

# Cabinet Background Documents



- 10. Increasing Housing Supply (Pages 3 - 10)**  
Officer: Ozay Ali  
Key decision: yes
  
- 11. Emergency Preparedness (Resilience) at Croydon Council (Pages 11 - 40)**  
Officer: Shifa Mustafa  
Key decision: no
  
- 14. Investing in our Borough (Pages 41 - 100)**  
Officer: Jacqueline Harris Baker  
Key decision: no

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## 1. Introduction

### 1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

## 2. Proposed change

<b>Directorate</b>	<b>Place</b>
<b>Title of proposed change</b>	<b>Increasing Housing Supply</b>
<b>Name of Officer carrying out Equality Analysis</b>	<b>Steve Wingrave</b>

## 2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

The Council is proposing to purchase 100 street properties for use as emergency and temporary accommodation to be held within the HRA account. These properties will provide temporary accommodation for homeless families and offer more secure and better quality homes than offered through alternative private sector and bed and breakfast accommodation

## 3. Impact of the proposed change

**Important Note:** It is necessary to determine how each of the protected groups could be impacted by the proposed change. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

### 3.1 Additional information needed to determine impact of proposed change

**Table 1 – Additional information needed to determine impact of proposed change**

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table.

<b>Additional information needed</b>	<b>Information source</b>	<b>Date for completion</b>
<b>Offer better space and layouts for individuals and especially families. The purchases will also look to purchase up to 10% of properties that are, or readily capable for adaption for people with disabilities.</b>	<b>Planning and Building Control</b>	<b>February 2020</b>

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

### 3.2 Deciding whether the potential impact is positive or negative

**Table 2 – Positive/Negative impact**

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes	None	Planning application and Building Control would have taken into account impact on all groups
Disability	The aspiration is to acquire 10 properties that are either adapted for or are readily adaptable for people with disabilities	None	Building Regulations
Gender	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		As above.
Gender Reassignment	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		As above.
Marriage or Civil Partnership	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		As above.
Religion or belief	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		As above.
Race	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		As above.

Sexual Orientation	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		<b>As above.</b>
Pregnancy or Maternity	These purchases will provide better homes for families. They will provide temporary accommodation for homeless families and offer more secure and better quality homes		<b>As above.</b>

**Important note:** You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics.

### 3.3 Impact scores

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#### Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

**Table 4 – Equality Impact Score**

<b>Severity of Impact</b>	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	<b>Likelihood of Impact</b>			

#### Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

**Table 5 – Impact scores**

<p><b>Column 1</b></p> <p><b>PROTECTED GROUP</b></p>	<p><b>Column 2</b></p> <p><b>LIKELIHOOD OF IMPACT SCORE</b></p> <p>Use the key below to <b>score</b> the <b>likelihood</b> of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p><b>1 = Unlikely to impact</b> <b>2 = Likely to impact</b> <b>3 = Certain to impact</b></p>	<p><b>Column 3</b></p> <p><b>SEVERITY OF IMPACT SCORE</b></p> <p>Use the key below to <b>score</b> the <b>severity</b> of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p><b>1 = Unlikely to impact</b> <b>2 = Likely to impact</b> <b>3 = Certain to impact</b></p>	<p><b>Column 4</b></p> <p><b>EQUALITY IMPACT SCORE</b></p> <p>Calculate the <b>equality impact score</b> for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.</p> <p><b>Equality impact score = likelihood of impact score x severity of impact score.</b></p>
Age	2	2	4
Disability	2	2	4
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	1	1	1

## 4. Statutory duties

### 4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

**Important note:** If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

## 5. Action Plan to mitigate negative impacts of proposed change

**Table 5 – Action Plan to mitigate negative impacts**

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	No Negative Impact			
Race	No Negative Impact			
Sex (gender)	No Negative Impact			
Gender reassignment	No Negative Impact			
Sexual orientation	No Negative Impact			
Age	No Negative Impact			
Religion or belief	No Negative Impact			
Pregnancy or maternity	No Negative Impact			
Marriage/civil partnership	No Negative Impact			



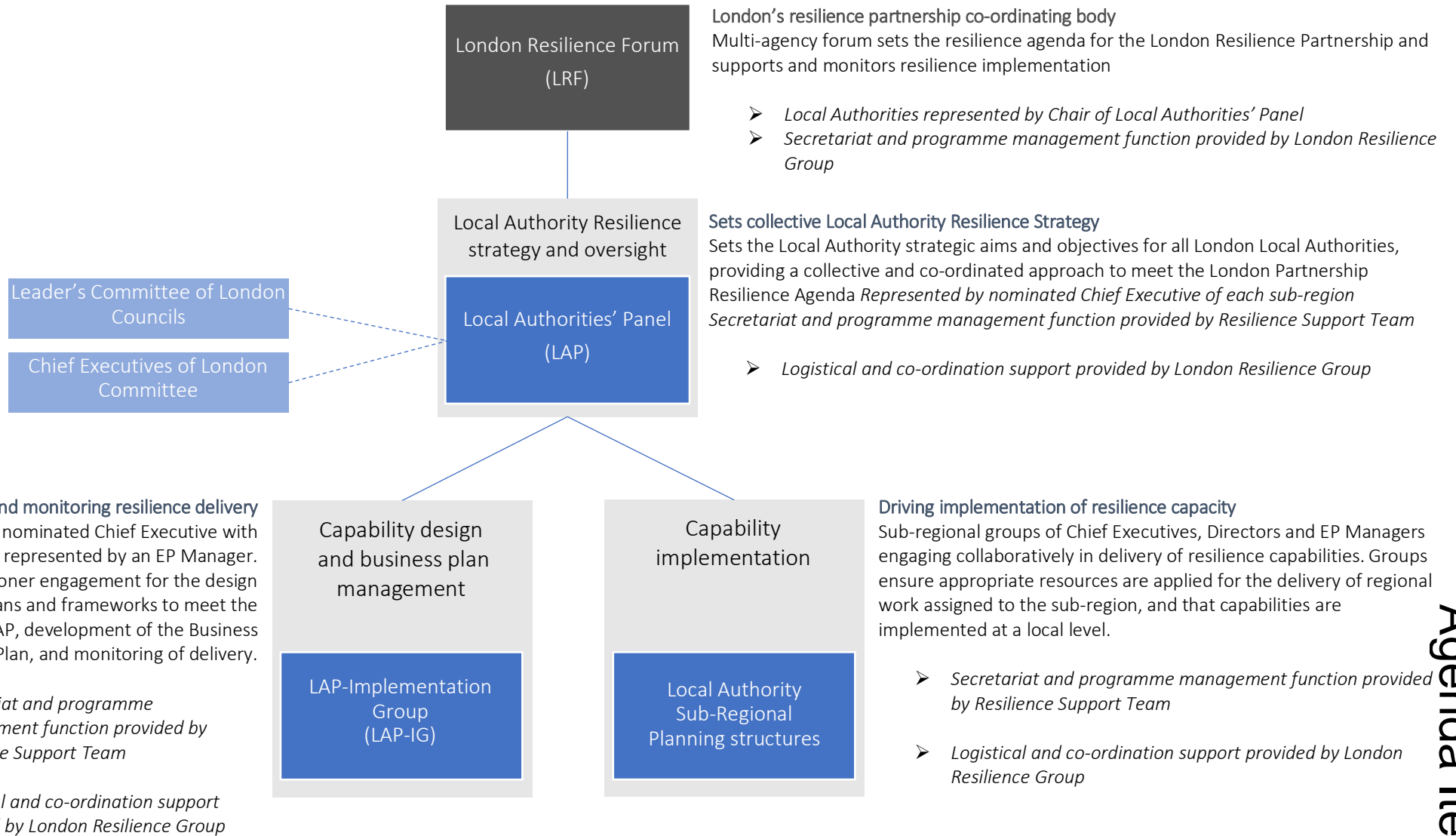
## 6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter <b>X</b> in column 3 ( <b>Conclusion</b> ) alongside the relevant statement to show your conclusion.		
Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. <b>If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.</b>	x
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. <b>If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form</b>	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. <b>If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.</b>	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet <b>Yes.</b>		Meeting title: Cabinet Date: <b>10 February 2020</b>

## 7. Sign-Off

<b>Officers that must approve this decision</b>	
<b>Equality lead</b>	<b>Name:</b> Yvonne Okiyo <b>Date:</b> 12.03.20 <b>Position:</b> Equalities Manager
<b>Director</b>	<b>Name:</b> <b>Date:</b> <b>Position:</b> Director of Housing and Social Investment

# London Local Authority governance structure (produced by LAP Resilience Support Team)



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# Resilience Standards for London Local Government



# Overview

## **Resilience Standards for London**

In January 2018, a review was commissioned by the City of London Corporation on behalf of the Local Authorities' Panel. The objective of the review was to recommend the means by which London local government, comprising the thirty-two boroughs and the City of London Corporation, can individually and collectively assure their organisation's preparedness, particularly their capacity and capability, through a credible, transparent, efficient and cost-effective approach. The review set out a broad framework that supports a blended approach to assurance and contained fifteen recommendations including the development of new resilience standards for London local government. On 18<sup>th</sup> April 2018, the Local Authorities' Panel endorsed the review report and the recommended assurance framework.

The previous standards used were the Minimum Standards for London (MSL), which were introduced in 2007. The MSL comprised sixteen standards designed to ensure that all local authorities had the appropriate procedures and policies in place to support the London Local Authority Gold (LLAG) arrangements.

The following draft Resilience Standards for London are significantly different to the Minimum Standards for London and provide a very different approach to assurance. The standards are designed to lead to good outcomes and leading practice whilst supporting compliance with the Civil Contingencies Act 2004.

The Civil Contingencies Act 2004 establishes a clear set of roles and responsibilities for local responders; gives greater structure and consistency to local civil protection activity and establishes a sound basis for performance management at a local level. Local authorities are designated as Category 1 responders and are at the core of emergency response and recovery arrangements. Category 1 responders are subject to the full set of civil protection duties.

The content within each standard has been drawn from national government guidance and legislation, LGA guidance, London specific guidance and other publications and reports; examples include relevant British Standards and the Kerslake report.

# Using the standards

The standards should be seen as part of a broader assurance framework for a council, with the aim of continually improving performance across its emergency planning and resilience activities. The standards have been designed, with a council focus, to lead to good outcomes and possible leading practice, if they are embedded and used across an organisation; they are not a guarantee of assurance.

In designing the standards, it has been assumed the Corporate Leadership Team, or equivalent, will be the accountable body and that Services and departments will be responsible for the resilience arrangements in their respective areas. Emergency planning teams will continue to provide expertise, advice and guidance.

Assessing your organisation against the standards should not be seen as a bolt-on activity conducted once a year by the emergency planning team. It is intended for the appropriate Service, department or team to take ownership of the standard most relevant to them. You should be able to assess or measure progress against any standard (or part of it) at any time of the year as part of your business as usual arrangements.

The standards have been developed to support continuous improvement and assurance within a council. They should not lead to a duplication of work or activity within a council. There should be no need to create additional policies, procedures, processes or documents where these already exist. For example, it is not necessary to create an additional risk register when one is already in place.

The standards are designed to be progressive; continually improving performance by 'raising the bar' through review and evaluation of the standards. In time, leading practice could become good practice and new, more challenging leading practices introduced. It is not expected that every council will identify leading practice, however, where it is identified it is assumed the practice will be shared with other councils.

Each standard contains a 'Descriptor' (developing, established and advanced). The descriptor provides a framework for the council to reach a view on its current level of performance, based on the evidence. These are intended as food for thought and to promote honest consideration of how developed a council's approach is.

**It is not intended that the descriptor is used as a judgement.**

There is some duplication within the standards and this is intentional, particularly where it is important to emphasise a specific activity such as 'training'. As previously stated, the standards have been designed to be distributed across the council and each standard can be used as a stand-alone document and built into a Directorate or team's work programme.

The standards do not replicate or replace existing legislation, guidance or other standards. They do, however, complement the National Resilience Standards produced for use by Local Resilience Forums, by the Cabinet Office.

Each standard contains links to further information and guidance which is seen as the most relevant information available. There may be other reference material an organisation would like to refer to.

In completing a self-assessment using the standards, councils should consider the impact of their activities in terms of performance, benefits to the community and outcomes for the organisation. The self-assessment should be conducted in a spirit of genuine challenge and awareness.

The process is not intended to be burdensome and should make use of evidence readily available, whether that is evidence of strategy, performance data or case study type examples of interesting or leading practice.

Undertaking a self-assessment against the complete set of standards is recommended at least every three years and is a prerequisite for authorities wishing to undertake a peer challenge.

The sub-regional groups should continue, to provide an annual challenge session, assess progress and to share experience and leading practice,



# Key assessment areas

## RISK ASSESSMENT

### Resilience Standard for London #1

Desired Outcome
<p>The council has a robust and collectively understood assessment of the most significant risks to the local area, based on how likely they are to happen and what their impacts might be. This information is used to inform a range of risk management decisions, including the development of proportionate emergency plans and preparations.</p>
Summary of legal duties (mandatory requirements)
<p>The Civil Contingencies Act (CCA) and accompanying regulations place a statutory obligation on all Category 1 responders to “from time to time assess the risk of an emergency occurring”. <a href="#">CCA 2004 Part 1, Section 2 (1)(a) duty</a>. See also <a href="#">CCA 2004 (Regulations 2005), Part 3</a>.</p> <p>In addition, under the CCA 2004 (Regulations 2005), Part 3, Section 18, a Category 1 responder must consider whether it is appropriate to share risk assessment information with another Category 1 responder in order to support and inform their risk management decisions.</p>
How to achieve good practice in this area
<ol style="list-style-type: none"><li>a. Undertake a local risk assessment, with reference to the National Risk Assessment, at least as regularly as new national assessments (every two years) or when associated guidance is issued.</li><li>b. There is an up to date risk register that fully reflects the council’s foreseeable risks. It is sufficiently detailed and comprehensive, written in plain English and understandable to the general public. It is readily available to the public.</li><li>c. The risk register contains specific local risks that may only require a response from the council or partners within the borough. It is not just a copy of the London risk register but should have regard to it.</li><li>d. Consider the common consequences of identified risks (for example mass casualties, people requiring evacuation or shelter, loss of an essential service, environment and the economy) to inform generic and flexible emergency plans.</li><li>e. The council is conducting active horizon scanning for new risks and is regularly updating its risk register accordingly.</li><li>f. The diverse nature of the community is understood, the council consults and engages with the community as part of its approach to community risk.</li><li>g. Processes are in place to update risk assessments following any major event or exercise to consider lessons learned about the impacts of that event.</li><li>h. The risk assessment considers the impact on local people, visitors and businesses.</li><li>i. The council, with partners on the Borough Resilience Forum, are working together to deliver against the National Resilience Standards produced by the Cabinet Office for Local Resilience Forums.</li></ol>

## How to achieve leading practice in this area

- i. Takes account of “out of area” hazards including across council and regional boundaries, which could affect the organisation and its locality.
- j. Risk assessment information is shared with neighbouring authorities with similar risk profiles in order to collectively improve understanding of risk impacts.
- k. Captures information about the impact of simultaneous events and the effect on the local area.
- l. A risk assessment for major incidents considers the impact on mental health to adults, children and young people, families and council responders.

## Guidance and supporting documentation

### ***Statutory and overarching multi-agency guidance and reference from Government***

- National Risk Assessment (most recent edition at time of consultation is the 2016 NRA) available on [Resilience Direct](#).
- [London Risk Register 2019](#)
- Local Risk Management Guidance (available on [Resilience Direct](#))
- [Emergency preparedness](#): Chapter 4 – local responder risk assessment (2012)

### ***Relevant British, European and International Standards***

- [BS ISO 31000:2018 Risk Management - Guidelines](#)

### ***Other recommended points of reference***

- [Business Resilience Planning Assumptions](#) (a publicly available example of how common consequence information is collated and conveyed)

## Descriptor

Developing	Established	Advanced
<p>The council is developing risk analysis processes to become more effective.</p> <p>The council is building up knowledge and understanding of its community and priorities.</p>	<p>A risk analysis process is in place and the council is well aware of the different risk groups representing the diversity within the local area.</p> <p>The council has regard to statutory responsibilities and national guidance but does not extend its process to reflect local circumstances. Leaders understand the nature of community risk.</p>	<p>A well informed and developed risk analysis process exists and the council is very aware of the diversity in the local area and takes active steps to inform itself about the distinctive needs and opportunities. It engages in discussion with the local community about community risk. Statutory guidance is fully implemented and is extended in a coherent way to reflect local circumstances.</p>

# GOVERNANCE ARRANGEMENTS – POLITICAL LEADERSHIP

## Resilience Standard for London #2

Desired Outcome
A council that operates with effective political governance which enables the organisation to meet their duties under the Civil Contingencies Act, and to achieve local resilience objectives.
Summary of legal duties (mandatory requirements)
The Civil Contingencies Act (CCA) establishes the legislative framework for Category 1 responders, which includes London Borough Councils and the City of London. Further detail is set out in: <a href="#">Contingency Planning, Duty to Assess, Plan and Advise</a> (Section 2); Advice and Assistance to the Public (Section 4); and General Measures (Section 5). <a href="#">Emergency Preparedness</a> provides guidance on part 1 of the CCA and its associated regulations and non-statutory arrangements. <a href="#">Emergency Response and Recovery</a> sets out guiding principles for emergency response and recovery (Section 2.2) and defines roles and responsibilities (Section 5.2).
How to achieve good practice in this area
<ol style="list-style-type: none"><li>a. Define roles and responsibilities for political leaders and ward councillors, which is supported through induction, training and development and exercises.</li><li>b. Make key policy decisions and consider recommendations from senior officers prior to, during or following a civil emergency.</li><li>c. Discuss with the Chief Executive and senior officers the main risks to communities so key actions can be promoted and supported, which will increase resilience.</li><li>d. The council has appropriate arrangements in place to enable political scrutiny of emergency planning and resilience arrangements.</li><li>e. Elected Members assure themselves that the council has the staff resources, to not only support the response and recovery, but also maintain the delivery of front line services.</li><li>f. Arrangements are in place for scaling up staff resources including mutual aid arrangements.</li><li>g. Support the work of the Borough Resilience Forum (BRF) in planning for emergencies and helping them to be aware of the particular needs of discrete groups and issues within communities.</li><li>h. Seek assurance that the council not only has developed sufficient plans in conjunction with partners on the BRF, but also tests those plans and trains personnel by participating in regular exercises.</li><li>i. Elected Members are assured that lessons from incidents and exercises are identified, addressed and shared with appropriate partners and the community.</li><li>j. Councillors, including ward councillors, are encouraged to participate in training and exercises so they are prepared to respond to an emergency and get involved in the recovery from it.</li><li>k. Explore with the Chief Executive and senior officers whether contracts with suppliers include clear provisions requiring comprehensive plans for continuing service provision in the event of a civil emergency and for assisting with the response to and recovery from an emergency as appropriate.</li></ol>

l. Elected Members identify and feedback problems and vulnerabilities in their community that may require priority attention to the relevant service or group, e.g. Recovery Coordinating Group.

