



# Grant Funding Guidance & Toolkit for Third Sector Organisations

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# CONTENTS

	<i>Page No</i>		
1. <a href="#">Foreword</a>	3	<a href="#">Appendix 1: Grant funding application form and supporting documents</a>	17
2. Introduction & context	4	<a href="#">Appendix 2: Conditions Of Grant Aid</a>	36
i. <a href="#">The purpose of this document</a>	5	<a href="#">Appendix 3: Constitution &amp; governance structure requirements</a>	73
ii. <a href="#">Key terms, definitions and their application</a>	5	<a href="#">Appendix 4: Annual review form</a>	74
iii. <a href="#">Roles &amp; responsibilities</a>	7	<a href="#">Appendix 5: Provision of Annual Report and Accounts</a>	77
3. Grant Funding Guidance	10	<a href="#">Appendix 6: Legal Powers Relevant to Grant Funding</a>	78
i. <a href="#">The Grant funding process</a>	11	<a href="#">Appendix 7: Safeguarding requirements: Information &amp; guidance to third sector organisations applying for grant funding</a>	81
ii. <a href="#">Completing the application form</a>	12		
iii. <a href="#">The Conditions of Grant Aid &amp; supporting documentation</a>	13		
iv. <a href="#">Monitoring arrangements</a>	14	5. <a href="#">Glossary</a>	98
v. <a href="#">Addressing non-compliance</a>	14		
4. Appendices	16		

# FOREWORD



*Cllr Sue Anderson*

Councillor Sue Anderson  
Cabinet Member for Adults  
and Communities

Welcome to Birmingham City Council's Grant Funding Guidance & Toolkit for Third Sector Organisations.

This document sets out guidance, which will facilitate consistent and fair grant giving by Birmingham City Council. It has been developed in consultation with stakeholders and captures the key principles and quality standards to which Birmingham City Council and its partners will adhere.

The toolkit ties in closely with the Birmingham Compact 2010 which sets out and provides further clarity and guidance on our responsibilities as partners.

# INTRODUCTION & CONTEXT

## THE PURPOSE OF THIS DOCUMENT

Birmingham City Council recognises and respects the independence and value of the third sector. It acknowledges the freedom of each third sector organisation to choose its own area of activities and methods and how the third sector governs and funds these.

The Council has a responsibility to ensure that any public funding is used for its approved purposes and that, when an organisation receives funding, it is used appropriately. This includes the operation of suitable management, employment and financial policies and practices.

This document sets out the grant giving principles adopted by the council that any third sector organisation seeking such funding will be expected to meet.

## KEY TERMS, DEFINITIONS AND THEIR APPLICATION

The following terms have been defined to help implement the consistent use of terms between Birmingham City Council and its Partners.

### **Conditions of Grant Aid (COGA)**

**Definition:** This document sets out the standard conditions to be entered into for all grant funding provided by the Council to a third sector organisation. A Grant Schedule (see below for definition of grant schedule) should be appended to the COGA if required.

**Applicability:** After the applicant wishes to accept grant funding that has been approved by the Council.

### **Commissioning**

**Definition:** The process of determining the best approach to deliver successful outcomes for the citizens of Birmingham, now and in the future. It identifies how the Council spends its money to get the best possible services for local people.

**Applicability:**

- When understanding why we are spending money and determining where money should be spent to meet Council priorities
- When deciding what will make Birmingham a better place to grow up, learn, work, enjoy life and grow old in
- When deciding which organisation (public, private or voluntary sector) is best able to meet the desired outcomes.

## Procurement

**Definition:** Procurement is the sourcing and purchase of goods, works or services from third party suppliers or service providers under legally binding contractual terms.

### Applicability:

- Where there is a requirement for specific Goods, Works or Services including requirements following the Council receiving external grant funding
- When engaging in procurement, the Council must comply with EU Treaty Principles, the Public Contract Regulations 2006 and the Council's Standing Orders relating to Contracts
- It secures Value for Money, provides Transparency and Accountability and supports relevant Council Strategy and Policy
- You are able to define indicators of the quality and quantity of the outcomes for the purpose of measuring performance.

## Grant (or Grant Aid)

**Definition:** The payment of money to a person or an organisation to support a particular project or purpose, without firm entitlement to specific goods or services in return.

**Applicability:** Where there is a wish to support the activities of an organisation, which are important to Birmingham City Council's overall strategic objectives, for example supporting and valuing the role of carers.

## Contract

**Definition:** A contract is a legally binding agreement, where one party promises to the other to do (or not to do) certain acts in return for consideration, which is usually, but not necessarily, by payment in the form of money.

### Applicability:

- When 'procurement' is taking place

- Where you need to ensure the roles and responsibilities of both Birmingham City Council and the supplier are clearly specified.
- Where you wish to have a high level of control to avoid the risk of failing to deliver
- Where you wish to monitor the performance of the supplier and have recourse to written clauses to address under-performance
- Where you are funding direct service delivery (whether this is a statutory obligation or not).

## Legal charge

**Definition:** A form of security against payment of a debt or performance of an obligation which could entitle the Council to receive payment out of the proceeds of sale of a legal interest in land or the realisation of an asset. A legal interest can be in a freehold property (where the right in the property is held for an indefinite period) or leasehold property (where the right is held for a definite period). An asset is an item owned by a person or company regarded as having value and may be used to meet debts, commitments or legacies.

**Applicability:** Where grant funding has been used to purchase an asset, a building or an interest in a building; refurbish a building; or contribute towards the construction of a building.

## Funding Schedule

**Definition:** This includes the details of all of the grants paid in the current financial year (to be taken from the Grants Management System), and grants recommended to be paid in the following financial year, along with any specific conditions that are to apply which shall be included in the Grant Schedule.

**Applicability:** This summary forms an important part of the case for seeking approval to recommended grants from the relevant awarding body.

### Grant Schedule

**Definition:** This sets out the detailed activity and sought outcomes to be achieved from implementing the grant award and any additional conditions considered relevant to the grant in question.

**Applicability:** This is a schedule appended to the COGA and will need to be completed if required or marked “not applicable” where it is not required.

### Service Level Agreement

**Definition:** A Service Level Agreement is a document, which describes the agreed services that will be provided between City Council directorates.

**Applicability:** This may be used internally where one council directorate provides a service to another council directorate. It should not be used for external arrangements, or be attached to the COGA.

### Third Sector Organisation

**Definition:** **Third Sector organisations work on a ‘not for profit’ basis and are independent from government.** The third sector includes -

- Voluntary and community organisations (VCOs)
- Not for profit groups
- Social Enterprises (SEs)
- Faith-based groups engaged in voluntary and or social action

**Applicability:** This Grant Funding Guidance & Toolkit is designed to support the grant funding process for Third Sector Organisations.

## ROLES & RESPONSIBILITIES

Directorate grant management teams adhere to the following requirements described against roles.

Grants can be approved by: Cabinet, Cabinet Committees, Cabinet Members, District Committees and Chief Officers in accordance with the authority given under the City Council’s Constitution (Volume B Part 5C).

### Applicant/Organisation

- Represent the organisation applying for funding
- Complete application forms and comply with the conditions listed in this documentation and any subsequently agreed COGA and Grant Schedule

### Cabinet

- Approve capital and revenue grants where Cabinet approval is required in accordance with the City Council’s Constitution

### Cabinet Committee(s)

- Cabinet Committee (Procurement) considers grants that are non-property related or represent a Project (as defined by the City Council’s Gateway process)
- Cabinet Committee (Property) considers grants that are property related (i.e. for the purchase, build, enhancement or refurbishment of land or property)
- Review the Funding Schedule (Appendix 4) which includes grants paid in the current financial year, and proposed grants to be paid in the following financial year.

### Chief Officer

- References to the Chief Officer includes the Chief Executive, Strategic Directors, Corporate Directors and the Monitoring Officer.
- In accordance with the Scheme of Delegation in the Council's Constitution at Volume B Part 2 (I), a Chief Officer may delegate his or her authority to approve grant aid to other post holders within his or her directorate (for example, delegation to an Assistant Director). Such delegations should be recorded in writing and actions taken under them also reported back to the Chief Officer in writing.
- May vary or insert additional conditions into the Conditions of Grant Aid (COGA) including the Grant Schedule if necessary.
- May suspend funds, if the third sector organisation fails to comply with the terms and conditions. Inform Cabinet or Cabinet Committee as to whether grant funding is to be withdrawn or whether recovery of funds should be instigated.

### Directorate Grants Accountant

- Deal with grant related financial matters.
- Review any issues of the grant applicant's published accounts brought to their attention by the Grants Coordinator.
- Share findings with the Grants Coordinator.

### Grants Coordinator

- Assign a Project Officer to oversee the project and act as the main contact with the organisation.
- Coordinate and summarise the applications made for grant funding into the Funding Schedule for the appropriate approving body to review.
- Prior to funding, the Grants Coordinator, in consultation with the Project Officer, determine all additional conditions, activity

targets and other clauses to be included in the Grant Schedule for the year concerned.

- Before raising or approving any requisition for grant payment, ensure that the grant has been properly approved and that the total of the approved grant has not been exceeded.
- Once satisfied with the COGA, including the applicants' signatures, the Grants Coordinator or authorised officer will sign the COGA.
- Monitor the COGA and any accompanying Grant Schedule to determine what action is recommended against the organisation if a recipient has failed to comply with the agreed terms and conditions.
- Assess and agree the monitoring visit work programme with the Project Officer.
- Liaise with the Directorate Grants Accountant to assess the annual accounts.
- Report any issues arising from the annual accounts assessment to the Directorate Grants Accountant. Subsequently, assess and act on any issues raised by the Directorate Grants Accountant.
- Ensure that all policies and procedures are complied with and are acceptable under the City Council's requirements with, for example, procedures on CRB checks and safeguarding.

### Project Officer

- Oversee the project and act as the main contact with the funded organisation.
- Assess the application form, ensuring that the organisation has submitted all of the documents stipulated as part of the application process (see Appendix 1).
- Check that the organisation has submitted its annual accounts on time, in line with the requirements detailed in Provision of Annual Report and Accounts (see Appendix5).

- **Liaise with the organisation should the amount of grant funding approved be less than the amount applied for.**
- Prepare the COGA and any accompanying Grant Schedule after the application for grant funding has been authorised.
- Where a legal charge is required instruct the Legal Service's Property Team to prepare and complete the legal charge and contact Birmingham Property Services to arrange a valuation
- Complete the Annual Review Form.
- Produce and seek approval from the Grants Coordinator for the monitoring visit work programme
- Report any issues to the Grants Coordinator.

# GRANT FUNDING GUIDANCE

# GRANT FUNDING PROCESS

The following diagrams describe the process that officers must follow when deciding whether grant funding should be awarded.

There are two routes by which grant funding can be determined. Historically grant funding has been awarded in response to applications received by Birmingham City Council. More recently, the applications received have been against fixed budgets and set criteria. In the future, grants will increasingly be awarded following a commissioning process, with strong reference to established criteria.

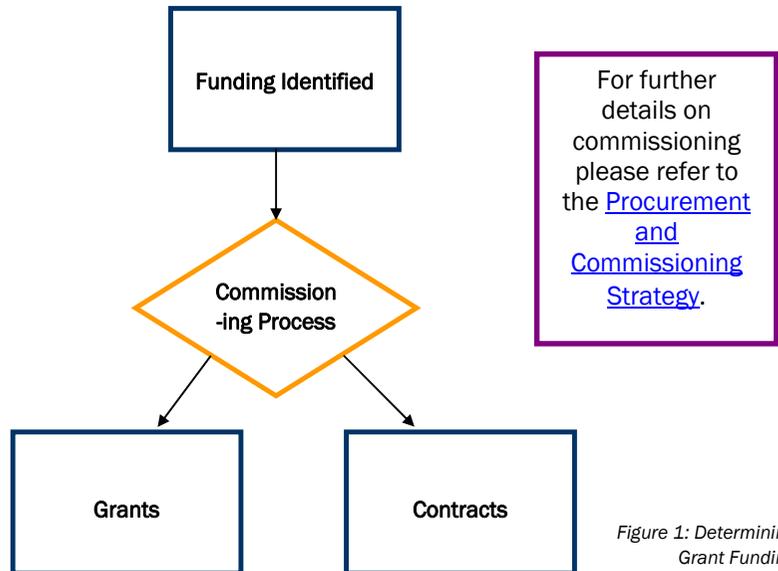


Figure 1: Determining Grant Funding

Directorates may also choose to set out their award criteria in a prospectus. The criteria must be fair and transparent to help ensure that third sector organisations are dealt with consistently. The prospectus can be sent with the application form (in Appendix 1) to the organisation.

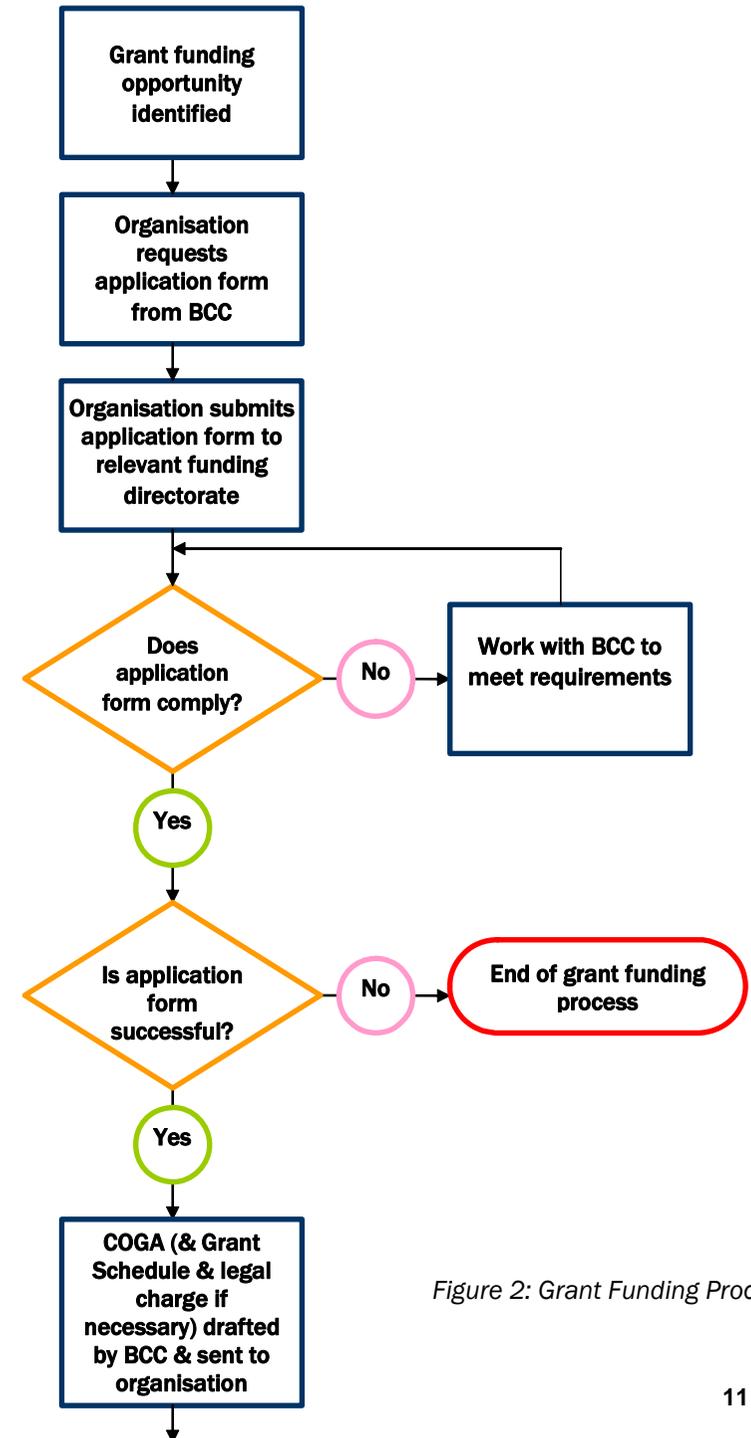


Figure 2: Grant Funding Process

# COMPLETING THE APPLICATION FORM

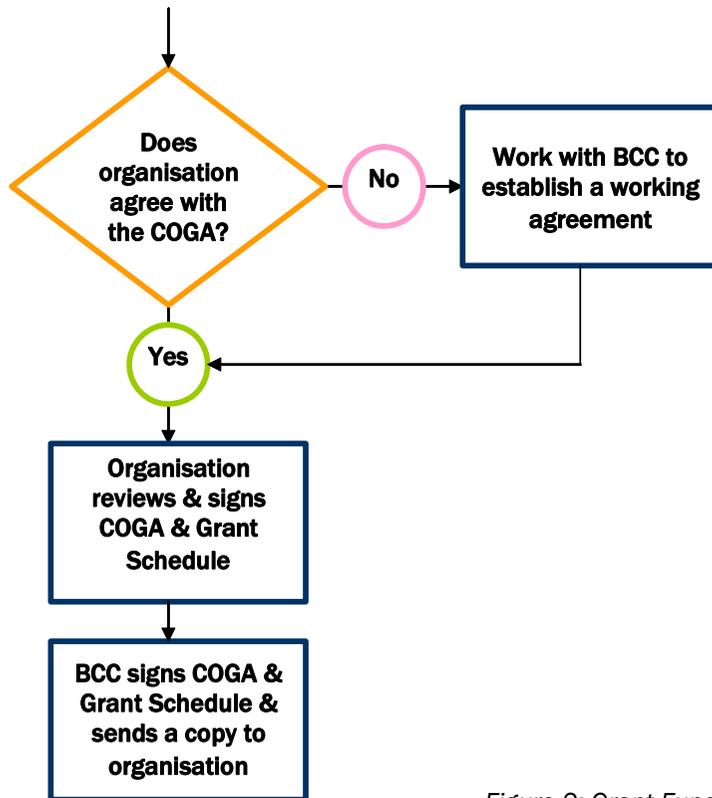


Figure 2: Grant Funding Process continued

Forms relevant to this section:

- [Application Form – Appendix 1](#)
- [Provision of Annual Report and Accounts - Appendix 5](#)
- [Safeguarding Requirements: Information and guidance to third sector organisations applying for grant funding - Appendix 7](#)

The organisation will need to complete the Application Form in Appendix 1 to apply for grant funding. This supersedes all pre-existing application forms for Birmingham City Council grants.

All organisations that work with children, young people and vulnerable adults must also meet the requirements on safeguarding as listed in Appendix 7.

The information given in the Application Form and any supporting documentation submitted will be assessed, and a decision will be made on whether the organisation is deemed eligible for grant funding.

This Application Form will be rejected if it is incomplete or lacks the required supporting documentation stipulated in the checklist (in Appendix 1). At this point, Birmingham City Council may seek a resolution with the organisation. This may mean the Council requires the re-submission of the application form, fully completed together with all the required supporting information.

# THE CONDITIONS OF GRANT AID (COGA) & SUPPORTING DOCUMENTATION

Forms relevant to this section:

- [Application Form – Appendix 1](#)
- [Conditions of Grant Aid & Grant Schedule – Appendix 2](#)
- [Provision of Annual Report and Accounts – Appendix 5](#)

## Terms and Conditions

The conditions described within the Conditions of Grant Aid (COGA) and the Grant Schedule are important and must be met by the organisation. The organisation's compliance with the conditions will be monitored and checked by the Project Officer and the Grants Coordinator. The COGA includes policies on safeguarding, health and safety, equalities etc.

## Conditions of Grant Aid (COGA)

The Project Officer will prepare the COGA and the supporting documentation after the grant has been authorised by Birmingham City Council. The supporting documentation to the COGA may include a Legal Charge and a Grant Schedule. The Grant Schedule contains additional conditions relevant to the approved grant.

The Project Officer will send the organisation two copies of the COGA. Both copies should be signed by the applicant representing the organisation and returned to the Council. The COGA will be

countersigned on behalf of Birmingham City Council. A copy of the countersigned document should then be sent to the applicant.

The Council is unable to fund organisations who do not sign the COGA and their applications will be rejected.

