

# The Baring Foundation

## **Strengthening the Voluntary Sector**

*Supporting effective use of the law and human rights based approaches to tackle discrimination and disadvantage*

Pilot Funds - 2015

### **Background to the programme**

In collaboration with:

The logo for The Legal Education Foundation, consisting of a blue square with the text "The Legal Education Foundation" in white, stacked vertically.

The  
Legal  
Education  
Foundation

## 1. Introduction

The Baring Foundation is pleased to announce two new open funds under our Strengthening the Voluntary Sector (STVS) programme.

This programme supports effective use of the law and human rights based approaches by the voluntary sector in the United Kingdom. It is a collaboration with the Legal Education Foundation.

We see the law and human rights based approaches as important tools for the voluntary sector. They can provide a means to tackle directly the discrimination and disadvantage faced by vulnerable people and to create and protect the space in which voluntary organisations operate, helping to safeguard the freedom of purpose, action and voice of the sector as a whole. There are great examples of voluntary sector organisations who have used these tools effectively in these ways.

However, use of the law and human rights based approaches is far from consistent across the voluntary sector and many organisations see no link between these tools and their purpose, strategy and activities, or are wary of using them. This programme aims to boost engagement and to support organisations within the broader voluntary sector to make effective use of the law and human rights based approaches to tackle discrimination and disadvantage.

The programme focuses on domestic activity in all countries in the United Kingdom.

We encourage applications from voluntary sector organisations with little or no history in using the law and human rights based approaches to achieve their mission, as well as organisations with a strong background in this work.

As 2015 is the first year of our funding in this area, we are not restricting our funding to a particular theme – e.g. homelessness or black and minority ethnic communities – and would like to see applications that aim to use the law and human rights to tackle a broad range of issues causing discrimination and disadvantage.

We will award the majority of our grants under two open pilot funds:

- **training, education and capacity building** – seed funding grants of up to £30,000 over six months to two years that support organisations to understand how their objectives can be achieved through use of the law or human rights based approaches.

[\*Full details are available here\*](#)

- **applied projects** – grants of up to £150,000 over approximately three years to create new capacity for work that addresses specific discrimination or disadvantage and safeguards the freedom of purpose, action and voice of the sector, linking the skills of ‘non-legal’ and ‘legal’ organisations to enhance and complement campaigns for social change. Organisations will be expected to demonstrate innovative approaches to using these tools and evidence of how they will collaborate to support a shared agenda.

[\*Full details are available here\*](#)

We hope to award grants for exciting and innovative work through these pilot funds and the process will inform how the programme develops in 2016 and beyond. Our strategic focus on use of the law and human rights based approaches will stay constant, but the form and nature of our funding is likely to become more focused in future years.

We will also award a number of grants by invitation only that focus on research and policy influencing.

## **2. Applications**

In advance of making any application you will need to read the following ([available here](#)):

- this background paper;
- the guidelines for training, education and capacity building grants;
- the guidelines for applied project grants; and
- the independent research commissioned by the Foundation that considers use of the law and human rights based approaches by the voluntary sector.

**The application requirements and timetables for the two pilot funds are different. Please ensure you use the correct process to apply.**

The guidelines for each fund give full details of how to apply and application deadlines.

If you are considering an application, we recommend that you contact us in advance to discuss your project. Contact details are provided at the end of these guidelines.

[\*All the information on the open pilot funds is available here\*](#)

## **3. What we mean by ‘the law and human rights based approaches’**

Definitions of the law and human rights based approaches vary, but in this programme we use these terms in a broad and practical way.

We have a particular focus on the intersection between social justice and the law, including applying and understanding the law and human rights based approaches in their broadest sense where they impact the voluntary sector. However, we are interested in how any part of the law can address discrimination and disadvantage – we recognise that this means the work of our grantees may touch on local, national and international law, as well as judicial decision making. We encourage applicants and partners to be creative in the way they use the law to achieve their objectives.

Similarly, we want human rights based approaches funded under the STVS programme to innovate and adapt, as defined by the Scottish Human Rights Commission:

*A human rights based approach is about empowering people to know and claim their rights and increasing the ability and accountability of individuals and institutions who are responsible for respecting, protecting and fulfilling rights.*

*This means giving people greater opportunities to participate in shaping the decisions that impact on their human rights. It also means increasing the ability of those with responsibility for fulfilling rights to recognise and know how to respect those rights, and make sure they can be held to account.*

*A human rights based approach is about ensuring that both the standards and the principles of human rights are integrated into policymaking as well as the day to day running of organisations.*

In line with this purposive approach to the law and human rights based approaches, we frequently refer to them as ‘tools’ that the voluntary sector can use to achieve their objectives.

