

Government and the voluntary sector:  
Investigating funding and engagement

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## Table of Contents

Executive Summary .....	3
Introduction .....	5
Policy Context .....	5
Summary of Responses from Government .....	6
Overview of responses .....	7
Responses from Individual Departments .....	8
Compliance with the Freedom of Information Act timescales .....	15
Conclusions about overall data.....	16
Conclusions and Recommendations .....	18
Annex 1 – FOI Requests Submitted to Central Government .....	20

## Executive Summary

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Compact Voice issued Freedom of Information requests to a number of central government departments to determine levels of funding of the voluntary sector, changes to this funding, engagement with the sector through consultation and the extent to which the impact of funding changes on the sector are being assessed when decisions are made.

These requests were made to establish how departments were implementing the principles of the Compact, following the launch of the updated document in December 2010 and subsequent accountability and transparency guide, as well as other commitments government had undertaken.

The requests were made in the hope that departments' responses would provide us with a consistent data set which enabled comparisons across government departments. However, the responses we received indicated that in many instances, the data we requested is not recorded, collected or collated. Because we did not receive much of the information we were seeking, we have not been able to make such comparisons.

The responses we received also indicated some concerning trends about how government is recording information about its engagement with the voluntary and community sector and these have potentially significant implications for how effectively the government itself and others can assess whether commitments made under the Compact are being met. In particular:

- It appears that no systems have been introduced across government to enable departments to determine their levels of funding of the voluntary sector, to track changes in funding, to compare practice across departments or to report on engagement through consultation with the voluntary and community sector.
- The seeming lack of routinely recorded or easily identifiable information about spend and engagement with the sector will make it impossible for most departments to report on compliance with certain commitments, such as the commitment not to cut the voluntary sector disproportionately, to assess the impact of funding changes and to engage meaningfully with the sector. Answers that were provided suggest that information is held in differing formats, making it difficult to understand, interpret or compare.
- There is little evidence that suggests progress can be charted or improvements identified on the key commitments regarding financial relationships, making it difficult – if not impossible – for the government to evaluate its own progress, or for civil society and citizens to be able to hold government to account on those measures that government itself has stated are priorities.
- There is no current way for government to collectively measure or report its overall relationship with the voluntary sector through engagement, with little to suggest that this relationship can be measured by individual departments. This prevents compliance with the national Compact being measured, and potentially masks or undermines its vocal support for partnership working
- We are concerned by what this research shows about government's compliance with the Freedom of Information Act. It is worrying that departments are not even replying to requests, with other requests responded to late. Further, when information is held and signposted to in answer to FOI requests, it is often difficult or impossible to interpret.

The information provided to us in response to our FOI requests suggests that a lot of the good work which Compact Voice knows is taking place across government departments is not being shared or promoted effectively so an opportunity to spread good practice is being missed.

## Summary of Recommendations

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The policy context we are in encouraged the voluntary sector to believe that we would be better able to understand how government was working towards mutually agreed principles. We welcomed the

accountability and transparency measures which accompanied the renewed Compact, and inclusion of the Compact in cross-departmental business plan priorities.

However, despite the NAO recommending that government should report on progress against the Compact, it is still left to individual departments whether they are able to report on progress against a number of key aspects which determine their relationship with the voluntary sector.

This is disappointing and makes it harder for government to take credit for positive developments, such as those departments that we have worked with to develop strong programmes of engagement with the sector. However, government is not doing enough to promote these programmes and activities.

We believe that the recommendations we have made would enable government's engagement with the voluntary sector be better understood so that the good work that is happening could be celebrated, with poorer practice that fails to deliver on government commitments more easily and effectively challenged and addressed.

We are not suggesting that burdensome requirements be introduced. However, we do believe that it is reasonable to expect that the commitment to partnership working which has been championed across the highest levels of government is recorded and reported on.

On the basis of these findings, Compact Voice is making the following recommendations.

Recommendations for individual government departments:

- 1) Individual departments should collate and publish information about their engagement with the Compact, including additional work plans which set out how they will deliver on the commitment to the Compact established in their business plan. This information should be available on individual departmental websites, and also Compact Voice's website.
- 2) Departments should implement a consistent method of recording more detailed spend and engagement with the voluntary sector, and publish this as part of the quarterly business plan data summaries.
- 3) These quarterly data summaries should also include reference to the number of consultations issued, with further detail about efforts made to ensure they are meaningful. This is particularly important in light of the code of practice on consultation issued by Cabinet Office (CO) and Business Skills and Innovation (BIS).
- 4) Departments should record and report on sub-contracting with the VCS, to ensure that commitment to Compact principles is being considered and extended along the supply chain.

Recommendations for the Cabinet Office

- 5) Cabinet Office should publish a progress report on implementation of the Compact across government, following the recommendation of the National Audit Office. This would provide the voluntary and community sector with a way of determining the current state of implementation of the Compact, enabling best practice to be shared, and areas of concern to be identified so they can be addressed. This should be published as part of Compact Week.
- 6) Departments should agree and make public a uniform FOI email address to enable citizens and voluntary organisations to make requests for information without having to spend excessive time identifying to whom requests should be addressed.
- 7) Cabinet Office should enforce effective compliance with FOI Act requirements to ensure full and transparent responses are provided (unless information requested is exempt from disclosure requirements) and are sent within agreed timeframes.

## Introduction

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In July 2012, Compact Voice submitted three requests under the Freedom of Information Act to fifteen government departments, seeking information on the following topics:

- The extent of funding from government departments provided to the voluntary and community sector through grants and contracts
- Levels of change to funding through grants and contracts to the voluntary sector between financial years
- The amount of consultation taking place with the voluntary and community sector, particularly around changes to funding
- The length of notice given to changes to funding with the voluntary and community sector

The full questions submitted are available in **Annex 1 – FOI Requests Submitted to Central Government**

The requests were sent out to departments on 16th July 2012. Under the Freedom of Information Act, responses to valid requests must be made within 20 working days, meaning that responses should have been received by 10<sup>th</sup> August. The answers provided to us are referred to throughout this report, with further data available in a .csv file.