Details of whether the Council wishes to retain ownership of equipment or property bought by use of grant funding will be reflected in the Grant Schedule.

## Annual Accounts and Audit

All organisations applying for or receiving on-going support from Birmingham City Council are required to submit annual accounts. The organisation will be notified of these requirements as part of the COGA.

The detailed requirements are described in Appendix 5. The most up to date accounts will need to be submitted with the initial application form (Appendix 1) and thereafter within the third quarter of the financial year.

Where organisations receive funding from a number of directorates, the directorates will identify a lead directorate where possible to reduce administration.

Appendix 5 describes the form of accounts that must be submitted. The submitted accounts will be assessed to ensure that they are satisfactory.

# MONITORING ARRANGEMENTS

Forms relevant to this section :

- [Annual Review Form for organisations - Appendix 4](#)

All grant funding awarded to the organisation will be monitored, reviewed, and assessed. The following arrangements aim to ensure that grant funding is allocated and used in the most effective way in order to achieve value for money for citizens.

The Council will monitor the outcomes of the grant and of the current financial and management arrangements (including ensuring CRB checks for all relevant staff and volunteers are carried out). Each Directorate will determine the extent of this monitoring.

At a minimum the organisation must complete the Annual Review Form in Appendix 4, which will be reviewed by the Project Officer. The findings will help to determine whether the issue can be addressed by correspondence or a formal visit is required.

If a visit is required, standard tests will be included to assess the:

- current general financial position of the organisation and, where necessary, the funded projects;
- effective governance of the grant funding and the funded activities;
- physical existence of any assets purchased or staff funded;
- problems or issues unique to that organisation or group of organisations by using bespoke tests/tasks,
- awareness of general lease obligations where the visit is connected to a grant for rent; and
- governance and management of all other essential aspects of operation: good staff management, health and safety reporting and accountability structure, user involvement etc (this list is not exhaustive).

# ADDRESSING NON-COMPLIANCE

## Non-Compliance and Grant Recipients

If an organisation is failing to comply with any of the Conditions of Grant Aid and/or the Grant Schedule, the Project Officer will in the first instance try to arrive at a successful resolution with the organisation. However, if the organisation is still failing to comply, then the grant funding could be suspended and further action might be necessary. This could include the recovery of the grant.

An organisation is at risk of grant funding suspension or withdrawal if it:

- fails to comply with any part of the COGA ([Appendix 2](#))
- fails to comply with its constitution and governance structure requirements ([Appendix 3](#))
- fails to cooperate with the monitoring process, including completing the Annual Review Form ([Appendix 4](#))
- fails to submit accounts or do not comply with the accounts requirements ([Appendix 5](#))
- fails to comply with safeguarding requirements ([Appendix 7](#))

## Recovery Action

The Council may take steps to recover from an organisation any grant funding paid where the organisation has failed to comply with the COGA. The council may recover items, which have been purchased with grant funding. Where the purchased items are partly funded by the Council it shall be entitled to recover an amount to reflect its contribution.

## Disposal of Assets

Assets purchased with grant funding must not be disposed of without the prior consent of the Council.

Where the Council consents to the disposal, no person, group or organisation should gain from the disposal of assets unless:

- in the case of a charity, it is to promote the organisation's charitable aims, or
- if the organisation is not a charity, then it is to promote the purpose for which the organisation was established.

# APPENDICES

# APPENDIX 1: GRANT FUNDING APPLICATION FORM & SUPPORTING DOCUMENTS

## 1.1 Application Form

An MS Word version of the application form is available on the PSPG database.

### To be completed by the applicant

The City Council has a responsibility to ensure that any public funding it provides is used for its approved purposes and that, when an organisation receives funding, it is used appropriately. This includes the operation of suitable management, employment and financial policies and practices.

The details provided below will be added to our grants management database that will help track, monitor and audit grant applications made and issued.

1.0 TYPE OF FUNDING REQUESTED					
Please see the following sections within the Grant Funding Toolkit for more information:					
<ul style="list-style-type: none"> <li><a href="#">Application Form Guidance</a></li> <li><a href="#">COGA (2A, 2B, 2C and 2D)</a></li> </ul>					
1.1	What type of funding is being requested? (please tick)	Please specify the amount requested	Please specify the period this funding will cover		
			From	To	
	Capital Funding				
	Revenue Funding				
1.2	Which Council directorate is offering the funding?				
1.3	What are you planning to use the funding for? (tick all that apply)				
	Direct activity cost e.g. salaries, travel, materials, direct fundraising for activity, consultation	Yes		No	
	Premises - building acquisition If yes, please provide a business plan for the bid.	Yes		No	
	Premises and office cost e.g. rent, rates, utilities, office admin, depreciation, insurance, membership and subscription	Yes		No	
	Premises and office cost – ‘peppercorn’ rent	Yes		No	
	Premises and office cost – ‘economic’ rent	Yes		No	
	Central function costs e.g. management and support services (e.g. HR, finance, IT)	Yes		No	
	Governance and strategic development costs e.g. coordination and facilitation of meetings, audit, legal fees, trustee expenses	Yes		No	
	General fundraising costs e.g. salaries and on costs, events for raising unrestricted funds)	Yes		No	
	Other (please specify)	Yes		No	

## 2.0 ORGANISATION DETAILS:

Please see the following sections within the Grant Funding Toolkit for more information/guidance:

- [Application Form Guidance](#)

2.1	Name of organisation					
	Correspondence address of organisation					
	Postcode					
	Tel no					
	Fax no					
	Email Address					
	Website (if applicable)					
2.2	Will the project operate from this address (see 2.1)?	Yes (go to 2.3)		No		
	If no, please provide an alternative address (including postcode):					
2.3	Will the key contact operate and be able to receive correspondence from this address (see 2.1 and 6.1)?	Yes (go to 2.4)		No		
	If no, please provide an alternative address (including postcode):					
2.4	Is the organisation part of a group?	Yes		No		
	If yes, please provide details.					
2.5	Type of organisation/legal status	(please tick)	Company/ Registration no:	Name of trustee(s)/company that will hold the property on behalf of the organisation:		
	Charity					
	Limited Company					
	Unincorporated Association					
	Other (please specify)					
2.6	Does your organisation have or is it working towards a recognised quality standard for third sector organisations e.g. Community Matters, VISIBLE or Quality Performance Mark (QPM)?	Yes		No		
2.7	If applying as a limited company is the registered office address the same as that provided above (see 2.1):	Yes		No		
	If no, please provide an alternative address (including postcode):					

## 3.0 FUNDING & BUDGET ARRANGEMENTS

Please see the following sections within the Grant Funding Toolkit for more information/guidance:

- [Application Form Guidance](#)
- [Reserves Guidance](#)
- [COGA](#)
- [Provision of Annual Report and Accounts](#)

3.1	Are you receiving or budgeting to receive any other contributions towards the cost of the project (e.g. user charges and donations from other sources) from the council or any other organisation?	Yes		No (go to 3.2)	
	Source	Amount	Period (From)	Period (To)	Details (what for?)
	i)				
	ii)				
3.2	Are you receiving any assistance other than money (e.g. seconded workers, free use of equipment) for this project?	Yes		No	
	If yes, please provide details:				
3.3	Funding applied for or being applied for from Birmingham City Council:				
	Name of directorate	Amount	From	To	Details (what for?)
	Adults and Communities				
	Children, Young People and Families				
	Corporate Resources				
	Development				
	Environment and Culture				
	Homes and Neighbourhoods				
	TOTAL AMOUNT				
3.4	Do you have a proposed income and expenditure budget for the project, including details of one-off expenses (e.g. purchase, erection, or adaptation of buildings, or purchase of vehicles etc) and continuing annual expenditure and income (e.g. utilities, rent, and rates)? Please attach a copy.	Yes		No	
3.5	Please provide details of the total value of the organisation's committed and free reserves:				
3.6	Do you have a copy of the most recent annual accounts and balance sheet for your organisation? If yes, please attach a copy.	Yes		No	
	If no, please provide an explanation:				
3.7	How will the project be maintained financially once grant funding has ceased? Please attach proposal.				

#### 4.0 POLICIES, PROCEDURES & PROCESSES

Please see the following sections within the Grant Funding Toolkit for more information/guidance:

- [Application Form Guidance](#)
- [Environmental Policy Guidance](#)
- [Guidance on Insurance Requirements for Grant Funded Activities](#)
- [Equalities Policy Guidance](#)
- [Health and Safety Guidance](#)
- [Complaints Procedure Guidance](#)
- [Whistleblowing Policy Guidance](#)
- [COGA](#)
- [Constitution and Governance Structure Requirements](#)
- [Safeguarding Requirements](#)

4.1	If applying as a company, do you have confirmation of a valid insurance cover for director negligence or breach of duty to your organisation and details of insurance held, particularly relating to negligence? If yes, please attach a copy.			
	Date valid from:		Date valid to:	
4.2	Are you VAT registered?		Yes	No
	If yes, what is your VAT registration number?			
	If yes, what percentage of input tax can be recovered?			
4.3	Do you have a constitution or a governing process?		Yes	No
	If yes, please attach a copy.			
	Date of creation			
	Date of review			
4.4	Do you have a management/executive committee?		Yes	No (go to 4.5)
	If yes, please complete details:		Has this person been employed by or served as a Councillor for Birmingham City Council in the last three years?	
	Name	Gender	Ethnicity	Yes No
	i)			
	ii)			
	iii)			
	iv)			
4.5	When was the last annual general meeting held? Please provide a date (dd/mm/yy).			
4.6	Do you produce an annual report? If yes, please attach a copy.		Yes	No
4.7	Do you have links with other statutory bodies/partners, relevant to this grant funding?		Yes	No (go to 4.8)
	If yes, please provide details:			
	Name		Description	
	i)			
	ii)			
	iii)			
4.8	Do you have an Equalities Policy in place?		Yes	No
	If yes, please attach a copy. (Documentation must detail how your policy and procedures are implemented, monitored and reviewed.)			
	Date of creation			
	Date of review			

4.9	Do you have a health and safety policy (including accessibility of the premises for people with disabilities)? If yes, please provide a copy.	Yes		No	
4.10	Do you have a complaints policy? If yes, please provide a copy.	Yes		No	
4.11	Do you have a quality assurance system? If yes, please provide details.	Yes		No	
4.12	Do you have an environmental policy and procedures? If yes, attach copy (the documentation must detail the organisation's objectives in relation to environmental performance).	Yes		No	
4.13	Do you have a whistleblowing policy? If yes, please provide a copy.	Yes		No	
<b>PROTECTION OF CHILDREN, YOUNG PEOPLE &amp; VULNERABLE ADULTS</b>					
4.14	Will any individual working on the project come into contact with children or vulnerable adults?	Yes (go to 4.15)		No (go to 5.1)	
4.15	Please provide a copy of your organisation's Safeguarding Policy and Procedures ( <i>these should be consistent with the child protection procedures of the Birmingham Local Safeguarding Children Board (LSCB) and Birmingham Multi-Agency Guidelines on Protection of Vulnerable Adults</i> ) See guidance 'Safeguarding requirements: Information and Guidance to third sector organisations applying for grant funding'				
4.16	Who in your organisation at senior level is responsible for the policy's implementation and monitoring?				
	Name	Designation			
4.17	Do all relevant members of staff and volunteers have an up to date Criminal Records Bureau check (CRB)? *It is good practice to renew CRB checks every three years of continuous service	Yes		No	
	If 'No', please state the reasons for this				
4.18	Do you have in place a record of CRB checks carried out for all staff/volunteers/committee or board members, confirming that CRB checks are satisfactory? (Evidence will be requested if successful).	Yes		No	
4.19	Please provide a copy of the template used to record and monitor information relating to CRB checks.				

## 5.0 DETAILS OF PROJECT ACTIVITIES

Please see the following sections within the Grant Funding Toolkit for more information/guidance:

- [Application Form Guidance](#)
- [COGA](#)

5.1	Name of Project	
	Project description	
	Name of the owner of premises from which the project will operate	
	Tel no	
	Fax no	
	Email Address	

5.2	What are the accessibility provisions of the premises for people with disabilities (i.e. wheelchair ramp to entrance, induction loop, supporting hand rail to entrance):		
5.3	Description of the activities		
5.4	Is the organisation going to commission (using the funding applied for) another organisation to undertake any provision of activity?	Yes	No
	If yes, please provide details:		
5.5	Please provide details of the employees (and voluntary workers) that will be working on the project and providing the activities?		
	Position	To be paid directly from funding being applied for? (Y/N)	Annual cost of salary including employer's overheads e.g. National Insurance, occupational pension where appropriate (if paid through this funding)
	i)		
	ii)		
5.6	What are the expected outcomes of such activity provision and how will they be measured?		
	Outcome	Measure	How often will they be reported? (monthly, every six months or yearly etc)
	i)		
	ii)		
5.7	What is the proposed timetable for the implementation of the activities?		
	Date	Key Milestone	Description
5.8	How will the funding be used to support the delivery of the strategic outcomes detailed in the Birmingham City Council's <a href="#">Council Plan</a> and any other priorities set out by the awarding directorate?		
	Strategic Outcome	Please provide details on how the project will support the outcome	
	Succeed Economically		
	Stay Safe in a Clean, Green City		
	Be healthy		
	Enjoy a High Quality of Life		
	Make a Contribution		
5.9	What criteria will be used to determine which customers are eligible to receive the provision?		

5.10	Please provide details of the customers and stakeholders that will receive the provision or benefit from the activities. (See guidance 1.6 monitoring for classification breakdown).								
	Customer(s)/ stakeholder(s)	How many?	Age	Gender	Ethnicity	Faith	Sexual Orientation	Disability	
	i)								
	ii)								
5.11	Does the organisation intend to work with any similar local service(s) that already provides the activity of the project proposed?					Yes		No (go to 5.12)	
	Name of Organisation		Service they provide		Description of how your organisation is going to work with them				
	i)								
	ii)								
5.12	Are there any expected customers (users and beneficiaries) going to be involved in its operation and/or management and how will their views be considered?					Yes		No (go to 6.1)	
	Name		Operation/ Management		Details on how their views will be captured and considered				
	i)								
	ii)								

#### 6.0 DETAILS OF KEY CONTACTS

6.1	ORGANISATION CONTACT		BIRMINGHAM CITY COUNCIL CONTACT	
	Name		Name	
	Position held		Position held	
	Tel no		Tel no	
	Email address		Email address	

#### 7.0 REFEREE (project delivery track record)

Please see the following sections within the Grant Funding Toolkit for more information/ guidance:  
[Application Form Guidance](#)

7.1	Have you previously obtained grant funding from Birmingham City Council?		Yes		No (go to 8.1)	
	DETAILS FOR FIRST REFEREE			DETAILS FOR SECOND REFEREE		
	Name		Name			
	Organisation		Organisation			
	Position held		Position held			
	Tel no		Tel no			
	Email address		Email address			

## 8.0 DECLARATION

I confirm that:

- the information and supporting documents with this application are correct and complete
- if the requested grant is approved, the proposed activities will be carried out as described in this application
- details of all applications that have been made to secure additional funds for this and related activities have been disclosed
- details of all other funding available to this project have been disclosed
- the required supporting documents are enclosed with this application
- I am authorised to sign and submit this application for grant funding on behalf of the organisation

8.1	Details of the person who completed this form	Details of the witness	
	Name	Name	
	Position held	Relationship	
	Signature	Signature	
	Date	Date	
<b>FOR OFFICE USE ONLY</b>			
	Ref no. (to be taken from the Grants Management System)		
	Name of the funding programme:		
	Funding cycle period:		

### KEY INFORMATION CHECKLIST

Please ensure the organisation have all the documentation listed below (if applicable). Without the documentation the request for funding cannot be progressed.

Section	Document Required	√/X / not applicable
3.4	Budgeted income and expenditure statement	
3.5	Statement of Reserves	
3.6	Annual accounts and balance sheet	
3.7	Proposal on how the project will be funded once grant funding has ceased	
4.1	Confirmation of a valid insurance cover for director negligence or breach of duty to your organisation and details of insurance held, particularly relating to negligence	
4.3	Constitution or governing body documentation	
4.6	Annual Report	
4.8	Equalities Policy	
4.9	Health and Safety Policy	
4.10	Complaints Policy	
4.11	Quality Assurance System documentation	
4.12	Environmental Policy & Procedures	
4.13	Whistle blowing Policy	
4.15	Safeguarding Policy and Procedures	
4.19	Copy of the template used to record and monitor information relating to CRB checks	

4.19	Other document/information as required by directorates i) ii) iii) iv)	
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## 1.2 Application Form Guidance

### 1.0 TYPE OF FUNDING REQUESTED

#### Funding

The council needs to know what the funding will be used for and assess value for money (VFM) to support council objectives. The council does not want to support any activities that fundamentally conflict with its objectives.

### 2.0 ORGANISATION DETAILS:

#### Address

The address(es) that are provided will help us assess the impact of our resources on a geographical basis (in a specific area) and ensure efficient contact with appropriate contacts.

#### Recognised quality standard

Stating that your organisation has a recognised quality standard for third sector organisations will help assess the governance and management arrangements in the organisation. Please note this is not a requirement but it may help your application if you do have one.

### 3.0 FUNDING & BUDGET ARRANGEMENTS

#### Other funding

It is important to provide information on other funding being received or sought because it helps to assess and identify duplication in funding across council directorates, establish the level of leverage the council can generate through the use of its own resources, help assess the risk of project success where this is dependent on other sources of funding and assess the amount of resources being received by this project.

#### Reserves

The information you provide on committed or free reserves will help assess the financial stability of the organisation and the need for funding from the City Council to implement the proposed programme.

#### Annual accounts and balance sheets

Annual accounts and balance sheets should be provided as they are essential for assessing the financial standing of the organisation.

#### End of funding and exit strategy

A plan showing how the project will be maintained helps Birmingham City Council assess your organisation's financial robustness and plan for sustainable funding for the project in the future. An appropriate exit strategy will need to be in place where applicable. Please state if the project is due to end. If so, question 3.7 will not be applicable.

### 4.0 POLICIES, PROCEDURES & PROCESSES

#### Insurance

Valid insurance cover is required to ensure that there is adequate protection for the organisation and city council member interests when they are nominated to boards.

#### VAT

Identifying whether or not your organisation is VAT registered will help Birmingham City Council establish the level of irrecoverable VAT that may be applicable to the project, assist in planning the most tax efficient method for BCC to apply its resources in support of its objectives and ensure safety mechanisms are in place.

#### Constitution and governing process

A constitution or a governing process will help us assess whether your organisation has a good governance arrangements and safety mechanisms in place.

#### Policies and procedures

It is important for Birmingham City Council to identify whether stated policies are appropriately in place and effectively implemented in relation to employment and service delivery. Birmingham City Council has an obligation to ensure that its activities and those it supports meet legal requirements and/or supports our objectives.

### **Quality assurance**

This is a formal management system you can use to strengthen the organisation. It outlines specific steps to help define and attain goals (e.g. design, development, production, and service).

It is intended to maintain or raise standards of work and to make sure everything is done consistently. A quality assurance system sets out expectations that a quality organisation should meet. It will help the Council assess whether the organisation provides quality services and manage their organisation efficiently and effectively.

## **PROTECTION OF CHILDREN & VULNERABLE ADULTS**

### **Safeguarding**

Organisations whose staff and/or volunteers, working on their project, come into contact with children, young people or vulnerable adults are required to have a safeguarding policy in place and adequate CRB checks carried out, recorded, monitored and reviewed.

### **Safeguarding duties of Birmingham City Council**

Birmingham City Council (BCC) has a legal obligation to make arrangements to ensure that, in discharging its functions, it has regard to the need to safeguard and promote the welfare of children, young people and vulnerable adults. BCC also has a duty to make arrangements to promote co-operation between itself and relevant partner agencies, including the third sector. In making grants to third parties BCC needs to ensure that organisations have effective arrangements to enable them to fulfil their role in promoting the welfare of children, young people and vulnerable adults in the area.

## **5.0 DETAILS OF PROJECT ACTIVITIES**

### **Project Details**

These are required to identify project, scope and place of operation, consider accessibility of the project to all individuals and establish what activities will be provided.