**How to achieve leading practice in this area**

m. A policy framework has been developed and published, signed off by the Leader or directly elected Mayor, Portfolio Holder and Chief Executive setting out the council’s statutory duties, responsibilities and expectations for the public in the event of a civil emergency.

n. Engage with Government departments, agencies and other authorities to shape national policy development and other initiatives that build more resilient communities.

o. The council is conducting active horizon scanning for new risks and working with the BRF to regularly update the risk register.

p. Arrangements have been made to enable close working with other local authorities in the event of an emergency (e.g. information sharing, shared communications plan, joint spokespeople, pooling resources, etc).

**Guidance and supporting documentation**

**Statutory and overarching multi-agency guidance and reference from Government**

- [Emergency Preparedness \(2011-12\)](#)
- [Emergency Response and Recovery \(2013\)](#)
- [Central Government’s Concept of Operations \(2013\)](#)

**Relevant British, European and International Standards**

- [BSI 13500: 2014 Code of practice for delivering effective governance of organisations](#), British Standards Institution

**Supporting guidance and statements of good practice from professional authorities**

- [A Councillor’s Guide to Civil Emergencies \(Local Government Association, 2018\)](#)
- [Delivering Good Governance in Local Government, CIPFA \(SOLACE\) \(2016\)](#)

**Descriptors**

<b>Developing</b>	<b>Established</b>	<b>Advanced</b>
<p>The council is developing Governance processes to become more effective.</p> <p>The council is planning to or beginning to implement scrutiny and oversight arrangements. Members have limited input into preparedness and recovery arrangements including exercises.</p> <p>There is limited or no engagement with the Borough Resilience Forum.</p>	<p>Governance processes are in place and the council is well aware of its statutory responsibilities and associated national guidance.</p> <p>The council engages with the BRF and its partners, identifies community priorities and feeds this back into the BRF and the organisation. The council shares lessons learned from incidents and exercises with its partners.</p> <p>Elected Members, including Ward councillors are involved in training and exercises.</p>	<p>Governance processes are well developed and emergency planning and resilience is frequently discussed at the appropriate committees. Discussions are conducted in public and include preparedness, response and recovery arrangements for a civil emergency.</p> <p>The council engages and collaborates with its community, with government departments and across borough borders. Challenging the status quo and horizon scanning is the norm.</p>

# GOVERNANCE ARRANGEMENTS – MANAGERIAL LEADERSHIP

## Resilience Standard for London #3

Desired Outcome
A council that operates with managerial leadership that drives the emergency planning and resilience agenda across the organisation. The organisation meets their duties under the Civil Contingencies Act and achieves local resilience objectives.
Summary of duties (mandatory requirements)
The Civil Contingencies Act (CCA) establishes the legislative framework for Category 1 responders, which includes London Borough Councils and the City of London. Further detail is set out in: <a href="#">Contingency Planning, Duty to Assess, Plan and Advise (Section 2)</a> ; Advice and Assistance to the Public (Section 4); and General Measures (Section 5). <a href="#">Emergency Preparedness</a> provides guidance on part 1 of the CCA and its associated regulations and non-statutory arrangements. <a href="#">Emergency Response and Recovery</a> sets out guiding principles for emergency response and recovery (Section 2.2) and defines roles and responsibilities (Section 5.2).
How to achieve good practice in this area
<ol style="list-style-type: none"><li>a. Chief Executives and senior managers support Members in their emergency planning and resilience role and through all phases of a civil emergency. This support includes the ability to communicate with the public and media.</li><li>b. Organisational resilience and emergency planning are driven from the corporate team, owned across the organisation and fully embedded in service areas.</li><li>c. An emergency planning and resilience function that is appropriately funded through an agreed staffing model, which enables it to support the strategy, work programme and wider organisation.</li><li>d. An agreed and resourced training programme for the managerial leadership across the organisation to support emergency planning and resilience objectives.</li><li>e. Inclusive, flexible and effective engagement at appropriate levels with Category 1 responder organisations, the business and voluntary sectors, neighbouring authorities and other stakeholders whose support and participation is necessary to achieve the organisation's objectives.</li><li>f. The ability to authorise, activate and verify the support available through the London Local Authority Gold arrangements and mutual aid protocol.</li><li>g. A clearly defined process to determine the required levels of security clearance to enable information sharing in preparedness, response and recovery.</li><li>h. Arrangements for sharing and reviewing the activities which may be recognised as good or leading practice.</li><li>i. Arrangements to proactively, and in a timely manner, identify, implement and share lessons following major incidents and exercises with the wider resilience community.</li></ol>

## How to achieve leading practice in this area

j. Proactive engagement across council, regional and national boundaries as appropriate, to plan jointly for emergencies, share relevant information, train and exercise, hold joint development workshops and develop mutual aid arrangements.

k. Continuously improve, through commissioning peer reviews or other means of independent validation of capabilities and emergency readiness.

l. Extend the leadership focus and influence beyond the usual partnership boundaries to engage with related agendas, which may include security, safety, sustainability, social cohesion, and engagement within wider national and international resilience initiatives.

## Guidance and supporting documentation

### ***Statutory and overarching multi-agency guidance and reference from Government***

- [Emergency Preparedness \(2011-12\)](#)
- [Emergency Response and Recovery \(2013\)](#)
- [Central Government’s Concept of Operations \(2013\)](#)

### ***Thematic multi-agency guidance from Government***

- [The role of Local Resilience Forums: A reference document \(2013\)](#)

### ***Relevant British, European and International Standards***

- [BSI 13500: 2014 Code of practice for delivering effective governance of organisations](#), British Standards Institution

### ***Supporting guidance and statements of good practice from professional authorities***

- [Delivering Good Governance in Local Government, CIPFA \(SOLACE\) \(2016\)](#)
- [Local authorities’ preparedness for civil emergencies: a good practice guide for Chief Executives Solace and MHCLG \(2018\)](#)

## Descriptors

Developing	Established	Advanced
<p>The Corporate Leadership team are interested and engaged with the emergency planning agenda. The engagement across other management levels is sporadic with an ongoing reliance on a limited number of key people.</p> <p>Limited involvement in exercises and training across the organisation. Emergency planning and resilience is seen as a responsibility that rests with the Emergency planning team.</p>	<p>The Corporate Leadership team promotes a culture of ‘emergency planning and resilience’ is everyone’s business. This philosophy is embedded across the organisation; managers at all levels encourage this within their teams.</p> <p>Managers across the organisation are involved in training and exercises and ensure lessons identified, through exercises and incidents, are implemented and shared with partners.</p>	<p>Emergency planning and resilience is embedded across the organisation and managers at all levels are proactive in seeking further and continuous improvement.</p> <p>The organisation engages and collaborates with its community, partners, with government departments and across borough borders. Challenging the status quo and horizon scanning is the norm.</p>

# CULTURE – ORGANISATIONAL ENGAGEMENT

## Resilience Standard for London #4

Desired Outcome
<p>The council has a positive culture towards Emergency Planning and resilience which is embedded and seen as ‘everyone’s business’. Capacity and resilience are developed across the organisation ensuring the responsibility of plans and decision making is at the appropriate level, building experience and knowledge across the organisation.</p>
Summary of legal duties (mandatory requirements)
<p><a href="#">The Public Sector Equality Duty: Equality Act 2010</a> places a duty on public bodies and others carrying out public functions. It ensures that public bodies consider the needs of all individuals in shaping policy, in delivering services, and in relation to their own employees. It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs.</p>
How to achieve good practice in this area
<ul style="list-style-type: none"><li>a. Strategic and operational responsibilities support the council to become more resilient.</li><li>b. The organisational culture is sufficiently open and transparent to allow critical risks that are recognised at low level to be escalated appropriately and that senior leaders and managers pass relevant information down to the appropriate level in a timely manner.</li><li>c. Emergency Planning and Resilience is promoted across the organisation and is seen as everyone’s business.</li><li>d. Those who are responsible for delivering greater organisational resilience are empowered to work across organisational boundaries and are able to speak to top management easily.</li><li>e. Directors and Heads of Service take ownership of their own business continuity plans and understand their role in preparing for, responding to and recovering from a civil emergency. This approach complements and supports the core role of the emergency planning team.</li><li>f. Staff are involved in emergency response roles from across the organisation and there is regular and effective internal staff communications.</li><li>g. There is active engagement in local, sub-regional and regional Emergency Planning activities (e.g. Borough Resilience Forum, Sub-Regional Group and LAP, CELC and Leader’s Committee)</li><li>h. The same priority is given to ‘recovery’ as the ‘preparedness’ and ‘response’ phases of an emergency.</li><li>i. Commissioning of public services include a requirement that organisations tendering for contracts meet the council’s resilience requirements and that providers share information and data on the impact of disruptions such as severe weather or industrial action.</li><li>j. Projects, contracts, initiatives and other organisational changes and developments always account for resilience to ensure that these enhance and do not weaken capability.</li><li>k. Communications teams should have a role at the heart of emergency planning and resilience.</li><li>l. Teams actively build strong networks across their own organisation, with other authorities’ teams and with outside organisations such as other Category 1 responders as well as community groups.</li></ul>

- m. Core teams, including the Communications team are involved in training and exercising, particularly where elected Members are involved.
- n. Continuously improve through sub-regional challenge sessions, commissioning peer reviews or other means of independent validation of capabilities and emergency readiness.

#### How to achieve leading practice in this area

- o. There is a positive HR culture for resilience, including consideration for succession planning.
- p. Emergency Planning and Business Continuity Planning requirements, which are proportionate and role-appropriate, are contained within job descriptions, individual appraisals. Job descriptions include the expectations that, where available, staff will support the council and their community during times of emergency outside normal working hours.
- q. Communications teams, as well as those engaged in mutual aid arrangements, support each other during a multi-borough event through pooling or sharing resources.
- r. Focus and influence beyond its usual partnership boundaries to engage with related agendas, which may include security, safety, sustainability, social cohesion, and engagement within wider national and international resilience initiatives.
- s. Engage the community through public discussions at council committees on the council's capabilities and performance. Publish peer review reports and action plans to support continuous improvement.

#### Guidance and supporting documentation

##### **Statutory and overarching multi-agency guidance and reference from Government**

- [The Public Sector Equality Duty: Equality Act 2010](#)

##### **Recommended points of reference**

- [Local authorities' preparedness for civil emergencies: a good practice guide for Chief Executives Solace and MHCLG \(2018\)](#)
- An assurance framework for London Local Government: providing individual and collective assurance (Sean Ruth 2018)

#### Descriptors

Developing	Established	Advanced
Engagement across the organisation is limited or developing, with an ongoing reliance on a limited number of key people.  Limited involvement in exercises and training across the organisation. Emergency planning and resilience is seen as a responsibility that rests with the Emergency planning team.	There is a culture of 'emergency planning and resilience' is everyone's business. This philosophy is embedded across the organisation.  Individuals and teams take ownership within their own areas of responsibility and are involved in emergency response where their service is impacted.  Corporate services, such as Communications, are fully engaged in emergency planning work.	There is a culture of 'emergency planning and resilience' is everyone's business. This philosophy is embedded across the organisation and extends beyond to partners and the community, the business and voluntary sector.  Public discussions are encouraged and take place to promote wider inclusion and continuous improvement.  Collaboration with other authorities and partners is the norm.



# CAPABILITIES, PLANS AND PROCEDURES

## Resilience Standard for London #5

Desired Outcome
The council has risk-based emergency plans which are easy to use, underpin an agreed, clearly understood, and exercised set of arrangements to reduce, control or mitigate the effect of emergencies in both the response and recovery phases.
Summary of legal duties (mandatory requirements)
The <a href="#">Civil Contingencies Act (CCA)</a> requires Category 1 responders to maintain effective plans for the delivery of their functions to prevent emergencies. They are also required to publish all, or parts, of their emergency plans where that can assist local communities. The CCA requires an inclusive approach to contingency planning, including Category 2 responders and voluntary organisations, and the recommendation to have regard to local communities. A related duty is the requirement to maintain arrangements to advise, warn and inform the public about emergencies.
How to achieve good practice in this area
<ul style="list-style-type: none"><li>a. Plans for risk-based, and supporting capabilities reflect the identified risks as prioritised within the local community risk register and the London risk register as appropriate.</li><li>b. The council's emergency plan is approved at an executive level and integrated across the wider organisational structure.</li><li>c. The council has documented the capabilities set out on <a href="#">Resilience Direct</a> in a plan/procedure and staff trained to deliver the capability. The plan/capability has been validated in an exercise in the last 3 years.</li><li>d. Plans deal with the consequences of a civil emergency, the capability to respond to unseen events and the ability to adapt when the established plan does not fit what is being experienced.</li><li>e. Plans clearly identify, or direct to procedures to identify, vulnerable individuals, groups or businesses that may be at particular risk.</li><li>f. Plans are developed in collaboration with key stakeholders, using expertise from across the council and other partners as required.</li><li>g. The council provides sufficient resources to support the response to, and recovery from, emergencies across the range of relevant planning assumptions.</li><li>h. Plans enable the council to anticipate rising tide emergencies and take preventative or pre-emptive actions as required.</li><li>i. Plans include, or can be linked to, an escalation process for engaging wider involvement, including mutual aid, national capabilities, the voluntary sector, and spontaneous volunteers (council staff).</li><li>j. Plans which have a clear activation and notification process and include an agreed process for de-activation and closedown of response and recovery activity.</li><li>k. Plans have clear and agreed arrangements for communication with all stakeholders and the public across the full range of media.</li></ul>

l. Protocols for the establishment, at an early stage in the emergency response, of key work stream and recovery coordinating groups, with guidance for leaders and practitioners on managing the transition through response to recovery.

m. Plans define post-event procedures, include a formal debrief process, the identification of lessons and use Local Authorities Learning and Implementation Protocol to record and share both lessons identified and leading practice.

**How to achieve leading practice in this area**

n. Share plans and procedures and consult with neighbouring local authorities, in order to share good practice, enhance cross-border awareness and interoperability of response and recovery arrangements.

o. Procedures are in place for the coordination and support of spontaneous volunteers (citizens).

p. Plans consider the needs of the community in extended periods of response and recovery, with a clear understanding of how those needs might evolve and will continue to be met.

q. Plans that follow a common template. They show good use of action cards, diagrammatic instructions, detachable annexes and directories. They “sign-post” the responder, rather than serving as an all-inclusive or stand-alone resource, and connect to a wider set of complementary resources.

r. Emergency plans for major incidents should incorporate comprehensive contingencies for the provision of mental health support to adults, children and young people, families and responders.

**Guidance and supporting documentation**

***Statutory and overarching multi-agency guidance and reference from Government***

- [Emergency Preparedness](#) (Cabinet Office, 2011-12) – chapters 5,6 and 7
- [National Recovery Guidance](#) (Cabinet Office, 2013)
- [LESPL Major Incident Procedure Manual V9.4 2015](#)
- [HSE A guide to the Radiation](#) (Emergency Preparedness and Public Information) Regulations 2001
- [HSE A guide to the Pipeline Safety Regulations 1996](#)
- [HSE The Control of Major Accident Hazards Regulations 2015](#)

**Descriptors**

<b>Developing</b>	<b>Established</b>	<b>Advanced</b>
<p>Arrangements for preparedness are being implemented based on the community risk profile.</p> <p>Engagement of partners, staff and public is being developed and implemented.</p>	<p>Arrangements for preparedness are established and implemented based on the community risk profile. Clear responsibility to maintain and improve these arrangements is assigned.</p> <p>There is evidence of staff and stakeholder consultation and involvement in maintaining and improving incident planning arrangements.</p>	<p>Preparedness is based on multi-agency collaboration and cooperation which demonstrates safe and effective arrangements.</p> <p>These arrangements ensure that operational procedures are comprehensively underpinned by risk assessment. All partners, staff and public are engaged effectively in maintaining and improving incident planning arrangements.</p>

# RESOURCES, ROLES AND RESPONSIBILITIES

## Resilience Standard for London #6

Desired Outcome
<p>The council has sufficient resources in place to support emergency planning and organisational resilience arrangements and has the ability to scale up staff resources, not only to support the response and recovery, but also to maintain the delivery of business critical services.</p>
Summary of legal duties (mandatory requirements)
<p>The Civil Contingencies Act (CCA) establishes the legislative framework for Category 1 responders, which includes London Borough Councils and the City of London. Further detail is set out in: <a href="#">Contingency Planning, Duty to Assess, Plan and Advise (Section 2)</a>; Advice and Assistance to the Public (Section 4); and General Measures (Section 5). <a href="#">Emergency Preparedness</a> provides guidance on part 1 of the CCA and its associated regulations and non-statutory arrangements. <a href="#">Emergency Response and Recovery</a> sets out guiding principles for emergency response and recovery (Section 2.2), defines roles and responsibilities (Section 5.2).</p>
How to achieve good practice in this area
<p>a. Gold and silver levels are able to set, monitor and amend a working strategy (Gold) and tactical plan (Silver) for the emergency response.</p> <p>b. Gold and Silver levels can make and record decisions in a consistent manner within a defined and documented decision making process, such as the JESIP joint decision making model.</p> <p>c. Decisions, which are reasoned, lawful and justifiable, are recorded in writing and are clear, intelligible and accurate.</p> <p>d. Directors and Heads of Service understand their role in preparing for, responding to and recovering from a civil emergency and take ownership of their own business continuity plans including their review and validation.</p> <p>e. A nominated Director is a member of the local authority sub-regional group to achieve greater accountability across local authorities and support improved engagement from fellow senior managers in their own council.</p> <p>f. The role of the sub- regional group includes coordinating multi-borough exercises, scrutiny and challenge of self-assessments and peer reports, providing assurance of performance within the sub-region, identifying and sharing lessons learned and discharging improvement plans.</p> <p>g. The appropriate resources, including staff, have been targeted and distributed across the organisation to meet identified priorities and reduce risks.</p> <p>h. Resources, including staff with the appropriate skills and competency, are sustainable through the emergency response and recovery phases to ensure risk can continue to be targeted.</p> <p>i. The council is able to maintain a sufficient number of staff for core emergency response roles to respond for 48 hours (as set out in Resilience Standard for London 6a). These staff are suitably trained, equipped and empowered to fulfil their respective role.</p> <p>j. Arrangements to provide appropriate resources, including adequate equipment and personal protective equipment (PPE), to meet predictable levels of operational activity; the means to supplement those resources in the event of extraordinary need, such a major incident, are in place.</p>

- k. A control centre can be established and maintained for the duration of an incident including the maintenance of an incident (BECC) log, detailing key events and actions during an incident.
- l. The council is able to open and operate a Humanitarian Assistance Centre within the agreed timescale of 72 hours.
- m. Be able to communicate with councillors, staff and members of the public via the most appropriate medium, which includes social media, council website, news media and face-to-face.
- n. A communication response and monitoring capability is available within 1 hour and can be maintained 24/7.