These requests build on a similar FOI submission to local authorities which also took place in July. The findings of this local report are available on Compact Voice's website, and provide the most up-to-date overview of the levels of local funding provided to the VCS. The report makes a number of recommendations about what both local Compact groups and local authorities can do to strengthen partnership working between the sectors through more open sharing of information.

## Policy Context

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When the national Compact was renewed in December 2010, it was accompanied by a series of accountability and transparency measures. These were intended to enable government to better implement and monitor the principles of the Compact. Announced by the Prime Minister as part of the launch of the coalition's 'Big Society' agenda, David Cameron stated that the Compact had been "honoured more in the breach than the observance"<sup>1</sup> by the previous government. The renewed Compact and accountability measures were intended to make its principles more easily understood, and embedded throughout government's activities. Nick Hurd, the Minister for Civil Society, stated that the "the new measures would provide an unprecedented level of scrutiny of the Compact."<sup>2</sup>

The accountability measures included an inquiry by the National Audit Office into the current implementation of the Compact by government. A report published in January 2012 provided a number of recommendations which were intended to address barriers identified by the inquiry, and improve use of the Compact.

Following publication of the NAO's report, Nick Hurd, the Minister for Civil Society, announced that No. 10 had made the Compact one of government's cross-departmental priorities for their business plans. While this report does not provide scrutiny for how well government is implementing those recommendations, or the value of the business plans, it does use both as context for the questions submitted to government.

In March 2010, Eric Pickles, Secretary of State for Communities and Local Government announced a series of expectations that local voluntary and sector organisations should reasonably have when

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<sup>1</sup> <http://www.compactvoice.org.uk/news/2010/05/19/prime-minister-gives-his-support-compact>

<sup>2</sup> <http://m.thirdsector.co.uk/article/1046669/Nick-Hurd-promises-unprecedented-level-scrutiny-new-Compact>

working in partnership with local authorities. These echoed and referenced the principles of the Compact, and were published as CLG's 'Best Value Statutory Guidance'<sup>3</sup> in September 2011.

In his foreword to this document, Mr Pickles stated:

"I am not asking councils to do anything that I wouldn't ask of my Department or any other. That is why, reaffirming our commitments under the Compact, all central government departments are also signing up to the same fair standards set out in the guidance."<sup>4</sup>

While the Best Value Guidance only applies directly to best value local authorities and not central government departments, the Secretary of State's commitment, along with cross-departmental support for the Compact (signed on behalf of government by the Prime Minister, the Deputy Prime Minister, and the Minister for Civil Society) gives rise to reasonable expectations that government departments will uphold the following principles:

- Not to cut grant and contract funding to the voluntary sector disproportionately in comparison with reductions in departmental budgets
- To engage meaningfully<sup>5</sup> with the voluntary and community sector to ensure their expertise and understanding is recognised and utilised in government policy making
- To provide adequate notice of changes to funding of the voluntary and community sector and to assess the impact of these changes

Compact Voice's FOI submissions to government departments asked specific questions which would enable scrutiny of the extent to which these expectations are being met by government, as the start of a series of research projects which can provide a comprehensive update on how effectively the public sector is supporting the Compact.

Our findings in relation to central government are summarised in this report, with the full data available as a .csv file on Compact Voice's website [www.compactvoice.org.uk/FOI2012](http://www.compactvoice.org.uk/FOI2012).

When determining whether cuts to funding had been made disproportionately, we used grant funding as a basis, comparing changes against the scale of reductions in overall departmental budgets. Given opportunities to tender for government contracts are not specific to any particular sector, we felt that this was a fairer approach. A range of potential providers may be awarded government contracts, and while there are a number of Compact principles designed to make it easier for the voluntary sector to deliver services on behalf of government, their implementation has not been scrutinised in this report.

## Summary of Responses from Government

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We submitted FOI requests to fifteen departments<sup>6</sup> and received responses from thirteen. Of those, one (from the Department for Education) was an acknowledgement of the request but this was not followed by any of the data we requested.

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<sup>3</sup> <http://www.communities.gov.uk/documents/localgovernment/pdf/1976926.pdf>

<sup>4</sup> <http://www.communities.gov.uk/documents/localgovernment/pdf/1976926.pdf>

<sup>5</sup> During the FOI period, Cabinet Office and BIS announced a new code of practice on consultation which relaxed the restriction on twelve week consultations as standard, and introducing an approach which considered consultation length on a case by case basis. The new code of practice did make explicit reference to the principles of the Compact, and we have considered the answers submitted by government departments in this context.

<sup>6</sup> Certain departments (such as the Department for International Development and the Foreign and Commonwealth Office) were excluded, as their work does not overlap with the England-only focus of the national Compact. Also, the devolved nations have their own partnership arrangements between statutory and voluntary sectors and were also excluded.

Three departments did not respond at all - Government Equalities Office (GEO), Department for Energy and Climate Change (DECC), and Department for Education (DFE) – and we will be following up with them individually as well as with the Information Commissioner’s Office.

Of the responses we received, only seven departments provided us with direct answers to the questions we had submitted. They were Cabinet Office (CO), Communities and Local Government (CLG), Department for Culture, Media and Sport (DCMS), Department of Work and Pensions (DWP), Department of Health (DH), Home Office (HO), and Ministry of Justice (MoJ). However, their responses ranged from full replies to only one or two specific answers. Five departments refused to respond to any of our questions on the basis of cost, stating that either the information was held but to collate it would be too expensive, or that it was not held in the requested format and it would be too time consuming to identify specific spend or engagement with the VCS.

A separate spread sheet published on Compact Voice’s website at [www.compactvoice.org.uk/FOI2012](http://www.compactvoice.org.uk/FOI2012) contains a summary of the responses, noting where an answer has been provided, or identifying a number of ways in which the information request was not answered. They are:

**Refused:** Where a specific question was not answered because gathering the information would be too costly based on the limits set by the Freedom of Information Act.

