

LEF Pre-application webinar transcript

11th January 2024

Introduction (Rachael Takens-Milne, Director of Grants and Learning)

Over the next hour we will cover:

- Quick introduction to LEF and our approach to grantmaking
- Our Stronger Sector and Fairer Systems programmes
- Eligibility and exclusions/what we don't fund
- What we consider when making decisions and the values we look for
- The application process including upcoming key dates.
- Q and A

Part of the rationale for this webinar is to ensure that we are as open as possible and as transparent about our funding programmes and decision making – we do not want to waste anyone's time. To this end we need to be honest and upfront: we always receive more applications than we have funds available. Difficult decisions need to be made and the purpose of this webinar is not to encourage more applications but hopefully to assist you in making the decision as to whether or not LEF is good fit for your work and whether to invest the time in applying.

We know that probably the key question for many of you will be 'will LEF fund our work?' – and we won't have time today to give detailed one to one advice or feedback unfortunately. However we do hope that by the end of the session today you will have a clearer idea of our priorities, what we are looking for; and how our application process and decision making works. And if you still have queries or questions, at the end of the webinar we will outline how to get in touch to arrange a brief one to one call with one of our team.

About LEF

Firstly, a little about us. The Legal Education Foundation's vision is a society that is just and fair. Our current strategy to 2025 – which you can also read on our website – aims to deliver our mission to support communities to use the law to improve their lives and the lives of others. We do this by working towards a stronger sector, fairer systems and smarter justice. The Smarter Justice programme is not currently open for applications, so this current funding round is open to applications under both our Stronger Sector and Fairer Systems programmes, and it is these programmes we will focus on today. We support work in all four nations of the UK, as we recognise the need to reflect local needs and differences, as well as the different legal jurisdictions and devolved powers.

We will talk a bit more about those two funding strands in a moment. It is worth also noting that we are in the process of developing our new strategy, for 2026 onwards. The last two 'open rounds' under this strategy and the programmes in their current iteration will therefore be in Spring and Autumn 2024.

And in terms of our organisation, to help give a sense of who we are, we are around 20 staff across the Foundation, which includes the grants team, as well as learning, policy, communications and operations. There are 3.5 – soon to be 4.5 – of us who work solely on grants, although a wider team are involved in grants alongside other areas of work such as policy or strategy. We also have one member of staff who manages the Justice First Fellowship, which is another of our grant programmes, which some of you may be aware of – this is our programme for training future social welfare lawyers. We won't be talking about the application process to become a JFF host today, but you will find information on this on our website. The closing date for the next round of host applications is 7th March and there is more about that on our website.

Final decision making on grants is made by our Grants Committee, which is a subcommittee of our Board of Trustees. Our grants team provides advice and support throughout the application process, but ultimately the final decisions are made by this Committee.

Our approach to grantmaking:

We have adapted and developed our grantmaking approach in recent years, moving from grantmaking that was largely project based, shorter term grants, with a less flexible approach to monitoring based on targets and milestones. In 2019/2020 we introduced various changes, based on:

- Shift away from accountability to learning
- Trust based philanthropy
- Relationship based grantmaking

So now most grants are for 3 years, funding is flexible and reporting is framed around outcomes that we agree with you, with emphasis on learning and reflection.

During COVID, many independent funders adapted their process to simplify things in recognition of the additional difficulties organisations were facing at that time. LEF was one of several funders who joined together to sign up to 8 commitments as part of the IVAR 'open and trusting' initiative which means we have committed to:

- Don't waste time
- Ask relevant questions
- Accept risk
- Act with urgency
- Be open
- Enable flexibility
- Communicate with purpose
- Be proportionate

We recognise that we don't always get all of this right all the time, and that's where feedback from our grant partners and those applying to us is really helpful, so please tell us when we're not living up to this!

