Improving Infrastructure Support

For Voluntary, Community

And Social Enterprise Groups

In Jersey

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Executive Summary

Seismic changes in the environment surrounding Jersey’s Voluntary and Community Sector (VCS) are affecting every area of operation for local organisations. Increasing competition for funds, a new charity law, strengthening rules and regulations, political changes, commissioning changes, impact measurement changes, project planning changes and funding changes are all happening at the same time and charities need more and different central support in order to set up and operate effectively.

There are three broad types of support required by local organisations; *Grant Distribution*; *Direct & Indirect Support* and *Advocacy & Representation*. Detailed feedback has highlighted which areas are considered most important and which are most lacking at the moment.

The VCS in Jersey has called for infrastructure support in the future to be provided by an organisation separate from a grant decision-making body. An infrastructure body needs a mandate, if it is to be the voice of the sector but for a grant-maker, not only is a mandate not necessary, but a membership gives rise to accusations of conflicts of interest. Direct Support (e.g. advice, training, but also research) that doesn't need a mandate, can be provided by either of these bodies or another entirely.

The Association of Jersey Charities (AJC) has been engaged for some time in a process of self-evaluation to develop its role serving local charities, and has been a leader in work with local government and the VCS to identify the sector’s support needs and how they might be fulfilled.

The AJC’s role as the distributor of the Jersey proceeds of the Channel Islands Lottery has been changed and funding for development work through the AJC has been cancelled so the role of the AJC will be reduced as a result.

The conclusion of this report is to recommend that

1. The AJC to continue as a grant distributor and supporter of Registered Charities.
2. A new company is created to provide infrastructure support only to the whole sector, beyond the AJC’s previous charity membership.

The new company will create a category of ‘Supporters’ who will act in a similar way to members, being a body to consult with and represent, receiving discounted training and most importantly providing a mandate for the organisation to represent them as a whole or as individuals. Supporters will be able to vote on suggestions or recommendations taken to them, but will not have the right to appoint trustees nor approve accounts.

If approved, the next steps will be to consult with the third sector to see who wishes to be involved in this new project and to discover what skills and financing are on offer and to ask for the views of the members of the AJC. A project lead or team will need to engage a Transition Manager to set the organisation up to the point where it is ready to begin operations.

**Introduction**

All social sector bodies, including infrastructure bodies, need to drive up standards constantly and be vigilant in avoiding duplication. At the same time, good charities do not focus on self-perpetuation, but focus instead on pursuing their social missions for the good of society, whatever that may mean for their own futures.

This report began life intended as an internal briefing for the AJC to help the organisation’s committee plan its future in the face of significant change. Subsequently, development work that the AJC had begun was paralleled by that of a VCS Working Group and so it has made sense to align those two work-streams. This report has therefore changed focus from advice for the AJC, into broader recommendations for Jersey’s Third Sector, led by the clearly expressed intentions and views of many different voices.

The report is wide-ranging in scope because its audience is expected to include some people who are new to the sector or else unclear of the totality of changes taking place in Jersey which affect every part of the third sector environment.

The VCS Working Group had intended that this report would have been able to act as a blue print for a new infrastructure model or models, but it has not been possible to deliver that level of research and planning with the limited resources available during a period of great change.

In addition, as there has been no publicly available absolute list of organisations active in the charitable, voluntary and community sector, it is not possible to guarantee that the research to date has covered all of them.

Therefore, at the final VCS Working Group meeting in September 2019, the group agreed that the report should summarise the current thinking within the sector and present the main findings of the work so far.

The intention is that the workshop on 19th September 2019 will give an opportunity to “check and challenge” these key findings to help set direction and next steps.

**Local charities and charitable giving in Jersey**

Until recently, the 300+ members of the Association of Jersey Charities (AJC) were broadly accepted as being almost synonymous with the Charity Sector in Jersey. However, little or no analysis or research concerning those members or their finances has been produced.

In July 2017, KPMG and the Jersey Community Partnership (JCP) published the 2016 Jersey Charity Survey, and in April 2019, Island Global Research (IGR) published the results of an online survey in Jersey, Guernsey and the Isle of Man on Charitable Giving in 2018. Together these reports begin to provide some better understanding of the third sector in Jersey. In addition, questions asked at a Lloyds Foundation workshop gave an opportunity for a focus group of charities drawn from that audience to add their information and voices.

Although there was no centralised register to confirm the exact number of voluntary organisations on the Island, the JCP report was drawn from responses received from a database of 535 voluntary organisations representing listed clubs, NPOs, social enterprises and charities in Jersey. The IGR report was drawn from 648 individual respondents in Jersey.

The main findings of the Lloyds Foundation feedback and the JCP and IRG surveys were as follows:

**Current benefit provided by the not for profit sector in Jersey**

Despite these recent surveys, no work has been done to collate the combined impact of the Third Sector in a way that demonstrates the shared and collective difference charitable organisations make in Jersey. However, looking at the size of the sector estimated through these surveys, and considering the range of charitable purposes targeted by local charities, it is clear that the third sector is a significant contributor to the effective functioning and physical and cultural wellbeing of the Island.

Indeed, 88% of residents say that charities make an important or very important contribution to the Island and over a quarter of residents have directly or indirectly benefited or know someone who has directly benefited from the work of a charity.

Local charities provide services and help beneficiaries in the areas of Health, Youth, Arts, Disability, Mental Illness, Homelessness, Heritage, Wildlife, Conservation, Drug & Alcohol Dependency and more.

**Size and value**

**Income and services**

* 50% of organisations operate with less than £25k of income per annum, demonstrating the number of small charities that make up the sector.
* At the other end of the size scale, the largest 4% of organisations raise about £48 million, accounting for 62% of all income in the sector.
* The majority of organisations had seen their income stay the same over the previous three years. Those who provided reports to donors and measured impact over time also generated the highest income. However, the vast majority do not compare results with others in the sector.
* Most organisations have the impression their work is valued and their independence is respected by States departments however, they don’t feel informed and involved appropriately. The majority of organisations are either not aware of, or need more information on, the process of tendering for public services.
* Less than 50% of respondents get advice, volunteers, or facilities from the private sector.