### **Project Delivery**

It is important to identify whether all aspects of the project will be undertaken by the applying organisation or whether some aspects will be commissioned to another organisation. This will help assess the capacity of the grant recipient to deliver the proposed project and to alert Birmingham City Council to potential procurement issues, or issues around other organisations that will be involved in delivering the project.

### **Use of funding**

Birmingham City Council needs to establish how the funding will be used (e.g. cover costs of employees and volunteers).

### **Project outcomes**

The council needs to know that the outcomes of the project are realistic, achievable and clearly linked to the aims and objectives of the council. Furthermore, Birmingham City Council needs to assess the purpose for which the grant is given and whether it is in accordance with the Council's strategic aims and objectives.

### **Customers**

Birmingham City Council need to determine whether the criteria used to assess customer eligibility is fair and consistent, and does not discriminate. The Council needs to ensure that you have a clear understanding of the target groups for your activity. In addition, it also needs to know that the people who will benefit from your activity are eligible for support and that you have the capability to successfully engage and assist them.

## **7.0 REFEREE (project delivery track record)**

It would be useful to capture the results of any previous experience of delivering this type of project.

## 1.3 Reserves Guidance

The Statement of Reserves should include:

- Your company's latest formally approved reserves policy, with additional comment if this is expected to change during the current financial year.
- A breakdown of reserves at the end of your company's latest financial year, with an indication of the status of these figures (e.g. audited/draft management etc).
- Any actual or currently planned transfers affecting reserves since that date; and a description of the purpose and current spending plans for each category of reserves where appropriate, cross-reference to published accounts.

## 1.4 Environmental Policy Guidance

An Environmental Policy Statement, with appropriate supporting information, should set out objectives in relation to environmental performance and address the areas listed below:

1. Compliance with relevant environmental legislation
2. Pollution prevention and preventing risk of pollution
3. Waste Management - promoting waste minimisation via strategies which:
  - a) aims to reduce or eliminate waste, including hazardous waste, and,
  - b) increase reuse/recycling of products and materials.
4. Energy efficiency – including conservation by energy saving measures.
5. Purchasing - reducing the environmental impact of goods and services consumed by the organisation.
6. Communication of the policy to staff.
7. Identification of the senior position with overall responsibility for the policy and its effective implementation.
8. Regular reviews of the policy in order to assess improvement of environmental performance.
9. Transport - reduce congestion and pollution from commuting, official travel and fleet management.
10. Examples of environmental objectives (overall goals for environmental performance) and targets (timeframe set to achieve the objectives) which are monitored:
  - a) objectives,
  - b) targets, and
  - c) monitoring.
11. Training in the promotion of sustainable development to raise environmental awareness and enable staff and volunteers to act in an environmentally responsible manner.

## 1.5 Guidance on Insurance Requirements for Grant Funded Activities

### Public Liability Insurance/Products Liability/Property Owners

To provide cover in respect of any legal liability to third parties for accidental loss of or damage to property, or for death, injury illness or disease, arising out of the business and including liability arising from goods sold and supplied together with the ownership and/or occupation of land and property.

### Employers Liability

The cover provided within an Employers Liability policy relates to claims for compensation submitted by employees in respect of death, personal injury or disease caused by the negligence of the employer. This insurance is a statutory requirement and the minimum limit of indemnity in respect of this cover is to be in accordance with statutory legislation (Employers' Liability (Compulsory Insurance) Act 1969) which currently states that employers must be insured for at least £5m.

### Fidelity Guarantee (Crime) Insurance

This insurance provides an indemnity against any loss of the organisations monies resulting from fraud or other criminal acts carried out by the organisations employees. Policies can also be extended to provide cover for loss of cash resulting from the actions of third parties e.g. monies stolen from safes etc.

### Professional Indemnity/Officials Indemnity

All sums which the Insured i.e. third sector organisations, may become legally liable to pay as damages and costs for financial loss resulting from breach of professional duty by reason of any negligent act or accidental error or accidental omission committed or alleged to have been committed by an employee in providing services.

### Material Damage

All buildings and their contents should be insured for their replacement value (with sums insured annually increased by any respective increases in cost indexes). The perils to be insured may include the following:

- Fire;
- Lightning;
- Explosion;
- Storm or tempest;
- Flood;
- Aircraft or aerial devices;
- Riot and civil commotion;
- Malicious damage;
- Burst pipes;
- Impact;
- Escape of water from any tank, apparatus or pipe;
- Loss or damage caused in the furtherance of theft or attempted theft from the property; and,
- Earthquake.

## 1.6 Equalities Policy Guidance

### Introduction

The Council is committed to equality and diversity in employment and service provision. As such organisations receiving funding from the Council will be required to evidence their commitment to these aims and values. There is also a statutory duty to comply with legislation (Equality Act 2010). The Equality Act was introduced in 2010 and outlines what is expected, in equality and diversity terms, of those who provide goods, facilities or services (free or paid for, whether in the private, public or voluntary sectors) to the general public.

A written Equalities Policy relevant to your organisation will help to demonstrate your commitment to equalities and diversity and the values that your organisation adheres to. It can help to reduce the risk of any legal responsibility by helping you to make sure that what you are doing is not:

- direct or indirect discrimination
- discrimination arising from disability that you cannot objectively justify.

### Content of policy

Besides a statement of intent and objectives, your policy should take service delivery, employment and volunteering (if relevant) into account. It may also include an action plan and arrangements for monitoring and reviewing your policy.

#### 1. Statement of Intent

The statement should confirm the commitment to ensuring equality and fair treatment of service users, employees, members and volunteers, especially those who are considered to form part of a group which is considered to be a protected characteristic. It should state that anybody that fits under any of the following

protected characteristics will not be unlawfully discriminated against (including not being harassed or victimised), indirectly or directly Age, Disability, Gender Reassignment, Marriage & Civil Partnership, Pregnancy and maternity, Race, Religion & Belief, Sex and Sexual Orientation.

**More information on protected characteristics is available on the EHRC website:** <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/>

The policy should have the support of management and trade-unions at the highest level.

#### 2. Service Delivery

Treating people fairly means not discriminating against or harassing (which includes sexual harassment and less favourable treatment of service users based on rejection of sexual harassment or related to gender or gender reassignment) people on the basis of their protected characteristics.

You need to explain that you have taken reasonable steps to prevent such acts. Some examples that can be included in the policy are:

- Equality of access and enjoyment of your services by potential service users from all groups in society (including making any reasonable adjustments to buildings, service, communications materials etc, if required)
- Communicating the policy to all staff, ensuring they know it is unlawful to discriminate when they are providing services
- Training all staff, including those not providing a direct service to the public, to understand the policy, the meaning of equality in this context and their legal obligations

- Monitoring implementation and effectiveness of the policy
- Addressing acts of discrimination by staff as part of disciplinary rules and procedures
- Maintaining an easy to use, well-publicised complaints procedure
- Reviewing practices to ensure that they do not unjustifiably disadvantage particular groups
- Consulting customers, staff and organisations representing groups who share protected characteristics about the quality and equality of your services and how they could be made more inclusive.

### **Service users with disabilities (positive action)**

To help achieve this you are, as service providers, allowed to treat disabled people more favourably than non-disabled people because of their disability. If you do so, this will not count as unlawful discrimination against non-disabled people in the same circumstances.

It also means that, as a service provider you can, if you wish, restrict services to disabled people only, and this will be lawful.

You also have a duty to make reasonable adjustments in order not to disadvantage disabled people.

### 3. Recruitment, Selection and Employment

This section of the policy should state what the organisation's commitment is to the following areas:

#### **Day-to-day management of your team**

- Deciding employee's pay and benefits
- Providing training opportunities
- Setting a dress code

- Giving everyone fair access to the facilities you have at work
- Using positive action (this is an area of the law that is 'good practice' rather than an absolute requirement)

#### **People starting and leaving**

- Recruiting new people including advertising vacancies, conducting interviews and selecting a person for the job
- Promoting people
- Managing dismissals, redundancy and retirement

#### **Other things that might come up**

- Maternity, paternity and parental leave
- Handling requests from employees to work flexibly
- Making decisions on time off e.g. annual leave and sick leave.

#### 4. Other

- **Action Plan:** As part of your policy you may include an Action Plan which outlines the specific steps you are going to take to put your objectives into action.
- **Monitoring and reviewing:** Arrangements to check on progress can be incorporated in the Action Plan.
- **Review:** Your policy should be regularly reviewed and made known to managers, employees, volunteers and job applicants.
- If relevant, you should include information about your responsibilities to, and expectations of, volunteers in relation to equality and diversity.

Further guidance for voluntary and community sector organisations (including charities and religion or belief organisations) is available from:

[http://www.equalityhumanrights.com/uploaded\\_files/EqualityAct/service\\_providers\\_guide\\_voluntary\\_and\\_community\\_sector.doc](http://www.equalityhumanrights.com/uploaded_files/EqualityAct/service_providers_guide_voluntary_and_community_sector.doc)

### Main Categories for Service Delivery Monitoring

Age	Disability	Gender	Ethnic group	Faith	Sexual orientation	
0 to 17 25 or younger – ask actual age	Do you have any of the following long- standing conditions? (more than one answer is acceptable) <ul style="list-style-type: none"> <li>• Deafness or severe hearing impairment</li> <li>• Blindness or severe visual impairment</li> <li>• Limited physical ability</li> <li>• A learning difficulty</li> <li>• A long-standing illness</li> <li>• None of these</li> </ul>	Female	<u>Asian or Asian British</u>	<u>Mixed</u>	Buddhist	Bisexual
26 to 29		Male	Afghani	Asian and White	Christian	Gay or Lesbian
30 to 34		Trans	Bangladeshi or British	Asian and Black	Hindu	Heterosexual
35 to 39			Bangladeshi	Black African and White	Jewish	Other
40 to 44			British Asian	Black Caribbean and White	Muslim	Prefer not to say
45 to 49			Indian or British Indian	White	Rastafarian	
50 to 54			Sikh	Black and Chinese	Sikh	
55 to 59			Kashmiri	White and Chinese	Other religion – please state	
60 to 64			Pakistani or British	Other Mixed	No religion	
65 to 69			Pakistani	<u>White or White British</u>	Prefer not to say	
70 to 74			Other Asian	British or Mixed British		
75 to 79				Irish		
80 to 84				Black or <u>Black British</u>		
85 to 89				Black African		
89 or older				Black British		
Prefer not to say				Black Caribbean		
				Somali		
				Zimbabwean		
				Other Black		
			<u>Chinese or Other</u>			
			Arab			
			Chinese			
			Filipino			
			Jewish			
			Iraqi			
			Irani			
			Israeli			
			Kosovan			
			Kurdish			
			Middle Eastern (excluding Israeli, Iranian and 'Arab')			
			Vietnamese			
			Yemeni			
			Other group			
				Traveller		
				Other White European (including Mixed European)		
				Other White		
				Prefer Not to Say		

## 1.7 Health and Safety Guidance

Describing how you will manage health and safety in your business will let your staff and others know about your commitment to health and safety. This will be your health and safety policy. It should clearly say who does what, when and how.

The policy does not need to be complicated or time-consuming. To help you, the health and safety executive have created a template that you can download and complete. The template also includes a section for your risk assessment so that you can record everything in one document.

For further information, guidance and a copy of the template visit:

[www.hse.gov.uk/simple-health-safety](http://www.hse.gov.uk/simple-health-safety)

HSE is the national independent watchdog for work-related health, safety and illness. They are an independent regulator and act in the public interest to reduce work-related death and serious injury across Great Britain's workplaces

## 1.8 Complaints Procedure Guidance

Organisations should aim to provide a high quality of service. This involves taking complaints seriously and welcoming feedback on the service that you provide. In order to ensure you are dealing with complaints effectively the following headings may be of some assistance when writing your Complaints Procedure.

### Who can make a complaint?

Generally any person who receives a service from the organisation, any of the agencies the organisation works with or anyone who is impacted upon by the services delivered can make a complaint.

### How should complaints be made?

You should be clear about whether complaints may be made verbally or in writing and how an individual would go about making a complaint.

### Response times

Provide information about your response times, detailing when an acknowledgement and response should be expected. The complainant should be informed at all stages. If it is not possible to deal with the complaint within the published timescale then the complainant should be informed of this and a reason given for the delay.

### Stages of the Complaints Procedure

You should detail the typical process including how the complaint is recorded. The complaint should be forwarded onto the most senior person in the organisation and the complainant informed of the timescale within which they will receive a response. Provide information about how the complaint would be progressed if the matter is not resolved within the timescale or within a mutually agreed time.

### Training

Staff should be trained in dealing with, and responding to, complaints. Complaints policy training should be included in the induction training for all new staff and in-house training sessions.

## 1.9 Whistleblowing Policy Guidance

Whistleblowing can be defined as “raising concerns about misconduct or illegal and/or underhand practices”. The Public Interest Disclosure Act 1998 offers a framework of protection against victimisation or dismissal for workers who blow the whistle on criminal behaviour or other wrongdoing henceforth called a “matter of concern”.

The legislation applies to disclosures of matters of concern including:

- A criminal offence
- A failure to comply with a legal obligation
- A miscarriage of justice
- The endangering of an individual’s health and safety
- Damage to the environment
- Deliberate concealment of information relating to any of the above

### Whistleblowing Procedure

The whistleblower is a witness, not a complainant. They should report a concern calmly and honestly and let the facts speak for themselves, enabling those responsible to make an informed decision and take appropriate action.

In the event that an employee discovers a matter of concern, you should state who they are encouraged to inform.

Whistleblowers can ask for their concerns to be treated in confidence and such wishes will be respected. Likewise, whistleblowers are asked to exercise tact and discretion themselves whilst following this procedure.

Employees will not be penalised for informing management about their concerns unless it is later determined that such action was not taken in good faith. Victimising people who raise genuine concerns is a disciplinary offence – as is making an untrue allegation maliciously.

You should outline what will happen once the relevant manager has been notified of a matter of concern.

If employees are unsure whether or how to raise a concern, they can obtain free confidential independent advice from Public Concern at Work. For further information visit: [www.pcaw.co.uk](http://www.pcaw.co.uk)

# APPENDIX 2: CONDITIONS OF GRANT AID

Birmingham City Council will prepare the Conditions of Grant Aid (COGA) document after the grant has been authorised. A sample of the COGA has been produced below. The applicant representing the organisation should sign the COGA document, and the City Council should countersign it. A copy of the countersigned document will be sent to the applicant.

## Grant Recipient Details

ORGANISATION NAME	
COMPANY NUMBER	
REGISTERED ADDRESS/PRINCIPAL PLACE OF BUSINESS	
PROJECT TITLE	
PROJECT ADDRESS	
TELEPHONE NUMBER	
E MAIL ADDRESS	
ORGANISATION WEBSITE ADDRESS	
NAME OF ACTIVITY	
LOCATION OF ACTIVITY	
PROJECT MANAGER	

## Birmingham City Council Details

FUNDING DIRECTORATE & ADDRESS	
FUNDING SOURCE	
DATE OF THESE CONDITIONS	
GRANT REFERENCE NUMBER	
GRANTS CO-ORDINATOR NAME LOCATION TEL NO E-MAIL ADDRESS	
PROJECT OFFICER NAME LOCATION TEL NO	

E-MAIL ADDRESS	
LEGAL POWERS (SEE APPENDIX 11 FOR LEGAL POWERS)	
GRANT (PLEASE SPECIFY IN WORDS AND FIGURES)	
GRANT COMMENCEMENT DATE	
GRANT EXPIRY DATE	
PROPOSED GRANT (PLEASE SPECIFY IN WORDS AND FIGURES)	
PROPOSED GRANT COMMENCEMENT DATE	
PROPOSED GRANT EXPIRY DATE	

### Instructions for Completion and Submission

1. You must ensure that your details are correct and complete and that any items which are not relevant have been marked 'not applicable'. Each amendment must be made in black ink and initialled.
2. You must ensure that both copies of this Document are signed and dated as required on the back pages (Part G) and then returned to the Funding Directorate at the address set out above. In signing this Document you have confirmed that you agree to all of the terms and conditions contained therein and have agreed to abide by them.
3. The Council upon receipt of this Document will arrange for an Officer to countersign both copies and return one to you together with confirmation that it will pay you the Grant as set out in Part G. This Document is not an offer of Grant until such confirmation has been sent to you.

### Structure of this Document

1. The Conditions in this Document are divided into sections, Part A to Part G. These sections apply in the following circumstances:

Part A	Applies to all Grants
Part B	Applies if the Grant is to pay for salaries, wages
Part C	Applies if the Grant is to purchase furniture, equipment and/or vehicles
Part D	Applies if the Grant is to purchase, erect, extend or modify a building, or carry out landscaping works
Part E	Applies if the Grant is to pay professional fees and feasibility study Grants

Part F	Applies if the Grant is to pay for general surveys and feasibility studies
Part G	Applies to all Grants and must be completed and signed as required before any money is paid

2. Some of these sections may be excluded from this Document where they do not apply.
3. Data Protection: Personal Information given in this agreement will be entered onto a Grants Management System for administrative and statistical purposes and shared with other Council Directorates or Government agencies, as appropriate.

### Interpretation of terms in Part A

#### 1. Definitions

<b>Activity</b>	Activity identified in the Table and details of which are contained within the Grant Schedule.
<b>BACS</b>	The Bankers Automated Clearing Services by which the Council may transfer and receive funds electronically.
<b>Board of Trustees</b>	A governing board appointed to manage the affairs of a trust. In the Grant Recipient's organisation it may be called the board (or board of directors or board of governors), the trustees, the management committee or some other name. It is the body with overall responsibility for governing the organisation, overseeing and controlling its management.
<b>Commencement Date</b>	The date of these Conditions as set out in the Table
<b>Confidentiality Expiry Date</b>	The date [one year] following the Grant Expiry Date.
<b>Condition</b>	A condition of this Document
<b>Confidential Information</b>	All information relating to this Document which includes, but is not limited to, commercial, financial, technical, operational or other information in whatsoever form (including information disclosed orally) which concerns the business and affairs of a Party including information disclosed prior to the date of this Document, where one Party can demonstrate to the other Party that disclosure would cause substantive harm.