**Not provided in collated form:** Where a link to an online resource or attachment was submitted, but which did not easily provide an answer to the question, or which was not clearly explained.

**No response:** Where other questions had been answered in response to the FOI request, but no answer had been provided in direct response to this question (instances where links had been provided but no direct answer had been given was noted as ‘Not provided in collated form’).

**Not held:** Where the request was refused because the information requested was not held.

Specific responses from individual government departments will be considered below, with conclusions made about the findings, and recommendations made for both government and individual departments.

## Overview of responses

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While we strongly recommend that the individual responses from departments be considered separately, the table below provides a brief summary of the findings. A more in-depth analysis of the responses will be given later in this report.

**Partial information** refers to responses which provided answers to some but not all of the specific part of the FOI request.

**Full information** refers to responses which answered all the relevant sections of the FOI request

**No information** refers to responses which did not contain answers to the FOI questions asked

**Refused** refers to explicit refusal to respond because of cost or time

Department	Grant Information	Contracts Information	Engagement information
Cabinet Office	Partial information	No information	No information
Department for Business, Innovation and Skills (BIS)	No information	No information	No information
Department for Communities and Local Government (CLG)	Full information	Full information	Partial information

Department for Culture, Media and Sport (DCMS)	Partial information	Partial information	Partial information
Department for Education	No response	No response	No response
Department for Environment, Food and Rural Affairs (DEFRA)	Refused	Refused	Refused
Department for Transport (DfT)	Refused	Refused	Refused
Department for Work and Pensions (DWP)	Partial information	Partial information	Partial information
Department of Energy and Climate Change (DECC)	No response	No response	No response
Department of Health (DH)	Full information	Partial information	Full information
Government Equalities Office	No response	No response	No response
Her Majesty's Treasury (HMT)	Refused	Refused	Refused
Home Office	Refused	Partial information	Partial information
Ministry of Defence (MoD)	Refused	Refused	Refused
Ministry of Justice	Full information	Refused	Partial information

## Responses from Individual Departments

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When considering the information provided to us, we sought to identify a number of characteristics about how the FOI requests had been addressed, as well as the specific answers provided:

- Was the information provided on time?
- Was it provided in a format that directly responded to the questions asked?
- Did it enable reporting on compliance with principles contained in the national Compact and other best practice?
- If information was given in a more detailed format (such as a table or spreadsheet), was it possible to derive an answer easily from any material provided?
- If the information was refused, were the reasons given clear?

Some of these considerations are addressed about specific departments below, with further information contained in the .csv file which collates all of the relevant data:

### **Cabinet Office**

- Provided a scanned PDF as a response, in a format which wasn't machine-readable
- Provided links to a number of online data resources but didn't respond specifically to expenditure questions. Some information was provided, but not in a format easy to understand. An extract from the scanned response is included below:

With regard to the Cabinet Office's total budget allocations, information on the budget for 2011-12 and the latest budget for 2012-13, including those allocated for grant programmes and items of capital expenditure, is published in the Supplementary Estimates and Main Supply Estimates for the relevant years – available on the Treasury website via the following links:

[http://www.hm-treasury.gov.uk/d/supplementary\\_estimates1112\\_co.pdf](http://www.hm-treasury.gov.uk/d/supplementary_estimates1112_co.pdf);

[http://www.hm-treasury.gov.uk/d/co\\_mainsupplyestimates\\_201213.pdf](http://www.hm-treasury.gov.uk/d/co_mainsupplyestimates_201213.pdf).

- The link<sup>7</sup> - which had to be typed - led to a 24 page PDF extract from a wider budget document. The information was not easy to interpret, and it was unclear which aspects corresponded to the data which had been requested.
- Comparisons with levels of funding to the VCS between 2011-12 and 2012-13 were possible after some information was collated and combined based on links provided to 'Business Plan Quarterly Data Summary'<sup>8</sup> – however it was not clear which aspects of the data would provide answers to the questions requested. For example, the figures for Q3 grant spend differed in two spreadsheets. In that instance, we used the more recent figures in our analysis. No mention of compliance with the Compact was included in these summaries.
- Comparative data between years for many of the questions was not available. However, on the basis of the information provided, we were able to determine the following:

Grant spend to the VCS in 2011-12	Grant spend to the VCS in 2012-13	Difference
£145,600,000	£131,000,000	-£14,600,000

Some specific explanations were provided to accompany the data, or explain why the data was not held. They included the following:

- “The number of direct grant payments made on a cash basis to VCS organisations in 2011-12 by the Cabinet Office was 182. This does not include indirect grant payments made from funds distributed via delivery partners.”
- “It is currently expected that just under £115m of the Office for Civil Society resource budget will be grant expenditure in 2012-13 – the majority to VCS organisations... It is currently expected that just under £16m of the OCS capital expenditure will be grant expenditure.”
- “All 2012-13 data is subject to a subsequent audit. The number of direct grant payments made on a cash basis to VCS organisations during the first quarter of 2012-13 was 47.”
- “In relation to your requests for information on contract budgets and also on engagement with the Voluntary and Community Sector, this information is not held centrally by the Cabinet Office.”

This latter response is of particular concern, given Cabinet Office's key role in promoting and overseeing the Compact, the specific recommendations made by the NAO about how it might achieve this, and the strong relationship it has with the voluntary sector.

Further engagement with Cabinet Office suggested that 'not held centrally' meant that individual parts of the Cabinet Office would be able to provide information, and targeted engagement with those directorates would have provided some of the information requested. The fact that there is no mechanism to share this information in a collated form remains troubling.