**Skills and training**

* Charities rated ‘fundraising’, ‘bidding for grants’ and ‘marketing’ as the skills and knowledge areas with the highest training and support priority, followed by ‘safeguarding’ and ‘managing volunteers’.
* Nearly half of all organisations handle training needs by themselves but volunteering and governance training is also sourced from the AJC.

**Charitable Giving**

* According to the reports, approximately £80m is raised in Jersey each year, of which approx. £23 million comes from individual donors.
* 96% of Jersey residents had made a charitable donation in 2018, either by giving money, goods, services or time. 62% had given more than £100 to charity and 7% more than £1,000.
* 72% of residents regularly support a specific charity and 19% of people regularly support 4 or more charities.
* Health/medical, community services and children were the focus of charities most frequently supported in 2018.
* 63% of people prefer to support local charities than UK or international ones.
* The biggest reason for giving to a charity was ‘being personally affected by the charitable cause’. Other reasons for giving were ‘seeing information about what the charity does with its money’ and ‘being able to learn about the impact of the charity and why its cause is important’.
* Reasons for not-giving were ‘not being clear how the money received was being spent’, ‘persistent fundraising’ and too little money going to the actual cause’.

**Volunteering**

* One in eight adults volunteers. There are roughly 11,000 volunteers on the Island.
* Indeed, volunteers are so important, that two thirds of organisations operate without any paid staff at all. Not surprisingly, the 34% with paid full time staff, also had the biggest income.
* 60% of organisations saw it as part of their social duty to provide volunteering opportunities and an even higher proportion expressed the view that they could not survive without them. Around 70% of all organisations agreed that they relied on regular volunteers but for 35% of respondents, volunteer retention was a problem.
* Respondents reported that the majority of volunteers were between 25 and 55 years of age and were regulars, referred by “word of mouth” or were previous benefactors of the respective organisation for which they volunteered. This is perhaps surprising, given the traditional picture of a typical volunteer being individuals who have retired and are therefore able to give up more time.

**The pressures and changes within the Third Sector locally**

**High competition for funds and increasing costs.**

Information from Jersey’s combined surveys (see above) showed that, in 2016, charities and not for profit organisations had an optimistic outlook for the following 12 months, however, in aggregate, expenditure was viewed as likely to increase much more than income: only 20% thought funding would increase from private donors and only 4% thought that States funding would increase. In addition, 54% of organisations thought that the need for their services would increase over the next 12 months.

Increasing rules and regulations are increasing charities costs with even small organisations having to be prepared for regulations governing such things as safe-guarding and data-protection.

Fundraising is challenging in Jersey because of the high number of small charities all competing for the same funds. Most Jersey Charities cannot apply to UK charitable Trusts but the number of grant makers in Jersey is quite small.

It is rare for local charities to share openly the credit for impact they have helped to deliver with other partners because they know that fundraising success is often built on persuading donors that their charity is unique and vital.

Nevertheless, many local charities work extremely well together, providing specialist knowledge and skills that can help to fill service delivery gaps for vulnerable people. Examples of effective partnerships exist in the health, youth and disability sectors and work is underway to increase formal ‘cluster’ groups to tackle specific problems.

Charities often report having difficulty finding qualified staff and in particular, there is a lack of experienced fundraisers on island. Not surprisingly, charities rated ‘fundraising’, ‘bidding for grants’ and ‘marketing’ as the skills and knowledge areas with the highest training and support priority.

There have been strong calls for a salary survey amongst Jersey’s charities to help establish the market rates for some roles.

**A new charity law**

The Charities (Jersey) Law approved by the States of Jersey on 18 July 2014 created a new legal framework to support all types of international philanthropic and charitable enterprises.

Key features of the law were

* the introduction of a register of charities
* the introduction of a Charity Commissioner
* the introduction of a statutory charity test for all registered charities, which guarantees that a charity can only have charitable purposes and must provide public benefit
* an entitlement for registered charities to receive charitable tax reliefs and to call themselves a charity (and restrictions on the use of the term for those not registered)
* Statutory requirements for the governors of a charity to ensure the charity acts in accordance with the law, pursues the stated charitable purposes and delivers public benefit
* A modern definition of ‘charitable purposes’ to include community sporting activity

As at 31st July 2019, 457 applications had been submitted to the Charity Commissioner, and by 11th September 204 of these had been registered.

As a result of the law, some current AJC members who do not become Registered Charities will lose their membership. The AJC membership will no longer be fully representative of ‘the charity sector’ and some newly registered Charities may be eligible to join who previously did not fulfil the criteria set down by the AJC. In addition, there are expected to be a significant number of new Registered Charities who were not previously members of the AJC.

Research is required into the differences between these groups, to understand whether their support needs differ and what, if any, collective representation they may need.

In addition, there may be a need for a body to help support smaller charities or those who have found the application process difficult, or have needed to make significant changes to their structure in order to comply with the new legislation.

**Increasing focus on impact**

It has long been recognised that it is not enough for a charity to report on its outputs in order to demonstrate that it is achieving its aims. Increasingly, funders want proof that those outputs generate the desired change in turn.

Over the last few years funders have begun to challenge charities harder to demonstrate their effectiveness to win financial support. In Jersey, the work being done to develop a co-ordinated approach to impact measurement is being driven jointly by Government and members of the Jersey Funders Group.

Many Jersey charities are used to talking about the benefit that they provide to local beneficiaries. That is because they often need to demonstrate the need for their work in order to fundraise. However, the work that they do is mostly described in terms of *actions* and *activities*, rather than *impact* and *change*.

There are a number of reasons for this; these are the easiest and cheapest things to measure and report on, impacts can be long-term and are difficult to identify and ‘own’ for small charities and many charities do not know how to measure *outcomes* rather than *outputs*.

In response largely to funder-driven demands, communications from charities have changed from highlighting the problem they are trying to tackle, to highlighting the actions they are performing, then to talking about the difference they make and now to the sustained impact of their actions.

