

Cabinet Background documents



- 8. District Centre Prosperity - Purley BID (Pages 3 - 32)**
Cabinet Member: Cabinet Member for Economy & Jobs, Councillor Manju Shahul-Hameed
Officer: Executive Director Place, Shifa Mustafa
Key decision: no
- 10. Investing in our Borough (Pages 33 - 114)**
Cabinet Member: Cabinet Member for Finance & Resources, Councillor Simon Hall
Officer: Executive Director Resources, Jacqueline Harris Baker
Key decision: no

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Victoria Lower
020 8726 6000 x14773
020 8726 6000
victoria.lower@croydon.gov.uk
www.croydon.gov.uk/meetings

This page is intentionally left blank

Equality Analysis Form

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

Directorate	Growth, Employment and Regeneration
Title of proposed change	Continuation of Purley BID – Nov/Dec 2020
Name of Officer carrying out Equality Analysis	Diana Phiri-Witty

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

The Purley BID is led by the Purley Business Association who has set-up a BID board with Council and Local Councillors representatives. By working together they aim to drive economic growth in this key, ambitious and growing district centre. The Purley BID is elected every 5 years and they are up for renewal. A ballot will take place in November 2020.

The BID supports the Corporate Plan 2018-2022 in its delivery of the outcomes:

- Business moves here and invests, our existing businesses grow
- Everyone feels safer in their street, neighbourhood and home
- A cleaner and more sustainable environment

It also supports Croydon's Community Strategy 2016-21 by contributing to:

- Outcome One: A great place to learn, work and live
- Priority Three: Support the local economy to grow
- Priority four: Deliver a vibrant cultural offer
- Priority Five: Secure a safer, cleaner and greener borough
- Outcome Three: A place with a vibrant and connected community and voluntary sector
- Priority One: Connecting our residents, groups and community organisations

A successful 'yes' vote at BID ballot has the potential to unlock levy income predicted at approximately £123, 735 per annum over a five year term, to support interventions supported by levy payers and public.

The BID business plan ('the BID proposal') includes a range of new or expanded services and works over and above those provided by the local authority. The core focus is a programme of additionality, complementing those services provided within the area by the local authority and other statutory services. Typical projects include anti-crime and community security measures; higher levels of street cleaning; marketing initiatives; business development events; environmental improvements; training & networking services; and business support services. Typical key themes within a BID proposal are a strong business voice; safe and secure; clean and attractive; perception and image and accessibility. A BID has the potential to bring significant extra regeneration impact to a town or district centre.

The benefits to the Council of supporting the BID proposal are:

- Contribute towards our key priority for the Council to ensure that Croydon all residents benefit from economic growth in the borough and have the opportunities to develop new or to expand existing local businesses, as well as, skills and qualifications to access decently paid jobs
- Long term savings of a dedicated resource to act as a link to the district centre
- A focus on economic regeneration within the district
- Deliver additionality against the Council's priorities of crime and disorder & environmental improvements and sustainability
- Better community cohesion from the events schedule planned by the BID to encourage footfall

As the BID is a non for-profit company, limited by levy payments, they do not intend to grow, however, any employment opportunities that do arise within their organization are shared openly and are assessed equally without discrimination. Purley BID have a track record of employing more women than men. But this is through the quality of candidate rather than any positive discrimination. Their Board has broad ethnic diversity and so would ensure employment

and support also follows that makeup. Purley BID supports initiatives that promote education, training and apprenticeships, promoting on our social media when they arise.

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. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. 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 Deciding whether the potential impact is positive or negative

Table 1 – 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	<ul style="list-style-type: none"> The BID runs events including the Purley Food Festival, Purley Livewell (health and wellbeing event) and they collaborate with the local churches to pay for the installation of the Christmas Lights and organise family focused events. These activities ensure they are delivering activities for all ages and encouraging footfall to the high street which in turn promotes economic activity. Croydon residents will benefit from economic growth in the BID area 	There are no negative equalities impacts expected from this decision.	Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver.

	<ul style="list-style-type: none"> • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		
Disability	<ul style="list-style-type: none"> • The BID has a focus on improving the high street to make is accessible for all. The BID regularly works with local charities and has a focus on making Purley Dementia friendly. The BID has previously provided training to residents and businesses to support vulnerable residents and in the future they are working with Croydon Council, developers and the local community and businesses to encourage the pedestrianisation of the High Street in order to encourage people to feel safe away from the traffic and to offer more opportunities for people to sit and have opportunities to rest. • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus 	There are no negative equalities impacts expected from this decision. It is important to note however that pedestrianisation does not necessarily mean the implementation of shared surfacing. Shared surfacing can have a negative impact on those who are partially sighted or blind and if this project is to progress parties involved must be aware of this potential impact.	Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver.

	<p>working towards making Purley a safer place for all in this protected characteristic</p> <ul style="list-style-type: none"> • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		
Gender	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver
Gender Reassignment	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver
Marriage or Civil Partnership	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area 		Based on last 5 years of the BID and the activities and

	<ul style="list-style-type: none"> • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		events they have delivered and aim to deliver
Religion or belief	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver
Race	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental 		Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver

	<p>improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic</p> <ul style="list-style-type: none"> • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		
Sexual Orientation	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver
Pregnancy or Maternity	<ul style="list-style-type: none"> • Croydon residents will benefit from economic growth in the BID area • A focus on economic regeneration within the district will increase footfall/trade for all traders and the These economic benefits may lead to employment opportunities and financial stability for business owners • The BID prioritises the mitigation of crime and disorder and environmental improvements and sustainability thus working towards making Purley a safer place for all in this protected characteristic • Better community cohesion from the events schedule planned by the BID to encourage footfall. 		Based on last 5 years of the BID and the activities and events they have delivered and aim to deliver

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. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

3.2 Additional information needed to determine impact of proposed change

Table 2 – 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. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:

Additional information needed and or Consultation Findings	Information source	Date for completion
<p>The Purley BID did a community survey to establish what residents and businesses would like to see in their next term. They Around 250 responses of which 50 were from the business community. The main areas identified were the need for :</p> <ul style="list-style-type: none"> • Increased security • Making the environment cleaner • Continued Business support 	<p>They distributed physically by dropping them off to the local businesses, and they had follow up visits to collect the forms</p>	<p>This was undertaken last week of August and first 2 weeks of September. Completed by 13th Sept 2020.</p>

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

3.3 Impact scores

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

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

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

Equality Analysis

Table 3 – Impact scores

Column 1	Column 2	Column 3	Column 4
PROTECTED GROUP	<p>LIKELIHOOD OF IMPACT SCORE</p> <p>Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>SEVERITY OF IMPACT SCORE</p> <p>Use the key below to score the severity 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>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>EQUALITY IMPACT SCORE</p> <p>Calculate the equality impact score 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>Equality impact score = likelihood of impact score x severity of impact score.</p>
Age	1	1	1
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

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – 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	As discussed above the goal of the BID to work towards pedestrianising High Street could impact the visually impaired however a project of such a scale would be undertaken in conjunction with the council and	Low risk at this stage and would be part of a larger project. It is important to highlight it as this point to ensure it is considered at a later date if required.	Purley BID and Croydon Council	N/A at this time

Equality Analysis

	other stakeholders to ensure the surfacing is compliant.			
Race	The previous equality analysis of the Purley BID from 2016 identified that economic inequality such as unemployment is an issue that affects some groups that share a “protected characteristic” on the basis of disability, race / ethnicity, age more significantly and needs to be considered and addressed in the delivery of the BID.	The recommendation was and still stands that the Purley BID Board continues to monitor and regularly review the impact of proposals to ensure the benefits (including opportunities for employment) are delivered to all residents and businesses. If appropriate, mitigating action will be planned ensure that those equality groups that currently face economic inequality (in terms access to employment opportunities) are provided targeted support.	Purley BID	Ongoing
Sex (gender)	<p>The previous equality analysis of the Purley BID from 2016 identified that economic inequality such as unemployment is an issue that affects some groups that share a “protected characteristic” on the basis of disability, race / ethnicity, age more significantly and needs to be considered and addressed in the delivery of the BID.</p> <p>In addition to previous recommendations Covid-19 has resulted in economic downturn</p>	The recommendation was and still stands that the Purley BID Board continues to monitor and regularly review the impact of proposals to ensure the benefits (including opportunities for employment) are delivered to all residents and businesses. If appropriate, mitigating action will be planned ensure that those equality groups that currently face economic inequality (in terms access to employment opportunities) are provided targeted support.		

Equality Analysis

	that may result in a significant amount of job losses. News publications are showing data that women have had to take on more housework, homeschooling and childcare responsibilities and have also been more likely to lose their jobs during the pandemic and understanding the impact on sex groups needs to be addressed in the delivery of the BID and in the board membership.			
Gender reassignment	<p>The previous equality analysis of the Purley BID from 2016 identified that economic inequality such as unemployment is an issue that affects some groups that share a “protected characteristic” on the basis of disability, race / ethnicity, age more significantly and needs to be considered and addressed in the delivery of the BID.</p> <p>In addition to previous recommendations Covid-19 has resulted in economic downturn that may result in a significant amount of job losses. News publications are showing data</p>	The recommendation was and still stands that the Purley BID Board continues to monitor and regularly review the impact of proposals to ensure the benefits (including opportunities for employment) are delivered to all residents and businesses. If appropriate, mitigating action will be planned ensure that those equality groups that currently face economic inequality (in terms access to employment opportunities) are provided targeted support.		

Equality Analysis

	that women have had to take on more housework, homeschooling and childcare responsibilities and have also been more likely to lose their jobs during the pandemic and understanding the impact on sex groups needs to be addressed in the delivery of the BID and in the board membership.			
Sexual orientation				
Age	<p>The previous equality analysis of the Purley BID from 2016 identified that economic inequality such as unemployment is an issue that affects some groups that share a “protected characteristic” on the basis of disability, race / ethnicity, age more significantly and needs to be considered and addressed in the delivery of the BID.</p> <p>In addition to previous recommendations Covid-19 has resulted in economic downturn that may result in a significant amount of job losses. A large proportion of job losses are amongst young people or at entry level jobs. The impact on various age groups needs to be</p>	The recommendation was and still stands that the Purley BID Board continues to monitor and regularly review the impact of proposals to ensure the benefits (including opportunities for employment) are delivered to all residents and businesses. If appropriate, mitigating action will be planned ensure that those equality groups that currently face economic inequality (in terms access to employment opportunities) are provided targeted support.		

Equality Analysis

	addressed in the delivery of the BID and in the board membership.			
Religion or belief				
Pregnancy or maternity				
Marriage/civil partnership				

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) 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. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.	
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. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	X
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. 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.	
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	Meeting title: Date:
---	-------------------------

7. Sign-Off

Officers that must approve this decision	
Equalities Lead	Name: _____ Date: _____ Position: _____
Director	Name: _____ Date: _____ Position: _____

This page is intentionally left blank

Data Protection Impact Assessment (DPIA)

Project Name:	Purley Business Improvement District – Ballot Renewal
Project Manager or Sponsor (PM):	Carol Squires
Name of person completing the DPIA if different to (PM):	Diana Phiri-Witty
Service Team and Department:	Economic Development; Place
Relevant Director and Executive Director:	Stephen Tate Shifa Mustafa
Information Management Champion(s) for service area:	
Date DPIA received by the IMT:	
Date approved by DPO:	
Date approved by IMT :	

1 Project Scope

Include the projects aims, potential impact, all individuals involved in the project and those that may be affected by it. The stakeholders should be as broad as possible so that the list can be edited down after consultation)

The Purley BID is led by the Purley Business Association. They aim to drive economic growth in this key, ambitious and growing district centre. The Purely BID is elected every 5 years and they are up for renewal this year. A ballot will take place in November 2020.

The Purley BID are a separate entity to the council, they are a not for profit CIC with a board represented by Purley business owners, the council and councillors.

2 Data Description

Answer the questions below so that there is a clear understanding about how the information will be used, who will use it etc. Remember that it's personal information (i.e. information about individuals) that you need to be concerned with. If you do not have answers to all the questions at this time, simply record what you do know.

<p>Whose information is being used?</p> <ul style="list-style-type: none"> - Are there additional concerns that need to be considered due to individuals sensitive/ complex circumstances? i.e. vulnerable person 	<p>Non-domestic rate payer Information for the businesses within the defined BID area, containing business name, business address, rateable value, Liable Party Primary contact address. Additional names of persons appointed as voter on behalf of the business.</p>
<p>What information is being used?</p> <ul style="list-style-type: none"> - Consider the nature of this information E.g. Child's social care file 	<p>Business name and business address and Liable Party Primary addresses are used for initial pre-ballot mailing to identify person to be appointed as voter. Appointed voter name and address used to send Notice of Ballot and Ballot Paper mailing. Updated lists of businesses and appointed voters shared with BID proposer. Rateable value of each business used as part of the Counting and weighting of votes. This information is therefore used over 5 years to collect the BID levy.</p>
<p>Does it include special category or criminal offence data?</p>	<p>No</p>
<p>Can an individual be identified easily from the information?</p>	<p>Yes – where Liable Party is an individual or an individual has been appointed as a voter for an address</p>
<p>What is the potential impact on privacy of this information?</p> <ul style="list-style-type: none"> - What are the risks/ impact to an individual if this information was lost, stolen or manipulated? - E.g. could it be sold? 	<p>Minimal</p>
<p>Will this change the manner in which we handle, use or protect this information? e.g. should it be encrypted?</p>	<p>Data will be stored by Croydon Council and will be encrypted using Egress when sent to the BID proposer – Purley BID.</p>

3 Consultation process

Consider how to consult with relevant stakeholders.

When did you consult individuals?	No council led consultation to be undertaken. All current BID members are already in direct contact with the Purley BID and have been informed by them of the forthcoming ballot. Businesses to be contacted initially by the council as administrator of the ballot to identify named people to receive the ballot and then the council prepare the list of persons entitled to vote and write to each person regarding arrangements for voting
How did you consult individuals?	Croydon council to contact businesses via their address to conduct the ballot
If not explain why it is not appropriate.	This is a ballot and if the BID are successful, a levy collection. Purley BID have undertaken a separate consultation exercise with their businesses as part of their renewal campaign. A BID have a legal obligation in the run up to a BID renewal which takes place every five years, to have undertaken engagement with their members to inform their proposals which they publish as a business plan. It is the duty of the local authority to conduct the ballot and follow due process to demonstrate a fair and transparent process
Who else within the organisation have you consulted with?	NA
Do you need to speak with your processor to assist?	NA
Do you plan to consult information security experts or any other experts?	No

4 Assessment of necessity and proportionality of data usage

What is your lawful basis for processing?	Article 6 of GDPR 'Legitimate Interests' To identify Non-domestic rate payer Information for the businesses within the defined BID so they can vote for the Business Improvement District.
Is consent being relied upon to share the information? Has explicit consent been obtained? Are data subjects able to opt out from giving consent?	It is Purley BID's legal duty to communicate with all the businesses in the BID area giving them an opportunity to shape the business plan via consultation, a notice of ballot and the ballot paper. The ballot and ballot paper are distributed by the council and the council collect the BID levy on behalf of the BID. The BID regulations 2004 state that on receiving a request (made in accordance with paragraph (2)) from any person who is developing BID proposals, the relevant billing authority shall provide them with the name of each non-domestic ratepayer and the address and rateable value of each hereditament which is occupied, or (if unoccupied) owned, by him in the geographical area of the BID proposals to be developed. They state that on receipt of an instruction under regulation 5, the ballot holder shall make arrangements for conducting a BID ballot (including a renewal ballot as in this case), in accordance with Schedule 2.
Does the processing actually achieve your purpose?	Yes
How will the information be collected? Verbally, forms, intranet, interview, 3 rd party, anonymous)	Forms
Is there another way to achieve the same outcome?	No
How will the information be used? <i>e.g. to write a report</i>	Administering the Purley Business Improvement District renewal Ballot
Do the individuals know and understand how their information will be used? If there are changes to their information does the privacy notice need to be amended?	Privacy Notice to be included on communications to businesses.
How will it be stored, kept up to date and disposed of when no longer required? <i>e.g. stored in locked cabinet/securely shredded</i>	Updated database of businesses and voters, and a count spreadsheet incorporating this information will be

	saved in the Electoral Services folders on network – access to which is restricted to Electoral Services staff
How will you ensure data quality and data minimisation?	Data collected and used to update an existing data set. Future use of the data will be restricted to updating names and addresses and business rates value therefore a minimal requirement.
Who will have access to the information within LBC? - <i>Include approximate number of users</i>	Electoral Services, Mayor's Office (only if staff assist with delivery of ballot), Economic Development.
Are there new or significant changes to the way we manage, use, handle or collect this information? - <i>Include any identified concerns for the individuals, would these changes heighten risks involved</i>	No
Will individuals within an existing database be subject to new or changed handling? - <i>If yes amendments need to be made to the privacy notice and these individuals need to be informed.</i>	No
What are the internal arrangements for processing this information? <i>e.g. number of staff who will have access</i>	5 Members of the Electoral Services team plus temporary staff brought in to assist at busy periods.
How will the information be updated? <i>e.g. monthly check</i>	Through contacts with businesses and only up to the ballot period(Nov 2020). Following that the council will collect BID Levy annually or as agreed with Purley BID where new business rates information may be updated.
Does the project involve the exchange of information outside of the UK and are there set standards for how the information will be treated? How will you safeguard international transfers?	No
How will you prevent function creep?	The information collected is for two specific functions- a ballot in November 2020 and levy collection over the 5 years the BID is in place.

