CABINET

4 December 2013

FUNDING FOR VOLUNTARY SECTOR SUPPORT

REPORT OF ASSISTANT DIRECTOR (ECONOMY AND COMMUNITIES)

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RECENT REFERENCES:

CAB2432 - Proposed Grant Allocations for 2013/14, 13 February 2013

CAB2470 – Support for the Voluntary Sector, 26 June 2013

EXECUTIVE SUMMARY:

In June this year, Members considered a report which highlighted the significant role of the voluntary and community organisations working across the Winchester District (CAB2470, Support for the Voluntary Sector, 26 June 2013 refers). In the wake of recession and during a time of continued public spending restraint, there is an evident need to ensure that these organisations are resilient and effective. Their services are subject to increasing demand, and their contribution across the three outcomes of our Community Strategy is invaluable.

The June 2013 report outlined the way these organisations are currently supported. There are numerous sources of support, and one local source is the Winchester District Council for Voluntary Service (CVS) known as Winchester Area Community Action (WACA). WACA has for many years received an annual core grant from the Council to deliver key services to the community and voluntary sector (CVS).

As the Council continues to re-examine traditional ways of providing services, Members were asked to consider the case for moving from a grant-aided CVS to a commissioned support service, secured by a formal contract. In order to be clear about the impacts of such a change, officers were authorised to carry out detailed consultation with the sector to add more qualitative detail to the results of a Hampshire-wide survey carried out in 2012 and to extend and update the scope of that work.

This report summarises the findings of the consultation, and asks Members to approve the recommendation to move to a commissioned support service from the spring 2014.

RECOMMENDATIONS:

That Cabinet

- i) approves the move away from annual core funding for WACA to the advertising of a contract for a new, pilot commissioned service for the two financial years starting from spring 2014;
- ii) requires the Assistant Director (Economy & Communities) to draft the specification for this service in consultation with the Portfolio Holder for Economic Development and based on the findings of the recent consultation programme;
- iii) authorises the Assistant Director (Economy & Communities) to finalise discussions with the County Council to determine potential for co-commissioning the support service;
- requires the Assistant Director (Economy & Communities) to seek final approval for the specification, the evaluation process for the procurement and the recommended budget allocation for 2014/15 through the Portfolio Holder Decision Notice process before advertising the opportunity on the South East Business Portal in January 2014;
- v) approves the allocation of three months of core funding for WACA in 2014/15 based on the current year's grant (equating to £21,125) to enable the organisation to manage the transition, should it not be successful in securing the commission;
- vi) requests officers to provide practical support for WACA during any transition period to ensure that the contracts and projects for which it is responsible (outside the scope of the Council's core grant) are appropriately accommodated.

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DETAIL:

1 <u>Introduction</u>

- 1.1 Members will recall a detailed report in June this year (CAB2470 refers) which highlighted the significant role of the voluntary and community organisations working across the Winchester District. The report outlined the challenges faced by these organisations, and the need for resilience and even expansion as demand from service users continues to increase.
- 1.2 It also outlined the sources of support available for these organisations to help them through difficult economic times, one such source being Winchester Area Community Action (WACA) which is the Council for the Voluntary Service for the Winchester District.
- 1.3 In the light of the Council's broader transformation programme, Cabinet was asked to consider whether the current provision of annual core funding for WACA was actually providing the right support, at the right price, in the right way, to the right customers.
- 1.4 Members authorised officers to consult with community and voluntary organisations across the District to explore their views about a potential move from a CVS service which is core funded CVS by a core grant to a new style of commissioned support service secured under a formal contract. This was intended to extend and add more qualitative detail to a county-wide survey carried out among 700 organisations across Hampshire in 2012, to which 70 responses came from the Winchester District. Moreover, it would shape the specification on which to base future support, whether provided via a core grant or through an open procurement process.
- 1.5 This report summarises the findings of this consultation and seeks Member approval to move to a pilot commissioned service for the two financial years starting in spring 2014.

2 The Consultation Process

2.1 In accordance with the June 2013 Cabinet report, the consultation process included:

a) 4 discussion groups made up from the smaller organisations most likely to use the service, and, in particular, those with service users who come under the auspices of equalities legislation: these took place during October 2013 in Micheldever, Bishop's Waltham, Wickham and Winnall (42 attendees in total).