#### How to achieve leading practice in this area

- o. Spontaneous volunteer council staff can be contacted, coordinated and re-tasked to support emergency response and recovery activities.
- p. The council is able to deploy core departmental services in response to an emergency for at least the first 48 hours of an incident while maintaining the provision of core services to residents outside the emergency response.
- q. Suitable emergency centre locations have been identified and arrangements are in place to use these locations. There is sufficient capacity to support (simultaneously within 3 hours) and operate (for 48 hours) a rest centre, family and friend’s reception centre and a survivor reception centre.
- r. The council has a communications strategy to enable the scaling up and sustainability (for a protracted incident) of communications arrangements for the purpose of warning and informing members of the public about the risks of the emergency and the available (council) support services using a range of media.

#### Guidance and supporting documentation

##### **Statutory and overarching multi-agency guidance and reference from Government**

- [Emergency Response and Recovery, Chapter 4 \(Cabinet Office 2013\)](#)
- [Emergency Preparedness \(Cabinet Office 2013\)](#)
- Concept of Operations for Emergency Response & Recovery, London Local Authorities 2018.

##### **Thematic multi-agency guidance from Government**

- [JESIP Joint Decision Making Model](#)

Descriptor		
Developing	Established	Advanced
<p>The council is developing its staff resource pool to ensure it has the capacity, with the appropriate knowledge, skills and experience.</p> <p>The ability to scale up resources whilst managing business as usual is untested and there may be some reliance on mutual aid or partner arrangements.</p>	<p>The staff resources are in place across the organisation with the ability to scale up during an emergency. The skills, knowledge and experience are in place and has been tested through an exercise or incident. Local facilities, such as a BECC, as well as sub-regional structures are established and delivering good outcomes.</p>	<p>The council has an enhanced staffing model based upon the model set out in the attached sub-set which is supplemented by a coordinated cadre of volunteers.</p> <p>Core services, including communications, can deploy for a protracted period whilst managing business as usual.</p>

# RESOURCES, ROLES AND RESPONSIBILITIES

## RSL 6a -Quantitative data, a sub-set to Resilience Standard for London #6

Desired Outcome	
The council has access to sufficient resources with the appropriate experience, skills and knowledge to support emergency planning and organisational resilience arrangements and has the ability to scale up staff resources to support the response and recovery.	
Summary of legal duties (mandatory requirements)	
There are no mandatory requirements to support this sub-set.	
Local authorities may wish to consider the following requirements in order to satisfy themselves they can maintain the required support to their communities in the event of a protracted civil emergency.	
The council is able to deploy core departmental services in response to an emergency for at least the first 48 hours of an incident. These services may include, Communication, Highways, Building Control, Environmental Health, Social Care.	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>The council is able to maintain a sufficient number of staff* for core emergency response roles to respond for 48 hours. These staff are suitably trained, equipped and empowered to fulfil their respective role.</p> <p>1 Council Gold            1 Council Silver            2 Loggist (one for Council Gold, another for Council Silver)            1 LALO            1 BECC Manager            4 BECC staff (1 per role: BECC Message Handler; BECC Loggist; BECC Info Officer; BECC Officer)            1 Communications Link Officer            Service Link Officer (4 trained in each department)            Resilience Advisor</p> <p>* Staff numbers are based on an 8-hour shift.</p>	<input type="checkbox"/> yes <input type="checkbox"/> no
The borough has identified suitable emergency centre locations across its area and has in place arrangements to use these locations	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>The council is able to open and operate a Rest Centre for 200 people (open within 3 hours) for 48 hours. Also, support the Police in their operation of a Survivor Reception Centre and Family and Friends Reception Centre.</p> <p>Minimum number of trained staff* for the combined requirements of SRC, RC and FFRC:</p> <p>3 Emergency Centre Managers            An appropriate number of Emergency Centre Officers dependent upon the circumstances.</p> <p>* Staff numbers are based on an 8-hour shift.</p>	<input type="checkbox"/> yes <input type="checkbox"/> no

<p>The council is able to open and operate a Humanitarian Assistance Centre within the agreed timescale of 72 hours.</p> <p>Minimum number of trained staff for the HAC:  1 Senior HA Officer  1 Emergency Centre Manager  An appropriate number of staff dependent upon the circumstances.</p>	<input type="checkbox"/> <input type="checkbox"/> yes no
<p>The council is able to establish and maintain a control centre for the duration of an incident.</p> <p>Minimum staffing: BECC Manager and BECC Officer.  Full staffing: BECC Message Handler; BECC Loggist; BECC Info Officer; BECC Officer; Communications Link Officer; Service Link Officer.</p>	<input type="checkbox"/> <input type="checkbox"/> yes no
<p>The council is able to make an appropriately authorised bilateral or multilateral mutual aid request within 2 hours of identifying the need for support.</p> <p>Multilateral mutual aid is disseminated across London by the LLACC. The LLACC collates responses, which are passed back to the requesting borough.</p>	<input type="checkbox"/> <input type="checkbox"/> yes no
<p>The council is able to activate the following roles, for the duration of the on-call period, in the times specified:</p> <p>Local Authority Liaison Officer to forward command point (60 minutes)  Local Authority Gold to SCG (2 hours)  Deputy Local Authority Gold to SCG (2 hours)  Executive Officer/Loggist (2 hours)</p>	<input type="checkbox"/> <input type="checkbox"/> yes no
<p>The council has the capability to mobilise transport and staff to move up to 200 people within 3 hours of identification of need.</p>	<input type="checkbox"/> <input type="checkbox"/> yes no
<p>The council has considered appropriate local venues available to shelter up to 5000 people.</p>	<input type="checkbox"/> <input type="checkbox"/> yes no
<p>The council can provide evidence of those people who have been appropriately trained.</p> <p>The council can provide evidence of the frequency of exercises and the people who have taken part.</p>	<input type="checkbox"/> <input type="checkbox"/> yes no  <input type="checkbox"/> <input type="checkbox"/> yes no
<b>Guidance and supporting documentation</b>	
<p><b><i>Overarching guidance and reference material</i></b></p> <ul style="list-style-type: none"> <li>• Concept of Operations for Emergency Response &amp; Recovery, London Local Authorities 2018</li> <li>• <a href="#">London Resilience Forum website - Planning for Emergencies</a></li> </ul>	

# PARTNERSHIPS

## Resilience Standard for London #7

Desired Outcome
<p>The council demonstrates a high level of partnership working and interoperability between itself and all emergency responder and supporting organisations, as a means to ensure an inclusive, collaborative approach to Integrated Emergency Management.</p>
Summary of legal duties (mandatory requirements)
<p>The statutory guidance <a href="#">Emergency Preparedness</a> sets out the duties on Category 1 and 2 responders to cooperate (Chapter 2) and to share information (Chapter 3), and further civil protection duties which fall on Category 1 responders, including risk assessment, (Chapter 4) emergency planning (Chapter 5) and communicating with the public (Chapter 7).</p> <p>The non-statutory guidance <a href="#">Emergency Response and Recovery</a>, which complements Emergency Preparedness, describes the multi-agency framework for responding to and recovering from emergencies. The Joint Emergency Services Interoperability Principles (JESIP), <a href="#">Joint Doctrine: Interoperability Framework 2016</a> publication is a non-statutory complement to the guidance identified above.</p>
How to achieve good practice in this area
<ol style="list-style-type: none"><li>a. The council is represented on the Borough Resilience Forum (BRF) at the appropriate level and positively engages with its partners.</li><li>b. Decisions, actions and key messages, from the BRF, are cascaded and embedded into the organisation.</li><li>c. Understand the critical interdependencies, both internal and external, and actively consider these when making decisions.</li><li>d. Senior Managers regularly engage in strategic discussions, with senior managers and Chief Officers from partner organisations, on emergency response and resilience activities.</li><li>e. Consider the future planning and resilience of partner agencies (e.g. in terms of planning, transport and regeneration) that potentially change community risk.</li><li>f. Embed the principles of joint working in all multi-agency arrangements, with the objective of normalising interoperability across the activities of Integrated Emergency Management.</li><li>g. A common understanding of local risks, partner agencies' capabilities, limitations, priorities and working practices, in order to facilitate an efficient, effective and coordinated joint response to incidents of varying levels of severity and scale.</li><li>h. A common understanding of the JESIP Joint Decision Model to support joint decision making in multi-agency groups.</li><li>i. Contribute to a multi-agency training and joint exercising programme to embed and then validate interoperability principles and practices across responders and responder agencies, at strategic, tactical and operational levels. Training is conducted by suitably qualified and experienced people.</li><li>j. A clearly defined and commonly understood plan that enables the council, with partners, to communicate to the public with a common message during an incident.</li></ol>

- k. Clearly defined arrangements for debriefing in a partnership environment e.g. Strategic Coordinating Group, following incidents and exercises to enable learning and continuous improvement.
- l. A clear understanding of other organisations' roles including the role of the Government Liaison Officer (GLO) and wider Government Liaison Team (GLT) and the interface with Central Government.

#### How to achieve leading practice in this area

- m. Arrangements to proactively, and in a timely manner, identify and share lessons and leading practice following major incidents and exercises with the wider resilience community using the Local Authorities Learning and Implementation Protocol.
- n. An auditable database of multi-agency training and exercising which records when responders receive training, take part in exercises and when they are due refresher training.
- o. Developing strong relationships with the business and voluntary sector organisations, which includes understand their capabilities, sharing risk assessments, establishing arrangements for joint training, exercising and sharing lessons learned.

#### Guidance and supporting documentation

##### **Statutory and overarching multi-agency guidance and reference from Government**

- [Emergency Preparedness \(Cabinet Office, 2011-12\)](#)
- [Emergency Response and Recovery \(Cabinet Office, 2013\)](#)
- [Central Government's Concept of Operations CONOPs \(Cabinet Office, 2013\)](#)

##### **Thematic multi-agency guidance from Government**

- [Joint Doctrine: The Interoperability Framework Edition 2 2016](#)

#### Descriptor

Developing	Established	Advanced
Engagement with partners is limited to those within the organisation who sit on the Borough Resilience Forum.	The council is very engaged with key partners and particularly those who sit on the Borough Resilience Forum. This engagement extends across the strategic, tactical and operational areas of responsibility.	Engagement with partners extends beyond those on the Borough Resilience Forum. These may include Category 2 responders and the business and voluntary sector.
Partnership working in emergency planning across the organisation, particularly at strategic level, is being developed.	There is a common understanding of risks facing partners as well as each other's roles, responsibilities and capabilities.	Lessons identified through incidents and exercises are identified and shared with this broader range of partners.
There is limited understanding of partners capabilities, or the interdependencies between organisations, and these are not considered during planning or when making operational decisions.	Training, exercising and evaluation occurs across a range of partners.	A multi-agency database exists to record and verify training and competency.



# TRAINING, EXERCISING AND EVALUATION

## Resilience Standard for London #8

Desired Outcome
Members and officers across the organisation are competent to fulfil their roles in emergency preparedness, response and recovery. The council develops and assures their resilience capabilities and arrangements through an exercise programme that is risk-based. Lessons learned from previous exercises and incidents have been identified and plans modified accordingly.
Summary of legal duties (mandatory requirements)
<a href="#">The Civil Contingencies Act (2004)</a> Regulations require Category 1 responders to include provision for the training and exercising of staff or other persons in emergency plans, business continuity plans and arrangements to warn, inform and advise the public. 'Other persons' could include contractors with a role in the plans. All those within an organisation who may be involved in planning for, responding to and recovering from an emergency should be appropriately prepared. This requires a clear understanding of plans, their roles and responsibilities and how they fit into the wider picture.
How to achieve good practice in this area
<p>a. A training and development programme is in place to build the organisation's capability for resilience by developing appropriate competencies among key employees, services and councillors against a range of operational and strategic scenarios. This includes induction programmes with relevant emergency planning and resilience content for Members and staff.</p> <p>b. Training addresses all roles within the plans including senior leaders (e.g. Directors, elected members and the Mayor).</p> <p>c. A comprehensive joint exercise programme exists to enable key services to maintain competency for dealing with cross-borough incidents or major incidents which require a multi-agency response.</p> <p>d. Exercises test the organisation's plans and procedures which considers local, regional and national risks.</p> <p>e. Exercising tests a council's capacity (e.g. staffing levels and the impact of holiday periods) and capability (e.g. evacuation and shelter, warning and informing, coordinating the voluntary sector and spontaneous volunteers).</p> <p>f. The council learns by identifying the lessons of events and acting on them in order to change structure, activities and behaviours. Lessons learned from previous emergencies across the country, and where appropriate from overseas, have been identified.</p> <p>g. A comprehensive debrief and review process is in place for operational incidents, with multi agency involvement if appropriate; this is used effectively to inform policies and practices across the organisation and allow any necessary change to be embedded.</p> <p>h. Arrangements exist to evaluate the training and development of personnel to ensure that it is effective and skills are maintained, people are developed and remain competent within their role.</p> <p>i. Competence can be quickly verified when sharing staff with other authorities.</p>

## How to achieve leading practice in this area

- j. The council creates a safe learning environment that will enable confident, no-fault learning across the range of its training, exercising and development activities.
- k. Build resilience by training staff volunteers that may be called upon to support primary personnel in the event of concurrent or long-running events, or as part of organisations' business continuity planning.
- l. Specific exercising of recovery arrangements, including play by senior managers, to rehearse and validate their roles, including the interplay with national recovery management structures.
- m. Establish clear criteria to assess the impact of training and development for both individuals and organisations and share the results of any evaluation with relevant stakeholders.

## Guidance and supporting documentation

### **Statutory and overarching multi-agency guidance and reference from Government**

- [Emergency Preparedness](#) (Cabinet Office, 2011-12) especially chapters five, six and seven
- [Emergency Response and Recovery](#) (Cabinet Office, 2013)
- [JESIP Joint Doctrine: the interoperability framework](#) (Edition 2, 2016)
- [National Recovery Guidance](#) (Cabinet Office, 2013)

### **Single-agency guidance from Government and professional authorities**

- [Local authorities' preparedness for civil emergencies: a good practice guide for Chief Executives Solace and MHCLG](#) (2018)

### **Relevant British (BSI), European (CEN) and International (ISO) Standards**

- [PD 25666:2010 Business continuity management – Guidance on exercising and testing for continuity and contingency programmes](#)
- [BS11200 : 2014 Crisis Management: guidance and good practice](#)
- [BS ISO 22398:2013 Societal security – Guidelines for exercises](#)

### **Supporting guidance and statements of good practice from professional authorities**

- [Emergency Planning College \(2016\). Developing and Delivering Exercises](#)

## Descriptors

Developing	Established	Advanced
<p>Training and exercise programmes are being developed to provide realistic training scenarios for staff and Members across the council.</p> <p>Lessons are being identified but not necessarily actioned throughout the organisation. Debrief and evaluation processes are being enhanced or introduced with the aim of changing policy, procedures, working arrangements and behaviours.</p>	<p>An induction, training and exercise programme is in place for key employees, services and elected Members across the council.</p> <p>There is a comprehensive exercise programme, that tests capacity and capability, with in-built debrief and evaluation processes. Incidents are evaluated to identify and learn lessons and actions are implemented.</p> <p>The council looks beyond its boundary to identify learning.</p>	<p>The council has extended its training and exercise programme to support the development of volunteers to improve capacity and organisational resilience.</p> <p>The 'recovery' phase of a civil emergency is tested through exercising and includes external partners, other authorities and government departments.</p> <p>Lessons learned are shared with external stakeholders where appropriate.</p>

# BUSINESS CONTINUITY

## Resilience Standard for London #9

Desired Outcome
The council is able to demonstrate a high level of resilience in their priority functions and emergency response and recovery capabilities.
Summary of legal duties (mandatory requirements)
<a href="#">The Civil Contingencies Act (2004)</a> requires the council to maintain plans to ensure that they can continue to deliver their functions in the event of an emergency as far as is reasonably practicable, and this duty relates to all priority functions, not just their emergency response functions. There must be arrangements for reviewing and exercising to ensure the business continuity plans are current and effective with arrangements for the provision of training to those involved in implementing the plan. They are also required to publish aspects of their business continuity plans making this information available for the purposes of dealing with emergencies. Local authorities are required to provide advice and assistance to businesses and voluntary organisations about business continuity management.
How to achieve good practice in this area
<ol style="list-style-type: none"><li>a. Business continuity plans and arrangements are in place that are current and aligned to the ISO 22301 standard.</li><li>b. Business continuity is appropriately embedded within the organisation in order that critical functions, emergency response and recovery capabilities are highly resilient. Account is taken of links and interdependencies between Services across the organisation.</li><li>c. Key business continuity management personnel are competent and experienced and the council invests in their training and continuous professional development.</li><li>d. Information is shared with other responder organisations where appropriate, in order to understand their respective business continuity plans and arrangements, and also vulnerabilities and dependencies that may become relevant in the event of disruption.</li><li>e. Robust arrangements are in place for the review and validation of business continuity plans and contingency arrangements including emergency response and recovery capabilities.</li><li>f. Contractors and providers, including their supply chains, understand the civil resilience risks for the council's area and have robust business continuity arrangements, especially for services for which the council has a statutory duty.</li><li>g. Provider's emergency plans and procedures, including business continuity arrangements for specific services are fit for purpose and up to date. They consider specific risks and scenarios, for example, disruption due to severe weather or industrial action.</li><li>h. The provider has the capacity and adequate resourcing to put plans in place particularly to cover short or no notice incidents, with recovery timescales that are acceptable to both the provider and commissioner.</li><li>i. Service users know how they can contact the provider or the council in an emergency, both during a normal working day and out of hours.</li></ol>

j. Providers understand any responsibilities that may be imposed on them during an emergency as set out in local emergency plans.

k. Where Providers deliver contracts to multiple authorities, the council is aware of the implications during prolonged or widespread emergencies (because of increased demand for services or resources) and have contingency arrangements in place.

**How to achieve leading practice in this area**

n. Facilitate independent assurance, and where appropriate certification, of their business continuity plans and arrangements against ISO22301.

o. Incorporate business continuity elements and considerations into exercises in order to robustly test vulnerabilities and validate the resilience of local capabilities. Testing or exercising of business continuity arrangements of contractors is in place.

p. Enable other authorities to have access to assets and resources in the event of disruption such as loss of premises.

