Public Document Pack

Cabinet Background Documents



11. Investing in our Borough (Pages 3 - 122)

Cabinet Member: Cabinet Member Resources & Financial Governance, Councillor Callton Young

Officer: Interim Corporate Director of Resources, Richard Ennis

Key decision: no

Katherine Kerswell Chief Executive London Borough of Croydon Bernard Weatherill House 8 Mint Walk, Croydon CR0 1EA Victoria Lower 020 8726 6000 x14773 victoria.lower@croydon.gov.uk www.croydon.gov.uk/meetings





| REPORT TO: | Cabinet |
|-----------------|--|
| | 15 November 2021 |
| SUBJECT: | Contract Award |
| | Child Development and School Readiness Services (Lot 1) |
| | 2. Parenting Support and Parenting Aspirations (Lot 2, 6 Sub-Lots) |
| | 3. Parent Infant Partnership (1 contract) |
| LEAD OFFICER: | Debbie Jones, Interim Corporate Director Children, Young People & Education |
| | Shelley Davies, Director of Education |
| | Helen Mason, Head of Service Commissioning & Procurement (CFE) |
| CABINET MEMBER: | Councillor Alisa Flemming |
| | Cabinet Member for Children, Young People & Learning |
| WARDS: | All |
| | |

COUNCIL PRIORITIES

Croydon Renewal Plan

These services are aligned to the council's new priorities and ways of working in which we will:

- Live within our means, balance the books and provide value for money for our residents
- Focus on tackling ingrained inequality and poverty in the borough
- Follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic justice
- Focus on providing the best quality core service we can afford.

The proposals in this paper meet the criteria for essential expenditure in accordance with the financial guidance.

Policy Context

The Best Start for Life, Early Years Review Report (March 2021) sets out a new requirement for local authorities to demonstrate how they will improve support for children and their parents during the first 1001 critical days and how they intend to achieve new national goals.

Legislation

Under the provision of the Childcare Act 2006 and Apprenticeship, Skills, Children and Learning Act 2009, the Council has a statutory duty for the provision of early childhood services. The Act requires the Council to:

- Make arrangements to secure that early childhood services are provided in an integrated manner, to facilitate access to those services and maximise the benefit of those services to parents, prospective parents and young children
- Ensure that such consultation is carried out before making significant changes
- Ensure sufficiency of children's centre provision to meet local need.

Croydon Best Start

Croydon Best Start is a partnership approach in delivering statutory early childhood services to support families from pregnancy until their child starts school. Across the partnership, midwives, health visitors, children's centres, early years and the voluntary sector work together to deliver prevention and early intervention to improve children's outcomes, particularly for those most in need.

FINANCIAL IMPACT

The redesign of Best Start Children's Centres into a Hub and Spoke model was approved by CCB (CCB1680/21-22) on 21st July 2021 and Cabinet on 26th July 2021

The financial value for the proposed Agreements and Contracts for award has an annual value of £1,431,533 for the period of 1st January 2022 to 31st March 2024. Funding for these services will be provided through the General Fund.

If these recommendations are approved, the Council will be committing to an aggregate spend of up to £3,221,000 for the Best Start services listed in the table below:

| | £'000 | £'000 | £'000 |
|--|-------|-----------|--------------|
| Best Start contracts | Per | 3mths | Aggregate |
| | annum | (1/1/22 – | 2yrs + 3mths |
| | | 31/3/22) | (2022-2024) |
| 3 Children's Centres Hubs | 1,163 | 291 | 2,616 |
| 5 Parenting Skills and Parenting Aspirations | | | |
| (6 Lots) | 205 | 51 | 461 |
| Parent Infant Partnership | 64 | 16 | 144 |
| Total | 1,432 | 358 | 3,221 |

- The annual budget for these services is aligned to the Croydon Renewal Plan, and Medium Term Financial Strategy (MTFS) savings programme.
- Subsequent extensions to the procurement timetable due to delays with TUPE information has impacted on the budget for new services, resulting in the need to

utilise the full extension period of the existing contractual arrangements which had not been anticipated.

FORWARD PLAN KEY DECISION REFERENCE NO: 5321LR

This decision needs to be taken under GENERAL EXCEPTION.

REASON FOR URGENCY: This decision cannot reasonably be deferred because the urgency arises due to the 28 day notice of the Key Decision ref. 5321CYPL not meeting the requirements as defined in Part 4B in the Council's Constitution and reflecting the award decision now being taken by the Leader.

This decision cannot be reasonably delayed due to the limited timescales for TUPE and mobilisation. In order to avoid a gap in service for children and families in need of support, Contracts need to be awarded by 15th November 2021 and the new service start on 1st January 2022.

The Leader of the Council has the power to make the decisions set out in the recommendations below. The Leader of the Council is asked to note that the name of the successful contractors will be released once the Contract awards are agreed and implemented.

1. RECOMMENDATIONS

The Leader is recommended to:

- 1.1 approve the award of Contracts for Croydon Best Start services listed below to the providers named in the associated Part B report for a term of two years and 3 months, for a total value of £3,221,000 across all contracts:
 - Child Development and School Readiness services,
 - Parenting Aspirations and Parenting Skills services
 - Parent Infant Partnership services
- 1.2. note that the name of the successful contractors will be released once the Contract awards are agreed and implemented.

