training sessions prior to commencement of the Scheme. Written guidance should be provided with the application forms.
- It may be appropriate for the Communications Team to be asked to publicise grants that have a particular benefit. Each Councillor should be allowed to use this facility only once; information on the Scheme should be publically available on the Internet and the Scheme promoted by the Communications Team.

3.3.4 Representatives of the Voluntary and Community Sector

Chair, Voluntary and Community Sector Forum

Key points:

Benefits:

- Positive involvement of the Councillor in their particular area.
- Added value for the group or organisation applying for the fund having direct contact with the Councillor.
- Additional avenue of funding for groups/organisations to apply to.

Barriers:

- Not knowing about the Scheme.
- Lack of experience of applying for funds.
- Lack of understanding what the funds are for.
- Lack of understanding/clarity of what the funds are available for.

Mechanisms to ensure the Scheme is fair and equitable:

- Clear, precise and transparent criteria.
- Publicise as widely as possible.
- Simple Application form.
- Simple monitoring process if required.
- Available in alternative formats.
- Support/assistance /advice to groups wishing to apply.

Communities Needs:

- Opportunities to get communities involved where they can see a clear benefit and gain a sense of achievement.

- Assistance required by the Voluntary Community regarding applying for funds through the Scheme:
- In some instances no help would be required, in others it may mean help with completing the application and assisting in getting appropriate documents together.
- Understanding of the perimeters that Groups may have to work within.

Other sources of funding available:

- Numerous funds and contracts available for groups to apply for, but so many are complex and time consuming to complete.
- Northants Community Foundation would be the starting point that smaller groups and organisations would be referred to.

Mechanisms to report impact of the Scheme:

- Good publicity for the group
- Good publicity for the community
- Good publicity for the Council
- Good publicity for the Councillor

Main points regarding a Councillor Empowerment Fund:

- Important for the Councillor to get feedback as to the difference that the Fund had made to the organisation.
- Vital to ensure that the distribution of the Fund was seen as equitable and fair.
- The need for publicity for the Scheme.
- The need to promote the Scheme through the Neighbourhood Partnerships
- Larger Groups could be encouraged to give advice and help to smaller Groups.
- Suggested that parameters could be set around who could apply e.g.
- Project must be based within the Councillors area and
- Groups of less than £100,000 turnover can only apply
- There are a number of infrastructure organisations who may be able to help promoting the Scheme.
- If a Councillor Empowerment Fund Scheme is approved the Voluntary and Community Sector Forum could assist with promoting the launch.

Pearls of Peace

Beneficial Outcomes:

- Support new and emerging projects to get started.
- Allow revenue funding to help to support Groups with ongoing costs.
- Build trust and break down barriers.
- Build relationships between Councillors and community activists.
- Could help support other funding bids as match funding.
- Should address an identified need in the Local community.

Barriers:

- The process must be made as easy as possible for communities to find out about and apply.
- Criteria must be clear before applying.
- Give clear guidance on amounts that can be bid for.
- Promote it widely to all communities.
- Make the decision quick so that projects can get started.
- Must use simple language.
- Available in different languages.

Examples for funding needs:

- Contributions towards:-
 - Community Events
 - Youth Projects
 - Setting up a new group
 - Equipment for a group
 - Running costs for existing groups such as rent
 - Environmental projects
 - Training for community groups

Prohibitions:

- Prohibitions regarding proposals which exclusively support or promote religion or religious groups should only apply if the funding is to do with something specifically faith based.

DeafConnect

Beneficial Outcomes:

- Benefits to the Councillors who would have a wider awareness of the activities of groups in their area.
- Encourage greater community involvement.

Barriers:

- Lack of awareness of the existence of the Fund.
- Need to be a very simple application process.
- Need to be aware that for some organisations there is no organisational structure and it is difficult to find someone willing to take on the role of applying for the Fund.
- Must be transparency as to how the Fund is allocated.
- Offer assistance with completing forms and have a number of contact details available
- There must be essential two way feedback.

Examples for funding needs:

- Many and various and with the promotion of the idea of “Big Society” ever growing.

Malawi Association

Beneficial Outcomes:

- Particularly useful for Hard to Reach Groups who could use the Councillor as a link to the wider community.

Barriers:

- Very small Groups may not have access to technology therefore it must be possible to submit a hand written application.
- There needs to be transparency, small Groups feel that they are not able to compete against larger Groups.

Examples of Funding needs:

- Funding for small Groups builds community cohesion.
- Important to empower communities so that they feel able to tackle their own problems.

3.3.5 Kettering Borough Council

Key points:

- The Fund enhances the capacity of Councillors to help organisations in their wards and complements their role as a community leader.
- It can also be used to provide information to Councillors.
- The Fund enhances the economic, social and well-being of residents in individual wards by providing funding to organisations that might not receive funding from other sources.
- It can also help projects to succeed which might otherwise fail through lack of funding.
- It is important that Councillors understand the Scheme and its limitations, particularly the statutory prohibitions on its use.
- Councillors need to be aware of other policies and grant schemes that their Council may have adopted, which could potentially conflict with the ward-based Scheme.
- Individual ward Councillors may pool their funds if they feel that a Scheme would benefit residents of more than one ward. Individual Councillors are responsible for ensuring funds are distributed in an equitable manner.
- A record is kept, and published, of all Schemes and initiatives funded.
- Kettering Borough Council's Scheme was reviewed by the Independent Review Panel for Councillors' Allowances for the first time in 2003. It was further reviewed in 2007 and will be reviewed in 2011. Ensuring that the Scheme is kept under review in this way, by an Independent Panel, ensures that it remains fair and accessible.

- Councillors from the same ward can pool their funds together in order to support various requests. One or more ward councillors can also join with one or more Councillors from an adjacent ward or wards to fund a project, provided it can be shown that the project benefits residents from both or all wards concerned.
- There is no cap on single activity item amounts.
- Councillors can decide which projects to prioritise in their wards, within the guidelines for the Scheme.
- There is an allocation in each of the four years of the Scheme, which is the same as the four year term between local elections. Any monies not spent can be rolled over into the next year. However in the fourth year any balances left in the fund are lost and absorbed within the Council's general balances, if not spent before the deadline imposed.
- The deadline for spending ward initiatives fund money in an election year is the end of February. This gives a month's grace before Purdah. This allows for any money allocated but not spent to be paid out.
- Not all Councillors spend their allocated Fund.
- Guidelines are in place which are distributed to all Councillors on induction to the Council.
- A certain amount of bureaucracy is essential in order to comply with accounting regulations and it is important that application forms are correctly completed and any supporting documentation submitted and copies retained for audit purposes.
- Straightforward proposals can be approved by the Scheme's nominated Administrator.
- The Democratic Services Manager will decide on more complex requests.
- The Head of Democratic and Legal Services, in consultation if required by the Head of Finance, will decide on any requests not able to be determined by the Administrator or the Democratic Services Manager. The Head of Democratic and Legal Services' decision is final.
- There is an appeal mechanism to the Council's Standards Committee for Councillors who have their request denied.
- Around 5-10 hours per month of Officer time is required to administer the Fund.
- A list of projects funded by the Scheme is published annually on the Council's website.
- Kettering Borough Council does not require Councillors to attend any training on the Scheme. Guidelines are given to every Councillor and a named Officer contact supplied to them.

3.3.6 Northamptonshire County Council (NCC)

Key points:

Benefits:

- Improved Councillor and community engagement.
- Better relationships between Councillors and local people.
- More people know who their County Councillor is.
- Northamptonshire County Council seen in a positive light.
- Increased community cohesion.

- Improving pride in the local area
- Improved safety.
- Reduction in crime.
- Environmental improvements.
- Helps to attract grants from other organisations.

Barriers:

- Councillor's knowledge of the area they represent.
- Getting the message out to the community – some Councillors are very good at this whilst others are less so.
- Keep the process as simple as possible and avoid too many restrictions.
- Councillors need to consult with communities within their electoral division and build relationships.

Mechanisms to ensure the Scheme is fair and equitable:

- The Scheme is open to any constituted group, charity or organisation within Northamptonshire.
- A simple equalities impact assessment is completed as part of the application process.
- The annual survey of organisations receiving grants includes questions on equalities which form part of our monitoring and evaluation.
- Simple application process.
- Empowering Councillors & Communities Scheme leaflet is available in all the libraries within Northamptonshire.
- Information about the Scheme is detailed on the NCC website.
- Councillor engagement with the local community.

Methods used to minimise bureaucracy:

- Simple application process.
- Few rules to the Scheme.
- The Scheme was designed to give Councillors as much flexibility as possible.

Key points regarding Northamptonshire County Council's Scheme:

- Councillors can pool their Fund and there is no cap on single activity item amounts.
- Any restrictions to spending are kept as simple as possible allowing inclusion.
- The application process is made simple and avoids complicated form filling.
- There is an allocation in the fourth year of Council which is prior to the Purdah period.
- All Councillors spend their fund within the period of the administration. Exception to this would be the death or resignation of a councillor – then the funds would be held pending a bi-election.
- Changes to the Scheme agreed by Cabinet in February 2011 have relaxed some of the rules even more by allowing grants to be awarded to Statutory Bodies and

removing the rule that funding could not be given to an organisation which have had funding withdrawn by Northamptonshire County Council.

- At Cabinet in March 2011 it was agreed that the threshold for Cabinet Member Decisions be raised to £3500 and above. All other decisions are agreed by a Chief Officer.
- Officer time varies, but on average 25 hours per week.
- An Annual Survey and a report to Cabinet details the impact of the Scheme.
- As part of the Induction Programme councillors were invited to attend one of three training sessions. Those who were unable to attend were given 1:1 training. Councillors are unable to begin spending until they had undertaken training. Ongoing support is provided to all councillors through the Democracy Team. Political Assistants have been trained and are able to assist councillors within their Group.
- The onus is on the Councillor to engage with the community. Support is provided, but it is the responsibility of the Councillor to consult with residents, organisations and so on in order to prioritise local demands or concerns and determine accordingly where they wish to spend their money.
- In many instances there has been a notable increase in the involvement of councillors within their communities. The Scheme is becoming more widely known and a number of organisations have applied more than once. The scheme has allowed Councillors to become empowered and together with the local community take positive action in making a difference.
- The Communications Team is informed about all the grants made and have sent press releases which have been picked up by the local press. Organisations receiving the grants and councillors have also organised press events.
- The local press have run stories on the Empowering Councillors & Communities Scheme and are supportive of it.
- The Scheme was mentioned on BBC Radio 4's "The Archers" as a possible funding source for the community shop in Ambridge.
- Small grants are available for Groups and organisations which may not otherwise qualify for grant funding because the amount required is below the threshold. Many of the grants are for less than £500.
- Funding can be made jointly with other Councillors or organisations, or can act a seed funding.
- The support provided by Northamptonshire County Council can be of benefit when applying for other grants.

