

EQUALITY & HUMAN RIGHTS COMMISSION STRATEGIC FUNDING FOR LEGAL PROJECTS 2009/12

FREQUENTLY ASKED QUESTIONS

Please note: Questions 11- 14 have been added on 29/06/09

1. Priority 3 Strategic Funding Programme

1.1 Is funding for legal projects part of the EHRC new Strategic Funding Programme?

Yes, it is. The Strategic Funding Programme consists of three priority areas. Funding for legal projects is the third priority area and has been launched separately on 22 June 2009. The other priority areas – guidance and advocacy, and good relations – were launched previously and their deadline for submission of applications has already passed.

2. Eligibility Criteria for funding

2.1 What are the eligibility criteria?

The eligibility criteria for EHRC Strategic Funding Programme are set out in the guidance accompanying the application form.

2.2 Does the Commission fund individuals?

No, bids will only be accepted from a properly constituted organisation (or consortium) that is a UK registered charity, charitable body not for profit or community-interest organisation (which may include properly constituted but unincorporated groups, Industrial and Provident societies, Registered Friendly Societies, companies limited by guarantee, community interest companies, social enterprises). Under certain circumstances statutory bodies can also apply – please refer to the eligibility criteria.

2.3 Can we apply, even if we have been unsuccessful in the 2008/9 EHRC Interim Grants Programme?

Yes.

2.4 How many applications can each organisation submit?

You are allowed to submit only one application per organisation which can be submitted by the organisation either on its own, as a sole applicant, or alternatively as a lead organisation for a consortium.

2.5 If we applied for the previously launched EHRC Strategic Funding Programme (priorities one or two), can we also apply for funding for legal projects funding?

This depends on whether you applied previously as a sole or lead applicant in a consortium, in which case you cannot apply for legal projects funding as a sole or lead applicant, but you can apply as a member of a consortium. Our eligibility criteria clearly state that applicants can only apply for funding as a lead or sole applicant under only one of the three priority areas.

2.6 Will any priority be given to partnership (consortium) bids?

We encourage partnership bids.

3. EHRC Legal Strategy

3.1 Is the Commission's Legal Strategy available?

A copy of the 2008/09 Legal Strategy is available on the Commission's main website which has been down recently. A copy can be obtained from the EHRC contact persons listed at the back of the guidance document accompanying the application form. A new Legal Strategy based on the 2009/12 EHRC strategy is currently being finalised. Please check our website for further information.

4. Scope of Legal Projects Funding

4.1 What projects can be funded under the Strategic Funding Programme for legal projects?

This funding will cover three related legal outcomes, of which the first is the main one attracting the largest part of the funding. These are:

1. The provision of legal advice, casework and representation to individuals about matters falling within the Equality & Human Rights enactments. ***This is referred to as casework.***
2. The raising of the awareness and knowledge about equality and human rights. ***This is referred to as rights awareness-raising.***
3. The support and second tier advice to organisations undertaking the above two tasks. ***This is referred to as second tier support.***

Further explanation of what we mean by these three outcomes and the priorities for each outcome are set out in the guidance accompanying the application for.

4.2 Can we apply for funding for all three outcomes?

An organisation or a consortium can apply for funding for one or more of the three outcomes in one application but the maximum funding that any application or organisation can seek is £150,000 per year.

4.3 Can we apply for funding for more than one year?

Yes. You may apply for funding for casework for a period of 1 to 3 years. For the two other outcomes (rights awareness raising and second tier support), you may apply for funding for a period of one year or for a period up to 31 March 2011. We consulted on this and there was broad agreement that the non-casework outcomes may be funded for shorter periods. See also 10.5 below.

5. The Scope of funding for casework

5.1 Can we apply for funding for:

- a) our advice on immigration and asylum law, or**
- b) our advice on welfare law to disabled persons or persons of minority ethnic origin or**
- c) our support and advice to equality groups subjected to hatred or violence?**

The funding for casework is limited to the provision of legal advice or casework and/or representation to individuals about matters falling within the Equality & Human Rights enactments. The enactments are listed in the Equality Act 2006 (as amended) and are, in effect, the various equality grounds (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and human rights.