Charities understand the rationale behind this change and indeed, many welcome changes like this which help them to achieve their aims and demonstrate to themselves and others that they are doing so. However, research carried out on behalf of the AJC[[1]](#footnote-1) has shown that although charities agree that it is good to measure outcomes and results, there is widespread nervousness about how this will be implemented in practice. Small charities in particular are nervous about the difficulty and cost of measuring some outcomes and how much can be achieved in short timescales. In addition, charities feel that the measuring and reporting on impact must have a purpose in itself, rather than just being a ‘box-ticking exercise’.

A support service or body is needed to champion charities’ best interests in planning the implementation of impact-led project design, in particular to represent small charities to ensure that they are able to engage and benefit from the new focus on impact.

**Local Government Relationship with the Third Sector**

The current team of civil servants working for the Government have made it very clear that they want to change their relationship with the Third Sector for the better. The focus has been on co-designing a new working relationship, rather than investigating and fixing the problems of the past, and that approach has been backed up significant effort from the Government to engage and drive forward meaningful improvements to the way services are planned, measured and funded.

In September 2018 a workshop was held to give members of the voluntary and community sector (VCS) the opportunity to determine how they could work more effectively with the States of Jersey. The workshop was attended by over 80 representatives of organisations and individuals working within the sector. The purpose of the workshop was to review the relationship between the Islands’ VCS and the States of Jersey and to discuss how it could be improved and strengthened.  The workshop identified the main factors affecting the relationship between the VCS and the States of Jersey including;

* communication
* information sharing
* co-ordination
* decision making
* funding

The workshop also identified five priority issues to be tackled between the sector and the States, these were: greater partnership working; improved communication; sharing resources; improved funding and investment and a reduction in bureaucracy

The workshop identified that a single point of contact for the VCS in the States of Jersey was required – the recruitment of a Director of Local Services (Sean McGonigle) has addressed this need.

Indeed, the creation of the new Director of Local Services post is a clear expression of the active developments taking place within government. Other signs are that ‘Closer to Home’ is built on a better relationship with VCS organisations working collaboratively, the change in focus on a new health care model is on the back of a different relationship with the sector and a more collaborative partnership approach to National Volunteer week in 2019 saw an increase in publicity and learning from the week.

Following the event, a VCS working group has met regularly to agree how the issues raised at the workshop can be addressed including actions that could be implemented quickly and to oversee the production of an action plan to address more medium and long term actions.

The working group included representatives from the Association of Jersey Charities, the Jersey Employment Trust, the Rotary Club of Jersey, Jersey Hospice Care, Brighter Futures, Family Nursing and Home Care, Jersey Disability Partnership, Jersey Sport, Durrell and the Jersey Community Partnership. The Working Group has now disbanded.

# Key VCS Working Group Outcomes

In order to improve engagement between local government and the sector, a clustering approach is being trialled which will bring together key VCS organisations around a specific theme or issue. Relevant officers from the States will attend and administer the cluster groups and the aim is to share information, challenge and hold one another to account, look at opportunities to join up activities or share resources, identify training opportunities and ensure proper representation from the sector on strategic bodies and boards.

The first pilot called together those organisations working with children. Further clusters are planned around specific themes such as: homelessness, mental health, disabilities etc.

This need for co-ordination of ‘community of interest groups’, driven by the VCS Workshop had been called for by members of the AJC but could not have been provided by the AJC using funding from its Service Level Agreement with the States of Jersey. That SLA prevented the organisation from using development (non-grant) funds to represent any subset of the totality of its membership. The implications of having a clear and useful service ruled out for public funding through the lottery should be a factor in determining future funding for such a support service.

The working group agreed that “there needs to be a properly funded organisation which acts effectively on behalf of the whole sector, shares information, acts as an advocate and political champion, puts on training, provides quality assurance, promotes sharing resources – accommodation, mini buses, specialist staff etc.” The working group called for a new model for such an organisation to be drafted.

Another significant change is to the way projects are planned, recorded and reported on. Until now, there has been no consistent, universally-applied method for the measuring of the impact of projects funded or commissioned by the States of Jersey. The adoption of Outcome Based Accountability as a standard to be used by all partners in future joint projects with the States of Jersey, follows the growing focus on measurement and reporting of impact and marks a significant change in policy which could have a dramatic effect on local charities.

**The Introduction of Outcome Based Accountability (OBA).**

The Power of OBA comes from a joined up approach to problem solving and requires the kind of clustering arrangements that are being trialled in Jersey. By sharing a collective outcome, each partner in a cluster sharing a OBA approach to solving a problem is committed to the action plan and can see their role in it. In addition, by collaborating on trying to solve a social problem and by agreeing to all use the same measurement and reporting indicators, the actions of a collection of well-meaning organisations can be sewn together to provide a complete solution, and can identify gaps and problems should the expected outcomes not be achieved. The whole becomes greater than the sum of its parts.

Without such a collective approach, do charities not work together? Of course they do. Many of the Island’s most important social services are heavily supported by local charities and those charities themselves work in partnership with one another to share specialist knowledge, skills and services to help their beneficiaries. However, in many cases their input and services are designed independently of one another or are dictated by the local commissioner. Each charity only sees the part of the problem they are tackling, rather than the part they play in the whole. Grey areas, duplication of effort and gaps in service provision are all possible consequences of this approach. Also, establishing the impact of each organisation in such an arrangement is extremely difficult because there are so many possible actors on an indicator that it is difficult to identify which action or organisation, if any, was the key change maker.

Worse still is that whilst each of the charities may be the best of friends when delivering services, they are the biggest of rivals when it comes to trying to find funding for that work. They recognise the importance of working with partners to achieve their aims, but they are forced to try to raise funds by promoting themselves as unique and even as a more vital recipient of funding than the very partners they are working with. Instead, OBA rewards partnership working by directing funding at a problem based on an Action Plan created by those who will deliver it. The funding is distributed amongst the engaged partners depending on the part they have agreed to play in the project. Now their communications become focused on demonstrating how well they work with others, rather than how they stand apart.

This is a welcome change of approach to funding and could have a significant effect on the way charities fundraise, present themselves, communicate and measure their activities.