5 Assessment of the risks to the rights and freedoms of data subjects

You must describe the source of risk and the nature of potential impact upon individuals and identify any additional measures to mitigate those risks.

5a Security

Who will be responsible for the control for this information?	Head of Electoral Services
How will the access to this information be controlled?	Access to information limited to those individuals administering the ballot Economic Development, the business rates team and the BID Proposer – Purley BID.
Is the data correctly managed to reduce the risk of collateral intrusion to the data subject?	Yes
Are there adequate provisions in place to protect the information? If so what are they? <i>e.g. Process, security</i>	Data will be stored securely by the Council in the Electoral Services Network folder and in the Business Rates folder.

5b Sharing

Who is the information shared with, why are we sharing the information with this organisation?	The information will be shared with the BID proposer Purley BID. The Purley BID is elected every 5 years and is governed by a board made up of local businesses. The ballot process being described in this assessment is for their purpose and function and therefore they will have access to the information about the businesses they represent.
What purpose does the information we are sharing have to the third party? - <i>Ensure that we only share relevant information and not excessively</i>	For canvassing for the BID Ballot. Transparency of the BID Ballot process.
Who will have access to the information, externally? - <i>Include approximate number of users</i> - <i>Describe any sharing arrangements and what the level of access is. It may help to produce a diagram to show the data flows.</i>	BID Proposer – Purley BID. Their privacy policy attached here . Their data is secured by password access and not shared externally and reviewed annually. They are also registered with the ICO. In summary, Purley BID use the following secure applications to hold data: <ul style="list-style-type: none"> • BID Base • Microsoft Sharepoint • HubSpot
How will it be transmitted to third parties and when? How often?	Emailed using Egress. Regular updates as and when information is updated. To be agreed with BID proposer
Is there a data sharing agreement in place?	No

At what stage will the information be transferred?	Prior to the Notice of Ballot and updated as information updated. Schedule to be agreed with the BID proposer
--	---

5c Identified Risks and assessment:

You should take into account the sensitivity of the information and potential harm that inappropriate disclosure or use of the information could cause to any individuals concerned. You should also consider the reputational loss to the Council and the potential for financial penalties being imposed by the ICO.

To assess the level of risk you must consider both the **likelihood** and the **severity** of any impact on individuals. A high risk could result from either a high probability of some harm or a lower possibility of serious harm.

The severity impact level and likelihood should be scored on a scale of 1 to 10 with 1 being low severity and 10 high. The two scores should be **added** together. The RAG status is derived from the following scale:

Score:

- 15 to 20 = Red (High)
- 8 to 14 = Amber (Medium)
- Below 8 = Green (Low)

To be completed by Project Sponsor

Risk Identified	Severity of Impact	Likelihood of harm	Overall RAG rating
Ballot data infiltrated by an unconsented third party	8	4	12
Name and email address data infiltrated by third party	8	2	10

6 Identify measures put in place to reduce risk.

You must now identify additional measures you could take to reduce or eliminate any risk identified as medium or high risk in step 5.

To be completed by the Project Sponsor

Risk Identified	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
		Eliminated / reduced / accepted	Low / medium / high	Yes / No
Ballot data infiltrated by an unconsented third party	The ballot information will be accessed by Council staff and stored on council networks. Data will be shared with only one other organisation thus limiting infiltration opportunities	Reduced	Low	Yes
Name and email address data infiltrated by third party	See above. Data stored by Croydon Council will be in a secure Sharepoint files with access restricted to those directly linked to the ballot process	Reduced	Low	Yes

Sign off and Record sheet

Item	Name/date	Notes
Measures approved by:	Stephen Tate Director, Growth, Employment & Regeneration Date?	Integrate actions back into project plan, with date and responsibility for completion.
Residual risks approved by:		If accepting any residual high risk must consult ICO before going ahead.
DPO advice provided: Thank you for completing a DPIA even when a large proportion of the information being processed in this project relates to businesses. However, it has been correctly identified that individual's names and addresses are also involved. This is more likely if the business is small or private. This personal information must be handled appropriately (and in accordance with GDPR). This project relates to the Councils role in administering the Purley BID. In particular, the ballot and if the ballot is successful, the billing and collection of the BID levy. I was pleased to see that the Council will not be collecting unnecessary or excessive information. Further that the Council will be providing a Privacy Notice so that individuals understand how their	1 October 2020 Nicola Thoday, Senior Corporate Solicitor, on behalf of Sandra Herbert, Data Protection Officer and Head of Corporate Law and Litigation.	Summary of DPO advice: When the risks within the DPIA are addressed there will be adequate measures in place to protect the data subjects from risks of personal data breach or any harm. I would then be happy for the processing to proceed. <i>(DPO should advise on compliance, measures to mitigate risk and whether processing should proceed)</i>

<p>information is going to be used by the Council. The DPIA mentions that there are systems in place to ensure information is kept up to date.</p> <p>I also note that the content of the consultation responses is being handled by Purley BID, a separate organisation who is registered with the ICO.</p> <p>The lawful basis for processing the personal information is Article 6(1)(c) – <i>that the processing is necessary for compliance with a legal obligation to which the controller is subject</i>. In this case the Council are fulfilling requirements as set out in the BID Regulations 2004.</p> <p>The Council plan to re-use information already held by the Council to conduct a Ballot and if successful collect the BID Levy. This is in accordance with fulfilling its duties under the BID Regulations 2004.</p> <p>If you would like any assistance drafting the Privacy Notice please contact me.</p>		
<p>Consultation responses reviewed by:</p>		<p>If your decision departs from individuals views you must explain your reasons.</p>
<p>DPIA to be keep under review by:</p>		

Information Management Team: **Data Protection Impact Assessment**
Version 2:0

If you require further guidance to complete this DPIA please contact:

Information Management Team (IMT)

Ext: 47777

Email: information.management@croydon.gov.uk

Data Protection Officer

Email: DPO@croydon.gov.uk

REPORT TO:	Cabinet Member for Children, Young People and Learning
SUBJECT:	Alternative Education – Approved Provider Panel
LEAD OFFICER:	SHELLEY DAVIES – INTERIM DIRECTOR OF EDUCATION
CABINET MEMBER:	Councillor Alisa Flemming - Cabinet Member for Children, Young People and Learning and Councillor Simon Hall - Cabinet Member for Finance and Resources
WARDS:	ALL
<p>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON</p> <p>The Council's Corporate Plan 2018-2022 includes the following priorities which are relevant to this contract:</p> <p>Our children and young people thrive and reach their full potential: Awarding the contract will enable the Local Authority to fulfil their statutory duties under the Children and Families Act 2014 in particular the requirement for Local Authorities to arrange access to suitable education, including alternative provision.</p> <p>Local authorities are legally responsible for arranging suitable education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made.</p> <p>A disruption or failure in service delivery would have a significant negative impact on the Council's reputation, as well as failing to fulfil the Council's statutory duty.</p>	
<p>FINANCIAL IMPACT</p> <p>The recommendation is to award a contract to the successful providers for a period of up to 4 (2+1+1) years.</p> <p>There is no guarantee of volume or spend.</p> <p>The anticipated annual spend during this period is:</p> <ul style="list-style-type: none"> • Anticipated volume per year: 230 (based on current annual volume) • Average time spent in alternative education: 1 term • Average annual cost of a provider from this tender: £16,048 (3 terms per year) • Average cost of a placement: £5,349 (annual cost divided by average time) • Anticipated annual spend: £1,230,347 (average cost multiplied by volume) <p>The total anticipated aggregated contract value including all future extensions is expected to be: £4,921,388 (annual spend multiplied by 4 years)</p>	

FORWARD PLAN KEY DECISION REFERENCE NO.: 4520CYPL

The decision may be implemented from 1300 hours on the 6th working day after the decision is made, unless the decision is referred to the Scrutiny & Overview Committee by the requisite number of Councillors.

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

1. RECOMMENDATION

- 1.1 The Cabinet Member for Children's Young People and Learning in consultation with the Cabinet Member for Finance and Resources is recommended by the Contracts and Commissioning Board to approve, in accordance with Regulation 28c of the Council's Tenders and Contracts Regulations, the award of *the Alternative Education Approved Provider Panel Agreement* to the providers listed in Part B of this report for a period of up to 4 years from 01/09/2020 to 31/08/2024 (2+1+1) for a maximum contract value of **£4,921,388**.

2. EXECUTIVE SUMMARY

- 2.1 Local authorities are legally responsible for arranging suitable education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made.
- 2.2 The establishment of the Alternative Education Provision Approved Provider Panel enables the Local Authority and local schools to commission quality assured alternative education placements (either on a direct award or mini competition basis) in order to meet the needs of these pupils.
- 2.3 The Approved Provider Panel is an agreement with successful providers that will enable the Local Authority and Schools to place orders for services without running lengthy tendering exercises.
- 2.4 Following CCB approval of the procurement strategy in December 2019 (ref CCB1540/19-20) a procurement exercise in line with the Public Contract Regulations Light Touch Regime was conducted.
- 2.5 Providers have now been identified that meet the requirements for appointment to the Approved Provider Panel.
- 2.6 The Approved Provider Panel will be for a duration of 2 years with the option to extend for a further 2x 1 years. 4 years in total: (2 +1+1).

For Publication

- 2.7 The Local Authorities anticipated spend under the Approved Provider Panel is based on historic annual volume 230 and the annual average price submitted as part of the tender process, divided by the average duration a young person would typically spend in alternative education per year.
- 2.8 On this basis Croydon's predicted spend over the anticipated 4 year term is expected to be in the region of (and not exceed) **£4,921,388**. Note: This is funded from the Designated Schools Grant (DSG) funding and not the Council General Fund.
- 2.9 This report seeks approval for the award of contracts for admittance to the Approved Provider Panel for Alternative Education Provision for a **2-year term with the option to extend for a further 2 x 1 years (2+1+1 years)**.
- 2.10 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB ref. number	CCB Approval Date
CCB1593/20-21	27/07/2020

3. DETAIL

Background

- 3.1 Local authorities are legally responsible for arranging suitable education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made.
- 3.2 Governing bodies of schools are responsible for arranging suitable full-time education from the sixth day of a fixed period exclusion. Schools may also direct pupils off-site for education, to help improve their behaviour or for provision of respite from a mainstream school setting.
- 3.3 Statutory guidance sets out the Government's expectations of local authorities and maintained schools who commission alternative provision and pupil referral units.
- 3.4 The focus for the proposed new Approved provider Panel is for when the Council needs to commission provision from outside our maintained provision. There are occasions when this is necessary, usually as a result of demand pressures or risk.
- 3.5 The proposed Approved provider Panel will provide the Council and schools with a pool of quality assured providers that can be commissioned as and when required.

For Publication

- 3.6 Placements may be short term, e.g. a couple of weeks 'respite', or longer term if it is not possible or appropriate for the pupil to be integrated into full time mainstream education.
- 3.7 Due to the nature of the cohort there is no guarantee of volume or spend under the existing arrangements, this is also applicable to the new proposed Approved Provider Panel.
- 3.8 Irrespective of the nature of need and type of placement made, there is an expectation that the following objectives are achieved as a result of implementing the Approved Provider Panel:
- To provide education provision and timely intervention for pupils who are struggling to manage their learning in a mainstream school setting or for whom a mainstream school place is not appropriate and/or available
 - To provide opportunities for pupils to make social, emotional and academic progress within an appropriate environment in preparation for returning to mainstream school or to progress into suitable post-16 further education or training
 - To work collaboratively with mainstream schools to support and sustain pupils with transition to mainstream provision where and when it is appropriate for the pupil
 - To provide opportunities for pupils to have time to develop the skills to sustain and thrive in a mainstream classroom or into post-16 further education/training
 - To support the reduction in the number of permanently excluded children of school age by providing the right support at the right time
 - Provide greater LA oversight of non-mainstream education placements across the borough
 - Consistency in terms of quality assurance, monitoring and price

Procurement process

- 3.9 The service held an event with providers in the summer of 2019 which attracted 15 individual providers. This included current and new providers who expressed an interest.
- 3.10 A questionnaire was issued to schools in relation to their appetite of accessing an approved panel. From those that responded the uptake was positive. Note: Schools accessing the panel will be managed gradually following the successful implementation (providers were made aware of this during the tender process).
- 3.11 Service and operational leads from within the service provided expertise for the development of the service specification, quality questions, and pricing structure for the Approved Provider Panel.

For Publication

- 3.12 The Approved Provider Panel is being established under Regulations 74 to 77 of the Public Contracts Regulations (PCR) 2015 'Light Touch Regime' (LTR). The tender process was aligned to the standard Open Procedure.
- 3.13 The opportunity was made available on The London Tenders Portal on 3rd February 2020. This was also advertised on Value Croydon. The service made incumbent providers aware via email and they were encouraged to respond accordingly via the portal.
- 3.14 All tender documents were made electronically available on the London Tenders Portal and accessible to interested parties for 30 days. The tender submission deadline was 3rd March 2020.
- 3.15 The tender documents provided clear guidance and instructions to the market setting out how the Approved Provider Panel and call-offs will work. The tender documentation also included the option for the Local Authority to refresh the Approved Panel at any time.
- 3.16 72 expressions of interest were registered on the London Tenders Portal from a range of providers but only 16 providers submitted a completed response document by the tender submission deadline.
- 3.17 Post tender clarifications were issued after the tender submission deadline as a result of a number of providers failing to answer all method statements across the lots/sub lots for which they applied. An equal opportunity was given to all providers in order to ensure that they provided the missing information.
- 3.18 The Approved Provider Panel is divided into 3 Lots with sub-lots as follows;

Lot	Service Area	Sub-Lot
Lot 1	Primary Pupils	1a: Primary aged learners with an EHCP who have been excluded or are at risk of permanent exclusion. 1b: Primary aged learners with an EHCP without a school place, for example new to the borough.
Lot 2	Secondary Pupils	2a: Secondary aged learners with an EHCP who have been excluded or are at risk of permanent exclusion. 2b: Secondary aged learners who have been excluded or are at risk of permanent exclusion. 2c: Secondary aged learners with an EHCP without a school place, for example new to the borough.

Lot 3	Year 11 pupils without a school place	<p>3a: Young people who are new arrivals to the UK in academic year 11 with limited English language.</p> <p>3b: Young people who are new arrivals to the UK in academic year 11 with limited English language and behavioural or emotional needs.</p> <p>3c: Other year 11 young people without a school place, for example new to the borough.</p>
--------------	---------------------------------------	--

3.19 There was no deviation from the original RP2 strategy report.

3.20 As a result of the COVID-19 crisis there was an impact on timescales during the moderation and evaluation process.

Evaluation

3.21 The tender response document was sectioned into three distinct areas; Selection Questionnaire (SQ) Compliance, quality and price.

3.22 An evaluation panel was established with representation from;

- Children & young people (young commissioners)
- Learning access
- Education commissioning
- Special Educational Needs

3.23 Evaluation meetings were held over 3 evenings with the young commissioners asked to evaluate 1 question; Method Statement 2 – Outcomes. The moderated score from the young commissioners was then fed into the overall moderation meeting.