**Guidance and supporting knowledge**

**Statutory and overarching multi-agency guidance and reference from Government**

- [Emergency Preparedness](#) (Cabinet Office, 2011-12) (especially Chapter 6)
- [Emergency Response and Recovery](#) (Cabinet Office, 2013)

**Relevant British (BSI), European (CEN) and International (ISO) Standards**

- [ISO 22301 Business Continuity Management](#)

**Supporting guidance and statements of good practice from professional authorities**

- [Business Continuity Institute Good Practice Guidelines \(2018\)](#)
- [London Resilience – Preparing your Business \(2018\)](#)
- [Local authorities’ preparedness for civil emergencies: a good practice guide for Chief Executives Solace and MHCLG \(2018\)](#)

**Descriptors**

<b>Developing</b>	<b>Established</b>	<b>Advanced</b>
<p>Business continuity plans are in place in some parts of the organisation but not routinely tested. Contingency arrangements are not clearly understood.</p> <p>Providers and contractors are not aware of their responsibilities or have not implemented contingency arrangements that support the council.</p>	<p>Business continuity plans are in place across the organisation and are tested to support resilience and contingency arrangements.</p> <p>Contractors and providers have business continuity arrangements and they are aware of their role within an emergency.</p> <p>Information is provided to service users during an emergency.</p> <p>Advice is provided to businesses and the voluntary sector on Business Continuity Management.</p>	<p>Business continuity plans and contingency arrangements for the organisation, contractors and providers are tested.</p> <p>Key business continuity people have appropriate qualifications and professional development.</p> <p>There is independent validation or certification through ISO 22301 in place.</p>

# COMMUNITY RESILIENCE

## Resilience Standard for London #10

Desired Outcome
<p>The council has a strategic and coordinated approach to activity that enables individuals, businesses, community networks and voluntary organisations to behave in a resilient way and act to support other members of the public. Community resilience considerations and the voluntary capabilities of all these partners are integrated into existing emergency management plans.</p>
Summary of legal duties (mandatory requirements)
<p>Duties set out in the <a href="#">Civil Contingencies Act (2004)</a> which pertain to community resilience include the publication of risk and emergency management information and warning and informing the public about emergencies. The Act also sets out a duty for Local Authorities to provide business continuity advice for private and voluntary organisations in Contingency Planning, Advice and Assistance to the Public (section 4).</p> <p><a href="#">The Public Sector Equality Duty: Equality Act 2010</a> requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. This includes specific duties for engagement by public authorities.</p>
How to achieve good practice in this area
<ol style="list-style-type: none"><li>a. A strategic approach to ensure coordination of community led social action and partnering with voluntary capabilities.</li><li>b. Easily accessible and regularly updated information about statutory responder and BRF community resilience services, resources, governance and points of contact.</li><li>c. Identify and engage with community and voluntary networks which might offer support to their communities and to responders before, during or after an emergency.</li><li>d. A process for providing advice and support to community groups that want to have a role in emergency management.</li><li>e. A communications and engagement plan to promote resilient behaviours and encourage community groups and networks to promote resilience and take a role in emergency management.</li><li>f. Clearly defined roles for community and voluntary partners for preparing, responding and recovering from emergencies, which are agreed and communicated prior to an incident. This may range from informal expectations for neighbours to support one another to formal partnership arrangements utilising memorandums of understanding and codes of conduct.</li><li>g. A regularly updated database of local and national voluntary capabilities available to support emergency response and recovery, with clear agreed activation processes.</li><li>h. Locally agreed arrangements to manage spontaneous offers of support to affected people and to emergency responders in emergencies, including financial and physical donations, unaffiliated 'spontaneous' volunteers, resource and expertise.</li></ol>

## How to achieve leading practice in this area

- i. A process for on-going consultation and collaboration with community networks in relation to risk assessments and emergency plans, including understanding and mapping the risks that are of primary concern and motivation to communities.
- j. Regular outreach sessions, workshops and conferences for individuals, businesses and community networks to share leading practice, provide training, build relationships and enable networking.
- k. Provision of physical resources, assets and training for community networks and volunteers.
- l. Community resilience approaches, programmes and lessons are proactively shared with neighbouring authorities.
- m. A process for identifying, mapping and regularly assessing the resilience of communities at highest risk to inform priorities for targeted communications and interventions.

## Guidance and supporting knowledge

### **Statutory and overarching multi-agency guidance and reference from Government**

- [Emergency Preparedness](#) (Cabinet Office, 2011-12)
- [Emergency Response and Recovery](#) (Cabinet Office, 2013)

### **Thematic multi-agency guidance from Government**

- [Preparing for emergencies](#) (Cabinet Office 2018)
- Community Resilience: Resources and Tools
- [Community resilience framework for practitioners](#) (Cabinet Office, 2016)
- [Enabling social action](#) (Cabinet Office 2017)

### **Relevant British (BSI), European (CEN) and International (ISO) Standards**

- [ISO 22319:2017 Security and resilience — Community resilience — Guidelines for planning the involvement of spontaneous volunteers](#)

### **Supporting guidance and statements of good practice from professional authorities**

- [Community engagement hub 'how to' guides for emergency managers from the Defra Flood Resilience Community Pathfinder Scheme \(2016\)](#)

## Descriptors

Developing	Established	Advanced
<p>Community resilience activities are in the early stages of development. The council is in the process of understanding the role of volunteers from the community, business and voluntary sector.</p> <p>Discussions with community groups are at an exploratory stage or activities are being developed and piloted.</p>	<p>Community led social action is coordinated where the community, business and voluntary sector, who want a role in emergency management, are identified and engaged. Roles are clearly identified and there is a database of voluntary capabilities.</p> <p>There are arrangements to manage spontaneous offers of support and to give advice and information to citizens.</p>	<p>The council has enhanced its community engagement and resilience work by arranging an ongoing process for consultation and collaboration. There are regular engagement sessions for a wide range of community groups including businesses.</p> <p>Community groups are provided with access to assets, equipment and where appropriate training, to support their role.</p>

# RECOVERY MANAGEMENT

## Resilience Standard for London #11

Desired Outcome
<p>The council has robust, embedded and flexible recovery management arrangements in place to support the rebuilding, restoring and rehabilitation of the community following an emergency. Arrangements clearly link and complement emergency response arrangements, enable the smooth transition from response to recovery and support collective decision making to initiate, inform, resource, monitor and ultimately closedown the recovery phase of emergencies.</p>
Summary of legal duties (mandatory requirements)
<p>The organisational requirement to maintain plans for recovery is set out in the <a href="#">Civil Contingencies Act</a> (CCA), specifically as part of the requirement to reduce, control or mitigate the effects of an emergency and ‘to take other action in connection with it’. Detailed advice on recovery planning can be found in the Cabinet Office core guidance <a href="#">Emergency Response and Recovery</a> and the <a href="#">National Recovery Guidance</a>.</p>
How to achieve good practice in this area
<p>a. The recovery process should be considered from the moment the emergency begins and is coordinated by the council in liaison with the Strategic Coordinating Group. If resources allow, the Recovery Co-ordinating Group is set up on the first day of the emergency.</p> <p>b. The management of recovery is approached from a community development perspective with the active participation of the affected community and a strong reliance on local capacities and expertise. The private sector and the wider community play a crucial role.</p> <p>c. An impact assessment (covering impacts on residents, businesses, infrastructure, environment) is carried out as soon as possible and is regularly updated. Resulting actions are accurately captured and progress monitored.</p> <p>d. A concise recovery action plan with clear targets and milestones is developed that can be quickly implemented, involves all agencies and fits the needs of the emergency.</p> <p>e. The community is fully involved in the recovery process, including the business sector, voluntary sector, faith groups, community groups and tourist organisations.</p> <p>f. A pro-active and integrated framework of support to businesses is established.</p> <p>g. The council works closely with other agencies, the community and those directly affected, including on monitoring and protection of public health and the reinstatement of utilities and transport networks.</p> <p>h. Information and media management of the recovery process is co-ordinated through the Recovery Coordinating Group led by the council.</p> <p>i. Effective protocols for political involvement and liaison (local, regional and national) are established.</p> <p>j. An early assessment should be made of the responding organisations’ capacity and resources, and mutual aid agreements activated as required.</p> <p>k. Accurate record keeping is established. There are clear audit trails with comprehensive records of timings, notifications, decisions, actions and expenditure.</p>

l. An agreed and rehearsed framework for setting objectives, milestones and closedown criteria as part of a recovery strategy which enables recovery progress to be evaluated and supports the eventual transition of the recovery programme into ‘business as usual’.

m. Appropriate psychological and social care and support is provided for all those who have been affected by an emergency. This may include survivors of an incident, the family and friends of survivors and the deceased, those responding to the emergency, and the community living and working in the area affected.

**How to achieve leading practice in this area**

n. Opportunity for longer term regeneration and economic development is considered at the earliest stages of the recovery process.

o. Developing strong relationships with charitable and private sector organisations offering financial or other support to community development and other recovery initiatives e.g., the management of donations following an emergency.

p. Developing a generic framework, agreed with the lead local council’s Responsible Financial Officer (Section 151), for rapid distribution of emergency payments to affected people and organisations, including identifying payment channels, reporting and monitoring mechanisms and a communications strategy.

**Guidance and supporting documentation**

***Statutory and overarching multi-agency guidance and reference from Government***

- [Emergency Response and Recovery](#) (Cabinet Office, 2013)
- [National Recovery Guidance](#) (Cabinet Office, 2013), including Common issues, Economic issues, Humanitarian issues and Infrastructure issues
- [Human Aspects of Emergency Management](#) (Cabinet Office, 2016)

***Relevant British (BSI), European (CEN) and International (ISO) Standards***

- [BS 12999:2015 Damage Management](#). Code of practice for the organization and management of the stabilization, mitigation and restoration of properties, contents, facilities and assets following damage.

**Descriptors**

<b>Developing</b>	<b>Established</b>	<b>Advanced</b>
<p>The council has a generic plan in place to manage recovery but this has not been tested. There are arrangements to manage business as usual and possibly small scale incidents.</p> <p>The community perspective has been considered and information is provided to them but they do not actively participate in recovery work.</p>	<p>Recovery starts at the earliest possible stage and is approached from a community perspective with their active involvement. An impact assessment is in place and regularly updated. An action plan is in place with targets and milestones and there are arrangements to advise and support local businesses.</p> <p>Accurate record keeping is established which is auditable.</p>	<p>The council is looking at opportunities for long term regeneration and economic development.</p> <p>There are strong relationships with the community, business and the voluntary sector and their expertise is being utilised.</p> <p>Robust financial arrangements are in place to manage support to citizens and donations.</p>



<b>REPORT TO:</b>	<b>Cabinet Member for Children, Young People and Learning</b>
<b>SUBJECT:</b>	<b>Open Access Counselling and Young Carers Services for Children and Young People</b>
<b>LEAD OFFICER:</b>	<b>Jacqueline Harris Baker, Executive Director Sarah Warman, Director Amanda Tuke, Head of Service</b>
<b>CABINET MEMBER:</b>	<b>Councillor Alisa Flemming Cabinet Member for Children, Young People and Learning Councillor Simon Hall Cabinet Member for Finance and Resources</b>
<b>WARDS:</b>	<b>All</b>
<p><b>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON</b></p> <p>Delivering appropriate and safe emotional wellbeing and mental health support through open-access counselling, advice and advocacy supports the Council’s outcome:</p> <p><b><i>“Children and young people in Croydon are safe, healthy and happy and aspire to be the best they can be.”</i></b></p> <p>Other relevant local priorities include:</p> <p><b>Croydon’s Community Strategy priorities and outcomes:</b></p> <ul style="list-style-type: none"> <li>• Outcome 1: A great place to learn, work and live.</li> <li>• Outcome 2: A place of opportunity for everyone – in particular: Priority Two; Support individuals and families with complex needs and; Priority Four: Deliver better education and the opportunity for everyone to reach their full potential.</li> </ul> <p><b>Croydon’s Corporate Plan “Ambitious for Croydon”</b></p> <ul style="list-style-type: none"> <li>• To help families be healthy and resilient and able to maximise their life chances and independence.</li> <li>• To help people from all communities live longer, healthier lives through positive lifestyle choices.</li> <li>• To drive fairness for all communities, people and places.</li> </ul>	

## FINANCIAL IMPACT

The service is well-established and has recurrent funding streams (Council & CCG) as set out below.

Council & CCG Directors have confirmed their support for its continued funding at 2019/20 recurrent levels.

	<b>Croydon CCG</b>	<b>Croydon Council</b>	<b>Annual Total</b>
<b>Croydon Drop In</b>	£153,000	£150,000	£303,000
<b>Off the Record</b>	£600,000	£234,300	£843,300
<b>Total over 2 years</b>	£1,506,000	<b>£768,600</b>	£2,292,600
<b>Total Over 5 years</b>	£3,765,000	<b>£1,921,500</b>	£5,731,500

## FORWARD PLAN KEY DECISION REFERENCE NO.: 0620CYPL

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

The Leader of the Council has delegated to the Cabinet Member for Children , Young People and Learning the power to make the decisions set out in the recommendations below:

### 1. DRAFT RECOMMENDATION

1.1 The Cabinet Member for Children Families and Education in consultation with the Cabinet Member for Finance and Resources, is recommended by the Contracts and Commissioning Board to approve the award of contracts (jointly with NHS Croydon Clinical Commissioning Group) in accordance with Regulation 28.4(c) of the Council's Contracts and Tenders Regulations to:

- a. Croydon Drop In for the provision of Open-Access Counselling Services for a contract term of 2 years with 3 x 1 year extensions up to five (5) years for a maximum contract value (to the Council) of £750,000.00.
- b. Off The Record for Open Access Counselling and Young Carers Services for a contract-term of 2 years with 3 x 1 year extensions up to five (5) years for a maximum contract value (to the Council) of £1,171,500.00.

1.2 The Cabinet Member is asked to note that the Director for Commissioning & Procurement has approved a waiver of Regulation 11.3 of the Council's Tenders and Contracts Regulations to allow for the direct award of the contracts, subject to finalisation of the due diligence and assurance process required by Croydon CCG by the date of contract signature.

## **2. EXECUTIVE SUMMARY**

- 2.1 The purpose of this report is to seek permission to directly award joint contracts (i.e. Croydon Council with NHS Croydon CCG) to two local VCS agencies, namely Croydon Drop In and Off The Record, for the provision of (respectively) open-access counselling services; and open-access counselling and young carers' services.
- 2.2 Croydon Council and Croydon CCG both have statutory duties to local children and young people (e.g. early intervention; emotional health & well-being) and this service contributes significantly to the discharge of those duties.
- 2.3 Both providers are already engaged in the delivery of this service under the auspices of separate Council & NHS contracts, which are due to expire shortly, and have been so for some years. As such, the move to a single contract (NHS shorter form) with defined contract-terms recognises the long-standing commitment of the providers; demonstrates the integration of commissioners in Croydon; and sets a framework for future development of the service.
- 2.4 Prior to recommending the direct award, commissioners have considered the available options for delivering the service and established that direct awards to the existing providers represent best value for the Council and the CCG. A due diligence and assurance process required by the CCG has been designed to ensure that the providers are "fit for purpose" and the first phase of this, screening of evidence, is completed with both providers and due for finalisation prior to the contract signature date.
- 2.5 The content of this report has been endorsed by the Contracts and Commissioning Board.

<b>CCB ref. number</b>	<b>CCB Approval Date</b>
<b>CCB1556/19-20</b>	<b>05/03/2020</b>

## **3. DETAIL**

### **3.1 National context:**

Local Authorities have a statutory duty to provide early intervention and prevention services to children & young people. These services include counselling and other similar interventions.

NHS England (NHSE) requires local areas to work in partnership to develop and update annually a Local Transformation Plan (LTP) for mental health & emotional well-being of children and young people. The LTP sets out (among other things) how ring-fenced funding from NHSE is invested to improve outcomes for children and young people in need of mental health and emotional well-being support.

A key requirement of the NHSE funding is that it is used to improve access and

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reduce waiting times to counselling services. Access to such services is an increasingly important indicator, both within NHS performance frameworks and in the wider public arena.

### **3.2 Local context:**

Locally, the LTP is overseen within Croydon's partnership structures by the Mental Health and Emotional Well Being Board, a sub-group of the Children and Young People's Partnership Board.

Over a number of years (preceding the LTP), both Croydon Council and Croydon Clinical Commissioning Group (CCG) have separately commissioned open-access counselling, advocacy & advice services and a young carers service for children and young people from two Croydon-based voluntary sector providers, namely Off the Record and Croydon Drop In. These agreements are due to expire on 31 March 2020.

### **3.3 Objectives & outcomes:**

In engaging in this process, commissioners established the following objectives and outcomes:

- To ensure Croydon Council can fulfil its statutory duty to provide early intervention and prevention services through continued delivery of open-access counselling, advocacy & advice and young carers services to children and young people in Croydon.
- To deliver on local priorities as set out in the Local Transformation Plan for Emotional Wellbeing and Mental Health; Early Help Strategy; and other national priorities in relation to improved access to mental health and emotional wellbeing services.
- To maximise the impact of available place-based resources in improving mental health and emotional wellbeing outcomes for children and young people, ensuring there is sufficient capacity to meet demand.
- To enable robust integrated contract management that develops the providers; delivers service improvements; and ensures that service-users experience positive and safe care within an appropriate and welcoming environment.

### **3.4 Commissioners' preferred option:**

Commissioners have recommended the direct award of one joint contract (i.e. Croydon CCG with Croydon Council) to each of the current two voluntary sector providers, i.e. Off the Record and Croydon Drop In.

The contract form recommended is the NHS Standard Contract (shorter form), with additions to the service conditions to reflect key aspects of the Council's procurement agenda (e.g. compliance with London Living Wage).

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The scope of each contract will be all services that the provider currently delivers to support mental health and emotional wellbeing.

The contracts are due to commence on 1 April 2020. The proposed contract-term is for two (2) years initially, with the option of up to three (3) 1-year extensions, initially maintaining the annual contract-price at the recurrent 2019/20 funding levels shown below:

	<b>Croydon CCG (£000)</b>	<b>Croydon Council (£000)</b>	<b>Provider Total (£000)</b>
<b>Croydon Drop In</b>	153.0	<b>150.0</b>	303.0
<b>Off the Record</b>	600.0	<b>234.3</b>	834.3
<b>Commissioner Total</b>	753.0	<b>384.3</b>	1,137.3
<b>Total over 2 years</b>	1,506.0	<b>768.6</b>	2,274.6
<b>Total over 5 years</b>	3,765.0	<b>1,921.5</b>	5,686.5

At a meeting on 18 December 2019, the CCG's Procurement Advisory Group (PAG) made an identical recommendation to the CCG Accountable Officer and Governing Body.

The rationale for the above recommendations (including direct award) and the decisions made by these groups is set out in detail below in sections 3.5 to 3.10.

### 3.5 Rationale for joint contract:

In recommending one joint contract to each voluntary sector provider, commissioners acknowledged the duplication inherent in the status quo; recognised that integrated commissioning should deliver outputs such as joint contracts as a norm; and sought to offer greater clarity to providers. Commissioners were not aware of any specific reason to deviate from those principles.