#### **Department for Business, Innovation and Skills (BIS)**

- Refused on the basis of cost and information not being held, stating:  
“BIS does not centrally hold details of expenditure issued to voluntary and community sector organisations as we do not record whether a body is a voluntary/community body or any other type of organisation”

<sup>7</sup> [http://www.hm-treasury.gov.uk/d/supplementary\\_estimates1112\\_co.pdf](http://www.hm-treasury.gov.uk/d/supplementary_estimates1112_co.pdf)

<sup>8</sup> <http://www.cabinetoffice.gov.uk/resource-library/business-plan-quarterly-data-summary>

## **Department for Communities and Local Government (CLG)**

- Provided some information in direct response to questions asked.
- Was not able to provide information about notice periods regarding changes to funding on the basis of cost, stating the following:
 

“The information you have asked for at questions 3 d, e, and f in relation to changes to grant agreements is not held centrally. Programme and policy managers oversee grant arrangements on a case by case basis and make decisions about any changes in negotiation with the grant recipient. It would take a number of days to locate retrieve and extract the relevant information from across the Department and the staff time and costs of doing so would be disproportionate.”
- The information provided enabled some comparisons between the years:

<b>Grants to VCS 2011-12</b>	<b>Grants to VCS 2012-13</b>	<b>Change</b>
£50,000,000	£48,000,000	-£2,000,000

<b>Contracts to VCS 2011-12</b>	<b>Contracts to VCS 2012-13</b>	<b>Change</b>
£1,400,000	£1,075,000	-£325,000

<b>Overall budget 2011-12</b>	<b>Overall budget 2012-13</b>	<b>Change</b>
£5,800,000,000	£4,500,000,000	-£130,000,000

<b>% Change to overall budget</b>	<b>% Change to VCS grant budget</b>	<b>% Change to Contract budget</b>
-22.4%	-4%	-23.22%

CLG’s grant budget was cut proportionately, with its contract spend reduced disproportionately. However, as stated, grants are a fairer determinant of disproportionality as contracts are not specifically allocated to the voluntary and community sector.

CLG’s Consultation and Engagement:

- 45 policy consultations were issued during 2011-12, with an average length of 11 weeks.
- 19 policy consultations have been so far during 2012-13, with an average length of 10 weeks
- 26 Impact Assessments issued on changes to policies in 2011-12, and a further 14 so far this year
- They provided the following information about the length and nature of policy consultations:
 

“The Department follows a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before or for example technical consultations where the period is often shorter (e.g. 8 weeks).”
- This has been further clarified by additional clarification through changes to the Code of Practice on Consultation, jointly issued by CO and BIS earlier this year.<sup>9</sup>

## **Department for Culture, Media and Sport (DCMS)**

- DCMS provided links to a number of online resources, including links to Business Plan Quarterly Summaries<sup>10</sup>, which enabled some information to be provided for contracts and grants spend in 2011-12, but not enough information to make comparisons between last year and this year. Like Cabinet Office, no mention of compliance with the Compact was mentioned in the quarterly summaries.
- On the basis of the information provided, the following information was made available:
  - DCMS issued grants of £14.39m to the VCS in 2011-12, and contracts worth £230,000. No comparable information was available for 2012-13.

<sup>9</sup> <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

<sup>10</sup> [http://www.culture.gov.uk/about\\_us/8517.aspx](http://www.culture.gov.uk/about_us/8517.aspx)

- In 2011-12, 20 consultations were issued with an average length of 8 weeks. So far in 2012-13, 5 have been issued with an average length of 10 weeks.
- A number of the requested questions were not responded to at all. Others were answered by links to online data resources. No questions were directly answered with a single figure, meaning there is potential differences in way that data can be considered.
- They also stated in their response that “This information also excludes annually managed expenditure such as grants to the BBC and lottery spending.”

### **Department for Education**

DfE acknowledged the FOI requests, but had not supplied any further information by the time of writing.

### **Department for Environment, Food and Rural Affairs (Defra)**

- No answers were given to the questions provided. A link was provided to their Contracts Finder website which identified contract opportunities over £10k. However, this does not list or provide information about grants and contracts awarded to the VCS.
- Other elements of the request were refused on the basis of cost, stating:
  - “We do not hold this information centrally and it is not accessible without incurring costs which would exceed the appropriate limit, which, for central government has been set at £600. Therefore, it is exempt from disclosure under section 12 of the FOIA (cost of complying with a request exceeds the appropriate limit).”
  - “This response was provided in relation to 2012-13 grant and contract spend, and engagement with the voluntary and community sector.”

### **Department for Transport (DfT)**

- DfT responded with an overall refusal on the basis on cost, stating that the information was not held centrally, and listing seven executive agencies that their response was sent on behalf of.
- In their response, the department stated:
  - “We would need to contact multiple teams across the central department and our seven executive agencies and ask each of them to manually determine, locate, retrieve and extract any information that they may hold.”
- The response also stated:
  - “If you send us a new, more specific request, we will consider if that can be dealt with within the limit. This may include specifying a particular part of the department that you are interested in receiving information from, significantly reducing the amount of information that you seek and narrowing your timescales”
- Links were provided to comprehensive accounts documents ( in one instance a 196 page PDF with no clear explanation about where the specific answer could be found) in order to provide the overall department budget. However, it was not possible to deduce the answers to our questions on the basis of the information provided.
- A further link was provided to monthly expenditure over £500, but again, it was not possible to narrow the information provided to give answers to the questions asked. One such monthly spreadsheet contained 7936 entries, for example, with no clear way of determining whether the amount referred to payments to the VCS.

### **Department for Work and Pensions (DWP)**

- DWP refused to respond to many of the questions on the basis of cost:

- They did provide links to quarterly data summaries against their business plans<sup>11</sup> in response to questions about overall contracts expenditure with the VCS. While again there were some discrepancies in the data provided, we were able to determine the following:
  - In 2011-12, grants totalling £64,900,000 were issued to the voluntary and community sector
  - In 2011-12, contracts totalling £176,990,000.00 were issued to the voluntary sector.
  - DWP was aware of 831 contracts which specifically mentioned the VCS as part of their contract. However, they stated that this was only information relating to Work Programme contracts
- “In 2011-12, 32 consultations averaging 10 weeks took place. So far in 2012-13, 11 consultations have taken place for an average period of 12.5 weeks.”
- DWP was unable to provide information relating to consultations for funding changes, stating:
  - “The Department does not collate centrally details of all its consultations and whether they relate to policy change or funding, nor their average length.”
- We were not able to draw comparisons between data held between the years.