3.24 The standard SQ compliance questions covered the following;

- Ofsted rating
- School registration
- DBS Checks
- Grounds for mandatory or discretionary exclusion.
- Economic and financial standing.
- Insurance requirements.
- Relevant experience and contract examples.
- Requirements under Modern Day Slavery Act 2015.
- Health and safety requirements.
- London Living Wage

For Publication

- General Data Protection Regulations (GDPR) and Information Management requirements.
- 3.25 Finance officers conducted the standard financial appraisal, while tender compliance for other requirements was carried out by procurement and project support officers. This approach ensures probity and that the most economically advantageous suppliers are admitted to the Approved Provider Panel.
- 3.26 Providers appointed to the Approved Provider Panel were required to secure a minimum score of 3 out of 5 for all method statements. Method statements were as follows;
- Experience of delivery (5%)
 - Experience of delivery – case study (3%)
 - Outcomes for learning (8%)
 - Workforce capability & capacity (8%)
 - Assessments for learning (8%)
 - Safeguarding & wellbeing (7%)
 - Premises, health & safety (6%)
 - Quality assurance & statutory compliance (8%)
 - Social value (5%)
 - Premier Supplier Programme (2%)
- 3.27 Panel members individually assessed each qualitative submission and all scores were moderated by the panel.
- 3.28 All moderation meetings were chaired by the Category Manager with support from the senior procurement manager to ensure consistency.
- 3.29 As a result of COVID-19 there were delays with holding the moderation meetings, which all had to be held virtually.
- 3.30 All applicants that have passed the Selection Questionnaire and have met the minimum assessment criteria are recommended for admission to the Approved Provider Panel.
- 3.31 Suppliers submitted prices based on academic year, termly and weekly rates for each lot they bid for. The total price weighting of 40% is apportioned to each of the Sub-Lots.
- 3.32 Bidders were instructed to submit tender prices fully inclusive of all costs. There was no maximum or minimum price requirement.
- 3.33 The Quality/Price evaluation ratio is 60%/40% to ensure that providers submit competitive prices without compromising quality.
- 3.34 All providers who met the quality and price criteria as well as the compliance elements of the tender are recommended to be appointed to the Approved

Provider Panel.

- 3.35 All providers who have had children and young people placed with them, will be subject to regular quality assurance checks and contract monitoring by the Education Commissioning & QA Manager, as well as more in-depth 2-yearly London AP Quality Assurance inspections undertaken by a multi-borough team drawn from neighboring boroughs in line with our sub-regional arrangements.
- 3.36 New providers who have not had young people placed with them before will be subject to a visit prior to any placements being made.

Results from the Evaluation Process

- 3.37 The number of suppliers applying to be part of the Approved Provider Panel were in line with expectations.
- 3.38 A summary of the results of the evaluation process are set out below;

LOT 1 – Primary Pupils

	Total Bids	Total Failed	Total for Admission to APPA
Sub-Lot: 1a	1	1	0
Sub-Lot: 1b	1	1	0

**Note: The number of providers who applied for LOT 1 is in line with service expectations. There are very limited providers in the market who provide primary alternative education as LA's tend to manage this limited demand within their own PRU provision due to the pupils age and expectation to return to mainstream education.*

LOT 2 – Secondary Pupils

	Total Bids	Total Failed	Total for Admission to APPA
Sub-Lot: 2a	11	6	5
Sub-Lot: 2b	12	6	6
Sub-Lot 2c	11	6	5

LOT 3 – Year 11 pupils without a school place

	Total Bids	Total Failed	Total for Admission to APPA
Sub-Lot: 3a	8	2	6
Sub-Lot: 3b	5	2	3
Sub-Lot 3c	8	3	5

Awarded providers

- 3.39 The providers who we recommended being awarded are outlined within PART B of this report.

Unsuccessful providers

- 3.40 Some providers were not successful with their tender. The providers who will not be able to join the Approved Provider Panel are outlined within PART B of this report.

4. CONSULTATION

- 4.1 Existing providers were invited to a meeting in early 2019 where outline proposals were discussed, followed by a Q&A session.
- 4.2 A market engagement event was held in summer 2019 attended by 15 providers, both existing and new.
- 4.3 A questionnaire was issued to Croydon schools via the 'schools bulletin' in relation to the potential use and access of a potential 'framework'.
- 4.4 The future proposal has been raised and discussed with the schools forum.
- 4.5 Once the tender opportunity was made available on The London Tenders Portal all current providers were informed via email.
- 4.6 All communication during the tender process took place on The London Tenders Portal.
- 4.7 Following the outcome and standstill period there will be further engagement including sharing the outcome with schools forum, local parent groups and updates via the 'schools bulletin'.
- 4.8 Any provider who has not had a child/young person placed with them before by Croydon will also be subject to a site visit prior to any placement being made. This will provide a further opportunity for additional clarification. It is envisaged that these visits will take place during the mobilization period.

For Publication

- 4.9 Ongoing communication and engagement will take place with the awarded providers throughout the lifetime of the contract via contract management meetings.
- 4.10 Consultation with staff has not taken place. There is no impact on staffing as a result of implementing the Approved Provider Panel.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 5.1 **There is no guarantee of spend or volume under the terms of the Approved Provider Panel.** The following is estimated based on the current demand and volume of placements.
- 5.2 To note that spend on alternative education placements derives from the Designated School Grant (DSG) funding and is not from Council General Fund.

Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2020/21	2021/22	2022/23	2023/24
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure – Croydon Council	1,018	1,018	1,018	1,018
Expenditure – Schools	106	212	212	212
Income	NA	NA	NA	NA
Effect of decision from report				
Expenditure	1,124	1,230	1,230	1,230
Income	NA	NA	NA	NA
Remaining budget	NIL	NIL	NIL	NIL

The effect of the decision

- 5.3 The funding of Council commissioned alternative education placements of £1.018m is currently from:
- High Needs Block funding £393,000 per annum: Used for placement costs across all key stages for permanently excluded pupils;
 - Dedicated School Grant £625,000 per annum: Agreed by Schools Forum annually to fund Key Stage 4/Year 11 placements, mainly for English as an Additional Language (EAL) pupils;
 - High Needs Block funding (SEN) £variable: For pupils with Education,

Health and Care Plan (EHCP) pending a suitable permanent education placement.

- 5.4 Whilst the need for placements is demand led, for example KS4 provision is partly determined by pupil inward migration to the borough, LA spend has remained stable over the last 3 years.
- 5.5 Placements commissioned directly by schools will be funded from individual school budgets.
- 5.6 The establishment of the Approved Provider Panel allows for consistency of pricing and quality assurance of provision. It also provides a mechanism to only pay for places needed rather than block purchase placements which may not all be utilised, thereby providing value for money.

Risks

- 5.7 There are no direct financial risks associated with the establishment of the Approved Provider Panel. There is no guarantee of spend or volume. It is a demand led service.
- 5.8 There is a risk that due to the relatively small number of specialist SEND providers being recommended for admittance to the Approved Provider Panel from this tender that the service may need to continue to spot purchase for some placements. This could potentially be addressed by a tender refresh, which we reserve the right to do in line with the tender documentation, however, it is thought that the number of providers within the market is relatively low.

Options

- 5.9 The following options have been considered in relation to the award and implementation of the Approved Provider Panel:
 - 1. Do nothing; **Not recommended**
 - 2. Implement the Approved Provider Panel & award to successful providers;
Recommended

Future savings/efficiencies

- 5.10 It should be noted that the key intention for this Approved Provider Panel is that the LA places children and young people (who can often be the most vulnerable and challenging) within a quality provision to ensure that their individual outcomes can be met.
- 5.11 As per the RP2 strategy report it is not possible to guarantee that savings will be made as a result of implementing the Approved Provider Panel. However, implementation of agreed rates and potential for running mini competitions when bulk purchase of placements are required will provide a competitive market which may assist with driving placement costs down.
- 5.12 Placements made under the terms of the APPA will only be required when needs cannot be met within the Council's own provision (Saffron Valley).
Dependent on capacity & risk this may reduce the reliance on the

placements required and therefore avoid spend under the terms of the APPA.

- 5.13 The service has a responsibility to ensure that children and young people can remain and be educated within appropriate local maintained provision whilst working towards reducing the number of exclusions. If successful, this will limit the demand on alternative education placements and potential spend under the APPA.
- 5.14 As a result of implementing the Approved Provider Panel efficiencies can be achieved:
- A more streamlined, standardised and efficient placement sourcing process.
 - A reduction in the number of spot purchases made by the services and schools.
 - Opportunities to address gaps in the market to reduce costs and improve the service offer in the future.
 - Potential of a centralised brokerage model for schools.
- 5.15 As part of contract management, placements will be reviewed regularly. The aim is for children and young people to return to mainstream/full time education as soon as possible and this will be monitored as per statutory guidelines. Less time spent in independent alternative provision will reduce costs and spend under the terms of the APPA. Reviews and transition will be based on the individual circumstances of a child/young person.

Approved by: Kate Bingham, Interim Head of Finance (Children, Families and Education)

6. LEGAL CONSIDERATIONS

- 6.1 There are no additional legal considerations directly arising from this report

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

7. HUMAN RESOURCES IMPACT

- 7.1 This report concerns the provision of services that will be provided by a third party organisation through a single provider framework. As such, the Council is not the employer of the staff working within the framework and there are no implications for Croydon employees.
- 7.2 This procurement exercise does not propose changes to service delivery beyond what is being undertaken although providers may have to adapt their delivery approach in order to achieve expected service outcomes.

For Publication

- 7.3 As a London Living Wage borough, all applicable contracts will include the requirement to pay the London Living Wage. The Living Wage Foundation Living Wage will apply to contracts in other parts of the country.

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

8. EQUALITIES IMPACT

- 8.1 The Equality Act 2010 introduced the Public Sector Equality Duty. This requires all public bodies, including local authorities, to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not
- 8.2 The proposed change has at its heart the re-procurement of alternative education services for statutory school aged learners that have newly arrived in the country, and for whom English may be a second language and for those permanently excluded from school, or deemed at risk of permanent exclusion.
- 8.3 Re-procurement supports the Council in meeting its statutory duty to provide suitable and adequate school places for residents as well as providing appropriately suitable education for statutory aged school children from the sixth day following a permanent exclusion. This contract allows the ongoing commission of quality assured alternative education placements that meets pupil needs.
- 8.4 The Approved Provider Panel enables the Council to order requisite services without running lengthy tendering exercises, thus avoiding delay in service provision. The service is a statutory service for children and young people and must be accessible to all those that are entitled to it seamlessly and at all times.
- 8.5 The Equalities Analysis developed in 2019, concludes that there is no negative impact for protected characteristics, and no resulting direct or indirect discrimination. Evidence shows adequate steps are in place to take advantage of opportunities to advance equality and foster good relations, subject to continuing monitoring and review throughout the lifetime of the re-procured contract.

Approved by Barbara Grant on behalf of Yvonne Okiyo, Equalities Manager.

9. ENVIRONMENTAL IMPACT

- 9.1 It is considered that there are no increased or decreased environmental sustainability impacts, from the proposed contract award contained in this report.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 It is considered that there are no increased or decreased crime & disorder impacts, from the proposed contract award contained in this report. The contract awards within this report will working towards a reduction in crime and disorder. Through close working relationship, robust quality assurance, regular communications and professional strategies and networks with the providers and their pedagogy strategies, we would expect to see a decrease in the learner's involvement and exposure to criminality and disorder over the course of this panel. Contextual safeguarding is regularly reviewed with the aim to mitigate risk and increase awareness as priorities.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 Admittance to the Approved Provider Panel Agreement is recommended for tenderers which have passed the requirements as set out in the tender documentation.
- 11.2 The establishment of the Approved Provider Panel will give the Council the opportunity to secure placements at a transparent rate in comparison to spot purchasing. By making placements in a standardised way, the Council will be able to better understand and develop the market for Alternative Education provision.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 The appropriate procurement options were fully explored within the RP2 strategy report.
- 12.2 In relation to the award options the following are appropriate:
1. Do nothing; **Not recommended.** The Council has conducted a procurement exercise in line with the regulations and has a pool of providers who are deemed appropriate for admittance to the Approved Provider Panel. Should we do nothing then the service will be required to spot purchase from September 2020 and not benefit from the efficiencies outlined within this report.
 2. Implement the Approved Provider Panel & award to successful providers; **Recommended.** Implementing the Approved Provider Panel and awarding to the preferred suppliers will enable the Council to place with

quality providers at agreed rates and achieve the efficiencies as outlined within this report.

13. DATA PROTECTION IMPLICATIONS

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

Yes

As sensitive data on pupils will be shared, processed and stored by schools, the LA and AP providers, robust and compliant processes will be implemented from the outset. This includes:

- Information Sharing Agreements between the schools and LA (already in place) with a specific schedule to cover requirements of use of AP Provider List;
- All parties having published Privacy Notices;
- Compliance with GDPR included within contracts with providers;
- All information shared securely, e.g. EGRESS
- Agreed protocol for reporting any data breaches associated with operation of the AP Provider List.

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

Ye

Approved by: Sarah Warman - the Director of Commissioning and Procurement

CONTACT OFFICER: Matt Weeks, Category Manager, Children's families & education ext. 62349

BACKGROUND DOCUMENTS: None

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

REPORT TO:	Cabinet Member for Homes and Gateway Services
SUBJECT:	Contract extensions for supported housing for the homeless
LEAD OFFICER:	Guy Van Dichele, Executive Director of Health, Well Being and Adults Julia Pitt Director of Gateway
CABINET MEMBER:	Councillor Alison Butler, Cabinet Member for Homes and Gateway Services Councillor Simon Hall, Cabinet Member for Finance and Resources
WARDS:	All
<p>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON Corporate Plan for Croydon 2018-2022 This approach supports the following corporate priorities as set out in the Corporate Plan 2018-2022:</p> <p>Our Children and Young People thrive and reach their full potential – relieving homelessness and supporting young people to be aspirational, maximizing their independence and making sure they are safe, healthy and happy.</p> <p>Locality Matters: Develop services that are place based and integrated within their local community and tailored to local needs.</p> <p>People live long happy & healthy lives: Invest in the voluntary and community sector to reduce inequality and increase the resilience of communities and individuals.</p> <p>Good, decent homes, affordable to all: Develop our Homelessness Prevention Strategy and assist and enable our residents to secure accommodation, supporting vulnerable residents to increase resilience and independence.</p>	

FINANCIAL IMPACT

The recommendation is in relation to four separate contracts and therefore a combined amalgamated value is not appropriate.

Extending the four separate contracts to the 30th June 2021 will have the following impact:

- Evolve Housing & Support: Palmer House; Extension by variation of 13 months to 30/06/21 at an additional annual cost of: £394,153
- Evolve Housing & Support: Alexandra House; Extension by variation of 13 months to 30/06/21 at an additional annual cost of: £233,064
- Evolve Housing & Support: Ingram Court; Extension by variation of 13 months to 30/06/21 at an additional annual cost of: £311,895
- Evolve Housing & Support: Fitze Millennium; Extension by variation of 13 months to 30/06/21 at an additional annual cost of: £152,519.25

The extension for each individual contract will be made under existing terms and conditions, and budgetary provision is available within the 'Accommodation and Support' budget.

FORWARD PLAN KEY DECISION REFERENCE NO. 4720HGS

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.

1. RECOMMENDATIONS

The Leader of the Council has delegated to the Cabinet Member for Homes and Gateway Services in consultation with the Cabinet Member for Finance and Resources the power to make the decisions to extend by way of variation in accordance with Regulation 30 of the Council's Tenders and Contracts Regulations:

- 1.1 The 'Palmer House' contract (procured via the Integrated Framework Agreement) awarded to Evolve Housing & Support for an extension period of 13 months to 30th June 2021 at a cost of £394,153 for a maximum aggregated contract value of £2,213,318.
- 1.2 The 'Alexandra House' contract (procured via the Integrated Framework Agreement) awarded to Evolve Housing & Support for an extension period of 13 months to 30th June 2021 at a cost of £233,064 for a maximum aggregated contract value of £1,308,744.
- 1.3 The 'Ingram Court' contract (procured via the Integrated Framework Agreement) awarded to Evolve Housing & Support for an extension period of 13 months to

30th June 2021 at a cost of £311,895 for a maximum aggregated contract value of £1,751,410.

- 1.4 The 'Fitze Millennium' contract awarded to Evolve Housing & Support for an extension period of 13 months to 30th June 2021 at a cost of £152,519.25 for a maximum aggregated contract value of £856,454.25.
- 1.5 To note a report detailing commissioning intentions, procurement strategy and any specific arrangements to end current contracts will be presented to Cabinet Member for Families, Health and Social Care, Cabinet Member for Children's, Young People and Learning, Cabinet Member Homes and Gateway Services and the Cabinet Member for Finance and Resources in November.

2. EXECUTIVE SUMMARY

- 2.1 In order to provide strategic oversight of the individual contracts this report proposes to extend with the single incumbent provider, all current contracts have been included within this report. Each contract is separate with their own set of terms & conditions procured via the Integrated Framework Agreement, therefore, will be extended & governed on an individual basis.

- 2.2 The Council has a statutory duty to provide access to these services as outlined within The Homelessness Reduction Act 2017. The Council must provide access to emergency and temporary accommodation.

- 2.3 In order to fulfil the statutory duty The Council has commissioned four separate services, each with an individual contract in place:

Two hostels provide vital services for single adults who are homeless;

- a) 'Palmer House' currently provided by Evolve Housing & Support.
- b) 'Alexandra House' currently provided by Evolve Housing & Support.