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- b) an e-survey designed for completion by those responsible for running community and voluntary organisations: this generated 65 responses, in addition to information gathered above and from 19 additional interviews with voluntary organisations.
- c) a discussion group with Members serving as observers on outside bodies, to learn from their experience of direct involvement with local organisations: in the event, Parish Councils were also invited to send a representative. A total of 23 councillors attended a workshop-style session on Monday 30 September.
- 2.2 The consultants who were selected following a competitive bidding process opted to include a series of 10 stakeholder interviews, which included Council officers and the Chief Executive of WACA. They also interviewed five other councils who had moved or were moving towards a commissioned service.

3 Summary of Findings

- 3.1 The full report produced by the consultants is available on the Council's website www.winchester.gov.uk as a 'background documents' to this report. However, some of the key findings are repeated below to give a flavour of the report. The consultants considered
 - a) expressed support needs;
 - b) accessibility and other key features of a support service, and
 - c) experiences of current support services.

They also sought to test responses to the idea that the Council could choose to invest in a procured contractual support service in place of the current core funding arrangements with WACA.

Support needs:

- 3.2 Consultation highlighted the fact that voluntary organisations are not a homogenous group, although they can often face very similar challenges (eg funding, transport, lack of skilled trustees). Moreover, organisations at different stages of development require different kinds of support, so a 'one size fits all' approach to support will not achieve the best results.
- 3.3 Feedback showed that there are increasing challenges for many organisations arising from finding the right premises (cost, location, size, suitability). Growing organisations need to develop the capacity and capability to draft the kind of policies and strategic documents required to ensure legal compliance. Many are aware of the need to improve their visibility, both

among potential service users and also to demonstrate their value to funders and stakeholders. A good proportion of organisations now understand the opportunities presented by the new 'commissioning era' in local government, and feel they need to develop the skills to respond to these.

- 3.4 Time and again, organisations refer to the need to recruit more volunteers, and are frustrated by the difficulties this presents.
- 3.5 Larger organisations with umbrella bodies or 'head offices' often rely more on other (local) sources of support than might have been supposed. They still need to access funding, find local volunteers and deal with their premises and their head offices do not necessarily offer this help.

Accessibility

- 3.6 The most significant barrier to accessing existing support services is lack of knowledge of what is available, followed by the cost (or perhaps the fear of cost). Organisations inevitably tend to look for support from sources that are easiest to access (eg their own trustees, other local voluntary organisations, the internet), and they place reliability high on the list for a good support service.
- 3.7 They are frustrated by the number and complexity of information sources, and cite this as a barrier to development. This is significant because many smaller organisations simply do not know where else to turn after they have exhausted their own personal contacts.
- 3.8 Whilst it was pointed out that a '9 to 5' service was not helpful for organisations run by volunteers who worked by day, with more provision requested on trusted websites and via email, the discussion groups felt that a very local support solution was essential. The latter talked about the potential for facilitated networks in hub towns like Bishop's Waltham, where participants could provide peer-to-peer support.
- 3.9 By and large, organisations are not concerned with who or what provides the support they required as long as it met their access and quality requirements.

Experiences of support services

3.10 There is a clear sense that organisations are struggling to find accessible support, and this is particularly the case for new/emerging ones that generally most need the assistance. They like to have the choice and independence in terms of where they access support, but they do expect a support service to have a good knowledge of the Winchester District. The top three sources of support for those who do access it are WACA (62%); the Internet (59%) and the City or County Council (45%).

3.11 The percentage accessing support from the two Councils is interesting, and the focus groups referred regularly to the importance of contact with the local authorities.

- 3.12 Throughout the discussions about support for the voluntary service, it has been taken as a 'given' that WACA provides a good quality of service to those it reaches. This was held up by the consultation, which showed again that WACA has good 'brand recognition', although the response to the service offered by the volunteer centre tends to be more negative. However, knowledge of WACA was, unsurprisingly, very low in rural areas, where organisations consequently attempted to be more self-reliant.
- 3.13 The Council's commissioned arts advisory service was held up at the discussion groups as an example of good support, providing a miniconsultancy approach tailored to the needs and situation of individual organisations.
- 3.14 ACRE, the membership body that deals with rural village halls, was also considered to provide an excellent service.
- 3.15 Overall, then, the report suggests that there is real scope to improve:
 - a) the accessibility and reach of support services;
 - b) working with the local authorities to ensure a more 'joined up' approach;
 - c) the targeting and tailoring of support;
 - d) recruitment and deployment of volunteers.