### **Department of Energy and Climate Change (DECC)**

No response or acknowledgement was provided.

### **Department of Health (DH)**

The Department of Health provided one of the most comprehensive responses, detailing levels of expenditure with the VCS, and consultations. From the information provided, we were able to determine the following<sup>12</sup>:

Total spend on grants with the VCS in 2011: £45,900,000  
 Anticipated spend on grants in 2012: £44,500,000  
 Change in grant funding between 2011 and 2012: -£1,400,000

Total spend on contracts with the VCS in 2011: £38,957,235

Total number of grants issued to the VCS in 2011: 648  
 Total number of grants issued to the VCS in 2012: 261

Total budget 2011: £102,000,000,000  
 Total budget 2012: £104,000,000,000  
 Change in budget between years: £2,000,000,000

24 consultations in 2011-12, average 13 weeks  
 11 consultations in 2012-13, average 12.5 weeks

Given the increase in overall budget which DH reported, and cuts to funding would appear disproportionate.

When asked about numbers of consultations issued, DH provided the following response:

**The number of impact assessments issued prior to policy or funding decisions being made and/or implemented**

<sup>11</sup> <http://www.dwp.gov.uk/publications/corporate-publications/dwp-business-plan-2011-2015/business-plan-quarterly-data/>

<sup>12</sup> It is important to note that there was some confusion about where certain answers were provided. However, we believe we have aligned the intended answers with the questions asked, and interpreted the data on this basis.

No impact assessments have been deemed necessary as no specific policy or funding decisions have been made.

This is a surprising response, given the policy changes affecting how health services are designed and delivered. It may well be that impact assessments have been undertaken which were not mentioned in the report, but without further clarification, it is difficult to say.

### **Government Equalities Office**

No acknowledgement or response was sent.

### **Her Majesty's Treasury (HMT)**

- Supplied a scanned letter, which refused to answer on the basis of cost, and stated:
  - “A preliminary search of our records has identified that we do hold some information within the description specified in your requests. However, given the nature of your request we consider that a full search of information held by the Treasury would breach the cost limit under section 12 of the Act.”
- Links to some information was provided, which was not easy to interpret or understand<sup>13</sup>.
- Also provided links to Cabinet Office information about Big Society and Civil Society, and signposted to OCS as ‘the information you are seeking may be held in summary form by the Office for Civil Society at Cabinet Office’:

5. To be helpful, the information you are seeking may be held in a summary form by the Office for Civil Society at Cabinet Office. They may be contacted using the links on the following web page: <http://www.cabinetoffice.gov.uk/content/big-society-overview>

Further information may be found at:

<http://www.cabinetoffice.gov.uk/resource-library/office-civil-society-structure-finalised>

and they may be contacted at: 70 Whitehall, London, SW1A 2AS by telephone at: 020 7276 0527 or by email to: Correspondence Section at: [publiccorrespondence@cabinet-office.gsi.gov.uk](mailto:publiccorrespondence@cabinet-office.gsi.gov.uk)

### **Home Office:**

- Supplied some information, but refused to respond to more on the basis of cost, stating:
  - “The requested information would require the contribution of over 100 individual business units in order to provide the information requested, which cannot be provided within the cost limit.”
- The only direct response for both years was to provide links to overall annual budgets (including a 177 page PDF<sup>14</sup>) without providing clarity about where the specific information could be held.
- Home Office also stated
  - “Since May 2007 the Home Office has comprised four constituent parts – Home Office Headquarters (HO HQ), the United Kingdom Border Agency (UKBA), the Identity and Passport Service (IPS) and the Criminal Records Bureau (CRB). Our response comprises the information held by these four parts.”
- A link to information about consultations was provided, which enabled some analysis:
  - In 2011-12, 18 consultations were issued for an average length of 11 weeks
  - So far in 2012-13, 3 consultations have been issued for an average length of 12 weeks.

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<sup>13</sup> [http://www.hm-treasury.gov.uk/main\\_supply\\_estimates\\_2011\\_12.htm](http://www.hm-treasury.gov.uk/main_supply_estimates_2011_12.htm)

<sup>14</sup> <http://www.homeoffice.gov.uk/publications/about-us/corporate-publications/annual-report-2011-12?view=Binary>

- The information provided did not enable comparative analysis between last year and anticipated spend this year. However, they did provide information about one contract issued to the VCS in 2011-12 to the value of £104,550, stating that:
  - “Individual business units have their own individual budgets for contracts and programmes which they manage themselves for Voluntary and community sector organisations would receive funding through. To enable the Home Office to answer this request would require contact and a contribution from in excess of over 100 individual business units. We have calculated that to retrieve a response and any information held from each of these business units would take in excess of 33 hours. This figure is based on each business unit taking 20 minutes to search their records and retrieve any data relevant to this request.”
- GEO, who operate within the Home Office, did not respond to a request specifically sent to them.

**Ministry of Defence (MoD):**

- MOD did not provide direct responses to the information requests, as information on engagement with VCS was stated not to be held by the MOD.
- MoD did respond with information to other sources, including two Parliamentary Questions:
  - “The Ministry of Defence (MOD) fully supports the Compact with the voluntary sector. We have a long history of working closely and successfully with outside organisations to support both local communities and the Armed Forces community. The MOD continues to engage with local communities in a number of ways, including through initiatives such as the Armed Forces Community Covenant, our sponsored Cadet Forces and schemes such as the Education Outreach Programme, where military and civilian staff mentor and support students in developing their career and employability skills. Voluntary sector stakeholders are given the opportunity to have their observations published alongside the annual report on the Armed Forces Covenant.”
- Contracts and grant information was not provided on the basis of costs, with MoD stating:
  - “In the case of these requests, the information is not routinely gathered centrally. Some of the information could only be provided by trawling the Department and in other cases, such as information on contracts directly or indirectly awarded, it would not be possible to provide the information without looking into individual contracts across the Department, which would involve a massive amount of effort and would far exceed the cost limit.”
- MoD did provide information about its engagement and support for the Compact with the inclusion of links to its business plan. However, the stated aim in support of developing its commitment to the Compact (“Develop a strategy, reflecting the Civil Society Compact, for working with Charities (2.3.i)”) was not expanded upon in any more detail.