Two hostels provide vital services for young people who are at risk of homelessness and rough sleeping from the ages of 16-29;

- c) 'Fitze Millennium' currently provided by Evolve Housing & Support.
- d) 'Ingram Court' currently provided by Evolve Housing & Support.

- 2.4 Evolve has provided a satisfactory service over the last few years, with the hostels offering a supportive environment for people to stay. The occupancy rates across the 204 commissioned beds in the four hostels average at 96.1%. The service could be more flexible and allow other providers to operate within the buildings to support individuals.

- 2.5 However, this contract has breached Public Contract Regulations by extending beyond the original agreed extension period. There has been insufficient oversight on our housing support contracts and more contract management resource has now been allocated to undertake a strategic commissioning review across all related contracted provision. Extending the

current arrangements will allow full consultation with stakeholders as part of the review. Recommissioning next year will give an opportunity to revisit the service delivered, guarantee the best value for money outcome as well as ensure we are compliant with contract regulations. Extending the current arrangements will also allow full consultation with service users to ensure that services remain fit for purpose and can be redesigned as required and appropriate.

- 2.6 There is budgetary provision within the service for each of the current contracts to continue. The commissioning work on these contracts is urgent and every effort will be made to complete recommissioning work before the recommended extension end date of 30 June 2021 and exit these agreements early. Any housing related support can be commissioned very quickly via the Dynamic Purchasing System set up earlier this year. A commissioning intentions report will go to Contracts and Commissioning Board and be discussed with relevant Cabinet Members by the end of November.
- 2.7 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB Approval Date	CCB ref. number
01/10/2020	CCB1615/20-21

3. DETAIL

Background

- 3.1 In 2013/14 the council, in partnership with the Croydon Clinical Commissioning Group, undertook a procurement exercise to establish an Integrated Framework Agreement (IFA) for care, support and health related services. This was designed to enable people to live independently in the community and/or stay within their own homes. The IFA was taken to CCB on 19th June 2014 and taken to Cabinet on the 14 July 2014. (KEY DECISION REFERENCE NO.: 1289; CCB APPROVAL REFERENCE NUMBER.: CCB0914/14-15)
- 3.2 The Council developed the IFA to bring together all community based social care services under a single arrangement (organised into specific 'Lots' and 'sub-Lots'). This approach was intended to provide the Council with a more coherent and joined up approach to providing services.
- 3.3 The original IFA came to an end on the 1st of October 2018 however the decision was made to extend the arrangement due to the lack of alternative options. An 18 month extension of the IFA was secured and this allowed the council to fulfil its statutory duties whilst the new Dynamic Purchasing System was being implemented. (KEY DECISION REFERENCE NO.: 2918FR, CCB APPROVAL REFERENCE NUMBER.: CCB1389/18-19). This extension expired on 1st April 2020.

For Publication

- 3.4 At the time the IFA was taken to cabinet, the total value of spend that fell under the auspices of the framework agreement was £86m over a 4 year period. This comprised of £78m from the Council for social care services and £8m from the CCG specifically for continuing health care services (which has never included any supported housing contracts). Although the Council has retained the option to purchase services outside the framework agreement and has done so to various degrees across all the services.
- 3.5 At the time the IFA was extended, spend by Croydon council (not including the CCG) was an estimated £72,337,496.06 which is under the £78m projected spend. The 18 month extension was expected to add a maximum value of up to £24,861,537.72 and take the aggregated total for the IFA to an estimated £97,199,033.78.
- 3.6 All four Evolve contracts were separately procured in 2015 from the aforementioned Integrated Framework Agreement for an original term of 5 years (3+2). The current and last term was due to end 31 May 2020 and the proposed extension will take the contract end date to 30th June 2021.

Context

- 3.7 The current contracts support a wide range of Croydon residents in order to access accommodation based housing support. Evolve Housing & Support provide access to a number of units. The specification for each of the units is highlighted within this report.
- 3.8 There are a number of key reasons Croydon residents become homeless, and this service is required:
- Loss of assured shorthold tenancy
 - Parental evictions
 - Conflicts with the family / relationship breakdown
- 3.9 Key statistics in relation to the four locations are below:

2019/20 Statistics	Palmer House	Alexandra House	Fitze Millennium	Ingram Court
Hostel capacity	60	80	80	44
No. commissioned beds	60	50	50	44
Average occupancy	95.8%	97.3%	94%	97.3%
No. new service users	57	54	35	60
No. open service users (Snapshot 31/3/20)	59	46	48	44
No. users at risk of homelessness, (figure taken is current residents and residents who have left.	111	107	86	105
Current Care Leavers who may require support in the future	0	0	0	5

For Publication

- 3.10 The four Evolve Hostels have supported 206 new individuals over 2019/20. Average occupancy is over 95% and any void periods are mostly due to maintenance (cleaning and repairing rooms for future use). The numbers of rough sleepers has risen from 157 to 274 in five years (2014 to 2019). The trends have continued in 2019 to 2020. In March and April 2020 rough sleeping figures increased by approximately 500%. Rough sleepers are defined for the purpose of the statistics as "people sleeping, or bedded down, in the open air (such as on the streets, or in doorways, parks or bus shelters); people in buildings or other places not designed for habitation (such as barns, sheds, car parks, cars, derelict boats).

The Homelessness Reduction Act 2017

- 3.11 There are three key duties that this Act places upon Local Authorities:
- Prevention: Councils must take reasonable steps to either help their residents to stay in their current accommodation or help them to secure new accommodation. All eligible households, regardless of priority need, intentionality, or local connection must be helped by the Council.
 - Relief: Councils must take reasonable steps to help secure accommodation for any residents who are eligible, regardless of priority need. Residents in priority need are provided with interim accommodation, and the Local Authority must resolve their homelessness.
 - Refer: Public authorities in England must notify the relevant Local Authority of service users that they believe are either homeless or are at risk of homelessness.
- 3.12 These hostels contribute to discharge of our duties by providing accommodation and support that prevents and relieves current and future homelessness by equipping vulnerable homeless individuals with independent living skills and enabling them to move onto independent living.

The provider

- 3.13 Evolve is a leading homelessness charity in London, providing housing and support to over 2,000 people each year. Their aim is to help children, young people and adults who are homeless or at risk of homelessness to become independent and resilient. Evolve began as Croydon YMCA which was first formed in 1861. They rebranded in 2015 and became Evolve Housing & Support. Evolve provides support in the London Boroughs of Bromley, Croydon, and Lambeth, Lewisham, Merton, Wandsworth and the Royal Borough of Kensington and Chelsea and Kingston-Upon-Thames. The also contracted with Croydon

The services

- 3.14 All of the services listed below are monitored quarterly and performing satisfactorily. The provider does not allow other providers to operate within the buildings. The intention is for closer monitoring of these services, an improved set of KPIs and support increased flexibility of the provider.
- 3.15 **Palmer House** - Accommodation based support for 60 people. The service is intended to be short term, approximately one year and will be a safe environment for those with complex needs to access support and have opportunity to make positive choices and changes. The culture and ethos of the project is that it is a 'Place of Change'. Customers will be both supported and challenged to make positive steps however small or large these may be. The service offers flexibility in response to the needs of service users. This includes recognition that the support needs of service users will not conform to a normal 9-5 working day and requires support outside of these hours. The service will provide 24hr staffing in recognition of the nature of the client group.
- 3.16 **Alexandra House** - Accommodation based support for 50 people. A Supported housing scheme for homeless adults providing step down services onto alternative accommodation post tenure. The service offers flexibility in response to the needs of service users. This includes recognition that the support needs of service users will not conform to a normal 9-5 working day and require support outside of these hours. The service provides 24hr cover in recognition of the nature of the client group.
- 3.17 **Fitze Millennium** - Accommodation based supported housing service, for young people aged 18-30. Service users include care leavers who are Croydon residents in need of housing related support to enable them to return to the family home or move on to their own accommodation. Fitze Millennium is a short term service which provides 50 self-contained shared accommodation units for up to 2 years. A further 30, unsupported, step-down units are available within the service, however, these are not commissioned by the Council but are available for use solely by the same client group.
- 3.18 **Ingram Court** - Accommodation based supported housing service, for children and young people aged 16-24. Service users include care leavers who are Croydon residents who are in need of housing related support to enable them to return to the family home or move on to their own accommodation. This is a short term service which provides 44 self-contained shared accommodation units to young people for up to 1 year. A short term assessment centre is included within the 44 units. Due to the nature of the client group, the service provides 24 hour working cover. The service supports young people to be aspirational about maximising their independence and referring them to local or alternative services, where necessary.

Rationale for the contract extensions and future commissioning proposal

- 3.19 **Service Stability:** Extending the current contracts for a period of 13 months will provide stability for service users whilst future commissioning intentions are fully discussed and explored. The Local Authority currently commissions a number of services from Evolve, therefore, there is also a responsibility to ensure stability of the local supplier during the exit & transition period.
- 3.20 **Fulfil the Statutory requirement:** The current contracts are due to expire. There is a statutory requirement to ensure Croydon residents have access to the services that are provided. Extending the current contracts will enable the Local Authority to fulfil the statutory obligation.
- 3.21 **Undertake an options appraisal & needs analysis:** Extending the current arrangements will enable sufficient time to undertake a full options appraisal and needs analysis in relation to the future service delivery. This will not be possible unless the current arrangements are extended particularly when having to consider the continuation of statutory service provision and increase in demand.
- 3.22 **Strive towards outstanding:** During the recent Ofsted inspection (February 2020) it was identified that services for homeless 16-17 years olds are significantly underdeveloped and results in poor experiences for young people. Whilst steps have been taken to address individual issues there is still work to be done to ensure greater oversight and strategic direction. Extending the current arrangements will allow time to appropriately plan and implement new arrangements to address these issues as we continue the journey to become outstanding. The support in Ingram Court is part of the borough's offer for 16 to 17 year olds and will be looked as part of this improvement.

Future Proposal

- 3.23 Should it be agreed to extend the current individual contracts until 30th June 2021, it will allow sufficient time to undertake the following:
- **By November 2020:** Undertaking of full options appraisal and review of services. Options include open procurement of existing service model, developing a new service model amalgamating existing individual specifications and delivering more service in-house. The commissioning intentions will go to Contracts and Commissioning Board by the end of November. This report will include details about the end of the current contract and how transition arrangements will be managed.
 - **January to March 2021:** Tender process (if applicable) undertaken
 - **March/April 2021:** Appropriate exit and step down arrangements to be put in place for existing contracts
 - **April/May 2021:** Relevant service structures to be in place to manage the proposed in house service and out-sources provision
 - **1st June 2021:** New service(s) go live.

4. CONSULTATION

- 4.1 Consultation with key senior stakeholders has taken place including The Head of Homelessness and Housing Need, Single Homeless Service manager, Lead co-ordinator Gateway Rough Sleeping, Executive Director - Children, Families and Education, Head of SPOC and Assessments and Head of Adolescent Services.
- 4.2 Stakeholders are in agreement that service delivery needs to be maintained in order to meet statutory duties to accommodate vulnerable young people whilst these implications are clarified.
- 4.3 The current service provider, Evolve, has been consulted and they are agreeable to the 13-month extension of the above mentioned individual contracts.
- 4.4 Further consultation will form part of the re-commissioning of the contracts in the future. This will include market engagement and consultation with all stakeholders. This will be discussed further in the subsequent future RP1 & RP2 reports.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

Revenue and Capital consequences of report recommendations

Note: Each individual contract is separate, however, for the purpose of demonstrating the financial impact on the budget a combined total has been illustrated:

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2020/21	2021/22	2022/3	2023/24
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure	840	251	na	na
Income				
Effect of decision from report				
Expenditure	840	251		
Income	n/a	Na		
Remaining budget	0	0		

The effect of the decision

- 5.1 The proposal is for the existing individual contracts to be extended for 13 months by way of variation. This will be in line with the Council's standard terms and conditions that are currently in place for each separate service.
- 5.2 The service has budget available for the continuation of the current individual contracts within the total accommodation budget of £2.648m in the Gateway Service Improvement department
- 5.3 There is no impact upon service delivery as a result of implementing the proposed extension.
- 5.4 Evolve support the proposed extension for a period of up to 13 months.

Risks

- 5.5 The following risks have been identified and are being actively managed within the service:

Risk	Mitigation
Risk that the services do not deliver	<p>The individual contracts are rigorously monitored with challenging standards, targets and performance indicators that should mitigate against non-delivery.</p> <p>Performance will continue to be monitored during the extension period and the potential exit process.</p>
Risk of challenge from another supplier	<p>Officers recognise that the current proposals are not compliant with Public Contracting Regulation 72. There is therefore a potential risk of challenge from suppliers, however, this is deemed relatively low given the duration and value of the proposed extension.</p> <p>The COVID-19 pandemic, and the activity that ensued meant that the timely work that was supposed to be completed for March 2020 was not completed in time, however it also has afforded some flexibility around procurement regulations.</p> <p>In any event, following the expiry of the proposed extension period the aim is to either bring the service in house, or to retender via an open procurement exercise that will help mitigate any potential risk.</p> <p>Should the service be retendered then there is a current DPS that could potentially have an additional lot added. Should this be the case then services can be recommissioned quickly via this approach.</p>

	The service will begin engaging with the market in the coming months and options will be fully explored in subsequent RP1 & RP2 reports.
--	--

Options

- 5.6 The following options have been considered and rejected. Please refer to section 12 within this report for further detail.
- Don't extend the current individual contracts: **Rejected**
 - Immediately re procure the services : **Rejected**
 - Extend the individual contracts with the incumbent provider: **Recommended**

Future savings/efficiencies

- 5.7 The extension will allow for a review of the services and re-alignment to meet statutory obligations, and changing need as well as address the issues highlighted by Ofsted. The review will also take into account opportunities for future savings/efficiencies.
- 5.8 The most severe extent of homelessness or rough sleeping can cost up to £20,000 per person per year. (At What Cost, Crisis 2015).
- 5.9 Services that relieve and prevent homelessness, and, it's most severe form, rough sleeping can create savings to the public purse, particularly when considering the impact upon other Council and public bodies.
- 5.10 Future savings and/or efficiencies will be considered fully as part of the commissioning process for the future service provision from the expiry of these current contracts.
- 5.11 The RP1 'Make or Buy' report at that stage will explore the options to secure the future provision to ensure that the Council is achieving the best Value for Money from a new service to be in place from the expiration of these proposed extensions.

Approved by: Sarah Attwood on behalf of Josephine Lyseight, Head of Finance (Health, Wellbeing and Adults)

6. LEGAL CONSIDERATIONS

- 6.1 The legal considerations are as set out within this report.

Approved by Kiri Bailey, on behalf of Sean Murphy, Director of Law and Governance.

7. HUMAN RESOURCES IMPACT

- 7.1 There is no Human Resources impact as a result of this report as the current services will be awarded on existing terms and conditions to the incumbent providers for 13 months. If any issues arise these will be managed under the Council's policies and procedures.

Approved by: Deborah Calliste, Head of HR for Health, Wellbeing and Adults on behalf of the Director of Human Resources

8. EQUALITIES IMPACT

- 8.1 An equality analysis (EA) was carried out in October 2019 to ascertain the potential impact on protected groups.
- 8.2 The EA found no negative impact on any one groups that share protected characteristics, with no potential for discrimination. On the contrary it depicted the outcome of the extension lends itself to advancing equality and foster good relations - subject to continuing monitoring and review.
- 8.3 A revised EA will be completed as part of the project to renew or re procure the same contracts at the later date referenced in the report.

Approved by: Yvonne Okiyo, Equalities Manager

9. ENVIRONMENTAL IMPACT

- 9.1 It is considered that there are no increased or decreased environmental sustainability impacts, from the proposed contract extension contained in this report.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 It is considered that there are no increased or decreased crime & disorder impacts, from the proposed contract extension contained in this report.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 The proposed recommendation seeks to continue the Council's statutory duties to prevent and relieve homelessness and to ensure that the future service is fit for purpose.
- 11.2 The recommendations in this report allow for stability of current service delivery whilst enabling a robust, high quality commissioning strategy to be developed and implemented in relation to the future commissioning intentions.

12. OPTIONS CONSIDERED AND REJECTED

12.1 Options considered for each of the individual contracts are as follows,

- **‘Do Nothing’:** The current individual contracts would come to their natural conclusion, and there would be no future contract costs. In total 124 housing units for young people would be lost and The Council will retain a statutory duty to provide access to this provision. The short timescale to manage this transition risks delivery of a reduced service to vulnerable children and young people, a risk of failure to meet the Council’s statutory duties and failure to safeguard vulnerable young people. The likely consequence would be increased emergency accommodation, and an increase in “revolving door” homelessness and rough sleeping.
- **Re-procuring the services for 13 months:** The process of re-procuring the service through a competitive tender exercise would extend beyond the existing contract end date. Given the time constraints this will have a similar impact as described in Option 1
- **Extend the individual contracts with the incumbent provider for 13 months via contract variation:** This is the recommended option, allowing for continuation of service, discharge of statutory duties and a period of time to consider recommendations and reconfigure/re-align services in order to better meet the needs of Croydon residents.