More recently, as part of a review of our grant making in 2022, our grants committee agreed to:

- Consciously prioritise organisations which are lived experience led

- Support organisations using the law in creative ways but that may not think of themselves necessarily as a 'legal' organisation
- Deliberately move towards more core grants and
- Value effective local impact as well as national significance

As a result, we published revised guidance on both Stronger Sector and Fairer Systems which broadens the remit of both programmes, and we revised our assessment process to put more weight on the qualities of organisations. We will expand on what we mean by these qualities, and give an overview of both programmes, in a moment.

Grants in numbers/key facts and figures

- Around £6 million yearly grant budget
- Around 25 grants made each year (roughly)
- Just over half of all first stage applications are invited to second stage.
- Around 40% of all applications are successful
- Average grant size £153,000
- £16.5 million awarded in grants since Spring 2020

This is an overview of our grant giving in practical terms. As you can see the amount we are able to award is around £6million annually, this includes the two open grants programmes we are discussing today and also the Justice First Fellowship, although those grants are analysed separately and not within this data.

Each year we have two rounds, and fund around 25 grants a year, although this does vary. To put this in context, last year we received 85 applications in total across our Spring (40) and Autumn (45) rounds, and the number of applications we receive at first stage has been increasing over the last few funding rounds, possibly as a result of our broadened objectives and guidance. We have also seen an increase in the number and proportion of applications from organisations that we have not previously funded.

Across the current strategy, about half of first stage applications are invited to second stage, and around 40% of all applications are successful.

The average grant size is £153,000, but we do fund within quite a range, with the smallest grant at £20,000 (single year) and the largest over £500,000 (over three years). Our advice is always to apply for the amount that you need to deliver the work.

Stronger Sector (Ali McGinley, Head of Grants)

The Stronger Sector programme aims to strengthen the capacity of organisations using the law, legal tools and strategies to promote social justice. As part of our strategy there are two key outcomes we are working towards with this programme:

- Appealing and sustainable careers
- Effective and sustainable organisations

The emphasis on strengthening the capacity of civil society means that we fund a wide variety of organisations under this programme, and not all of them would identify as 'legal organisations'. But they all use the law, or legal tools, to achieve broader social justice goals.

What does this actually mean? This could be organisations offering legal advice or training – such as law centres or advice agencies – and what we are interested in is how this work builds towards social change. It can also include organisations campaigning to protect, promote or develop the law so that it better meets the needs of communities.

We fund organisations working on social welfare or public law, so the ‘law of everyday life’, by which we mean rights in housing, debt, family law, employment, immigration or welfare. The Stronger Sector programme is quite broad, and we do fund a really diverse range of work under this funding strand. The central element is in the use of the law to bring about positive change.

A particular interest in this programme is how the law can be used to build power in communities that have been historically oppressed and underserved. An example of this would be in recent funding rounds we have supported organisations using community organising using the law, or community lawyering, as one way of doing this.

Other examples of Stronger Sector funded work include:

- Support for a community organising programme in the north of England working with local tenancy associations to build alternative power bases to better protect their rights with a focus on housing. This project is an example of how community groups are able to use the law or legal tools to ensure their rights are upheld or to ensure better protections
- Capacity building support for smaller or developing organisations which are working to provide specialist advice to specific communities
- Funding for second tier organisations to provide training support to frontline organisations working directly on a range of issues, from Disability rights to asylum support to or organisations working in the violence against women and girls sector.
- Influencing work related to the administration of Legal Aid

It might be worth giving a couple of examples of things we tend not to fund. We don't fund organisations working solely on criminal or environmental law, but we will consider work at the intersection of civil and criminal law. An example of this would be work we funded which challenged the prosecution and committal to prison of women, for civil debt. This work supported women who were prosecuted for non-payment of TV licences while campaigning – successfully – for changes in the law.

We are also often asked about funding for immigration and asylum related advice work, and we are unlikely to fund this as such. LEF funding for this has been ring fenced in the resources we provide to the Justice Together Initiative.

However, we do fund work more broadly on immigration issues. A recent example would be an organisation working to provide legal advocacy for young refugees and asylum seekers, raising awareness amongst legal representatives of the need for their work to be trauma informed.