3.3.6.1 Further details of Kettering Borough Council's, Northamptonshire County Council's, Wycombe District Council's and Mansfield District Council's Councillor Empowerment Schemes are contained within Appendix C.

3.3.7 Wycombe District Council

- The beneficial outcome is that the projects / organisations receive valuable financial support. Without the Ward Budget Scheme some of the projects / organisations would not receive the financial backing that they need to succeed.
- There are no real 'barriers' to overcome, it is important to ensure that Councillors understand those projects which are included and those which are excluded.

- It is also important to ensure that the deadlines are adhered to.
- It is up to the individual Councillor to understand their own community and apply for projects which are fair and inclusive (so long as they fit within the guidelines of the scheme).
- Councillors may pool their Fund.
- There is no cap on a single activity item amount.
- Members have the choice of which projects / organisations within their communities to support (within the boundaries of the Scheme).
- Due to the Purdah period, members have until 31st December to spend their allowances in an election year (ordinarily the deadline is the second week in March).
- Councillors do not all spend their Fund. The remaining funds each year are pooled together and the Leader has the decision on which projects to spend this money on. Often Councillors are invited to suggest / bid for this money for projects which they would like to see supported.
- Wherever possible, Councillors are encouraged to supply the bank details for the organisations / projects which they wish to allocate funding to. This enables BACS payments to be made, which are significantly less time consuming than raising cheques.
- It is important to ensure that the application forms are completed correctly and that adequate information is provided regarding the organisation / project to be supported. This reduces the need to ask Councillors for supplementary information after the application has been made, meaning that applications can be processed much more efficiently.
- All applications have to be approved from a legal perspective by Wycombe District Council's District Solicitor. The final say on whether a project is supported sits with The Head of Democratic, Legal and Policy Services. There is no appeal process as Councillors are given advice at an early stage by the Policy Officer regarding the likelihood of an applications success. Also, the rules governing the Scheme are clearly defined.
- The Policy Officer allocates around 85 hours per year to administer the Scheme.
- The input from other officers is a lot less and the scheme is not particularly time consuming.
- Articles are published in the District Council magazine annually outlining some of the projects which have been supported. Details of all of the schemes supported to date in the current year are made available in a downloadable document on the Council's website.
- No training was supplied for Councillors prior to the commencement of the Scheme. A guide has been produced which explains the scheme in detail and Councillors are given an Officer contact for any specific queries or concerns.

3.3.8 Mansfield District Council

- The benefits of the Ward Allowance Scheme are that Councillors are empowered in consultation with local communities to implement local based improvements. The Scheme gives the Councillors the opportunity to impact on neighbourhood issues with the ability to respond to the different needs of different communities.

- Each elected Member has the same allowance to spend in their ward. The allowance is currently £1,000 per Councillor.
- Councillors can pool their money together to joint fund a project.
- There is no maximum amount of expenditure on a single activity as long as the funds are available.
- The Members' Ward Allowance was introduced in 2007/2008 in light of the white paper to increase delegation of resources to local area level, including the allocation of small sums to Councillors and therefore the proposal is in line with the national view on the future direction of Local Government. Mansfield District Council also looked at other Local Authorities who had a Ward Allowance Scheme which included Nottinghamshire County Council.
- There is an allocation for each financial year, but there is no option to carry forward unspent allowance into an election year, and the allowance in an election year is not available until after the election.
- Not all Councillors have spent their fund in each year. Over the first four years of the Scheme approximately 2/3rds of the allocation has been spent.
- To minimise bureaucracy the elected Members Ward Allowances are approved by the Head of Finance, Property and Revenue Services and the Head of Corporate Administration for legal purposes. Guidance has been kept simple and a simple form to complete.
- The Monitoring Officer approves the applications and they are then signed off by the Financial Services Manager.
- On average an application takes 30 minutes to administer. The number of applications per elected Member varies depending on how many originations funding is given to.
- The impact of the scheme is not formally reported, this is undertaken by the Councillors in their wards. A recent review of all the Council's grant policies included an impact assessment and consultation with those benefiting.
- The Council did not have formal training sessions set up for Councillors. Councillors were provided with written guidance and copies of the Ward Allowance form and were given the Head of Finance, Property and Revenue Services / Financial Services Manager as a contact for further information.

4 Equality Impact Assessment

- 4.1 In investigating a Councillor Empowerment Fund Scheme for the Council; the Scrutiny Panel produced an Equality Impact (Screening) for such a Scheme.
- 4.2 The Scheme will provide general standards and processes.
- 4.3 The benefits of such a Scheme allows Community Groups to do things that they might otherwise be able to afford to do so which benefits Councillors of that specific Group and also the wider community either locally or across the district.
- 4.4 The Scheme could have a significant effect on most or all of the protected characteristic groups. The effect will be of benefit to these groups if they were able to participate in the process. It could be harmful if certain groups are excluded by barriers to their participation.

- 4.5 As part of the evidence gathering process, the Scrutiny Panel heard from a variety of witnesses, some which were invited specifically due to their knowledge of the equalities issues within the Voluntary and Community Sector as detailed in section 3.3.4 of this report.
- 4.6 A copy of the EIA (Screening) for the development of a Councillor Empowerment Fund Scheme is attached at Appendix D.

5 Conclusions and Key Findings

- 5.1 After all of the evidence was collated the following conclusions were drawn:
- 5.1.1 Funds similar to that of the Councillor Empowerment and Community Scheme seem to be highly supported by Councillors where such a Scheme has been introduced. The Scrutiny Panel acknowledged the need for a flexible Scheme to be introduced at Northampton Borough Council (NBC) that would allow Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities. In particular, it was noted that such Schemes have been particularly successful at providing access to funding for smaller and sometimes less well known community groups that are either not eligible for or not frequent recipients of other types of grants that may available. If NBC wishes to promote this fund as such it will need to give consideration to how it will bring it to the attention of lesser known groups in the town.
- 5.1.2 The advice of the Portfolio Holder (Finance) of setting the allowance at £1,500 per Councillor per year was acknowledged. A growth item of £69, 000 would need to be considered along side other priorities of the Council as part of the medium term financial plan and the 2012/13 budget process.
- 5.1.3 The Scrutiny Panel noted that two Councils have reduced the sums allocated to Councillors through Empowering Councillors and Communities Schemes this year - Northamptonshire County Council and East Lindsey District Council. Northamptonshire County Council allocates its Councillors £7,000 per year and East Lindsey, £1,500 per Member. Newark and Sherwood deleted its Community Fund as part of budget savings some years ago. However, Mansfield proposed that Councillors are allocated £20,000 per year, but this was not approved and their Councillors now receive £1,000 per year. Kettering Borough Council allocates each Member £625 per year through its Fund.
- 5.1.4 The administration of Schemes appear to be resource heavy, often with the need for a full time post, at least during the implementation phase and for two to three years afterwards. For example Northamptonshire County Council reported that Officer time is around 25 hours a week to administer its Scheme. Kettering Borough Council confirmed Officer time to be in the region of five to ten hours a month. Wycombe District Council estimated Officer time to be in the region of 85 hours a year and Mansfield District Council reported that it took thirty minutes to administer one application form. From the evidence received the Scrutiny Panel acknowledged

that the duties of providing advice and support in completing applications, reviewing and approving applications, processing and issuing cheques and monitoring outcomes and effectiveness of the Scheme will take in the region of 112.5 Officer hours per year. (based on an average of two allocations per Councillor per year). From the evidence received, the Scrutiny Panel felt that the Councillor Empowerment Fund Scheme could sit either in the area of responsibility of the Director of Finance or the Assistant Chief Executive, depending on whether the greater emphasis is given to the issuing of the fund or the authorisation procedure. As a guide, the Panel felt that the work could be divided as follows:

- Political Assistants: Provide support and advice to Councillors in completing forms and obtaining feedback for monitoring and reporting purposes (approximately 55 hours per year total)
- Chief Executive's Office: Review and approve applications (including referring them back to the Councillor and Political Assistant if further information is required), provide support and advice to any Group that does not have a Political Assistant and compile the quarterly and annual reports (approximately 55 hours per year)
- Finance: Processing and issuing cheques for payment (approximately 22.5 hours per year)

5.1.5 The Scrutiny Panel acknowledged that the majority of Schemes elsewhere allow Councillors to allocate their budgets in proportions that they see fit within the rules. However Devon County Council advises that there is an administrative cost to every payment. Councillors are therefore asked that they do not allocate less than £100 to any one project.

5.1.6 The Scrutiny Panel highlighted the main reported pitfalls of such a Scheme as lack of audit, Community Groups that 'shout the loudest' are often responded to the most; which raises the query of whether the Scheme is equitable, lack of Councillor engagement in the Scheme and substantial amount of officer time required to support the Scheme.

5.1.7 The Scrutiny Panel realised the need for a Councillor Empowerment Fund to be accompanied by clear guidance notes which in the main would explain how the Scheme will run and what is prohibited. It is recognised that the prohibitions detailed below are regularly used by other Local Authorities and are therefore thought appropriate to be used by Northampton Borough Council:

- Expenditure that is unlawful or for which the Council is not entitled to spend money
- Proposals that would replace expenditure that the Council has withdrawn
- Proposals which commit the Council or its partners to ongoing funding without explicit approval or that would result in future maintenance costs for which ongoing funding has not been committed (note: a commitment to use future councillor empowerment funds for this purpose would not be permitted)
- Proposals which advocate positions of Political Groups
- Any proposal that is not related to the delivery of the Council's strategic goals and priorities

- Applications which are proposed by profit making organisations, businesses, Local Authorities or statutory bodies (excluding applications from Parish Council)
- Proposals which exclusively support or promote religion or religious belief
- Proposals which have started before the application has been agreed. Grants cannot be given retrospectively
- Expenditure that would improve a Councillor's financial position
- On a project that relates to a function which is the legal responsibility of another statutory body or organisation, e.g. highways or education matters.

5.1.8 The application form should be simple, laying out the criteria of the Scheme with a tick box completion for the Councillor. Each Scheme must be approved by an Officer to ensure that it does not breach any of the criteria, with the Chief Executive having final say in the case of a dispute. The nature of this approval process could draw upon Northamptonshire County Council's experience and also that of Kettering Borough Council. The Scrutiny Panel highlighted that the form must be completed prior to the issue of approval and money being granted must take into account all rules and regulations so as to ensure that the Council does not breach its responsibilities in this regard. If further guidance is required, this should be sought from the Borough Solicitor and Monitoring Officer.