13. DATA PROTECTION IMPLICATIONS

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

Yes

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

Yes

Approved by Julia Pitt – Director for Gateway Services

CONTACT OFFICER:	Rebecca Clews, Lead Coordinator ext. 62411
-------------------------	---

APPENDICES TO THIS REPORT:	None
-----------------------------------	------

BACKGROUND DOCUMENTS:	None
------------------------------	------

This page is intentionally left blank

REPORT TO:	Cabinet Member for Homes and Gateway Services
SUBJECT:	Homeless & Young People Services (16-24) – Individual Contract Extensions
LEAD OFFICER:	Guy Van Dichele, Executive Director of Health, Well Being and Adults Julia Pitt Director of Gateway
CABINET MEMBER:	Councillor Alison Butler, Cabinet Member for Homes and Gateway Services Councillor Simon Hall, Cabinet Member for Finance and Resources
WARDS:	ALL
<p>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON Corporate Plan for Croydon 2018-2022 This approach supports the following corporate priorities as set out in the Corporate Plan 2018-2022:</p> <p>Our Children and Young People thrive and reach their full potential – relieving homelessness and supporting young people to be aspirational, maximizing their independence and making sure they are safe, healthy and happy.</p> <p>Everybody has the opportunity to work and build their career - delivering services which provide holistic support for young people and help them into employment, education and support.</p> <p>Everyone feels safer in their street, neighborhood and home – providing specialist support for young offenders.</p> <p>Locality Matters: Develop services that are place based and integrated within their local community and tailored to local needs.</p>	

FINANCIAL IMPACT

The recommendation is in relation to 2 separate contracts and therefore a combined amalgamated value is not appropriate.

Extending the two separate contracts to the 30th June 2021 will have the following impact:

- CAYSH: 1st Base and Supported Accommodation'; Extension by variation of 15 months to 30/06/21 at an additional cost of: £184,727
- CAYSH: The Youth Offender Housing Support Service; Extension by variation of 15 months to 30/06/21 at an additional cost of: £43,348

The extension for each individual contract will be made under existing terms and conditions, and budgetary provision is available within the 'Accommodation and Support' budget.

FORWARD PLAN KEY DECISION REFERENCE NO.: 4620HGS

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.

1. RECOMMENDATIONS

The Leader of the Council has delegated to the Cabinet Member for Homes and Gateway Services in consultation with the Cabinet Member for Finance and Resources the power to make the decision to extend by way of variation in accordance with Regulation 30 of the Council's Tenders and Contracts Regulations:

- 1.1 The '1st Base and Supported Accommodation' contract in accordance with Regulation 30 of the Council's Tenders and Contracts Regulations awarded to CAYSH for an extension period of 15 months to 30th June 2021 at a cost of £184,727 for a maximum aggregated contract value of £1,775,239.
- 1.2 To note a report detailing commissioning intentions, procurement strategy and any specific arrangements to end current contracts will be presented to Cabinet Member for Families, Health and Social Care, Cabinet Member for Children's, Young People and Learning, Cabinet Member Homes and Gateway Services and the Cabinet Member for Finance and Resources in November.

2. EXECUTIVE SUMMARY

- 2.1 In order to provide strategic oversight of the individual contracts this report proposes to extend with the single incumbent provider, two current contracts have been included within this report. Each contract is separate with their own set of terms & conditions, therefore, will be extended and managed on an individual basis.
- 2.2 The Council has a statutory duty to support a wide range of Croydon residents who are either homeless or at risk of homelessness from the ages of 16 to 24 as outlined within The Homeless Reduction Act 2017.
- 2.3 In order to fulfil the statutory duty and meet the requirements, the Council has commissioned two separate services, each with an individual contract in place:

For Publication

- a) '1st Base and Supported Accommodation' currently provided by CAYSH. A service providing accommodation based housing related support within a family home environment for young people aged 16 – 24. This contract is currently held by adults commissioning.
 - b) 'The Youth Offender Housing Support Service' currently provided by CAYSH. A housing related support service for young offenders. This contract is currently held by children's commissioning.
- 2.4 During the recent Ofsted inspection in February 2020 it was identified that services for homeless 16-17 years olds are significantly underdeveloped and results in poor experiences for young people.
- 2.5 CAYSH has provided a satisfactory service over the last few years for the two contracts listed. The Supported Accommodation service has reduced its scope bringing a reduction in contract value but reducing capacity. For the Youth Offending Housing Support Service, legislation and changed and a different model is needed.
- 2.6 Both of the contracts have breached Public Contract Regulations by extending beyond the original agreed extension period. There has been insufficient oversight on our housing support contracts and more contract management resource has now been allocated to undertake a strategic commissioning review across all related contracted provision. Extending the current arrangements will allow full consultation with stakeholders as part of the review.
- 2.7 Recommissioning next year will give an opportunity to revisit the service delivered, guarantee the best value for money outcome as well as ensure we are compliant with contract regulations. Extending the current arrangements will allow full consultation with service users to ensure that services remain fit for purpose and can be redesigned as required and appropriate. Extending the current arrangements will allow time to appropriately plan and implement new strategic arrangements in order to address the identified issues. An extension will also enable the Council to fulfil the statutory obligation (prevent and relieve homelessness) whilst minimising service disruption. A mixture of holistic recommissioning and in-housing will result in services that more effectively address these needs will be developed as soon as possible and well before contract expiry.
- 2.8 There is budgetary provision within the services for each of the current contracts to continue. The commissioning work on these contracts is urgent and every effort will be made to complete recommissioning work before the recommended extension end date of 30 June 2021 and exit these agreements early. Any housing related support can be commissioned very quickly via the Dynamic Purchasing System set up earlier this year. A commissioning intentions report will go to Contracts and Commissioning Board and be discussed with relevant Cabinet Members by the end of November.

For Publication

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

CCB Approval Date	CCB ref. number
01/10/2020	CCB1617/20-21

3. DETAIL

Background

- 3.1 In 2013/14 the council, in partnership with the Croydon Clinical Commissioning Group, undertook a procurement exercise to establish an Integrated Framework Agreement (IFA) for care, support and health related services. This was designed to enable people to live independently in the community and/or stay within their own homes. The IFA was taken to CCB on 19th June 2014 and taken to Cabinet on the 14th July 2014. (KEY DECISION REFERENCE NO.: 1289; CCB APPROVAL REFERENCE NUMBER: CCB0914/14-15)
- 3.2 The Council developed the IFA to bring together all community based social care services under a single arrangement (organised into specific 'Lots' and 'sub-Lots'). This approach was intended to provide the Council with a more coherent and joined up approach to providing services.
- 3.3 The original IFA came to an end on the 1st of October 2018 however the decision was made to extend the arrangement due to the lack of alternative options. An 18 month extension of the IFA was secured and this allowed the council to fulfil its statutory duties whilst the new Dynamic Purchasing System was being implemented. (KEY DECISION REFERENCE NO.: 2918FR, CCB APPROVAL REFERENCE NUMBER: CCB1389/18-19). This extension expired on 1st April 2020.
- 3.4 At the time the IFA was taken to cabinet, the total value of spend that fell under the auspices of the framework agreement was £86m over a 4 year period. This comprised of £78m from the Council for social care services and £8m from the CCG specifically for continuing health care services (which has never included any supported housing contracts). Although the Council has retained the option to purchase services outside the framework agreement and has done so to various degrees across all the services.
- 3.5 At the time the IFA was extended, spend by Croydon council (not including the CCG) was an estimated £72,337,496.06 which is under the £78m projected spend. The 18 month extension was expected to add a maximum value of up to £24,861,537.72 and take the aggregated total for the IFA to an estimated £97,199,033.78.
- 3.6 These 2 CAYSH contracts were separately procured in 2013 from the aforementioned Integrated Framework Agreement, as follows:

- a) '1st Base and Supported Accommodation' via a mini competition from the IFA for an original term of 2 years (1+1) at an original contract value of £228,667. There have been subsequent extensions outside of this term with the latest ending 31/03/2020. The current aggregated value of the contract is (excluding the proposed 15 month extension) £1,590,512.
- b) The Youth Offender Housing Support Service' previously awarded via a mini competition from the IFA at an original value of £228,667. There have been subsequent extensions outside of this term with the latest ending 31/03/2020. The current aggregated value of the contract (excluding the proposed 15 month extension) is £283,521.

3.7 Both services current and last term was due to end 31/03/20 and the proposed extensions will be deemed to have taken effect from 1st April 2020.

Context

3.8 The current contracts support a wide range of Croydon residents who are either homeless or at risk of homelessness from the ages of 16 to 24. Support can either be provided directly i.e. sourcing new accommodation or indirectly via information, advice and support.

3.9 There are a number of key reasons why this particular cohort becomes homeless or are at risk of homelessness within Croydon:

- Parental evictions
- Conflicts with the family
- Parents facing financial difficulties,
- Parental support needs
- Care Leavers

3.10 Key statistics in relation to this cohort from 2019/20 are as follows:

Overall CAYSH service user cohort	
Number of new service users	148
Number of open or repeat service users	211
Number of users at risk of homelessness	293
Number of users receiving advice/support (not homeless/at risk)	60
Current Care Leavers (age 17) who may require support in the future	163

The Homelessness Reduction Act 2017

3.11 There are three key duties that this Act places upon Local Authorities:

- Prevention: Councils must take reasonable steps to either help their residents to stay in their current accommodation or help them to secure new accommodation. All eligible households, regardless of priority need, intentionality, or local connection must be helped by the Council.
- Relief: Councils must take reasonable steps to help secure

accommodation for any residents who are eligible, regardless of priority need. Residents in priority need are provided with interim accommodation, and the Local Authority must resolve their homelessness.

- Refer: Public authorities in England must notify the relevant Local Authority of service users that they believe are either homeless or are at risk of homelessness.

The services

- 3.12 Established in 1981, CAYSH is a London-based charity delivering accommodation, advice and support services for young people facing homelessness. They also deliver the Young Person's Care Leavers Service and the Turnaround Centre drop-in service. These contracts have been operating for a similar length of time and the intention is to also extend till June 2021. CAYSH provides a safe place to stay for more than 250 young people who would otherwise be homeless every night. They also provide advice and guidance to thousands more facing homelessness and other challenges.
- 3.13 The services The Council has commissioned from CAYSH being discussed in this report are:

1st Base and Supported Accommodation

- 3.14 The service provides homelessness prevention, accommodation and support for children and young people, aged 16 – 24, including care leavers within a home environment.
- 3.15 The aim of the service is to:
- Enable young people to begin their pathway to living independently. developing their independent living skills;
 - Maintain their tenancies or return to the family home where relevant;
 - Prevent youth homelessness through providing emergency placement responses;
 - Find suitable alternative supported accommodation;
 - Provide a safe supportive environment for young people to build their self-esteem and confidence.
- 3.16 The Supported Lodgings Pathway consists of three stages, with varying levels of support and supported lodgings for young people with high support needs.
1. Stage One - First base Lodgings, provides an alternative intervention and initial assessment service for those Young People who are particularly vulnerable and not suitable to shared accommodation service model. The service has capacity to support 10 people at one time. 80% of service users the lodgings in 2020/21 moved onto stage 2 (32 out of 40).

2. Stage Two – General Supported Lodgings, provides a young person with a room within a family home where they are offered a range of support depending on their level of need. The service had capacity to support 40 people at one time. 16 service users left the service and 15 service users moved on in a planned into stage 3.
 3. Stage Three – Private Rented Sector, the young person would move into independent private rented sector accommodation with eight weeks access to floating support.
- 3.17 The service reports that the contract is currently service is performing adequately, however the number of available householders was not high enough for the Council's needs. This led to the provider giving a discount on the original contract price of £200,087 to £147,781, a saving of £52,300. Provision towards 16-17 year olds has also decreased dramatically. These issues are to be addressed in the recommissioning work.

The Youth Offender Housing Support Service

- 3.18 The Youth Offender Housing Support service works in partnership with Croydon Youth Offending Service (YOS) to provide a specialist outreach casework housing support for young people, aged 16 – 19, who are living with their families and need support to maintain living in the family home, or who are at risk of homeless on leaving an offender institution. The aim of the service is to provide flexible outreach response to enable and support young people through: developing independent living skills, the ability to maintain tenancies, and, providing floating support whilst in B&B and sofa surfing.
- 3.19 The service supports 15 people at one time and but again 'move-on' is an issue with only 10 service users moved on in a planned way. The current service is performing adequately, though changes in legislation since the inception of the role have seen the support worker's role drift dramatically to more generic housing prevention – for young people on remand for instance, a social worker is now a statutory requirement.

Rationale for the contract extensions and future commissioning proposal

- 3.20 **Service Stability:** Extending the current contracts for a period of 15 months will provide stability for service users whilst future commissioning intentions are fully discussed and explored. The Local Authority currently commissions a number of services from CAYSH, therefore, there is also a responsibility to ensure stability of the local supplier during the exit & transition period.
- 3.21 **Fulfil the Statutory requirement:** The current contracts have expired. There is a statutory requirement to ensure Croydon residents have access to the services that are provided. Extending the current contracts will enable the Local Authority to fulfil the statutory obligation.

- 3.22 **Undertake an options appraisal:** Extending the current arrangements will enable sufficient time to undertake a full options appraisal with regards to the future commissioning intentions. At present it is the intention to bring the services managed by children's services in house with the view to re procure for the adult service contracts. This will not be possible unless the current arrangements are extended particularly when having to consider the continuation of statutory service provision, how these processes can be embedded within the Local Authority BAU functions and the time required to undertake an appropriate procurement process.
- 3.23 **Strive towards outstanding:** During the recent Ofsted inspection (February 2020) it was identified that services for homeless 16-17 years olds are significantly underdeveloped and results in poor experiences for young people. Whilst steps have been taken to address individual issues there is work to be done to ensure greater oversight and strategic direction. Extending the current arrangements will allow time to appropriately plan and implement new arrangements to address these issues as we continue the journey to become outstanding. Of particular note for this service is the need for any supported housing and homelessness prevention services to interface effectively with our offer to 16 and 17 year old homeless young people, and care leavers aged 16-25 who need further support at various levels before moving on to long-term tenancies with less support, or full independence if they are ready. Our plans below, which are a mixture of holistic recommissioning and in-housing will result in services that more effectively address these needs.

Future Proposal

- 3.24 Should it be agreed to extend the current individual contracts until 30 June 2021, then it will allow sufficient time for 1st Base Supported Lodgings to be re procured with new contracts in place by 1 July 2021 at the latest. The timetable is as follows:
- **By November 2020:** Undertaking of full options appraisal and review of services. Options include open procurement of existing service model, developing a new service model amalgamating existing individual specifications and delivering more service in-house. The commissioning intentions will go to Contracts and Commissioning Board by the end of November. This report will include details about the end of the current contract and how transition arrangements will be managed.
 - **January to March 2021:** Tender process (if applicable) undertaken
 - **March/April 2021:** Appropriate exit and step down arrangements to be put in place for existing contracts
 - **April/May 2021:** Relevant service structures to be in place to manage the proposed in house service and out-sources provision
 - **1 July 2021:** New service(s) go live.
- 3.25 The Youth Offender Housing Support Service will likely be brought in-house over the next few months so that contract will be ended early.

4. CONSULTATION

- 4.1 Consultation with key senior stakeholders has taken place including The Head of Homelessness and Housing Need, Single Homeless Service manager, Lead co-ordinator Gateway Rough Sleeping, Executive Director - Children, Families and Education, Head of SPOC and Assessments and Head of Adolescent Services.
- 4.2 Stakeholders are in agreement that service delivery needs to be maintained in order to meet statutory duties to accommodate vulnerable young people whilst these implications are clarified.
- 4.3 The current service provider, CAYSH, has been consulted and they are agreeable to the 15-month.
- 4.4 Further consultation will form part of the re-commissioning of the contracts in the future. This will include market engagement and consultation with all stakeholders. This will be discussed further in the subsequent future RP1 & RP2 reports.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

Revenue and Capital consequences of report recommendations

Note: Each individual contract is separate, however, for the purpose of demonstrating the financial impact on the budget a combined total has been illustrated:

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2020/21	2021/22	2022/3	2023/24
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure	182	46	na	na
Income				
Effect of decision from report				
Expenditure	182	46		
Income	na	na		
Remaining budget	0	0		

The effect of the decision

- 5.1 The proposal is for the existing individual contracts to be extended for 15 months by way of variation. This will be in line with the Council's standard terms and conditions that are currently in place for each separate service.
- 5.2 The impact on the current individual contracts is as follows:
- 1st Base and Supported Accommodation'; Extension by variation of 15 months at an additional cost of: £184,727. This will increase the current value from £1,590,512 to **£1,775,239** (12% increase)
 - The Youth Offender Housing Support Service; Extension by variation of 15 months at an additional cost of: £43,348. This will increase the current value from £283,521 to **£326,869** (15% increase)
- 5.3 CAYSH is a London Living Wage Supplier, however when the contract was first procured, the requirement was not present. CAYSH have subsequently, met the requirement for London Living Wage, and their contract costs were uplifted accordingly to the amount currently quoted. The cost is included within the proposed extension values highlighted within this report:

Contract title	Original Contract Values (2013)	% increase from original value	Current uplifted Contract Cost	Cost for the 15 month extension
YOS Housing Support	£33,390	3.86	£34,679	£43,348

- 5.4 The service has budget available for the continuation of the current individual contracts and the proposed increases within the Supported Accommodation budget of £2.648m within the Gateway Service Improvement department.
- 5.5 There is no impact upon service delivery as a result of implementing the proposed extension.
- 5.6 CAYSH support the proposed extension for a period of up to 15 months.