As we've outlined, this funding strand is very broad, and it is sometimes difficult to know whether or not your proposal would be eligible. So we'd always offer the chance to have a brief chat with one of our grants team if you have read all of our guidance, considered our eligibility criteria, and are still unsure.

Fairer Systems (Julia Himmrich, Policy Manager)

I am the Policy Manager at the LEF and will tell you a bit more about our Fairer Systems (FS) grants schemes which aims to promote transparency, accountability, and the protection of fundamental rights.

This is a very broad description of policy work and we have tried to clarify a bit more on the website, but I will go into a bit more detail here as well.

The FS scheme has been funding the kind of work which is not directly advice related but addresses the wider frameworks and policy context which needs to be strengthened or improved to make sure rights are protected in the first place.

In recent rounds this has included grants on constitutional frameworks and the use of automated decision making in government, but this has now developed, and I will explain that more.

In the broadest sense FS grants are concerned with improving the rule of law in the UK and doing this by using the law.

- We have a mix of partners who focus on advocacy work while others take legal action by which we mainly mean public law interventions such as judicial review, strategic litigation, collaboration or increasing the knowledge in the sector around these practices. This includes organisations working on central government or devolved government.
- Overall, our FS scheme has a strong four-nations focus. We support organisations across the UK who advocate for stronger human rights legislation at devolved level and hold devolved institutions to account.
- We also work with organisations who identify specific policy developments which are likely to require stronger advocacy activity combining the use of the law with community organising or research and advocacy work. We currently have clusters, so groups of grants around child rights, around women's rights, and around housing. We are doing some proactive work with organisations working on contemporary racial justice policy issues.
- There is of course also policy work related to legal aid more broadly, which is usually funded via Stronger Sector scheme which Ali mentioned earlier.

I appreciate that this is still a very broad description and might not answer whether you are eligible to apply.

I hope the following examples can explain a bit better who we are less likely to fund.

- We often are approached about challenging the role of the UK government regarding international human rights issues. This could include the UK role in international processes or negotiations or actions by the UK in another country. This falls outside of our charitable objects as we focus on the domestic UK context.
- We often also receive applications by organisations who are primarily campaign organisations and might take a rights-based approach. When these organisations don't have a clear reference to using the law for policy change or a wider Rule of Law aspect which is likely to benefit the wider sector that we support, it is unlikely that the LEF would support them.
- We also get requests by academic centres or academic research projects. We are unlikely to fund these as there are a range of other academic, private, and

government funders to which those applicants would have access. Academic work is more likely to be funded when there is a direct collaboration with the wider sector and a capacity building or knowledge exchange element or is led by the communities it is supposed to serve.

- We are also often asked about funding for immigration related work. We are unlikely to fund immigration influencing work as such. LEF funding for this has been ring fenced in the resources we provide to the co-funded Justice Together Initiative.

Eligibility and exclusions/what we can and can't fund (Rachael Takens-Milne)

In relation to eligibility, this is outlined on our website, but as a reminder:

- Legally constituted organisations undertaking charitable work in the UK. This can be charities, companies, CICs, and private law firms provided the work advances the LEF's charitable objectives and are not profit making

You can apply for all costs related to the achievement of your outcomes, this will be mostly revenue, but we can fund some small capital costs.

It is also worth noting that we don't only fund charities, we can – and do – fund organisations that are not charities but are doing charitable work, for example CICs. What is important is that the work has a charitable purpose and advances our strategic objectives.

Of course, because of the specific focus of our strategy and our funding programmes, there are a number of things that we don't support or can't fund. This is outlined on our website, so do check there for the full list, but we do get a number of queries from organisations that are not eligible for one of these reasons so we thought it would be highlight the key exclusions here.

- Environmental or criminal law, unless this is alongside other areas of civil law, as we mentioned.
- One off events or prizes
- Work that doesn't have a direct benefit in the UK
- Work that would directly replace or subsidise government, university or legal profession funding e.g. law clinics

We are unlikely to fund organisations with fewer than three Trustees, company director or partners, or those with more general reserves than outlined in their reserves policy. We are also unlikely to fund organisations that are in serious financial deficit.