Other legal advice (on immigration, welfare law etc) to persons who are members of the equality groups cannot be funded by the EHRC unless the organisation providing such advice is setting up a project which addresses matters which come under the equality and human rights legislation. Equality and human rights cases may, of course, involve other interlinked claims (e.g an employment discrimination claim raising other employment claims) which can be dealt with in the same claim and at the same forum.

5.2 The predetermined casework outcome includes legal advice, casework and representation. Does this mean that only projects providing all aspects of casework will be funded?

We set out the type of projects that we will prioritise for funding in both the application form and the guidance and these are tilted towards

casework and representation because in many areas some advice is available from various sources. However we will still consider projects that may be providing advice on subjects or to groups where such advice is not currently available. For example, projects providing legal advice by phone or other means over a wide area or facilitating referrals to others for representation or assisting in or facilitating settlements as to satisfy unmet needs may well fall within the priorities for casework funding. Such projects may need to amend accordingly the standard wording of the predetermined casework outcome statement in the application form.

6. Priorities for Casework, Rights Awareness raising and Second tier Outcomes

6.1 Do we have to fulfil all the stated priorities for each outcome for our application to be successful?

No. You stand a better chance of succeeding in your application if you show clearly that your proposed project falls within one (or more) of the stated priorities set out in both the application form and the guidance.

7. The Funding

7.1 Will the Strategic Funding for Legal Projects 2009/10 Programme be available for a project that is already under way?

If you have already started work on a project, or committed expenditure on it, you cannot apply for funding for those parts of the project that are already under way or committed. Funding is only available to successful applicants after they have accepted the award and an agreement has been reached about the start of the project and the work to be undertaken. As for the casework organisations currently funded by the EHRC, please see 10.1 below.

7.2 What is the maximum amount of funding we can receive?

The maximum amount requested from the Commission should not exceed £150,000 per year for each organisation/application. Applications for funding for more than one outcome (e.g casework and rights awareness raising) are also subject to the same maximum limit of £150,000 per application per year.

7.3 How many funding cycles will there be in the 2009/10 financial year?

There will be only one funding round in 2009/10.

8. Submitting your Application Form

8.1 Where can I get an electronic version of the application form?

You can download the application form and the guidance for completing the form from our website:

<http://www.equalityhumanrights.com/fairer-britain/funding-from-the-commission/>

Alternatively you can contact the Legal Projects Unit at: legalprojects@equalityhumanrights.com to ask for the forms to be emailed to you.

8.2 Can we fax over a copy of the completed application form?

No. In an addition to the electronic version of the form which must be emailed to legalprojects@equalityhumanrights.com with the subject heading 'Legal Projects + [name of your organisation]', you must post or hand deliver, by **5pm on Friday 7 August 2009**, two hard copies of the completed application form (together with copies of the requested documents) to the Commission's London office at:

Funding Unit
Equality and Human Rights Commission
3 More London Riverside
Tooley Street
London
SE1 2RG

Faxed copies will not be considered.

9. The assessment process

9.1 How will we know you have received our application?

We will write to you to acknowledge receipt of your application.

9.2 What happens to our application once it has been received?

Your application will be assessed, and a report presented to the Commission's Legal and Funding Committees.

9.3 How does the Commission assess applications?

We consider various factors. These include whether:

- The proposed work is relevant to our main strategic priorities and to the prescribed outcomes and the priorities.

- The proposed work is likely to meet the identified needs.
- The organisation demonstrates satisfactorily capability to do the work and deliver the stated outcomes.
- The organisation demonstrates that the advice and casework undertaken will be delivered to a high standard.
- There is demonstrable evidence of partnership working.
- The planned objectives and outputs are SMART (specific, measurable, attainable, realistic and time-bound)
- The costs are appropriate, clearly set out and realistic.
- The organisation is capable of keeping records of the work, and providing documentary evidence for monitoring and evaluation purposes and for showing that strategic outcomes are identified and recorded.

9.4 How will we know if our application has been successful?

We will notify each applicant in writing. You should know whether you have been successful or not by early October 2009.

9.5 Can we appeal against the Commission's decision?

No. The decision made by the Commission's Funding Committee is final. This is because the committee will allocate all of the available funds. Unsuccessful applicants can ask the legal funding unit for feedback by e-mailing: legalprojects@equalityhumanrights.com. It will a very busy time, and we would welcome your understanding and patience as we will be assisting the successful projects in starting their funded work.