### 3.6 Rationale for direct award:

Commissioners acknowledged the risk of a procurement challenge under PCR 2015 by other provider organisations, but established that this risk is low and that the direct award is eminently defensible.

Firstly, commissioners believe that competitive tendering is unlikely to offer better value than the current local service offer. Secondly, commissioners believe that the external provider market is unlikely to offer providers that are technically capable of delivering these services. Supporting factors in both these beliefs include the geography & demographics of Croydon (in particular, the unusual concentration of young refugees and asylum seekers); the absence of a specialist provider delivering these services in other comparable areas; and the infrastructure costs inherent in setting up a new service in Croydon.

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This case is set out below in sections 3.7 to 3.10.

### **3.7 Current local service offer:**

The open-access counselling service provides primary-care-level intervention and also helps to identify and signpost those with higher levels of need to more appropriate services through the “single point of contact”. The service offers evidence-based face-to-face counselling, support services and digital services also for vulnerable groups, in particular unaccompanied asylum-seeking young people and young carers (see below). Off the Record also provides on-line counselling; a young carers project; and a youth drug & alcohol project. Clients accessing the open-access counselling service in either provider may be referred to these services as appropriate.

Research shows that children and young people experiencing mild to moderate mental health problems are likely to respond to evidence-based mental health counselling interventions (identified as appropriate within the National Children and Young People’s IAPT Programme), which is the core intervention provided by the service.

Advice and advocacy is also provided in-service to support family members, young people and children (aged 10-25) accessing the service in relation to: welfare rights; benefits; maintaining school attendance; family support; debt; housing and homeless issues - all within the human rights framework.

Strategically, the fundamental aim of these services are entirely consistent with the Croydon agenda: to support children and young people to be well, remain well and gain resilience and life coping skills to support them into adulthood.

Both providers are:

- Well-established voluntary sector bodies within the communities of Croydon;
- Well-regarded within the local health & care community and operating as a provider under the ambit of commissioner contracts and agreements;
- Engaged with partners & service users in developing their current service offer, singly and jointly (e.g. seeking to employ joint posts to deliver the national “trailblazer” of mental health support in schools).

Given all the above, while there is undoubtedly some scope for provider development, the current service offer and set of providers in Croydon seems broadly sound; “fit for purpose”; and is already responding to the need for change.

### **3.8 Croydon’s geography & demographics:**

In the latest benchmarking data (March 2018) Croydon had the highest number of unaccompanied asylum seeking children (UASCs) in the children looked after population. Croydon is one of a very small number of local authorities who

have very significant numbers of UASCs, in the South East and London areas. The next highest numbers are in Kent and Hampshire respectively (see table below).

**Table: Numbers of unaccompanied asylum-seeking children in the local authorities in London and the South East (three highest) Mar 2018**

<b>Local authority</b>	<b>Number of unaccompanied asylum seeking children (UASC)</b>
Croydon	295
Kent	235
Hampshire	112

UASCs frequently arrive at the Home Office in Croydon having experienced considerable trauma and therefore with a range of emotional well-being and mental health issues. A large proportion clearly remain in Croydon – often for several years. These individuals may be subsequently categorised as children looked after and then care leavers, so the numbers reported above probably under-estimate the scale of the issue. It is certainly the case that UASCs (and care-leavers who were previously UASC) make up a considerable proportion of the current service-user population for both the voluntary sector counselling services described in this report.

### **3.9 Current provider market:**

Given this long-standing presence of UASCs, both the statutory and voluntary sector services in Croydon have developed considerable expertise in supporting this group of children and young people. As evidence of this, local providers are regularly consulted as experts by colleagues in other areas. The fact that they are consulted by other areas suggests that this expertise is not readily available from another source.

Commissioners sought information from other areas with significant numbers of UASCs, including Kent and Hampshire. In both cases, the Designated LAC nurse in the area confirmed that unlike Croydon there was no provider delivering specialist UASC counselling service in their areas. In both cases, UASCs received only the same general service emotional wellbeing and mental health support that other young people in the area receive and this situation had been identified as a gap in service provision there.

On that basis, the evidence suggests that there are no other providers currently operating in a comparable environment and therefore technically capable of delivering the specific service that is needed in Croydon.

### **3.10 Infrastructure costs:**

As a further consideration, both providers are well-established in Croydon with good access to local agencies & infrastructure (e.g. premises). It seems likely that any new provider entering the Croydon area would have to invest in relationship-building and infrastructure and that costs for this would feature in

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the contract price. Given the property market within Croydon, infrastructure costs alone (both start-up and recurrent) are likely to be significant and will eliminate any efficiency saving likely to be obtained through competitive tendering.

### **3.11 Conclusions, recommendations and next steps:**

Given all the above, commissioners concluded that:

- There was a clear benefit to be gained from maintaining continuity with the current providers;
- The benefits of such continuity outweighed any potential financial advantage to be gained by competitive tendering; &
- The risk of legal challenge to a direct award exists, but it is low and the decision has a firm evidence-base to support it, as set out above in sections 3.7 to 3.10.

### **3.12 Due diligence and assurance:**

Commissioners have consulted with NHS Shared Business Services (procurement advisors to NHS Croydon CCG) and designed a framework for “due diligence and assurance” to ensure that both providers are capable of discharging the contract and delivering the service within available resources. It should be stressed that the due diligence & assurance work is not a point-based evaluation but a more in-depth and iterative dialogue with the provider.

Commissioners have completed phase one of the CCG due diligence and assurance process and this will be finalized prior to the date of contract signature date.

## **4. CONSULTATION**

- 4.1 There is no significant service-change proposed, and therefore there is no requirement for formal consultation on the decision at hand.
- 4.2 However, the due diligence and assurance process described above will include both scrutiny of past engagement work by the two providers. An independent engagement exercise with service-users of each provider, to be designed and led by the Council’s Youth Engagement team, will be carried within six months of the date of contract signature to support service development.

## **5 FINANCIAL AND RISK ASSESSMENT CONSIDERATION**

### **5.1 Revenue and Capital consequences of report recommendations**



	Current year	Medium Term Financial Strategy – 3 year forecast		
	2019/20	2020/21	2021/22	2022/23
	£'000	£'000	£'000	£'000
<b>Revenue Budget available</b>				
Expenditure	384.3	384.3	384.3	384.3
Income	384.3	384.3	384.3	384.3
<b>Effect of decision from report</b>				
Expenditure	384.3	384.3	384.3	384.3
Income	384.3	384.3	384.3	384.3
<b>Remaining budget</b>	0.0	0.0	0.0	
<b>Capital Budget available</b>	N/A	N/A	N/A	N/A
Expenditure				
<b>Effect of decision from report</b>				
Expenditure				
<b>Remaining budget</b>	0.0	0.0	0.0	0.0

## 5.2 The effect of the decision:

- The decision commits funding at 2019/20 levels for 2020/21 & 2021/22 (but see below re savings/efficiencies).
- Relevant Council & CCG Directors have confirmed their approval for continuation of recurrent 2019/20 funding.

## 5.3 Risks:

- There is a significant risk of rising demand and/or unmet need.
- The block-funded contract proposed minimises the risk of budget over-run.
- There is a risk in the financial standing of providers – however, both are long-established organisations. This will be tested by due diligence & assurance.

## 5.4 Options:

- Failure to fund the service would leave the Council vulnerable to a charge of failing in its statutory duties, e.g. early intervention & prevention.

## 5.5 Future savings/efficiencies:

- There has been no consideration of savings or efficiencies in 2020/21.
- However, the contract term permits this for future years.
- The NHS standard contract permits savings (and ultimately service termination) within reasonable notice periods.

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Approved by Ian Geary, Department Head of Finance.

### **6. LEGAL CONSIDERATIONS**

- 6.1 The Solicitor to the Council comments as follows:
- 6.2 There are no additional legal considerations arising directly from this report.

Approved by Sonia Likhari, Solicitor, on behalf of the Director of Law and Governance & Deputy Monitoring Officer.

### **7. HUMAN RESOURCES IMPACT**

- 7.1 The direct award between Croydon Clinical Commissioning Group and Croydon Council to each of the current two voluntary sector providers - Off the Record and Croydon Drop In, deems that the service provisions remain unchanged and there are no TUPE or HR implications arising from this report for Croydon Council staff.
- 7.2 However, if there are any changes in the future that result in a service provision (such as the service being retendered to another provider), this may invoke the effects of the Transfer of Undertakings (Protection of Employment) 2006 Legislation (amended 2014). It is therefore important to seek HR advice at an early stage.

Approved by Nadine Maloney, on behalf of the Director of Human Resources.

### **8. EQUALITIES IMPACT**

- 8.1 The proposal represents the continuation (and development over time) of an existing local service with a clear remit to tackle inequalities & exclusion. The current service helps the Council meet its equality objective by offering support to vulnerable young people from minority groups (e.g. black & minority ethnic (BAME) communities; refugees & asylum seekers; and LGBTQ+).
- 8.2 Notwithstanding the eligibility criteria of a service for children and young people (0-25), the service seeks to address all equalities priorities (age, disability, gender, gender reassignment, marriage & civil partnership, religion or belief, race, sexual orientation, pregnancy or maternity). Indeed, the providers can identify case-studies demonstrating that commitment.
- 8.3 An initial equalities assessment has been completed. However, it will be revisited with the providers as part of the due diligence and assurance process before final sign-off.

Approved by Yvonne Okiyo, Equalities Manager.

## **9. ENVIRONMENTAL IMPACT**

- 9.1 The proposal represents the continuation (and development over time) of an existing local service within a small existing estate in central locations convenient for public transport. As such, there are no direct environmental impacts.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

- 10.1 Open-access counselling and young carers services play a role in offering support to vulnerable young people who may be experiencing domestic violence, hate crime or sexual exploitation.
- 10.2 Both providers are well-established within Croydon and have good links with partner agencies in the areas of both crime and disorder reduction and also safeguarding children.

## **11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 11.1 The rationale for the preferred option and subsequent recommendation is set out at some length in Section 3 of this report.
- 11.2 Also please see below in Section 12.

## **12. OPTIONS CONSIDERED AND REJECTED**

- 12.1 Section 3 of this report considers and sets out the reasons for arriving at its preferred option of a direct award to the existing providers. However, at an earlier stage in the process, other options were considered and rejected.
- 12.2 In brief, the high-level options could be viewed as:

**Option 0:** discontinue the service – **rejected** because both Council and CCG would be in breach of their obligations and duties;

**Option 1:** status quo, i.e. continue as before with two contracts and funding streams – **rejected** because it fails to acknowledge the real changes in the local care systems in Croydon;

**Option 2:** continue the service, but bring it “in-house” – **rejected** because of the lack of relevant expertise in any statutory provider in Croydon.

**Option 3:** re-procurement through external tender – **rejected** because of the rationale for direct award set out in sections 3.7 to 3.10; &

**Option 4:** direct award to existing providers – this is the **recommended** option.

**13. DATA PROTECTION IMPLICATIONS**

**13.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF ‘PERSONAL DATA’?**

YES – BUT AT PROVIDER-LEVEL ONLY.

**13.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

YES.

**13.3 The Director of Commissioning & Procurement comments as follows:**

**13.4** The providers will process “personal data” and also maintain clinical and case records. The providers may make onward referrals to other agencies (statutory and voluntary) and to the local safeguarding arrangements. In so doing, the providers will comply with all required standards of confidentiality.

**13.5** The providers will also provide monitoring information to the commissioner on both a regular and ad-hoc basis. It is envisaged that this monitoring information will always be in anonymised formats. It is **not** envisaged that the commissioner should process or hold any “personal data”.

**13.6** The terms and conditions of the NHS standard contract relating to data protection (“information governance” in NHS terms), require the providers to comply with all statutory, clinical & professional standards. The due diligence and assurance process is currently testing that compliance.

Approved by Amanda Tuke on behalf of the Director of Commissioning & Procurement.

---

**CONTACT OFFICER:**

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Tel: 07480 922676

**APPENDICES TO THIS REPORT:** None.

**BACKGROUND PAPERS:** None.

<b>REPORT TO:</b>	<b>CABINET MEMBER FOR FAMILIES, HEALTH &amp; SOCIAL CARE (delegated)</b>
<b>SUBJECT:</b>	<p style="text-align: right;"><b>Contract Award</b></p> <p style="text-align: right;"><b>Health and Social Care Services</b></p> <p style="text-align: right;"><b>Dynamic Purchasing Systems (DPS) – DPS 3</b></p> <p style="text-align: right;"><b>Independent Living &amp; Supported Housing – Lot 2</b></p> <p style="text-align: right;"><b>Housing Related Support</b></p>
<b>LEAD OFFICERS:</b>	<p style="text-align: right;"><b>Guy Van Dichele,</b> <b>Executive Director of Health, Well Being and Adults</b></p> <p style="text-align: right;"><b>Robert Henderson</b> <b>Executive Director of Children, Families and Education</b></p> <p style="text-align: right;"><b>Julia Pitt</b> <b>Director of Gateway</b></p> <p style="text-align: right;"><b>Sarah Warman</b> <b>Director of Commissioning and Procurement</b></p>
<b>CABINET MEMBER:</b>	<p style="text-align: right;"><b>Councillor Jane Avis,</b> <b>Cabinet Member for Families, Health, and Social Care</b></p> <p style="text-align: right;"><b>Cllr Alisa Flemming,</b> <b>Cabinet Member for Children, Young People and Learning</b></p> <p style="text-align: right;"><b>Councillor Alison Butler,</b> <b>Cabinet Member for Homes and Gateway Services</b></p> <p style="text-align: right;"><b>Councillor Simon Hall,</b> <b>Cabinet Member for Finance and Resources</b></p>
<b>WARDS:</b>	<b>All</b>
<p><b>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON</b></p> <p>This approach supports the following corporate priorities for the next 4 years as set out in the Corporate Plan 2018-2022:</p> <p><b>Promoting Independence and Enablement:</b> To help people live long, healthy and independent lives with access to effective health services and care services. and, to help families be resilient and able to maximise their life chances and independence</p> <p><b>Partnership:</b> Work in partnership with the NHS to provide <b>good quality health</b> services to Croydon’s population.</p> <p><b>Children and Young People:</b> Ensure that children and young people in Croydon are safe, healthy and happy.</p>	

**Locality Matters:** Develop services that are place based and integrated within their local community and tailored to local needs.

### **FINANCIAL IMPACT**

Lots from the three Dynamic Purchasing Systems (DPS) to be introduced in over the next six months sit in three council departments Health Wellbeing and Adults, Children's and Gateway services. The total value of the services included in DPS1, DPS 2 and DPS 3 is currently £85,000,000 per annum against a 2019/20 Budget of £73,000,000.

From 2020/21 onwards, there is an expectation that pressure on this budget will continue to be managed, through a combination of better contract monitoring and control of expenditure, and where required finding alternative savings or securing growth for expenditure through the medium term financial strategy. The council budget for 2020/21 is not yet finalized, although the anticipated spending pressure on areas in scope has been flagged.

Additionally, the Council's health partners have access to other public and private funds to commission and procure services from the DPS's. It is anticipated that these organisations will contribute financially to our management of the DPS's. This will significantly increase the total spend on potential contracts being procured from the three DPS's.

The proposal is to establish the three DPS's to a maximum total value of £150,000,000 per annum to provide flexibility and allow significant headroom for the Council and partners to procure from the DPS's over the DPS duration of up to ten years. Most services commissioned to the DPS will be subject to mini-competition to ensure value for money.

### **FORWARD PLAN KEY DECISION REFERENCE NO.: 4919 FHSC**

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.]

The Leader of the Council has delegated to the Cabinet Member for Families, Health, and Social Care the power to make the decisions set out in the recommendations below:

#### **1 RECOMMENDATIONS**

The Nominated Cabinet Member for Families, Health, and Social Care in consultation with the Cabinet Member for Finance and Resources is recommended by the Contracts and Commissioning Board to approve the following:

- 1.1 The initial appointment of suppliers listed in Part B of this report for the establishment of the Health and Social Care Services DPS for DPS 3 Independent Living & Supported Housing – Lot 2 Housing Related Support for a period of 5 years with an option to extend for five subsequent periods each of one year This is based on the contract terms issued as part of inviting

tenders, such suppliers being those who have satisfied specified selection criteria;

- 1.2 The award of contracts and placements called off under the DPS's to be approved in accordance with the Council's Scheme of Financial Delegations and notified to Cabinet in accordance with paragraph 3.20 of the Part A report.

## **2 EXECUTIVE SUMMARY**

- 2.1 The procurement strategy for the Dynamic Purchasing Systems ('DPS') for Health and Social Care requirements for an initial period of five (5) years with options to extend for five subsequent periods each of one year with a total estimated annual value of up to £150,000,000.00 was approved by Cabinet on 10th July 2019 (Ref:)

This report is seeking to approve the establishment of the new DPS 3 Independent Living and Supported Housing - Lot 2 Housing Related Support which forms part of the 3 DPS's for the Council's requirements for Health and Social Care, with the providers listed in Part B of this report and the procedures for the award of call offs contracts. The listed providers have met the minimum requirements to be included as approved suppliers on Lot 2 of DPS 3.

- 2.2 The content of this report has been endorsed by the Contracts and Commissioning Board.

<b>CCB Approval Date</b>	<b>CCB ref. number</b>
31 <sup>st</sup> December 2019	CCB1546/19-20

## **3 DETAIL**

### **Background**

- 3.1 The Council adopted a new Corporate Plan in October 2018. This plan sets out the Council's promises to residents, business and partners over the next four years. In order to deliver the Corporate Plan, the Council is seeking to radically change the way services are delivered, with a strong focus on prevention, enablement and locality based working. This approach will be outcome focused and evidence-led, recognising that services need to differentiate to respond to the differing needs across the borough. The DPS's are designed to support the new corporate plan while ensuring services are value for money.
- 3.2 The Council currently spends in excess of £85m every year in financial support to the Adult and Young Peoples Social Care and Supported Living Services. This funding includes Day Care, Domiciliary Care, Nursing Care Homes, Residential Care Homes, Respite Care, Supported Living and Supported Housing. The Council has confirmed its commitment to continuing this funding and increasing the investment over the next four years from April 2020.

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- 3.3 The current Integrated Framework Agreement for Adult and Young Peoples Social Care Services is coming to an end in March 2020 and new services need to be procured before the new financial year 2020/21.

On 10<sup>th</sup> July 2019, Cabinet approved the procurement strategy for the Council to establish a number of Dynamic Purchasing Systems (three at this stage) across these areas to enable a quick route to the market for the commissioning and procurement of the health and social care services for Croydon residents as described in the report. The three Dynamic Purchasing Systems will be made available for the Council's health partners including the Croydon One Alliance, the Clinical Commissioning Group, and SLaM which has been estimated to increase the total maximum value of the DPS's to up to £1,500,000,000 over the maximum 10 year period.

