

Committees: Grants Committee of the Bridge House Estates Board Bridge House Estates Board	Date: 5 December 2022 22 February 2023
Subject: Alliance Partnerships – The Baring Foundation (Human Rights Based Approaches) (19548)	Public
Which outcomes in the BHE Bridging London 2020 – 2045 Strategy does this proposal aim to support?	1,3
Which outcomes in CBT’s funding strategy, Bridging Divides, does this proposal aim to support?	Reducing Inequalities, Every Voice Counts
Does this proposal require extra revenue and/or capital spending?	No (£1.5m funding allocation from the BHE designated grant making fund)
Report of: David Farnsworth, Managing Director of BHE	For Decision
Report author: Geraldine Page, Funding Director Hannan Ali, Funding Manager	

Summary

This report seeks the Grants Committee’s endorsement and the BHE Board’s agreement of a grant of £1.5 million towards a new programme run by the Baring Foundation (TBF) to promote and develop the use of human rights-based approaches (HRBAs) for London based civil society organisations, using international and domestic human rights laws to support practical, real-world protections for individuals and communities facing discrimination and disadvantage. This will help meet CBT’s mission to reduce inequality and grow stronger, more resilient, and thriving communities for a London that serves everyone.

This alliance partnership initiative would:

- a) Seed fund a year-long development process to identify four themes and four London-based organisations: and,
- b) Offer four years of funding to the chosen organisations to implement HRBA projects with local communities.

The development process will involve TBF working with two development partners, Just Fair and the British Institute of Human Rights, to carry out consultation work, identify partner organisations, and co-design a four-year funding programme.

TBF will be responsible for awarding and administering the grants during the lifetime of the project, and will manage the learning, research, and evaluation. All grants awarded as part of the project will be subject to TBF’s established assessment processes.

Recommendations

It is recommended that the Grants Committee of the Bridge House Estates Board, in the discharge of functions for the City Corporation as Trustee of Bridge House Estates (charity no. 1035628) and solely in the charity’s best interests:

- i) Endorse to the BHE Board a grant of £1.5 million over five years to the Baring Foundation (charity no. 258583) to develop and deliver a programme to promote and develop the use of human rights-based approaches (HRBAs) for London based civil society organisations

It is recommended that the Bridge House Estates Board, in the discharge of functions for the City Corporation as Trustee of Bridge House Estates (charity no. 1035628) and solely in the charity's best interests:

- ii) Agree the grant of £1.5 million over five years to the Baring Foundation as per the terms recommended by the Grants Committee.

Main Report

Background

1. This report seeks support for a recommendation to partner with the Baring Foundation (TBF), an established funder with an excellent reputation for work focused on inequality and disadvantage which is well aligned with City Bridge Trust's (CBT) own funding strategy.
2. CBT has engaged in collaborative funding practices for much of its 27-year history – particularly, but not limited to, its support of London's voluntary and community sector infrastructure. It has been widely agreed across the sector that collaborative funding approaches are required for a thriving civil society and should form a healthy part of the overall funding ecosystem.
3. At the Grants Committee meeting on 6 December 2021, the Committee agreed to earmark up to £15 million toward a series of 'Alliance Partnerships' which would advance the mission and vision of the Bridging Divides Strategy. A further £3 million towards Alliance Partnerships was agreed at the Grants Committee on 26 September 2022. It was agreed that Alliance Partnerships would be awarded to established funders:
 - a. with a track record of delivering grant funding programmes, where the organisation's primary aim (or primary aim within civil society) is funding;
 - b. for grant programmes which are in development, or recently begun, and which have a finite end point; and for,
 - c. initiatives which have involved significant scoping/evidence review work, where the funder has specialist knowledge of the funding theme/priority that is additional to CBT's own reach.
4. The proposal in this report meets the above criteria: TBF is an established funder with a primary aim of funding and expertise in this field, the proposed programme will provide funding to identified organisations and will be developed over 4 years and is based on TBF's existing specialist knowledge and research. If approved, it would see CBT strengthen its commitment to supporting Londoners most impacted by inequality and injustice through a partnership that will multiply the impact of the funding we have available.