2. EXECUTIVE SUMMARY

- 2.1 This report details the procurement process and recommends the award of Contracts for the following Best Start services to the contractors and/or consortiums listed in the associated Part B report:
 - Child Development and School Readiness services,
 - Parenting Aspirations and Parenting Skills services
 - Parent Infant Partnership services

- 2.2 The bidders identified in part B have submitted the most economically advantageous tender for the provision of the services. Further details are provided below, bidder identities are provided in the associated Part B report on this agenda. All consortium members will need to enter into a Memorandum of Understanding prior to contract commencement.
- 2.3 It is intended that the contract commencement date will be 1st January 2022 for 2 years and 3 months.
- 2.4 The content of this report has been endorsed by the Contracts and Commissioning Board.

| CCB ref. number | CCB Approval Date |
|-----------------|-------------------|
| CCB1701/21-22 | 03/11/21 |

3. DETAIL

Context

- 3.1 The redesign of Best Start Children's Centres was approved by Cabinet on 26th July 2021 and the procurement strategy for Croydon Best Start services by CCB on 21st July 2021 (CAB1680/21-22)
- 3.2 Contracts for these services are required for the delivery of the following shared Best Start outcomes, and those specifically highlighted in bold:
 - Children are prepared and ready for school
 - Children are emotionally well
 - Children are healthy and physically well
 - Children are safe and protected from harm
 - Parents are self-reliant and have strong and supportive social networks
 - Parents are emotionally well
 - Parents are healthy and physically well
 - Parents can access employment and training
 - Practitioners are confident and skilled and work together to delivery high quality services
- 3.3 Croydon Best Start is a holistic approach to early intervention and prevention to ensure babies, children, mothers, fathers and carers receive the support they need, as early as possible in a child's life, or as concerns emerge, ensuring onward referral or signposting to the services required.



- 3.4 Established on the principles of co-design and partnership working, the shared Best Start outcomes remain central to our ways of working across an early years partnership to improve outcomes and reduce inequalities.
- 3.5 To embed the partnership approach of the service, the tender was split into two Lots to provide a framework for joint partnership performance measures and mechanisms for understanding the interdependencies of the individual service delivery plans. Smaller Lots would be more attractive for a larger pool of smaller organisations and offer opportunities for collaboration.
- 3.6 The Council has consulted with the Department for Education who have confirmed the approved Children Centre Hub and Spoke model is categorised as a 'group' arrangement and therefore the process of designating Children's Centre Spokes is not required. In accordance with the requirements of the original Sure Start Capital Grant, the Council will ensure the required level of early years services can be made available to families, in partnership with the host schools from each Spoke.

3.7 The Invitation to Tender outlined the following:

| Children's Centre Hub & Spoke Locality Funding | | | | | | | |
|---|---------------|--|--|--|--|--|--|
| Lot 1, Sub-lot by Locality | Annual Budget | | | | | | |
| Lot 1a – Kensington Avenue, North locality | £339,109 | | | | | | |
| Lot 1b – Selhurst, Central locality | £505,741 | | | | | | |
| Lot 1c – Woodlands, South locality | £317,683 | | | | | | |
| Total | £1,162,533 | | | | | | |
| Parenting Aspirations & Parenting Skills Services | | | | | | | |
| Lot 2, Sub-lot by service | Annual Budget | | | | | | |
| 2a - Community Capacity Building | £30,000 | | | | | | |
| 2b - Employability Support | £25,000 | | | | | | |
| 2c - Peer to Peer Home Visiting | £40,000 | | | | | | |
| 2d - Parent Champions programme | £40,000 | | | | | | |
| 2e - Group support for families who have children | £40,000 | | | | | | |
| with additional needs in relation to speech and | | | | | | | |
| communication delay | | | | | | | |
| 2f - Peer Led Parenting programme | £30,000 | | | | | | |
| Total | £205,000 | | | | | | |

Procurement Process

- 3.8 The Procurement Strategy, which recommended an open adapted procedure as approved through CCB on 21st July 2021 (CCB1680/21-22), has been implemented as approved by Cabinet on 26th July 2021 (ref 3721CAB, minute reference no 114/21)
- 3.9 The OJEU Contract Notice was issued on 31st August 2021. The Contract Notice highlighted that the Council was utilising an adapted approach by virtue of the Light Touch Regime and bespoke tendering procedure set out as follows:
 - Stage 1: Tender responses received from the market and evaluated for compliance, professional capacity, technical and professional ability by reference to a number of method statements and evaluation of the pricing schedule
 - Stage 2: Shortlisted tenderers who meet the minimum threshold for quality and where price is below the affordability cap
- 3.10 The tender opportunity was open on the London Tenders portal for 40 days and was viewed by 46 organisations. 7 organisations or consortiums submitted bids on time, of which 6 were shortlisted to stage 2 of the procurement process.
- 3.11 The tender evaluation was conducted against the criteria set out below:

| Question reference | Quality Criteria | Maximum Question Score | Question Weighting % | | | | | | |
|---|---------------------|------------------------------|-------------------------|--|--|--|--|--|--|
| Lot 1 and Lot 2 | | | | | | | | | |
| 8.1 | Service Delivery | 5 | 10% | | | | | | |
| 8.2 | Service Plan | 5 | 10% | | | | | | |
| 8.3 | Partnership Working | 5 | 5% | | | | | | |
| 8.4 | Workforce | 5 | 5% | | | | | | |
| 8.5 | Safeguarding | 5 | 5% | | | | | | |
| 8.6 | Quality Assurance | 5 | 5% | | | | | | |
| 8.7 | Social Value | 5 | 5% | | | | | | |
| 8.8 | PSP | 5 | 5% | | | | | | |
| TOTAL | | 1 | 50% | | | | | | |
| Pricing Ma | trix for Lot 2 | | 50% | | | | | | |
| Pricing Matrix for Lot 1 Overall Price Quality of Pricing Methodology (10%) | | | | | | | | | |
| • Quality | 5% 5% | | | | | | | | |
| TOTAL | | | 50% | | | | | | |

3.12 The MEAT evaluation criteria of 50% Quality and 50% Price was approved as part of the procurement strategy which was approved by CCB on 21st July 2021

- (CCB1680/21-22), as approved by Cabinet on 26th July 2021 (ref 3721CAB, minute reference no 114/21).
- 3.13 The evaluation panels were made up of colleagues from Education, Early Help, Public Health and Gateway Housing services. Each panel member scored each tender response independently using a 1-5 scale followed by moderating each score as a group to agree one score for each question.
- 3.14 Innovative to this procurement a new approach to evaluating the safeguarding method statement was introduced. In collaboration with the Children's Safeguarding Children Partnership (CSCP) the Section 11 Audit Self-Assessment toolkit was used to incorporate a scoring methodology to score 8 method statements to give a total score out of 5. A select group of members from the Neglect sub-group representing safeguarding teams from both Council, NHS Trust and CCG met with the CSCP Lead to discuss and agree a moderated score for each tender response.
- 3.15 The approach to the safeguarding evaluation was well received and viewed as an example of good practice, providing the Council with an evidence-based approach to selecting potential contractors delivering services for children and providing a baseline for an annual review and audit as part of a robust contract management process.
- 3.16 Full details of the outcomes from the tender submissions and total evaluated score for each tender response are contained within the associated Part B report.

4. CONSULTATION

- 4.1 The redesign of Best Start Children's Centres has been informed by a statutory consultation which took place during May and June 2021. Outcomes from the consultation will be used to inform where service infrastructure and partnership working needs to improve so families are aware of where they can access help and support when needed.
- 4.2 A co-produced parent and carer engagement plan will be developed for the new services to relaunch the Best Start Locality Parent groups, part of the statutory duty of the Childcare Act 2006, to 'secure that each children's centre is within the remit of an advisory board and a governing body'.

5 PRE-DECISION SCRUTINY

- 5.1 The process for awarding these Contracts is to be taken under General Exception.
- 5.2 The urgency for this notice has been noted by the Monitoring Officer and agreed by the Chair of Scrutiny and Overview Committee.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 6.1 Croydon Best Start fulfils the statutory duty on local authorities to provide early childhood services, and thus complies with the Council's essential spending criteria. The budget for Best Start services are part of the Croydon Renewal Plan and MTFS savings programme (CFESAV09). The total net budget for 2021/22 of £1,447,000 was approved by Council in March 2021.
- 6.2 Best Start services are funded from the General Fund and the proposed Agreements and Contracts, are expected to cost the Council an aggregate value of £3,221,000.

The following table presents the revenue consequences on the available budget to fund these proposals. There is no Capital spend associated with this paper.

6.3 Revenue consequences of report recommendations

| | Current year | Medium Term Fina (MTFS) - 3 year fo | 0, | |
|---------------------------------------|--------------|-------------------------------------|---------|--|
| | 2021/22 | 2022/23 | 2023/24 | |
| | £'000 | £'000 | £'000 | |
| Revenue Budget available | | | | |
| Expenditure | 1,447 | 1,447 | 1,447 | |
| Income Effect of decision from report | 0 | 0 | 0 | |
| Expenditure | (1,805) | 1,432 | 1,432 | |
| Income | 0 | 0 | 0 | |
| Remaining budget | (358)* | 15 | 15 | |

6.4 The effect of the decision

The proposed extension of the MTFS saving (SAVCFE09) will need to be carefully managed to ensure delivery risks to the MTFS programme in 2023/24 are mitigated.