- 3.4 The services within each of the three DPS's have been divided into separate Lots and Service Categories that are required.

Fig. 1 **DPS and Lot Structure**

DPS	Title	Lots	OJEU notice
1	Domiciliary Care and Active Lives	Lot 1: Domiciliary Care Lot 2: Active Lives and Day Care Lot 3: Outreach Services	December 2019
2	Residential Homes	Lot 1: Residential Care Homes Lot 2: Nursing Homes Lot 3: Private Hospitals (TBC) Lot 4: Respite Care	April 2020
3	Independent Living and Supported Housing	Lot 1: Supported Living Lot 2: Housing Related Support Lot 3: Young People Accommodation Support Services	26 September 2019

- 3.5 **Award Criteria:** The majority of service users receiving services via the DPS are the most vulnerable people in the community, including the elderly and frail; children and young people at risk; people with physical and learning disabilities, people with mental health and challenging behaviour; the homeless and people with special needs. The safeguarding issues and their health and safety is of paramount importance. The award criteria ratio was in accordance with Regulation 22 of the Tenders and Contracts Regulations to change the evaluation criteria to **60% quality** and **40% price**.
- 3.6 The procurement of the DPS 3 was carried out under the Social Care 'Light Touch' regime and followed the rules of the restricted tender (reg 34 (5) PCR 2015). The tender opportunity was advertised through OJEU on 26th September 2019 (Ref: 2019/S DN434334), the Contracts Finder and Council Website. Tenderers were required to submit their SQ responses by 12:00 noon on Wednesday 6th November 2019.

### **DPS 3 Selection Questionnaire (SQ) Evaluation - Stage 1**

- 3.7 **Stage 1:** A Selection Questionnaire (SQ) is developed for each DPS and this will be relevant and proportionate to the services required under each DPS and Lot. The SQ tests the provider's suitability to become part of the relevant



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DPS, by responding to the questions in the Technical and Professional section where suppliers provide evidence of their experience knowledge, skills, expertise and qualification to provide the relevant services and work with the various cohorts of service users. Applicants will need to provide references of similar contracts for services provided to other local authorities or health organisations. Additionally, questions will include information about accreditation such as Equalities, Safeguarding, Social Value, General Data Protection Regulations and London Living Wage. Providers who pass the selection and exclusion criteria will be admitted to the DPS for the relevant Lots for the Council to commission services from as part of Stage 2.

3.8 The SQ checks were carried out in the following sequence:

- Part 1: Company Information
- Part 2: Exclusion Grounds and Modern Day Slavery
- Part 3: Financial and Insurance
- Part 4: Technical and Professional Ability – Quality Evaluation (3.11)
- Part 5: Pricing evaluation (3.13)

3.9 **Quality Evaluation:** The quality method statement questions are bespoke to each DPS, Lot and Service Category. The table below sets out a typical set of method statements questions that were used to assess the question of providers' quality submission as shown in the table below:

**Fig. 2 Example Quality Method Statement Questions**

	<b>Weighting of</b>
Contract Examples – two relevant examples	Pass/Fail
Sub-contracting arrangements	Pass/Fail
Safeguarding	Pass/Fail
Equalities and Diversity	Pass/Fail
Business Continuity Plan and Disaster Recovery	Pass/Fail
GDPR	Pass/Fail
CQC Registration	Pass/Fail
Organisational Structure and Resource Levels	FIO
Registered Locations	FIO
Training Matrix	FIO
Contract Management	4%
Continuous Improvement and Innovation	4%
Customer Satisfaction	2%
Environmental, Economic and Social Value	6%
Training	2%
Premier Supply Programme	2%
Service Delivery Model	10%
Delivering Services in Croydon	10%
Service Categories	15%
Day Opportunities	5%
<b>Total</b>	<b>60%</b>

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- 3.10 The quality evaluation panels were made up of a minimum of three evaluators with experience in the relevant service disciplines. Each evaluator evaluated every qualitative submission independently and then the scores were brought together for a moderation panel. The moderation panel was chaired by a moderator who represented the Council's relevant Commissioning and Procurement Team.
- 3.11 The quality evaluation consists of the comparison of bidder responses against the SQ and the specific method statements questions. To be approved for a place on each DPS, Providers needed to:
- Pass all the Pass/Fail questions, and
  - Achieve a minimum score of 2 out of 5 against all the weighted questions, and
  - Achieve a minimum score of 36 out of 60 (i.e. 60%) for all the weighted scores, and
  - Completed the schedule of prices for the respective Lot and Service Category described below.
- 3.12 **Price Evaluation:** A bespoke pricing schedule has been developed for each DPS, Lot and Service Category. The table below sets out a typical price schedule that was used to assess the question of providers' quality submission:

Fig. 3 Example Pricing Schedule

All-inclusive Hourly Rates for	Weighting of
Core Service and 1:1 – Hourly Rate	34%
Waking Night – Hourly Rate	4%
Sleep-In Rate	2%
Total	40%

- 3.13 The price evaluations were carried out by the Commissioning and Procurement team.

### DPS 3 SQ Returns

- 3.14 There were 130 SQ Submissions received for DPS 3 for the Lots and Service Categories as follows, (noting that tenderers may have submitted tenders for any number of Lots and Categories):

Fig 4. DPS 3 returns

Lots	Service Categories	Bidders
Lot 1	<b>Supported Living</b>	<b>71</b>
	1. Mental Health	57
	2. Learning Disabilities	64
	3. Physical Disabilities	44
	4. Autism	58
	5. People with Challenging Behaviour	61
Lot 2	<b>Housing Related Support</b>	<b>28</b>
	1. Single Homeless, Ex-offenders, Rough Sleepers	14

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	2. Women experiencing DASV	14
	3. Single Homeless with complex issues	13
	4. Adults with long term accommodation support needs	16
	5. Floating Support	20
<b>Lot 3</b>	<b>Young Peoples semi-independent accommodation</b>	<b>69</b>
	1. All categories	69

3.15 The outcome of this quality and price evaluation process for DPS 3 Lot 2 has resulted in:

- Lot 1 – The evaluation of Supported Living will be completed in mid January.
- Lot 2 - The selection of a total of 10 approved providers in the categories below.
- Lot 3 – The evaluation of Young People’s semi independent accommodation will be completed by the end of January 2020 and will be reported separately

Fig. 5 DPS 3 Approved Providers

Lots	Service Categories	Approved Provider
<b>Lot 1</b>	<b>Supported Living</b>	
	1. Mental Health	<i>All categories completed in mid January</i>
	2. Learning Disabilities	
	3. Physical Disabilities	
	4. Autism	
5. People with Challenging Behaviour		
<b>Lot 2</b>	<b>Housing Related Support</b>	<b>10</b>
	1. Single Homeless, Ex-offenders, Rough Sleepers	7
	2. Women experiencing DASV	4
	3. Single Homeless with complex issues	5
	4. Adults with long term accommodation support needs	1
	5. Floating Support	7
<b>Lot 3</b>	<b>Young Peoples semi-independent accommodation</b>	
	1. All categories	<i>Evaluation will be completed end of January 2020</i>

### DPS Call-off process – Stage 2

3.16 **Mini-competition:** When the Council needs to commission and procure a service, an invite will be sent to all admitted/approved providers on the relevant DPS and Lot. This will include details of the mini-competition process. The award criteria to be used for the award of individual contracts will be set out in the original contract notice. These criteria will be formulated more precisely for each specific contract and will be set out in the invitation to tender for the specific contract. All providers will be requested to complete a

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detailed method statement and pricing schedule against the new detailed specification for the specific services required. Providers will be invited to submit their tender on the tender portal by the closing date indicated at least 10 days from the date on which the invitation to tender is sent. All tenders received will be opened and evaluated by the Tender Evaluation Team which will consist of the specific commissioners, contract and procurement officers and the Category Manager.

- 3.17 **Individual call-offs:** The SQ included a schedule of prices/rates for each Lot and Service Category. This allows the Council to rank the providers by Quality and Price (or Price only). This will then be used to call off services in an emergency or urgency situation where service users require an immediate care and/or support package. In this case, the Council will approach the rank one provider in the first instance. If the rank one provider cannot accommodate or deliver the service, it will then be offered to the next ranked provider. It is also possible to offer choice to service providers by allowing the service user to choose their preferred provider from the top three ranked providers.
- 3.18 Any call off or mini competition from the DPS's will comply with the Council's Tender and Contracts Regulations, adopting 60:40 quality/price ratio and all packages or contracts will be awarded accordingly. The supplier's quality submission, which will include social value. The quality and price scores will be added together to identify the most economically advantageous tender.
- 3.19 **Scheme of delegation:** This report seeks approval for the proposed scheme of delegation. The award of contracts called off under the DPS's shall be approved in accordance with the Council's Scheme of Financial Delegations as follows:

Fig. 6 DPS Scheme of Delegation

5 <sup>th</sup> Tier	4 <sup>th</sup> Tier	3 <sup>rd</sup> Tier	2 <sup>nd</sup> Tier	1 <sup>st</sup> Tier
Fifth tier manager who line manage	Fourth tier manager	Head of Service	Director	Executive Director
£1,000 Commitment form via SWIFT for individual clients	£10,000 Commitment form via SWIFT for individual clients	£100,000 Commitment form via SWIFT for individual clients. Or order form for a block order	£500,000 Commitment form via SWIFT for individual clients. Or Order form for a block order	£1,000,000 Order form for a block order

- 3.20 The estimated annual value of the contract award and placements will be used to determine the level/tier of the financial delegation. Amounts above £1,000,000 can only be approved by the Chief Executive and the Director of Finance or by ELT. These levels of financial delegation will be sufficient for the DPS's, as a large volume of call offs will either fall within the £100,000 -

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£500,000 band or between £500,000 and £1,000,000. This procedure is consistent with the current award process for the Adults IFA and the Children's call off arrangements. The annual value of an individual call-off will be used to determine the tier of delegation.

- 3.21 **Reporting:** Six monthly reports will be produced for Cabinet as part of the Investing in Our Borough (IIOB) report for the life of the DPS's, detailing the call offs from the DPS and also the providers which have joined the system. This will review the overall financial impact of the call off process for the DPS's in consultation with the Cabinet Member for Health and Social Care, Cabinet Member for Gateway and Cabinet Member for Families Children, Families and Learning, and the Cabinet Member for Finance and Resources. Monthly updates will be provided for the Executive Director of Health, Wellbeing and Adults.

### Contract Management

- 3.22 Quality will be assessed through service delivery, such as number of defaults and complaints. This information will be collected Commissioning and Procurement quarterly. Each supplier will be assessed against the contract KPIs and a percentage score based on contract performance calculated.
- 3.23 All providers on the DPS's will be held accountable for their **Social Value** progress throughout the contract term.
- 3.24 **London Living Wage** is also a requirement for services provided within Croydon and this is included in the tender rates where appropriate. Tenderers have to take this into account when submitting prices on the DPS for all services tendered for. The successful Providers are also obliged to provide management information to assist the Council with monitoring the impact of the LLW.

## 4 CONSULTATION

- 4.1 **Suppliers:** For DPS 3 the Project Team spent time specifically engaging with the social care market before and during the application window. Several market warming events were held earlier in the year and two market briefings were held at the Croydon Conference Centre on Monday 7th and Wednesday 9th October 2019. Over 150 organisations attended the conferences. Supplier engagement events have also taken place for DPS (100 suppliers attended) and DPS 2 (90 suppliers attended).
- 4.2 **VCSE:** The procurement opportunity will be open to VCSE groups to work as a direct suppliers and with main suppliers as a partner or sub-contractor.
- 4.3 **Partners:** Prospective partners from across Croydon Council and One Croydon Alliance have been involved and consulted. The partners will have open access to the new DPS's and will be able to commission services. The partners include the Croydon One Alliance, the CCG, and SLaM.
- 4.4 **Stakeholders:** Some service users have been consulted over the last 12 months by commissioning and brokerage teams. It will be ensured that

service users to receive services commissioned through the DPS understand the process and have their preferences accommodated where possible.

## **5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 5.1 The Council currently spends in excess of £85m every year in financial support to the Adult and Young Peoples Social Care and Supported Living Services against a budget of £73m. Expenditure will be procured through the three DPS's via mini competition and individual call-offs.
- 5.2 Based on previous years, there is expected to be a financial pressure on this activity in 2019/20. Overspends in 2019/20 will be managed in year through identifying savings, of which some have been agreed during the departmental Autumn Sprints in Nov 2019. Following the establishment of the DPS for Health and Social Care, from 2020/21 onwards, there is an expectation that this pressure will continue to be managed through a combination of better contract monitoring and control of expenditure, and where required finding alternative savings or securing growth for expenditure through the medium term financial strategy. The council budget for 2020/21 is not yet finalized, although the anticipated spending pressure on areas in scope has been flagged.
- 5.3 Fig. 8 highlights the other budget areas calling-off the three DPS's. Young People's accommodation services (DPS 3, Lot 3) and Supported Housing (DPS 3, Lot 2) currently comes out of Children's Services and Gateway budgets respectively. Nursing Care will include contributions from NHS Croydon Clinical Commissioning Group (CCG). The CCG may choose to commission its own nursing care and respite services using DPS 2 also. The majority of the spend is in Health, Wellbeing and Adults budgets.

**Fig. 8 Actual Adults Social Care Spend against by DPS Lots in 2018/19:**

<b>DPS and Lots:</b>	<b>Council Expenditure 2018/19 HWA unless stated</b>
<b>DPS 1</b>	
Lot 1: Domiciliary Care	20,648
Lot 2: Active Lives and Day Care	1,957
Lot 3: Outreach Services	TBC
<b>DPS 2</b>	
Lot 1: Residential Care	34,898
Lot 2: Nursing Care	12,973 (plus CCG)
Lot 3: Private Hospitals	Tbc (CCG if agreed)
Lot 4: Respite Care	201 (plus CCG)
<b>DPS 3</b>	
Lot 1: Supported Living	10,354
Lot 2: Supported Housing	3,900 (Gateway)
Lot 3: Young People	Tbc (Children's Services)
Lot 4: Floating Support	160
<b>TOTAL</b>	<b>84,731</b>

**The effect of the decision**

- 5.4 **Competition on price** - The DPS's are an effective procurement system to call-off significant volumes of care. Currently spot purchase is used frequently across these service areas where, aside from regulatory reports and some monitoring, there is insufficient information on the quality of the services. All services through the DPS will have passed a quality threshold. Furthermore provider costs will be built into the DPS rather than providers naming their price. The use of mini-competition allows for further submissions on quality and revised pricing.
- 5.5 **Medium Term Financial Strategy** – Notwithstanding the price competition outlined above enabling service commissioned to be value for money, the DPS's support the revised Medium Term Financial Strategy through ensuring sufficient capacity of supported living, supported housing and home care to keep residents away or step-them down from more institutional residential and nursing care. The spend on residential care should reduce with Extra Care and supported living seen as more independence maintaining options.

**London Living Wage**

- 5.6 As a LLW borough, all applicable contracts will include the requirement to pay the LLW. This is an important investment in the social care workforce which should result in increased productivity. LLW will apply to all new Supported Living and Housing Related Support contracts called off from the DPS for services in Croydon. The impact of the LLW on new contracts will be gradual and will apply to new service users, as many existing placements are long term contracts. Cost implications are about £20,000 for new placements in Year 1 in Supported Living. For new Housing Related Support contracts called off from the DPS for services in Croydon there will be volume contracts with the providers. Cost implications are about £100,000 in year one but this could be reduced by mini-competition.

**Other Risks**

- 5.7 **Not committed spend** - Spend through the DPS is not committed spend as the commitment only applies to the quantities required for each call off or mini competition. This means that if the budget were to increase or decrease in the future, the required volumes could easily change year on year to reflect this. The focus will be on prevention and re-ablement to help service users live more independently thereby reducing the dependency on more expensive and traditional methods of providing care (spend in DPS 2). Monitoring of spend via the DPS's will be robust with a six monthly report to CCB and more frequent reporting the Executive Director Health, Wellbeing and Adults.
- 5.8 **Partner usage** – The CCG and SLaM may use the DPS's. Participating organisations will need to sign an Access Agreement to use the DPS's.
- 5.9 **Commissioning outside DPS** - There is a risk that all partners of the integrated procurement hub do not purchase services via the DPS. This will

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be mitigated by engaging with the partner local authorities to gain their buy-in to the specifications and awarding methodology.

- 5.10 **Staff resources** – Setting up three DPS's is a resource intensive process. The bid evaluation to ensure only quality providers join the DPS has and will place a heavy demand on council staff time. Longer term staff implications of managing any new applications to join the DPS's and the continual brokerage and contract management functions will be managed within the newly restructured Adults, Health and Integration team in Commissioning and Procurement.

### Options

- 5.11 Options were considered as part of the RP1 Make or Buy report agreed by CCB in 2018. Using the DPS enables more frequent refreshing of the bidder base and prices, to better match the dynamics in the supplier market and gain the continual value improvements.

### Future savings/efficiencies

- 5.12 It is not anticipated that the DPS's collectively will make savings as there will be cost pressure on existing services joining the DPS that do not currently stipulate LLW. As vulnerable residents' needs will become more complex, the DPS will seek to ensure a variety of independence maintaining/enhancing options through DPS 1 and 3. The DPS's will provide a flexible solution through mini-competition to the commissioning and procurement of services that can be managed to contain expenditure within approved budgets.

**Approved by: Josephine Lyseight, Head of Finance, on behalf of the Director of Finance, Investment & Risk.**

## 6 LEGAL CONSIDERATIONS

- 6.1 The Director of Law and Governance comments that the legal considerations are as set out in this report.

**Approved by Sonia Likhari on behalf of Sean Murphy, Director of Law and Governance.**

## 7 HUMAN RESOURCES IMPACT

- 7.1 There are no direct Human Resources implications arising from this report for Croydon Council employees. Nonetheless, this procurement strategy could result in service provision changes, as services are called off from the DPS's and new contracts are award, which may invoke the effects of TUPE (Transfer of Undertakings (Protection of Employment) 2006 Legislation, amended 2014). The application of TUPE will be determined by the incumbent and the new service providers, for which the Council is the client. On that basis, the role of the Council would usually extend no further than facilitating the process.



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- 7.2 Paying LLW rates where applicable will be a contractual requirement of the DPS approach. National Living Wage, as set by Living Wage Foundation, will apply to contracts in other parts of the country.

**Approved by: Debbie Callister, Head of HR for Health, Wellbeing and Adults, on behalf of the Director of HR**

## **8 EQUALITIES IMPACT**

- 8.1 An Equalities Analysis has been completed by the e-market place implementation team to ascertain any potential impact on protected groups in relation to the creation of DPS to supply services. This was approved by CCB in 2018.
- 8.2 The services positively promotes equalities across all groups with protected characteristics. The provision of personal care services promotes independence, improves quality of life.