5. Jannat Hossain is a Co-opted Member of the Bridge House Estates Grants Committee and Programmes Officer at TBF. To avoid any potential conflict of interest, she was not involved in this assessment.

The Baring Foundation and Human Rights Based Approaches (HRBAs)

6. TBF is a registered charity that was created in 1969 as a corporate foundation of Barings Bank, a major London-based merchant bank that can trace its history back to 1762. Since the bank collapsed in 1995, the Foundation ceased to be a corporate foundation and became an independent foundation focusing on three grants programmes: Arts, International Development and Strengthening Civil Society. Over the last seven years, its programmes have highlighted that human rights in international and domestic law offer practical, real-world protections for individuals and communities facing discrimination and disadvantage.
7. TBF has awarded over £120 million of funding in its first 50 years to civil society across the UK and internationally. Funding guidelines and open round application processes are bespoke, reflecting different programme strategies, identified risks, and intended outcomes. Domestic programmes are often supported by paid advisers to assist in due diligence and assessment.
8. The charity aims to protect and advance human rights and promote inclusion. It has a long-term interest in the role of the law and HRBAs as tools of social change. Effective HRBAs empower people to know and claim their rights, and are designed using participatory grant making techniques, where communities are supported to design the process and focus of work. The building blocks of this approach are often described through the PANEL principles of: Participation, Accountability, Non-Discrimination and Equality, Empowerment and Legality.¹
9. A report published by TBF in September 2015 called 'Effective use of the law and human rights by the voluntary sector' outlined the potential value of law and HRBAs to the voluntary sector and highlighted existing good practice. To conclude it stated *"There are many opportunities and advantages for voluntary organisations to make better use of the law and human rights. Platforms for effective engagement between the voluntary and legal sectors, capacity building activities, research and evaluation and the dissemination of good practices – as well as funding – are key to supporting voluntary organisations to recognise these opportunities and to realise the advantages."*
10. TBF's Strengthening Civil Society Programme 2015-2020 sought to build the capacity of the voluntary and community sector to use the law and HRBAs through capacity building strategies and legal campaigns. It succeeded in encouraging voluntary sector organisation to adopt a legal focus, improved networks between legal and non-legal focused organisations, created provisions of tools, and increased the awareness of legal tools available for frontline staff. A major outcome was the establishment of 'second tier' roles and networks, or sector level 'hubs'

¹ More information on the PANEL principles and a self-assessment checklist can be found here: [Human Rights Based Approach](#)

such as Birthrights, Asylum Support Appeals Project, and Anti-trafficking and Labour Exploitation Unit (ATLEU).²

11. TBF supports legal action across the UK and focuses on work that assists civil society in understanding when, how, and if the law can support their strategy and goals. Recent projects have supported homeless people to access emergency shelters, prompted local authority landlords to clear pigeon waste from communal staircases, and challenged schools on long term exclusions, all using a HRBA.³

Proposal with the British Institute of Human Rights and Just Fair

12. This alliance partnership initiative would:
 - a. Seed fund a year-long development process to identify four themes and four London-based organisations: and,
 - b. Offer four years of funding to the chosen organisations to implement HRBA projects with local communities.
13. The development process would involve TBF working with two development partners, the British Institute of Human Rights (BIHR, charity number 1101575) and Just Fair (JF, charity number 1141484), to carry out consultation work, identify partner organisations, and co-design a four-year funding programme. The precise themes would be decided during the design process aligning within CBT's Bridging Divides Strategy.
14. TBF will be responsible for awarding and administering the grants during the lifetime of the project, and will commission/manage the learning, research, and evaluation.
15. Each of the HRBA projects will be led by a civil society organisation supported by a development partner (either BIHR or JF), with additional support from TBF to network with other HRBAs across the UK.
16. All grants awarded as part of the project will be subject to TBF's established assessment processes, including scrutiny on governance, safeguarding and financial due diligence. During the development phase of the project, partners will be supported by TBF to assess relevant risks and implement appropriate mitigations. These are likely to vary depending on the thematic focus, location, and community participation of different projects.
17. In the UK, the use of HRBAs has been championed by Participation and Practice of Rights in Northern Ireland and the Scottish Human Rights Commission. In England, Just Fair and the British Institute of Human Rights have supported work

² An independent and evidence-based reflection of the Baring Foundation's Strengthening Civil Society programme highlighted how the better use of the law and human rights could strengthen the Voluntary and Community sector. Part 3 of the [Evaluation SCS Programme 2015-2020](#) ways to effectively use the law to deliver social change.