4 The Proposal

- 4.1 As outlined above, voluntary organisations in the Winchester District are asking for easy-to-access, tailored support. They feel that their basic requirements should be met with on-line resources provided on or signposted from a locally-driven website, with potential to seek detailed advice via email or in person when the need arises.
- 4.2 The sector has no strong views about who should provide this support, but key features of a support service must be quality, relevance and credibility.
- 4.3 Under the current arrangement, the Council provides core funds by way of a core grant to WACA to be the primary provider of support services to the voluntary sector. By its nature, core funding simply pays for an element of the recipient's running costs and it is for them to determine exactly what service they will deliver and how. This can be shaped to some degree by the Service Level Agreement, but not to the level of a procurement specification.
- 4.4 Officers therefore propose that Members endorse a move away from core grant funding to a procured contractual service. This would test the market in a way which will helpfully draw out innovative and creative approaches to

- service delivery, as well as ensuring that the Council and the voluntary organisations it seeks to support are getting value for money.
- 4.5 The procurement will be carried out on a competitive basis using an outcomes-based specification, in line with the Council's adopted commissioning approach. The specification would be informed by the report of the consultants, and it is recommended that the final form of the specification, and the evaluation process, should be approved under the Portfolio Holder Decision Notice scheme. The evaluation panel would include representatives of the voluntary sector, particularly those from smaller organisations and those representing minority groups.
- 4.6 It would be the intention to start the new contract from spring 2014, with an advert placed on the South East Business Portal in early January 2014. This would allow a three month window which should be reasonable and manageable for voluntary sector organisations who are interested in bidding. However, the opportunity would be open to other public and private sector bidders as well.
- 4.7 The services being procured are "Part B" services under the Public Contracts Regulations 2006, and in any event the proposed contract value is less than the current threshold of £173,934. This means that the full EU procurement process is not required, although the process must still be fair and transparent. Advertising the opportunity on the portal, linked with drafting of the specification, will meet these requirements.

5 Hampshire County Council

- 5.1 The County Council also core funds WACA, and every other CVS organisation in Hampshire. It is considering its position in terms of future funding, and County officers have been involved with discussions about the future provision of support services in the Winchester District for nearly two years. The County was represented on the evaluation panel which selected the consultants for the Winchester District consultation programme and included in the stakeholder interviews.
- In September 2013, the Council's Portfolio Holder for Economic Development met with the County's Executive Member for Culture, Recreation and Countryside. The latter expressed a clear view in these informal discussions that as the lead funding partner the City Council should determine its own future strategy and the County would then seek to support it. The proposition is that the County would consider co-commissioning the support service in the Winchester District, looking to learn lessons from this pilot in considering the future for its funding of other CVSs. A proposal is going to the County's Executive Member for Policy and Resources Decision Day on 24 January 2014 which recommends co-commissioning with the City Council in this way. Its investment would reflect the kind of corporate efficiency savings being required across the County over the coming years.

5.3 The County has a special interest in support for volunteering, particularly in relation to reducing unemployment, and already ring fences allocations to support volunteering initiatives in all its core funding grants to CVS organisations.

- Over and above the core support service it provides, WACA also delivers a number of commercial contracts and these include County contracts for Diala-Ride and Community Transport. Whatever the outcome of a commissioning process, WACA will need to consider its capacity to deliver these contracts. There are a number of alternative options if it cannot (e.g. running as 'stand alone' entities, TUPE transferring staff to another agency or voluntary organisation, or, over the longer term, retendering). County officers responsible for these contracts were given notice at the time of awarding the contracts that discussions around future funding for WACA were ongoing, and it was suggested that they consider contingency arrangements. They are currently opening discussions about such contingency arrangements with WACA. WACA have also been considering contingencies, having been closely involved in the discussions about future funding over the past two years and taken on new contracts during this period.
- 5.5 Officers believe that the contracted services could be preserved in one form or another. In any case, the contracts are a way in which WACA derives further contributions to the overheads associated with its core functions. The focus of the City Council's decision should therefore be on the core support service which it is commissioning, and not unduly influenced by the County's contract considerations.
- 5.6 The County would take a formal decision around the proposal to cocommission a service with the City Council at the Leader's Decision Day in January 2014.
- 6 Potential Impacts on WACA