5.1.9 It was recognised that most Councils permit the Fund to be rolled over year on year, for the life of the Council. Kettering Borough Council states that amounts under spent as at 31st March each year should be returned to balances unless expenditure has been authorised by that date but not yet expended. However the Portfolio Holder (Finance) felt that there was a need to make monitoring of the Scheme as simple as possible and all monies should be spend in each financial year or forfeited.

5.1.10 It was highlighted that a number of Local Authorities stipulate a date when monies must be spent in year four; this is normally prior to the Purdah period.

5.1.11 The Scrutiny Panel agreed that Councillors should be encouraged to spend the Fund on projects that were either taking place in their ward or would bring benefit to those in their ward. However, it was agreed that this did not preclude them from allocating their Fund to benefit other wards instead if this was how they wished to spend their allocation. The Scrutiny Panel supported the pooling of Councillors Empowerment Fund, acknowledging that a ward may be a two Councillor Ward and they may decide on one project for their area or two (preferably adjacent) ward Councillors may feel that the area would benefit by them jointly funding a project.

5.1.12 The Scrutiny Panel agreed that it was important for the recipient to be required to identify outcomes from the money given by the Fund. The need to evaluate the Scheme on a regular basis was recognised by methods such as an Annual Survey to all those who received funds. Details could be reported in an Annual Report. The Scrutiny Panel felt information could be provided on a more regular basis, such as quarterly so that all parties are aware of the funding that has been applied across the whole Borough. This would also assist in reviewing the effectiveness of the Scheme.

- 5.1.13 The Scrutiny Panel felt that organisations and Groups that were granted funds through the Scheme should be properly constituted and able to provide bank account details. Cheques would be issued directly to the organisation or Group.
- 5.1.14 The Scrutiny Panel recognised the importance of publicity for the Councillor Empowerment Fund and felt it would be appropriate for the Corporate Communications Team to be asked to assist in generating positive publicity for the Scheme and promote examples of projects the Scheme has funded. Political Assistants will also, in collaboration with the Corporate Communications Team, assist Councillors in communicating how they have spent their Funds.
- 5.1.15 The Scrutiny Panel acknowledged that it should be the Councillors' responsibility to promote the Scheme within their ward, raise interest, assist organisations in completing their application forms, communicating their final decision and any positive outcomes of the Fund.
- 5.1.16 The support of the Voluntary and Community Sector Forum to promote and publicise the Scheme was welcomed.
- 5.1.17 The Scrutiny Panel acknowledged the concerns of the Voluntary and Community Sector that Groups within its network may require assistance in completing application forms and contacting their local ward Councillor. An annual event promoting the Scheme would be useful in promoting its value to local Groups and organisations.

6 Recommendations

- 6.1 Scrutiny Panel 3 – Councillor Empowerment Fund, therefore recommends to Cabinet that:
- 6.1.1 A Councillor Empowerment Fund for Councillors of Northampton Borough Council with an annual allocation of £1,500 per Councillor is introduced from 1st April 2012. A growth item of £69,000 is considered along side other priorities of the Council as part of the medium term financial plan and the 2012/13 budget process.
- 6.1.2 The draft application form (as attached at Appendix E) is adopted in order to identify the purpose and result of the funding. The application form must be completed prior to the issue of approval and money being granted to ensure that the Council does not breach its responsibilities in this regard. The draft Terms of Conditions and criteria of the Scheme (as contained within the draft application form) are adopted in consultation with the Director of Finance and Support and the Borough Solicitor and Monitoring Officer.
- 6.1.3 Cabinet is recommended to ask the Chief Executive to decide where in the organisation the Fund should sit and specifically delegate the tasks of providing advice and support in completing applications, reviewing and approving applications, processing and issuing cheques and monitoring outcomes and effectiveness of the scheme.

- 6.1.4 A report of the Councillor Empowerment Fund that details expenditure authorised, the originating Member, the amount and the purpose authorised is produced and submitted to Cabinet on a quarterly basis.
- 6.1.5 An Annual Survey is issued to all those who received funds. The results of which are provided in a summary within the Council's Annual Report.
- 6.1.6 The Corporate Communications Team is asked to assist in generating positive publicity for the Scheme and promote examples of projects the Scheme has funded. Political Assistants will also, in collaboration with the Corporate Communications Team, assist Councillors in communicating how they have spent their Funds.
- 6.1.7 Cabinet instructs Officers to make information on the Scheme publically available on the Internet and ensures that the Scheme is promoted by the Corporate Communications Team.
- 6.1.8 Cabinet instructs Officers to hold an open evening once a year to promote the Councillor Empowerment Fund Scheme to community Groups and Organisations, to which all Councillors would also be invited to attend.
- 6.1.9 Cabinet asks the Voluntary and Community Sector Forum to promote the Councillor Empowerment Fund within its network.
- 6.1.10 The Councillor Enabling Fund Advisory Panel (CEFAP) monitors the effectiveness of the Scheme on an annual basis and recommends any changes as appropriate.
- 6.1.11 The Overview and Scrutiny Committee, as part of its monitoring regime, reviews the impact of this report after six months.

Appendices



OVERVIEW AND SCRUTINY

SCRUTINY PANEL 3 – COUNCILLOR EMPOWERMENT FUND

1. Purpose/Objectives of the Review

To recommend a suitable scheme for a Northampton Councillor Empowerment Fund that enables councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities.

2. Outcomes Required

- To recommend how the Northampton Councillor Empowerment Fund will work, including consideration of the following areas:
 - *Purpose and criteria of the scheme, including any prohibitions*
 - *Monetary sums and allocation*
 - *Application process*
 - *Administrative support and approval process*
- To develop budget projections and identify any additional staff resource in order that these can be considered as part of the 2011/12 budget development.
- To monitor the success and measure the impact of the Councillor Empowerment Fund in twelve months.

3. Information Required

- A synopsis of the relevant section of the Localism Bill
- Evidence from the Portfolio Holder (Finance)
- Evidence from the Portfolio Holder (Community Engagement)
- Evidence from Voluntary and Community Organisations
- Desktop research detailing Councillor Empowerment Schemes elsewhere

- Evidence from Local Authorities who have implemented a Community Empowerment Scheme, such as:-
 - Northamptonshire County Council
 - Staffordshire County Council
 - Mansfield District Council
 - Wycombe District Council
 - East Lindsey District Council

4. Format of Information

- Officer Briefings
- Officer Reports
- Portfolio Holder evidence
- Published Reviews by other Councils, if applicable
- Expert advice
- Witness evidence – response to core questions
- Presentations

5. Methods Used to Gather Information

- Minutes of meetings
- Desktop research
- Site Visits, if applicable
- Officer reports
- Examples of best practice external to Northampton
- Witness Evidence:-
 - Other Local Authorities that have introduced schemes similar to a Councillor Empowerment Fund
 - Portfolio Holder (Finance)
 - Portfolio Holder (Community Engagement)

6. Co-Options to the Review

- Rather than co-opt a Councillor/Senior Officer from a Local Authority who has introduced a Councillor Empowerment Scheme, that instead, they are asked to provide expert evidence to inform the Review.

7 Equality Impact Screening Assessment

- An Equality Impact Screening Assessment to be undertaken on the scope of the Review.

8 Evidence gathering Timetable

July 2011 to November 2011

- 21 July 2011- Scoping Meeting
- 5 September – Evidence gathering
- 29 September - Evidence gathering
- 10 October - Evidence gathering
- 3 November – Approval of final report

Various site visits will be programmed during this period if required.

Meetings to commence at 6.00 pm

7. Responsible Officers

Lead Officers Cara Boden, Assistant Chief Executive
 Cassie Triggs, Democratic and Chief Executive Services
 Manager

Co-ordinator Tracy Tiff, Scrutiny Officer

8. Resources and Budgets

Cara Boden, Assistant Chief Executive and Cassie Triggs, Democratic and Chief Executive Services Manager to provide internal advice.

9 Final report presented by:

Completed by 3 November 2011. Presented by the Chair of the Panel to the Overview and Scrutiny Committee at its meeting on 1 December 2011 and then to Cabinet on 21 December 2011.

10 Monitoring procedure:

Review the impact of the report after six months (July/August 2012)

The link between the Localism Bill 2010 and Councillor Empowerment Fund Schemes

Big Society was a flagship policy of Conservative Manifesto 2010 and is now the Conservative Liberal Coalition Agreement:

“To create a climate that empowers local people and communities, building a big society that will ‘take power away from politicians and give it to the people’”

“The time has come to disperse power more widely in Britain today”

“Government is overseeing a fundamental shift of power away from Westminster to councils, communities and homes across the nation”

Big Society and localism are broad themes overarching the Coalition Government’s programme. Whilst the terms are open to interpretation, key elements include encouraging volunteering, community participation and shifting decision making from national and regional levels to local and neighbourhood levels. The Localism Bill is designed to help deliver this agenda.

The main principles of the Bill

- Lift the burden of bureaucracy
- Empower communities to do things their way
- Increase local control of public finance
- Diversify the supply of public services
- Open up government to public scrutiny
- Strengthen accountability to local people
- Substantial and lasting shift in power away from central government and towards local people

Localism as a whole

Schemes such as Councillor Empowerment Funds are often noted as being part of a Local Authority’s wider commitment to increased localism.

Lift the burden of bureaucracy

Spend on Councillor Empowerment Funds are usually based on priorities of local groups and organisations. Groups and organisations put in bids for funding through their ward Councillor.

Open up Government to public scrutiny

Councillor Empowerment Funds or similar scheme must operate transparently; with details of each allocation of the Fund publicised.

Strengthen accountability to local people

Councillor Empowerment Funds are about facilitating and encouraging local involvement in the allocation of the Fund.

EMPOWERING COUNCILLORS AND COMMUNITIES SCHEME – OTHER LOCAL AUTHORITIES

NORTHAMPTONSHIRE COUNTY COUNCIL – EMPOWERMENT AND COMMUNITIES SCHEME

How Councillors spend their fund

From 1st April 2011 each County Councillor is allocated £7,000 per year. Previously they were allocated £10,000 per year but this sum was reduced in the budget 2011/2012. Councillors have four years to grant their fund and can roll it over year on year for the life of the Council. The Annual Plan of the Empowerment and Communities Scheme receives a lot of publicity and attention and Councillors are often under pressure from their Political Groups to allocate their fund.

The Scheme is reported to be popular with all Councillors of each Political Group. It is seen as a catalyst for Councillors to help the community. For example: a County Councillor set up a Community Group with the purpose of deciding how his £10,000 should be spent. This Community Group continued to meet after the fund had been allocated.

An Empowerment and Communities Scheme Annual Plan is published each year.