³ TBF's response to call for evidence by the [Joint Committee on Human Rights Inquiry into the Government's Independent Human Rights Act Review](#) draws on the experience of the Foundation as an independent grant-maker across the UK and case studies from funded organisations

with communities across a range of human rights issues and were therefore chosen as the partners for this project. A partnership agreement will be drafted by TBF and signed by BIHR and JF if this award is approved.

18. BIHR has been a pioneer in promoting and upholding human rights in the UK since it was founded in 1970 and played a key role in calling for the European Convention on Human Rights to be incorporated into UK law. BIHR often unites with organisations to write joint letters and campaign and has a committee of experts with different lived experiences. By empowering people with rights information and supporting communities with advocacy tools, BIHR helps to increase the accountability of public bodies and help change policies affecting people’s lives.

19. Economic, Social, and Cultural Rights (ESCR) in the UK is a non-government organisation incorporated in 2011 and uses the trading name ‘Just Fair’. JF aims to protect rights and create a fairer society by increasing awareness of, advocating for, and encouraging government to respect, protect, and fulfil ESCR. JF has led on ground-breaking evidence-based research, conducted campaigns, and built grassroots social rights movements.

Timeline

20. Year one assumes start as beginning of Q2 (April 2023), so project years are assumed to be financial years 1 of April - 31 of March.

Table 1: Timeline of project for year one

Year	2023												2024			
	4	5	6	7	8	9	10	11	12	1	2	3	4			
Project funding agreed																
Development partner agreed																
Development phase designed																
Funders agree approach																
Consultation with civil society																
Civil society partners identified																
Co-design of 4-5 projects																
Four-year grants awarded																
Learning partner appointed																

Impact Measurement

21. An external learning partner would be in place within the first six months of the first year to provide a steer for the works - but not to subvert priorities. The partner will also generate information on the general process and on the specific themes chosen to work on. The partner would be sourced through an open tender process to ensure a level of independence from all project partners.⁴ Previous programme

⁴ An example of an independent evaluation for BIHR’s work embedding a human rights approach can be found here: [Download.ashx \(bihr.org.uk\)](https://www.bihar.org.uk/download/ashx).

evaluators have undertaken thorough documentation review, run focus groups with staff from partner organisations, attended and observed activities, and interviewed BIHR staff and partners on a non-attributable basis.

22. The key outcome of the project would be that the four organisations involved would be empowered to use a HRBA to participate in the development of policies and practices that impact the lives of the people they represent. This will help meet CBT’s mission to reduce inequality and grow stronger, more resilient, and thriving communities for a London that serves everyone.

23. A CBT Funding Director and a Funding Manager will ensure all learning is fed back into any future practice involving civil society organisations and developing funding programmes. Annual reports will be provided to CBT to demonstrate continued alignment of the projects with BHE strategy, and officers will remain in regular communication with staff at TBF.

Communications

24. BHE and CoLC communications and media officers will work with TBF to align communications, and appropriate and commensurate acknowledgment will be ensured in any media, as with all BHE funding.

Budget

25. The table below does not include any of the staff costs and overheads of TBF, which will be met entirely through TBF’s own organisational budget. In addition, TBF will contribute £50,000 per year over five years towards the programme, totalling £250,000. It is proposed that the remainder of the costs of the project will be funded by CBT at a total of £1.5 million.

