

Committee	Date
Grants Committee of the Bridge House Estates Board	20 June 2022
Subject: Strategic Initiative - Action for Race Equality — Windrush Justice (Ref: 19453)	Public
Which outcomes in the <i>BHE Bridging London 2020 – 2045</i> Strategy does this proposal aim to support?	1,3
Which outcomes in CBT’s funding strategy, <i>Bridging Divides</i>, does this proposal aim to support?	Reducing inequalities, Progressive, Collaborative,
Does this proposal require extra revenue and/or capital spending?	No (£400k funding allocation from Bridging Divides designated grant making fund)
If so, how much?	N/A
What is the source of Funding?	Bridging Divides allocation 2022-23
Has this Funding Source been agreed with the Chamberlain’s Department?	Yes
Report of: David Farnsworth, Managing Director of BHE	For Decision
Report Authors: Tim Wilson, Funding Director and Anneka Singh, Funding Manager.	

Summary

This report requests funding of £400,000 over three years as a strategic initiative to Action for Race Equality for the Windrush Justice programme, a pan-funder initiative developed by the Paul Hamlyn Foundation.

City Bridge Trust (CBT) has a long-standing engagement with issues of immigration and advice. The Windrush Justice programme seeks to resource grassroots community groups via an intermediary organisation trusted by the sector. These groups will then be in a stronger position to engage with the Home Office’s Windrush Taskforce. Funding seeks to redress the very low levels of compensation awarded to victims of the Windrush Scandal to date.

Recommendation

The Grants Committee is recommended to:

- i) Approve £400,000 over three years (£160,000; £160,000; £80,000) to Action for Race Equality towards the pan-funder Windrush Justice programme. City Bridge Trust’s funding is restricted to the small grants, capacity building, and convening elements of work, with all monies restricted for the benefit of Londoners.

Main Report

Background

1. The focus of this proposed strategic initiative is work to build the capacity of smaller, Black-led community groups who are otherwise under-resourced to seek justice, compensation and policy change following the discriminatory detentions, deportations and criminalisation resulting from recent updates to immigration and asylum legislation.
2. In June 1948, the Merchant Vessel Empire Windrush docked in Tilbury, Essex, bringing 492 people from Caribbean countries to help meet the needs of the post-war UK labour market. People who arrived in the UK from Caribbean countries between 1948 and 1971 are considered to be the Windrush generation.
3. The Government's Hostile Environment Policy and changes to immigration law in 2014 and 2016 meant that long-standing UK residents previously afforded settlement under the 1971 Immigration Act (and who believed they were British citizens), were suddenly deemed to be 'overstayers' with no right to remain.
4. The Hostile Environment policy introduced a requirement which placed the onus on people to provide evidence that they resided in the UK legally, to access employment and services. Most people who arrived in the UK from Commonwealth countries prior to 1973 lacked the required documentation as they were British citizens upon arrival and did not need to apply for British citizenship. This resulted in many instances of unlawful detention deportation, loss of income, employment, and denial of healthcare and is referred to as the Windrush Scandal. In 2018 the National Audit Office found the Home Office had ignored warnings of the impending scandal and had failed to protect people's rights to live, work and access services in the UK.
5. Windrush is widely viewed as a racial injustice given that most of those affected were Black British people whose family origins were in the former UK colonies of Ghana, Nigeria, Jamaica, and Barbados. In 2020 the Equality and Human Rights Commission said that the Home Office had broken the law in failing to obey public sector equality duties by not considering how its policies affected Black members of the Windrush generation.
6. Whilst the Government's Windrush Compensation Scheme of April 2019 aims to compensate those affected, effective implementation of this scheme has been slow, with claimants receiving low value pay-outs. The application process is complex, and many potential claimants are hesitant to seek help to access compensation, in part due to a lack of trust in the Home Office, who is administering the scheme. To date, only 5% of Windrush victims are understood to have received compensation four years after the National Audit Office report.
7. Whilst the Home Office published an improvement plan in September 2020, it has yet to enact any of the recommendations from its own review of lessons learned from Windrush.
8. In 2020, and following open tender, Paul Hamlyn Foundation (a UK-based funder) commissioned research from a practicing lawyer into the gap between the ongoing

needs of Black British communities to achieve Windrush-related justice, compensation and policy change, and actual levels of service provision. PHF subsequently convened funder and grassroots Windrush group meetings to discuss possible action. The result was a proposal for a pan-funder initiative to resource advice, advocacy, community events, service delivery, research, arts, oral history, media engagement and evaluation.

9. Paul Hamlyn Foundation’s research noted the relatively high levels of poverty amongst those affected by Windrush and the low levels of trust people felt in engaging with the Home Office’s Windrush Taskforce. In this context, grassroots civil society organisations were identified as having a significant role in championing the rights of individuals affected by Windrush and ensuring the issue remains in the public domain.
10. To reach and resource grassroots groups (which large charities often struggle to do) funders will pool their grants with an intermediary. This is intended to improve equity and accessibility by minimising the need for groups to submit multiple applications to a variety of potential funders.
11. Paul Hamlyn Foundation has identified Action for Race Equality (ARE) as the appropriate lead body. By having overall management, ARE will work to:
 - a. direct funding to grassroots groups,
 - b. invest in capabilities for advice, public affairs, and organisational development,
 - c. support convening amongst Windrush grassroots groups,
 - d. maintain the focus on Windrush.
12. Work is also expected to result in active engagement with the Home Office taskforce.