Risks

- 5.7 The following risks have been identified and are being actively managed within the service:

Risk	Mitigation
Risk that the services do not deliver	<p>The individual contracts are rigorously monitored with challenging standards, targets and performance indicators that should mitigate against non-delivery.</p> <p>Performance will continue to be monitored during the extension period and the potential exit process.</p>

	<p>As part of the extension a 3 month break clause will be included within the contract, which will allow the Council to terminate services prior to the expiry of the requested extension should this be required.</p>
Risk of challenge from another supplier	<p>Officers recognise that the current proposals are not compliant with Public Contracting Regulation 72. There is therefore a potential risk of challenge from suppliers, however, this is deemed relatively low given the duration and value of the proposed extension.</p> <p>The COVID-19 pandemic, and the activity that ensued meant that the timely work that was supposed to be completed for March 2020 was not completed in time, however it also has afforded some flexibility around procurement regulations.</p> <p>In any event, following the expiry of the proposed extension period the aim is to either bring the service in house, or to retender via an open procurement exercise that will help mitigate any potential risk.</p> <p>Should the service be retendered then there is a current DPS that could potentially have an additional lot added. Should this be the case then services can be recommissioned quickly via this approach.</p> <p>The service will begin engaging with the market in the coming months and options will be fully explored in subsequent RP1 & RP2 reports.</p>
Council staffing & resources	<p>There is some risk to completing the options appraisal, review and insourcing proposals within the extended timeframe as this will impact 2 statutory services. There is currently insufficient resource within Gateway to deliver future proposals. This will require strong project management, alignment, a clear strategic direction and a commitment from both services to resource the project appropriately.</p>
Slippage in timescales, leading to a further extension being required	<p>The in sourcing of the children's element will have a dedicated officer and will be overseen by the C&I division with regular meetings and milestone meetings held with the service in relation to progress.</p> <p>There is now an identified officer who will oversee the re-procurement of the services required to meet the needs of adults. This will be managed within the C&I division.</p>

Options

5.8 The following options have been considered and rejected. Please refer to section 12 within this report for further detail.

- Don't extend the current individual contracts: **Rejected**
- Immediately re procure the services : **Rejected**
- Extend the individual contracts with the incumbent provider:
Recommended

Future savings/efficiencies

5.9 The extension will allow for a review of the services and re-alignment to meet statutory obligations, and changing need as well as address the issues highlighted by Ofsted. The review will also take into account opportunities for future savings/efficiencies.

5.10 The most severe extent of homelessness or rough sleeping can cost up to £20,000 per person per year. (At What Cost, Crisis 2015).

5.11 Services that relieve and prevent homelessness, and, it's most severe form, rough sleeping can create savings to the public purse, particularly when considering the impact upon other Council and public bodies.

5.12 Whilst the cost of homelessness is difficult to quantify (as it is dependent upon the length of time the homeless household is homeless, occupies temporary accommodation, and their support needs) it is envisaged that reviewing the current services and/or bringing all or parts of the service in house will generate longer term savings and efficiencies for the Council.

5.13 Future savings and/or efficiencies will be considered fully as part of the commissioning process for the future service provision from the expiry of these current contracts.

5.14 The RP1 'Make or Buy' report at that stage will explore the options to secure the future provision to ensure that the Council is achieving the best Value for Money from a new service to be in place from the expiration of these proposed extensions.

Approved by: Sarah Attwood on behalf of Josephine Lyseight, Head of Finance (Health, Wellbeing and Adults)

6. LEGAL CONSIDERATIONS

6.1 The legal considerations are as set out within this report.

Approved by Kiri Bailey, on behalf of Sean Murphy, Director of Law and Governance

7. HUMAN RESOURCES IMPACT

- 7.1 This report makes recommendations involving service provision changes which are likely to invoke the effects of the Transfer of Undertakings (Protection of Employment) Regulations 2005 (TUPE). However, where activities are “fundamentally not the same”, TUPE may not apply, as provided for by the 2014 amendments to the Transfer of Undertakings (Protection of Employment) 2006 Legislation.
- 7.2 In this case, it is expected that the staff currently working for CAYSH on the Croydon contract will transfer to the Council under TUPE, where it applies. Once a formal decision is made, the Council will engage with the Transferor (the current employer) to assess the full implications of TUPE. The Council will ensure that the appropriate TUPE protocols are applied; particularly the duty to consult with the recognised trade unions and affected staff groups.

Approved by: Deborah Calliste, Head of HR for Health, Wellbeing and Adults on behalf of the Director for Human Resources

8. EQUALITIES IMPACT

- 8.1 A full EIA for the IFA was previously carried out prior to the tender in 2014. At the time, the award of this contract was deemed to enable service users to live more fulfilling independent lives and would incorporate an outcomes based approach so that providers are focused on the achievement of goals for service users rather than creating dependency.
- 8.2 As a full equalities impact assessment was completed in 2014 prior to tender and as any call off or extension would be a continuation of the same T&C's with the same providers, no new assessment is required.
- 8.3 A revised EA will be completed as part of the project to re-procure the same contracts at the later date referenced in the report. Renewed/re-procured contracts will include equalities clauses/requirements to ensure providers are supporting the council to meet the public sector equality duty.
- 8.4 We will ensure further consultation is accessible and includes all service users to ensure that services remain fit for purpose and can be redesigned as required and appropriate for all. Any equality and inclusion issues and findings will be incorporated and addressed in the revised EA.

Approved by: Yvonne Okiyo, Equalities Manager

9. ENVIRONMENTAL IMPACT

- 9.1 It is considered that there are no increased or decreased environmental sustainability impacts, from the proposed contract extension contained in this report.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 It is considered that there are no increased or decreased crime & disorder impacts, from the proposed contract extension contained in this report.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 The proposed recommendation seeks to continue the Council's statutory duties to prevent and relieve homelessness and to ensure that the future service is fit for purpose.
- 11.2 The recommendations in this report allow for stability of current service delivery whilst enabling a robust, high quality commissioning strategy to be developed and implemented in relation to the future commissioning intentions.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 Options considered for each of the individual contracts are as follows,
- **'Do Nothing'**: The current individual contracts would come to their natural conclusion, and there would be no future contract costs. The Council will retain a statutory duty to provide advice on the prevention of homelessness, and to assess its statutory duties within children's and homelessness legislation. The short timescale to manage this transition risks delivery of a reduced service to vulnerable children and young people, a risk of failure to meet the Council's statutory duties and failure to safeguard vulnerable young people.
 - **Re-procuring the services for 15 months**: The process of re-procuring the service through a competitive tender exercise would extend beyond the existing contract end date. Given the time constraints this will have a similar impact as described in Option 1
 - **Extend the individual contracts with the incumbent provider for 15 months via contract variation**: This is the recommended option, allowing for continuation of service, discharge of statutory duties and a period of time to consider recommendations and reconfigure/re-align services in order to better meet the needs of Croydon residents.

13. DATA PROTECTION IMPLICATIONS

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

Yes

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

Yes

Approved by Julia Pitt – Director for Gateway Services

CONTACT OFFICER: Rebecca Clews, Lead Coordinator
ext. 62411

APPENDICES TO THIS REPORT: None

BACKGROUND DOCUMENTS: None

This page is intentionally left blank

REPORT TO:	Cabinet Member for Homes and Gateway Services
SUBJECT:	Contract extensions for Hostel Accommodation and Support Services for Ex-Offenders
LEAD OFFICER:	Guy Van Dichele, Executive Director of Health, Well Being and Adults Julia Pitt Director of Gateway
CABINET MEMBER:	Councillor Alison Butler, Cabinet Member for Homes and Gateway Services Councillor Simon Hall, Cabinet Member for Finance and Resources
WARDS:	All
<p>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON Corporate Plan for Croydon 2018-2022 This approach supports the following corporate priorities as set out in the Corporate Plan 2018-2022: Everybody has the opportunity to work and build their career - delivering services which provide holistic support for young people and help them into employment, education and support. Everyone feels safer in their street, neighborhood and home – providing specialist support for offenders. Locality Matters: Develop services that are place based and integrated within their local community and tailored to local needs.</p>	
<p>FINANCIAL IMPACT Extending the ‘<i>Hostel Accommodation and Support Services for Ex-Offenders</i>’ contract, by way of variation, for 10 months to 30/06/21, at an additional annual cost of £131,560.00, will increase aggregated value of the contract to £828,828.00. The extension will be made under existing terms and conditions, and budgetary provision is available within the ‘Accommodation and Support’ budget.</p>	
FORWARD PLAN KEY DECISION REFERENCE NO. Not a key decision	

1. RECOMMENDATIONS

The Leader of the Council has delegated to the Cabinet Member for Homes and Gateway Services in consultation with the Cabinet Member for Finance and Resources the power to make the decision to extend by way of variation in accordance with Regulation 30 of the Council's Tenders and Contracts Regulations:

- 1.1 The 'Hostel Accommodation and Support Services for Ex-Offenders' contract awarded to Home Group for an extension period of 10 months to 30th June 2021 at cost of £131,560.00 and a maximum aggregated contract value of £828,828.00.
- 1.2 To note a report detailing commissioning intentions, procurement strategy and any specific arrangements to end current contracts will be presented to Cabinet Member for Families, Health and Social Care, Cabinet Member for Children's, Young People and Learning, Cabinet Member Homes and Gateway Services and the Cabinet Member for Finance and Resources in November.

2. EXECUTIVE SUMMARY

- 2.1 This paper outlines the rationale and seeks approval for extending the current contract arrangements with Home Group by way of variation until 30 June 2021. The Council has a statutory duty to provide support for those at risk of homelessness, as outlined within The Homelessness Reduction Act 2017. The Council must provide access to emergency and temporary accommodation including for ex-offenders at high risk of homelessness.
- 2.2 In order to fulfil the statutory duty the Council has commissioned Home Group to ensure ex-offenders have somewhere to stay on release from prison. Under the terms of the contract, Home Group are required to supply 176 hours weekly of housing related support to male ex-offenders over the age of 21, who have medium to high support needs. This service aims to meet the service users' needs by:
 - Developing a support plan which meets their short and long term goals and aspirations.
 - Promote and achieve wellbeing in relation to mental and physical health.
 - Engage in meaningful day time activities by engage in training and education, have improved work skills and including hobbies/ leisure activities.
 - Maintain healthy relationships by establishing life skills
 - Improve economic wellbeing.
- 2.3 Home Group has provided a satisfactory service over the last few years. The service does meet the KPIs set for a challenging client group. There is a lack

For Publication

of flexibility in the service offered and low numbers of people moving on to more independent settings.

- 2.4 This contract has breached Public Contract Regulations by extending beyond the original agreed extension period. While the COVID-19 pandemic has been a contributory factor in a causing commissioning delay to this extension, there has been insufficient oversight on this contract. More contract management resource has now been allocated to undertake a strategic commissioning review across all related contracted provision. Extending the current arrangements will allow full consultation with stakeholders as part of the review. Recommissioning next year will give an opportunity to revisit the service delivered, guarantee the best value for money outcome as well as ensure we are compliant with contract regulations.
- 2.5 There is budgetary provision within the service for this contract will continue but the budget position will be reviewed for next year. The commissioning work on these contracts is urgent and every effort will be made to complete recommissioning work before the recommended extension end date of 30 June 2021 and exit these agreements early. Any housing related support can be commissioned very quickly via the Dynamic Purchasing System set up earlier this year. A commissioning intentions report will go to Contracts and Commissioning Board and be discussed with relevant Cabinet Members by the end of November.
- 2.6 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB Approval Date	CCB ref. number
01/10/2020	CCB1616/20-21

3. DETAIL

Background

- 3.1 In 2013/14 the council, in partnership with the Croydon Clinical Commissioning Group, undertook a procurement exercise to establish an Integrated Framework Agreement (IFA) for care, support and health related services. This was designed to enable people to live independently in the community and/or stay within their own homes. The IFA was taken to CCB on 19 June 2014 and taken to Cabinet on the 14th July 2014. (KEY DECISION REFERENCE NO.: 1289; CCB APPROVAL REFERENCE NUMBER.: CCB0914/14-15)
- 3.2 The Council developed the IFA to bring together all community based social care services under a single arrangement (organised into specific 'Lots' and 'sub-Lots'). This approach was intended to provide the Council with a more coherent and joined up approach to providing services.

For Publication

- 3.3 The original IFA came to an end on the 1 October 2018 however the decision was made to extend the arrangement due to the lack of alternative options. An 18 month extension of the IFA was secured and this allowed the council to fulfil its statutory duties whilst the new Dynamic Purchasing System was being implemented. (KEY DECISION REFERENCE NO.: 2918FR, CCB APPROVAL REFERENCE NUMBER.: CCB1389/18-19). This extension expired on 1 April 2020.
- 3.4 At the time the IFA was taken to cabinet, the total value of spend that fell under the auspices of the framework agreement was £86m over a 4 year period. This comprised of £78m from the Council for social care services and £8m from the CCG specifically for continuing health care services (which has never included any supported housing contracts). Although the Council has retained the option to purchase services outside the framework agreement and has done so to various degrees across all the services.
- 3.5 At the time the IFA was extended, spend by Croydon council (not including the CCG) was an estimated £72,337,496.06 which is under the £78m projected spend. The 18 month extension was expected to add a maximum value of up to £24,861,537.72 and take the aggregated total for the IFA to an estimated £97,199,033.78.
- 3.6 The Hostel Accommodation and Support Services for Ex-Offenders contract, was called off from the IFA in 2017 for an original term of 3 years (1+1+1). The current and last term ended on the 31/03/2020.
- 3.7 In January 2020 a short five month extension by way of direct delegated award was agreed. This was signed and agreed by Julia Pitt on the basis that it would provide a smoother transition and ensure that statutory duties are met while a re-procurement was completed through the new Dynamic Purchasing System.
- 3.8 With a number of similar contracts expiring in the same year it is recommended that the contract would be extended until end of 2021 with this proposed extension to take effect from 1 September 2020. This is to allow all similar contracts to go through a full consultation with stake holders to ensure that services remain fit for purpose and can be redesigned as required and appropriate.

The service

- 3.9 This service contributes to discharge of our duties by providing accommodation and support that prevents and relieves current and future homelessness/rough sleepers by equipping vulnerable homeless individuals with independent living skills and enabling them to move onto independent living. This service is vital for the on-going safety of Croydon residents through the provision of accommodation which includes targeted support for positive move on and life skills for people leaving prison (males 21 years old plus).

For Publication

- 3.10 Key statistics in relation to the current service users from the following year are as follows:

Number of new service users	13
Number of open service users (31/3/20)	11
Number of users at risk of homelessness, (figure taken is current residents and residents who have left.	26

- 3.11 As of 24 September there are 9 people on the waiting list for this service. For service users accessing the service. The service can support people for up to one year through tailored support plans to identify and develop their skills to live independently and avoid re-offence. 15 service users left the service last year with 9 supported to move on in a planned way. They offer support in helping to build self-confidence and self-esteem as well as help service users to access specialist support in a number of areas including: mental health, alcohol and substance misuse and support around addressing offending behaviour. The service does meet the KPIs set but there is some risk avoidance and inflexibility from the provider which is being addressed.

The Homelessness Reduction Act 2017

- 3.12 There are three key duties that this Act places upon Local Authorities:
- Prevention: Councils must take reasonable steps to either help their residents to stay in their current accommodation or help them to secure new accommodation. All eligible households, regardless of priority need, intentionality, or local connection must be helped by the Council.
 - Relief: Councils must take reasonable steps to help secure accommodation for any residents who are eligible, regardless of priority need. Residents in priority need are provided with interim accommodation, and the Local Authority must resolve their homelessness.
 - Refer: Public authorities in England must notify the relevant Local Authority of service users that they believe are either homeless or are at risk of homelessness.