6.5 **Risks**

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

^{*} It would be useful to note that the potential overspend of £358k identified in this financial year is likely to reduce significantly due ongoing service review with finance colleagues and substitute savings identified albeit yet to realised. This includes the £151,000 underspend commitments.

| Risk | Impact | Mitigation |
|---|---|--|
| Risk of delay in awarding new Contracts by 1 st January 2021 | The Council will be exposed to significant risk of challenge due to lack of provision for families, particularly those most in need, increasing potential safeguarding risks, complaints and political fallout. | The Leader has been asked to approve the award of Contracts to meet the existing procurement timeline and avoid any further delays. |
| | Staff eligible for TUPE rights would be impacted by delays in the transfer over to the new provider which could result in legal challenge. | |
| Risk that the new service model does not deliver | The Council could incur increased costs to deliver the service and a corresponding risk to the MTFS savings programme. Contracts awarded would not deliver value for money and result in poor outcomes and increased inequalities for very young children and their families | KPIs for these services are included in the Croydon Renewal Plan measures and reporting. Robust contract management is in place. Additional rigor will provided through scheduled financial contract monitoring meetings to ensure value for money. Service plans and additional performance measures and outcomes for children will be reviewed annually. |
| Risk of unknown costs to be negotiated by the new contractor with the building owners to deliver a sufficient service offer through the locality Spokes | The indicative budget for each Spoke inhibits a sufficient service offer in the locality, reducing the availability of support families can access locally | The Council Estates team, Commissioner and Service Lead are working in collaboration with the incumbent providers to ensure a consistent approach and framework for accessing Children's Centre assets, and will support negotiations with the new contractors. |

| Where assets are owned by the Council |
|---|
| consideration for a corporate recharge may need to be pursued within available budgets. |

6.6 **Options**

The proposals in this paper are being recommended due to Contracts coming to an end on 31st December 2021. This option, if accepted will provide statutory early childhood services delivered through the new Children's Centre Hub and Spoke model agreed by Cabinet in July 2021.

The alternative option to let Contracts come to a natural end has been rejected as this would lead to a gap in service, leaving families with young children with no provision and staff unprotected.

The procurement ended with no suitable bids for Sub-lot 1c (Children's Centre Hub South) and therefore remains vacant. The service is considering alternative options to deliver this service.

Sub-lot 2b for Employability support did not receive any bids. To avoid a gap in service a new direct award has been negotiated with the incumbent provider under Regulation 32 of the Public Contracts Regulations 2015 enabling the Council to award public contracts by a negotiated procedure without prior publication where no bids have been received.

6.7 Future savings/efficiencies

Despite operating in a financially challenging climate, service improvement, efficiency and the delivery of good outcomes for children and their families remain at the heart of Croydon Best Start.

Robust contract monitoring will continue, identifying further efficiencies where possible.

If additional savings are required from this budget, this would have such an impact on contract spend and allocation to providers, that this would likely render this the service undeliverable. If that was to happen, an alternative delivery model would need to be developed.

Approved by: Phil Herd (Interim) Head of Finance, Children, Families and Education on behalf of Richard Innis, Section 151 Officer.

7. LEGAL IMPLICATIONS

7.1 The Interim Head of Commercial & Property Law comments on behalf of the Interim Director of Law and Governance that the negotiated procedure without prior publication is available for the Council to use where no tenders, no "suitable" tenders, no requests to participate or no "suitable" requests to

participate have been submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of the contract are not substantially altered under Regulation 32 of the Public Contract Regulations 2015. This procedure has been considered for lots 1c and 2b and utilised for lot 2b.

7.2 The award of the contracts as set out in this report assist the Council in the achievement of its duty to obtain "Best Value" in accordance with the provisions of the Local Government Act 1999.

Approved by Nigel Channer, Head of Commercial and Property Low on behalf of Doutimi Aseh, Director of Law and Governance & Deputy Monitoring Officer.

8. HUMAN RESOURCES IMPACT

- 8.1 This report makes recommendations involving a service provision change which is likely to invoke the effects of TUPE (Transfer of Undertakings (Protection of Employment) 2006 Legislation (amended 2014). Where the activities of the new service 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.
- 8.2 The application of TUPE would be determined by the incumbent and any new service provider, for which the Council is the client in most cases. However, in the case of community schools, the Council is ultimately the employer for those Children Centre staff.
- 8.3 The service will be working with the current contractors and their HR providers to ensure the appropriate policies and procedures are followed.

Approved by: Deborah Calliste, Head of HR for Children, Families and Education on behalf of the Director of Human Resources.

9. EQUALITIES IMPACT

- 9.1 A full Equality Analysis will be updated to reflect the new service delivery plans to ensure outcomes are improved for all groups with protected characteristics. A review of the Best Start registration form will improve the data currently being collected for those with protected characteristics within GDPR guidelines, to improve the future analysis of equalities for children and families using the service.
- 9.2 These proposals will meet the Council's obligations in ensuring equity of access to provision, particularly for those with protected characteristics. By awarding these Contracts the Council will ensure families with children under five can access the services and support they need, reduce inequalities and improve their life chances.

- 9.3 Equalities is a standing item and part of the contract management process. Regular monitoring allows for the early identification of any potential adverse impact on groups that share protected characteristics, enabling opportunities to intervene and avoid any unlawful action and improve outcomes.
- 9.4. Contractors will be encouraged to sign up to the Council's Race Matters and Equalities Pledges and to employ local labour thus meeting one of the Council's priorities of tacking inequalities and reducing poverty.

Approved by: Denise McCausland, Equality Programme Manager

10. ENVIRONMENTAL IMPACT

10.1 It is considered that there are no increased or decreased negative environmental sustainability impacts, from the proposals contained in this report.