Action for Race Equality – background and recent funding history

13. Action for Race Equality (ARE) is the new name for the registered charity previously known as BTEG (Black Training and Enterprise Group). The organisation was established in 1996 and works to end race inequality for Black, Asian, and mixed heritage communities. It delivers its mission through a range of programmes, educational work, training, consultancy, policy, and research. ARE seeks to address the causes and consequences of racial inequality. Well regarded by policy makers, ARE has acted in an advisory capacity to several Government Departments. The charity is closely involved with the “Moving on Up” project, which CBT and Trust for London are supporting to increase employment rates amongst young black men in London.

Funding History

ID	Type	Meeting Date	Decision
16138	COVID19 Small Charity Emergency	13/05/2020	A one-off, unrestricted grant of £13,750.

	Support Funding		
14540	Investing in Londoners	02/05/2018	£110,000 over two years for the "BAME Connectivity Programme".
12410	Investing in Londoners	27/11/2014	£165,000 over three years for the "Valuing Volunteers Project".
11656	Working with Londoners	04/09/2013	Application withdrawn.
10529	Working with Londoners	17/02/2011	£110,000 over two years towards a programme of bespoke personal and organisational development for BME organisations across London.

Background and detail of proposal

14. The work has several elements and CBT's funds are proposed for:
 - a. a rapid small grants programme,
 - b. a bespoke capacity building programme,
 - c. resource for convening and connecting.

15. The small grants programme will distribute funds quickly using a proportionate assessment and due diligence process modelled on Covid-19 emergency grant-making. Awards of £5,000 - £20,000 to around 20 organisations will contribute to existing work that is otherwise currently unfunded, resource convening between grassroots groups, and covering some paid time for organisations to engage in capacity building. In total, we assume £470,000 will be distributed via small grants.

16. The capacity building programme will focus on organisational development, fundraising, governance, media engagement, policy influencing, and work towards OISC accreditation (Office of the Immigration Services Commissioner – the body which regulates immigration advisers). An indicative budget of £280,000 is expected for this element of the work.

17. The convening programme will resource connections between Windrush grassroots groups themselves, and their connections to funders and the wider migration sector. A total budget of £100,000 is expected for this work.

18. Other elements (additional to, but beyond what CBT's proposed resourcing) cover national influence to keep Windrush visible in the public and political spheres, and policy development. The three areas recommended for CBT's focus match closest to our current funding policy, and the benefit of the pan-funder approach is how different organisations can resource different elements of an overall programme.

19. The total cost of work is expected to be £1,060,000 and to run for three years. Funding includes provision to resource ARE's delivery staff and overheads

20. Paul Hamlyn Foundation (PHF) has committed £400,000 towards the work and identified other funders who are expected to provide around a further £300,000. A contribution from CBT that matches PHF's award would resource the work in full and enable delivery of work as planned.

21. Officers have spoken to Paul Hamlyn Foundation about restricting CBT's funds to Londoners, which it believes is achievable.

Financial information

22. ARE is supported by trusts, foundations, and statutory sources. Its income increased by 88% in 2020/2021 (compared to 2019/20), due to increased success with obtaining grants. This growth is currently sustained and projected to remain so in 2022/23. It achieved a sizeable surplus in 2021, of which a proportion is designated for service development, research and transfers. Its reserves policy is to hold 'free reserves equivalent to approximately six months of charitable spending'. It currently holds free reserves equivalent to 5 months of charitable spending. Although free reserves are projected to be below target, ARE is reporting consistent surpluses and is expected to remain in a healthy financial position for the duration of the grant award.

Year end as at 31 March	2021 Signed Accounts £	2022 Forecast £	2023 Budget £
Income & expenditure:			
Income	807,331	885,022	913,900
Expenditure	(612,925)	(810,800)	(889,000)
Surplus/(deficit)	194,406	74,222	24,900
Reserves:			
Total restricted	131,451	96,402	125,402
Total unrestricted	345,410	454,681	450,581
Total reserves	476,861	551,083	575,983
Of which: free unrestricted	253,933	363,204	359,104
Reserves policy target	306,463	405,400	444,500
Free reserves over/(under) target	(52,530)	(42,196)	(85,396)

Conclusion

23. The proposed strategic initiative complements CBT's focus on service delivery via its advice and migration funding. It will build sector capacity to engage with a government taskforce that has been criticised for underperformance and increases the potential for compensation to those impacted by the Windrush Scandal.

Appendix

- Appendix 1: Strategic Initiative Filters

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Appendix 1 – Strategic Initiative Filters

FILTERS	
<i>Will The pro-active grant:</i>	
Further the Trust's Vision and Mission (a fairer London & tackling disadvantage)?	Y
Support work within one of existing Bridging Divides programmes (BD)?	Y
Or, meet a clear need that has arisen since (BD) were agreed?	
Have the potential for impact beyond that of an individual reactive grant or number of individual grants?	Y
Be affordable within the agreed annual budget (from the Trust alone or in combination with other funders) and, looking forward, leave sufficient budget to meet anticipated pro-active grants for the remainder of the financial year?	Y
Be made to an organisation(s) that conforms to the Trust's eligibility criteria and has the capacity and expertise to deliver the work?	Y
PRIORITISATION GUIDANCE	
Evidence	
Is there external and/or internal research and information that supports the need for the proposed grant?	Y
Is there external and/or internal research and information that indicates the approach proposed in the grant will be successful?	Y
Is there evidence that indicates the work will be hard to fund from other sources?	Y
Impact	
Will the grant tackle a root cause(s), or positively influence policy or practice?	Y
Will the work/approach funded be replicable?	Y
Does the grant provide an opportunity to strengthen Civil Society in London?	Y
Is the work sustainable beyond the period of the grant?	Tbc
Can the impact of the work be measured through evaluation?	Y