**Ministry of Justice:**

- MOJ provided some information, but refused other elements on the basis of cost, stating:
  - “The scope of your requests exceeds the £600 limit due its breadth arising from the: a) number of entities involved; b) level of detail required and; c) number of items. The Ministry of Justice is one of the largest government departments. It consists of a) core Department (referred to as ‘MoJ HQ’); b) three Executive Agencies, namely, Her Majesty’s Courts and Tribunals Service (HMCTS), National Offender Management Service (NOMS) & Office for Public Guardian (OPG); and c) various Arm’s Length Bodies (ALBs).”
- From the information provided, we were able to determine the following:

Grants to VCS 2011	Grants to VCS 2012	Change
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49,100,000.00	49,000,000.00	-100,000.00
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- MOJ also reported that it had undertaken one major consultation with the VCS:
  - “I am able to confirm that during 2011/12 and 2012/13, there was only one formal consultation involving the VCS sector and one of the issues consulted on was the funding model for voluntary sector services”

## Compliance with the Freedom of Information Act timescales

The Freedom of Information Act 2000 makes it a legal requirement for responses to be provided within twenty working days, meaning that responses were due to be received by 10<sup>th</sup> August. Only seven departments responded within this allocated timeframe. However, DEFRA provided an update that explained that they would need an extension.

A summary of the responses is provided below:

Name of department	Email	Response Date
Cabinet Office	<a href="mailto:foiteam@cabinet-office.x.gsi.gov.uk">foiteam@cabinet-office.x.gsi.gov.uk</a>	03/08/2012
Department for Business, Innovation and Skills (BIS)	<a href="mailto:foi.requests@bis.gsi.gov.uk">foi.requests@bis.gsi.gov.uk</a>	08/08/2012
Department for Communities and Local Government (CLG)	<a href="mailto:foirequests@communities.gsi.gov.uk">foirequests@communities.gsi.gov.uk</a>	16/08/2012
Department for Culture, Media and Sport (DCMS)	<a href="mailto:FOI@culture.gsi.gov.uk">FOI@culture.gsi.gov.uk</a>	13/08/2012
Department for Education	<a href="mailto:info@dcsf.gsi.gov.uk">info@dcsf.gsi.gov.uk</a>	18/07/2012
Department for Environment, Food and Rural Affairs (Defra)	<a href="mailto:helpline@defra.gsi.gov.uk">helpline@defra.gsi.gov.uk</a>	28/08/2012
Department for Transport (DfT)	<a href="mailto:foi-advice-team-dft@dft.gsi.gov.uk">foi-advice-team-dft@dft.gsi.gov.uk</a>	10/08/2012
Department for Work and Pensions (DWP)	<a href="mailto:freedom-of-information-request@dwp.gsi.gov.uk">freedom-of-information-request@dwp.gsi.gov.uk</a>	13/08/2012
Department of Energy and Climate Change (DECC)	<a href="mailto:foi@decc.gsi.gov.uk">foi@decc.gsi.gov.uk</a>	NO RESPONSE
Department of Health (DH)	<a href="mailto:freedomofInformation@dh.gsi.gov.uk">freedomofInformation@dh.gsi.gov.uk</a>	10/08/2012
Government Equalities Office	<a href="mailto:enquiries@geo.gsi.gov.uk">enquiries@geo.gsi.gov.uk</a>	NO RESPONSE
Her Majesty's Treasury (HMT)	<a href="mailto:public.enquiries@hm-treasury.gov.uk">public.enquiries@hm-treasury.gov.uk</a>	02/08/2012
Home Office	<a href="mailto:FoIRequests@homeoffice.gsi.gov.uk">FoIRequests@homeoffice.gsi.gov.uk</a>	24/08/2012
Ministry of Defence (MoD)	<a href="mailto:CIO-FOI@mod.uk">CIO-FOI@mod.uk</a>	26/07/2012
Ministry of Justice	<a href="mailto:Data.Access@justice.gsi.gov.uk">Data.Access@justice.gsi.gov.uk</a>	06/08/2012

The requests were all submitted at the same time, and we did not receive any notifications that suggested that the emails had not been delivered, so we are confident that all departments would

have received them. We had also advised VCS leads within a number of departments that these requests would be submitted, to enable a coordinated response which ensured that up-to-date information was provided based on the work that VCS teams might be engaged with.

An important thing to note is the nature of the email addresses used by government as a way to submit the FOI request. Of the fifteen we submitted, there were thirteen different variants of FOI email address to use. The addresses included variants as different as 'FOI@culture.gsi.gov.uk' and 'foi-advice-team-dft@dft.gsi.gov.uk'. This address system highlights a worrying lack of consistency, making it difficult for requests to be made easily. Amending all Freedom of Information email addresses to a more consistent format, such as foi@DEPARTMENT.gov.uk, would help address this.

## Conclusions about overall data

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### “Not held centrally.”

In a number of instances, the phrase 'not held centrally' was given as a response. As described previously, this suggested that individual directorates within a department might collect information and be able to provide answers to the requests we had submitted. In some instances, departments provided a list of their component divisions, which might suggest that further investigation would have provided more detailed responses.

However, the fact that this information is not collated centrally is of concern. The questions asked were designed to better understand how each department individually operated within the principles of the Compact, and given the emphasis this government has placed on departmental compliance through business plans, etc., not being able to determine progress is worrying.