11. CRIME AND DISORDER REDUCTION IMPACT

- 11.1 Supporting families through these services contributes to building resilience and community connections, with the intention to avoid people becoming involved in crime and disorder. Best Start services and partners work together to support children and families exposed to sexual violence and domestic abuse.
- 11.2 It is considered that there are no increased impacts on children and families in these proposals. Approving the recommendations in this report will ensure families are able to access the services when they need them the most.

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

12.1 To approve the award of Contracts to the list of approved contractors as details in the associated Part B report, for a term of 2 years plus 3 months (1st January 2022 to 31st March 2024).

13. OPTIONS CONSIDERED AND REJECTED

a) Do nothing and let contracts come to a natural end – Rejected

This would expose the Council to significant risk by having a gap in provision leaving families with young children and the most vulnerable with no access to services or support, and staff rights unprotected.

b) Agree to approve the Award of Contracts – Recommended

This option will ensure the continuation of service provision and reduce the significant risks both economic, political and potential employment litigation, to the Council.

14. DATA PROTECTION IMPLICATIONS

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

YES

The name, age, address and other personal data is used by providers to deliver the service on a day to day basis. Personal information will be shared with partners, as appropriate, as part of a referral to safeguard a child or vulnerable adult. All other referrals for additional support will require prior consent of the parent/carer.

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

Yes

CONTACT OFFICER:

Sharon Hemley, Early Help Commissioning Manager Sharon.hemley@croydon.gov.uk

APPENDIX:

Best Start Safeguarding toolkit and scoring sheet.

BACKGROUND DOCUMENTS:

None.



Section 11 self-assessment tool

User Details



This self-assessment tool accompanies the Best Start tender documents and should be completed in full by all providers wishing to tender in the Best Start procurement

| Organisation name and address | |
|-------------------------------|--|
| | |
| | |
| | |
| Date completed | |
| Completed by | |
| | |
| Job title | |
| | |
| Email address | |
| | |
| Telephone number | |
| | |
| Signed-off by | |
| | |
| Sign-off date | |
| | |

Need Help?

Contact:

Donna Kingsley QA & Development Officer donna.kingsley@croydon.gov.uk
Croydon Safeguarding Children Partnership
Bernard Weatherill House, Mint Walk, Croydon, CR0 1EA
Tel 020 8726 6400 ext: 65598

The CSCP publishes a regular newsletter where safeguarding courses, information and details of Croydon safeguarding practice reviews and other learning materials are available.

Croydon Safeguarding Children Partnership Home - Croydon Safeguarding Children Partnership (croydonlcsb.org.uk)

You can sign up to the newsletter on the website where there are a number of resources and information which will help professionals working to safeguard children and families in Croydon.

Croydon Safeguarding Children Partnership News Archives - Croydon Safeguarding Children Partnership (croydonlcsb.org.uk)

Section 11 self-assessment tool

Introduction

2004. This is a self-assessment tool that aims to assess the effectiveness of the arrangements for safeguarding children at a strategic level. Each tenderer must ensure that any statements made within the tool are **backed by evidence** to meet The tool assesses each tenderer against 8 standards as set down in the 'Statutory Guidance on Making Arrangements to Safeguard & Promote the Welfare of Children If your organisation covers more than one Safeguarding Partnership area, please ensure that any arrangements, practice or issues specific to Croydon are highlighted.

The BLUE section is to demonstrate Croydon Focused Evidence - some The CSCP is keen to evidence how all partners recognise and respond to children with a disability, SEN, (Special Educational Need) or hidden disability such as autism or ADHD. Research shows that these children are at least 3 times more likely to be abused or harmed and also less likely to receive an adequate response if abused or "Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations.

The self-assessment tool is made up of 8 worksheets.

Each worksheet focuses on the standard and outlines the requirements to be achieved.

Follow the links below to each worksheet where you enter your score against each of

- 1. Senior management commitment to the importance of safeguarding and
- 2. A clear statement of the agency's responsibility towards children is available to
- 3. A clear line of accountability within the organisation for work on safeguarding
- 4. Service development takes account of the need to safeguard and promote welfare and is informed by the views of children and families.
- 5. Staff training on safeguarding and promoting the welfare of children for all staff working with or in contact with children & families
- 6. Recruitment, vetting procedures and allegations against staff
- 7. Inter-agency working
- 8. Information sharing

1. Senior management commitment to the importance of safeguarding and promoting children's welfare

| Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met the standard. | | v and decide whether organisation has 'Fully 'Partly met' or 'Not met' | 1. Not met | 2. Partly met | 3. Fully met | Croydon focused evidence | Rating | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|---|-----|--|---|--|---|--|--------|--|
| | | responsible for safeguarding at senior management level / | responsible for safeguarding at senior management level / truste / on senior management committee. | agency has some arrangements in place, but is not fully meeting the standard. | identified and responsible for safeguarding children. | behalf of your organisation? What is their attendance rate for the last 12 months? | | |
| Page | 1.2 | All staff or volunteers that come into contact with children and young people are able to access supervision or support in relation to safeguarding. | supported or supervised regularly in relation to safeguarding | ragency has some arrangements in place, but is not fully meeting the standard. | volunteers are supported and supervised regularly in relation to safeguarding children. Evidence would include a section on regular supervision forms, regular time spent reflecting on safeguarding issues or notes within client/case | Are you aware of the Escalation Policy? (aka: The Resolution of Professional disagreement in Safeguarding Children) Have you had cause to use it? Was it successful? Reflective Supervision is encouraged. Do use you the guidance? The Resolution of Professional disagreement in Safeguarding Children | | |
| 19 | | Please add any information to additionally support your compliance in this area. | , | | | | | |