The provider

- 3.13 Home Group is one of the UK's largest Housing Association providers and have been providing housing and integrated housing health and social care for over 80 years. Currently Home Group have 110,000 people living within their 55,000 homes across England and Scotland but do not have any further contracts in Croydon. Home Group do not have any other contracts with Croydon.

Rationale for the contract extensions and future commissioning proposal

- 3.14 **Service Stability:** Contract such as this should not be extended for such a length of time, delaying the opportunity to revisit the service specification and run a competitive process. By extending the current contract for a period of ten months will provide stability for service users whilst future commissioning intentions are fully discussed and explored. There is also a responsibility to ensure stability of the local supplier during the exit and transition period.
- 3.13 **Fulfil the Statutory requirement:** The current contract has just expired. There is a statutory requirement to ensure Croydon residents have access to the services that are provided. Extending the current contract will enable the Local Authority to fulfil the statutory obligation while commissioning options are reviewed.
- 3.14 **Undertake an options appraisal & needs analysis:** Extending the current arrangement will enable sufficient time to undertake a full options appraisal and needs analysis in relation to the future service delivery. This will not be possible unless the current arrangements are extended particularly when having to consider the continuation of statutory service provision and increase in demand.

Future Proposal:

- 3.15 Should it be agreed to extend the current individual contracts until 30 June 2021, it will allow sufficient time to undertake the following:
- **By November 2020:** Undertaking of full options appraisal and review of services. Options include open procurement of existing service model, developing a new service model amalgamating existing individual specifications and delivering more service in-house. The commissioning intentions will go to Contracts and Commissioning Board by the end of November. This report will include details about the end of the current contract and how transition arrangements will be managed.
 - **January to March 2021:** Tender process (if applicable) undertaken
 - **March/April 2021:** Appropriate exit and step down arrangements to be put in place for existing contracts
 - **April/May 2021:** Relevant service structures to be in place to manage the proposed in house service and out-sources provision
 - **1 July 2021:** New service(s) go live.

4. CONSULTATION

- 4.1 Consultation with key senior stakeholders has taken place including The Head of Homelessness and Housing Need, Single Homeless Service manager and Lead co-ordinator Gateway Rough Sleeping
- 4.2 Stakeholders are in agreement that service delivery needs to be maintained in order to meet statutory duties to accommodate vulnerable people whilst these implications are clarified.

For Publication

- 4.3 The current service provider, Home Group, has been consulted and they are agreeable to the 10-month extension of the above mentioned individual contract.
- 4.4 Further consultation will form part of the re-commissioning of the contracts in the future. This will include market engagement and consultation with all stakeholders. This will be discussed further in the commissioning intentions.

5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2020/21	2021/22	2022/3	2023/24
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure	92	39	N/A	N/A
Income				
Effect of decision from report				
Expenditure	92	39		
Income	N/A	N/A		
Remaining budget	0	0		

The effect of the decision

- 5.1 The proposal is for the existing contract to be extended for 10 months by way of variation. This will be in line with the Council's standard terms and conditions that are currently in place for each separate service.
- 5.2 The service has budget available for the continuation of the current individual contracts within the Supported Accommodation budget in the Gateway Service Improvement department.
- 5.3 There is no impact upon service delivery as a result of implementing the proposed extension.
- 5.4 Home Group support the proposed extension for a period of up to 10 months.

Risks

- 5.5 The following risks have been identified and are being actively managed within the service:

Risk	Mitigation
Risk that the services do not deliver	<p>The contract is rigorously monitored with challenging standards, targets and performance indicators that should mitigate against non-delivery.</p> <p>Performance will continue to be monitored during the extension period and the potential exit process.</p>
Risk of challenge from another supplier	<p>Officers recognise that the current proposals are not compliant with Public Contracting Regulation 72. There is therefore a potential risk of challenge from suppliers, however, this is deemed relatively low given the duration and value of the proposed extension.</p> <p>The COVID-19 pandemic, and the activity that ensued meant that the timely work that was supposed to be completed for March 2020 was not completed in time, however it also has afforded some flexibility around procurement regulations.</p> <p>In any event, following the expiry of the proposed extension period the aim is to either bring the service in house, or to retender via an open procurement exercise that will help mitigate any potential risk.</p> <p>Should the service be retendered then there is a current DPS that could potentially have an additional lot added. Should this be the case then services can be recommissioned quickly via this approach.</p> <p>The service will begin engaging with the market in the coming months and options will be fully explored in subsequent RP1 & RP2 reports.</p>

Options

5.6 The following options have been considered and rejected. Please refer to section 12 within this report for further detail.

- Don't extend the current contract: **Rejected**
- Immediately re procure the service : **Rejected**
- Extend the individual contracts with the incumbent provider: **Recommended**

Future savings/efficiencies

5.7 The extension will allow for a review of the services and re-alignment to meet statutory obligations, and changing need as well as address the issues. The review will also take into account opportunities for future savings/efficiencies by look at synergies with similar contracts also expiring in 2021.

For Publication

- 5.8 The most severe extent of homelessness or rough sleeping can cost up to £20,000 per person per year. (At What Cost, Crisis 2015).
- 5.9 Future savings and/or efficiencies will be considered fully as part of the commissioning process for the future service provision from the expiry of this current contracts.
- 5.10 The RP1 'Make or Buy' report at that stage will explore the options to secure the future provision to ensure that the Council is achieving the best Value for Money from a new service to be in place from the expiration of these proposed extensions.

Approved by: Sarah Attwood on behalf of Josephine Lyseight, Head of Finance (Health, Wellbeing and Adults)

6. LEGAL CONSIDERATIONS

- 6.1 The legal considerations are as set out within this report.

Approved by Kiri Bailey, on behalf of Sean Murphy, Director of Law and Governance.

7. HUMAN RESOURCES IMPACT

- 7.1 There is no Human Resources impact as a result of this report as the current services will be awarded on existing terms and conditions to the incumbent providers for 10 months. If any issues arise these will be managed under the Council's policies and procedures.

Approved by: Deborah Calliste, Head of HR for Health, Wellbeing and Adults on behalf of the Director of Human Resources

8. EQUALITIES IMPACT

- 8.1 A full EIA for the IFA was previously carried out prior to the tender in 2014. At the time, the award of this contract was deemed to enable service users to live more fulfilling independent lives and would incorporate an outcomes based approach so that providers are focused on the achievement of goals for service users rather than creating dependency.
- 8.2 As a full equalities impact assessment was completed in 2014 prior to tender and as any call off or extension would be a continuation of the same T&C's with the same providers, no new assessment is required.
- 8.3 A revised EA will be completed as part of the project to re-procure the same contracts at the later date referenced in the report. Renewed/re-procured

contracts will include equalities clauses/requirements to ensure providers are supporting the council to meet the public sector equality duty.

- 8.4 We will ensure further consultation is accessible and includes all service users to ensure that services remain fit for purpose and can be redesigned as required and appropriate for all. Any equality and inclusion issues and findings will be incorporated and addressed in the revised EA.

Approved by: Yvonne Okiyo, Equalities Manager

9. ENVIRONMENTAL IMPACT

- 9.1 It is considered that there are no increased or decreased environmental sustainability impacts, from the proposed contract extension contained in this report.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 It is considered that there are no increased or decreased crime & disorder impacts, from the proposed contract extension contained in this report.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 The proposed recommendation seeks to continue the Council's statutory duties to prevent and relieve homelessness and to ensure that the future service is fit for purpose.
- 11.2 The recommendations in this report allow for stability of current service delivery whilst enabling a robust, high quality commissioning strategy to be developed and implemented in relation to the future commissioning intentions.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 Options considered for each of the individual contracts are as follows,
- **'Do nothing'**: The current individual contract would come to its natural conclusion, and there would be no future contract costs. However the Council will retain a statutory duty to provide access to this provision. The short timescale to manage this transition risks delivery of a reduced service to vulnerable adults, a risk of failure to meet the Council's statutory duties and failure to safeguard vulnerable adults. The likely consequence would be increased emergency accommodation, and an increase in "revolving door" homelessness and rough sleeping.
 - **Re-procuring the services for 12 months**: The process of re-procuring the service through a competitive tender exercise would extend beyond the existing contract end date. Given the time constraints this will have a similar

impact as described in Option 1

- **Extend the individual contracts with the incumbent provider for 10 months via contract variation:** This is the recommended option, allowing for continuation of service, discharge of statutory duties and a period of time to consider recommendations and reconfigure/re-align services in order to better meet the needs of Croydon residents.

13. DATA PROTECTION IMPLICATIONS

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

Yes

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

Yes

Approved by Julia Pitt – Director for Gateway Services

CONTACT OFFICER:	Rebecca Clews, Lead Coordinator ext. 62411
APPENDICES TO THIS REPORT:	None
BACKGROUND DOCUMENTS:	None

This page is intentionally left blank

For General Release

REPORT TO:	CABINET MEMBER FOR FINANCE AND RESOURCES
SUBJECT:	Early Payment Programme Services
LEAD OFFICER:	Sue Moorman, Director of Human Resources
CABINET MEMBER:	Cllr Simon Hall Cabinet Member for Finance and Resources
WARDS:	'All'

CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON

Croydon Council Workforce Strategy alignment:

This contract will provide a regular income stream over the contract term and improve transactional efficiency, process transparency and adherence to purchase to pay best practice.

FINANCIAL IMPACT

Payment to the provider is based on gain share of the rebates from third party suppliers for early payment of invoices

FORWARD PLAN KEY DECISION REFERENCE NO.: 2320FR

This is a Key Decision as defined in the Council's Constitution. The decision may be implemented from 1300 hours on the 5th working day after it is made, unless the decision is referred to the Scrutiny & Strategic Overview Committee by the requisite number of Councillors.

The Leader of the Council has delegated to the Cabinet Member for Finance and Resources the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

- 1.1 The Cabinet Member for Finance & Resources, in consultation with the Leader of the Council is recommended to approve the award of a Call Off Contract under Oldham Council's Framework Agreement for Early Payment Programme Services for a term of 2 years with the option to extend up to 3 further years (2 + 1) for a contract value of up to £278,000 per annum to Oxygen Finance Ltd.

2. EXECUTIVE SUMMARY

- 2.1 The Council's current contract for Early Payment Programme Services (PSP) is provided by Oxygen Finance Ltd which expired end of June 2020.
- 2.2 PSP works by offering to pay suppliers of goods and services to the Council in advance of their standard contracted payment terms of 30 days in return for a small percentage rebate of the invoiced amount.
- 2.3 In return for early payment the supplier is paid a smaller % of the invoice amount dependent on how far in advance of the standard 30 days they are paid.

- 2.4 The percentage saving to the Council on the invoice split between the Council (called a rebate) and the contracted provider is 60% in favour of the Council.
- 2.5 PSP supports the Councils economic regeneration objectives, by offering local, micro and some SME's the benefit of early payment without a rebate being taken from the invoiced amount.
- 2.6 This report recommends a contract award to Oxygen Finance Ltd via Oldham Councils Framework for a term of 2 years with the option to extend for a further 2 years plus 1 year. A total term of 5 years for an estimated income of £278,000 per annum.
- 2.7 The content of this award report has been endorsed by the Contracts and Commissioning Board.

CCB Approval Date	CCB Ref. Number
09/09/2020	CCB1609/20-21

3. DETAIL

- 3.1 The procurement strategy to call off from Oldham Council's single provider framework was approved by CCB on 30/04/20 reference CCB1577/20-21.
- 3.2 Oldham Council entered in to their Framework Agreement with Oxygen Finance Ltd on 15 February 2017 and the Framework expires on 14 February 2021. The Framework consists of 2 lots
- Lot 1 'Implementation and Operation Services' and
 - Lot 2 'Ongoing Operation from the Provider'.
- 3.3 The recommendation is to enter into a Call-Off Contract from Lot 2 as Oxygen Finance Ltd already provide the Services to the Council so this will be an 'ongoing operation from the provider'.
- 3.4 In accordance with regulation 9.1 of the Tenders and Contracts Regulations, Oxygen Finance Ltd submitted, via the Council's e-tendering portal, a Tender Response Document with answers to a number of quality questions on how they will deliver the services against the Council's specification.
- 3.5 Oxygens Tender Response was evaluated as per the methodology set out in the Instructions to Tender Document and Oxygen Finance LTD passed on all questions as set out in the table below.

Questions	Evaluation Criteria Pass/ Fail
Insurance	Pass
General Data Protection Regs	Pass
Compliance to Modern Slavery Act	Pass
Compliance to Business Continuity	Pass
Compliance to London Living Wage	Pass
Activities and initiatives to ensure income from the scheme is maximized	Pass
Examples how gain share will be calculated	Pass

Detail how the finance fee will be calculated	Pass
Social value	Pass

3.6 Therefore the Council has assurance that Oxygen can deliver the services as per the Council's specification.

3.7 The gain share split will be as per the Framework which is 60% to the Council and 40% to Oxygen.

4. CONSULTATION

4.1 Consultation with officers in Finance, Procurement and Legal with regard to the scope and future contract management / performance was undertaken. The outcome of which has been accounted for in the contract.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Revenue and Capital consequences of report recommendations

Anticipated net gain per year £278,000

Financial Implications						
Details	Internal Capital	Revenue	Period funding of	External		Period of funding
				Capital	Revenue	
Existing Budget Available		(261,000)				
Effect of decision of report		(278,000)	2+2+1 year			

5.2 The effect of the decision

The Council will enter into a call off contract with Oxygen Finance for term of 2 years with the option to extend for a further 2 plus 1 years.

5.3 Risks

There are no known risks arising from this report.

5.4 Options

Options were considered at the strategy stage and the subject of this report is the best value option.

5.5 Future savings/efficiencies

This is an income generating contract for the council.

Approved by: Felicia Wright Head of Finance - Resources on behalf of Lisa Taylor, Director of Finance, Investment and Risk and Section 151 Officer.

6. LEGAL CONSIDERATIONS

- 6.1 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.

7. HUMAN RESOURCES IMPACT

- 7.1 There are no HR implications arising from this report.

Approved by Jennifer Sankar, for and on behalf of Sue Moorman, Director of Human Resources.

8. EQUALITIES IMPACT

- 8.1 There are no equalities impacts arising from this report.

9. ENVIRONMENTAL IMPACT

- 9.1 There are no environmental impacts arising from this report..

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 There are no crime and disorder impacts arising from this report

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 The recommendation to award this contract is based on the evaluation of Oxygen Finance Ltd Tender Return which confirmed their ability to meet the services requirements set out in the Specification.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 Options considered were set out in the approved strategy report.

13. DATA PROTECTION IMPLICATIONS

None.

- 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?**

Not applicable

CONTACT OFFICER: Valerie Guascone, Category Manager

BACKGROUND DOCUMENTS: None

This page is intentionally left blank

REPORT TO:	Cabinet Member for Homes and Gateway Services
SUBJECT:	The Young Person & Care Leavers Service – Contract Extension
LEAD OFFICER:	Guy Van Dichele, Executive Director of Health, Well Being and Adults Julia Pitt Director of Gateway
CABINET MEMBER:	Councillor Alison Butler, Cabinet Member for Homes and Gateway Services Councillor Simon Hall, Cabinet Member for Finance and Resources
WARDS:	ALL
<p>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON Corporate Plan for Croydon 2018-2022 This approach supports the following corporate priorities as set out in the Corporate Plan 2018-2022:</p> <p>Our Children and Young People thrive and reach their full potential – relieving homelessness and supporting young people to be aspirational, maximizing their independence and making sure they are safe, healthy and happy.</p> <p>Everybody has the opportunity to work and build their career - delivering services which provide holistic support for young people and help them into employment, education and support.</p> <p>Everyone feels safer in their street, neighborhood and home – providing specialist support for young offenders.</p> <p>Locality Matters: Develop services that are place based and integrated within their local community and tailored to local needs.</p>	

FINANCIAL IMPACT

Extending the CAYSH: The Young Person & Care Leavers Service contract by variation of 15 months to 30/06/21 will add an additional cost of: £709,037

The extension of the contract will be made under existing terms and conditions, and financial provision is available within the budgets.

FORWARD PLAN KEY DECISION REFERENCE NO.: 5620HGS

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.