### Indirect Contracts

Only DWP was able to provide information about indirect contracts, and then only in relation to the Work Programme. As a prime/sub model is one which has been used to describe a potential role for the sector, we are concerned that other departments may not be able to effectively demonstrate how they are ensuring Compact principles are upheld along the supply chain, as they are committed to doing.

### Accountability

The purpose of the requests was to determine current and previous levels of engagement with the VCS through funding and consultation but we were provided with insufficient information to enable us to reach conclusions about how government is collectively working with the voluntary and community sector.

This is of concern to Compact Voice, particularly in light of the government's reported commitment both to the voluntary sector and to transparency. The information provided in response to our FOI requests suggests the following conclusions about government, prompting concern about how government is reporting and recording information about its engagement with the voluntary and community sector:

- It appears that no systems have been introduced across government to enable departments to determine their levels of funding of the voluntary sector, to track changes in funding, to compare practice across departments or to report on engagement through consultation with the voluntary and community sector.
- The seeming lack of routinely recorded or easily identifiable information about spend and engagement with the sector will make it impossible for most departments to report on compliance with certain commitments, such as the commitment not to cut the voluntary sector disproportionately, to assess the impact of funding changes and to engage

meaningfully with the sector. Answers that were provided suggest that information is held in differing formats, making it difficult to understand, interpret or compare.

- There is little evidence which suggests progress can be charted or improvements identified on the key commitments regarding financial relationships, making it difficult – if not impossible – for the government to evaluate its own progress, or for civil society and citizens to be able to hold government to account on those measures that government itself has stated are priorities.
- There is no current way for government to collectively measure or report its overall relationship with the voluntary sector through engagement, with little to suggest that this relationship can be measured by individual departments. This prevents compliance with the national Compact being measured, and potentially masks or undermines its vocal support for partnership working
- We are concerned by what this research shows about government's compliance with the Freedom of Information Act. It is worrying that departments are not even replying to requests, with other requests responded to late. Further, when information is held and signposted to in answer to FOI requests, it is often difficult or impossible to interpret.

These troubling conclusions should not undermine the work and efforts of individual departments in other areas: we know, for example, that some departments are establishing strong programmes of work to engage more effectively with the voluntary and community sector. However, our analysis highlights a worrying gap in how government as a whole can report on key aspects of its engagement with the sector.

We know that some departments have introduced action plans that show a positive approach to their engagement with the Compact and to working with the voluntary and community sector. However, these have not been reflected in the responses we received.

#### Business Plan Quarterly Data Summaries

Some departments provided links to their Business Plan Quarterly Data Summaries. However, those that provided links did not mention progress against the commitment to the Compact that all departments to which we submitted requests have made in their business plans. In some instances, these links were used in response to the more detailed questions we had asked, without further clarification or explanation.

The following text appears on Cabinet Office's website<sup>15</sup> regarding these summaries:

The Government has published the Business Plan Quarterly Data Summaries (QDS).

The QDS are designed to fit on a single page to provide a quarterly snapshot on how each department is spending its budget, the results it has achieved and how it is deploying its workforce.

The QDS follows commitments made at Budget 2011 and the Written Ministerial Statement on Business Plans. Their primary purpose is to make more of the management information currently held by government available to members of the public on a regular basis. This information is not audited and the quality and accuracy of the data needs to dramatically improve. However, over time with improvements in data quality and timeliness the public will be able to judge the performance of each department in a meaningful and understandable manner.

We intend for an annual version of this information to be formally laid in Parliament in the Annual Report and Accounts for July 2011/12 onwards.

The information is presented in excel format to allow the information to be presented in a re-usable format.

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<sup>15</sup> <http://www.cabinetoffice.gov.uk/resource-library/business-plan-quarterly-data-summary>

The QDS template is the same for all departments, though many of the individual indicators are unique to the department (especially input and impact indicators).

This is the first time Government has published this kind of information, and while this is a good start, there is room for improvement. Before using this data people should ensure they take full note of the caveats noted in each Department's measurement annex and treat with necessary caution.

**At the moment, people should not be using this data to make direct comparisons between departments for several reasons. Firstly, the business of each department is unique and it does not make sense to compare some measures across all departments. Secondly, many of the measures are not directly comparable because they do not have common definitions, time periods, or data collection processes.**

While we recognise that this information contained in quarterly data summaries should be read with these various caveats in mind, we do not believe that these summaries are a sufficient answer to the questions we submitted,. Nor do they contain sufficient information about departmental commitment to the Compact. We believe that there are a number of measurable aspects of the Compact which could and should be recorded in these summaries.

#### Were our FOI questions reasonable?

We asked some very specific questions to government departments, and it may be felt that they were too targeted, or too lengthy. However, there are currently no central mechanisms to report on spend and engagement with the voluntary sector. The business plans were described as a mechanism to hold government to account, yet so far we are not able to use them to measure progress against government's overall commitment to the Compact.

Some departments were able to provide answers to the questions, which suggests that it is possible to record the information we requested. The fact that many local areas were able to provide similar information also suggests that it is not unreasonable to expect this information to be provided.

In those instances where local areas were not able to accurately report on engagement and spend with the voluntary sector, we will be making a number of recommendations which could help improve transparency, including agreeing definitions, terminology, and routinely reporting information.

However, as central government itself does not seem to be setting a positive example to local public bodies, we are concerned that these recommendations will not be given the consideration they deserve, highlighting the importance of central leadership.

## Conclusions and Recommendations

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The policy context we are in encouraged the voluntary sector to believe that we would be better able to understand how government was working towards mutually agreed principles. We welcomed the accountability and transparency measures which accompanied the renewed Compact, and inclusion of the Compact in cross-departmental business plan priorities.

However, despite the NAO recommending that government should report on progress against the Compact, it is still left to individual departments whether they are able to report on progress against a number of key aspects which determine their relationship with the voluntary sector.