**Approved by: Yvonne Okiyo, Equalities Manager**

## **9 ENVIRONMENTAL IMPACT**

- 9.1 There are no adverse environmental impacts to the report.

## **10 CRIME AND DISORDER REDUCTION IMPACT**

- 10.1 There are no adverse implications for crime and disorder arising from this report. There are however, positive implications by supporting homeless people and people with mental health problems, drug and alcohol abuse, etc.

## **11 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 11.1 The procurement carried out has been compliant with the approved procurement strategy, the Council's Tenders and Contracts Regulations and the Procurement Contracts Regulations 2015. The DPS offers an end to end process for commissioning and award of a range of services for adults and young people.

## **12 OPTIONS CONSIDERED AND REJECTED**

- 12.1 An Options Appraisal was considered as part of the RP1 (Make or Buy) report, which has been agreed by CCB. The establishment of DPS 1 - 3 ensures that the Council and other authorities within the Integrated Procurement Hub are getting the best possible value for money in relation to the purchase of personal care services. Procuring outside of the DPS would not enable the Council and the Integrated Procurement Hub to achieve the savings detailed within this paper.

## For Publication

- 12.2 The establishment of a Framework similar to the previous IFA. A framework is considered in this case to be too restrictive as the maximum term is limited to 4 years maximum. New suppliers cannot be added to the framework of approved suppliers unless the framework is refreshed.
- 12.3 Without a DPS or Framework, the Council would have to advertise and tender all services every time a new service is required. The process is very inefficient and time consuming, requiring extra staff.
- 12.4 Spot purchasing services as and when required – this approach is considered to be non-compliant with the Council's financial regulations and EU Procurement legislation.

## 13 DATA PROTECTION IMPLICATIONS

### 13.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

**YES** - The first (current) stage of the establishment of the DPS's for Adults and Social Care services does not involve the processing of personal data about service users. However, all providers have been asked to confirm that they comply with current GDPR legislation as well as providing their data protection policies and procedures. This has been evaluated for all providers (as a pass/fail question in the Selection Questionnaire).

In the second call off stage any Approved Providers who are awarded a contract or placement, will process some personal data on behalf the residents and the Council namely identity data, some financial data and health and care data.

### 13.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

**IN PROGRESS** - A Data Protection Impact Assessment is being undertaken for the second call off stage. Additionally as part of contract mobilisation further work will be undertaken on the Assessment with the approved providers who are awarded contracts from the DPS who will process and or hold some data on behalf of the Council and residents. For example, the Council in some cases the Council will need to create a three-way data sharing agreement with the preferred provider and Croydon CCG.

Approved by: Guy Van Dichele, Executive Director of Health, Wellbeing and Adults

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**CONTACT OFFICER:**

<b>Name:</b>	John Smith
<b>Post title:</b>	Strategic Category Manager, C&P for Adults, Health & Integration
<b>Email:</b>	<a href="mailto:John.Smith@croydon.gov.uk">John.Smith@croydon.gov.uk</a>

**BACKGROUND DOCUMENTS:** None

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**For General Release**

<b>REPORT TO:</b>	<b>Cabinet Member for Environment, Transport and Regeneration (Job Share) under delegated powers</b>
<b>SUBJECT:</b>	<b>Lead Architect and Multi - disciplinary Team for design of New Addington Wellbeing Centre and regeneration scheme (RIBA 0-3+) Contract Award</b>
<b>LEAD OFFICER:</b>	<b>Shifa Mustafa, Executive Director, Place Stephen Tate, Director of Growth, Employment and Regeneration</b>
<b>CABINET MEMBER:</b>	<b>Councillor Paul Scott, Cabinet Member for Environment, Transport &amp; Regeneration (acting – Job Share) AND Councillor Stuart King, Cabinet Member for Environment Transport &amp; Regeneration (non-acting – Job Share) AND; Councillor Simon Hall, Cabinet Member for Finance and Resources</b>
<b>WARDS:</b>	<b>New Addington South</b>

**CORPORATE PRIORITY/POLICY CONTEXT:**

This proposal is aligned with the following Priorities:

**Croydon’s Community Strategy priorities and outcomes:**

- Outcome 1: A great place to learn, work and live – in particular: Priority One; Deliver Infrastructure for Growth and; Priority Two; Build new Homes and; Priority Three; Support the local economy to grow and; Priority Five; secure a safer and greener borough.
- Outcome 2: A place of opportunity for everyone – in particular: Priority One; Reduce deprivation and poverty and; Priority Two; Support individuals and families with complex needs and; Priority Four; Prevent homelessness and; Priority Five: Secure a good start in life, improved health outcomes, and increased healthy life expectancy Improve health outcomes and life expectancy.
- Outcome 3: Priority One; Connecting our residents, local groups and community organisations.

**Croydon’s Corporate Plan priorities and outcomes:**

- People live long, healthy, happy and independent lives
- Good, decent homes, affordable to all
- Business moves here and invests, our existing businesses grow

The provision of integrated health and community services also links to the Opportunity

and Fairness Commission theme:

- A connected borough where no-one is isolated – tackling social isolation through volunteering and joint commissioning, and better integration between health services and the community.
- Health – help people from all communities live longer, healthier lives

**AMBITIOUS FOR CROYDON & WHY WE ARE DOING THIS:**

The delivery of this project is critical in ensuring the Authority is able to deliver the Croydon Promise to enable Growth for All and support the Authority in meeting the following Objectives of:

- Achieving better outcomes for children and young people
- Better and more integrated health and social care
- Investing in schools, sports and community facilities
- Promoting economic growth and prosperity

**FINANCIAL IMPACT**

A budget of £15m has been allocated in the 2020/23 Capital Programme towards the first phase only of design and delivery of a proposed new Wellbeing Centre.

The outcome of the procurement detailed in this report, commits the Council to a maximum expenditure as detailed within Part B report, over the next 18 months, for the provision of a Lead Architect and Multi-Disciplinary Team to develop designs for a regeneration scheme involving the Wellbeing Centre and additional housing and public realm improvements towards a hybrid planning application (Phases 1-3).

The professional fees (design) for Phase 1 (only) associated with the project is split per RIBA stage on a 75:25 basis (Council: CCG) with the CCG. This has been confirmed by the CCG in an open letter to the Council and will be captured in a formal Agreement to Lease which will be signed by the CCG once approval to commence with the delivery of the project has been agreed with Cabinet at the end of RIBA Stage 2 design work.

**FORWARD PLAN KEY DECISION REFERENCE NO.:** 5419ETR

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

The Leader of the Council has delegated to the Cabinet Member for Environment, Transport and Regeneration the power to make the decisions set out in the recommendations below:

## **1. RECOMMENDATIONS**

- 1.1 The Cabinet Member for Environment, Transport and Regeneration is recommended to approve the award of contract to deliver the services of Lead Architect with the Multi-Disciplinary Team to support the delivery of the hybrid planning application (RIBA 0-3+) for the New Addington Regeneration scheme which includes the Wellbeing Centre, residential units, landscape and public realm improvements for a contract length of 18 months to the supplier and contract value listed in Part B of this report.

## **2. EXECUTIVE SUMMARY**

- 2.1. In accordance with the Borough's Health and Well Being Strategy 2019 and the Croydon Local Plan 2018, the How We Buy strategy report (CCB1525/19-20) was agreed therefore the Council undertook a mini-competition exercise via the Notting Hill CF1 Consultants Framework (Lot 2). This was to enable the Council to appoint a Lead Architect and associated multi-disciplinary team to deliver a hybrid application approach (RIBA 0-3+) for Phases 1-3 of the Central Parade regeneration scheme which includes the Wellbeing Centre, residential units, landscape and public realm improvements.
- 2.2. This allows for a fully co-ordinated RIBA stage 3+ detailed design for Phase 1 with potential to extend through novation for RIBA stage 4 and 6, and to provide an outline RIBA stage 2 and 3 design for Phase 2 and 3.
- 2.3. The proposed contract term will be for a period of an estimated 18 months commencing from March 2020. There is no intention for the Council at this time to explore the option to extend, in accordance with the existing Notting Hill Genesis Framework.
- 2.4. The contents of this report reflects the procurement process that has been undertaken and provides the recommended Provider to be awarded the contract following the outcome of a robust evaluation process.
- 2.5. A full procurement process has been completed and the recommended contract award can now be sought.

<b>CCB Approval Date</b>	<b>CCB ref. number</b>
27/02/2020	CCB1554/19-20

### 3. DETAIL

- 3.1 The agreed procurement process for the award of this contract was to call off the Notting Hill Framework which was procured in accordance with the restricted procedure of the PCR 2015 (The Public Regulations 2015).
- 3.2 This regeneration scheme has the opportunity to address significant health and socio-economic issues in New Addington and provide services that will work together to support the Council's Locality model and the NHS vision for an integrated Health and Social Care model in the future.
- 3.3 Since the initial funding allocation towards a new Wellbeing Centre in 2018, the proposals for the regeneration scheme (Phases 1, 2 and 3) have developed to include:
  - New housing, landscape and public realm improvements to the surrounding area, in addition to the Wellbeing Centre.
- 3.4 Phase 1 will be taken forward for delivery via a Detailed Planning Application. Phase 2-3 will be delivered at a later stage, and are therefore only taken forward to Outline Planning in this project (Hybrid Application).
- 3.5 The first stage of the Design Team's contract will be from March to June 2020 (RIBA Stage 0-2) will deliver essential design and construction cost analysis required to finalise the cost profile and business case for proceeding with the construction of the building(s) and associated works. This early design work will be used to undertake detailed feasibility and viability analysis in order to review at the end of RIBA Stage 2 as to whether the scheme should be supported to continue into the future stages of design and delivery.
- 3.6 There are break clauses within the proposed contract for the Design Team at each RIBA stage, should the scheme not progress as planned. In the meantime, the Council has agreed an Open Letter with the CCG confirming their agreement to fund 25% of the design fees.
- 3.7 The following principles were agreed in the RP2 How we Buy Strategy Paper ref. CCB1525/19-20, dated 14/11/19:
  - To appoint a lead Architect bringing a multi-discipline team via the Notting Hill Genesis Consultancy Framework CF1 (Lot 2) for RIBA stages 0-6 to deliver the proposed hybrid planning approach for the design and development of Phase 1-3 including a new Wellbeing Centre, residential units, landscape and public realm improvements for a contract term of approximately 30 months and for the approximate contract value of £4.36m.
  - The Appointment will be made for RIBA 0-3+ initially with the opportunity to extend the Architect's appointment to RIBA 4-6 through novation for Phase 1, although that would be subject to a separate decision.
  - A waiver in accordance with the Council's Tender and Contract Regulation 19, the requirement under regulation 22.4, and agree a



variation to the Council's standard evaluation weighting of 60% Quality/40% Price to 70% Quality and 30% Price in line with the framework requirements.

- The Council to have the discretion to terminate the contract on completion of each RIBA stage.

3.8 The provision of professional Lead Architect with a multi-disciplinary team to deliver the Hybrid planning application will include as a minimum the following roles:

- a) Lead Consultant Architect
- b) A Principal Designer (either as part of Lead Architect's scope of service or as a sub-consultant with relevant expertise)
- c) A Landscape Architect
- d) An Urban Designer
- e) A Structural and Civil Engineer
- f) A Mechanical and Electrical Engineer
- g) Supporting services and co-designers
- h) All Other Consultants.

3.9 In accordance with the agreed procurement strategy an Invitation to Tender was issued on Friday 15<sup>th</sup> November 2019. The procurement and evaluation process was carried out in accordance with the procurement strategy set out in the RP2 report (ref: CCB1525/19/20).

### **Procurement Process**

3.10 The following evaluation criteria, as agreed in the How to Buy strategy report, was used to evaluate the tenders:

- Cost                    30%
- Quality                70%

3.11 The pre-determined scoring allocation (0-5) for the qualitative responses were notified to the Bidders including the minimum quality score threshold which was to be applied whereby, should a Bidder's response to any of the method statement question be allocated with a score less than 2, then its entire tender submission will be rejected.

3.12 In accordance with the Architect Lot 2 of the Notting Hill CF1 Consultants framework Agreement 26, appointed framework Providers were invited to participate in the Capability Assessment via the Council's E-Tender portal. The purpose of the Capability Assessment was to determine the shortlisted potential Suppliers who have demonstrated related experience to deliver the required project outcomes i.e. multi-use facility, civic building, housing and NHS space.

3.13 The capability assessment was evaluated by an Evaluator Panel consisting of LBC Project Manager (Regeneration Manager) and the Council's appointed professional services advisors, as Project Management Advisors and Cost

Consultants. Following the outcome of the Capability Assessments, nine Suppliers were successfully shortlisted to proceed with the invitation to tender which was published via the Council's E-Tender portal on 15<sup>th</sup> November 2019.

- 3.14 The Suppliers were encouraged to visit the site in New Addington and a clarification meeting was held on 11<sup>th</sup> December 2019. Six Suppliers attended this event whereby the Council could offer further clarity with regards to the Council's requirements and respond to some of the questions that were raised by the Suppliers. The Council released a copy of the clarification questions and responses provided during this event, to all the potential Bidders via the E-Tender portal to ensure transparency of information was offered to all those participating in this tender exercise.
- 3.15 In accordance with Notting Hill Genesis Consultants Framework methodology, six tender responses were received 24<sup>th</sup> January 2020, further details provided in Part B report. They were then subject to the relevant compliance checks.
- 3.16 For the qualitative assessments, an Evaluation Panel consisted of LBC Project Manager, Croydon CCG (Clinical Commissioning Group) and the Councils' appointed Project Management Advisors.
- 3.17 A minimum qualitative scoring threshold for all written method statements was applied, whereby a scoring allocation of less than two (2) would subject the respective Bidder's tender submission to being rejected in its entirety.
- 3.18 A moderation session was supported by the Council's Commissioning and Procurement team and the purpose of this was to determine the Council's consensus score and feedback based on the evaluation of each of the respective Bidders' qualitative responses. For an overview of the Quality scores, please see below:

**Table One: Overview of the Quality Scores (out of 70%)**

Tier Two/Three Quality Criteria	Weighting	Bidder A	Bidder B	Bidder C	Bidder D	Bidder E	Bidder F
<b>Programme and Delivery Methodology</b>	<b>10%</b>	<b>8.00%</b>	<b>6.00%</b>	<b>4.00%</b>	<b>4.00%</b>	<b>6.00%</b>	<b>4.00%</b>
<b>Delivery Team (10%):</b>							
<b>Architect</b>	<b>2%</b>	1.60%	1.20%	1.20%	1.20%	1.20%	1.60%
<b>Mechanical and Electrical Engineer</b>	<b>1%</b>	0.80%	0.80%	0.80%	0.80%	0.60%	0.60%
<b>Structural/Civil Engineer</b>	<b>2%</b>	1.20%	1.20%	1.20%	1.20%	1.20%	1.60%
<b>Principal Designer</b>	<b>1%</b>	0.60%	0.60%	0.00%	0.80%	0.60%	0.60%
<b>Landscape Architect</b>	<b>2%</b>	1.20%	1.20%	1.20%	1.20%	1.20%	1.20%
<b>Urban Designer</b>	<b>2%</b>	1.20%	0.80%	1.20%	1.20%	1.20%	1.20%
<b>Delivery Team: Total</b>	<b>10%</b>	<b>6.60%</b>	<b>5.80%</b>	<b>5.60%</b>	<b>6.40%</b>	<b>6.00%</b>	<b>6.80%</b>

<b>Previous Experience (20%):</b>							
<b>Architect</b>	4%	4.00%	3.20%	3.20%	2.40%	2.40%	3.20%
<b>Mechanical and Electrical Engineer</b>	2%	1.60%	1.60%	1.20%	1.60%	1.20%	1.60%
<b>Structural/Civil Engineer</b>	4%	3.20%	3.20%	2.40%	3.20%	3.20%	3.20%
<b>Principal Designer</b>	2%	1.60%	1.20%	0.00%	1.60%	1.20%	1.20%
<b>Landscape Architect</b>	4%	3.20%	2.40%	3.20%	2.40%	3.20%	2.40%
<b>Urban Designer</b>	4%	3.20%	1.60%	1.60%	2.40%	3.20%	2.40%
<b>Previous Experience: Total</b>	<b>20%</b>	<b>16.80%</b>	<b>13.20%</b>	<b>11.60%</b>	<b>13.60%</b>	<b>14.40%</b>	<b>14.00%</b>
<b>Concept Design</b>	<b>20%</b>	<b>20.00%</b>	<b>8.00%</b>	<b>12.00%</b>	<b>12.00%</b>	<b>16.00%</b>	<b>12.00%</b>
<b>Social Value</b>	<b>10%</b>	<b>10.00%</b>	<b>6.00%</b>	<b>6.00%</b>	<b>6.00%</b>	<b>6.00%</b>	<b>6.00%</b>
<b>Total Tier 2 Quality Score (out of 70%)</b>		<b>61.40%</b>	<b>39.00%</b>	<b>39.20%</b>	<b>42.00%</b>	<b>48.40%</b>	<b>42.80%</b>

3.19 For the price evaluation, this assessment was carried out separately and independently by the Council's appointed cost consultant. Further details relating to the pricing submission is provided in Part B of this report.

3.20 An overview of the financial evaluation and the combined quality and price total results are shown below:

**Table Two: Financial Evaluation**

<b>Financial Evaluation</b>	<b>Weighting</b>	<b>Bidder A Score (%)</b>	<b>Bidder B Score (%)</b>	<b>Bidder C Score (%)</b>	<b>Bidder D Score (%)</b>	<b>Bidder E Score (%)</b>	<b>Bidder F Score (%)</b>
<b>Total (Price)</b>	<b>@ 30%</b>	<b>27.76%</b>	<b>27.50%</b>	<b>27.58%</b>	<b>19.29%</b>	<b>23.71%</b>	<b>18.85%</b>

**Table Three: Combined Qualitative Combined Financial and Qualitative**

	<b>Tender</b>	<b>Qualitative Score</b>	<b>Quantitative Score</b>	<b>Overall Score</b>
1	Bidder A	<b>61.40%</b>	<b>27.76%</b>	<b>89.16%</b>
2	Bidder B	<b>39.00%</b>	<b>27.50%</b>	<b>66.50%</b>
3	Bidder C	<b>39.20%</b>	<b>27.58%</b>	<b>66.78%</b>
4	Bidder D	<b>42.00%</b>	<b>19.29%</b>	<b>61.29%</b>
5	Bidder E	<b>48.40%</b>	<b>23.71%</b>	<b>72.11%</b>
6	Bidder F	<b>42.80%</b>	<b>18.85%</b>	<b>61.65%</b>

3.21 In accordance with the evaluation criteria, the financial score is based on the following:

- a) Top six Consultants Total Value (Lump Sum) for delivery of RIBA 0-3+ Stages and Phases 1-3: 20%

- b) All Other Consultants that will form part of the Multi-Disciplinary Team for all stages and Phases (1-3): 10%.
- c) The percentage score for the quantitative element is based on the total scores deriving from the Top six Consultants Lump Sum (reference a) and the average charge per resource for All Other Consultants (reference b).