Officer Support

Initially the Scheme was set up and administered by the Councillor Services Team Leader. Once the Scheme was developed the role was passed to a Councillor Support Assistant.

At first the Scheme was Officer driven and began with a pilot of ten Councillors. Officers wrote all the reports and undertook the relevant research during the pilot.

The Scheme took around three years to embed and during this time it was a full time role for one Officer to administer. Now it takes around three days per week to administer (73 County Councillors). Councillors are required to undertake their own administrative work for their own fund.

An Equality Impact Assessment (EIA) is produced for each Councillor `spend`. The EIA is produced by the Councillor Services Team Leader, in conjunction with the County Councillor.

Setting up the Scheme

The Scheme commenced as a pilot with ten elected Members. When it was rolled out as a full Scheme in June 2007, Councillors were required to attend three Induction Sessions. If Councillors did not attend all three sessions they were not able to spend their fund.

Councillors were informed that there would be very limited Officer resource for the Scheme and therefore they would be required to undertake the majority of the work themselves.

Councillors carry out consultation within their divisions and are given advice how this should be conducted. Records of whom the Councillor has contacted and who has contacted them are kept.

Councillors complete the application forms for spending the fund. Officers may 'tidy up' the application forms, if required.

Operating Principles

The operating process has been set up so that it is as streamlined as possible.

The fund can be used for a range of schemes that enhance the local area or benefit the Community within the Councillor's division.

A County Councillor can make an award to local organisations to match fund for larger schemes. To do this the organisation must be:

- Properly constituted or have a set of governing rules
- Non-profit making
- Non-statutory body (Parish and Town Councillors are accepted)

The scheme is likely to be completed within a year from when the grant agreement is signed.

The Councillor must consult widely with the community within their division and have undergone "due consultation and the taking of professional advice from Officers". This section is detailed with the Constitution of Northamptonshire County Council.

For amounts over £5,000 the Councillor must make contact with the Head of Procurement. For Highways Schemes they must contact the Highways Community Team.

The scheme must contribute to one of the Council's corporate outcomes:-

- Safer, freer and stronger communities
- Cleaner, greener and more prosperous county

- A secure, healthy and independent future for our children, young people and our adults
- Smaller, more enabling Council focussed on our customers

If the application is for a sum of £1,000 the Cabinet Member with responsibility for the Empowering Councillors and Community Scheme agrees the application and ensures that it is in accordance with the criteria of the Scheme.

Cabinet Member decisions are taken monthly. Once the decisions are taken there is a call-in period of four working days from when the decision note has been published by email to all Councillors.

The payment is then made by cheque and sent directly to the organisation. This should be received within 14 working days.

De minimis applications are signed off on an on-going basis and these do not need to go through the call-in period. Payment is made by cheque sent to the organisation.

Prohibitions

There are a number of situations where the fund may not be used:-

- Expenditure that is unlawful or for which the Council is not entitled to spend money
- Proposals that would replace expenditure that the Council has withdrawn
- Proposals which commit the Council or its partners to ongoing funding without explicit approval
- Proposals which advocate positions of Political Groups
- Any proposal that is not related to the delivery of the Council's strategic goals and priorities
- Proposals which do not benefit Northamptonshire's communities
- Applications which are proposed by profit making organisations, businesses, Local Authorities or statutory bodies
- Proposals which exclusively support or promote religion or religious belief
- Proposals which have started before the application has been agreed. Grants cannot be given retrospectively

Evaluation of the Scheme

An Annual Survey is sent to organisation who received a grant for that year which asks them to evaluate the scheme and make suggestions for improvement. Last year there was a response rate of 47%.

An Annual Plan is produced each year (copy as at Annex 1) that details the schemes awarded over that year and any comments received by both Councillors and Community Groups.

Pitfalls of the Scheme

Initially it proved difficult to engage all Officers in the Scheme. A Risk Analysis of the Scheme was undertaken and this helped to engage Officers.

Councillors may try to persuade the Councillor Services Assistant to carry out more of the work than is required by them.

The Scheme should be audited, but this has not as yet taken place.

DEVON COUNTY COUNCIL - LOCALITY BUDGETS

How Councillors apply to spend their fund

Each Councillor is allocated £15,000 per year and can carry this money over year on year for the life of the Council. (Devon County Council has sixty two Members). Councillors often do this if they are aware of a forthcoming project.

The purpose of the allocation of these budgets is to enable Councillors to respond to local needs in their divisions and support projects or activities for the benefit of the communities which they represent.

Locality Budgets Operating Principles

The use of locality budgets varies from one area to another, in part reflecting the diverse nature of the communities that make up the County. Certain principles have been agreed by the Council to guide the use of locality budgets and to ensure financial probity, value for money and accountability. These are.

- The project or activity not being able to be easily funded from another source (the principle of "investor of last resort").
- Consistency with the council's current policies.
- Evidence of value for money (perhaps measured in part by match-funding leverage secured).
- Appropriate levels of auditing and accounting are in place
- The extent to which the investment encourages or triggers partnership working
- Enabling a wide range of organisations to be able to apply for funds

There is an onus on elected Members to seek out organisations which may be in need of support and to ensure, as far as possible, that information about the budget is widely available in their local areas. At each County Committee

meeting a report is made about members' spending in the previous quarter thereby ensuring the information is in the public domain.

There are two main areas of expenditure which have been supported by Members since the scheme began.

Small local projects

Parish Councils and community planning groups (parish or town plans) often identify projects which are well supported by local people but which need some funding in order to progress. In many instances a County Councillor has been able to provide enough funding to match fund a lottery or other funding application, thus making a big difference to their communities. There is also a very large number of local voluntary and community organisations in Devon, ranging from village halls, sports groups, youth groups and social and cultural groups of all kinds. These are frequently in need of small amounts of funding for equipment, for special events or for building repairs and Councillors have been able to help with this.

Larger projects

Where Councillors or local communities have identified a particular need for something which is part of the County Council's mainstream business but for which there is no budget available, Councillors have been able to step in with the necessary funding. Examples include traffic management or speed reduction initiatives, vehicles for the Devon Youth Service and purchase of additional youth work sessional hours on a temporary basis. Equipment for schools has also featured, as has support for local libraries. On occasions Members have combined their budgets in order to support more expensive projects which benefit more than one division, or a whole district area.

Amounts to be disbursed

Whilst Members are free to use their budgets as they see fit within the rules, there is an administrative cost to every payment. Therefore, it is recommended that Members do not allocate less than £100 to any one project. The only maximum is the amount of money available in the current year's budget including anything that has been brought forward from the previous year. No commitment should be made which spans more than one financial year.

Around four years ago, Devon County Council sold its interest to a Municipal airport and received £48 million. Members resolved to use this sum of money across the Council and for it not to be put into reserves. Some of the money was spent on big schemes and the remainder was allocated to Members. Members were awarded a further £25,000, in addition to their £10,000 per year Scheme money, to use on designated capital projects such as play equipment. Members can also collaborate with neighbouring Councils on joint projects.

This scheme has been extremely successful and received positive feedback from the Community.

A degree of the money has still not been committed and the Leader of the Council has agreed that a second tranche of funding of £25,000 per Member will be awarded.

A publicly accessible record of the Scheme is produced.

Each Councillor takes their own approach to applying to spend their fund, for example some will actively contact Parish Councils and organisation such as Residents' Associations, whilst others will wait for Community Groups to approach them.

Officer Support – Community Strategy Team

It is reported that the Officer Support is a full time role, whose duties include:-

- Gate keeper
- Administrator

Process – Application Form

The process for accessing locality budgets is reported to have been made as simple as possible. A form has been devised and is readily available by email. The form has 3 parts. Part A should be completed by the authorised representative of the group requesting the funding. Groups are encouraged to provide bank details so that an electronic transfer may be made which is more secure and cheaper to administer. The person completing the form may email it to the Councillor, which will be accepted in place of an actual signature on the form.

The Councillor then completes Part B and sends it to the Community Strategy Team admin office or directly to the relevant Locality Development Officer, ideally by email, who then ensures that the application complies with the Council's rules.

If a County Committee meeting is pending, the application is on the agenda for the meeting for approval. Otherwise, the application is sent to the Committee Chair for his/her approval between meetings.

Evaluation of the Scheme

A 'light touch' evaluation form is issued to each Community Group after they have received funding from the Scheme.

There is an expectation that the Councillor should ensure that the funding is spent for the purposes stated on the form.

Publicity

Following every County Committee meeting, the Council's press office will issue a list of grants which have been made and bring this to the attention of local media. Local groups and Councillors are free to seek their own publicity.

Prohibitions

There are a number of situations for which locality budgets must not be used:

1. Reinstating a cut in service or activity arising from an earlier policy decision of the County Council or other public body, excepting where any one-off funding is required to mitigate the immediate impact of any service reduction where a creative alternative solution has been found, that in other respects meets the operating principles, provided also that there is no commitment upon the Council or Member to provide ongoing support, examples detailed below:
 - a. Reduction in subsidies have caused a bus service to be withdrawn, Members may wish to fund a local community transport association or fare car scheme to develop their database of contacts and advertise their services in the area that has been affected by a reduction in bus services.
 - b. A voluntary organisation has had a cut in funding and wants to re-locate to share premises with another voluntary organisation to reduce overheads. The local Member might contribute to the cost of re-location (removals and minor works).
 - c. The local Member grants funding via their locality budget to support the training and development costs associated with training volunteer youth workers supporting the removal of sessional youth worker support from a parish's youth club.
2. As ongoing yearly commitments, unless specifically agreed by the Executive in advance
3. Funding to benefit individuals or privately owned businesses.

`Pitfalls' of the Scheme

It is reported that Community Groups that `shout the loudest' are often responded to the most; which raises the query of whether the Scheme is equitable. Another query is raised as to whether Hard to Reach Groups have the confidence to bid for funding through this Scheme.

TEINBRIDGE DISTRICT COUNCIL – COUNCILLOR COMMUNITY FUND SCHEME

Teignbridge District Council has had a Councillor Community Fund scheme in place since May 2007.

Each Councillor (total 46) is allocated £1,500 to spend on projects in their ward. Some wards have up to three Members.

Process – Application Form

The Councillors' Community Fund can be used for any purpose which, in the view of the ward Councillor, will improve the community and enhance the quality of life for local residents. This fund can only support one-off projects and cannot be used to replace any withdrawn public sector funding or provide/imply any ongoing financial support. Applications for funding can only be received from not-for-profit groups/organisations and not individuals.

There is no lower limit and applications for over £1,500 can be supported by Councillors wishing to combine resources for those projects that benefit larger communities.