This is disappointing and makes it harder for government to take credit for positive developments, such as those departments that we have worked with to develop strong programmes of engagement with the sector. However, government is not doing enough to promote these programmes and activities.

We believe that the recommendations we have made would enable government's engagement with the voluntary sector be better understood so that the good work that is happening could be celebrated, with poorer practice that fails to deliver on government commitments more easily and effectively challenged and addressed.

We are not suggesting that burdensome requirements be introduced. However, we do believe that it is reasonable to expect that the commitment to partnership working which has been championed across the highest levels of government is recorded and reported on.

On the basis of these findings, we believe that a number of recommendations should be followed by government departments to enable better accountability of its progress in implementing the principles of the Compact, as well as the wider commitment to transparency:

Recommendations for individual government departments:

- 1) Individual departments should collate and publish information about their engagement with the Compact, including additional work plans which set out how they will deliver on the commitment to the Compact established in their business plan. This information should be available on individual departmental websites, and also Compact Voice's website.
- 2) Departments should implement a consistent method of recording more detailed spend and engagement with the voluntary sector, and publish this as part of the quarterly business plan data summaries.
- 3) These quarterly data summaries should also include reference to the number of consultations issued, with further detail about efforts made to ensure they are meaningful. This is particularly important in light of the code of practice on consultation issued by Cabinet Office (CO) and Business Skills and Innovation (BIS).
- 4) Departments should record and report on sub-contracting with the VCS, to ensure that commitment to Compact principles is being considered and extended along the supply chain.

Recommendations for the Cabinet Office:

- 5) Cabinet Office should publish a progress report on implementation of the Compact across government, following the recommendation of the National Audit Office. This would provide the voluntary and community sector with a way of determining the current state of implementation of the Compact, enabling best practice to be shared, and areas of concern to be identified so they can be addressed. This should be published as part of Compact Week.
- 6) Departments should agree and make public a uniform FOI email address to enable citizens and voluntary organisations to make requests for information without having to spend excessive time identifying to whom requests should be addressed.
- 7) Cabinet Office should enforce effective compliance with FOI Act requirements to ensure full and transparent responses are provided (unless information requested is exempt from disclosure requirements) and are sent within agreed timeframes.

We will be working with individual departments to discuss how to implement and take forward these recommendations.

# Annex 1 – FOI Requests Submitted to Central Government

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## **Freedom of Information Request 1 - Grants and contract spend in 2011-12**

Please send me the following information by email:

### Grants issued to the voluntary and community sector in 2011-12

- a. The total amount in £ of expenditure issued to voluntary and community sector organisations through all grants programmes for the year 2011-12
- b. The total number of grants issued to voluntary and community sector organisations during the year 2011-12
- c. Your total grant budget for the year 2011-12, including all grant fund programmes

### Contracts issued to the voluntary and community sector in 2011-12

- d. The total amount in £ of expenditure through direct contracts (defined as an agreement made directly with a voluntary sector organisation or group of organisations to deliver services on behalf of the department) to voluntary and community sector organisations for the year 2011-12
- e. The total amount in £ of expenditure through indirect contracts (defined as an agreement with a provider which is not a voluntary sector organisation, group or consortia but makes explicit reference to sub-contracting with the voluntary and community sector) involving voluntary and community sector organisations during 2011-12
- f. The total number of direct contracts issued to voluntary and community sector organisations during the year 2011-12
- g. The total number of indirect contracts issued involving voluntary and community sector organisations during 2011-12
- h. Your total contract budget for the year 2011-12, including all contract programmes

### Budget allocation

- i. Your total budget in £ for the year 2011-12

## **Freedom of Information Request 2 – Expected grants and contract spend in 2012-13**

Please send me the following information by email:

### Grants issued to the voluntary and community sector in 2012-13

- a. The total amount in £ of your budget allocation expected to be issued to voluntary and community sector organisations through all grants programmes for the year 2012-13
- b. The total anticipated number of grants issued to voluntary and community sector organisations during the year 2012-13
- c. Your total grant budget for the year 2012-13, including all grant fund programmes

### Contracts issued to the voluntary and community sector in 2012-13

- d. The total amount in £ of your budget currently allocated to direct contracts (defined as an agreement made directly with a voluntary sector organisation or group of organisations to deliver services on behalf of the department) to voluntary and community sector organisations for the year 2012-13
- e. The total amount in £ of your budget currently allocated to indirect contracts (defined as an agreement with a provider which is not a voluntary sector organisation, group or consortia

- which makes explicit reference to sub-contracting with the voluntary and community sector) involving the voluntary and community sector organisations during 2012-13
- f. The total anticipated number of direct contracts issued to voluntary and community sector organisations during the year 2012-13
  - g. The total anticipated number of indirect contracts issued involving voluntary and community sector organisations during 2012-13
  - h. Your total contract budget for the year 2012-13, including all contract programmes

Budget allocation

- i. Your total budget in £ for the year 2012-13

**Freedom of Information Request 3 - Engagement with the Voluntary and Community Sector**

Please send me the following information by email:

- a. The number of consultations (including average length of consultation period) issued concerning changes to policies in financial year 2011-12
- b. The number of consultations (including average length of consultation period) issued concerning changes to policies so far in this financial year (2012-13)
- c. The number of consultations (including average length of consultation period) issued about changes to funding arrangements with the voluntary and community sector (through grants and contracts) from the financial year 2011-12 to 2012-13
- d. The number of changes to funding arrangements with the voluntary and community sector (through grants and contracts) from the financial years 2011-12 to 2012-13 issued with less than three months' notice given directly to the affected organisation about the specific changes affecting them
- e. The number of changes to funding arrangements from the financial years 2011-12 to 2012-13 issued with three months or more notice given directly to the affected organisation about the specific changes affecting them
- f. The total number of changes to funding arrangements with the voluntary and community sector (through grants and contracts) from the financial years 2011-12 to 2012-13
- g. The number of impact assessments issued prior to policy or funding decisions being made and/or implemented