In the light of this, there is a need for an organisation to support local charities to adapt to the changes in approach under an OBA model including:

* Training
* Help to increase capacity to enable small organisations to contribute to the planning process or else representing them in that process
* Support in carrying out the required impact measurement
* Help finding resources to carry out monitoring and reporting

**Identifying Infrastructure Support Needs**

**Lloyds Seminar Feedback 2017**

At the Annual Lloyds Bank Foundation for the Channel Islands Seminar in 2017, attendees were asked for their opinions on the key patterns and trends in income and for feedback to help improve the Foundation’s grant making. However, additional questions also asked how the foundation may be able to help the sector beyond grant-making such as by providing additional support or by collaborating with other bodies.

The feedback identified training needs, help with volunteers, capacity building, income generation links to corporate support, networking opportunities and a demand for more collaboration across the sector.

**Infrastructure Needs Expressed by AJC Members**

The AJC members met in January 2018 at a number of workshops to evaluate the work of the AJC and to help recommend future activities for the Association. The workshops were facilitated by an independent party and 110 members attended (33% of members).

The workshops concluded that the AJC was already a valuable resource for members, and those members were keen to receive additional service provision. The members were looking for a co-ordinated approach to assist them all in areas such as research, campaigning, communication, training, mentoring, funding and guidance. The members recognised that additional resources would be needed by the AJC Committee to enable them to complete increased service delivery and members recommended a number of ways for the AJC to increase its capacity and professionalism.

Following that work, the AJC collated the expressed needs of its members into categories and formed a number of working groups to tackle each one. The working groups were: Advocacy, Grants, Training & Development, Communications - and an ‘Operations’ function covers the daily direct support, website, phone line advice etc.

**The VCS Working Group**

The VCS Working Group set out a draft of the expected requirements of an infrastructure organisation for Jersey considering the whole of the VCS. The term VCS includes charities, not for profit organisations, social enterprises, community associations and groups such as sports clubs, cadets etc. Such a broad spectrum ranges from large organisations with multi million pounds turnover down to small, specialist organisations with no paid staff. The Working Group agreed that whilst not all will seek or require support from an infrastructure organisation the majority of organisations would benefit from having a dedicated and properly resourced organisation providing the breadth of advice and support required.

The broad categories identified were:

* Direct support to organisations, (practical advice and support for new organisations as well as technical support for established ones, training, capacity building and volunteering)
* Representing and advocating on behalf of the sector
* Research and policy development
* Strengthening the impact of the sector (Encouraging and supporting collaboration, sharing data and intelligence, challenging duplication and identifying gaps.)
* Organising and informing the sector (Holding conferences and seminars, hosting a resource website and phone line, co-ordinating social media and distributing email information)

Taken together, these three pieces of work set out the infrastructure needs of local charitable organisations and the overlap between them helps to provide a clear indication of what is required and what the priorities should be.

# Priority Infrastructure Tasks Required By The VCS In Jersey

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Support type |  | Priority / Mandate required? | Current situation | Improvements |
| 1 | Direct support | Support aimed at those looking to set up a new charity or other voluntary body. Both practical advice and support either directly or on-line, signposting to specialist support e.g. lawyers, advisors. | Essential | Highlighted as a strength of the AJC for those wanting to set up a charity but concerns include limited depth and fragility of service. | A call for this support to be upgraded to help with new situations as they arrive such as the new charity law. |
| 2 | Direct support | Tailored or sector-wide practical and technical advice and support to existing organisations – provision of specialist support in person, by phone, or on-line. | Essential | Highlighted as a strength of the AJC for members needing help, but there have been calls for some additional support and improvements to the website and email communications. | Call for templates, hand-holding, a newsletter and a drop-in service. |
| 3 | Direct support | Advice and support on good governance and support for Trustee Boards | Essential | Some training and support available from the AJC. |  |
| 4 | Direct support | Provision of training, conferences, seminars and information events | Essential | The AJC has provided a calendar of training opportunities funded by lottery proceeds. The Lloyds Foundation seminars and the new JCP conference have been well received. The AJC’s AGM is singled out as a networking highlight. | Suggestions of ideas to improve training have been offered including a more varied range of trainers and more targeted training. |
| 5 | Direct support | Funding support |  | AJC committee and staff work with applicants for lottery funds to try to resolve problems and help them get the funding they need. Indirectly, the Jersey Funders group have been meeting with the intention of working more collaboratively and making it easier for local charities to apply. | Wider and more tailored support needed. |
| 6 | Direct support | Capacity Building |  | Little support is available specifically under this banner, but charities have been able to access training, help finding volunteers & staff and direct support mentioned under section 1. | One of 4 key areas of interest for the JCP. |
| 7 | Direct support | Promoting and co-ordinating volunteering and provision of mentors from existing organisations or individuals. | Essential | AJC and Bosdet have been leaders in helping to find staff and volunteers | A collaborative approach to Volunteer Week 2019 was hailed a success and plans are for it to be repeated. |
| 8 | Direct support | Maintain a Social Media presence to promote activities, disseminate information and as a linking tool for local organisations and individuals. |  | Some presence but human resources and investment are needed to make the most of this activity. |  |
| 9 | Direct Support | Provide a shared physical and digital hub for charities including pooled resources, such as office space and facilities but also website and joint advertising opportunities. | Essential | Volunteer.je is part of this joint approach to resources. The AJC’s Christmas Fair and Summer Fair, events webpages and JEP advertising are all valued but need reviewing. | The most often mentioned type of support needed, this included calls for storage, hot desks, office space, and either free or discounted specialist services (e.g. auditing, IT, legal). |
| 10 | Advocacy and representation | Leadership across the sector, being the single voice of the sector, being recognised as the organisation who can act on behalf of the sector when appropriate including press comment, attending events, etc. | Essential & Mandate required |  | The third equal most mentioned need (with being a champion) deemed to be lacking in the current sector. |
| 11 | Advocacy and representation | Ensuring appropriate and effective representation on key boards/bodies. | Mandate required |  |  |
| 12 | Advocacy and representation | A political champion for the sector and for small charities too. A body to challenge and campaign when necessary. | Essential & Mandate required |  | The third equal most mentioned need (with leadership) deemed to be lacking in the current sector. |
| 13 | Advocacy and representation | Promote the work of the sector, incl awards for volunteering, community support and charities |  | AJC’s Charity Awards, JEP Community awards, Jersey Style awards give an award to Philanthropist of the Year. |  |
| 14 | Research and policy development | Commission and Undertake Research |  | One of 4 key areas of interest for the JCP. | A salary survey has been called for as a useful bench-marking tool. |
| 15 | Research and policy development | Influence Policy Development |  |  | One of 4 key areas of interest for the JCP. |
| 16 | Research and policy development | Promote Effective Philanthropy |  | One of 4 key areas of interest for the JCP. |  |
| 17 | Strengthening the sector | Promote collaboration, networking and partnership working | Essential |  | The second most mentioned need for the sector, this included calls for joint campaigns e.g. on legacy promotion or payroll giving. |
| 18 | Strengthening the sector | Share data and intelligence across the sector to identify and meet need and understand Impact |  |  |  |
| 19 | Strengthening the sector | Challenge duplication and identify gaps in provision | Mandate or authority required to be effective | Reducing competition within the sector is a desired objective of JCP shown by work to set up and support clusters. |  |
| 20 | Strengthening the sector | Maintain the database of all VCS organisations |  |  |  |