	<p>All information reasonably designated as such by either Party in writing together with all other information which relates to the business, affairs, products, developments, trade secrets, know-how, personnel, customers, activity users and suppliers of either Party being information where one Party can demonstrate to the other Party that disclosure would cause substantive harm.</p> <p>Any information which is agreed by the Parties at the Grant Commencement Date or any time prior to publication of this Document or any part of it under the Freedom of Information Act 2000 or any other legislation as being commercially sensitive.</p>
<b>Core Revenue Funding</b>	Funding awarded to support the general operation of an organisation, rather than to help cover the cost of specific areas (such as staff posts, IT equipment, or discrete projects).
<b>Council</b>	Reference to Birmingham City Council
<b>Council Officer</b>	Person authorised to approve Grants under the Council's Scheme of Delegation to Officers
<b>Document</b>	These Conditions of Grant Aid including the Table and the Schedules
<b>Event of Default</b>	The events set out in Condition 15.1
<b>Funding Directorate</b>	Directorate named in the Table providing the funding for the grant awarded to the organisation
<b>Grant</b>	Amount of grant funding, which has been approved by the Council's Officer and is set out in the Table and in <b>Part G</b> . This term shall include any Proposed Grant Sum, which has been approved by the Council Officer.
<b>Grant Funding Framework and Toolkit</b>	The document which sets out the Council's processes and procedures in respect of Grants to organisations a copy of which has been supplied to the Grant Recipient and a further copy can be obtained from the Project Officer or the Council's web site: <a href="http://www.birmingham.gov.uk/grantfunding">www.birmingham.gov.uk/grantfunding</a>
<b>Grant Commencement Date</b>	Date the Grant will be paid to the Grant Recipient and which is set out in the Table of this Document
<b>Grant Expiry Date</b>	Date upon which the Grant expires as specified in the Table of this Document
<b>Grant Period</b>	Period of time commencing from the Grant Commencement Date and ending on the Grant Expiry Date to which the Grant applies
<b>Grant Application Form</b>	Application for Grant Funding as completed by the Grant Recipient and is attached at Appendix 1 to this Document
<b>Grants Co-ordinator</b>	The person named in the Table. The Council shall notify the Grant Recipient in writing if any person ceases to be the Grants Co-ordinator together with

	the details of the replacement Grants Co-ordinator
<b>Grant Schedule</b>	Details the activity to be carried out by the Grant Recipient and sets out how the Grant is to be applied. It is optional for Funding Directorates to complete and if not required will be replaced with this words "Grant Schedule – Not Applicable"
<b>Grant Recipient</b>	The person, people or organisation shown in the Table of this Document
<b>Insolvency event</b>	The calling of any meeting of the Grant Recipient's creditors; the appointment of any receiver, administrator, or administrative receiver over all or any part of the Grant Recipient's assets or undertaking; the suspension or cessation of its business; any threat to suspend or cease its business; the making of a winding up order; the convening of a meeting to pass a winding-up resolution; or it entering into liquidation
<b>Material Breach</b>	A breach of this Document which in the opinion of the Council is deemed to be material
<b>Member</b>	A Councillor elected by voters in any of the 40 electoral wards of Birmingham to represent that ward for a period of time and whose roles and responsibilities are contained within the Council's Constitution
<b>Office Hours</b>	Between the hours of 0900 and 1700 hours
<b>Officer</b>	An employee of the Council
<b>Output</b>	The delivery of objectives which are to be delivered by the Grant Recipient and are set out in the Grant Schedule
<b>Parties</b>	Grant Recipient and the Council and " <b>Party</b> " means either the Grant Recipient or the Council
<b>Project</b>	The project identified in the Table and details of which are contained within the Grant Schedule attached to this Document
<b>Project Officer</b>	The person named in the Table. The Council shall give notice in writing to the Grant Recipient if any person ceases to be the Project Officer and will provide the details of the replacement Project Officer
<b>Proposed Grant</b>	The amount of Grant the Council anticipates it may pay to the Grant Recipient in the future. Such sum may be adjusted and must be approved by the Council's Officer. The date that such sum may be paid is set out in Part G of this Document. The Proposed Grant will be reviewed and approved annually prior to 1 April by the Council's Officer and is subject to cancellation by the Council or renegotiation prior to the Propose Grant Expiry Date
<b>Proposed Grant</b>	The date payment of the Proposed Grant may

<b>Commencement Date</b>	commence
<b>Proposed Grant Expiry Date</b>	The date the Proposed Grant shall expire and is set out in the Table of this Document
<b>Proposed Grant Period</b>	A period of time commencing from the Proposed Grant Commencement Date until the Proposed Grant Expiry Date such period shall not be for more than a period of 4 years
<b>Quality Assurance Systems</b>	Formal management systems intended to assist an organisation to run more effectively and efficiently.
<b>Restricted Funding</b>	Include donations, gifts, grants and legacies received by an organisation, whose use is restricted to purposes specified by the donor. Such purposes must be within the overall aims of the organisation.
<b>Table</b>	Table at page 1 of this Document
<b>Working Day</b>	Any day on which the Council's principal offices are open.

**2. Gender, Singular / Plural and Individuals**

Words importing the masculine gender include the feminine gender and vice versa, words in the singular include the plural and vice versa, and references to persons shall include bodies corporate, partnerships, unincorporated associations, individuals and any other legal or commercial entity or undertaking.

**3. Headings**

Condition and sub-condition headings are for ease of reference only and shall not affect the construction of this Document

**4. Conditions and Schedules**

References to Conditions and the Schedules are references to the Conditions and Schedules to this Document.

**5. Entire Document**

This Document constitutes the entire agreement and understanding of the Parties as to the subject of this Document and, save as may be expressly referred to or referenced in this Document supersedes all prior representations, writings, negotiations or understandings with respect to this Document except in respect of any fraudulent misrepresentation made by either Party

**6. Waiver**

No failure or delay by the Council to enforce the provisions of this Document shall prejudice or restrict its rights in whole or in part under this Document, neither shall any partial exercise by the Council of this provisions of this Document preclude any further exercise its rights in whole or in part under this Document.

**7. Amendments to Legislation**

A reference to any Act of Parliament, or to any Order, Regulation, Statutory Instrument, or the like shall include a reference to any amendment or re-enactment of the same.

**8. Jurisdiction**

This Document is governed by and interpreted in accordance with the Law of England and Wales and any dispute or difference under this Document shall be subject to the jurisdiction of the Courts of England and Wales.

**9. Severance**

If any term, condition or provision contained in this Document shall become or shall be declared by any Court of competent jurisdiction to be invalid or unenforceable in any way, such invalidity or unenforceability shall in no way impair or affect any other part of this Document all of which shall remain in full force and effect.

**10. Precedence**

In the event of any conflict or inconsistency between the Conditions and the Schedules, these Conditions shall take priority over and above the Schedules.

**11. Rights and Duties Reserved**

Nothing in this Document express or implied shall prejudice or affect the Council's rights, powers, duties and obligations in the exercise of its functions as a public authority.

**12. The Contracts (Rights of Third Parties) Act 1999**

The Contracts (Rights of Third Parties) Act 1999 shall not apply to this Document. A person who is not party to this Document shall not be able to enforce any of its terms against the Council or the organisation named in the Table of this Document by virtue of the 1999 Act.

# PART A

## GENERAL CONDITIONS

### A.1 PROVISION OF GRANT AID

- 1.1 The Council shall pay the Grant to the Grant Recipient for the Grant Period. For the avoidance of doubt the provision of the Grant excludes any Proposed Grant for future years that has not been approved by the Council Officer.
- 1.2 The Grant shall be paid in the instalments set out in **Condition A18**.

### A.2 USE OF GRANT

- 2.1 The Grant must be used solely for the purpose applied for as set out in this Document and the Grant Schedule (if applicable).
- 2.2 The Grant must be used in accordance with these Conditions.
- 2.3 Any unspent portion of the Grant will be reclaimed by the Council at the end of the Grant Period and must be returned by the Grant Recipient to the Council within [30/amend as required] days of the Grant Expiry Date unless notified otherwise by the Council. {NB this clause should only be used for a Grant Period of 1 year or less}

### A.3 VARIATION

- 3.1 The Council's prior written agreement must be obtained for any intended variation in the use of the Grant.

### A.4 COMMENCEMENT AND DURATION

- 4.1 Subject to **A.4.2** this Document shall commence on the Grant Commencement Date PROVIDED **Part G** has been correctly signed by the Parties and shall continue until the Grant Expiry Date unless terminated earlier in accordance with the terms of this Document.
- 4.2 Condition **A.4.1** does not affect any right conferred by any Condition within this Document which is expressed to continue beyond the termination of this Document.

### A.5 INSURANCE

- 5.1 The Grant Recipient must have relevant insurance for the type of project funded and must insure:
  - 5.1.1 all computers, equipment, furniture and any other assets which are acquired with the Grant for their full replacement value except where it can be shown to be uneconomic to do so
  - 5.1.2 motor vehicles on a fully comprehensive basis (the Grant Recipient is reminded of the need for drivers to hold valid licences appropriate for the class of vehicle, be suitably experienced and in an appropriate age band for insurance purposes e.g. it is illegal for drivers under the age of 21 to drive a minibus)

- 5.1.3 buildings owned by the organisation against fire and the full range of perils (e.g. storm, flood, impact etc.) on a reinstatement basis, with the sum insured index linked
  - 5.1.4 adequately against public liability, employers' liability (a statutory insurance should the Grant Recipient employ staff), fidelity guarantee and loss or theft of cash (often called crime cover)
  - 5.1.5 Directors and officers, for cases where Council Members or Officers are appointed as Company Directors (in the case of charities, this will be Charity Trustees Liability Insurance)
- 5.2 The Grant Recipient must produce to the Council Officers current policies and renewal receipts, if Council officers require seeing them

## A.6 LENGTH OF GRANT

- 6.1 All Grants are discretionary. The Council's default position is to guarantee funding for no more than 1 year at a time, even if the programme runs for a longer period. If the funding is guaranteed for longer, this must be confirmed in writing.

## A.7 REVIEW OF GRANT FUNDING

- 7.1 The Council will review all grants annually or earlier if necessary. To this end, the Grant Recipient must complete review and monitoring documents, as required by the Council, stipulated at Appendix 4 of the Grant Funding Guidance and Toolkit.
- 7.2 The Council will notify Grant Recipients of any changes to the yearly funding position and, if necessary, adjust Proposed Grants to take account of excess balances.
- 7.3 Where there is a failure to comply with review and monitoring requirements, or any other Condition, the sanctions detailed in **Condition A.15** will be available to the Council.

## A.8 ANNUAL ACCOUNTS AND STATEMENTS

- 8.1 Unless awarded as core revenue funding, all Grants will be accounted for as restricted funds and cannot be used for other purposes. Advice on this can be obtained from the Project Officer.
- 8.2 If the Grant Recipient receives more than one grant from the Council, each grant must be individually identified in the Grant Recipient's accounts.
- 8.3 The Grant Recipient must submit its annual report and accounts bearing the appropriate signatures in the form required for their legal status, to the Funding Directorate within nine months of their financial year end.
- 8.4 The Grant Recipient must notify the Council if any financial irregularity in the use of the Grant is suspected and indicate the steps taken in response. Irregularity shall include any fraud or other impropriety, mismanagement or use of the Grant for purposes other than that approved.

- 8.5 The Grant Recipient should establish effective appraisal, project monitoring and financial systems so that the costs of each project funded by the Grant and the outputs and outcomes expected to be generated can be clearly identified.
- 8.6 Grants should be disclosed in a way that adequately indicates the purpose for which they were awarded, or the type of expenditure to which they relate.
- 8.7 If the Grant Recipient's organisation is an unincorporated association, i.e. it has a constitution or governing document but is not a company, the accounts should be prepared and independently inspected and/or audited as if the organisation were a registered charity
- 8.8 All financial records must be kept for 6 years from the end of the relevant financial year to which they relate.
- 8.9 At its discretion the Council may require the submission of accounts independently audited by a suitably qualified person even where this is not a statutory requirement. Accounts must be prepared in accordance with the required format for that organisation or in accordance with **Condition 8.7**.
- 8.10 Where funding is awarded to specific projects of a large organisation, project accounts may be accepted with the prior written consent of the Funding Directorate.
- 8.11 The Grant Recipient must ensure that appropriate financial information is submitted as soon as possible after the end of its financial year. Failure to provide this information within 6 months of its financial year end may result in recovery of the Grant and subsequent Grant payments may be withheld / withdrawn.
- 8.12 The Grant Recipient must show each individual Grant in its annual report, and accounts indicating the source of funding, the purpose for which the Grants were used and the related outcomes.
- 8.13 The Council retains the right to investigate any Grant funded organisation's business where it believes that there is or has been financial irregularity, misuse or misappropriation of the Grant, including the right to access individuals, documents, information and other evidence held by the organisation.

## A.9 LEGISLATIVE REQUIREMENTS

- 9.1 Grant Recipients are required to comply with all relevant legislation, exercising good practice and due diligence. Breaches of legislation may result in suspension or recovery of Grant where this is appropriate.
- 9.2 The Grant Recipient must ensure their organisation:
- 9.2.1 does not discriminate, directly or indirectly, and
  - 9.2.2 comply with employment legislation and have regard to the codes of practice of any bodies appointed by government to oversee equalities legislation, relevant government directorates and other similar agencies specified by the Council in relation to equalities issues, and as they apply to specific jobs and roles.

- 9.3 The Grant Recipient shall adopt a policy to comply with its statutory obligations in relation to equalities legislation. To this end, Grant Recipients will be required to complete an annual equal opportunities audit detailing the type of activities provided, the profile of activity users, the profile of the existing workforce and the profile of management committee members.
- 9.4 Council officers may from time to time conduct an independent equalities audit of any Grant Recipients, and request additional information in relation to the operation of their equal opportunities policies and procedures.
- 9.5 Officers may make recommendations based on any finding of non-compliance with these policies and undertake further audits to ensure these recommendations are implemented by the Grant Recipient.
- 9.6 The Grant Recipient, its employees and any other persons acting on its behalf shall comply with the Health and Safety at Work Act etc. 1974, the Management of Health and Safety at Work Regulations 1992 (including the provision by the Grant Recipient of a copy of its risk assessment under these Regulations when requested by the Council), and all legislation relating to health and safety. Further information regarding health and safety may be obtained from the Project Officer.
- 9.7 In the event that the Grant Recipient is in breach of Condition 9.6, the Council may suspend the Grant until it is satisfied that such breach has been rectified or will not recur. Where the breach is not rectified the Council may withhold / withdraw or reduce the Grant or require repayment of any Grant monies paid.

#### **A.10 MANAGEMENT COMMITTEES AND BOARDS OF TRUSTEES**

##### **A.10.1 This section applies to unincorporated bodies only**

- 10.1.1 The Project Officer must be informed of any material changes to the governing documents of the Grant Recipient's organisation. This includes:
- a) any changes to staff, members of the management committee/board of trustees or individual(s) with a controlling interest; detail must be given regarding whether these are Council Members or Officers; and
  - b) the date, time and place of the Grant Recipient's Annual General Meeting, using the same rules as in its constitution/governing document.
- 10.1.2 The Grant Recipient must have a governing document, which allows for the following:
- a) membership open to anyone;
  - b) election of a committee (including Voting Membership, Chair, Treasurer, Secretary);
  - c) regular management committee/board of trustees meetings;
  - d) presentation of annual financial statements at an AGM;
  - e) amendments to be made to the constitution; and
  - f) that Assets remaining, after winding up or dissolution, be used for a purpose acceptable to the funding Directorate(s).
- 10.1.3 Members of management committees/board of trustees must adhere to the Nolan Principles of standards in public life. These can be found on [www.public-standards.gov.uk/Library/Seven\\_principles](http://www.public-standards.gov.uk/Library/Seven_principles)

### **A.10.2 This section applies to incorporated bodies only.**

- 10.2.1 The Council must be informed of any changes to the Grant Recipient company's registration number(s), if registered as a charity, company, etc., as well as of any changes to the Memorandum and Articles of Association.
- 10.2.2 Any changes to officers or members of the board, identifying any that are Council Members or Officers must be reported immediately to the Project Officer.
- 10.2.3 The Council must be informed of the date, time and place of the Grant Recipient's Annual General Meeting and any changes, using the same rules as in the Grant Recipient's Memorandum and Articles of Association.
- 10.2.4 The Grant Recipient must continue to have a governing document, which allows for the following:
  - a) a Special or Extra Ordinary General Meeting;
  - b) presentation of annual financial statements at an AGM;
  - c) amendments to be made to the Memorandum and Articles of Association; and
  - d) that assets remaining, after winding up or dissolution, to be used for a purpose acceptable to the Funding Directorate(s).

### **A.10.3 This section applies to unincorporated and incorporated bodies.**

- 10.3.1 The Grant Recipient may be asked to (and if so must) allow Councillors and/or Officers to attend as observers without voting rights. A further letter will be sent to the Grant Recipient if such representation is required.
- 10.3.2 The Grant Recipient should ensure that, where requested by the Council, the organisations trust deed or memorandum and articles of association allow the Grant Recipient to accept voting, or non-voting, representatives.
- 10.3.3 Members of committees/boards, employees and volunteers must make declarations of interest when appropriate, and take appropriate action to ensure no conflict of interest arises. Any failure to disclose such interest or take appropriate action should also be notified immediately to the Council.

## **A.11 RIGHTS OF ACCESS AND INFORMATION**

### **INFORMATION, CONFIDENTIALITY AND DATA PROTECTION**

- 11.1 The Council is a Public Authority for the purposes of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. The Council may be required to disclose information it holds to the public. In the event of any request for access to information or internal review against a refusal to disclose relating to this Document the Council will seek the comments of the Grant Recipient before making any decision as to disclosure or non disclosure of the information requested and consider any such comments before reaching a decision, provided such comments with reasons is received within 10 working days of the Grant Recipient being notified

of the request or any subsequent appeal. The Grant Recipient accepts that the final decision as to disclosure or non disclosure lies with the Council.

11.2 The Grant Recipient should not disclose any Confidential Information and should use all reasonable endeavours to prevent employees and agents and any persons for whom they are responsible from making disclosure to any person of any Confidential Information. This Condition shall not apply to:-

11.2.1 any disclosure of Confidential Information that is reasonably required by persons engaged in the performance of its obligations under this Document;

11.2.2 any Confidential Information which a Party can demonstrate is already generally available and in the public domain otherwise than as a result of a breach of Condition 11 or any disclosure of Confidential Information which is already lawfully in the possession of the receiving party, prior to its disclosure by the disclosing party

11.2.3 any disclosure for the purpose of the examination and certification of the Grant Recipient's accounts or any examination pursuant to the Audit Commission Act 1998 of the economy, efficiency and effectiveness with which the Council has used its resources;

11.2.4 disclosure to a Party's professional advisers;

11.2.5 disclosure to the Council's members;

11.2.6 any disclosure required or permitted by the Freedom of Information Act 2000 or in compliance with the FOIA Scheme;

11.2.7 any disclosure made by a Party following the prior written consent of the Party owning the Confidential Information

11.2.9 any disclosure made following the Confidentiality Expiry Date.

11.3 Recipient's Duties

Where disclosure is permitted under Condition 11.2, the recipient of the information shall be made subject to the same obligation of confidentiality as that contained in this Document.

11.4 District Auditor/ Internal Audit

The District Auditor may, for the purposes of the Audit Commission Act 1998 and the Council may for the purposes of conducting its internal audit, examine such documents and any other relevant information as they may reasonably require which are owned, held or otherwise within the control of the Grant Recipient and may require the Grant Recipient to produce such oral or written explanation as he considers necessary.

11.5 Use of Information

The Grant Recipient shall not make use of this Document or any information issued or provided by or on behalf of the Council in connection with this Document otherwise than for the purpose of this Document, except with the prior written consent of the Council such consent not to be unreasonably withheld.

11.6 Commission for Local Administration (the 'CLA')

The CLA may investigate complaints of injustice in consequence of administration against the Council under the Local Government Act 1974 which can include complaints relating to the Grant funded project or activity. If such a complaint is made the Grant Recipient shall:

- 11.6.1 fully and promptly answer whether oral or written communications from the CLA and shall send the Project Officer a copy of any communication to the CLA at the same time as it is sent to the CLA;
- 11.6.2 co-operate fully and courteously in any investigation by the CLA;
- 11.6.3 fully and promptly respond to any communication from the Project Officer concerning the complaint so that the Council may answer any issue raised by the CLA directly with the Council;
- 11.6.4 fully indemnify the Council in respect of any costs it incurs or compensation paid as a result of a finding of maladministration if and to the extent that maladministration was caused to and by any act or omission of the Grant Recipient.

## 11.7 Data Protection

- 11.7.1 In relation to all personal data, as defined in the Data Protection Act 1998 (“DPA”) , the Grant Recipient shall at all times comply with the DPA as a data controller if necessary, including maintaining a valid and up to date registration or notification under the DPA covering the data processing to be performed in connection with the activities.

11.8 The Grant Recipient must notify in writing the Project Officer of any intended or actual material changes to the Activity offered, the Project, client eligibility or the addresses at which the Activity is offered.

11.9 The Project Officer must be informed immediately in writing of any changes to any relevant bank account names, locations or signatories.

11.10 The Grant Recipient must allow duly authorised Council officers to visit the Project or organisation and inspect the Project and the Grant Recipients financial and other records, at any reasonable time, and provide additional related information as requested.

11.11 Monitoring forms and information linked to this Grant will be completed and returned to the Project Officer by the deadlines notified to the Grant Recipient by the Project Officer. Failure to complete forms by deadlines may result in payments of the Grant being suspended or the Grant Recipient may be required to repay all or part of the Grant.

## A.12 RELATIONSHIPS WITH THE COUNCIL

12.1 The Grant Recipient must acknowledge Council funding in all of its publicity material, to ensure that beneficiaries are aware of the support the activity/project is receiving. The Council may equally use the name and details of the Grant Recipient and Project in its publicity.

