

Empowering the voluntary sector

Using compact advocacy, public law and training to challenge unjust public body decisions



What is the Compact?

The Compact is an agreement between the Government and the third sector made in November 1998, which aims to improve the relationship between the two sectors for mutual advantage. The Compact is backed up by five codes of good practice. These outline undertakings for both government and the third sector. Every area in England now has its own local version of the Compact.

What is public law?

Public law is the set of legal rules which ensure bodies carrying out public functions discharge their legal duties and do not abuse or exceed their powers. These public bodies include government departments, local authorities, NHS Trusts and many more.

Did you know?

If a public body tells you that it is going to act in a certain way, the courts interpret this as a promise, and may regard it as an abuse of power (and therefore unlawful), for the body to subsequently change its mind or break its promise to you. This includes a promise to consult on a particular issue.

This is one of the basic principles of public law, the rules that govern how public bodies should behave. A public body that fails to consult when it has said that it will consult is also failing to abide by the Compact.

By having an understanding of your rights under the Compact and public law, many of these situations can be avoided. You can also promote and encourage stronger partnership with the public bodies you work with.

How we can help

The Empowering the Voluntary Sector project is here to support you in challenging decisions and actions made by public bodies which could be deemed 'unlawful' or contrary to the Compact. For example:

- Ending funding without notice
- Failure to provide reasons or feedback on decision-making processes
- Failure to consult

Empowering the Voluntary Sector, run jointly by NCVO's Compact Advocacy Programme, NAVCA and the Public Law Project, with support from the Big Lottery Fund, provides tailored advice and training to help local third sector organisations understand the principles and framework of the Compact and public law.

Training

Attending a training session will give you the knowledge to identify if a public body is acting unlawfully or outside of the Compact, to promote collaborative working and, if necessary, challenge decisions. You will gain the skills to negotiate effectively on issues such as challenging funding cuts, failures to consult on policy changes, and local authority decisions concerning the provision of services.

Workshops are open to all local third sector organisations funded by, or seeking funding from, public bodies. We are sorry but we are unable to accept bookings from public bodies.

The workshops will help you to identify:

- how you can use the Compact when working with a public body
- what is public law and how it affects your organisation
- what happens when things go wrong
- the solutions available to you.

In the first three years of the project, we have delivered over 100 courses, training around 1200 people.

Delegate feedback:

- *I really enjoyed the course, the day has flown because it was so interesting and the teaching style was accessible and well paced* – delegate, Bodmin
- *Perhaps the most valuable day's training I've ever attended, should be compulsory for all CEOs in the third sector* – delegate, Hatfield
- *The trainer turned a difficult and complex subject into an understandable and interesting day with very useful case studies* – delegate, Leeds

For further information about the training programme, including dates and venues in your region, please contact Terry Perkins, Training Officer on 0114 289 3972 or email: terry.perkins@navca.org.uk.



Advice

The advice line, managed by Compact Advocacy, provides access to free detailed advice to third sector organisations on disputes involving public bodies' decisions and failures. The Compact Advocacy team will look at each case then either provide advice on managing the case using Compact tools or refer the issue to the team of lawyers at PLP for legal advice.

The advice line is available Monday to Friday 10.00 -16.00 on 020 7520 3161. Or you may email us: evsAdvice@ncvo-vol.org.uk

In the first three years, the project has delivered over 100 workshops, training over 1100 people to use the principles of public law and has provided legal advice and support to more than 300 third sector organisations. Many of these issues have been resolved in favour of third sector organisations resulting in over £600,000 coming back into the sector.

All third sector organisations in England are able to access these services and benefit from the provision of specialist Compact and legal advice and training on public law principles and remedies.

At only £40 per attendee this opportunity is too important to miss

"...workshop and course book really useful and informative"
– delegate, East London

"...given me more confidence and now feel more empowered"
– delegate, Melton Mowbray

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