**How Are Similar Services Delivered In Other Places?**

This report looked at three examples of good practice from the UK, to see what services and constituents each body offered and served and how they were broadly structured to achieve those ends. **However, no detailed analysis has yet been done on their costs or income and this would be a priority task when planning any similar future services in Jersey.**

**Manchester**

MACC has had a contract with Manchester City Council (MCC) to provide VCS infrastructure capacity building support since 2009, with additional grant funds to carry out development work on community engagement, volunteering and commissioning.

Manchester Health & Care Commissioning (MHCC) have a held a similar contract with MACC over a number of years to provide information, advice and guidance to the VCS and MHCC staff, facilitating responses to consultations, maintaining relationships and supporting health, social care and wellbeing programmes in the city.

MACC’s role is to:

* Champion, promote and celebrate the work of the VCSE sector and the contribution it makes in Manchester, using a variety of methods to demonstrate impact and outcomes.
* Work to support and improve the quality of life of Manchester citizens, in its own organisational delivery and through the VCSE organisations it works with.
* Continuously reflect on and promote that the VCSE is diverse in nature and therefore access to support and opportunities has to be available to small, medium and large organisations based on need, interest and capacity.
* Maximise investment into the VCSE in Manchester – working to increase money and resources through capacity building, engagement and influence and volunteering.
* Demonstrate strategic links at a local, regional and national level, utilising intelligence and robust analysis of need to inform its work to and with the VCSE and partners in Manchester.
* Enable resources and investment into the VCSE to be aligned to local strategic programmes.

MACC is a Company limited by Guarantee which achieves its mandate to represent the sector, and provides sector support by inviting local individuals and organisations to become supporters (‘members’). It does not provide grant funding per se, but administers grants programmes.

Although it was the largest organisation providing this service, there was at least one other community support body helping to support small community groups in their immediate vicinity, who did not use or need MACC’s services.

**Bristol**

VOSCUR is the support and development agency for Bristol's Voluntary, Community and Social Enterprise (VCSE) sector. It is a membership body which supports organisations in and around Bristol to increase their impact and works with the investors who commission and fund the work of the VCSE sector, to ensure they make informed decisions and design effective services. They also build relationships between providers and investors to help them work together to coordinate services and maximise their social value.

Similar to MACC, VOSCUR is a Company limited by Guarantee which garners support by inviting locals to become ‘members’ (like MACC they aren’t shareholder members but supporter members). They may distribute small amounts of money for specific purposes, but aren't traditional grant makers open to applications for funding.

**Cambridge**

CCVS is a registered charity set up to champion and support community and voluntary groups, and promote volunteering across Cambridge City, South Cambridgeshire and Fenland. It is a central source of expert help and advice for local groups.  It provides training, one-to-one consultancy and advice to help community and voluntary groups set up, develop and grow.

CCVS’s role is to:

* Represent – CCVS acts as a voice for local voluntary groups, contributing to all the major committees and partnerships that meet to determine public policy and action in the area.
* Network – CCVS brings groups together, provides the communication support for themed and geographical networks and provides weekly bulletins and access to consultations.
* Develop Organisations – CCVS provides training and one-to-one development sessions to enable community and voluntary groups to become stronger and more sustainable.

CCVS is a membership organisation which does not make grants.

**The Case For Membership**

It is clear that best practice in the UK sees organisations separate grant decision-making (if not the entirety of grant distribution) from other support functions and that all infrastructure bodies looked at so far have a membership of some kind.

Why does an infrastructure body need a membership?

* Membership of an organisation supports cohesion
* Empowers collective control
* Defines a special interest population to consult and survey about issues that matter to them
* Provides some income
* Most importantly, provides a mandate for the body to represent them

Why would charitable organisations want to become members of an infrastructure body?

* Organisations like to demonstrate their professionalism through membership of a respected trade body
* To take part in consultations
* To have their views represented at appropriate levels
* To access discounted training
* To access networking amongst similar organisations
* Connectivity through their membership

Typically (as seen at VOSCUR in Bristol, CCVS in Cambridge and at the AJC) members vote to appoint trustees, approve the minutes of AGMs and the annual report and accounts and appoint the auditors.

# Support available to local charities in Jersey

There are a number of organisations which serve the sector in Jersey.

**Bosdet Foundation**

An important and significant funder, the Bosdet Foundation set a strategic focus for their grant making in an effort to create meaningful and targeted impact on a chosen area. They have also increased their support for the sector markedly in recent years by championing volunteering and the Volunteer.je website and offering their premises to charities for use as a fundraising venue for sporting events. It has provided local office and meeting room space in St Helier for charities to use free of charge. The Foundation is aiming at generating £1 million pa to give to local charities. It has been a part funder of the Jersey Community Partnership with the intention of creating a body able, amongst other things, to provide a strategic view of the sector. Bosdet Foundation remain a strong supporter of the need for a specialist infrastructure support body.

**Lloyds Foundation**

One of Jersey’s biggest funders, the Lloyds Bank Foundation for the Channel Islands has also been active recently in using its power as a grant maker to encourage professionalism within the sector.