1. RECOMMENDATIONS

The Leader of the Council has delegated to the Cabinet Member for Homes and Gateway Services in consultation with the Cabinet Member for Finance and Resources the power to make the decision to extend by way of variation in accordance with Regulation 30 of the Council's Tenders and Contracts Regulations:

- 1.1 The 'The Young Person & Care Leavers Service' contract in accordance with the Regulation 30 of the Council's Tenders and Contracts Regulations awarded to CAYSH for an extension period of 15 months to 30th June 2021 at a cost of £709,037 for a maximum aggregated contract value of £4,683,213.00.
- 1.2 To note a report detailing commissioning intentions, procurement strategy and any specific arrangements to end the current contract will be presented to Cabinet Member for Families, Health and Social Care, Cabinet Member for Children's, Young People and Learning, Cabinet Member Homes and Gateway Services and the Cabinet Member for Finance and Resources in November.

2. EXECUTIVE SUMMARY

- 2.1 The Council has a statutory duty to support a wide range of Croydon residents who are either homeless or at risk of homelessness from the ages of 16 to 24 as outlined in the Homelessness Reduction Act 2017. In order to fulfil this duty, the Council has commissioned 'The Young Person & Care Leavers Service' currently provided by CAYSH. A service providing accommodation based support, floating housing related and restoring families' support for young people aged 16 – 24, commissioned by Gateway Services.
- 2.2 During the recent Ofsted inspection (February 2020) it was identified that services for homeless 16-17 year olds are significantly underdeveloped and result in poor experiences for young people. By extending the current arrangements, it will allow time to appropriately plan and implement new strategic arrangements in order to address the identified issues. An extension will also enable the Council to fulfil the statutory obligation (prevent and relieve homelessness) whilst minimising service disruption. Ratification of this extension has been delayed by a contract backlog during COVID, with resources concentrated and supporting the care provider market as much as possible during the first peak.
- 2.3 The original service was procured in 2013 for an original term of 4 years (3+1) at an original value of £2,493,600. There have been subsequent extensions outside of this term with the latest ending on 31 March 2020. The annual cost decreased by £77,925.00 in 2017 as a result of an agreed 12.5% reduction in contract value and services. The current aggregated value of the contract (excluding the proposed 15 month extension) is £3,974,175.00.

- 2.4 CAYSH has provided a satisfactory Young Person and Care Leavers Service over the last few years, sustaining tenancies but struggling to move service users on to less intensive support. It must be noted a contributory reason for the lack of move on has been general issues with a lack of affordable housing supply in Croydon for young people under the age of 25.
- 2.5 This contract has breached Public Contract Regulations by extending beyond the original agreed extension period. There has been insufficient oversight of this contract which has allowed us to reach a point where there was not option other than extend the contract.
- 2.6 More contract management resource has now been allocated to undertake a strategic commissioning review across all related contracted provision. Extending the current arrangements will allow full consultation with stakeholders as part of the review. Recommissioning next year will give an opportunity to revisit the service delivered, guarantee the best value for money outcome as well as ensure we are compliant with contract regulations. Extending the current arrangements will allow full consultation with service users to ensure that services remain fit for purpose and can be redesigned as required and appropriate. If procurement can happen before June 2021 notice will be served early on this contract.
- 2.7 There is budgetary provision within the services for the current contract to continue. This report provides detail on the existing services, outlines the rationale and seeks approval for extending the current contract arrangements by variation until 30 June 2021. The commissioning work on these contracts is urgent and every effort will be made to complete recommissioning work before the recommended extension end date of 30 June 2021 and exit these agreements early. Any housing related support can be commissioned very quickly via the Dynamic Purchasing System set up earlier this year. A commissioning intentions report will go to Contracts and Commissioning Board and be discussed with relevant Cabinet Members by the end of November.
- 2.8 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB ref. number	CCB Approval Date
CCB1614/20-21	01/10/2020

3. DETAIL

- 3.1 The current contract supports a wide range of Croydon residents who are homeless from the ages of 16 to 24. Support can either be directly provided through, for example, sourcing new accommodation or indirectly provided via information, advice and support.

For Publication

3.2 There are a number of key reasons why this particular cohort becomes homeless or at risk of homelessness within Croydon:

- Parental evictions
- Conflicts with the family
- Parents facing financial difficulties
- Parental support needs
- Care Leavers, who have no supportive family

3.3 The numbers of people supported/at risk in 2019/20 are in the table below:

Overall cohort numbers	
Number of new service users	148
Number of open or repeat service users	211
Number of users at risk of homelessness	293
Number of users receiving advice/support (not homeless/at risk)	60
Current Care Leavers (age 17) who may require support in the future	163

3.4 In 2019/20 the 74 units of accommodation based support had 96.5% availability though the floating support service had lower availability averaging 71%. There were 18 evictions last a year mainly for rent arrears or violence/aggression. 46 people moved on in a planned way to less supported accommodation.

3.5 In summary, the service performs well in terms of sustaining tenancies. It does not consistently meet KPIs in terms of 'move-on' of service users though this is not unique for providers delivering this service because of Local Housing Allowance restrictions.

3.6 The Local Authority has a statutory duty to support these residents as outlined within the Homelessness Reduction Act 2017 so not delivering a service is not an option and continuing this contract with CAYSH represents the best short term option.

The Provider

3.7 Established in 1981, CAYSH is a London-based charity delivering accommodation, advice and support services for young people facing homelessness. They deliver a number of contracts in Croydon including Turnaround Centre Drop-in Zone, 1st Base and Supported Accommodation and the Young Offender Housing Support Service. These contracts have been operating for a similar length of time and the intention is to also extend till June 2021. CAYSH provides a safe place to stay for more than 250 young people who would otherwise be homeless every night. They also provide advice and guidance to thousands more facing homelessness and other challenges.

The Service

3.8 The accommodation based service discharges the Council's duty to relieve homelessness and is provided to children and young people aged 16-24. The

service has 74 units for accommodation based housing related support and 35 units of housing related floating support. Floating support assists young people to sustain independent tenancies. The accommodation provided by the service is not council owned, but is provided by the service provider. The service works with families and carers to enable young people to remain in, or return to the family home and is commissioned to carry a caseload of 29 young people at any one time.

- 3.9 The overall aim of the Young People and Care Leavers' service is to:
- Prevent and relieve youth homelessness
 - Assess and refer to suitable alternative housing, including returning to families
 - Support young people to live independently
 - Ensure young people are engaged in meaningful daytime activities
 - Work in partnership with statutory and non-statutory organisations, families and key persons to maintain the wellbeing of the young person
 - Enable young person to move on from the service in a planned way, within two years.

Original procurement and extensions

- 3.10 The Young Person & Care Leavers Service was procured in 2013 via the Supporting People Framework with start date of 1 October 2013. The original term was 3 years, with the option to extend for a further year and this permitted extension was exercised. The value of the 3 + 1 year contract was £2,493,600. There have been subsequent extensions outside of this term with the latest ending on 31 March 2020 (Decision reference is unable to be located at this time). The extensions outside of the framework agreement terms were managed directly with CAYSH. The current aggregated value of the contract (excluding the proposed 15 month extension) is £4,541,405.

Rationale for the contract extension and future commissioning intentions

- 3.11 **Service Stability:** Extending the current contracts for a period of 15 months will provide stability for service users whilst future commissioning intentions are fully discussed and explored. The Council currently commissions a number of services from CAYSH, therefore, there is also a responsibility to ensure stability of the local supplier during the exit and transition period.
- 3.12 **Fulfil the Statutory requirement:** The current contracts have expired. There is a statutory requirement to ensure Croydon residents have access to the services that are provided. Extending the current contracts will enable the council to continue to contract with CAYSH to fulfil the statutory obligation.
- 3.13 **Undertake an options appraisal:** Extending the current arrangements will enable sufficient time to undertake a full options appraisal with regards to the future commissioning intentions.

- 3.14 **Strive towards outstanding:** During the recent Ofsted inspection (February 2020) it was identified that services for homeless 16-17 years olds are significantly underdeveloped and results in poor experiences for young people. Whilst steps have been taken to address individual issues there is work to be done to ensure greater oversight and strategic direction. Extending the current arrangements will allow time to appropriately plan and implement new arrangements to address these issues as we continue the journey to become outstanding. This service is one of a number of services being reviewed together with the aim of insuring care leavers are supported while the service provides value for money. Of particular note for this service is the need for any supported housing services to interface effectively with our offer to 16 and 17 year old homeless young people, and care leavers aged 16-25 who need further support at various levels before moving on to long-term tenancies with less support, or full independence if they are ready. While the current contract here does this to an extent, it is felt that more holistic commissioning would result in a more integrated service.

Future Proposal

- 3.15 Should it be agreed to extend the current contract until 30 June 2021, it will allow sufficient time to undertake the following:
- **By November 2020:** Undertaking of full options appraisal and review of services. Options include open procurement of existing service model, developing a new service model amalgamating existing individual specifications and delivering more service in-house. The commissioning intentions will go to Contracts and Commissioning Board by the end of November. This report will include details about the end of the current contract and how transition arrangements will be managed.
 - **January to March 2021:** Tender process (if applicable) undertaken
 - **March/April 2021:** Appropriate exit and step down arrangements to be put in place for existing contracts
 - **April/May 2021:** Relevant service structures to be in place to manage the proposed in house service and out-sources provision
 - **1 July 2021:** New service(s) go live.
- 3.16 This timetable is indicative and attempts will be made to progress recommissioning quickly and end current contracts early if possible.

4. CONSULTATION

- 4.1 Consultation with key senior stakeholders has taken place including the Head of Homelessness and Housing Need, Single Homeless Service manager, Gateway Leader Co-ordinator for Rough Sleeping, Executive Director for Children, Families and Education, Head of SPOC and Assessments and Head of Adolescent Services. Stakeholders are in agreement that service delivery needs to be maintained in order to meet statutory duties to accommodate vulnerable young people whilst these implications are clarified.

- 4.2 The current service provider, CAYSH has been consulted and they are agreeable to the 15-month extension.
- 4.3 Further consultation will form part of the re-commissioning of the contracts in the future. This will include market engagement and consultation with all stakeholders.

5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2020/21	2021/22	2022/3	2023/24
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure	567	141	na	na
Income				
Effect of decision from report				
Expenditure	567	141		
Income	na	na		
Remaining budget	0	0		

The effect of the decision

- 5.1 The proposal is for the YPCL to be extended for 15 months by way of variation. This will be in line with the original terms and conditions that are currently in place for this service. The 15 month extension will add an additional cost of £709,037 and increase the current value from £3,974,175.00 to £4,683,213.00.
- 5.2 CAYSH is a London Living Wage Supplier, however when the contract was first procured, the requirement was not present. CAYSH have subsequently, met the requirement for London Living Wage, and their contract costs were uplifted accordingly to the amount currently quoted. The cost is included within the proposed extension values highlighted within this report:

Contract title	Original Contract Values (2013)	% increase from original value	Current uplifted Contract Cost	Cost for the 15 month extension
Young Person & Care Leavers Service	£545,475	3.98	£567,230	£709,037

- 5.3 The service has budget available for the continuation of the current contract within the Service Improvement department in Gateway and the proposed increase. There is no impact upon service delivery as a result of implementing the proposed extension. CAYSH support the proposed extension for a period of up to 15 months.

Risks

- 5.4 The following risks have been identified and are being actively managed within the service:

Risk	Mitigation
Risk that the services do not deliver	<p>The contract is monitored with standards, targets and performance indicators that should mitigate against non-delivery. Performance will continue to be monitored during the extension period and the potential exit process.</p> <p>A 3 month break clause is already included within the contract, which will allow the Council to terminate services prior to the expiry of the requested extension should this be required.</p>
Risk of challenge from another supplier	<p>Officers recognise that the current proposals are not compliant with the Public Contracts Regulations 2015 and the multiple extensions are unlikely to be in line with the original framework agreement. There is therefore a potential risk of challenge from suppliers, however, this is deemed relatively low given the duration and value of the proposed extension.</p> <p>In any event, following the expiry of the proposed extension period the aim is to either bring the service in house, or to retender via an open procurement exercise that will help mitigate any potential risk.</p> <p>Should the service be retendered then there is a current DPS that could potentially have an additional lot added. Should this be the case then services can be recommissioned quickly via this approach.</p> <p>The service will begin engaging with the market in the coming months and options will be fully explored in subsequent RP1 & RP2 reports.</p>

Council staffing & resources	There is some risk to completing the options appraisal, review and insourcing proposals within the extended timeframe as this will impact two statutory services. There is currently insufficient resource within Gateway to deliver future proposals. This will require project management, alignment, a clear strategic direction and a commitment from both services to resource the project appropriately.
Slippage in timescales, leading to a further extension being required	There is now an identified officer who will oversee the re-procurement of the services required to meet the needs of adults. This will be managed within the Commissioning and Procurement division.

Options

5.5 The following options have been considered and rejected. Please refer to section 12 within this report for further detail.

- Don't extend the current contract: **Rejected**
- Immediately re procure the services : **Rejected**
- Extend the contract with the incumbent provider: **Recommended**

Future savings/efficiencies

5.6 The extension will allow for a review of the service and a re-alignment to meet statutory obligations. It will also allow the Council to adjust to changing need, as well as address the issues highlighted by Ofsted. The review will take into account opportunities for future savings/efficiencies.

5.7 The most severe extent of homelessness or rough sleeping can cost up to £20,000 per person per year (At What Cost, Crisis 2015). Whilst the cost of homelessness is difficult to quantify (as it is dependent upon the length of time the homeless household is homeless, occupies temporary accommodation, and their support needs) it is envisaged that reviewing current services and/or bringing all or parts of the service in house will generate longer term savings and efficiencies for the Council. Future savings and/or efficiencies will be considered fully as part of the commissioning process for the future service provision from the expiry of the current contracts.

5.8 The Commissioning Intentions report at that stage will explore the options to secure the future provision to ensure that the Council is achieving best value for money from a new service to be in place from the expiration of these proposed extensions.

Approved by: Josephine Lyseight, Head of Finance HWA

6. LEGAL CONSIDERATIONS

- 6.1 The legal considerations are as set out in this report.

Approved by Kiri Bailey, on behalf of Sean Murphy, Director of Law and Governance.

7. HUMAN RESOURCES IMPACT

- 7.1 There is no Human Resources impact as a result of this report as the current services will be awarded on existing terms and conditions to the incumbent providers for 15 months. If any issues arise these will be managed under the Council's policies and procedures.

Approved by: Debbie Calliste, Head of HR for Health, Wellbeing and Adults on behalf of the Director for Human Resources

8. EQUALITIES IMPACT

- 8.1 A full EIA for the supporting people framework was previously carried out prior to the tender in 2014. At the time, the award of this contract was deemed to enable service users to live more fulfilling independent lives and would incorporate an outcomes based approach so that providers are focused on the achievement of goals for service users rather than creating dependency.
- 8.2 As a full equalities impact assessment was completed in 2014 prior to tender and as any call off or extension would be a continuation of the same T&C's with the same providers, no new assessment is required.
- 8.3 A revised EA will be completed as part of the project to re-procure the same contracts at the later date referenced in the report. Renewed/re-procured contracts will include equalities clauses/requirements to ensure providers are supporting the council to meet the public sector equality duty.
- 8.4 We will ensure further consultation is accessible and includes all service users to ensure that services remain fit for purpose and can be redesigned as required and appropriate for all. Any equality and inclusion issues and findings will be incorporated and addressed in the revised EA.

Approved by: Yvonne Okiyo, Equalities Manager

9. ENVIRONMENTAL IMPACT

- 9.1 It is considered that there are no increased or decreased environmental sustainability impacts, from the proposed contract extension contained in this report.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 It is considered that there are no increased or decreased crime & disorder impacts, from the proposed contract extension contained in this report.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 The proposed recommendation seeks to continue the Council's statutory duties to prevent and relieve homelessness and to ensure that the future service is fit for purpose. The recommendations in this report allow for stability of current service delivery whilst commissioning intentions are developed.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 Options considered for the contract are as follows:
- **'Do Nothing':** The current contract would come to their natural conclusion, and there would be no future contract costs. The Council will retain a statutory duty to provide advice on the prevention of homelessness, and to assess its statutory duties within children's and homelessness legislation. The short timescale to manage this transition risks delivery of a reduced service to vulnerable children and young people, a risk of failure to meet the Council's statutory duties and failure to safeguard vulnerable young people
 - **Re-procuring the services for 15 months:** The process of re-procuring the service through a competitive tender exercise would extend the service beyond the existing contract end date. Given the time constraints this will have a similar impact as described in Option 1.
 - **Extend the contract with the incumbent provider for 15 months via contract variation:** This is the recommended option which would allow for the continuation of the service, the discharge of statutory duties, and a period of time to consider recommendations/re-align services to better meet the needs of Croydon residents.

13. DATA PROTECTION IMPLICATIONS

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

Yes

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

Yes

Approved by Julia Pitt – Director for Gateway Services

CONTACT OFFICER: Rebecca Clews, Lead Coordinator
ext. 62411

APPENDICES TO THIS REPORT: None

BACKGROUND DOCUMENTS: None