Remember to fill in the blanks

2. A clear statement of the agency's responsibility towards children is available to all staff

| Please read each statement below and decide whether your organisation has 'Fully met', 'Partly met' or 'Not met' the standard. | | v and decide whether organisation has 'Fully 'Partly met' or 'Not met' | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Rating | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|--|--|--|------------|--|--|--|--------|--|
| 2 | | The organisation has a child protection policy in place that provides clear guidance on what action to take if there are concerns about a child's safety or welfare. | | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | A clear child protection policy is in place within the organisation which is reviewed every 2 years. Please embed/attach a copy of your Child Protection Policy here | The organisations safeguarding policy references Croydon contacts and Croydon pathways. The organisation knows how many children it refers to Early Help and/or SPOC. It knows the outcome of those contacts, as well as the number which specifically relate to Children with SEN, a disability or a hidden disability like autism. | | |
| ט | | An effective complaints process is in place and available to all child and adult service-users. | | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | There is an effective and accessible process in place for child and adult service-users to make a complaint. Complaints are responded to in a timely manner. | The CSCP Escalation policy is named as a reference document | | |
| 200 20 200 20 | | Please add any information to additionally support your compliance in this area. | | | | | | |

Remember to fill in the blanks

3. A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children

| 1 | oelo /our net', | se read each statement w and decide whether organisation has 'Fully 'Partly met' or 'Not met' tandard. | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Rating | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|---------|-----------------------|---|--|---|--|---|--------|--|
| | | person/s who takes the lead on safeguarding on the front-line service. | at operational level. | agency has some arrangements in place, but is not fully meeting the standard. | arrangements in place if named person is unavailable. | | | |
| Page 21 | | Staff and volunteers are aware of their responsibilities if they are concerned about a child or young person and know the procedures to follow in such circumstances. | with children do not have a clear understanding of their | agency has some arrangements in place, but is not fully meeting the standard. | All staff and volunteers likely to come into contact with children as part of their job understands their responsibility towards children and there is guidance on how to behave towards children, staff and volunteers Croydon Safeguarding Children Partnership Learning & Development Croydon Safeguarding Children Partnership (croydonlcsb.org.uk) | Croydon specific (for Croydon children) | | |
| | | Please add any information to additionally support your compliance in this area. | | | | | | |

Remember to fill in the blanks

4. Service development takes account of the need to safeguard and promote welfare and is informed by the views of children and families

| 1 | oelow our onet', ' | e read each statement y and decide whether organisation has 'Fully 'Partly met' or 'Not met' andard. | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|--------|-----------------------|--|--|---|---|--|--|
| 4 | 1.1 | into account the need to safeguard children, when planning a new service or | • | not fully meeting the standard. | account of the need to safeguard and promote the welfare of children. Examples of good practice include: Child appropriate surveys, using SCR | When planning new work/service delivery, what steps are taken to positively influence the safeguarding of Croydon Children? What do you do specifically for children with a disability, special education need or hidden disability? | |
| Page | | plans are informed by the views of children and | Plans are developed without reference to the wishes and feelings of children, young people and families. | agency has some arrangements in place, but is not fully meeting the standard. | involved in the design, development and delivery of services. Evidence of surveys or feedback from children and young people can be added here. | What work/feedback has been carried out with Croydon children to shape how your service is delivered in Croydon? What has been done specifically for children with a disability, special education need or hidden disability? | |
| S S | 1.3 | Please add any information to additionally support your compliance in this area. | | | | | |

Remember to fill in the blanks

5. Staff training on safeguarding and promoting the welfare of children for all staff working with or in contact with children and families