Table 2: Costs of programme by year

Year	1	2	3	4	5	Total
Just Fair development partner	£69,569	£47,205	£51,926	£57,118	£62,830	£288,648
BIHR development partner	£60,000	£44,000	£47,000	£50,000	£55,000	£256,000
Organisational costs of consultation/ co-design	£100,000	-	-	-	-	£100,000
Four local organisations as project leads	-	£216,000	£237,600	£261,360	£287,496	£1,002,456
Learning partner	£2,500	£5,000	£5,500	£6,050	£6,655	£25,705
Events	£2,000	£2,200	£2,420	£2,662	£2,928	£12,210
Participation	£6,000	£6,600	£7,260	£7,986	£8,785	£36,631
Accessibility	£1,500	£1,650	£1,815	£1,997	£2,196	£9,158
Programme delivery	-	£4,000	£4,400	£4,840	£5,324	£18,564
Total	£241,569	£326,655	£357,921	£392,013	£431,214	£1,749,372

26. Development partner costs for JF and BIHR for years one to five include staff costs, overheads, and supervision plus allowance for annual cost increases. BIHR

intends to staff the project through existing posts. JF would plan to hire a post, alongside support from existing roles.

27. The budget line for local organisations' costs of consultation/co-design was calculated to provide financial support for roughly 20 London-based community groups who will be part of the creation of the programme. Exact figures will be adapted to reflect the process but are likely to be c.£5,000 grants.
28. Project leads in years two to five assumes four organisations with staff costs of £45,000 per lead. Overheads and supervision were calculated at 20% and are incorporated into the budget.
29. Participation costs are to cover the costs of engaging people with direct experience in the work to cover their time and travel costs in both the development phase and as part of the work with project partners. This assumes a cost of £40 x 100, across each year.
30. Learning partner and events lines include a contingency for inflation costs across the years. The budget also includes accessibility costs, 10 costs assumed at £150 per year, for reasonable adjustment and access needs of the project partners. Programme delivery costs allow each partner £1000 per year to cover the costs of reporting and events associated with the project.

Financial Information

Year end as at	2021	2022	2023
	Signed Accounts	Forecast	Budget
	£	£	£
Income & expenditure:			
Income	2,281,789	4,843,337	5,311,846
Expenditure	(5,177,631)	(6,736,878)	(5,311,846)
Gains/(losses)	7,654,499	(15,885,973)	0
Surplus/(deficit)	4,758,657	(17,779,514)	0
Reserves:			
Total restricted	0	0	0
Total unrestricted	124,779,514	107,000,000	107,000,000
Total reserves	124,779,514	107,000,000	107,000,000
Of which: free unrestricted	124,779,514	107,000,000	107,000,000

31. TBF's income is generated from its investment portfolio and partnerships with other grant makers. All funds held are unrestricted income funds, giving significant flexibility and capacity to absorb challenges in investment performance and to flex grant making on an annual basis accordingly. It aims to achieve a minimum average annual return on investments Consumer Price Index (CPI) + 4%. Income is budgeted on the basis of a distribution from the portfolio equal to a percentage of the rolling average value of the investment funds over the preceding 12 quarters. TBF is a long-term investor and expects losses – as well as gains – on investments over the short term.
32. The charity awarded £3.96m in grants in 20/21, a slight decrease from £4.29m in 19/20. The charity's discretion to award grants in line with the value of investments, the still significant value of its investments, and the fact that investments are held

in unrestricted income funds means that its sustainability over the course of this planned Partnership is not considered a significant risk.

33. Grant funding is only included in the charity's annual budgets once it is confirmed. As the project will not go ahead without CBT funding, an appropriate budget line will be added if the grant is awarded.

Conclusion

34. This Alliance Partnership project between CBT and TBF will utilise HRBAs to support individuals and communities facing discrimination and disadvantage in London. TBF is an established funder, with a track record of delivering similar programmes, and the development partners, BIHR and JF, have substantial specialist knowledge of the thematic area and connections in the human rights space beyond CBT's own reach. Each of the HRBA projects will be led by a civil society organisation and be supported by a development partner and TBF to network with other HRBAs.

35. It is recommended that a grant of £1.5 million over five years (£190,000, £275,000, £315,000, £340,000, £380,000) be awarded to develop and deliver a programme to promote and develop the use of Human Rights Based Approaches for London-focused civil society organisations.

Hannan Ali

Funding Manager

E: Hannan.ali@cityoflondon.gov.uk