There are no set timescales or deadlines. Ward Councillors consider projects throughout the year (as long as funding is still available) and make appropriate recommendations to the Council's Executive which meets every month.

Once the Executive has approved the ward Councillor's recommendation, Financial Services at Teignbridge District Council make the necessary grant payment.

Prohibitions

The funding may not be used to replace funding withdrawn by the Council or another public body or to provide ongoing financial support or to imply a regular financial commitment by the Councillor or the Council.

Retrospective Community Fund grants will not normally be considered for approval by the Executive. There will be exceptions, whereby an application can be submitted within six weeks of the conclusion of any project but this will need to be approved by the Executive and the reasons for the retrospective application will be given by the applying Councillor, to show that the scheme/project would not have happened without Council monies.

Elections

No Community Fund grants will be paid or processed during the scheduled European, County, District, Town and Parish elections in Teignbridge, following publication of the notice of election, until the conclusion of the election;

With regard to any General Election, no Community Fund grants will be paid or processed during the period following the publication of the notice of election, until the conclusion of the election;

In a By-Election of any Teignbridge Councillor serving a multi-Member Ward, no Community Fund grants from other Members in that Ward be paid or processed, following the publication of the notice of election, until the conclusion of the election; and

In the event of a Parish By-Election, no Community Fund grants will be processed from Councillors within the Ward for the benefit of the Parish which has the election, following the publication of the notice of election, until the conclusion of the election.

A good project or idea:

The ward Councillor and Community Group are advised that a good project or idea should comprise one or more of the following: -

- provides wider community benefit
- involves and engages with local residents and voluntary/ community groups
- tackles real local issues and supports hard to reach groups (ethnic minorities, young people, older people, unemployed people etc)
- links with your existing local town, village or parish community plan (if applicable)
- demonstrates clear local support and/ or need
- supports achievement of one or more of the Councils' 10 year strategic goals by;
 - addressing employment issues
 - promoting and improving the well being of residents and communities
 - supporting citizenship
 - tackling housing issues
 - helping to maintain clean streets, parks and open spaces

Evaluation

Groups that have received a grant are asked to complete a simple form at the end of the project telling the Council about its achievements and the Council then undertakes to help the Group to publicise the difference that has been made to the local community.

Councillors are expected to advertise their funds throughout their Wards and always ask members of the public to give forms back to their Ward Member so that the Council knows that the Councillor has seen it and given it prior approval to be considered, or not as the case may be.

The community response is not measured but on several occasions the fund is mentioned in local press and the Council gets numerous emails/letters of

thanks from those organisations benefiting and any one with connections to these organisations.

Pitfalls of the Scheme

On occasions it proved difficult to ensure that the funds have been spent on what they were originally earmarked for. Therefore Teinbridge District Council now asks organisations to submit a feedback form within three months of the project finishing with some sort of evidence, such as write ups in the paper or photographs just so that the Council can demonstrate for audit purposes that monies are spent as intended.

STAFFORDSHIRE COUNTY COUNCIL – ST AFFORDSHIRE LOCAL COMMUNITY FUND

The purpose of the scheme is reported: “to improve the ability of the County Council to respond to local needs in a flexible way”. 62 Members are allocated £10,000 each year to support and promote the community within their divisions.

The total spend for year ending 31st March 2011 was £619,464 of a budget of £620,000.

Process - Application

The Member has an essential role in assessing the merits of each application and the amount of support given, grants mainly range from a few hundred pounds up to £1,500, each application must support one or more of the County Council’s priority outcomes and core values.

It is reported that Members are fully committed to the scheme and ensure that all their funds are fully allocated in each year.

Members may wish to support the total project cost or a smaller grant offer where the applicant would then need to raise/source additional funding to allow the project to go ahead. Where a larger application is submitted a number of Members may decide to jointly support the application providing it is of benefit to the wider community and across joint Member divisions.

Members supporting an application will submit the application with their supporting document (showing amount supported) to Member and Democratic services to be submitted for approval.

All funding is to be allocated to projects/applications by December of each year and all grants must be claimed and spent by 31st March - year end.

Officer Support

Full administration of the scheme is supported by one full time post and extra support is provided by two team members as required.

Overall responsibilities to ensure all funds are allocated and full control of the annual budget.

MANSFIELD DISTRICT COUNCIL – MEMBERS WARD ALLOWANCE SCHEME

Mansfield District Council has a Ward Allowance Initiative in place that gives Councillors access to a small budget to deal with local problems.

Councillors are empowered, in consultation with local communities to implement locally based improvements.

The objective of the Initiative is to enable citizens and communities through their local Councillor to have the opportunity to impact on neighbourhood issues with the ability to respond to the different needs of different communities.

It has been proposed that Members are allocated £20,000 per year, but this has not been approved. Currently Members are allocated £1,000 per year.

Process - Application

Expenditure is only approved if the following criteria are met:

- It is within the Council's statutory powers to make such a payment.
- It is for lawful purposes.
- It is in line with the Council's stated priorities.
- It is in line with the Council's policies.
- Should not be used for political purposes
- Payment will not be made leading up to a local government election e.g. 1st April to the date of election in May
- Payment will not be made in the period during which notice is given of a local authority by-election.
- It is in compliance with the Council's Constitution, Financial Regulations, Contract Procedures or Codes of Practice.
- It either provides an additional service or an enhancement of existing service.
- Where possible agreement should be obtained from other ward members.

- Expenditure is for one financial year only.
- All match funding is in place.
- Payments cannot be considered to a person or organisation with debts outstanding to the Council.
- It is not a payment for hospitality.

Approval process

- All requests for expenditure must be provided on the approved form
- Approval of the form will be given by the Head of Financial Services or Deputy S151 Officer in his absence once satisfied that the criteria detailed in 1 above have been met.
- The Council will approve an appropriate amount per ward member (currently £1,000) for each financial year.
- Unspent allowances may be carried forward only if a commitment can be demonstrated and with the prior approval of the Head of Financial Services.
- Unspent allocation may not be carried forward into the year of a local government election.
- Unspent allocation may not be carried forward if this falls within the period of notice of a local authority by-election.
- Where larger projects are proposed, two or more elected ward members can pool their annual allocation subject to each of those members signing the approved form.
- Goods or services must where possible be procured through the Council's financial systems by the appropriate service department. Where this is not possible any purchase must be accompanied by a VAT receipt and passed to the Head of Financial Services.
- The Council reserves the right to seek confirmation that the expenditure has been used for the purposes for which approval has been given.
- The Head of Financial Services maintains a record of expenditure by each ward member and reports annually to Council.

WYCOMBE DISTRICT COUNCIL – WARD BUDGET SCHEME

On 19 July 2004, Wycombe District Council approved a budget to establish Ward Budgets to enable all Councillors to have the ability to make a small but vital contribution to projects carried out in their local communities by local organisations.

The scheme aims to be as flexible and simple as possible.

Wycombe District Council makes some suggestions to its elected Member as to how the funds might be used are listed below:

- Resurfacing playing field car park
- Lighting for youth club
- Restoration of a community hall
- Installing a disabled toilet in village hall
- Supporting a local scout group
- Supporting dial-a-ride
- Purchase of cutlery and crockery for a community group
- Purchase of village entrance signs
- Renovating a village landmark

Members are encouraged to seek out appropriate schemes that can be accommodated within the ward budgets rather than inviting general applications, which may result in some organisations being disappointed.

Basic principles of the Scheme

The scheme is to enable Members to put forward proposals for expenditure against a specific budget earmarked for him/her to promote the well being of the local communities, which he/she represents.

It can be applied to enable the Council to respond flexibly to local priorities.

Proposals must be consistent with the Council's policies and deliver value for money.

The funds should be used to benefit more than one person.

Allocation of funds

The Ward Budgets can be used to fund new projects or to provide additional "match" funding against already committed resources. In the case where funding is matched it can either be matched against internal or external resources.

The Ward Budgets can be used for projects either within or outside a Member's ward providing it can be demonstrated that people from within his/her ward can participate and/or benefit from the project.

Examples:

- *Providing money towards fencing for an open space within a ward (ward based)*
- *Providing a contribution towards purchasing computer equipment for a Citizens Advice Bureau (outside ward)*

Prohibitions

The Ward Budgets cannot be used:

- a) For Party Political purposes.
- b) For activities for which the Authority has no clear legal powers or where the District Solicitor has advised that the project is unlawful or improper.
- c) Where expenditure would be contrary to a Council policy.
- d) Where it is a matter in which the local Member has a personal and prejudicial interest to which the Members Code of Conduct applies. A Member may have declared a personal interest under the code of conduct e.g. by virtue of being a Member of a Parish Council. This does not preclude the application but it should be declared on the application form.
- e) Where it would create an on-going financial commitment. Any funding for a 'second' year will always be dependant upon the Council making the necessary budget provision and therefore cannot be guaranteed before the start of the financial year. Where a longer term project would involve on-going financial commitment the Ward Budget can be used to 'pump prime' to test whether a project is viable [this would normally be done in collaboration with other bodies who may be able to pick up the revenue budget in future years].
- f) On a project that relates to a function which is the legal responsibility of another statutory body or organisation, e.g. highways or education matters.
- g) Where only one individual or a very small number of people will benefit
- h) A repeat application for the same project for more than one year or within two years of a successful application.

Allocation of the budget

The Council may, on the recommendation of the Cabinet, allocate an amount to form Ward Budgets as part of the revenue budget process. The budget can be spent on capital or revenue items.

In 20010/11 the maximum amount to be allocated to the fund is £40,000. This sum has been apportioned to each Member of the Council in relation to the size of electoral roll of his/her ward. The balance each year can be used at the Leader of the Council's discretion.

The sums are allocated to individual Council Members; however, it will be possible for two or more Members to pool their budgets to fund a project covering more than one ward or a project that will be of benefit for people from any ward to a single project.

Members may allocate part, or all, of their fund to an organisation already in receipt of Council funding. However, they may want to take this into account when deciding how to allocate their fund.

Un-used monies from individual Ward Budgets cannot be carried forward year on year, as the objective of the scheme is to have more activity for Members in their local communities and this is not consistent with accruing the funds over a number of years.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Newark and Sherwood District Council did have a small Community fund of £2,000 per Councillor but this was deleted as part of budget savings several years ago.

Its impact on the local community was not measured.

EAST LINDSEY DISTRICT COUNCIL – COUNCILLOR INITIATIVE FUND

East Lindsey's Councillor Initiative Fund is available for all 60 Councillors. The amount that is available for each Councillor has gone down from £2, 000 to £1,500 this year. A separate application form is required for each project that is submitted.