| k S r | oelov /our net', | se read each statement v and decide whether organisation has 'Fully 'Partly met' or 'Not met' tandard. | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Rating | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|-------------|------------------------|--|--|--|---|---|--------|---|
| ס | | have training on child protection when they join the organisation which includes an introduction to the organisation's child protection policy. The induction should be within the first six months of employment (or TUPE) and before inter-agency training. | Croydon Safeguarding Children Partnership Local Policies & Procedures - Croydon Safeguarding Children Partnership (croydonlcsb.org.uk) | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | welfare. It always takes places within first 6 months of employment and before individuals can take part in multi-agency training. The percentage of staff who have completed appropriate safeguarding training is: | with disabilities has taken place in the last 12 months (this might be safeguarding CWD or communicating with CWD or other courses specific to a raised awareness of the additional vulnerabilities of children with disability, such as our free, on line autism | | |
| 30P 23 | i | volunteers who have completed induction training when they join the organisation. | kept up to date. | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | A record is kept up to date and information is readily available and accessible. | What multi-agency events have your staff attended in the last 12 months in Croydon (SCR or Learning Reviews, Multi-agency audits, CSCP Conference Events). Do you use scenario led team sessions to test out your "what to do if?" knowledge? | | |
| | ; ; | that all staff working or having contact with children are appropriately trained in child development and in how to recognise and act on signs of child abuse or neglect. | There is no such additional training offered to staff. | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | appropriately trained in child development and in how to recognise and act on potential signs of abuse and neglect. All staff undertaking specialist roles receive necessary specialist training. | Do your staff use the GCP2 Tool? (Neglect Tool) Do your staff use the MACE Screening Tool? Do you record data to show the type and prevalence of disability (as per the WHO definition on our introduction page) | | Please list the percentage of staff trained to Level 1, Level 2 and Level 3 Safeguarding. Additional evidence of training courses attended is also welcomed |
| | į | information on local | Training does not make reference to local thresholds for service delivery: | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | Training makes reference to local thresholds for service delivery: See the CSCP Website for Thresholds & Indicator of Needs Protocols. Croydon Safeguarding Children Partnership Local Policies & Procedures - Croydon Safeguarding Children Partnership (croydonlcsb.org.uk) | Are your staff aware of the Early Help Strategy for Croydon? Are your staff aware of the SEND Delivery Plan for Croydon? | | |

| 5 | | . | There is not a training plan for | , | | The Croydon offer for training (CSCP | |
|-----------------|----|-----------------------------|-----------------------------------|------------------------------------|---|--|--|
| | | | | | | website and newsletter) is available for | |
| | | | need regarding safeguarding | in place, but is not fully meeting | young people, according to their level of | all staff and regularly accessed. | |
| | | organisation regarding | children training. | the standard. | need. | | |
| | | safeguarding children | | | | | |
| | | training. | | | | | |
| 5 | .6 | The organisation reviews | There is little or no evidence of | Please rate 'Partly met' if your | Training needs are regularly reviewed in | When did you last align your policies | |
| | | staff training needs to | training needs being regularly | agency has some arrangements | relation to safeguarding. There is clear | with CSCP/Croydon based guidance? | |
| | | ensure knowledge of | reviewed. | in place, but is not fully meeting | evidence that the organisation is | Do you implement the guidance around | |
| | | child protection is | | the standard. | responsive to latest safeguarding issues | recognising CWD and refining your data | |
| | | maintained and up-to- | | | and guidance. | and service delivery using the | |
| | | date. | | | ŭ | information your organisation has | |
| | | | | | | captured? | |
| 5 | .7 | The organisation ensures | There is little or no evidence to | Please rate 'Partly met' if your | Staff would say that they feel supported | Without identifying a child or their | |
| | | | | agency has some arrangements | | families, briefly describe an occasion | |
| | | managers are equipped | appreciate this aspect of their | in place, but is not fully meeting | protection, and feel that managers have | where supervisor support has been | |
| | | | role | the standard. | relevant knowledge to discuss cases. | sought and provided. How does the | |
| | | knowledge to provide | | | Staff feel that their personal feelings and | occasion fit with the guidance in the | |
| | | effective supervision, | | | | Reflective Supervision Standards | |
| | | management and | | | appropriately managed/supervised when | • | |
| | | oversight of child | | | required | | |
| | | protection cases | | | 4 | | |
| 5 | .8 | The organisation has | There is no knowledge of | There is some knowledge of | There is good understanding of the | | |
| Ĭ | | | Croydon SCRs or knowledge of | | Croydon SCRs. The themes and | | |
| | | | | evidence to show how some of | learning has been shared with relevant | | |
| _ | | | associated with Croydon SCRs | the themes and learning has | staff | | |
| Ų | | steps to embed | according with croyacti conte | been shared with relevant staff. | otan | | |
| מ | | associated learning with | | boon onarou wan rolovani olan. | | | |
| מ ס ס | | relevant staff | | | | | |
| υ <u>5</u> | | Please add any | | | | <u> </u> | |
| S | | information to additionally | | | | | |
| ⁵ 24 | | support your compliance | | | | | |
| | | in this area. | | | | | |
| | | in this area. | | | | | |
| | | | | | | | |

