
COMMUNITY PLANNING PARTNERSHIP

MANAGEMENT COMMITTEE

24th November 2011

Third Sector Partnership – report and actions

1.0 Summary

- 1.1 Effective from 4th November, and ratified by the boards of Argyll Voluntary Action, ABSEN and Islay & Jura CVS, the Third Sector Partnership has expelled Bute Community Links from the Partnership (interface) due to non-compliance with standards and requirements at national and local levels..

2.0 Recommendation

That this Community Planning Partnership agree and approve the revised membership of Third Sector Partnership of ABSEN, Argyll Voluntary Action and Islay & Jura CVS as the third sector interface and third sector support for Argyll & Bute on a permanent basis.

3.0 Detail

- 3.1 The Third Sector Partnership (TSP) has endeavoured for two years to support Bute Community Links (BCL) to achieve the national and local requirements and to participate as a full partner'.
- 3.2 BCL failed to meet requirements over 2 consecutive years laid down by Scottish Government for the funding of third sector interfaces across Scotland. This was despite substantial input, advice and support from other partners most of which was rejected.
- 3.3 By April 2011, BCL had signed SG grant agreement knowing they were ineligible and materially unable to comply with the funding criteria; this and the statements made by BCL led SG to withhold funding from all organisations in July 2011. On 4th August the TSP suspended membership and the matter was brought to MC CPP.
- 3.4 Between 4th August and end October, TSP members have made strenuous efforts to assist and ensure BCL could meet requirements. Unfortunately none of these have been met despite offers of staff time, board members travelling to Bute to expedite meetings and extensive email and information support. The SG set a deadline of 31st October for all interface half year reports and this again, has not been met. BCL have consistently failed to return any reports required without exception.

3.5 Currently, they remain as two organisations, Bute Community Links an unincorporated organisation not eligible for SG funding and Bute Community Links (BCL) Ltd a company limited by guarantee but not a charity. BCL initially transferred all assets and staff from BCL to BCL Ltd on 1st April – this was voided due to failing to meet OSCR and charity law requirements. The situation has not progressed since April despite SG reporting situation to OSCR.

3.6 BCL maintain that improved governance is evidenced by making their CEO redundant on 31st October and replacing with a new CEO on 1st November albeit working on a voluntary basis. This person is also a board member which combined, gives rise to issues with Volunteering standards, employment law and charity law.

3.7 BCL have had no responsibility to deliver services since 4th August.

3.8 Services are and can be delivered by the Partnership; this has been on a temporary basis and needs to be placed on a permanent footing to safeguard continuity and consistency of service delivery on the Isle of Bute. Much progress has already been made but future planning is hampered by the temporary nature which has existed. The TSP now has agreed plan for future delivery which can be immediately implemented.

3.9 TSP remains committed to the delivery on Bute of services which meet local needs, are delivered by well governed and knowledgeable organisations with the skills, capacity and confidence to sustain a vibrant third sector and to work inclusively with local communities.

Conclusions and Implications

The third Sector Partnership in its revised form requests that MC CPP support the current Partnership.

Legal: The new Partnership complies with all contractual requirements of Scottish Government.

Financial: In its new form the Partnership can continue to access grant funding from Scottish Government. For BCL, there would be no direct funding from Scottish Government.

Equality: Equality of access and service will be assured by the Partnership and evidence of such is a Scottish Government requirement.