If we are unsuccessful, can we apply for funding from the Commission in the future?

Yes. The Commission will announce dates of future funding rounds before the end of 2009.

10. Successful applicants

10.1 If we are successful, when will we receive our funding?

Successful casework projects which are currently funded by the Commission shall have their new funding with effect from 1 October 2009. Other successful projects are also expected to start work in October 2009 or by no later than 1 January 2010. Payments are usually made quarterly in advance.

10.2 Will the Commission set any conditions if we take up a funding offer?

Yes, these will be outlined in your agreement which we will send to you once your work plan and other schedules have been agreed.

10.3 When will we be expected to commence the work?

All work is expected to start soon after 1 October 2009. If the work has not begun by 1 January 2010, the Commission may withdraw the funding offer.

10.4 How will the funded work be monitored and evaluated?

Successful applicants will be informed of the conditions and the reporting requirements. All funding recipients will be expected to complete periodic monitoring reports.

10.5 How long is funding available for?

In casework, funding will normally be available for a period of up to three years, renewable on an annual basis on satisfactory delivery of the work as evidenced in monitoring reports. This commitment is predicated on the Commission receiving adequate financial support from its sponsor department. In the unlikely event that we will not be able to continue funding a project, we will give due notice as early as possible and do all we can to assist the projects in securing replacement funding from alternative sources.

For rights awareness raising and second tier work, the funding is normally for a period of one year, but in the first round, the period may be up to March 2011 subject to satisfactory delivery of the work at the end of the first year.

Private companies

11. Can we apply for funding if we are a private company?

Yes you can, as set out in paragraph 2.1 (eligibility criteria) of the Guidance notes for completing the application for, if you are a (charitable or not-for-profit) private company limited by guarantee.

The reference to “private companies” in paragraph 4 (page 4) of the Guidance relates to other private companies, for example those which are limited by shares or are unlimited and are not charitable/not-for-profit organisations. These are not eligible to apply for funding as single organisations or as lead applicants in a consortium (partnership) bid.

Applications for second tier funding

12.1 We are applying for outcome 3 (second tier advice or support). Where in the application can we note down our budget details?

We expect to fund very few, national or country wide organisations under this outcome. If such applicants are not applying for awareness-raising funding, then they can note their budget (or basic revenue expenditure) for second tier work in the **budget table** in part 2, paragraph 12 (d) of the electronic application form and delete the references to awareness raising. Otherwise, they can use the **one page budget table addendum** for second tier advice or support applications which is available at our website and ensure that the totals in the actual application form budget table reflect in the totals columns the amount asked for this outcome. The completed addendum budget form must be submitted electronically and as two hard copies with the rest of the application.

12.2 I am submitting an application for funding for casework. Can I apply for the provision of second tier advice to other non EHRC funded organisations in my area of benefit?

The funding for second tier advice and support is, as set out in paragraph 6 of the Guidance to completing the applications, for advice or support to EHRC funded legal projects provided at national or country level.

Casework organisations that wish to provide regularly second tier advice to other local organisations undertaking advice and casework in their area of benefit may add this as part of their **objective** of “working together with others” under part 2, table 11a of their applications of their casework application.

The Website documents

13. I cannot see in your website where the application forms are?

You can see at the top right hand corner of the Home Page of our temporary website an item about the launch of the funding for legal projects. Click on that and it will lead you to the page where there is a further link to the page where you can find all the application and guidance documents (in various formats). The direct url link is:

<http://www.equalityhumanrights.com/fairer-britain/funding-from-the-commission/priority-funding-areas/priority-three-legal-advice-on-equality-and-human-rights-issues/>

Completing the Word application form

14. The Word application form is too large. Can we reduce the font and the number of pages?

We are committed to providing documents accessible to as many people as possible. The Word application form is currently on a large 18 font, which you can reduce, if so wish. You can also reduce the number of pages if you do not need to use all the blank sections.

For any further queries, please contact any of the EHRC officers listed at the back of the guidance document

Please refer to our website regularly for any latest updates:

www.equalityhumanrights.com

For any further enquiries, please contact our officers listed at the back of the guidance notes for completing the application.