## A.13 QUALITY ASSURANCE AND GOOD GOVERNANCE

13.1 The Council encourages Grant Recipients to work towards adopting relevant Quality Assurance Systems consistent with the scale of their activities. Advice on this can be obtained from the Project Officer.

- 13.2 All Grant Recipients must have a complaints procedure, which will include keeping a record of complaints and action taken to resolve any dispute. This record must be available for inspection when requested by the Council.
- 13.3 The Council expects Grant Recipients to exercise good governance by demonstrating the following six principles set out in the Independent Commission on Good Governance in Public Services:
- 13.3.1 focusing on the organisation's purpose and outcomes for citizens and service (activity) users;
  - 13.3.2 performing effectively in clearly defined functions and roles;
  - 13.3.3 promoting values for the whole organisation and demonstrating the values of good governance through their behaviour;
  - 13.3.4 taking informed, transparent decisions and managing risk;
  - 13.3.5 developing the capacity and capability of the governing body to be effective; and
  - 13.3.6 engaging stakeholders and making accountability real.
- 13.4 Non-charitable companies with turnovers of less than £350,000 are not required to have their accounts audited. Such organisations must submit an audit exemption report as if the company were a charity.

#### A.14 ASSIGNMENT

##### 14.1 This section applies to unincorporated bodies only

14.1.1 As an unincorporated body, the Grant Recipient does not have the right to assign the benefit of this Document.

##### 14.2 This section applies to incorporated bodies only

14.2.1 The Grant Recipient must not assign the project for which Grant funding has been obtained or any part thereof without the prior written consent of the Council.

#### A.15 FAILURE TO COMPLY WITH GRANT CONDITIONS

- 15.1 An Event of Default is the occurrence, in the absolute discretion of the Council (acting reasonably), of any of the following:-
- 15.1.1 the Grant Recipient commits a serious breach of any of the Conditions of this Document (including the Grant Schedule);
  - 15.1.2 the Grant is not spent in accordance with these Conditions and or within the timescales set out in these Conditions;
  - 15.1.3 the Project and/or Activity are not completed within the timescale set;
  - 15.1.4 the Project and/or Activity do not meet any of the Conditions of this Document and does not achieve the agreed targets or outputs as set out in the Grant Schedule;
  - 15.1.5 the specified Activity of the Project has led to an underspend;
  - 15.1.6 the Grant Recipient no longer has the financial resource to carry out and complete the Project;
  - 15.1.7 the Project closes or ceases other than in accordance with the Grant Conditions or the Council's consent;
  - 15.1.8 the Grant Recipient suffers an Insolvency Event other than for the purposes of amalgamation or reconstruction;

- 15.1.9 any financial irregularity or any fraud on the part of the Grant Recipient concerning the Grant has been suspected or identified;
  - 15.1.10 the Grant Recipients financial management or records are deemed inadequate;
  - 15.1.11 any information given or representation made in the completed Grant Application Form or in any correspondence, report or other document submitted to the Council in connection with this Grant is found to be incorrect or incomplete to the extent that the Council considers it to be serious;
  - 15.1.12 any report or certificate made by the Grant Recipient's auditor or reporting accountant is unsatisfactory (where, for example, the report or certificate refers to a fundamental uncertainty or disagreement, or contains a material qualification, or states that the auditor or accountant is unable to form an opinion about any item, or reports that any amount is not correctly stated in the accounts or records examined);
  - 15.1.13 the Grant Recipient owes any sum to the Council under any other grant agreement.
  - 15.1.14 there is a change which the Council consider relevant in the ownership, control and nature of business of the Grant Recipient;
  - 15.1.15 by reason of funding obtained from other public sector resources the Council is satisfied that the Grant offered is no longer required; or
  - 15.1.16 the Grant Recipient is in serious breach of the Conditions of this Grant, other than as contained in **Conditions 15.1.1 to 15.1.15** above.
- 15.2 Where an Event of Default has occurred the Council shall by written notice (as set out in Condition 15.3 below) be entitled to take any one or more of the following steps:
- 15.2.1 suspend the payment of the Grant for such period as the Council shall determine and the Council shall not be under any obligation to make payments of the Grant during the suspension;
  - 15.2.2 vary the Grant, in which case the payment shall thereafter be made in accordance with the variation notified to the Grant Recipient; or
  - 15.2.3 cease to make all or any payments of the Grant to the Grant Recipient under this Document and require the Grant Recipient to repay to the Council all or any part of the Grant previously paid to the Grant Recipient under this Document and/or (if applicable) recover such repayment by withholding or deducting an amount equivalent to the required repayment from sums due from the Council to the Grant Recipient under any other grant agreement;
  - 15.2.4 terminate this Grant
- 15.3 The Council shall prior to taking action under Condition 15.2 issue the Grant Recipient with a written notice ("Default Notice") specifying:-
- 15.3.1 the relevant Event of Default;
  - 15.3.2 if the Event of Default is capable of remedy:-
    - 15.3.2.1 the corrective action required; and
    - 15.3.2.2 the period of time, as the Council shall determine to be reasonable, within which the corrective action must be taken (or such extended period as the Council shall thereafter determine in its discretion).
  - 15.3.3 if the Event of Default is not capable of remedy, the action the Council intend to take.

- 15.4 Where the Event of Default is not capable of remedy; or the Grant Recipient has failed to comply with the Default Notice; or the Grant Recipient has repeated a breach of these Conditions or committed a series of breaches which as a result of the repetition, or cumulatively, amount to a serious breach of these Conditions the Council may:
- 15.5.1 exercise its rights under **Conditions 15.2.3** (cease payments) and **15.2.4** (termination of the Grant); and
  - 15.5.2 issue a demand for repayment of all or part of the Grant.
- 15.5 If the Council exercises its rights under **Conditions 15.2.3** (cease payments) and **15.2.4** (termination of the Grant) the Council shall give written notice to the Grant Recipient and from the date of such notice the Council shall cease to be under any obligation to pay the amount of Grant to the Grant Recipient under this Document.
- 15.6 Where the Council requires the Grant Recipient to repay any amount of Grant, the Grant Recipient shall repay the amount concerned within 20 Working Days of receiving the demand for repayment. The liability to meet such a demand shall be enforceable as a contractual debt.
- 15.7 The Council may require interest to be paid on any amount repayable by the Grant Recipient in accordance with the base rate published by the Bank of England from time to time.
- 15.8 The exercise by the Council of its rights under **Condition 15.2** shall be without prejudice to any other right of action or remedy of the Council in respect of any breach by the Grant Recipient of this Document.

**This Section applies to organisations conducting work with children, young people and vulnerable adults.**

#### **A.16 PROTECTION OF CHILDREN AND VULNERABLE ADULTS**

- 16.1 All projects working and coming into contact with children and young people must have child protection procedures, which are consistent with the child protection procedures of the Birmingham Local Safeguarding Children Board (LSCB) and ensure that these procedures are followed. (Information on this matter is available in the first instance from the Grant Recipient's Grants Co-ordinator who will provide the Grant Recipient with the details of the relevant Council staff member should the Grant Recipient require any further advice).
- 16.2 All projects working and coming into contact with vulnerable adults must follow Birmingham Multi-Agency Guidelines on Protecting Vulnerable Adults. All projects must have their own internal procedure regarding reporting and investigating allegations of abuse, which are consistent with the requirements of the Birmingham Multi-Agency Guidelines.
- 16.3 The Grant Recipient must ensure that all individuals including their staff, volunteers and third parties, whose duties involve access to children, young people or vulnerable adults, are subject to CRB checks prior to starting their duties. The Grant Recipient must be satisfied following the receipt of the disclosure checks that the individual is suitable to work with children, young people or vulnerable adults before engaging them in any activities involving children, young people or vulnerable adults.

- 16.4 The Grant Recipient shall ensure that all individuals including their staff, volunteers and third parties whose duties involve regularly caring for, training, supervising or being in sole charge of persons under 18 are subject to an enhanced CRB check prior to starting their duties.
- 16.5 The Grant Recipient must have in place a safeguarding policy. The policy must as a minimum:
- 16.5.1 Identify a senior manager with responsibility for all safeguarding matters.
  - 16.5.2 Demonstrate a clear commitment by senior management to the importance of safeguarding and promoting the welfare of children, young people and vulnerable adults through both the commissioning and the provision of services.
  - 16.5.3 Include a wide range of practical measures that ensure the safeguarding of children, young people and vulnerable adults.
- 16.6 The Grant Recipient must have in place safeguarding procedures to support the Safeguarding Policy including, but not limited to:
- 16.6.1 monitoring and auditable governance procedures;
  - 16.6.2 a safe recruitment and selection policy and procedures;
  - 16.6.3 procedures for dealing with allegations of abuse against members of staff and volunteers;
  - 16.6.4 procedures for dealing with allegations of abuse not relating to staff or volunteers;
  - 16.6.5 appropriate whistle blowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed; and
  - 16.6.6 arrangements to work effectively with other organisations to safeguard and promote the welfare of children, including arrangements for sharing information.
- 16.7 The Grant Recipient must maintain a register or similar record of staff and volunteers who have been CRB checked and be able to provide a schedule or statement of such as evidence to the Council if required.
- 16.8 The Grant Recipient must have adequate procedures and processes in place to deal with any 'positive' disclosures regarding the risk of harm to a child, young person or vulnerable adult. The Grant Recipient's procedures must include carrying out a risk assessment of the individual involved, the work activity and the measures the Grant Recipient would put in place to safeguard children, young people and vulnerable adults until it is satisfied that the issue is resolved.
- 16.9 Where the Grant Recipient, after undertaken its risks assessment as specified in Conditon 16.8, in respect of a child or young person decides that:-
- 16.9.1 there is no risk of harm to the child or young person or there is no need for statutory intervention,
  - 16.9.2 that child or young person has an identified need that can not be met by universal services but may be met by other agency intervention.  
the Grant Recipient must take responsibility for making the referral where one agency's intervention is required or initiating a Common Assessment Framework (CAF) meeting were multi agency intervention is required. Further guidance may be obtained from the web page :

<http://www.birmingham.gov.uk/caf>. Where the young person is already known to Children's Social Care, the Grant Recipient is required to contribute to any Safeguarding/CAF meetings.

- 16.10 The Grant Recipient will ensure that any member of staff, volunteer or third party found to be unsuitable as a result of a CRB check is immediately removed from access to children, young people or vulnerable adults and a suitable replacement appointed.
- 16.11 The Grant Recipient must name a member of the Board or governing body to be responsible for monitoring the safeguarding policy and procedures.
- 16.12 The Grant Recipient must submit written confirmation (on letter headed paper) that CRB checks are being carried out as stated in the safeguarding policy and procedures. The letter must be signed and dated by the senior person with overall responsibility for safeguarding issues and at least two senior managers (or trustees if a charitable organisation).
- 16.13 The Grant Recipient shall ensure that it complies with all of the requirements of the Independent Safeguarding Authority.

#### **A.17 ADDITIONAL CONDITIONS**

Where required, the Council will set out Additional Conditions in the Grants Schedule. The Grant Recipient must comply with all Additional Conditions contained within the Grants Schedule. Where the Grant Recipient fails to comply with such conditions the Council may take action in accordance with the Conditions of this Document.

#### **A.18 GRANT PAYMENTS**

- 18.1 The Grant Recipient's shall provide its (or if it is an organisation their organisational) bank account or equivalent building society account details to the Council in order for payment of the Grant to be made into that account by the Council using BACS.
- 18.2 The Council shall pay the Grant Recipient the Grant in the instalments set out in the Grant Schedule and subject to any additional conditions stated in the Grant Schedule.

#### **A.19 NOTICES**

- 19.1 Any notice given under this Document shall be in writing and signed by or on behalf of the party giving it and shall be served by delivering it personally, or sending it by pre-paid recorded delivery or registered post to the relevant Party to the correct address set out in the Table. In the case of the Council, the correct address shall be that of the Funding Directorate or by sending it by fax to the fax number notified by the relevant Party to the other Party. Any such notice shall be deemed to have been received:
- 19.1.1 if delivered personally, at the time of delivery;
  - 19.1.2 in the case of first class or recorded delivery post, on the second Working Day after the date of posting; and
  - 19.1.3 in the case of fax, if the fax transmission is completed during Office Hours then on that Working Day. If fax transmission is completed outside Office

Hours then on the next Working Day PROVIDED that Notice shall also be sent by pre-paid post to the addressee.

- 19.2 The Parties may by notice to the other change their address for service to take effect no earlier than 7 days from the service of such notice.

## GENERAL CONDITIONS

### A.20 FUTURE CONDITIONS

All Conditions in this Document which impose an obligation upon the Grant Recipient to repay to the Council any part or the entire Grant shall continue to remain in force after the termination of this Document and may be enforced by the Council.

### A.21 ACQUISITIONS

All acquisitions of property made by the Grant Recipient using Grant monies shall be subject to clawback rights under this Document.

### A.22 PREVENTION OF CORRUPTION

- 22.1 The Council shall be entitled forthwith to cancel the Grant by delivery of written notice to the Grant Recipient and to recover from the Grant Recipient all or any part of the Grant paid:-

- 22.2 if the Grant Recipient shall have:-

22.2.1 offered, promised or given a financial or other advantage to another person and either;

22.2.2 the Grant Recipient intends the advantage to induce a person to perform improperly a relevant function or activity in relation to the obtaining or execution of the Conditions of this Document or any other contract or grant agreement with the Council; or

22.2.3 the Grant Recipient knows or believes that the acceptance of the advantage would itself constitute the improper performance of the relevant function or activity in relation to the obtaining or execution of the Grant or any other contract or grant agreement with the Council; or

- 22.3 if the like acts shall have been done by any person employed by the Grant Recipient or associated with the Grant Recipient (whether without or with the knowledge of the Grant Recipient); or

- 22.4 if in relation to any contract or grant agreement with the Council the Grant Recipient or any person employed by the Grant Recipient or associated with the Grant Recipient shall have;

22.4.1 committed any offence under the Bribery Act 2010; or

22.4.2 given any fee or reward to an officer of the Council the acceptance of which is an offence under Section 117(2) Local Government Act 1972.

## PART B

### GRANTS FOR SALARIES, WAGES

#### B.1 PROCEDURE FOR NEW STAFF OR WHEN A VACANCY ARISES FOR AN EXISTING POST

- 1.1 Where the Grant Recipient wishes to recruit new staff for a grant funded post it must provide the Project Officer with the following information prior to arranging any interviews:
  - 1.1.1 staffing structure clearly identifying the post to be filled
  - 1.1.2 draft job description and advertisement for the post (the job advertisement must state the expected period of grant aid)
  - 1.1.3 details of the staff that will:-
    - a) shortlist the applicants and
    - b) interview the short-listed applicants.
  - 1.1.4 timetable for the advertisement, shortlisting and interviews,
  - 1.1.5 interview timetable.
- 1.2 The Grant Recipient may only proceed to the interview stage once it has received confirmation from the Council that it may do so
- 1.3 The Grant Recipient must accept and permit named representatives of the Council on the interview panel, if required by the Funding Directorate
- 1.4 Following the interview process, the Grant Recipient should tell the successful candidate that a provisional appointment is being offered to them and that this appointment will be confirmed once the Project Officer has given their approval.
- 1.5 The Grant Recipient will need to:
  - 1.5.1 provide a copy of the application form completed by the applicant to be appointed
  - 1.5.2 supply details of the salary scale or and point on the scale (or similar arrangements where there is no scale) the applicant will be appointed at (normally the first point on the scale)
  - 1.5.3 advise the date from which appointment will start
  - 1.5.4 await agreement from the Project Officer to the post being offered
  - 1.5.5 on appointment, the Grant Recipient must observe the law with regard to issuing contracts of employment; income tax; etc.

#### B.2 VACANT POSTS

- 2.1 Should a Grant funded post become vacant, the Grant Recipient should inform the Project Officer [and the Funding Directorate] immediately so that a decision can be made by the Project Officer as to whether Condition B.1 will be implemented. The Project Officer shall confirm to the Grant Recipient that it can proceed with the steps specified in B1.
- 2.2 The Grant Recipient should also inform the Project Officer, if the Grant funded employee takes maternity leave, long term sick leave or any other extended leave.
- 2.3 Should a Grant funded post be left vacant, the Council reserves the right to reduce Grant payments

#### B.3 REDUNDANCY PAYMENTS

- 3.1 The Council does not take responsibility for redundancy payments for any posts associated with this Grant.

## PART C

### GRANTS FOR COMPUTERS, FURNITURE, EQUIPMENT AND/OR VEHICLES

#### C.1 PURCHASING PROCEDURES

- 1.1 When purchasing individual items over the value of <insert - usually £1,000> (which have not been detailed in the application form), the Grant Recipient must:
  - 1.1.1 submit 3 quotations or
  - 1.1.2 3 current price lists, which must be based on the same description of the items and
  - 1.1.3 state how value for money will be gained in accordance with the Council's policy which is set out in (<http://inline/valueformoney>) or available from the Project Officer.
- 1.2 The Grant Recipient must await agreement from the Project Officer prior to purchase(s) being made.
- 1.3 Following agreement, the Grant Recipient may purchase the item(s) and will then have to submit receipted invoices to the Project Officer, so that the grant may be paid. (In exceptional circumstances, at the discretion of the Funding Directorate, Grants may be paid in advance).
- 1.4 Receipted invoices must be provided within 3 months in order for Grant funding to be given.

#### C.2 INSURANCE AND DISPOSAL

- 2.1 The items purchased must be insured as described in Section A.5.
- 2.2 Items purchased must not be disposed of without the prior consent of the Council
- 2.3 If the project was to close, fail, be sold or passed on to another organisation then the Council can reclaim the purchased items or recover their value from the Grant Recipient.
- 2.4 Where the purchased items are partly funded by the Council it shall be entitled to recover an amount to reflect its contribution from the Grant Recipient. Such amount will be assessed by taking into account the difference between the price of the item when purchased by the Grant Recipient and the current market value at the time of transfer or sale or disposal of the item. The percentage by which the item has depreciated or increased in value shall be applied to the Council's contribution when determining the amount the Council can recover.

The following formula shall be used:

$$\frac{100}{V} \times W = X \quad \text{then} \quad X \times Y = Z$$

In this formula:

V means the purchase price of the item

W means the amount of Grant funding used to purchase the asset

X means the Council's Contribution as a percentage

Y means the current market value of the asset

Z means the amount the Council may recover

### **C.3 VEHICLES, LIGHT OR HEAVY PLANT EQUIPMENT**

- 3.1. All equipment purchased under this section must match a specification that meets the needs for which it is required. Where additional fittings or equipment are required these are added to the general specification.
- 3.2 Insurance must be acquired as detailed in section A.6.
- 3.3 A schedule for maintenance must be set up and delivered by suitably qualified people.
- 3.4 The requirements of the local Traffic Commissioners for passenger vehicles must be met.

## **PART D**

### **CAPITAL GRANTS FOR THE ACQUISITION OF LAND OR BUILDINGS, BUILDING PROJECTS AND/OR LANDSCAPING WORKS**

#### **D.1 GENERAL**

- 1.1 The following conditions must be complied with if the Grant is to purchase land or buildings, erect, modify, refurbish or carry out capital improvements to a building; carry out landscaping works for sporting purposes or the creation of a public open space or for any other purpose approved by the Council.
- 1.2 For the purposes of determining the Council's requirements in respect of Conditions D5, D6 and D7, it is the total cost of the entire project not the Grant amount which shall be used.

#### **D.2 BUILDING CONTRACT / WORK**

- 2.1 No building contract should be entered into, and no work should commence until:-
  - 2.1.1 the Conditions of Grant Aid has been signed by both Parties;
  - 2.1.2 the Project Officer has issued to the Grant Recipient written confirmation that the Council will pay the Grant; and
  - 2.1.3 the Project Officer has provided confirmation in writing to the Grant Recipient that either:-
    - 2.1.3.1 a legal charge is not required and the satisfactory relevant documentary evidence has been provided as specified in Condition D4 below; or
    - 2.1.3.2 a legal charge and capital grant agreement has been completed in accordance with Condition D3.1 and the satisfactory relevant documentary evidence has been provided as specified in Conditions D3.4 and D4 below; and

- 2.1.4 The Project Officer has provided written confirmation to the Grant Recipient that any other specified preconditions have been satisfied.