3.22 Therefore the Further details with regards to the pricing submission is provided in part B of this report.

3.23 As a result of a comprehensive evaluation process, the recommendation is to award the contract to Bidder 'A' for the provision of Lead Architect with its Multi-Disciplinary Team to support the design of New Addington Wellbeing Centre and regeneration scheme (RIBA 0-3+).

3.24 The preferred Bidder has demonstrated a very strong and tailored submission that clearly showed their ability to meet the Council's requirements relating to New Addington, bringing with them an experienced and well-resourced Design Team. They will be requested to work closely with Croydon Works to ensure local residents can benefit from any employment opportunities; apprenticeships and work placements. Also demonstrated compliance with Council's requirements relating to London Living Wage. Further details of their social value offer is provided within Part B report.

#### **4. CONSULTATION**

4.1 The delivery of this regeneration scheme will address significant health and socio-economic issues in New Addington and provide services that will work together to support the vision of an integrated health and care model in the future.

4.2 The Project brief was led by the Council's Regeneration Team in consultation with a multi-disciplinary Council Steering Group and Croydon CCG; supported and advised by the Council's appointed Project Management Advisors.

4.3 Internal and external engagement and consultation have been undertaken with relevant stakeholders throughout the project and will continue, including: development management; spatial planning; housing; capital delivery homes and school; localities; libraries; economic growth; education; highways; and local members, stakeholders and residents.

#### **5. PRE-DECISION SCRUTINY**

5.1 The process for awarding the contract has followed set procurement rules and as such has not been considered by Scrutiny.

## 6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

The financial impact of this project is set out below however further details provided via Part B report:

### 6.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
<b>Capital Budget confirmed*</b>		3,000	£12,000	
<b>Capital Budget request</b>				
<b>Expenditure Effect of decision from report</b>				
<b>Expenditure</b>		(1,19)		
<b>Remaining budget Programme</b>		1,810	£12,000	£0
<b>Request</b>				

A confirmed project budget of £15m has been allocated to support the first phase of delivery of the New Addington Wellbeing Centre and regeneration scheme.

This supports the project related expenditure which is up to Planning submission by the end of 2020/21 as per following:

- Appointment of Lead Architect with its Multi-Discipline Team to deliver RIBA Stage 0-3+ for hybrid planning approach for Phase 1-3: further details shown via Part B report.
- Other Professional Services fees
- Demolition Works
- Project related resources including Staff
- Compensation to Parking Services due to TVG relocation
- 15% Contingency Fund
- Final cost to be refined once further design and analysis have been carried out.

## 6.2 The effect of the decision

This decision will commit the Council to a total sum reflected within the table above. The costs are shown after the 25% contribution being made by the CCG. The estimated construction cost to deliver Phase 1 is based on the 2017 Feasibility Study. Through the next stage of the design process (RIBA 0-3+), more detailed costing will be provided. The Lead Architect, via the Council's external Project Manager and Cost Advisor, will work closely with the Lead Architect to make sure the final design and associated construction costs are best value and affordable for the Council through value engineering exercises. The entire sum of money to be awarded through this contract award report is to be drawn down directly from the Council's £15m Capital funding. Before the project moves on to its next phase, a review of the costs and specification will be carried out to support approval of additional budget

## 6.3 Risks

Risk	L	I	Mitigations
That the plans and proposals do not meet planning guidance, policies and other Croydon policy standards and guidance	L	H	<p>The original ITT pack containing the Project Brief/Specification is based on 2017 Feasibility Study which was endorsed by the Local Planning Authority (LPA) and subject to Pre-application discussions.</p> <p>Within specification there are review processes in place to ensure that the designs are regularly consulted on to ensure that they will be in line with Council policies.</p>
Funding for project not approved.	M	H	<p>The project funding has been reprofiled and increased to £15m, up to 2021/22.</p> <p>Funding for construction beyond FY 2021/22 has not yet been secured and will be subject to a new Capital Programme request in a Business Case submitted to the June Cabinet.</p> <p>LBC and CCG have agreed a fee split of 75/25 basis (LBC/CCG) for the design costs RIBA 0-7.</p> <p>CCG will be liable for penalty costs should they withdraw from</p>

			<p>the process.</p> <p>Break clauses after each RIBA stage have been included in the Architect's Appointment Deed.</p> <p>LBC and CCG are expected to agree Heads of Terms (HoTs) for the Agreement to Lease by the end of February.</p> <p>Subject to Cabinet approval to proceed with delivery of the scheme, the Agreement for Lease will be issued to CCG for signature.</p> <p>The HoTs and Agreement to detail any fee split and penalty costs.</p> <p>Should CCG withdraw from the process, the scope/use of the building will be subject to change.</p>
Project costs exceed budget	H	H	<p>Anticipated costs will be estimated and a decision to proceed made before committing to the full project. The costs will be monitored as part of the project management process and any cost overruns will be flagged. The project team will seek to minimize any possible overruns.</p>
There is lack of contingency available with regards to the proposed indicative timescales to complete the project. Any delay will have a direct impact on the delivery of the phase 1-3 of the project.	M/H	M/H	<p>Continued review and management of the delivery of the project. Key gateway milestones to be implemented and all internal departments to be kept informed of any project slippage.</p> <p>Effective contract management will ensure works are delivered within the agreed timeframe.</p>

Performance issues	M	M	Implement Key Performance Indicators and ensure that these are monitored closely each month. Performance dashboard and progress will be reported via the Council's Asset Management Board and Regeneration Board meetings in accordance with the Contract Management Framework.
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#### 6.4 Future savings/efficiencies

As this is a new commission no further savings and efficiencies have been identified at this time however, they will identified during the proposed design stage (RIBA 0-3+) of the project and continued value engineering exercise once the project is on site.

The supplier has been procured through the Notting Hill framework which sets out the agreed contract rates that have to be adhered to. Their cost submission has been fully reviewed by LBC appointed external cost consultants. It has been deemed that the project is in line with the market rates and offers the most efficient value for money.

#### 6.5 Options

Other procurement options were reviewed within the agreed How We Buy Strategy report and the approved route to market was to carry out a mini competition via the Notting Hill CF1 Consultant Framework Lot Two tender process.

Approved by: Felicia Wright, Head of Finance- Place

### 7. LEGAL CONSIDERATIONS

7.1 The Director of Law and Governance comments that there are no additional legal considerations directly arising from this report.

Approved by Sonia Likhari on behalf of the Director of Law and Governance and Monitoring Officer.

### 8. HUMAN RESOURCES IMPACT

8.1 There are no immediate HR implications in this report. If any should arise, they will be managed under the Council's policies and procedures.



Approved by: Jennifer Sankar, Head of HR Place & Interim Head of Resources, for and on behalf of Sue Moorman, HR Director.

## **9. EQUALITIES IMPACT**

- 9.1 The project will support the delivery of the New Addington Wellbeing Centre regeneration scheme. This has an opportunity to address significant health and socio-economic issues in New Addington and provide services that will work together to support the vision of a locality model and an integrated health and care model in the future. We have not identified any potential negative impact on groups that share protected characteristics. The project will help the Council meet its duties as stipulated in the Equality Act 2010. An equalities impact assessment will be carried out during the project RIBA stage 0-3+ process.

Approved by: Yvonne Okiyo, Equalities Manager

## **10. ENVIRONMENTAL IMPACT**

- 10.1 There are no environmental impacts from the award of this contract.
- 10.2 The design proposals will achieve the highest standards possible within the various site constraints, the new wellbeing centre will be required to achieve BREEAM 'Excellent'

## **11. CRIME AND DISORDER REDUCTION IMPACT**

- 11.1 There are no immediate Crime and Disorder consequences of this proposal.

## **12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 12.1 In accordance with the original How We Buy Strategy report (CCB1525/19-20), it was agreed for this contract to be procured via the Notting Hill Framework. Following the outcome of the evaluation of tender responses, as identified within section 3.20 of this report, Supplier A has submitted the most economically advantageous tender based on achieving the highest combined score for quality and price.
- 12.2 It is therefore recommended to award the contract to Supplier A for the maximum term of 18 months for the delivery of RIBA stage 0-3+.

## **13. OPTIONS CONSIDERED AND REJECTED**

- 13.1 The Council does not have the necessary skills available to undertake the lead Architect role bringing its various disciplines to support the delivery of this

project. Failure to procure for this requirement will impact the Council's ability to support the delivery of the New Addington Wellbeing Centre and regeneration scheme. This has an opportunity to address significant health and socio-economic issues in New Addington and provide services that will work together to support the vision of an integrated locality model and health and care model in the future.

#### **14. DATA PROTECTION IMPLICATIONS**

##### **13.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

##### **13.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO

This report does not involve the processing of 'PERSONAL DATA'.

The Director of Council Homes, Districts and Regeneration comments that there are no additional data protection implications arising directly from the report.

Approved by: Stephen Tate, Director of Council Homes, Districts and Regeneration

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#### **CONTACT OFFICER:**

<b>Name:</b>	Jane Nielsen
<b>Post title:</b>	Regeneration Manager

**BACKGROUND DOCUMENTS:** None



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## Croydon Council

<b>DELEGATED DECISION REPORT TO:</b>	<b>Cllr Simon Hall Cabinet member for Finance and Resources and Cllr Alison Butler Deputy Leader and Cabinet Member for Homes and Gateway Services</b>
<b>SUBJECT:</b>	<b>Purchase of 9 Homes at Longheath Gardens for retention in the Housing Revenue Account</b>
<b>LEAD OFFICER:</b>	<b>Yvonne Murray Director of Housing Assessment and Solutions</b>
<b>CABINET MEMBER:</b>	<b>Councillor Alison Butler, Deputy Leader and Cabinet Member for Homes and Gateway Services  Councillor Simon Hall, Cabinet Member for Finance and Resources</b>
<b>Ward</b>	<b>Shirley North</b>
<p><b>CORPORATE PRIORITY/POLICY CONTEXT:</b></p> <p><b>Corporate Plan - the proposals presented in this report will:</b></p> <ul style="list-style-type: none"> <li>• <b>Maximise the use of the Council’s assets to deliver new homes, including affordable, private for sale and private rented stock</b></li> <li>• <b>Bring forward the development of key sites across the borough to address key local, national and regional policies</b></li> </ul> <p><b>Community Strategy – Development of sites enables the Council to deliver new homes and increase the supply of affordable homes, a key aspiration of the Community Strategy</b></p>	
<p><b>FINANCIAL SUMMARY:</b></p> <p>The purchase of the 9 Homes will be at a net cost to the Council of £1.28m plus costs as the acquisitions will be eligible for GLA funding of £100,000 per property as these Homes will be held within the HRA as social housing.</p>	
<p><b>FORWARD PLAN KEY DECISION REFERENCE NO.: 1220HGS</b></p> <p>The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.</p>	

The Leader of the Council has delegated to the Deputy Leader and Cabinet Member for Homes and Gateway Services in consultation with the Cabinet Member for Finance and Resources the power to make the decisions set out in the

recommendations below:

## **1. RECOMMENDATIONS**

- 1.1 That the Cabinet agree that the Council acquire 9 residential homes forming part of the Brick by Brick Longheath Gardens development for use as social housing to be retained within the Housing Revenue Account
- 1.2 Note that the purchase of the properties will benefit from GLA grant funding of £100,000 per unit

## **2. EXECUTIVE SUMMARY**

- 2.1 This report recommends the freehold purchase of 9 affordable rented homes which form part of a larger Brick by Brick (BBB) development.
- 2.2 The purchase of these Homes will allow the Council to benefit from GLA funding of £100,000 per unit that has been allocated for the provision of new social housing by the Council.
- 2.3 The residential unit on the site will be completed over the next 4 weeks ready for hand over to the Council.

## **3. BACKGROUND**

- 3.1 This development has utilised surplus land and former garage space within the existing housing estate. The land has been transferred to BBB who obtained planning consent for a mixed development of 53 shared ownership and affordable rented flats contained in 6 blocks (16/06508FUL) The development is now nearing completion and the affordable rented Homes will be ready to hand over at the end of March 2020.
- 3.2 The initial proposal was for the 9 shared ownership Homes to be sold to private purchasers. However, the Council has now secured GLA funding of £100,000 per home for the provision of new social Housing. At present the sale of these Homes by Brick by Brick to private purchasers has been delayed and therefore rather than leave the properties vacant given the urgent need for housing, the Council propose to purchase the Homes and retain them within the HRA. These properties will therefore qualify for GLA funding and will increase the social housing stock.

## **4. DETAIL**

- 4.1 The Council secured the grant funding from the GLA following their application under the Building Council Homes for London Programme that was submitted on 31 August 2019.



- 4.2 This funding can only be used by registered providers for the provision of affordable social housing. The GLA have approved the inclusion of these properties as being in line with their funding requirements and were included within the Council's successful grant application.
- 4.3 In assessing the valuation for these homes, consideration has been given to the market value approach for shared ownership properties in line with their planning status. The Council has secured £100k grant per property from the GLA Building Council Homes for Londoners Fund and this enables the Council to let these homes at social rents..
- 4.4 Consideration has also been given to the cost of construction for such Homes to see whether this would offer a more appropriate option rather than purchasing built Homes. The construction costs for these particular properties would suggest that such an approach would not offer any additional financial benefit.
- 4.5 The Council has already committed to purchasing 24 other Homes for retention within the HRA within this development and are looking at purchasing the remaining 20 as part of the Emergency Temporary Accommodation project.

## **5. CONSULTATION**

- 5.1 No consultation has been undertaken

## **6 PRE-DECISION SCRUTINY**

- 6.1 The purchase of these Homes has not been referred to Scrutiny.

## **7 FINANCIAL & RISK ASSESSMENT CONSIDERATIONS**

### **7.1 Revenue and Capital consequences of report recommendations**

The purchase will secure 9 further Homes for use as social housing at affordable social rents held within the HRA and will therefore be purchased by borrowing through the HRA rather than general fund.

The homes will offer secure step up accommodation and help reduce demand on more expensive housing options such as temporary and emergency accommodation. The purchase of a new property has the benefit of a 10 year NHBC certificate to cover any major defects and given the new status of the properties, repair and maintenance costs in the medium term will be considerably less than more traditional housing stock or street properties.

### **7.2 The effect of the decision**

The purchase of these Homes will improve the housing stock on offer to local residents and offer the opportunity for a secure permanent home.

### 7.3 Risks

Consideration has been given to the financial risk around the loss of these units at a discounted price as a result of the Right to Buy. However, under current legislation, the discounts on new build properties are limited. Where the Council has recently purchased or built a property the purchase price including any discount will not be lower than the purchase price paid by the Council or the cost of construction or works carried out by the Landlord in the 15 year period following the Council's acquisition/completion of build. Whilst the Council may therefore have to sell the property it will always receive as a minimum the original price paid for the unit which in this case would be between £220,000 to £260,000 as the cost of the funding would not be taken into account.

There is not considered to be any other risk associated with the purchase of the properties. At the point of purchase the properties will be completed and detailed due diligence checks undertaken (to include Building Control, gas, electric and NHBC certification). It has also been demonstrated that the purchase price, given the availability of the GLA funding, offers value for money.

### 7.4 Options

The Council could reject the purchase of these Homes and allow BBB to sell them to the market in due course but this could result in them being vacant for several months.

### 7.5 Savings/ future efficiencies

The purchase will provide potential revenue savings as the residents will be relocated from other forms of housing that is likely to cost the Council more in revenue terms although this is difficult to quantify given the variety of potential options

Approved by Lisa Taylor Director of Finance Investment and Risk and S151 Officer

## 8. LEGAL CONSIDERATIONS

- 8.1 The Director of Law & Governance comments that the Council is making these acquisitions pursuant to its powers provided by s17 Housing Act 1985. The Council also relies on its general power of competence under s1 Localism Act 2011.

Approved by: Sean Murphy, Director of Law and Governance & Deputy Monitoring Officer

## **9. FREEDOM OF INFORMATION AND DATA PROTECTION CONSIDERATIONS**

- 9.1 Information requested under the Freedom of Information Act 2000 about the negotiations and purchase, which is the subject of this report, held internally or supplied by external organisations will be accessible subject to legal advice as to its commercial confidentiality (or other applicable exemption) and whether or not it is in the public interest to do so.

## **10. HUMAN RESOURCES IMPACT**

- 10.1 There are no Human Resources impacts as a result of this decision

Approved by: Sue Moorman Director of Human Resources

## **11. EQUALITIES IMPACT**

- 11.1 The Council has a statutory duty to comply with the provisions set out in the Equality Act 2010. In summary, the Council must have due regard to the need to comply with the aims of the general equality duty. The Council uses equality analysis as a tool to assess the possible impact of changes on different groups of people, evidence how we arrived at decisions that affect council staff, local people who use our council services and the wider community and help us to comply with the requirements of the Equality Act 2010.

- 11.2 Having undertaken the relevant analysis it has been determined that there is no major change - the Equality Analysis demonstrates that the policy is robust and that the evidence shows no potential for discrimination and that all opportunities to advance equality have been taken;

Approved by: Yvonne Okiyo Equalities Manager

## **12. ENVIRONMENTAL IMPACT**

- 12.1 All properties have been constructed in line with current Building Regulation requirements and are therefore more efficient than most of the existing social housing stock.
- 12.2 The day to day energy and water use will therefore be more efficient than older properties through the better use of insulation and technology.
- 12.3 The Council has a commitment to address environmental sustainability as an integral part of all activity. The Green Commitment and Environmental Procurement Policy are key relevant policies.

### **13. CRIME AND DISORDER REDUCTION IMPACT**

- 13.1 These homes have been built on former garage properties that previously attracted a degree of anti-social behavior and fly tipping. The presence of new homes will help improve the local area and improve the safety and security of local residents through the Safer by Design approach adopted as part of the planning process.

### **14. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 14.1 The purchase of these properties will add additional permanent social housing rather than intermediate or temporary housing solutions providing the next step for families and a more settled home environment with the many benefits that has to offer. The acquisition also allows the Council to secure GLA funding that would otherwise not be available through other routes.

### **15. OPTIONS CONSIDERED AND REJECTED**

- 15.1 The initial proposal was for the sale of the homes as shared ownership properties. However due to the delay in BBB being able to offer these to the market this would result in the properties being left vacant for several months. As the Council have already committed to purchasing 24 Homes for social housing within the scheme, it makes sense to secure further properties now that the opportunity has arisen.

### **16. DATA PROTECTION IMPLICATIONS**

- 16.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

Approved by: S Wingrave on behalf of the Interim Director of Housing and Social Inclusion

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**CONTACT OFFICER:** Steve Wingrave, Head of Asset Management and Estates ext 61512

**BACKGROUND DOCUMENTS:** None