

SOLIHULL COUNCIL FRAMEWORK FOR THE CONSIDERATION OF IN-KIND BENEFITS /DISCOUNTED RENT REQUESTS FROM VOLUNTARY AND COMMUNITY SECTOR ORGANISATIONS WHEN USING COUNCIL PREMISES

1. Introduction

Solihull Council recognises and respects the independence and value of the voluntary and community sector (VCS.) Furthermore, the Council supports this basic principle based on the Solihull Compact and Codes of Practice and it also acknowledges the freedom of each voluntary and community organisation (VCO) to self determine its own area of activities and methods of working in accordance with the aims and objectives or terms of reference set out in its constitution or governance documents.

In this context the Council will use the following process /approach in consideration of in-kind benefits /discounted rent charged if applicable.

2. General

The funded VCO must operate within and/or for the benefit (as well as wider social value) of residents of Solihull. The organisation must take positive steps to improve and involve residents and users of services in its management and activities (User led organisations.)

The organisation must involve service users in its management, and in particular user feedback should be obtained on a regular basis in order to monitor service provision and assist with continuous improvement.

The organisation must acknowledge the Council's partnership arrangement and /or assistance in any literature and publicity about the work of the organisation, including advertisements, newsletters etc.

The organisation must be not-for-personal-profit and any excess income generated by the organisation must be used for the benefit of the community it serves, in line with its aims and objectives. There will be an expectation by the Council that the VCO will make available its accounts for inspection – in the spirit of openness and transparency.

The organisation must be non-party political. Its funds must not be used to pay for publicity which appears to support any political party.

3. Use of the Building or Land

All requests for in-kind benefits and a reduction in rent must be submitted in writing and a completed form that summarises the proposed use of the building. The property must only be used for the purposes set out in the proposal and in the lease/ supporting contract and/or Service Level Agreement (SLA). Any change in use must be discussed and agreed with the Council in advance and may affect the discount or the subsidy applied.

4. Agreed statement

All VCOs receiving any in-kind benefits or a reduced rent will have an agreed statement that summarises the use of the premises and the activities linked to the reduced rent. Organisations will be assigned a contact officer and who will be the main link with the Council on all matters relating to the reduced rent.

All matters relating to the lease must be raised with the Council's Corporate Land.

5. Management Structure

The VCO must have a constitution or other clear governance documents which are acceptable to the Council. These must provide for equality of opportunity, openness, user participation and clear democratic processes. A copy of this document must be submitted to the Council which must be given advance notice of any proposed changes. Any proposed changes must be in line with charity and company law if appropriate.

The VCO must have a Management Committee (or equivalent) as specified in its constitution. Members of the Committee should be elected or appointed in accordance with the requirements of the organisation's constitution or governance documents.

The VCO must comply with all aspects of the law and its Management Committee should acknowledge its responsibilities in this respect.

Where Councillor(s) are elected or appointed to serve on the Management Committee of any funded VCO, in accordance with the terms of the organisation's own constitution or governing document, as well as the Council's Protocols for Councillors serving on outside bodies.

The organisation must nominate someone to be the main contact for all matters relating to the building, the lease and the discounted rent and must notify the Community & Voluntary Relations Team /Corporate Land of any change to their nomination.

6. Financial Procedures

The organisation is required to submit annual financial accounts for all income and expenditure. These accounts must be received by the Council within six months of the end of the organisation's financial year.

The accounts must be formally approved by the Management Committee or Board of Trustees and signed by the Chair or appropriate person. In line with current legislation, the organisation should follow guidelines for the preparation and independent scrutiny of its annual accounts.

Information on all other sources of funding for the organisation must be made fully available to the Council.

The organisation must be adequately insured to cover all risks (eg theft, fire, employers liability, third party damages, buildings insurance). The Council accepts no liability for any losses, claims, damages, compensation etc., arising from the existence of and in connection with the organisation.

7. Contribution to a stronger and cohesive Solihull

All VCS /VCOs in receipt of in-kind benefits or a reduced rent need to make a positive contribution towards a stronger and cohesive Solihull where a greater sense of belonging and involvement is positively encouraged.

8. Good Practice

The Council wishes to encourage good practice in all organisations that are delivering a service in Solihull and for the benefit for local people. The following are recommended as good practice (as a minimum standard):

- Fair employment practices
- Equality and Diversity Policies and procedures
- Safeguarding Policies and procedures
- working towards an appropriate Quality Standard

9. Failure to Comply with Conditions

In the event of an organisation failing to comply with any of above conditions, the Council reserves the right to demand payment of the rent in part or in full and remove in-kind benefits /discounted rent previous granted.

10. Equal Opportunities

The organisation must have a written Equal Opportunities policy that applies to all of its activities i.e., employment, service delivery etc., and must be able to demonstrate that the policy is being implemented, monitored and evaluated regularly.

The organisation's Equal Opportunities policy must comply with its statutory obligations under all relevant equality legislation. The organisation will not treat one group of people less favourably than others because of their gender, gender reassignment, sexual orientation, colour, race, nationality, and disability or ethnic origin.