### D.3 LEGAL CHARGE

- 3.1 A legal charge and a capital grant agreement will be necessary to record the Grant Recipient's liability to repay the Grant to the Council where:-
- 3.1.1 the Grant is for a capital scheme and the amount is or exceeds £25,000; or
  - 3.1.2 the aggregate value of the capital grants received by the Grant Recipient from the Council within the last 3 years amounts to or exceed £25,000; or
  - 3.1.3 the Council is the accountable body for the resources out of which the Grant will be funded.
- 3.2 Where Condition 3.1 applies, the Project Officer will inform the Grant Recipient of the need for a legal charge and capital grant agreement together with their duration. The duration of the legal charge and capital grant agreement will be as required by the terms of the project.
- 3.3 Condition D3 applies to all classification of schemes under Conditions D5, D6 and D7.
- 3.4 Where a legal charge and capital grant agreement is required the following conditions shall apply:-
- 3.4.1 The Grant Recipient must notify the Project Officer of the name and address of the legal representative who will act for the Grant Recipient in connection with the legal charge [and (if applicable) the lease].
  - 3.4.2 The Grant Recipient must ensure that their legal representative checks that their constitution enables their organisation to enter into a legal charge [or (if applicable) is able to enter into an appropriate lease agreement].
  - 3.4.3 The Grant Recipient and/or their legal representative must ensure that there are no restrictions, covenants or encumbrances in their freehold title prohibiting the application of a legal charge. In the case of leasehold, that there are no restrictions, covenants or encumbrances prohibiting the application of a legal charge relating to the purpose for which the Grant is made.

Without these assurances the Grant will not be paid.

### D.4 EVIDENCE REQUIRED

- 4.1 The following conditions only apply in particular circumstances as set out in each of the conditions below. The Grant shall not be paid where the Grant Recipient has failed to provide the relevant satisfactory evidence and information requested in these conditions.
- 4.1.1 **Freehold Land or Building**

Where the Grant Recipient is the freehold owner of the land or building the Grant Recipient must provide satisfactory evidence to the Project Officer that they are the legal owner of the property.

#### 4.1.2 Leasehold – Non-Council Landlord

Where the land or property is leased to the Grant Recipient and the Council is not the landlord the Grant Recipient must provide satisfactory evidence to the Project Officer:-

4.1.2.1 to prove that Grant Recipient is the lessee of the property by providing satisfactory evidence of the tenancy agreement/lease; and that there is sufficient length of the lease remaining beyond the use restriction period of the grant conditions at completion of the works, as determined by the Project Officer; and the Grant Recipient has landlord's written consent to the carrying out of the proposed works.

4.1.2.2 that the lease contains appropriate safeguards relating to terminating events, forfeiture, assignment and use; and if the Council require a legal charge, that there are no restrictions, covenants or incumbrances prohibiting the granting of a legal charge or the use for the purpose for which the Grant is made. These safeguards must be acceptable to the Director of Legal and Democratic Services.

#### 4.1.3 Leasehold – Council Landlord

Where the land or property is leased and the Council is the landlord the following should apply.

4.1.3.1 Where the Council and the Grant Recipient are to enter into a new lease, the lease shall contain terms which provide appropriate safeguards for the Grant. In these circumstances the requirement for a legal charge may be waived as advised by the Director of Legal and Democratic Services and agreed to as part of an Executive Authority. A capital grant agreement will still be required to be completed.

4.1.3.2 Where a lease is already in existence a variation to the lease may be required to satisfy the Council's funding requirements.

### D.5 MINOR SCHEMES (WITH AN ESTIMATED TOTAL COST INCLUSIVE OF FEES OF LESS THAN £100,000)

5.1 The Grant Recipient will need to do and provide the Project Officer with documentary evidence of the following:

5.1.1 compliance with Condition D3 (if applicable) and the relevant provisions of Condition D4 above;

5.1.2 have Planning Permission and be able to meet Building Control requirements for the works, as appropriate;

- 5.1.3 have approvals in relation to all other statutory requirements in place, as appropriate and/ or necessary for the project;
- 5.1.4 commission suitable professionals and a design team or person, where necessary, to deliver the scheme;
- 5.1.5 submit three quotations (based on the same description of the work and valid for at least three months). These quotations should include a priced schedule of works as produced and issued by the Grant Recipient and their design team;
- 5.1.6 submit bank statements or evidence of funding arrangements deemed satisfactory by the Project Officer to demonstrate suitable funding is available to cover the full amount of the works, as any Grant provision will be reimbursed retrospectively;
- 5.1.7 wait for agreement from the Project Officer, before instructing the successful Contractor to commence works;
- 5.1.8 submit the Contractor's invoice, Building Control Completion Certificate and any other approvals deemed necessary upon completion of the works;
- 5.1.9 submit further bank statements to demonstrate payment in full to the contractor upon completion of the works.

**D.6 MAJOR SCHEMES (WITH AN ESTIMATED TOTAL COST INCLUSIVE OF FEES OF £100,000 OR MORE)**

- 6.1 The Grant Recipient must comply with Condition D5 above.
- 6.2 The Grant Recipient must employ professional consultants (e.g. an Architect, Quantity Surveyor and C.D.M.Co-ordinator) to supervise their project. The Grant Recipient should be required to adhere to the Royal Institute of British Architects (RIBA) building project stages set out in the application or available from the Project Officer.
- 6.3 If the Grant is paying for the whole cost of the scheme, payment may be made in stages as the work progresses and the stages and corresponding payment shall be set out in the Grant Schedule.
- 6.4 The Council will require its Grant to the project to be acknowledged whilst work is in progress and will supply an adhesive panel, or an artwork specification, which must be used on site in all cases.

**D.7 PART SCHEMES**

- 7.1 Part Schemes cover projects where the Grant is for a distinct part of a larger building contract and where funding can be released against a portion of the works or an identified section of the works area.
- 7.2 Where the Grant covers a small proportion of the building contract and where it is possible for a legal charge to be taken on a specific land holding which is part of a

building scheme, details of payment stages must be set out in the Grant Schedule so it is clear which works need to be completed for funding to be released.

- 7.3 The Grant will be paid after the work has been inspected and agreed as satisfactory by the Project Officer, after sight of the final Architects certificate or final Contractors invoice and the Building Control Completion Certificate.
- 7.4 Where a Grant Recipient has applied for funding from a reputable funder regulated and approved by the FSA or from a recognised grant making body to part fund the scheme, it is likely that they will also seek a legal charge over the property. In such cases the Grant Recipient must provide the Council with evidence of such requirement and a deed of priorities between the Council, the funding providers and the applicant will be required.
- 7.5 The Grant Recipient must comply with Condition D5 or D6 above dependant upon the total cost of the entire project.

#### **D.8 PROFESSIONAL FEES**

- 8.1 Professional fees should not exceed 15 % of the overall cost of the project.

#### **D.9 FIND IT IN BIRMINGHAM**

- 9.1 Where possible Grant Recipients should seek tenders through or utilise Find it in Birmingham to procure local businesses to undertake the works.

## PART E

### GRANTS FOR BUILDING FEASIBILITY STUDIES, SURVEYS, OUTLINE PLANS AND, PLANNING APPLICATIONS

#### E.1 GENERAL

- 1.1 Grants for building feasibility studies, surveys, outline plans and planning applications can include:
  - 1.1.1 Identifying the need for project, a budget; the type of building that is needed and appointing an Architect.
  - 1.1.2 Identifying requirements for projects (including site conditions, planning, design, cost); and preparing studies.
  - 1.1.3 Preparing a strategic brief confirming key requirements with appraisal and recommendations as to project feasibility (functionally, technically and financially).
  - 1.1.4 Identifying procedures to control the project; the organisational structure needed and the technical consultants required.
  - 1.1.5 Preparing outline drawings (sketch designs) outline specification, estimate of costs based on the drawings and specifications.
  - 1.1.6 Preparing outline planning application and gaining outline planning approval.
  - 1.1.7 Preparing detailed proposals and submitting full planning permission application and gaining full planning approval.

#### E.2 AGREEMENT

- 2.1 The Project Officer must agree a plan corresponding to the relevant Royal Institute of British Architects (RIBA) Plan of Work Stages A to E unless prior agreement has been made.
- 2.2 The Grant Recipient shall:
  - 2.2.1 Submit a minimum of 3 quotations (based on the same description of the work and valid for at least 3 months) to the Funding Directorate dependant on the value of the work
  - 2.2.2 Await agreement from the Funding Directorate before instructing the successful Contractor
  - 2.2.3 Submit the Contractor's invoice upon completion of the works to the Project Officer

## PART F

### GRANTS FOR GENERAL SURVEYS, FEASIBILITY STUDIES AND RESEARCH PROJECTS

#### F.1 General

1.1 The Grant Recipient must provide a full plan explaining how the survey will be conducted prior to the Grant being released. This will include:

1.1.1 Why the survey is needed.

1.1.2 The type of survey to be undertaken, for example: desktop, phone interviews and questionnaires.

1.1.3 Who will undertake the survey, including how many people will be involved. If staff are to be employed Part B of these conditions will apply.

1.1.4 How many people it is intended to survey.

1.1.5 What questions will be asked.

1.1.6 Whether any data protection issues are involved.

1.1.6 When the survey is to be conducted.

1.1.7 Where the survey is to be conducted.

1.1.8 When the survey report will be issued.

1.1.9 To whom the report will be issued.

#### F.2 Agreement

2.1 The Grant Recipient shall:

2.1.1 Submit a minimum of 3 quotations (based on the same description of the work and valid for at least 3 months) to the Funding Directorate dependant on the value of the work.

2.1.2 Await agreement from the Funding Directorate before instructing the successful Contractor.

2.1.3 Submit the Contractor's invoice upon completion of the works to the Project Officer

# PART G

## FUNDING DETAILS & ACCEPTANCE FORM

ORGANISATION NAME	
ORGANISATION CONTACT	
PROJECT TITLE	
ADDRESS & POST CODE	
TELEPHONE NUMBER	
EMAIL ADDRESS	
REF NO:	

	GRANT	PROPOSED GRANT	PROPOSED GRANT
Purpose of Grant (further details in the Grant Schedule)	20 / (year)	20 / (year)	20 / (year)
<b>GRANT TOTAL</b>			

On behalf of the above named organisation, I the Grant Recipient, accept the grant detailed above, on the terms and conditions set out in this Document. (To be signed by two Directors, Trustees or Management Committee Members or 1 person in the case of sole traders)

	1	2
<b>Name</b>		
Position Held		
Address		
Signature		
Date		
<b>Witness (must not be a relative)</b>		
Position Held		
Address		
Signature		
Date		

Grant Conditions signed on behalf of Birmingham City Council:

Signature of Authorised Officer (i.e delegated officer)	
Name	
Position	
Date	

# GRANT SCHEDULE

An MS Word version of the Conditions of Grant Aid and Grant Schedule is available on the PSPG database.

A Grant Schedule must set out the outcome(s) required from the grant awarded. The following Grant Schedule is included as guidance and directorates may wish to vary this as appropriate. Any changes made to the Grant Schedule after the project has begun must be recorded for audit purposes.

Guidance: This section should provide an overview of the budget for the activities to be delivered through use of the approved grant. Suggested layouts for revenue and capital funding are set out below.

	£	£	£
<b>Revenue Budget</b>	20 / (year)	20 / (year)	20 / (year)
Employees (Salaries & Wages)			
Employer's Overheads			
Administrative Expenses			
Rent & Charges			
Heating, Lighting, etc.			
Equipment & Materials			
Transport			
Insurance			
Professional Fees			
Non recoverable VAT			
Other (i)			
Other (ii)			
Total Revenue Expenditure			
Less: Income from other sources (i) (ii)			
Total Approved Grant			

Notes on key assumptions and status of above budget:

<b>Capital Budget</b>	£	£	£
Acquisition – Land	20 / (year)	20 / (year)	20 / (year)

<b>Capital Budget</b>	<b>£</b>	<b>£</b>	<b>£</b>
Acquisition – Buildings			
Construction Works			
Professional Fees			
Furniture, equipment, etc.			
Non recoverable VAT			
Vehicles			
Other (1)			
Other (2)			
<b>Total Capital Expenditure</b>			
Less: Income from other sources (i) (ii)			
<b>Total Approved Grant</b>			

**Funding Overview** (this section should provide an overview of the activity to be delivered via this Grant Schedule to include method of delivery, means of access etc):

**Catchment Area of Activity** (please specify with reference to named Ward/s, District/s/Constituency/ies, City-wide or other geographic area(s)) OR Community of interest served

**Criteria for receiving activity** (please state the criteria you used to determine which clients are eligible to receive the activity)

## PERFORMANCE FRAMEWORK

**Related [insert name of Directorate] Performance Targets** (The activity covered by this Grant Schedule will support the delivery of the following corporate performance targets)

**Scheme Specific Performance Targets** (The activity covered by this Grant Schedule will deliver upon the following headline performance targets)

**Key Activity Outputs** (To support the delivery of the scheme specific performance targets detailed above will deliver the following outputs)

[Terms agreed by both Parties]

Output

.....Quantity/units.....

Output

.....Quantity/units.....

Output

.....Quantity/units.....

Output

.....Quantity/units.....

**Other Activity Outcomes** (this should detail any **additional social, community or environmental benefits or impacts** which will arise from the project or activity):

## MONITORING ARRANGEMENTS

Monitoring of compliance with the terms of this Grant Schedule and of the performance of the funded activity will be co-ordinated by a designated monitoring officer on behalf of the [name of the Funding Directorate]:

Name of Monitoring Officer	
Designation	
Address	
Telephone Number	

The Monitoring Officer will hold project review meetings with the Grant Recipient. These meetings will normally be held at least quarterly and will:

- Review the activity and progress in relation to agreed performance targets and activity outputs
- Consider spend and review the effectiveness of financial management
- Develop effective forward activity and resource planning
- Identify blocks and barriers to effective activity delivery and identify actions to resolve
- Ensure effective joint working
- Monitor compliance with the Grant Schedule

The Monitoring Officers will conduct a review of the scheme during the second half of each funding year to inform forward activity delivery and support continuous improvement. This review will consider:

- The views of customers
- The views of partner organisations and other stakeholders
- The Grant Recipient's experience of delivering the scheme
- The Grant Recipient's views of support provided by the [name of Directorate].

**Monitoring Conditions:** To support the monitoring of the project the Grant Recipient will

<b>Frequency</b>	<b>Requirement</b>
As required	Attend project monitoring meetings
As required	Participate in the activity review
Quarterly	Produce a report to detail progress against delivery of performance targets and activity outcomes
Quarterly	Produce an income and expenditure analysis for the project
Quarterly	Complete a customer monitoring form
As required	Provide other relevant information as requested

Please note quarterly returns should be submitted to the Grant Recipient's monitoring officer by the following dates:

*[As per each Directorate's arrangements]*

**Payment arrangements**

The **[name of Directorate]** will release the funding allocation to the organisation via 4 equal quarterly payments.

The **[name of Directorate]** will seek to make payments to the organisation within 5 working days of monitoring information being received and verified

The Council will pay the Grant to the Grant Recipient on the following dates and subject to the following conditions:- **[Insert a list of dates and any particular conditions]**

## Financial Responsibilities

The **Funding Directorate** will inform Grant Recipient of the release of quarterly payments. It is the responsibility of the Grant Recipient to check that released payments are received and to notify the *[name of Directorate]* within the relevant payment quarter of any payment which has not been received.

Organisations must submit to the *[name of Directorate]* copies of audited annual accounts within six months of the end of the financial year. In line with financial regulations, all funding given must be shown as restricted funds within these annual accounts.

All funding given relates to the financial year within which it was awarded and cannot be accrued unless agreed in writing by the *[name of Directorate]*.

## Additional Conditions

This Section applies to organisations conducting performances/activities involving children

### PERFORMANCES/ACTIVITIES INVOLVING YOUNG CHILDREN

#### Organisations which conduct performances/activities involving children.

If the Grant Recipient's organisation requires children under statutory school leaving age to take part in any public performance or activity, including but not limited to theatre, sport, TV filming or Modelling it must ensure that any necessary licence or exemption for such activity or performance from the Council has been obtained in accordance with the Council's [Child Licensing Policy]. Further details of which can be obtained from [Birmingham's Licensing Authority].

The Grant Recipient's organisation must also comply with all applicable requirements of the [Child Licensing Policy]. Failure to do so will be a breach of this **Condition 16.1** and the Council may result in Grant recovery or the suspension or withholding of the Grant.

## RIGHTS AND RESPONSIBILITIES OF BOTH PARTIES

This section sets out the respective rights and responsibilities of both Birmingham City Council (the funder) and the Grant Recipient.

### Birmingham City Council

<.....>

### Grant Recipient

<.....>

# APPENDIX 3: CONSTITUTION AND GOVERNANCE STRUCTURE REQUIREMENTS

All organisations must submit a copy of their constitution, which will detail their governance structure.

This may include: regular management committee/board of trustees meetings, Annual General Meeting, all properly minuted.

Any changes that have been made to the constitution must be acceptable.

The six hallmarks of an effective charity, as defined by the Charity Commission are:

1. Clear about its purposes and direction
2. A strong board
3. Fit for purpose
4. Learning and improving
5. Financially sound and prudent
6. Accountable and transparent

For further guidance, please consult the Charity Commission:

[http://www.charity-commission.gov.uk/Charity\\_requirements\\_guidance/Charity\\_governance/Good\\_governance/default.aspx](http://www.charity-commission.gov.uk/Charity_requirements_guidance/Charity_governance/Good_governance/default.aspx)

# APPENDIX 4: ANNUAL REVIEW FORM

**TO BE COMPLETED BY THE GRANT RECIPIENT TO SUPPORT BIRMINGHAM CITY COUNCIL'S ANNUAL MONITORING**

ORGANISATION NAME	
ORGANISATION CONTACT	
PROJECT TITLE	
ADDRESS & POST CODE	
TELEPHONE NUMBER	
EMAIL ADDRESS	
WEBSITE	

1. Please give details of any changes in constitution or registered status since submission at the last review or project summary.

2. If there have been any changes in the geographical area that the project covers please give details (attaching a map if appropriate).

3. If there have been any changes in the activities the project provides please give details (and attach evidence as appropriate)

4. If you are expecting any changes in the activities the project provides in the coming year please give details (and attach evidence as appropriate)

5. What has the project achieved? Please give details (and attach evidence as appropriate) regarding the impact and achievements of the project over the past financial year.

6. Please give details of the people using the activity - including their age, gender, ethnicity and disability.

7. Please give details of any posts funded by the grant

8. Please give details of the officers on the project's Management Committee with a list of their names, ethnicity, gender and disability.

9. Please give details of the:

a. Chair	
b. Secretary	
c. Treasurer	

10. If any officers working for the City Council have contact with the project, please give details.

11. Please give details of any Birmingham City Councillors who have had contact with the project or attended the project or committee meetings.

12. Please list the dates of Management Committee/Board of Trustees meetings held in the year and, where known, those proposed for the forthcoming year.

Last year	Next Year

13. Please give details regarding the amount of grant funding being sought for continuation of the funded project.

14. Please attach copies of:

- a. The latest annual accounts, as specified in Part A of the Conditions of Grant Aid (*Appendix 8 describes the relevant content for different sized organisations*)
- b. Probable income and expenditure statements for the current financial year;
- c. Estimated income and expenditure statements for the next year.

15. Please provide details of any changes in the rates of charges for activities or of membership subscriptions

16. Please provide details of any other efforts made to increase fund raising and generate income.

17. Any additional information or comments on activities considered to be appropriate.

18. Details of the person who completed the form

Name	
Position	
Signature	
Date	

# APPENDIX 5: PROVISION OF ANNUAL REPORT AND ACCOUNTS

Condition A.8.3 of the standard Conditions of Grant Aid requires that the Grant Recipient must submit its annual report and accounts bearing the appropriate signatures in the form required for their legal status, to the Funding Directorate within nine months of their financial year end.

