



## Compact Advocacy case study: Cumbria Travellers Programme

### Background

A group approached Compact Advocacy after having funding for services they provide to Travellers terminated by Cumbria County Council. The group had been funded to deliver services for Travellers on a particular site in the north of England and had been working with service users since 2002. The group had received three year funding, last agreed in September 2009.

### What happened?

In September 2010 the council said that they would be completing a scoping exercise so they could assess the situation in their area and commission appropriate services. At the same time, the group were told that they would not be funded to deliver services from April 2011, even though the scoping exercise was not due to be completed until 2012, leading to a gap in service provision.

### Why was it unfair?

By terminating the contract before the scoping exercise was completed, and with no obvious consultation and Equalities Impact Assessment having taken place, this seemed like an unfair decision that didn't comply with [Cumbria's Compact](#). It's important to note that the unfairness came from the way the decision was taken, not the merits of the decision itself.

### How did the group challenge the decision?

The group were proactive in raising concerns with the Council about the lack of consultation and equalities impact assessment on the gap of services. They also contacted a local equalities infrastructure group who supported their position. In March the group contacted Compact Advocacy and we wrote and spoke to the council. Our position was that terminating the funding to the service, without knowing what the future provision would be, and with no consultation and evidence of due regard to equalities legislation, meant that it should be reconsidered.

### What happened?

Following correspondence, and continued campaigning by the organisation, the new commissioner confirmed that funding was to be allocated for the project to continue while the scoping process was undertaken – meaning that the service could continue until a new and fair decision could be made. Further, a consultation and full Equalities Impact Assessment is planned to inform future service provision. A new post of Equality Learning Officer was created within the council to try to ensure that best practice in equalities would be embedded across the council.

## **Why was the group successful in challenging the decision?**

A number of factors helped the group to be successful:

- They presented a clear and straightforward argument about why the decision was unfair and the impact it would have on service users
- Having the local infrastructure organisation on side, and involvement from Compact Advocacy, meant that there was wide support from the voluntary sector and a compelling argument could be made
- Throughout the process the group tried to maintain a positive relationship with the council; they were non-confrontational and keen to emphasise the need for a good working relationship

## **What if your organisation is in a similar position?**

While it can seem impossible to do anything about a funding cut, if the decision is unfair then it can be challenged!

In a recent judicial review case on the fairness of funding cuts, Mr Justice Blake sent out a clear message for public bodies from which we can all take heart:

***“...even where the context of decision-making is financial resources in a tight budget...there is much to be said for the proposition that even in these straightened times, the need for clear, well-informed decision-making when assessing the impacts on less advantaged members of society is as great, it not greater...”***

**Contact us!** NCVO's Compact Advocacy programme provides advice and information on challenging unfair decisions affecting voluntary sector organisations. Call our advice line on 020 7520 3161 or email [evsAdvice@ncvo-vol.org.uk](mailto:evsAdvice@ncvo-vol.org.uk)

[www.ncvo-vol.org.uk/compactadvocacy](http://www.ncvo-vol.org.uk/compactadvocacy)