Importantly, we recognise that these are two tools among many. Use of the law and human rights based approaches will only be effective when rooted within broader social change work.

#### **4. Our objectives**

We aim to support voluntary sector organisations to:

- understand when, how and where the law or human rights based approaches can be effective tools to:
  - tackle directly discrimination and disadvantage; and
  - safeguard the freedom of purpose, action and voice of the voluntary sector;
- build sustainable collaborations and partnerships between organisations that leverage existing expertise within the sector to use the law and human rights based approaches;
- develop additional capacity to use the law and human rights within broader movements for social change;
- translate frontline activity into effective advocacy and policy change; and
- create the evidence base to support new streams of funding for this activity.

To achieve this, we will take a supportive and engaged approach, responding flexibly, creatively and pragmatically to the needs of our partners. We will make grants, promote knowledge and use our influence to champion effective use of the law and human rights based approaches. We will focus on three areas:

- **training, education and capacity building**  
supporting organisations to understand how their objectives can be achieved through use of the law or human rights based approaches. Providing funding to develop, replicate and scale up successful training courses or online resources, to support management time to

consider how to change systems and culture to use these tools and to provide additional capacity for existing collaborations;

- **applied projects**

creating new capacity for work that addresses specific discrimination or disadvantage and safeguards the freedom of purpose, action and voice of the sector, linking the skills of ‘non-legal’ and ‘legal’ organisations to enhance and complement campaigns of social change; and

- **research and policy influencing**

developing the evidence base for legal action and human rights based approaches and supporting work that translates activity on the front line into policy change, protecting the space for the voluntary sector to use the law and human rights based approaches.

If successful, this activity will lead to:

- examples of organisations incorporating use of the law or human rights based approaches in their strategy, purpose or activities;
- evidence of when, where and how these tools can form part of effective campaigns for social change and/or protect the independent activities of voluntary sector organisations;
- increasing funding for the use of the law and human rights based approaches by the voluntary sector;
- voluntary sector organisations considering how they use the law and human rights based approaches as part of any strategy review; and
- civic space that values and promotes access to legal remedies and human rights protections for voluntary sector organisations and their service users.

## **5. Further background to the Baring Foundation STVS programme**

Established in 1996 the STVS programme has shifted its focus periodically. For the first ten years the programme focused on the organisational development of voluntary sector organisations. In 2006 this shifted to prioritise the independence of the voluntary sector, with an increasing concentration on the advice sector. In 2012 the Foundation chose to focus exclusively on supporting advice organisations to build a future system of effective social welfare legal advice services through the Future Advice programme.

Future Advice works to support the building of a future system of effective social welfare legal advice services – this programme continues in 2015 and is now administered by the Legal Education Foundation.

We reviewed our approach to the STVS programme in 2015 with the aim of identifying a new focus that offered:

- a clear link to the purpose of the Foundation – to improve the quality of life of people experiencing disadvantage and discrimination;
- the potential to strengthen the voluntary sector in a real and lasting way;

- the best fit with our supportive and engaged approach, responding flexibly, creatively and pragmatically to the needs of our partners;
- opportunities for the Foundation to establish itself as a thought leader and a distinctive funder in the area - to encourage communication of knowledge and to influence others; and
- options for innovative grantmaking, particularly at the macro-level.

The Foundation made its choice from a wide range of different themes and approaches, informed by a series of roundtables attended by participants from the sector. We also commissioned research on shortlisted themes (available on our website). Of the shortlisted options, it was decided that support for effective use of the law and human rights based approaches was the best fit for the Foundation.

In part, this decision recognises our experience with the advice sector – our grantees have demonstrated the many and varied ways that the law and human rights can be used as tools of social change – protecting at risk individuals, bringing to light the complexities of disadvantage and championing community interest.

However, in the scoping research for this programme, Neil Crowther also suggested that:

*outside what might be described as the ‘legal voluntary sector’ engagement by the voluntary sector with the law and human rights appears to be mixed. That action and activity which does exist is at a relatively embryonic stage. The law does not seem to have commonly assumed a central place in the thinking of organisations otherwise involved in individual advocacy or the pursuit of wider social change.*

In some circumstances this low level of engagement appears to relate to a:

- lack of knowledge that an issue could have a legal/human rights based solution;
- lack of confidence in dealing with what are regarded as highly technical areas;
- concern that use of the law – particularly litigation – can harm relationships with public bodies; and
- fear that legal action is too costly for most voluntary organisations.

The programme aims to challenge this low level of engagement and support organisations within the broader voluntary sector to consider and use these tools.

## **6. Contact**

For any questions in relation to the STVS programme or your application, please contact David Sampson by email at [david.sampson@uk.ing.com](mailto:david.sampson@uk.ing.com) or by telephone on 020 7767 1136.

**15 September 2015**