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Review of the Grants Policy – Response to the BSS Council’s Consultation Document

The circulated consultation document requested comment from BSS Members on proposals to abandon the present policy (except in special circumstances) in favour of the provision of expertise and, with others, in the initiation and financing of imaginative education projects, public relations and exhibitions.

I write in defence of keeping the Grants Policy and in support of a renewed programme of education.

1. The document is based on several incorrect assumptions and does not properly present the argument for retaining the Grants Policy. It is not true to say that grants are almost always denied. There have been several made over the years, our involvement with even a small grant has frequently persuaded other funding authorities to step in. In this way we have seeded the full solution sometimes without our grant being taken up in the end.
2. Far from what is stated in the document, the Grants Policy has actually been an excellent vehicle by which our free expertise becomes better known to owners of dilapidated dials in public view. The possibility of limited funding can be a great attraction because we, as an entity of national focus on sundials, can frequently trigger other granting bodies to take over the finance. Not only that but several dial designers have found that persons have come to them for advice just because of the existence of the Grant Policy. The fact that it achieves so much at so little cost is much to its credit.
3. The Society has always freely offered its expertise and advice and for that matter worked hard to attend exhibitions and other events where there may be interest in dialling. To imply, as the consultation document seems to do, that somehow provision of expertise will be something new, is disingenuous. Advertising our willingness to give free advice and particularly finding staff to man exhibitions etc has always been the problem. This proposal does nothing to suggest how in what is improved any improvement over the success of the Grants Policy might be achieved.
4. At the time of our agreement with the Charity Commission of the then ‘new’ approach to a Reserves Policy, the BSS Grants Policy was the one vehicle that we had to convince the CC that we were not simply accumulating funds and did (and already) have in place some plans for careful reduction of our excessive reserves. A subsequent Council of course abandoned the Reserves Policy and I am concerned that it now plans to expose the Society even further by removing the Grants Policy in favour of something as nebulous as ‘providing expertise’ – something which will not address our current, even greater, levels of Reserves.
5. The Grants Policy forms a major element in our provision of Public Benefit. The Consultation document oddly fails to mention this at all; almost as if the Council has completely forgotten this purpose. A summary of the position may be in order.

We can only remain a charity if we offer sufficient Public Benefit and do not provide benefits to our members¹. Doing this is difficult for membership charities in the educational sector. The earlier (and confusing) rules for Public Benefit suggested that each activity of the charity should offer similar proportions of benefit especially for the poor. That was alarming for us because it implied the need for bursaries and free places at events and worse there was a presumption that all activities of the charity had to demonstrate similar levels of Public Benefit. Fortunately, the Independent Schools (who were even more affected) successfully challenged this in the High Court eighteen months back. The CC went to consultation in 2012 and it is currently thought that the CC will accept the concept that sufficient total Public Benefit might be acceptable rather than a need for similar benefit levels to be visible from each

¹ Indeed charity law makes it clear that an organisation’s failure to meet the Public Benefit Requirement means that the organisation is not charitable. Even an inability to afford required levels of Public Benefit is no defence.

activity of the charity. The CC propose to issue their revised legislation 'in the early months of 2013'. The Trustees need to monitor this change of law very carefully.

It is surely perverse that the Council should at this time and before we even know what the new legislation will require of us, propose to abandon one of the few important tools in our armoury regarding Public Benefit?

6. There is yet another benefit from the Grants Policy. Where any such grant is made in accordance with the Policy, we as a Society are entitled to the publicity of our involvement. Indeed sometimes we can get our name on plaques referring to the restoration. These represent valuable and occasionally nearly permanent, publicity. Abandoning the policy for simple provision of expertise would have no such benefit.
7. The Council document confirms that so far the Grants Policy costs the Society little. Indeed its maximum funding from income has for a long time been set to be that of the gift aid return; though of course in any year it can always be raised to whatever the Council feels can be afforded from its reserves. Given this, why should it now be abandoned when there are potential benefits to be had from its retention? The more so at this time when it might be needed to regularise our charitable status. In my view it should be left in place as a mechanism by which our ever increasing and now quite unacceptable levels of reserves can be reduced.
8. Turning to the proposals for provision of expertise. Advice and expertise has always been freely supplied by the Society and such advice frequently includes more than one member but the document is silent as to how the new proposal for a 're-orientation', will be greater or better than what is currently available. Not only that but rather worryingly it mentions project leadership without any suggestion of the perils of inexperienced members - or worse the Society - becoming a *de-facto* project manager with all the consequent risks of professional liability. It will be recalled that we much explored these risks over the proposed St Katharine Cree dial restoration.
9. On the one hand professional risks are not mentioned yet the consultation document does mention reimbursement of reasonable 'costs and expenses'. Reasonable expenses are one thing – they are defined in and limited by, a Society policy document. But what are reasonable costs? Might this be intended to include professional fees or fees for the provision of this expertise? Payment to Trustees is forbidden by the Constitution. Payment to other members of the Society in respect of contracts in which the Society itself is – or could be – involved, would almost certainly bring us into conflict with the Charity Commission. These issues have not been touched on in the consultation document.
10. Expanding our work in Education is certainly to be applauded. It will be recalled that I pressed for that in 2010-11. We have previously operated an *Education Group*, interest in which attracts the Membership Code D in JJ's spreadsheet. In 2010 I recall there were over 120 BSS members with a declared interest in the Education side of the Society. Over the years this Special Interest Group of the Society has published no fewer than three editions of the very successful BSS publication *Make a Sundial*. It is odd that the discussion document makes no mention of this Group or of its achievements. The Group should of course be convened and its deliberations should involve schools and youngsters as well as the general public. In particular we should re-visit earlier plans to take advantage of Peter Ransom's national curriculum work. In the short term it might usefully target those approaching retirement since so many members come to us at that time of their lives. The omission of any mention of the Group, its history and successes in the document means that an adequate membership response on this topic too cannot really be expected.

Sadly this consultation document does not give members sufficient information about what is proposed. The membership cannot really be expected to comment properly on it as it is. As a result the Council will need to be careful not to mistake a paucity of membership responses for agreement with its suggestions.

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