Services

- 6.1 The Council's core funding supports the following WACA services:
 - i. Advocacy (voice and representation for the sector)
 - ii. Training and development support ('support services')
 - iii. Networking
 - iv. Volunteering
 - v. CRB checks (although processed via the Council's HR team)
- 6.2 Appendix 1 of the June 2013 report showed that WACA provides at least 10 further services, and runs externally-funded projects which are beneficial to local people. These include the commercial transport contracts referred to in section 5 above, but also payroll services for other voluntary organisations time-limited, grant-funded projects such as the 'Silver Dreams' projects for Nepalese elders in Winchester and elsewhere in Hampshire and the Rape

and Sexual Abuse Counselling service. WACA also co-ordinates a number of local community forums. WACA is careful to ensure that these projects and contracts fit with its charitable objects and enhance life for people living in the Winchester District.

- 6.3 A move to a commissioned support service may financially destabilise WACA, even if WACA wins the commission. Talking to other councils, however, it would seem that a number of these activities could be self-contained and/or transferred to other voluntary organisations. WACA has had a long period during which to consider options since discussions first began with the Council nearly two years ago.
- 6.4 It is proposed that a reasonable period should be allowed, following the outcome of the commissioning process, for WACA supported by officers from the City and County Councils to make provision for the continued delivery of these contracts/projects if it is unable to deliver them itself.
- 6.5 During this period for which three months is suggested it is proposed that WACA should continue to receive core funding from the Council at the same rate as at in 2013/14 to support the organisation during this transition period.

Premises

- 6.6 WACA has been a tenant of the Council's for many years, and currently pays £24,320pa for its occupancy of the Colebrook Centre. (It also pays a service charge based on direct consumption of utilities and certain repairs.) However, it has reduced its staffing levels and lost some sub-tenants since it moved to the Centre, and the accommodation is not flexible enough to generate additional income for them or to suit the needs of potential new sub-tenants. Consequently, WACA have already been considering a move to alternative, cheaper premises. This is likely to happen at some point, whether or not the support service is commissioned. In the past, it has been argued that because a proportion of the Council's grant is returned to the Council via this leasing arrangement, it should not be further reduced or reviewed. However, were WACA to move to another location, it would still receive the same core grant and there would be no return to the Council.
- 6.7 With longer term plans to redevelop the Council's office accommodation under early consideration, officers believe that it may prove difficult to re-let the WACA premises at a market rent should they choose to relocate to cheaper premises whether or not this were triggered by a decision to commission.

OTHER CONSIDERATIONS:

- 7 <u>SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS</u> PLAN (RELEVANCE TO):
- 7.1 A strong voluntary sector directly supports delivery of the Council's Active Communities, Economic Prosperity and High Quality Environment outcomes.
- 7.2 The proposal to move to a commissioned approach also supports the Council's objective of being Efficient and Effective in its delivery of services.
- 8 RESOURCE IMPLICATIONS:
- 8.1 In 2013/14, the total grant from the Council is £84,500, all of which is taken from the General Fund. It is proposed that a basic commissioned service could be procured for £50,000, making a saving of over 40%. However, this excludes any co-commissioning contribution from Hampshire County Council which might enable the City Council to reduce its allocation further, or by contrast to enhance the service specification. Discussions will continue with the County in the run up to the County Leader's Decision Day in January 2014.
- 8.2 WACA currently occupies the Colebrook Centre within the City Offices footprint. In 2013/14, WACA will pay £24,320 to the Council. (It also pays a service charge, but this is based on the actual cost of utilities used during the year.) The rent represents around 29% of the core grant. As reported above there is a possibility that WACA could choose to move to cheaper more flexible accommodation elsewhere and in this case the Council would lose £24,320 of annual income unless another tenant could be found. With the future of the City Offices currently under discussion, any void may be relatively short term.
- 8.3 At a time when the Council is under financial pressure, the potential to harvest a saving on this service whilst continuing to provide it in a different way is significant and may reduce the need to impose savings on voluntary organisations working on the 'front line' across the District.
- 8.4 Grant payments are not subject to VAT. If payments are made by the Council in return for services being provided under a contract, VAT may be payable by the Council in addition to the contractual fee for those services. However, given the amount involved and the specific rules regarding VAT and local authorities, this would not have a significant impact on the Council. WACA and any other organisation bidding for the commission would need to ensure that the VAT position was clarified before the new commissioned arrangement commenced, so that any VAT due is properly collected and accounted for.
- 8.5 The Council is also the guarantor for the Local Government Pension Scheme (LGPS) for WACA. WACA closed the LGPS scheme to new members from 31 March 2008. The annual accounts show a defined pension scheme