Recent seminars and workshops aimed at the Third Sector have sought feedback on how Lloyds could improve their service to charities and have provided some training on impact measurement by UK specialist *Inspiring Impact*. Indeed, before OBA was adopted by the Government as its standard, Lloyds had been collaborating with the Jersey Funders Group to introduce a common impact measurement system across the Island and NCVO had begun delivering training on impact measurement to members of the group. Nevertheless, there are limitations to what the Foundation is able to do and it is not in a position to take on the infrastructure support role.

**Jersey Community Partnership (JCP)**

#### The JCP is a privately funded organisation which aims to help improve the flow of money, ideas and volunteers around the voluntary and community sector in Jersey. The primary focus of the JCP is to work with donors and try to improve the environment for philanthropy in Jersey.

They also aspire to work with voluntary and charitable organisations wanting to strengthen their operations or collaborate with other organisations, and they support the high levels of volunteering in Jersey.

Finally, they work with States of Jersey Ministers and their officials to encourage the development of robust and well informed social policy.

However, the JCP was never intended to be an infrastructure body and does not wish to take on that role.

**Jersey Sport**

Jersey Sport was formed as the independent body for the development of sport and active living in Jersey in June 2017, as an arms-length organisation supported by the Government of Jersey. Its remit is to champion the cause of sport and active living in the island, working to support the development of physical literacy and encourage Islanders to be more active.

Jersey Sport also aims to improve mental and physical health through physical activity, a key priority for the Government of Jersey.

Jersey Sport:

* supports clubs, associations and other sporting bodies, offering guidance in the development of their organisations, recognising and celebrating well-run groups which demonstrate a commitment to good governance and safeguarding.
* manages and distributes the Government of Jersey’s Travel Grants, aimed at enabling the island’s sportsmen and women to compete in events and training camps at a higher level.
* is responsible for GP referrals for Islanders with, or at risk of, certain medical conditions or pre/post surgery.
* delivers after-school and holiday-time activitiesincludingSportability sessions for children with disabilities and walking football sessions.
* delivers swimming lessons to primary school children designed to get children confident and competent in the water.

Jersey Sport is funded through a grant from the Government of Jersey and although it was never expected to be self-financing, it has a stated aim of increasing private funds into the sporting sector.

**The Association of Jersey Charities (AJC)**

The AJC was set up in order to provide the services and support charities needed in jersey in order to be more efficient and more effective. Services range from helping to share resources and skills to providing training and capacity building. Its secondary objective was to distribute any charitable grants that may become available.

The current legal structure, staff, both executive and honorary, grant criteria, membership criteria and other details pertaining to its current form are the framework that has been used for an organisation designed to achieve those purposes within our current environment.

That structure now needs to change to fit a new environment. For example, if the AJC continues to accept organisations which cannot or will not register as charities among its members, then it cannot call itself “The Association of Jersey Charities” because of restrictions on the use of the word “Charity”. There may also be a doubt in the Commissioner’s mind as to whether its ability to benefit non-Charities even if they are Voluntary and Community Organisations, may affect the AJC’s own ability to register.

### Historic Sector Support

For many years the AJC operated with minimal resources and the scope of the support it could offer fell short of its members’ needs and those of the wider Third Sector. Aware of these unmet needs, the AJC has been engaged in a process of self-evaluation and had taken the first steps to a period of planned growth and development.

In November 2018, before the Government began a review of the way it connects with and supports the Third Sector and before it called for a change in the way lottery funds are to be distributed locally, the AJC had already begun reviewing the way it operates and the tasks it carries out on behalf of its members.

Specific infrastructure support needs were identified and prioritised by AJC’s members at a number of workshops. These needs were collated into broad categories and a working group of trustees was planned to focus on each one. Recruitment began for a new, expanded board of Trustees to help deliver on this expanded remit.

Owing to a lack of resources and the need to concentrate on the issuing of an EOI for the distribution of lottery profits, these plans were put on hold. Nevertheless, the AJC’s commitment to the work was maintained and the AJC’s engagement with the VCS Working Group continued as a leader of the work to develop better infrastructure support.

Details of the expressed needs of the AJC’s members were shared with the VCS Working Group to help inform that collaborative process and this report has resulted from that Working Group’s Action Plan.

### Grant Making

Until recently the AJC has acted as a quasi-regulator for the sector in jersey. That’s because, in order to be accepted as a member of the AJC, you had to comply with the entry requirements, designed to instil a basic level of good governance in volunteer-run organisations. Indeed, without a charities law, the only way that charitable organisations could demonstrate that they had good governance was to pass the test of membership of the AJC.

It has long been accepted that the majority of organisations needing charitable funds in Jersey would be members of the AJC, therefore, the AJC began to distribute donations intended for good causes locally. This provided an added spur for new local charities to set themselves up in line with AJC recommendations, because only members of the AJC are eligible for most grants. In this way, the AJC has helped improve the professionalism of Jersey’s Not-For-Profit sector to the point that now, even when ring-fenced funds have recently been made available to not for profit organisations that are not members of the AJC, none of those funds have been claimed.

The AJC was an obvious choice to become the distributor for profits from the Channel Islands lottery intended for local charities and the AJC has distributed the Jersey profits from the Channel Islands Lottery since 1981. The distribution of lottery profits has always been subject to a Service Level Agreement between the AJC and the States of Jersey and each one has been reviewed quarterly.

Although Grant-making has always been a secondary objective for the AJC, the growth in income from the Channel Islands lottery has meant that the amount of money available for distribution has turned grant-making into a key focus.

The AJC has over 300 members - all of which are charities active in the island. Membership of the AJC has been open to any organisation which met certain governance criteria and the definition of “charity” under the law. A number of organisations (such as sports associations) have been unable to access lottery funds in previous years. That is because their purpose (e.g. promotion of “sport”) was not a charitable purpose under the law.

This has attracted strong criticism from people who feel that sports organisations have been overlooked for lottery funding.

In late 2018, the AJC was advised that the award of the contract for distribution of lottery profits for the following year would be subject to tender. It was clear from the requirements of the tender document issued in 2019 that the service would have to be provided by a new, professionally resourced entity, whereas the AJC has provided the service since 1981 on an almost entirely voluntary basis.