The reported purpose of the Scheme is:-

1. To enable local members to use resources to assist in the well-being of the inhabitants of their electoral divisions.
2. To promote the role of Councillors as community leaders
3. To lead to better engagement between residents and the Council.
4. To help the Council respond to community needs

Subject to the limitations as detailed below, Councillors may use their allocated budget to support any local project that they consider to be of benefit to their local community. Funding can be used of benefit to procure a service currently provided by the Council as long as it is on a one-off basis, e.g. additional street cleaning. Councillors within the same ward may choose to combine their allocations but each Councillor is required to complete an application form even if only one payment is made. Councillors from different wards may combine their allocations provided there is clear evidence that residents from each ward will benefit.

Funding cannot be used for any of the following points:

- The support of political purposes
- The promotion of religious views
- Recoverable VAT
- Bank, finance or audit charges
- Any unlawful or illegal activity
- Retrospective funding or to replace monies already spent
- To replace Parish or Town Council Precept funding
- To support a scheme/project that is already financially supported by the Council, e.g. through the community grants scheme
- A scheme where the Councillor awarding the grant would have a personal or prejudicial interest (subject to discretionary approval of the Chief Executive where such an interest has been declared)
- The support of the same project more than two years running
- During a four-week period prior to a local, European or General election, Councillors should not promote or use the Councillors' Community Initiative Scheme and no funding applications will be processed or paid, if received during this period.

Separate application forms should be completed for each project and submitted to Member Services. Member Services log the application and, subject to the form being completed fully and correctly, forward the form onto Financial Services for payment.

If a personal interest has been declared, the form will be passed onto the Chief Executive for discretionary approval. The schemes that have been supported will be logged on the Council's internet site for public scrutiny. All 60 Members are sent quarterly statements of the amount they have spent. Applications may be submitted at any time but no later than the 15 March in any financial year to allow time for processing and payment before the financial year end.

All Councillors have a responsibility to monitor the delivery of supported projects and ensure that they money awarded is used for the purpose specified.

Each application as to receive ratification from the Chief Executive and all schemes that are accepted are published in the local papers. Members of the community apply for a grant from their respective Ward Councillor.

Allocation of the Councillor Initiative

Each Councillor is allocated an annual budget of £1,500 from which they can allocate money to as many local projects as they choose.

Councillors may roll forward any one year's budget allocation (or unspent monies) for one year only.

The Fund can be used:-

- For any local project that they consider to be of benefit to their local community.
- To procure a service currently provided by the council as long as it is on a one-off basis, e.g. additional street cleaning.
- Councillors within the same ward may choose to combine their allocations. (Each councillor must complete the application form even if only one payment is made).
- Councillors from different wards may combine their allocations provided there is clear evidence that residents from each ward will benefit.

Prohibitions

- The support of political purposes
- The promotion of religious views
- Recoverable VAT
- Bank, finance or audit charges
- Any unlawful or illegal activity
- Retrospective funding or to replace monies already spent
- To replace Parish or Town Council Precept funding
- To support a scheme/project that is already financially supported by the Council, e.g. through the community grants scheme.
- A scheme where the Councillor awarding the grant would have a personal or prejudicial interest (subject to discretionary approval of the Chief Executive where such an interest has been declared)
- The support of the same project more than two years running.
- During a four-week period prior to a local, European or General election, Councillors should not promote or use the Councillors' Community Initiative Scheme and no funding applications will be processed or paid, if received during this period.

Officer Support

Member Services Officers log the application and, subject to the form being completed fully and correctly, they forward the form onto Financial Services for payment.

Members are sent quarterly statements of the amount they have spent by Finance Services.

Councillors' responsibilities

Councillors are expected to monitor delivery of supported projects and ensure that the money awarded is used for the purpose specified.

Councillors are advised to contact the Communications Team for advice regarding publicity.

KETTERING BOROUGH COUNCIL – WARD INIATIVE FUND

It is reported that the Ward Initiative Fund of £625 per member exists to enhance the capacity of Members to undertake their community representation role.

Prohibitions on the use of the Fund

The fund may not be used for any purpose for which the Borough Council could not itself incur expenditure. Nor may it be used for any purpose which would breach the Council's constitution or policy framework.

This prohibition includes:

- expenditure which would be in breach of the Code of Recommended Practice on Local Authority Publicity
- expenditure which would be in breach of any statutory provision relating to elections and referendums
- expenditure which would be contrary to the Council's commitments to local people as recorded in the policy directory

Examples of prohibited expenditure include:

- anything which is, or is liable to misrepresentation as being, party political. Anything published with financial support from the fund may not include reference to political affiliations, use political slogans, expressly advocate policies as being of a particular political party or directly attack policies and opinions of other parties, groups or individuals

- no publications or events shall be funded which are issued or held during the period between the notice of an ordinary Borough Council election and the election itself, nor will support be given during such period in relation to a ward in which a by-election is to be held. For other local, parliamentary or European parliamentary elections the prohibition relates to any event or publication which gives, or could be misrepresented as giving, any publicity whatsoever to a candidate at the election.
- no publications or events shall be funded which appear designed to influence local people in deciding whether or not to sign a petition or vote in a referendum for an elected Mayor

Determinations to withhold funding will be made by the Head of Democratic and Legal Services and shall be in writing detailing the basis of the determination. Appeals against a determination to withhold funding will be heard by the Standards Committee, advised by the Monitoring Officer, within one month of any such appeal by a member.

Authorised uses of the Fund

Subject to the prohibitions noted in Section 2 the fund may be used for any purpose which in the opinion of the member concerned will enhance their community representation role. Such purposes will include:

- providing information to constituents, whether in the whole ward or a part thereof and whether about the Council or about any other matter affecting the economic, social or environmental well-being of the ward or that part of the ward
- seeking the views of constituents, whether in the whole ward or a part thereof and whether about the Council or about any other matter affecting the economic, social or environmental well-being of the ward or that part of the ward
- training for any purpose connected with members' roles for which no provision has been made in the members' training programme
- any other purpose which in the opinion of the member will enhance the economic, social and environmental well-being of their ward or part thereof.

Members may co-operate with other Councillors on any authorised use and may pool their fund allocations for this purpose.

Administration of the Fund

The Head of Democratic and Legal Services and such other officers delegated by this postholder shall have responsibility for administering the fund.

A report will be published in each Members' Insight Bulletin on expenditure authorised, to include the originating member, the amount and the purpose authorised.

Amounts underspent as at 31st March each year shall be returned to balances unless expenditure has been authorised by that date but not yet expended.

Equality Impact Assessment

Part 1: Screening



When reviewing, planning or providing services Northampton Borough Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “**Equality Impact Assessments**” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A helpful guide to equalities law is available at: www.northampton.gov.uk/equality. A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

1 Name of policy/activity/project/practice	This is:
Councillor Empowerment Fund Scheme	New policy

2. Screening undertaken (please complete as appropriate)	
Director or Head of Service	Cara Boden, Assistant Chief Executive
Lead Officer for developing the policy/activity/practice	Cassie Triggs, Democratic and Chief Executive Services Manager
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	Tracy Tiff, Scrutiny Officer (NBC) Councillor Matt Lynch (NBC)

<p>3. Brief description of policy: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.</p> <p>The development of a Councillor Empowerment Fund Scheme is being investigated along with any associated standards and procedures.</p> <p>Part 1 of the Local Government Act 2000 gives Councils broader powers to promote the social, economic and environmental well being of its area. This power brings with it benefits for Authorities and local communities through more effective relationships with partners and the public, greater freedoms and flexibilities and the ability to be innovative and creative. It is of particular relevance to promoting Councillors’ community leadership role and the development of Empowering Councillors and Communities Schemes.</p> <p>A Councillor Empowerment Fund is a Scheme which grants a set sum per year to each of the Council’s elected Councillors to spend within their electoral ward. The Scheme could detail what the fund could be spent on, the process, whether it could be rolled over for the life of the Council and any prohibitions.</p> <p>The Administration, in its Manifesto, gave its commitment to the development of a</p>
--

“Councillor Community Fund Scheme for Borough Councillors to allocate money within their ward to make a positive impact on the areas they represent and to empower local residents who are active in their communities. A Conservative administration will consult Northamptonshire County Council and use best practice and advice from the successful Empowering Councillors and Communities Scheme”.

The benefits of a Councillor Empowerment Scheme include allowing Community Groups to do things that they might not otherwise be able to afford to do. This should benefit the specific group and also potentially the wider community either locally or across the district.

Is it linked to NBC’s Corporate Plan? Service Plan? Other?

The development of a Councillor Empowerment Fund Scheme links to the Council’s corporate priorities - Corporate priority 1 (Supporting you when you need it) – Supporting community involvement and give you opportunity to take part. The Corporate Plan 2012/2013 is currently in development and it is anticipated that the Scheme will be identified as a Corporate priority.

4 Relevance to Equality and Diversity Duties

Is it linked to NBC’s Single Equality Scheme? NBC’s Public Sector Duties? Equality Framework Criteria? Service or departmental equality priorities?

Please explain:

Community Groups would be able to contact their local Councillor and put in a request for funding through the Councillor Empowerment Fund Scheme. A number of community groups are some of the principal providers of services to disadvantaged people and this disadvantage is often associated with one or more of the protected characteristics.

The Councillor Empowerment Fund Scheme could have a significant beneficial impact on most or all of the protected characteristic groups as long as it is accessible to these groups and enables them to participate fairly in the application process. It could be harmful if certain kinds of groups are excluded by barriers to their participation, or the award of funding appears to, or does, favour particular groups over others.

How will the aims affect our duty to:

Promote equality of opportunity?

Eliminate discrimination, harassment and victimisation?

Promote good community relations?

Promote positive attitudes towards people with protected characteristics?

Encourage participation of people with protected characteristics?

Protect and promote Human Rights?

For example, think about it from the perspectives of different groups in society. Does it cause harm or a benefit to any group(s) differently to others? Will it differentially affect:

Black, Asian or other ethnic minority and/or cultural groups?

Disabled people? And their carers?

Transgender people?

Men and women?

Lesbians, gay men and/or bisexual people?

Different religious communities/groups?

People of a particular age e.g. older people or children and young people?

Any other groups?

People with flexible or agreed working patterns?

Are there any aspects, including how it is delivered, or accessed, that could contribute to inequalities? (This should relate to all areas including Human Rights.)

Yes

Please explain:

Many of the organisations supporting protected characteristic groups are small and specialised. Recipients of money from a Councillor Empowerment Fund are often smaller and specialised organisations. It is expected that the Scheme will be widely publicised when introduced and publicity will also be disseminated through the Voluntary and Community Sector Forum. The scheme should also encourage communities to have a positive interaction with their ward Councillor(s) and the Council.

However, some groups may find access to the scheme less accessible if for example they have less experience in making applications, or are less articulate. This might apply to certain groups supporting disabled people or ethnic minority communities, among others.