liability of £559,000 (on an FRS17 accounting basis) and a general balance of £74,000 at 31 March 2013. This would be required to cover any wind up costs which may arise from a decision by the Council, including the costs of an actuarial valuation for the transfer of the pension liability to the Council. However, it is thought that if there were any residual amount there would be legitimate grounds for requesting a contribution towards outstanding pensions liabilities from WACA, leaving the Council to pick up any balance and for this to be subsumed into its other liabilities.

- 8.6 Should WACA not be awarded the commission, the proposal is to continue to provide core funding for the first quarter of 2014/15 at the rate for 2013/14 whilst transition arrangements are finalised. This would equate to £21,125 in 2014/15.
- 8.7 The table below shows the net impact on the Council of the proposed changes, reflecting the worst case scenario (i.e. that WACA terminates its rental of the Colebrook Centre and that WACA requires a transition payment if it does not secure the new contract). This shows a potential net increase in costs of £10,945 in 2014/15 followed by savings of £10,180 in 2015/16.

	2013/14	2014/15	2015/16
	£	£	£
Current Core Grant	84,500		
Proposed contract value (WCC element)		50,000	50,000
(Maximum) first quarter transition payment to WACA		21,125	0
Rental Income (Colebrook Street)	-24,320	0	0
Net Cost	60,180	71,125	50,000
Net Increase / (Decrease) in cost		10,945	-10,180

9 RISK MANAGEMENT

9.1 There are risks associated with moving to a commissioned contractual support service, but there are also risks associated with maintaining the status quo. The main risks are outlined at Appendix 1. The main ones, obviously, are that a move to commissioning might financially destabilise WACA, with the associated potential reputational damage to the Council. However, as the Council pursues its programme of transformation reviews across the four outcomes of the Community Strategy, Members will be taking many more decisions which require the Council to strike a balance between new, more efficient ways of working and supporting longstanding traditions or alliances.

10 EQUALITIES

10.1 Because WACA has a strong track record of working with vulnerable and marginalised groups, both directly through funded projects and indirectly by supporting the local organisations that are established to provide such services, officers have been mindful of the need to consider equalities impacts

- in proposing any change to the existing arrangement. A small working group was set up before Christmas and has met three times, supported by the Council's Equalities Advisor and including a 'critical friend' from outside the Winchester District.
- 10.2 However, because the intention for any commission would be to re-provide voluntary sector support services which meet the needs of local organisations, it can be argued that there should be little or no equalities impact in terms of the commissioning of the core services which the Council funds. The additional consultation with voluntary organisations which has taken place in recent weeks confirms that they are not concerned about how the service is provided, but they do wish for improved accessibility which would benefit all groups including those representing minorities.
- 10.3 It should also be noted that a decision by the Council to maintain the current core grant arrangements with WACA but at a reduced level could have a greater impact on minority groups than moving to commissioning. This would be because of WACA's reduced capacity to deliver its core services in general terms would have a proportionate impact on the service it provides for minority groups. An equalities impact assessment is carried out on the core grants proposals each year and fed into the decision-making process.
- 10.4 There has been some media coverage over high profile legal cases in places such as Birmingham and London over the past two years, where funding to voluntary sector organisations has been withdrawn. Where cases have been upheld, it has been on the grounds that no equality impact assessment or inadequate consultation has been carried out. Cuts or changes in themselves are not illegal. In Winchester's case:
 - a) the voluntary sector has been widely consulted about its support needs over the past two years;
 - meetings have been held with WACA trustees and officers at various times over the past two years at which discussions about future delivery and funding has been discussed, so they have had plenty of time to consider alternative business models;
 - c) an equalities impact assessment has been carried out (see background papers), but as the service would be 're-provided' through the commission with a greater focus on priority services, there is no intention to reduce support for those with protected characteristics under the Equalities Act living in the Winchester District.
- 10.5 As explained above, there may be an impact on the additional projects and contracts delivered by WACA as a consequence of any move to commissioning. It is not known at present whether WACA would secure the commission, nor whether it could continue to run its other contracts without core funding from the Council. As a consequence, no assumptions can be made at this stage but officers would as indicated elsewhere in this report work proactively with WACA to make provision for the continuity of services to