The AJC recognises the importance of a professional and impartial distribution service and it submitted a tender on that basis, with commitments of collaboration from across the sector, including Jersey Sport.

The tender was unsuccessful, but the AJC restated its commitment to continuing to support Jersey Charities by way of information, advice, representation, training and grants.

**Actual or Potential Conflicts of Interest of AJC acting as an Infrastructure Organisation Itself**

Despite the AJC’s intention to continue to support Jersey Charities, there are likely to be conflicts of interest arising if the AJC was to offer itself to be the infrastructure organisation for the whole of the VCS in Jersey:

1. Organisations wishing to use its infrastructure services may find they also wish to apply for funding from the AJC under its grants programme. Unless the infrastructure services are to be provided freely, indirectly the AJC might in the future find itself to be funding the cost of its own infrastructure services when awarding grants to certain organisations. It would be an unfair restriction on its grants programme if organisations who used its infrastructure services were not able to apply for funding for their charitable activities.
2. Currently members are responsible for the appointment of the persons who are the Officers of the AJC. As the potential beneficiaries of the (free or discounted) infrastructure services and grants programmes, Members would have a quasi-financial interest in who is appointed, which from a public trust perspective raises issues of conflict.
3. Unless sub committees were constituted separate for grants and for infrastructure services, there is the risk that the same persons who decide who are to be awarded grants would also be determining which organisations could benefit from its infrastructure services. This could give certain organisations unfair advantages or disadvantages.

**AJC’s Recommendations**

It should be noted that the AJC already has conflict-of-interest policies in place and these policies should be sufficient to deal with any real conflict of interest. However, the need for absolute public confidence that decisions are taken wholly impartially and without any declared or undeclared conflict of interest operating, leads the AJC to question whether it would be better that it did not act as the new infrastructure body but that a new independent company should be set up. This new body would have none of the reputational or potential liability issues attached to it being now or historically perceived as a restrictive member’s organisation.

**Authority of AJC to Operate Under A New Constitution**

It is the intention of the AJC at its meeting on 26th September 2019 to further alter its objects so that it can benefit the voluntary and charitable sector more widely so that membership of itself will not determine the benefits any local organisation can gain from the AJC’s charitable activities.

In addition, the AJC’s AGM at the end of September 2019 will be the last at which it will have been the sole distributor of the lottery proceeds. This will mark a significant change for the organisation and its funding arrangements.

Importantly for infrastructure support, funding for the AJC to deliver development work has always been bundled with lottery funds which won’t be available to the AJC in the future. **All funding from the Government and the States Assembly will cease after September 2019 unless funding is provided in another way.**

The beginning of October 2019 will therefore witness a significant alteration in the operations of the AJC. The way the AJC functions, the way it is funded and its ability to operate within its environment are being altered by external changes and the organisation has to re-evaluate itself in order to continue to serve Jersey’s third sector, as it was originally created to do.

# Creating An Infrastructure Organisation – The Role The AJC Can Play

**Authority of AJC to Operate Under Current Constitution**

The AJC’s constitution has as its current objects:

* “To encourage and facilitate charitable and community work in Jersey.
* To encourage co-operation and co-ordination of activities between Members and prospective Members, and discussion and exchange of ideas regarding service to the community.
* To administer the distribution to Members or any of them of any funds available to the Association.
* To develop and administer a programme of education and information to benefit its Members or any of them.
* To assist and represent its Members or any of them.”

It is noted that only two of its objects presently allow for benefit to be extended by the AJC to non-Members: the first two listed above. However, these are the two most directly relevant objects for the establishment and administration of an infrastructure organisation, such as has been proposed by the Working Group. These objects would authorise the AJC to establish an infrastructure organisation, either directly or indirectly, as a subsidiary of itself or by funding the establishment of such a vehicle, the only caveat under the current constitution is that this infrastructure body should qualify for charitable status under Jersey law. This express power is provided for under the AJC constitution in Article 3.9:

“To establish and support or become a Member of or aid in the establishment and support or co-operate with any charitable association or institutions whether incorporated or not and to subscribe or guarantee money for Charitable Purposes in any way connected with the purposes of the Association or calculated to further its objects.”

There is also a further express power in Article 3.14 to authorise the AJC providing services to the charitable sector but this is currently restricted to its Members only:

“To improve the Association’s systems to enable it to provide more support to its Members or any of them.

The AJC further has express power to employ such persons as are necessary to carry out and implement its general objects and its Constitution allows for sub-committees to be formed to carry out such functions as the AJC Executive Committee think fit.

As such, without further amendment to its Constitution the AJC already has sufficient width of objects to authorise it to establish and administer an infrastructure organisation.

# A New Infrastructure Support Model

The feedback and direction given by the various surveys and workshops have helped to demonstrate what support the Third Sector in Jersey needs and investigations of successful similar bodies in the UK have indicated how may be best to deliver it.

There are three broad types of support required:

* Grant distribution
* Direct & Indirect support
* Advocacy & Representation

What the combined Third Sector in Jersey wants is an infrastructure support body separate from a grant-making body. That's because a grant maker doesn't need a membership to give it a mandate, but an infrastructure body does, if it is to be the voice of the sector.  The 'nuts and bolts' Direct & Indirect Support (such as advice, training, templates, research etc) that doesn't need a mandate behind it, can be provided by either of these bodies or another entirely.

The situation in Jersey is complicated because the AJC unusually already exists with a mandate and grants function and a support function.

Funding of the AJC through a SLA with some restrictive clauses has limited its ability to represent the sector in the way it is needed. In addition, the AJC’s grants system has been criticised for being a closed circle (because members elect trustees who distribute grants among members) even though “its administration and due diligence was never in doubt” (Mike Graham, Bosdet Foundation).

Nevertheless, it is accepted that the AJC’s grants function has to continue because the Association still has monies to distribute and may continue to receive legacies and donations for distribution amongst Jersey Charities in the future.

Whilst it is suggested that to be truly effective a single infrastructure organisation should operate supporting the whole VCS, it would be possible for the requirements to be split across more than one organisation. However, this could only work if there is absolute clarity between the organisations concerning their roles, there is no duplication and a strong, mutually supportive relationship between them with joint working and collaboration undertaken where appropriate. Ensuring clarity in all information concerning mutual roles, responsibilities and demonstrating their collaborative relationship will be critical.

