

Birmingham City Council
Trusts and Charities Committee

13 November 2023



**Subject: Applications for Grant Funding to Birmingham
Municipal Charity**

Commissioner Review

Cleared without comment.

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Subject: Applications for Grant Funding to Birmingham Municipal Charity

Report of: Director Group & Capital Finance

Report author: Alison Jarrett

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

The exempt report contains information that could identify an individual

1 Executive Summary

To present to Committee applications to the Birmingham Municipal Charity (BMC) for grant funding support for consideration and decision.

2 Recommendations

That Committee:

- 2.1 Acting on behalf of the Council as Trustee is recommended to consider the application for grant funding support within this report and decide on whether a grant will be provided, including any conditions or requests for additional information.
- 2.2 Authorises the Director of Group & Capital Finance (or their delegate) to liaise with the applicant pursuant to any conditions of grant award and to administer the payment according to the BMC grant conditions document.
- 2.3 Authorises the City Solicitor & Monitoring Officer (or their delegate) to prepare, execute and complete all necessary documentation to give effect to the above decisions.

3 Background

- 3.1 The Birmingham Municipal Charity was established by a Trust deed dated 9 June 2011 by Birmingham City Council and is a charitable trust.
- 3.2 The charitable objects of the Birmingham Municipal Charity are “to fund general charitable activity for the benefit of the citizens of the Birmingham.”

3.3 Application 1 – Make Them Smile

- 3.4 The application is submitted by the charity, Make Them Smile, who are based in Grimsby, and were formed in 2012 to assist children within the UK that suffer from all forms of debilitating disabilities, illnesses, diseases or are disadvantaged due to being underprivileged and poverty-stricken, during which time, they have assisted more than 10,600 children and their families across the UK.
- 3.5 The application is for a donation towards supplying an Acheeva Learning Station for a SEN School, located in Erdington, Birmingham. The school has purpose-built facilities and provides specialised individual programmes to their pupils. The school caters for 229 pupils aged between 2 and 25 years. Some pupils have additional difficulties including sensory impairment, learning and communication difficulties or complex medical conditions.
- 3.6 The Acheeva Learning Station is designed to help children with special needs learn how to move independently. These include those with cerebral palsy, autism, Down's syndrome, multiple sclerosis, spinal cord injuries and many other conditions.
- 3.7 Acheeva are height adjustable mobile therapy beds that help children maintain a functional position throughout the day. It provides support for those who cannot move around easily due to illness, injury, surgery, or disability and enables children with complex needs to be comfortable, and easily integrated into classroom activities.
- 3.8 The total cost for an Acheeva Learning Station is £8,229.60. This includes all necessary accessories, VAT, and carriage. No specific amount is requested a donation of any amount would be gratefully received.

4 Options considered and Recommended Proposal

- 4.1 The Committee may decide to support the application in part or in full, may request additional information before deciding, may refuse an application that does not meet or support the charity's objectives. Verification work has been completed on the applicant, any payments will be subject to proof of prior expenditure and/or will be made through a Birmingham City Council service connection (for example a school or social worker). The Committee is recommended to support the application as the funding conditions are met – the amount of support and any conditions are for the Committee to decide.

5 Legal Implications

- 5.1 The City Council acts as Sole Trustee for a number of charitable and non-charitable trusts and has delegated the management of these Trusts to the Trusts and Charities Committee, which includes the award of grant funding to applicants of Birmingham Municipal Trust, either directly or through a sub-committee.

- 5.2 Charity Trustees must also comply with Charities Act 2011, Trustee Act 2000, other relevant legislation and guidance issued by the Charity Commission. The assets of a charity must be used in accordance with charitable law, failing which this will give rise to a breach of trust. Legal sanction can follow from either the beneficiaries of the charitable trust and/or Charity Commission. Decisions made by the charity must be expedient in the interests of the charity at all times.
- 5.3 The Committee has empowered officers within the Council to discharge certain functions on its behalf as Council Trustee.

6 Financial Implications

- 6.1 All grant payments to applicants are made from BMC funds. There is no direct impact on the Council's general fund arising from the content and decisions within this report save that of officer time.
- 6.2 BMC holds adequate funds to accommodate the requests within this report.

7 Appendices

- 7.1 No appendices