those residents who have 'protected characteristics' under equalities legislation.

BACKGROUND DOCUMENTS:

- A full copy of the report on the Hampshire-wide survey of voluntary sector support needs quoted in this report can be found at:
- http://documents.hants.gov.uk/community-gupport/SupportneedsoftheVoluntaryandcommunitySector-gupport/SupportneedsoftheVoluntaryandcommunitySector-gupport/SupportneedsoftheVoluntaryandcommunitySector-gupport/SupportneedsoftheVoluntaryandcommunitySector-gupportneedsofth
- Winchester City Council: Voluntary and Community Sector Support Needs Consultation, November 2013 – final report of the consultants
- Equality Impact Assessment of the proposed move to a commissioned support service
- Service Level Agreement (outcomes and indicators) for WACA attached to the organisation's core funding for 2013/14

APPENDICES:

Appendix 1 – Summary of Key Risks

Appendix 1: Summary of Key Risks

0	Risk	Likelihood/	Mitigation
Commissioned Service		Severity	
	WACA is financially destabilised	Highly likely Medium/High	a) WACA trustees have been given long lead time to develop alternative business models, working with other CVS organisations;
	WACA is unable to continue delivery of contracts or grant-aided projects	Likely High	b) A further 3 months of core funding proposed in 2013/14 to support transition;c) Potential for individual WACA projects/contracts to stand alone/be novated;
			d) Good potential for WACA to collaborate with one of the 11 other CVS organisations in Hampshire;
	Service delivery is poor	Unlikely Medium/High	a) Procurement process will be robust, and built on evidence-based specification; b) Regular monitoring of performance by
	Significant impact on minority (equalities) groups	Low	steering group including voluntary organisations;
		Wedium	c) Spec will built in requirement for responsive/evolutionary approach based on user feedback;
			d) Officers will work with provider to ensure target organisations are appropriately identified and supported.

e ed	Risk	Likelihood/	Mitigation
Comm ission ed Servic		Severity	
	Reputational/political risk to Council for discontinuing long core funding arrangement with WACA	Likely Medium	 a) Clear stakeholder communications plan around commissioning process; b) Support for WACA's transition arrangements to minimise disruption; c) Positive outcomes of new-style service to be shared; d) Involvement of voluntary sector organisations throughout the two year process;
	The transition period following commissioning proves too short to allow for the transfer or reorganisation of other WACA functions/contracts	Unlikely Medium/High	 a) WACA, WCC and HCC colleagues put on notice of discussions around future funding for WACA more than a year ago to provide plenty of notice in the event of future change; b) WACA trustees are already planning contingency arrangements; c) WCC officers will work with WACA to support transition arrangements.

ed on Aic	Risk	Likelihood/	Mitigation
Comm ission ed Servic e		Severity	
Status Quo	Previous and future cuts to core funding diminish WACA's capacity to provide a good level/reach of service	Highly likely Medium/High	 a) Previously proposed cuts of up to 25% have been modified – this year saw a reduction of 5%; b) WACA has made efforts to work collaboratively with other CVS organisations to share staff/specialise over wider geographical areas; c) WACA looking to make other savings to core costs (eg premises).
	County Council may take the lead and opt for a County-wide commission or contract, with potential for loss of local knowledge	Possible High	 a) City Council has attempted to take the lead in decision making thus far, as the majority funding partner; b) County Council officers working closely with the districts and also chief officers of the CVS network;
	More savings made to other voluntary organisations delivering front line services if not realised through a commissioned support service	Highly likely Medium/high	 a) Training and information offered by officers to help the sector to be less reliant on local authority funds; b) More commissioning opportunities becoming available from local authorities for voluntary organisations.