It is also worth noting that we also consider the size and resources of the organisation applying, and while there is no upper limit as such, we will take into account the income/annual turnover when assessing need.

This leads on to how we prioritise, and the values we look for in organisations.

How we prioritise, and the qualities we look for in organisations

So I'm now going to talk about what we are looking for, how we prioritise and the values we are looking for when we are assessing applications. We have two key criteria which we consider first and foremost when assessing applications: degree of **need** and degree of **benefit**. Alongside this, when we are shortlisting, we also assess using the following qualities that we particularly value. It is important to stress that these are guiding values and qualities we are looking for, but we don't expect organisations to have met all of these:

- **Connections between everyday injustice and advocating for change:** This is about organisations who can see the big picture. They might work helping people directly with their case, but they're alive to how this work could contribute to a larger context, helping inform further work, or being connected into other organisations.
- **Lived experience at the heart of strategy and leadership:** We are looking for work that is led by the people, groups or communities affected by the issues they are seeking to address. We identify this as 'lived experience led' – what we mean by this is that organisations are directed by people who have been most impacted. We understand that this is a term which can be interpreted in different ways or where meaning can differ. As a Foundation, we are learning about what being 'lived experience' led means for us, too. We are not looking here for a particular numerical value or percentage, but rather we want to see evidence that you have taken steps towards ensuring these voices are prioritised in for example governance, leadership and decision making. There is no perfect answer here and we recognise it is a journey – we want to know which stage you are at and understand a bit more about your strategy.
- **Accountability to the communities served by the organisation:** by this we mean how you include the communities you seek to support/advise in the design of your project or programme, and how you feed back to them or what mechanisms you have to ensure your approach is meaningful. This is also a live question for LEF as a Foundation.
- **A commitment to learning, including a reflective approach to improving your own practice:** Whilst of course we are interested in how you learn from your work in terms of monitoring and evaluation, by 'reflective approach' we are really looking here for the extent to which you make time and create space to reflect on your work, how you create an enabling environment that welcomes and uses feedback or learning, what information you gather and any changes you have made in response to what this learning may have told you.
- **Supportive, inclusive environment for staff and volunteers:** here, we consider the culture and environment in which people work, this may include things like your approach to flexible working or training, learning and support for staff, but it may also include approaches to safeguarding or wellbeing. We recognise that the sectors we support are suffering from burnout, recruitment and retention issues and that there is a cost of living crisis – so again we are not looking for perfection and if there is particular support you want to provide, but can't – tell us!

Spring 23 Grant application process

And now finally very briefly we are going to talk through the grant application process and how to apply.

The deadline for first stage applications is 5pm on 8th February. The first stage application form is online, and you need to submit via the website's online form. However, if you have any difficulty in doing so, please do get in touch as we can offer help to do this.

First stage applications are reviewed against our funding programme guidelines and the qualities we value in organisations. As outlined, we get many more applications than we have funding, so the first stage is designed to be light touch. We only ask for basic information about your organisation and the work you would like funded; you will not need to provide a budget or any additional documents at this stage. You can see the form on our website – there are 4 narrative questions.

First stage applications are reviewed by the grants team, who agree a shortlist of applications to take forward to the second stage. Within four weeks of the deadline, in early March, you will hear back from us as to whether you have been invited to second stage.

Unsuccessful applicants will receive an indication of why their application was rejected, and we are always happy to discuss this further.

Second stage applicants have around one month to submit their second stage application. Again, this form must be submitted online. At this stage, the application form contains additional questions about the work you want to do, the outcomes you want to achieve and how you will do this. You'll also be asked to include a budget for your organisation and the work.

The deadline for second stage applications in this round is the 8th April.

All second stage applications are assessed by a member of the grants team and it is likely that you will have a conversation or a visit as part of the assessment process.

All second stage applications are submitted to our Grants Committee, which is made up of members of our Board of Trustees. We will let applicants know the outcome of the Committee decision in early June.

All applicants will be given feedback if their application is unsuccessful.