The statutory requirements for charities are as follows:

## **For a Charity which is not a Company:**

- a) Gross income of up to £250,000 – accounts may be prepared showing receipts and payments, assets and liabilities. The accounts must be signed by a trustee.
- b) Gross income over £250,000 – accounts must be prepared on an accruals basis in accordance with the Charities' Statement of Recommended Practice (SORP). The accounts must be signed by a trustee.

## **For a Charitable Company**

Accounts must be prepared on an accruals basis in accordance with the Charities' Statement of Recommended Practice (SORP). The accounts must be signed by a trustee.

## **Examination of accounts**

Charities with a gross income of more than £25,000 in their financial year are required to have their accounts independently examined or audited.

The Charity Commission's website at [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk) provides information and advice on the preparation of accounts and the financial thresholds which apply to organisations with different levels of gross income.

# APPENDIX 6: LEGAL POWERS RELEVANT TO GRANT FUNDING

Birmingham City Council is a Local Authority. A Local Authority derives its power to act from statute. The Council when providing Grants must ensure that it has the statutory power to do so. The relevant statutory power must be identified and a list of statutes has been provided below. It is the individual's responsibility to ensure the correct statutory provision has been used.

No	FUNCTION	AREA	DESCRIPTION
1.	Section 1 Home Safety Act 1961	Urban Renewal	Power to give grants to "not for profit" organisations promoting home safety
2.	Section 180 Housing Act 1996	Housing	Power to give financial assistance to voluntary organisations concerned with homelessness.
3.	Section 137 Local Government Act 1972	General	Power to incur expenditure which is in interest of and will bring direct benefit to area of Council or part of it.
4.	Section 142 Local Government Act 1972	General	Power to assist in the making of arrangements where the public may obtain information concerning services in the Council's area provided by the Council, other authorities, government directorates, or by charities and other voluntary organisations and other information relating to the Council's functions.
5.	Section 88(13) Local Government Act 1985	General	Power to fund investigations and publication of information relating to any matters concerning the Council's area or any part of it.
6.	Section 19 Local Government Miscellaneous Provisions Act 1976	Leisure	Power to give grants towards expenses incurred by a voluntary organisation in providing recreational facilities
7.	Section 138 Local Government Act 1972	General	Power to give grants in connection with emergencies and disasters affecting the whole or part of the Council's area.
8.	Section 3 Inner Urban Areas Act 1978	Economic Development	Grant to establish common ownership and co-operative enterprises.
9.	Section 5 Inner Urban Areas Act 1978	Economic Development	Grant to improve amenities
10	Section 6 Inner Urban Areas Act 1978	Economic Development	Grant to convert or improve buildings.

No	FUNCTION	AREA	DESCRIPTION
11	Section 10 Inner Urban Areas Act 1978	Economic Development	Grant towards rent.
12	Section 11 Inner Urban Areas Act 1978	Economic Development	Grant towards loan interest.
13	Section 9 Public Libraries & Museums Act 1964	Leisure	Power to give grants to persons who provide library facilities for members of the public.
14	Section 22 Housing Act 1996	Housing	Power to give grants and loans registered to social landlord.
15	Section 65 Health Services and Public Health Act 1968	Social Services	<p>Power to give grant to a voluntary organisation whose activities consist of or include the provision of a service similar to a relevant service, the promotion of the provision of a relevant service or a similar one, the publicising of a relevant service or a similar one or the giving of advice with respect to the manner in which a relevant service may be provided. A relevant service means a service which must or may be secured by a local authority under:-</p> <ul style="list-style-type: none"> <li>○ Parts III &amp; IV of the Children and Young Persons Act 1933</li> <li>○ Part III National Assistance Act 1948</li> <li>○ Section 3 Disabled Persons (Employment) Act 1958</li> <li>○ Section 10(a) Mental Health Act 1959</li> <li>○ Children &amp; Young Persons Act 1963 except Part II and Section 56</li> <li>○ Health Services and Public Health Act 1968</li> <li>○ Section 7(4) Family Law Reform Act 1969</li> <li>○ Children &amp; Young Persons Act 1969</li> <li>○ Section 43 Matrimonial Causes Act 1973</li> <li>○ Children Act 1975</li> <li>○ Adoption Act 1976</li> <li>○ National Health Service Act 1977</li> <li>○ Children Act 1989.</li> </ul>
16	Section 106(1) Transport Act 1985	Transport	Power to give grant towards the provision, maintenance or improvement of a vehicle, equipment or other facilities provided wholly or mainly for the purposes of facilitating travel by members of the public who are disabled.

No	FUNCTION	AREA	DESCRIPTION
17	Section 149 Rent Act 1977	Housing	Power to publish information to assist landlords & tenants re rights & duties under Landlord and Tenant Act 1985. Grants may be given if Section 111 Local Government Act 1972 used in conjunction with S149.
18	Section 58 Housing Association Act 1985	Housing	Power to assist housing associations.
19	Section 145 Local Government Act 1972	Leisure	Power to contribute towards the expenses of providing entertainments.
20	Section 53 Education Act 1944	Education	Power to assist the establishment, maintenance and management of camps, holiday classes, playing fields, play centres and other places at which facilities for recreation and social and physical training are available.
21	Section 106(2) Transport Act 1985	Transport	Power to grant aid persons providing public passenger transport services.
22	Section 24 Local Government Act 1988	Housing	Power to provide financial assistance for privately let housing accommodation.
23	Section 169(4) Local Government & Housing Act 1989	Housing	Power to provide financial assistance to a housing association, charity, approved body towards the cost of the provision of services for owners/occupiers of dwellings in arranging maintenance, repair or improvement.
24	Section 33 Local Government and Housing Act 1989	Economic Development	Power to grant aid. The setting up or expansion of any commercial, industrial or public undertaking which is to be or is situated in the Council's area or the setting up or expansion of which appears likely to increase the opportunities for employment of persons living in the area; and the creation or protection of opportunities for employment with any such undertaking or with any commercial, industrial or public undertaking opportunities for employment with which have been or appear likely to be made available to persons living in that area.

Submitted accounts must be prepared in accordance with statutory provisions and recommended practice. The relevant statutes are:

For a charity	Charities Act 2006
For a company	Companies Act 2006
For a registered society	Friendly Societies Act 1974

# APPENDIX 7: SAFEGUARDING REQUIREMENTS: INFORMATION & GUIDANCE TO THIRD SECTOR ORGANISATIONS APPLYING FOR GRANT FUNDING

CONTENTS	<i>Page No</i>		<i>Page No</i>
1. <a href="#">Introduction</a>	82	9. <a href="#">Child Licensing</a>	89
2. <a href="#">Why is safeguarding children and vulnerable adults important?</a>	82	10. Appendices	
3. <a href="#">Protection of vulnerable people</a>	82	<a href="#">Appendix 7a: Guidance on safe recruitment and selection procedures</a>	91
4. <a href="#">What are Criminal Record Bureau Disclosures?</a>	82	<a href="#">Appendix 7b: Education, training and support</a>	94
5. <a href="#">What is the Independent Safeguarding Authority (ISA)?</a>	83	<a href="#">Appendix 7c: Safeguarding register</a>	95
6. <a href="#">Terminologies</a>	85	<a href="#">Appendix 7d: Child protection information for visitors and volunteers</a>	96
7. <a href="#">Common Assessment Framework</a>	85	<a href="#">Appendix 7e Adult Protection information for visitors and volunteers</a>	97
8. <a href="#">Grant Funding Award Requirements</a>	86		

This information and guidance on safeguarding outlines key areas you need to address within your organisation – it is not a comprehensive guide to safeguarding and child protection and you should ensure that the steps required to safeguard children and vulnerable adults are undertaken.

## INTRODUCTION

Birmingham City Council (BCC) has a legal obligation to make arrangements to ensure that in discharging its functions it has regard to the need to safeguard and promote the welfare of children, young people and vulnerable adults. BCC also has a duty to make arrangements to promote co-operation between itself and relevant partner agencies, including the voluntary sector. In making grants to third parties BCC needs to ensure that organisations have effective arrangements to enable them to fulfil their role in promoting the welfare of children, young people and vulnerable adults in the area.

### Why is safeguarding children and vulnerable adults important?

Where projects involve children, young people and vulnerable adults you have a legal obligation to ensure, not only the safety of participants, but also of staff, volunteers, artists, facilitators, etc. working with them (see Appendix 7D).

Safeguarding creates an atmosphere where the welfare of children, young people and vulnerable adults is actively promoted. It is about helping them to achieve their full potential in a safe, supportive environment during any of your activities.

If your organisation is carrying out activities involving children, young people or vulnerable adults, or have access to their records, you have a legal obligation under the Safeguarding Vulnerable Groups Act 2006 to carry out Criminal Records Bureau (CRB)

checks on staff and volunteers before they are employed or taken on as volunteers.

You can obtain further information at [www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk)

### Protection of vulnerable people

All organisations applying for funding from Birmingham City Council whose activities involve working with children, young people and/or vulnerable adults, or accessing their records, must have in place a Safeguarding Policy and a set of procedures, which are consistent with the child protection procedures of the Birmingham Local Safeguarding Children Board (LSCB) and Birmingham Multi-Agency Guidelines on Protecting Vulnerable Adults. ‘Safeguarding’ is the umbrella term now most commonly used and checks on individuals are carried out via Criminal Record Bureau (CRB) and the Independent Safeguarding Authority (ISA). Further advice and information can be obtained from Birmingham Local Safeguarding Children Board and Birmingham Multi-Agency Guidelines on Protecting vulnerable adults.

Email: [contactus@lscbbirmingham.org.uk](mailto:contactus@lscbbirmingham.org.uk)

Web address: [www.lscbbirmingham.org.uk](http://www.lscbbirmingham.org.uk)  
[www.birmingham.gov.uk/safeguardingadults](http://www.birmingham.gov.uk/safeguardingadults)

### What are Criminal Record Bureau Disclosures?

The Criminal Record Bureau (CRB) is an agency of the Home Office set up to provide wider public access to criminal record information. The CRB website states “*Our aim is to help protect children and vulnerable adults by providing a first-class service to support organisations recruiting people into positions of trust*”.

The CRB runs a Disclosure service that enables employers and organisations to identify people who have been involved in criminal activity such as a conviction or caution, and therefore may be

unsuitable for certain kinds of paid or voluntary work involving contact with children or other vulnerable people. Organisations must comply with the CRB's Code of Practice and use Disclosure information fairly and ensure that it is handled and stored appropriately (see website at [www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk)).

There are two types of CRB Disclosures. A **standard** CRB Disclosure is for those who are working with children or who have regular contact with vulnerable adults. An **enhanced** CRB Disclosure is for those who are regularly caring for, supervising, training or in sole charge of children or vulnerable adults.

Some staff or volunteers in your organisation/group may need one level of CRB Disclosure and some may need the other depending on the type of contact they have with children and vulnerable adults. BCC expects that your organisation/group will carry out a risk assessment to identify who needs CRB Disclosures and decide what level of Disclosure each person should have. All organisations must ensure they have in place safe recruitment policies and practices, including obtaining the appropriate level of CRB checks for all staff, including agency staff, students and volunteers, working with children.

Your organisation must have a central record or similar evidence of all staff and or volunteers who have been CRB checked. See Appendix 7C 'Safeguarding Register' as a model.

If your organisation requires less than 100 checks per year then you will not be entitled to Registered Body status with the CRB. Therefore, you should use an Umbrella Body to carry out checks on your behalf. An Umbrella Body is a Registered Body that provides access to CRB to non registered organisations. You can find details of a suitable Umbrella Body by searching the Umbrella Body database on the CRB website [www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk).

Umbrella Bodies may charge a fee for their services and details of

fees payable are available on the Umbrella Body database. The Umbrella Body will be unable to disclose the details of a CRB check and will make a decision and advise you whether the individual is cleared to work. Therefore it is important to:

- understand what Disclosure information the Umbrella Body will share with your organisation
- clearly define the roles within your organisation and understand whether roles require a check and at which level
- have a policy on the recruitment of ex-offenders
- understand the role the Umbrella Body plays in your recruitment decisions including compliance with your policy
- have arrangements in place by both parties for handling Disclosure information and observing the Code of Practice including for example, a policy on the storage and retention of Disclosure information;
- identify where the responsibility lies for verifying the identity of an applicant.

Guidance on Umbrella Bodies is also available on the CRB website.

#### What is the Independent Safeguarding Authority (ISA)?

The Independent Safeguarding Authority (ISA) has been introduced as part of the Government's commitment to safeguarding. As from October 2009, the following regulations apply:

*"A person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with those groups.*

*An organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law.*

*If an organisation works with children or vulnerable adults and dismiss or remove a member of staff or a volunteer because they have harmed a child or vulnerable adult, or would have done so if they had not left, the organisation must tell the Independent Safeguarding Authority”.*

The Safeguarding Vulnerable Groups Act 2006 set a legal duty for the following groups to refer information to the ISA where there are a concern involving vulnerable children or adults:

- regulated activity providers;
- personnel suppliers
- local authorities
- health and Social services (HSS) bodies
- education and Library Boards
- keepers of registers and
- supervisory authorities

It is an offence knowingly to employ a person who has been barred by the Independent Safeguarding Authority (ISA) from working in posts which involve caring for or treating children. Information about whether a person is barred will be given on an enhanced CRB check.

Sir Michael Bichard was responsible for the inquiry into the vetting procedures in place that allowed a caretaker to work in a school at the time he committed the murder of two young girls who were pupils at the school. The ‘Bichard Inquiry Report’ made many recommendations on safeguarding including introducing a registration scheme for everyone working with children or vulnerable adults. The intention is for the register to show there is no known reason why an individual should not work with these children or vulnerable adults. Employers should still decide, based on good selection procedures, whether or not the job required the

post holder to be registered and should retain the ultimate decision as to whether or not to employ. The full text of the report can be viewed at: [www.bichardinquiry.org.uk/10663/report](http://www.bichardinquiry.org.uk/10663/report).

*The Government stated its intention to remodel the Vetting and Barring Scheme. As a result, the Independent Safeguarding Authority’s registration phase of the scheme has now been stopped. The Government has undertaken a full review of the Vetting and Barring Scheme and has identified a number of changes to be implemented including the merging of the Criminal Records Bureau and the Independent Safeguarding Authority to form a streamlined new body providing a proportionate barring and criminal records checking service.*

*Following the review, the Government has confirmed that until all the appropriate legislation has been introduced and the new arrangements are established, the existing responsibilities of employers and the ISA will remain.*

**‘Regulated activities’** are defined as activities involving contact with children or vulnerable adults and are of a specified nature that take place frequently, intensively and/or overnight basis including teaching, training, care, supervision, advice, treatment and transportation, or contact in specified places (e.g. schools, care homes etc). The definition also includes fostering and childcare and certain specified positions of responsibility (e.g. school governor, director of children’s services, director of adult social services, trustees of certain charities). These positions are set out in the Safeguarding Vulnerable Groups Act 2006.

**Controlled activities** are defined as activities that take place frequently (once a month or more) or intensively (take place on three or more days in a 30 day period) for example:

- frequent or intensive support work in general health settings, the NHS and further education. (Such work includes cleaners, caretakers, shop workers, catering staff, car park attendants and receptionists).
- individuals working for specified organisations (e.g. a local authority) who have frequent access to sensitive records about children and vulnerable adults.
- support work in adult social care settings (Such jobs include daycentre cleaners and those with access to social care records).

The following websites provide information: [www.isa.gov.org.uk](http://www.isa.gov.org.uk) and [www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk).

#### Terminologies

This guidance document make reference to a number of terms, some of which you may already be familiar with. These include:

- Child - described as a person under the age of 18 (this is a legal term defined in the Children’s Act 1989)
- Young person - is described as being in the upper age ranges of the official definition of a child. This term has no legal status - it acknowledges that people aged 16 or 17 may not think of themselves as children.
- Vulnerable adult – is a **person aged 18 or over “who is or maybe, in need of community care services by reason of mental or other disability, age or illness and who is, or may be unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation”**.
- Criminal Records Bureau (CRB) - an agency of the Home Office, which, through its Disclosure service, helps organisations recruit more safely.
- CRB Disclosure Certificate (official) - this is a document

containing information held by police and government departments. It can enable employers and voluntary organisations to make safer recruitment decisions about people working with children, young people or vulnerable adults.

#### Common Assessment Framework (CAF)

The Common Assessment Framework (CAF) provides a method for assessing needs for children and young people to support earlier intervention and to improve joint working and communication between practitioners. It uses a common language for assessment purposes thereby giving a more consistent view for delivering the most appropriate response.

It improves the coordination and consistency between assessments leading to fewer and shorter specialist assessments.

The CAF is to be used for children who have additional needs in one or more of three areas:

- their growth and development
- additional educational requirements
- family and environmental issues, and any specific needs of the parent / carer.

If any such needs are identified practitioners can identify and record the level of concern and interventions required.

Information on the Children’s wellbeing model – ‘The Windscreen’ and the Common Assessment Framework ‘CAF Process’ can be obtained from: [www.birmingham.gov.uk/caf](http://www.birmingham.gov.uk/caf)

## **Grant Funding Award Requirements**

**If your organisation works with children, young people and/or vulnerable adults, or has access to their records, you must include the following with your application to Birmingham City Council irrespective of the value of the funding:**

- a) a Safeguarding Policy and procedures (consistent with the child protection procedures of the Birmingham Local Safeguarding Children Board (LSCB) and Birmingham Multi-Agency Guidelines on Protecting Vulnerable Adults)
- b) Information can be obtained from:  
[www.lscbbirmingham.org.uk](http://www.lscbbirmingham.org.uk) and  
[www.birmingham.gov.uk/safeguardingadults](http://www.birmingham.gov.uk/safeguardingadults) .
- c) Your organisation must commit to reviewing the policy and procedures at least annually, dated and signed and take account of changes in legislation and best practice.

**Your policies and procedures (see section A16 of COGA) must meet the minimum standards set out below.**

### **1. Safeguarding Policy**

Your organisation must have a safeguarding policy with a clear aim that states that the welfare of children, young people and vulnerable adults is paramount. This is a requirement of statutory guidance entitled 'Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children'. It should provide an understanding to everyone in your organisation of their responsibilities in safeguarding, including those working in a freelance capacity on specific projects with you (i.e. volunteers, consultants, workshop leaders, artists etc).

- a) A senior manager with responsibility for all safeguarding matters must be identified.

- b) The policy must demonstrate a clear commitment by senior management to the importance of safeguarding and promoting the welfare of children and vulnerable adults through both the commissioning and the provision of services.
- c) The policy must include a wide range of practical measures that ensure the safeguarding of children, young people and vulnerable adults.
- d) Monitoring of your safeguarding policy and procedures, including maintaining a register of checks carried out should be the responsibility of a specified, named member of your Board or governing body.

Through drawing up this policy your organisation can begin to work out its procedures for:

- planning, management, recruitment, training and delivering activities
- who takes lead responsibility for the protection of children, young people and vulnerable adults
- acquiring knowledge and information about current legislation and issues
- obtaining further information and advice from publications and/or relevant organisations.

### **2. Safeguarding Procedures**

In order to effectively implement your policy, you need to have a set of safeguarding procedures in place including but not limited to:

- monitoring and auditable governance procedures
- procedures for dealing with allegations of abuse against members of staff and volunteers.
- procedures for dealing with allegations of abuse not relating to staff or volunteers.

- appropriate whistle blowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.
- arrangements to work effectively with other organisations to safeguard and promote the welfare of children and adults, including arrangements for sharing information.
- guidance on Safe Recruitment and Selection Procedure (see appendix 7A for further guidance)

Safeguarding Procedures should give guidance on:

- a) How to report any safeguarding concerns/allegations.
- b) How you record parents and carers details
- c) Register of staff, volunteers etc who have been CRB checked.
- d) Risk Assessments
- g) Your Complaints Policy

This information is not a comprehensive guide to Safeguarding Procedures. The purpose of this guide is to highlight the types of issues that need to be considered and to provide a starting point for organisations to develop their own Safeguarding Policy and procedures.