The decision as to which group to award their funding sits at the discretion of the councillor and there may be a multitude of factors that influence this decision. In order to avoid decisions being made which are perceived by any group (whether they represent people with protected characteristics or not) to be discriminatory, there will be particular focus on the effectiveness of the guidance and training that councillors are given in how to allocate their funds in a manner that does not contravene their equality and diversity duties. There will also be a focus on the effectiveness of the manner in which approval, monitoring, evaluation and review is conducted in order to identify and deal with any issues where decisions might appear to be contributing to inequality.

If you have indicated there is a negative impact on any group, is that impact:

Legal?

Yes

Please explain:

The Councillor will have to complete an EIA to release the funds, which will require them to consider any negative or adverse impacts on the promotion of equality which might result from the policy/practice/activity they are applying to fund. Clearly, a request that would result unacceptable negative impacts would not be approved. Councillors will be provided with guidance on how to execute their equality and diversity duties in relation to considering applications for funding. This will be supplemented by regular equality and diversity training. In addition, the application must prove that it meets the criteria of the Scheme and is not contrary to any prohibitions. In addition, Councillors will be asked on their form to state which other organisations they were approached by for funding and explain the reasons why they were not awarded funding on this occasion.

The Scheme will be reviewed on an annual basis, part of which will include an analysis of where funding has been allocated in order to determine if they have been fairly and equitably distributed among the diverse communities in the town. The findings of the review will also be published in the council's annual report.

The Scheme also has the provision of an appeal process. Should a Group feel that a decision against an application has been unfairly made; an appeal can be made to the Council's Standards Committee for determination.

Intended?

No

Please explain:

The intention in introducing a Councillor Empowerment Fund is to enable Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities.

5 Evidence Base for Screening

List the evidence sources you have used to make this assessment (i.e. the *known evidence*) (E.g. Index of Multiple Deprivation, workforce data, population statistics, any relevant reports, customer surveys, equality monitoring data for the service area.)

In gathering evidence, the Scrutiny Panel received the annual report of the Councillor Empowerment Fund of Northamptonshire County which provided details of the groups that had benefitted from its scheme in 2010/2011. For example, just over 60 groups were under the age of 18 and approximately 20 fell into the 60 plus age bracket. The report goes on to detail that organisations were asked if their scheme catered for people with disabilities in any way and 55.8% of organisations said that it did. 95.3% of schemes were not gender specific but of those that were 57% were aimed at boys and 43% were aimed at girls. The report detailed Groups that benefitted the most from grants in terms of ethnic origin:

- White 43%
- Chinese 9%
- Black 14%
- Asian 13%
- Mixed race 21%

Expert evidence was provided to Scrutiny Panel 3 – Councillor Empowerment Fund by various witnesses, many invited specifically because of their knowledge of the equalities issues within the voluntary and community sector, including particularly:

- Sandra Bell, of the Northampton Voluntary Sector Forum
- Zahira Case of Pearls of Peace,
- Joanna Steer of Deaf Connect
- Clement Chunga of the Malawi Association

Feedback from these witnesses highlighted the need for the process to be made as easy as possible for communities to find out about and apply – The Scheme will be widely publicised and easily accessible via the Council's Internet site, ward Councillor, named Officer at the Council.

It was also recommended that the guidance be available in different languages – Provision will be made to produce the application form and guidance notes in different languages should a request be made.

Are there any significant gaps in the known evidence base? If so what are your recommendations for how and by when those gaps will be filled?

6 Requirements of the equality duties:

(remember there's a note to remind you what they are at the end of this form and more detailed information at www.northampton.gov.uk/equality)

Will there be/has there been consultation with all interested parties?

Yes

Please explain:

The Councillor Empowerment Fund Scheme has been the subject of detailed consideration by the Scrutiny Panel. Its discussions have included concern for ensuring that equality duties are met. The view of the Panel is that a Scheme based on its recommendations will be a proportionate, fair and effective way to achieve the desired outcomes.

Are proposed actions necessary and proportionate to the desired outcomes?

Yes

Please explain:

The application form includes a section that must be completed by the applying Councillor to consider if their decision has a detrimental impact on any Group with these protected characteristics.

Funds are allocated on a yearly basis therefore a Group can apply the following year if they have been previously unsuccessful.

Annual monitoring will take place to ensure that all members of the community are being fairly and equitably considered for funding.

Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy?

Yes

Please explain:

Applications for money from the Scheme will be considered in accordance with the criteria and guidance.

Should a Group feel that a decision against an application has been unfairly made; an appeal can be made to the Council's Standards Committee for determination.

Does the proposed policy have the ability to be tailored to fit different individual circumstances?

Yes

Please explain:

The policy takes the form of a Scheme which will provide general standards and processes. If there is a need to tailor it to fit different individual circumstances this can be discussed with

the officer with responsibility for overseeing the scheme. There will also be an opportunity to amend the scheme upon the advice of the group that annually reviews it.

Where appropriate, can the policy exceed the minimum legal equality and human rights requirements, rather than merely complying with them?

Yes

Please explain: The funding available from the scheme could be used actively to promote activities which support equality. A recommendation of the report of the Scrutiny Panel is that Cabinet instructs Officers to hold an open evening once a year to promote the Councillor Empowerment Fund Scheme to community Groups and Organisations, to which all councillors would also be invited to attend. It is also proposed that the Community and Voluntary Sector Forum be asked to promote the Scheme within its network, which is hoped to result in lesser known groups being informed of the funding opportunity.

From the evidence you have and strategic thinking, what are the **key risks** (the harm or 'adverse impacts') **and opportunities** (benefits and opportunities to promote equality) this policy/practice/activity might present?

	Risks (Negative)	Opportunities (Positive)
General (all protected characteristics)	<p>Smaller organisations may find it difficult to participate effectively</p> <p>Potential for different groups to be treated inappropriately due to lack of awareness of the protected characteristics</p>	<p>The application form includes a section that must be completed by the applying Councillor to consider if their decision has a detrimental impact on any Group with these protected characteristics.</p> <p>Funds are allocated on a yearly basis therefore a Group can apply the following year if they have been previously unsuccessful.</p> <p>The Terms and Conditions of the Scheme highlight the importance of Councillors considering their equality and diversity duties and advice is available from the Council's Community Engagement and Equalities Officer.</p> <p>The application form and Terms and Conditions of the Scheme can be provided in up to five of the main languages.</p> <p>Training will be given to all staff involved in administering the Scheme so that they will be able to provide advice and</p>

		support to ensure, wherever possible, the Scheme is meeting equality and diversity duties.
Race	Possible language difficulties. There is the need to ensure appropriate access to interpreting Services as necessary	New communities come into positive contact with their ward Councillor(s) and the Council
Disability		The application form and Terms and Conditions will be downloadable in both word and PDF format.
Gender or Gender Identity/Gender Assignment		
Pregnancy and Maternity (including breastfeeding)		
Sexual Orientation		
Age (including children, youth, midlife and older people)		
Religion, Faith and Belief		Prohibitions regarding proposals which exclusively support or promote religion or religious groups should only apply if the funding is to do with something specifically faith based.
Human Rights		

7 Proportionality

Describe the scale and likelihood of these risks and opportunities

Risks can be mitigated through effective design, delivery and monitoring of the Councillor Empowerment Fund Scheme

8 Decision

Set out the rationale for deciding whether or not to proceed to full impact assessment

Date of Decision: .../.../20...

EITHER: We judge that a full impact assessment is not necessary since:

OR: We judge that a full impact assessment is necessary since:

Equality Duties to be taken into account in this screening include:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf: (due to be effective from 4 April 2011)

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life.

Equality Impact Assessments remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:

to improve how services identify and meet needs of adults with autism and their families.

Human Rights include:

Rights under the European Convention include not to be subjected to degrading **treatment; right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education; right to hold free elections by secret ballot**. The European Convention is given effect in UK law by the Human Rights Act 1998.



NORTHAMPTON BOROUGH COUNCIL

COUNCILLOR EMPOWERMENT FORM APPLICATION FORM & RECORD OF DECISION

PART A - GRANT AGREEMENT

Part A must be completed and signed by a representative of the organisation

Scheme details	
Name of the organisation being awarded the grant money	
Name of Councillor	
Brief description of the scheme	

Funding details	
Details of proposed grant	<p>If the Council is providing a grant to an organisation, Councillors must supply details of how much has been agreed and what the money will be used for here</p> <p>Proposed grant £.....</p> <p>Please describe briefly how the grant money will be spent.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

Organisations must provide details of the purchases they wish to make	<p>If the organisation is purchasing goods, services or works from a supplier they must provide a brief description and the agreed price.</p> <p>Name of Supplier.....</p> <p>What is being purchased?</p> <p>Price (including VAT) £.....</p>
--	--

Payee details

Account name the cheque should be made out to	
Contact details and where the cheque should be sent	<p>Contact name</p> <p>Address</p> <p>.....</p> <p>Postcode.....</p> <p>Telephone</p> <p>Email</p>
Signature and agreement of organisation representative	<p>The person named below hereby agrees as follows:</p> <ol style="list-style-type: none"> 1. That he or she is properly authorised under the rules of the organisation of which he or she is a member to enter into this agreement for and on behalf of the other members as set out in those rules or in a binding authorisation of the members. 2. That it accepts the grant on behalf of the association on the terms set out in this Agreement and the Terms and Conditions of the Councillor Empowerment Fund of which he or she has received a copy <p>Signed</p> <p>Print name</p> <p>Name of organisation</p> <p>Position within the organisation.....</p>

Part B – COUNCILLOR EMPOWERMENT FUND APPLICATION FORM

Part B must be completed by the Ward Councillor

Please post or email this form to Democratic Services, NBC, The Guildhall, St Giles Square, Northampton, NN1 1DE, email democraticservices@northampton.gov.uk

Title of proposal			
Name of Councillor		Ward	
Advice	To make the awards listed below		
Proposal <i>(Please give details of how the money will be spent)</i>			
How much do you wish to give to this proposal?	£		
Budget allocation	A budget of £1,500 has been allocated to each Councillor for the period 2012-13		
<u>Key Outcomes</u> Please list five key outcomes that this Project will deliver and its success will be measured against			
Name of the organisation making the proposal <i>e.g. Parish Council, Residents' Association etc.</i>			
How will you demonstrate that you have achieved value for money?			
Are there any ongoing costs associated with the Scheme? If so how will this be funded in the future?			
Relevant declaration of interests (Councillor)			
Who have you consulted regarding how you will spend your Empowering Councillors fund? (Councillor)			
What methods of consultation did you use? (Councillor)			
Please list other organisations you approached for funding and the reason why funding was not granted (organisation)			

When is the proposal likely to be implemented?	
What benefit(s) will this grant bring to the local community?	
Please demonstrate how this application is in accordance with the Terms of Condition of the Scheme	
<u>Prohibition</u>	Please tick to confirm that the Project is not contrary to the Prohibitions contained within the Terms and Conditions of the Scheme:
Expenditure that is unlawful or for which the Council is not entitled to spend money	
Proposals that would replace expenditure that the Council has withdrawn	
Proposals which commit the Council or its partners to ongoing funding without explicit approval	
Proposals which advocate positions of Political Groups	
Any proposal that is not related to the delivery of the Council's strategic goals and priorities	
Applications which are proposed by profit making organisations, businesses, Local Authorities or statutory bodies (excluding applications from Parish Councils)	
Proposals which exclusively support or promote religion or religious belief	
Proposals which have started before the application has been agreed. Grants cannot be given retrospectively	
Expenditure that would improve a Councillor's financial position	
Expenditure which would be in breach of any statutory provision relating to elections and referendums	
On a project that relates to a function which is the legal responsibility of another statutory body or organisation, e.g. highways or education matters.	

