

Rt. Hon. M Hancock MP
Minister for the Cabinet Office and Paymaster General
70 Whitehall
London
SW1A 2AS

5th May 2016

Impact of anti-advocacy clause on disadvantaged groups

Dear Minister,

We are writing to you regarding the impact of the new clause being inserted into grant agreements preventing charities from using funding from central government to advocate on behalf of service users.

This clause will have a significant negative impact on the public, restricting the ability of charities to inform policy makers within government and Parliament.

We are particularly concerned about the impact that this will have on disadvantaged groups such as those with disabilities, those from black and ethnic minority backgrounds and those from LGBT communities. These groups are often adversely impacted by government policies due to a lack of communication and consultation between policy makers about the needs of these groups. A lack of available and credible data on many minority communities also impact on their abilities to be fully accounted for as policy develops.

This clause will restrict the work of charities that work on their behalf, and receive government funding, feeding back on the implementation of government policy and ensuring that future policies are designed with their needs in mind. It will also have a wider 'chill factor' on the sector with charities that receive public funding holding back from speaking up on behalf of beneficiaries for fear of being accused of misusing public money.

It was to prevent this situation that the Compact signed by the Prime Minister in 2010 said the government would:

*“Respect and uphold the independence of civil society organisations to deliver their mission, including their right to campaign, regardless of any relationship, **financial or otherwise**, which may exist.”*

The inclusion of the phrase “financial or otherwise” was specifically meant to prevent any clauses being introduced into funding arrangements which prevented charities and other civil society organisations from speaking out on behalf of their beneficiaries, particularly disadvantaged groups.

Section 5.3 of the Compact states that the government will “*ensure a voice for under-represented and disadvantaged groups*”. The new clause directly contradicts this undertaking.

The clause is also in direct breach of Section 5.4 of the Compact which asks for civil society organisations that receive government funding to “*show how the value of the work can help that body deliver its public sector duties on promoting equality and tackling discrimination.*”

The new clause prohibits spending on “attempting to influence the awarding or renewal of contracts and grants”. It is difficult to see how this undertaking can be followed without breaching the new clause.

Whilst we welcome the pause and review the government has committed to, we believe that unless the government reverses this decision, then the Compact between the government and the sector will have been broken. This would mark a major backwards step in the relationship between the government and the sector.

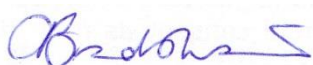
For these reasons, and others, we urge you to reconsider this unnecessary new clause.

We also hope, as part of the recently announced pause and consultation, that you will release the assessment the Cabinet Office made of the impact the new clause would have on disadvantaged groups, in line with the public sector equality duty enshrined in the Equality Act 2010.

We want to know what consideration the Cabinet Office gave to the impact of this clause on disadvantaged groups and how it is in keeping with the government’s policy objective to ensure that the voices of disadvantaged people are heard.

We look forward to your response.

Kind regards,



Caron Bradshaw
Chief Executive, Charity Finance Group



Paul Roberts OBE
Chief Executive, LGBT Consortium



Kunle Olulode
Director, Voice4Change England