#### 2.1 Monitoring and auditable governance procedures

- a) You must have in place monitoring and auditable governance arrangements, i.e. adequate processes, procedures and systems, to satisfy BCC funding requirements that safeguarding matters are being met by your organisation.
- b) Your procedures must detail the arrangements that your organisation has in place, should your organisation receive a 'positive' CRB Disclosure for any potential employee or volunteer, and must include the following:

- Immediate removal of the individual's access or potential access to vulnerable people until the issue(s) is/are resolved.
- Notification to the named senior person responsible for safeguarding in the organisation, who should investigate the matter.
- Completion of a risk assessment of the individual and the work activity and implement measures to ensure the safety of children, young people and vulnerable adults. This must include interim measures and the timetable for resolving the issue. As a minimum, the risk assessment should look at:
  - the role the individual carries out, including contact with children, young people and vulnerable adults
  - the nature of the Disclosure
  - whether the individual had notified the organisation of the positive content, if asked to do so in advance
  - the potential risk posed to children, young people or vulnerable adults taking into consideration the nature of the offence; age at the time of the offence; age of the offence (how long ago); frequency of the offence; whether the offence was declared; mitigation – the individual's explanation of why the offence occurred, whether or how their lives have changed since, chance to express remorse, the individual may give any other information they want taken into account
  - any risk management measures that may be taken

If the organisation deems it necessary, and not in breach of their duty of confidentiality, the organisation should advise

BCC of the results of the risk assessment and the measures taken.

- Notification to the Independent Safeguarding Authority
- Maintenance of a central record of all CRB checks undertaken. (See Appendix 7C 'Safeguarding Register' as an example.)

c) Where your organisation has carried out CRB checks, the statements and schedules (or register) that you are required to submit to BCC must:

- be dated
- include the unique CRB number of the returned CRB Disclosure form
- be on letter headed paper (if in the form of a statement), signed and dated by the nominated officer and at least two senior managers (or trustees if a charitable organisation), stating that the individuals concerned have received a satisfactory CRB checks within the last three years.
- state that the organisation maintains similar records for employees and volunteers and that the records are up to date and approved at the Board of Trustees meetings.
- state that the employees and volunteers are suitable for working with children and vulnerable adults and have been recruited in accordance with the recruitment conditions approved by BCC.

**Note:** CRB Disclosure Certificates should only be kept for a maximum of 6 months (see Data Protection Act 1998 and Police Act 1997).

Individual check results are confidential documents and BCC does not expect you to send them to us.

## 2.2 Procedures for dealing with allegations of abuse against members of staff and volunteers

All organisations must ensure that they have procedures in place for dealing with allegations of abuse against staff and volunteers. Example policies and procedures based on national guidance are available in the statutory guidance 'Working Together to Safeguard Children'.

## 2.3 Procedures for dealing with allegations of abuse not relating to staff or volunteers

All organisations must ensure that they have procedures in place for dealing with allegations of abuse not relating to staff or volunteers for example allegations of abuse relating to service users.

## 2.4 Appropriate whistle blowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed

All organisations must have clear procedures and support systems in place for dealing with expressions of concern by staff and carers about other staff or carers (including volunteers, consultants, workshop leaders, etc. who need to report any concerns/incidents in confidence). Organisations should have a Code of Conduct instructing staff on their duties to their employer and their professional obligation to raise legitimate concerns about the conduct of colleagues or managers. The Code of Conduct provides children, young people and vulnerable adults and all those working with them, guidance in appropriate behaviour and understanding of what to do should they have to report any concerns, suspicions or incidents. There should be a guarantee that procedures can be invoked in ways that do not prejudice the whistle blower's own position and prospects.

## 2.5 Arrange to work effectively with other organisations to safeguard and promote the welfare of children, including arrangements for sharing information

Organisations have different contributions to make towards safeguarding and promoting the welfare of children, young people and vulnerable adults depending on the functions for which they have responsibility. For example, the main contribution of some services might be to identify and act on their concerns about the welfare of children with whom they come into contact, perhaps during or following completion of a common assessment while others might be more involved in supporting a child once concerns have been identified.

Where there are concerns about children, young people or vulnerable adults all agencies / organisations must take appropriate actions to address those concerns, working to agreed local policies and procedures in full partnership with other local agencies. Cross agency working and information sharing is fundamental to effective safeguarding. Organisations should ensure that they have arrangements in place to ensure that all practitioners are aware of and have access to guidance and training on information sharing and are confident in making decisions about information sharing.

The cross-government guidance '*Information Sharing: Guidance for practitioners and managers*' and associated training materials provide advice on when and how frontline practitioners can share information legally and professionally. The guidance also covers how organisations can support practitioners and build their confidence in making information sharing decisions. It is intended for practitioners and managers who have to make decisions about sharing personal information on a case by case basis in all services and sectors, whether they are working with children, young people or vulnerable adults. The guidance should be read in conjunction

- with any specific organisational or professional guidance

(<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00807-2008>).

## 2.6 Safe Recruitment and Selection Procedure

All organisations must ensure they have in place safe recruitment policies and human resources management procedures and commissioning processes, including contractual arrangements, that take account of the need to safeguard and promote the welfare of children and young people, including arrangements for appropriate checks on new staff and volunteers and adoption of best practice in the recruitment of new staff and volunteers.

Appropriate recruitment and selection processes should be in place to ensure staff's suitability to work with children, young people and vulnerable adults. These procedures should cover any adult working within the establishment, whether or not they are directly employed. All appropriate checks must be undertaken before individuals are engaged in any activities which are subject to Disclosure checks. (See Appendix 1 for guidance on Safe Recruitment and Selection Procedure).

## **Child Licensing**

The law prevents organisations/individuals from engaging children under the statutory school leaving age in public performances without a performance licence. A licence will be required for any child up until the last Friday in June in the school year that the child turns 16. This also extends to participation in sport or working as a model where either the child or another person is paid, more than expenses, for the participation. Organisations must apply to BCC for a licence. You will need to ensure that grants to organisations which will be carrying out the above activities have obtained the appropriate licences.

The contact details are as follows:

Birmingham City Council's Child Licensing Section  
Education Welfare Service - Head Office  
Inclusion Support Education Centre  
Perry Common Road  
Erdington  
Birmingham B23 7AT  
Tel: 0121 303 5123  
Fax: 0121 303 5122  
Email: [ewshelpho@birmingham.gov.uk](mailto:ewshelpho@birmingham.gov.uk)

# APPENDIX 7A: GUIDANCE ON SAFE RECRUITMENT AND SELECTION PROCEDURES FOR STAFF AND VOLUNTEERS

This information is not a comprehensive guide to safe recruitment and selection procedures. The purpose of this guide is to highlight the types of issues that need to be considered and to provide a starting point for organisations to develop their own safe recruitment and selection procedure. Further guidance is available entitled '*Recruiting safely: Safer recruitment guidance helping to keep children and young people safe and associated materials*' at: <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/SG02/1009>.

The following guide illustrates some best practice which organisations may wish to adopt.

## Defining the role

- Maintain valid up to date job description and person specification/volunteer role profile that adequately covers the role you require.
- Include skills abilities, experience, behaviours, attitude, motivation towards children and vulnerable adults (where applicable/appropriate).
- Set boundaries of role and experience.
- Responsibility and opportunity for contact with children and or vulnerable adults or their personal records in the role (where applicable/appropriate).
- Consider suitable methods of assessment for each criterion you highlight on the person specification.

## Advertising

- State your commitment to safeguarding and the need for an enhanced CRB Disclosure in adverts (see *safeguarding statement below*).
- Include statements about safeguarding responsibilities of the post in the job description and person specification.
- Send information about the setting's safeguarding policy and practice to all candidates; ensure you send out an application form, job description and person specification as well as equalities statement.

## Application

- Be aware that CV's can be misleading and there is a risk in accepting them as an application.
- Providing application forms help you to see how the candidate meets the selection criteria.
- Request personal details such as:
  - present and past employment and reasons for leaving
  - full work history - obtain explanations for any gaps
- Check relevant qualifications
- Ask for details of referees – if they have worked with children or vulnerable people previously. One reference must be from their employer where they have most recently worked with children or vulnerable adults.
- Include a safeguarding statement, which is a declaration stating that some convictions will not necessarily bar individuals from carrying out a particular role/job. An example of a safeguarding statement is set out below.

- Obtain a signed declaration giving full details of any past criminal record.
- Obtain a signed declaration by the applicant that all information given on the form is true.
- Send your safeguarding procedures with all application forms.
- All information provided in the application form must be treated as confidential (Data Protection Act 1998), unless it compromises the protection of any vulnerable group.

### Selection criteria and process

- Base your criteria for short listing on a person specification and job description.
- Be consistent for all candidates
- Take time to scrutinise all applications
- Always have at least two people on your short listing panel
- Highlight any inconsistencies and any gaps to be explored
- Check for disclosure of criminal history

### References

- References should be obtained prior to interview, to enable you to explore any areas of concern during the interview.
- It is your responsibility to ensure that references are obtained for all staff and volunteers who work or want to work for your organisation.
- Details of two referees should be obtained and followed up with your own written pro-forma to previous employers - leaving you free to ask specific questions - don't accept references that the candidate brings with them. If they have worked with children, young people or vulnerable adults previously, one reference must be from their employer where they have most recently worked with children or vulnerable people.

- If you have any concerns at all when the reference is returned follow up these concerns by contacting the referee by phone.
- Ask about any disciplinary actions or allegations.
- Ask whether they are aware of anything that may give rise for concern.
- Ask about what responsibilities were held and the manner in which the employee conducted themselves. (Do not be afraid to use professional curiosity and probe a little if you still have concerns).

### Interview

- Always have a minimum of two interviewers
- Agree questions and assessment criteria beforehand.
- Explore applicant's suitability to work with children or vulnerable adults.
- Ask about past disciplinary or allegations made against them.
- If short-listed, invite them to a day working at the setting, closely monitoring the applicant during the day at all times.

### Employment

- Do not allow the applicant or volunteer to start work until you receive a satisfactory new CRB Disclosure against the duties of the role which the person will carry out. It is not good practice to take someone on prior to undertaking a new CRB check.
- Make sure that any offer of employment is subject to a satisfactory CRB check.
- It is not prohibited to accept CRB Disclosures obtained by other bodies, but the risks associated with doing so should be considered. Further information on the portability of CRB checks is available on the CRB website at [www.crb.homeoffice.gov.uk/faqs/portability](http://www.crb.homeoffice.gov.uk/faqs/portability) .

- You must not accept CRB Disclosures obtained against other duties.
- Ensure that the job offer is also subject to:
  - satisfactory references
  - a full contract of employment after a satisfactory probationary period
- Ensure that you have a rigorous induction process, whereby your policies and procedures are explained including the ones covering safeguarding and all key personnel are identified. Keep a record of the names of those inducted and the date.
- Ensure that any training issues are identified and the relevant training sought.
- You must have a policy and procedure explicitly approved by **your board or governing body** and Birmingham City Council regarding the acceptability of convictions which are reported on CRB Disclosure certificates to determine whether a person can still be employed to work with children, young people or vulnerable adults. Further information and a sample policy are available on the CRB website: [www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk).
- The person responsible for checking the CRB certificates should view the original copy (not a photocopy – all copying and/or scanning of CRB Disclosures is illegal) and must check that it is authentic using the CRB hologram.
- Ensure that activities, projects and programmes are safe, risk assessed and managed regardless of whether the environment is the organisation's own centre, other locations or outdoors.
- Conduct a review of CRB checks of existing staff, volunteers or freelancers who work with the organisation on a regular basis.
- A CRB check should have been carried out no more than three months prior to engagement on the project unless the

person concerned has been in regular and uninterrupted employment by you throughout the period since their last check and the last check covers the type of work they will be carrying out.

- Carry out a fresh check at least every three years, to identify any incidents of concern which occurred since the last check.
- When contracting with individuals or groups, you should include a statement of the behaviours which you expect or good practice guidance.
- Make sure that you keep on file documentary evidence of all the processes you have undertaken.

#### Example of organisational Safeguarding Statement

“The successful candidates for jobs or volunteer working with children, young people or vulnerable adults will be subject to a Disclosure check through the confidential process administered by the Criminal Records Bureau. A conviction may not exclude candidates from these jobs but will be considered as part of the recruitment process. This organisation is committed to safeguarding and promoting the welfare of vulnerable people in its care and expects its staff to share this commitment.”

# APPENDIX 7B: GUIDANCE ON EDUCATION, TRAINING AND SUPPORT

Training should be provided on safeguarding and child protection to all paid staff and volunteers who work with children, young people and vulnerable adults, to equip them to carry out their responsibilities effectively and keep this up to date by refresher training at regular intervals.

All staff, including temporary staff and volunteers, should be made aware of both the organisation's arrangements and their responsibilities for safeguarding and promoting the welfare of children and vulnerable adults. In particular, any staff and board members responsible for the management of your Safeguarding Policy and procedures must be trained on safeguarding issues.

Access to Educational Health Unit (EHU) and Birmingham Safeguarding Children's Board (BSCB) training is available if required. For more details contact EHU on 0121 303 8200.

A summary of the organisation's procedures and the name of the Designated Senior Person (DSP) should be displayed for the information of visitors to the organisation (see Appendix 7D for example).

# APPENDIX 7C: GUIDANCE ON SAFEGUARDING REGISTER

An MS Excel version of the full Safeguarding Register is available on the PSPG database.

<b>SAFEGUARDING REGISTER FOR STAFF AND VOLUNTEERS</b>										
This register contains details of all persons, paid and unpaid, who have contact with children and/or vulnerable adults and is approved by the Board of Trustees										
Identity										
Surname	Forename 1	Address Line 1	Address Line 2	Town/City	Post Code	Date of Birth	Details of evidence and date	CRB Number	Name of checking officer	
Signed on behalf of [enter organisation]										
By	Print Name		Sign		Date					
By	Print Name		Sign		Date					
By	Print Name		Sign		Date					

# APPENDIX 7D: CHILD PROTECTION INFORMATION FOR VISITORS AND VOLUNTEERS

## Summary of Child Protection Information for Visitors and Volunteers

..... (organisation) is committed to the highest standards in protecting and safeguarding the children entrusted to our care.

Our organisation will support all children by:

- Promoting a caring, safe and positive environment
- Encouraging self-esteem and self-assertiveness
- Effectively tackling bullying and harassment

We recognise that some children may be the victims of neglect, physical, sexual or emotional abuse. Staff working with children are well placed to identify such abuse.

At..... (Organisation) in order to protect our children, we aim to:

- Create an atmosphere where all our children can feel secure, valued and listened to
- Recognise signs and symptoms of abuse
- Respond quickly, appropriately and effectively to cases of suspected abuse

If you have a concern that a child is being harmed, is at risk of harm, or you receive a Disclosure (intentionally or unintentionally) you must contact the following staff member as quickly as possible.

DSP name: .....

If this person is not available please contact

Deputy DSP name .....

Head of Organisation .....

Everyone working with our children, their parents and carers should be aware that:

- Their role is to listen and note carefully any observations, which could indicate abuse.
- They should not attempt to investigate once the initial concern is raised
- They should involve the Designated Senior Person (DSP) immediately
- If the DSP is not available the Deputy DSP should be contacted.
- Disclosures of abuse or harm from children, young people may be made at any time.

***If anything worries you or concerns you, report it straight away!***

# APPENDIX 7E: ADULT PROTECTION INFORMATION FOR VISITORS AND VOLUNTEERS

## Summary of Adult Protection Information for Visitors and Volunteers

..... (organisation) is committed to the highest standards in protecting and safeguarding the children entrusted to our care.

Our organisation will support all adult by:

- Promoting a caring, safe and positive environment
- Encouraging self-esteem and self-assertiveness
- Effectively tackling bullying and harassment

We recognise that some adults may be the victims of neglect, physical, sexual, emotional abuse or financial abuse. Staff working with adults is well placed to identify such abuse.

At..... (Organisation) in order to protect adults, we aim to:

- Create an atmosphere where all adults can feel secure, valued and listened to
- Recognise signs and symptoms of abuse
- Respond quickly, appropriately and effectively to cases of suspected abuse
- In respect of adults who lack capacity, to put into effect the aims and objectives of the Mental Capacity Act

If you have a concern that a child is being harmed, is at risk of harm, or you receive a Disclosure (intentionally or unintentionally) you must contact the following staff member as quickly as possible.

DSP name: .....

If this person is not available please contact

Deputy DSP name .....

Head of Organisation .....

Everyone working with our children, their families and carers should be aware that:

- Their role is to listen and note carefully any observations, which could indicate abuse.
- They should not attempt to investigate once the initial concern is raised
- They should involve the Designated Senior Person (DSP) immediately
- If the DSP is not available the Deputy DSP should be contacted.
- Disclosures of abuse or harm from adults may be made at any time.

***If anything worries you or concerns you, report it straight away!***

# GLOSSARY

Accountable Body	The Council may receive funding from central government or other organisations and may be required to act as the accountable body for such funding. This role may require the Council to be responsible for the distribution of such funds to other organisations and take steps to ensure the distributed funds are used appropriately by the recipient organisations.	Community Asset Transfer (CAT)	The transfer of buildings owned and maintained by Birmingham City Council to community organisations.
Board of Trustees	A governing board appointed to manage the affairs of a trust. In your organisation it may be called the board (or board of directors or board of governors), the trustees, the management committee or some other name. It is the body with overall responsibility for governing the organisation, overseeing and controlling its management.	Directorate	A division of Birmingham City Council responsible for a particular theme, for example, Children, Young People and Families or Adults and Communities.
Capital Funding	Money used to fund the costs associated with capital assets, i.e. assets with a useful life of more than one year, such as land, buildings and equipment.	Economic Rent	Levels of grant that the market would normally command.
Committed Reserves	Funds that are allocated by an organisation from its retained resources for a specified purpose.	Fidelity guarantee	An insurance policy covering employers for any financial losses they may sustain as a result of the dishonesty of their employee(s). The policy can be designed to cover all employees or a specific employee. Fidelity Guarantee can also be referred to as Fidelity Insurance.
		Free reserves	Retained resources that are available for general, unspecified future use.
		Input tax	The Valued Added Tax (VAT) charged on top of the cost of the goods or services acquired from an organisation which is VAT registered.

Incorporated body	<p>A body that is formed into a corporation with separate legal identity from its members or shareholders. The most common types of incorporated business structures are as follows:</p> <ul style="list-style-type: none"> <li>• Company limited by shares</li> <li>• Company limited by guarantee</li> <li>• Unlimited Company</li> <li>• Community Interest Company</li> <li>• Limited Liability Partnership</li> </ul> <p>An incorporated body may be used to conduct business with other organisations and individuals.</p>	Unincorporated body	<p>A group of people acting together who enter into an agreement as volunteers to form a body or organisation to accomplish one or more common purposes. This body does not have a separate legal identity and therefore its business just comprises of the people who run it. The most common type of unincorporated business structures are:</p> <ul style="list-style-type: none"> <li>• sole trader</li> <li>• partnership</li> <li>• unincorporated association</li> <li>• co-operative</li> </ul>
Limited Company	<p>Shareholders own the business by acquiring a share of the company's share capital. The shareholders appoint Directors to run the company on their behalf.</p>		
Management Board/Committee	<p>A group of people who have been employed, appointed and empowered to manage an organisation and make and implement major organisational decisions.</p>		
Peppercorn Rent	<p>A rent which is very low or nominal.</p>		
Revenue Funding	<p>Money used to cover the cost of day to day operations.</p>		

## Further information

**For further  
information  
please:**

**write to:** Corporate Third Sector Team  
Corporate Strategy Team  
Birmingham City Council  
Council House Extension  
Margaret Street  
Birmingham

**email:** [thirdsector@birmingham.gov.uk](mailto:thirdsector@birmingham.gov.uk)

**telephone:** 0121 303 4301