The conclusion of this report is therefore to recommend that

1. The AJC to continue in its current form as a grant distributor and supporter of Registered Charities.
2. A new company is created to provide infrastructure support to the whole sector, beyond the AJC’s previous charity membership.

The new company will create a category of ‘Supporters’ who will act in a similar way to members, being a body to consult with and represent, receiving discounted training and most importantly providing a mandate for the organisation to represent them as a whole or as individuals. Supporters will be able to vote on suggestions or recommendations taken to them, but will not have the right to appoint trustees nor approve accounts.

It is hoped that the AJC membership would agree to transfer the intellectual assets of the AJC's current infrastructure support to the new body. This would enable the goodwill built up by the AJC to be transferred to the new body and the good work already being undertaken to be continued.

It is recognised that the AJC would subsequently operate on a much reduced basis but the support received by its members under the new body would increase overall.

**Creating a new body**

**Legal Framework, Organisational Structure and Governance**

The recommended legal structure for an infrastructure organisation would enable the organisation to have a membership of some kind but be able to operate effectively on a daily basis without decisions being required to be first approved through a members’ vote.

This report therefore recommends that a new guarantee company is created and local community groups, voluntary organisations, charities and social enterprises are invited to become ‘supporters’. The company will serve and consult those supporters and report its activities to them, but without having to resort to that membership for operational decisions.

The AJC can either under its current constitution or its new constitution facilitate the establishment of a new company limited by guarantee to operate as the new infrastructure body proposed by the Working Group. However, this would require its members approval to do so and for the new organisation to have legitimacy the AJC should be a partner in such a development, rather than the sole owner.

As noted above, the AJC expressly has the power to act in this manner, although presently it is restricted to only supporting bodies which have charitable status. It is not presently clear whether the infrastructure organisation would qualify as a charity under Jersey law with its new tougher charitable purpose test. The Charity Commissioner’s views would need to be taken.

In any event, the AJC’s intention to widen the benefits it offers to the third sector at large is likely to result in this current restriction being removed.

The AJC anticipates it would facilitate the establishment of this new infrastructure organisation by primarily offering its expertise and access to its network. It anticipates that it would work in partnership with Government and with selected persons who are representational of the third sector, and who could assist in the design and financing of this new body.

**Funding Arrangements**

To date, most infrastructure support has been funded by a small annual grant included in the proceeds of the Channel Islands lottery entrusted to the AJC by the States of Jersey, described as ‘Development’ and covered by a Service Level Agreement. The sums provided have been relatively modest (£50,000 in 2018), have only been agreed annually and have been restricted to activities which serve the whole of the sector, rather than any subset of it. This has prevented the AJC from helping to co-ordinate or represent groups of charities with a similar focus or facing problems which do not apply to all charities equally.

The work done to identify local infrastructure needs has shown this to be inadequate, both in terms of the likely cost of providing the services and the types of support groups of charities are calling for to assist them in working more effectively. An example could be the current concerns being raised over the negative impact of new rules and regulations on some charities introduced by the Care Commission; concerns which the current SLA would prevent AJC from investigating.

It is clear that in order to be more effective in future, not only will an infrastructure body need more funding than has currently been available, the funding will have to be provided for more than a 12 month period at a time, in order to give the organisation sufficient financial security to employ infrastructure staff and engage in activities which last for more than one year.

All similar organisations in the UK are funded in large part by local government contracts and, aside from some supplementary funding that may be provided by local trusts and foundations, no other significant source of funding has been found for this type of work.

When Jersey Sport was being planned, its architects were clear that its creation would not remove or reduce the need for public funding. They said, “In the medium to long term, sport overall will remain dependent on sustained levels of grant-funded support from the States of Jersey, in order to maintain existing levels of delivery and participation.” (Sport Report, September 2016)

Although every successful support organisation investigated during the writing of this report had a membership, the sums generated were in no way sufficient in themselves to provide more than token income. Indeed membership for the smallest organisations, and therefore the most likely to use support services, was typically free. Other income is generated by training (discounted for members) and some trading and venue hire when available.

Local Government funding is widely felt to be justified for this type of work because of the high value of benefit provided to local people by their local Third Sector, especially but not exclusively, by those organisations commissioned to provide social services or supporting organisations who do.

The VCS Working Group in Jersey agreed that, “To be effective such an infrastructure organisation needs to be adequately resourced and consideration will be given to whether the States will contribute financially to the organisation without seeking influence or control.”

Other suggestions to fund this increased work have been:

* corporate sponsorship
* legacy donations
* a public appeal,
* increased membership fees
* loan income
* increased training fees
* 10% of lottery proceeds to be set aside
* new High Value Residents’ licences to include compulsory donation

# Next Steps

If it is agreed that the best course of action is indeed to create a new body, the next steps will be to consult with the third sector to see who wishes to be involved in this new project and to discover what skills and financing are on offer.

A project lead or team will need to engage a Transition Manager to set the organisation up to the point where it is ready to begin operations. The Transition Manager’s role will include:

* Confirming the organisation’s objectives and strategic priorities. The services that the infrastructure organisation is needed to provide have been well researched and identified. It just remains to prioritise these so as to provide the most benefit as quickly as possible.
* Determining the organisation’s exact legal structure.
* Benchmarking the new body. Using example statistics from the published reports from other best practice infrastructure organisations catering for a population of similar size as Jersey, the transition manager will set targets against which future performance can be judged.
* Identifying staffing requirements and support services needed by the organisation itself.
* Further analysis of other similar organisations and specifically their funding arrangements, operating costs and income.
* Identifying the working capital requirements, setting a budget and securing funding sufficient to provide the required services and to employ the necessary staff to carry out the work.
* Planning the timescales required for the preparatory work to be completed for the organisation to become fully operational.
* Agreeing the organisation’s Mission, Beliefs and Values in partnership with local third sector organisations.

1. Jersey Charity Focus Group Discussion March 2019 led by Simon Boas [↑](#footnote-ref-1)