Equalities Impact Assessment

Northampton Borough Council is committed to ensuring that we are properly serving our diverse local community and that services are genuinely accessible to all. Please provide information on how your proposal will have an impact on equalities by answering the following questions in the table below:

A helpful guide to equalities law is available at: www.northampton.gov.uk/equality.

From the evidence you have and strategic thinking, what are the key risks (the harm or 'adverse impacts') and opportunities (benefits and opportunities to promote equality) this policy/practice/activity might present?

	Risks (Negative)	Opportunities (Positive)
General (all protected characteristics)		
Race		
Disability		
Gender or Gender Identity/Gender		

Assignment		
Pregnancy and Maternity (including breastfeeding)		
Sexual Orientation		
Age (including children, youth, midlife and older people)		
Religion, Faith and Belief		
Human Rights		
Proportionality		
Describe the scale and likelihood of these risks and opportunities		

Decision Taken	To make the award listed above	
Reason for decision	Funding as part of the Councillor Empowerment Fund Scheme	
Were other options considered? If so please give reasons for rejection		
Are there any risks associated with this proposal?		
Have the payee details been supplied and has it been signed by a representative of the organisation?		Yes/No

Signed by the Ward Councillor

I confirm that I have checked this application in accordance with the Councillor Empowerment Fund Scheme guidelines and agree that I wish to fund this organisation as stated. I hereby submit this application for agreement

Signature.....Print name.....Date.....

(Optional) Signed by additional Ward Councillor when Funds are being pooled

I confirm that I have checked this application in accordance with the Councillor Empowerment Fund Scheme guidelines and agree that I wish to fund this organisation as stated. I hereby submit this application for agreement

Signature.....Print name.....Date.....

(Optional) Signed by additional Ward Councillor when Funds are being pooled

I confirm that I have checked this application in accordance with the Councillor Empowerment Fund Scheme guidelines and agree that I wish to fund this organisation as stated. I hereby submit this application for agreement

Signature.....Print name.....Date.....

Authorised by Portfolio Holder – Councillor Brandon Eldred, Portfolio Holder for Community Engagement

Signature..... Date

Authorised by Director – Isabell Procter, Director of Finance and Support

Signature Date



NORTHAMPTON BOROUGH COUNCIL

TERMS AND CONDITIONS FOR ORGANISATIONS

Under the Councillor Empowerment Fund Scheme, Northampton Borough Council (the Council) has an obligation to ensure that any grant (Grant) is used for the purpose for which it is granted, that the Grant is spent within a reasonable timescale, and that the terms on which the Grant is given are agreed between Northampton Borough Council and the recipient of the Grant described in the Grant Agreement (Agreement) of which these Terms and Conditions form a part (Recipient).

1. Recipients agree to spend the Grant for the purposes/project outlined in the Agreement (the Project). Any variation to the Agreement or the Project must be agreed in writing with an authorised officer of the Council.
2. The Agreement is made with the Recipient's representative on the understanding that the Recipient's members will be accountable for the delivery of the Project and the obligations in the Agreement. The Grant is not transferable.
3. The Grant is paid out of public funds. The Recipient agrees to allow the Council's officers, agents and statutory audit bodies access to all documents and records relating to the Grant and any premises where such documents and records may be kept.
4. Council is not responsible for any costs or liabilities incurred by Recipient in connection with the Grant or the Project and Recipient should ensure that it has appropriate liability insurance in place to cover any liabilities that may arise in connection with the Project. If the Project may involve any of the Recipient's members or representatives having unsupervised access to children, the Recipient should ensure that it carries out appropriate CRB checks in respect to any such members or representatives, and that those checks do not reveal any matter that would cause the Recipient to consider such access inappropriate. Recipient must ensure that in carrying out the Project it complies with all applicable laws and regulations.
5. Neither Recipient nor any of its members must at any time claim to be a representative, employee or agent of the Council. Should Recipient become aware that anyone it is dealing with believes it is acting on behalf of Council it must make it clear that is not the case.
6. The Recipient must mention the Council and the Councillor Empowerment Fund Scheme in any publicity material for the Project. The Recipient must not use the Council's logos without prior permission.
7. The Grant must only be used for the Project and up to the maximum amount set out in the Agreement. Before spending any of the Grant the Recipient must ensure it has adequate funds to complete the Project.
8. The payment is made for the period not exceeding 12 months from the date on which the Recipient's representative signs the Agreement. The money must be spent within this 12 month period and any alteration to this must be agreed in writing with Northampton Borough Council.
9. The Recipient hereby certifies that all information given in its grant application and the Agreement, and in any additional papers given to Council by the Recipient or

representations made by any member of the Recipient to the Council are true, complete and correct.

10. The recipient agrees to provide information about how the grant was spent for the annual survey that takes place in the following financial year after the grant was awarded.
11. The Recipient agrees to keep all records relating to the Grant and the Project in particular to retain original receipts as proof of expenditure.
12. The Council may reclaim all or any part of the Grant if the Recipient or any member of the Recipient breaches any terms of the Agreement.

TERMS AND CONDITIONS FOR THE USE OF THE COUNCILLOR EMPOWERMENT FUND FOR COUNCILLORS

1. INTRODUCTION

- 1.1 The Councillor Empowerment Fund Scheme of £1,500 per Councillor exists to enable Councillors to efficiently and effectively allocate money within their ward to make a positive impact on the areas they represent and to empower local residents to be active in their communities. The Fund does not form part of the Scheme of Members' Allowances.
- 1.2 The guidelines set out the prohibitions on the use of the fund, but do not cover all the authorised uses to which the Fund may be put. It is hoped that Councillors will be innovative in producing proposals for use of the fund and will share their experiences of the outcomes of any new uses.
- 1.3 Councillors should note that they cannot access the Fund directly. All payments will be made by officers and are subject to the usual internal controls on expenditure and the prohibitions listed below.
- 1.4 The application form to access the Fund must be completed prior to the issue of approval and money being granted to ensure that the Council does not breach its responsibilities in this regard.
- 1.5 Before payments from the Fund may be authorised Councillors are required to sign an undertaking not to use it for improper purposes.

2. PROHIBITIONS ON THE USE OF THE FUND

- 2.1 The Fund may not be used for any purpose for which the Borough Council could not itself incur expenditure. Nor may it be used for any purpose which would breach the Council's constitution or policy framework.
- 2.2 This prohibition includes:
 - expenditure which would be in breach of the Code of Recommended Practice on Local Authority Publicity
 - expenditure which would be in breach of any statutory provision relating to elections and referendums
 - expenditure which would be contrary to the Council's commitments to local people as recorded in the policy directory
- 2.3 Examples of prohibited expenditure include:

- Expenditure that is unlawful or for which the Council is not entitled to spend money
- Proposals that would replace expenditure that the Council has withdrawn
- Proposals which commit the Council or its partners to ongoing funding without explicit approval
- Proposals which advocate positions of Political Groups
- Any proposal that is not related to the delivery of the Council's strategic goals and priorities
- Expenditure that does not give direct benefit to the residents within that Councillor's ward
- Applications which are proposed by profit making organisations, businesses, Local Authorities or statutory bodies
- Proposals which exclusively support or promote religion or religious belief
- Proposals which have started before the application has been agreed. Grants cannot be given retrospectively
- Expenditure that would improve a Councillor's financial position
- Expenditure which would be in breach of any statutory provision relating to elections and referendums
- On a project that relates to a function which is the legal responsibility of another statutory body or organisation, e.g. highways or education matters.

2.4 Funds should only be granted to Organisations and Groups that are properly constituted and able to provide bank account details. Cheques will be issued directly to the organisation or Group.

3. **AUTHORISED USES OF THE FUND**

3.1 Subject to the prohibitions stated in Section 2 the Fund may be used for any purpose which in the opinion of the Councillor concerned will enhance their community representation role. Such purposes will include:

- providing information to constituents, whether in the whole ward or a part thereof and whether about the Council or about any other matter affecting the economic, social or environmental well-being of the ward or that part of the ward
- seeking the views of constituents, whether in the whole ward or a part thereof and whether about the Council or about any other matter affecting the economic, social or environmental well-being of the ward or that part of the ward
- any other purpose which in the opinion of the Councillor will enhance the economic, social and environmental well-being of their ward or part thereof.

3.2 Councillors may co-operate with other Councillors on any authorised use and may pool their fund allocations for this purpose.

3.3 Should a Group feel that a decision against an application has been unfairly made; an appeal can be made to the Council's Standards Committee for determination.

4. **ADMINISTRATION OF THE FUND**

4.1 The Democratic and Chief Executives Services Manager and the Director of Finance and Support and such other officers delegated by these Postholders shall have responsibility for administering the Fund.

4.2 A Report of the Councillor Empowerment Fund that details expenditure authorised, the originating member, the amount and the purpose authorised shall be produced and submitted to Cabinet on a quarterly basis.

- 4.3 An Annual Survey shall be issued to all those who received funds. The results of which shall be provided in a summary within the Council's Annual Report
- 4.4 Amounts underspent as at 31st March each year shall be returned to balances unless expenditure has been authorised by that date but not yet expended.
- 4.5 A time limit is applied to year four of the Councillor Empowerment Fund to ensure that all allocations are complete by the end of the term. The Director of Finance and Support will set this date. It will be prior to commencement of the Purdah period.

5. UNDERTAKING

I declare that I shall follow these terms and conditions in my use of the Fund and shall not use it for any purpose contrary to law or otherwise incompatible with my role as a member of Northampton Borough Council.

Signed by

Name

Dated