Remember to fill in the blanks

6. Recruitment, vetting procedures and allegations against staff

| b y n | elow our c net', ' | e read each statement and decide whether organisation has 'Fully Partly met' or 'Not met' andard. | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Rating | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|-------------|--------------------------|---|---|--|--|--|--------|--|
| 6 | ; ; | The organisation has an accessible safer recruitment policy which covers how to recruit safely for staff and volunteers who have contact with children. | There is no safer recruitment policy. | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | recruitment panel has a member who has completed Safer Recruitment Training in the last 3 years. <i>Embed or</i> | A sample of Croydon deployed staff (working with children) records have been checked. They were recruited in line with Safer Recruitment policy. (Panel member has Safer Recruitment Training in last 3 years) | | |
| Page 25 | ; ; ; ; | who have contact with children are properly selected and have appropriate checks in clace. At a minimum these should be in line | The organisation does not carry out DBS checks on staff and volunteers. There is little or no evidence of references being taken up and previous employment checks being made. | agency has some arrangements in place, but is not fully meeting the standard. | | | | |
| 6 | | | a retention policy for the results of checks, or cannot provide sufficient evidence when requested. | in place, but is not fully meeting the standard. | policy and regularly update their records. | A sample of Croydon deployed staff (working with children) records have been checked. The results of checks is clearly shown and in line with the retention policy. | | |
| 6 | 1 1 1 | , | | agency has some arrangements in place, but is not fully meeting the standard. | safer recruitment within the organisation. | A sample of Croydon deployed staff (working with children) records have been checked. The staff member recruiting them had Safer Recruitment Training | | |
| 6 | · | There are clear procedures for handling allegations of abuse against staff and volunteers. | within the organisation for handling allegations of abuse | Please rate 'Partly met' if your agency has some arrangements in place, but is not fully meeting the standard. | complaints about staff and volunteers, | The name of the Croydon LADO is known and appropriately displayed for staff to access. | | |

Jage Z

| | 6.6 | There is a 'whistle- | The organisation does not have | Please rate 'Partly met' if your | There is an accessible 'whistle blowing' | The "whistle blowing" policy references | |
|---------------|-------|-----------------------------|-----------------------------------|--|---|---|--|
| | | blowing' procedure for all | a 'whistle blowing' procedure. | | | the CSCP Escalation Policy | |
| | | staff/volunteers who have | | in place, but is not fully meeting | report their concerns. | · | |
| | | concerns about poor | | the standard. | | | |
| | | practice. | | | | | |
| | 6.7 | The organisation has | The organisation has no | Please rate 'Partly met' if your | The organisation has clear disciplinary | The name of the Croydon LADO is | |
| | | | | | | known and appropriately displayed for | |
| | | relation to allegations of | for dealing with allegations of | in place, but is not fully meeting | against staff and volunteers. | staff to access. | |
| | | | abuse against staff and | the standard. | | | |
| | | volunteers in line with the | volunteers. | | | | |
| | | 'London Child Protection | | | | | |
| | | Procedures' (15.4) | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | The organisation has no or poor | | The organisation has clear recording | The name of the Croydon LADO is | |
| | | detailing checks taken in | | agency has some arrangements | | known and appropriately referenced in | |
| | | respect of staff and | allegations. | in place, but is not fully meeting the standard. | | the recording system. | |
| | | volunteers. | | the standard. | | | |
| | 6.9 | In the case of an | The organisation does not have | Please rate 'Partly met' if your | The organisation gives full consideration | | |
| | | allegation against a staff | · · | , | and has arrangements in place to | | |
| | | | safeguard children in the event | | safeguard children when an allegation is | | |
| | | | of an allegation against staff or | | made against a staff member or | | |
| | | immediate consideration | | | volunteer. | | |
| | | is given to how best | | | | | |
| $\overline{}$ | | safeguard children (e.g. | | | | | |
| 2 | | suspension or not | | | | | |
| Ć. | | working unsupervised). | | | | | |
| Page | | | | | | | |
| | 0.10 | | There is not a named senior | | There is a named senior officer to whom | | |
| 26 | | person to whom | | | | Croydon concerns? | |
| 0, | | allegations or concerns | responsible for dealing with | in place, but is not fully meeting | reported. | | |
| | | should be reported. | allegations or concerns. | the standard. | | | |
| | | | | | The named person is easily contactable | | |
| | | | | | and there are cover arrangements in | | |
| | | | | | place if named person is unavailable. | | |
| | 6 11_ | Please add any | | | | | |
| | | information to additionally | | | | | |
| | | support your compliance | | | | | |
| | | in this area. | | | | | |
| | | | | | | | |

Remember to fill in the blanks

7. Inter-agency working

| beld you met | ase read each statement ow and decide whether r organisation has 'Fully ', 'Partly met' or 'Not met' standard. | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|--------------------|--|---------------------------------|---|---|--|--|
| Page : | agency working and understand the roles and responsibilities of other organisations. | working and staff do not | in place, but is not fully meeting the standard. | understand its importance. Staff are aware of other organisations roles and responsibilities for safeguarding and promoting the welfare of children. | What multi-agency meetings or training in Croydon have your staff attended in the last 12 months? What CIN/TAF/CP meetings have your staff attended in Croydon? Where attendance has been requested, what steps have you made to send reports, or follow up for minutes/plans? | |
| 27 | children who would benefit from additional services. They are clear about the circumstances | children who would benefit from | in place, but is not fully meeting | Staff are able to identify children who would benefit from additional services and aware of the process of when to refer a child they have concerns about to Children's Social Care. Staff are able to apply CSCP Indicators of Need Matrix used in Croydon and understand the thresholds of different services. | Guidance (Effective Support - right help right time)? | |

| 7.3 | Staff are able to make | Staff and volunteers do not know | Please rate 'Partly met' if your | Staff and volunteers make high-quality | Do you know how many referrals to | Details of numbers of referrals and |
|----------------------|----------------------------|-----------------------------------|------------------------------------|---|--------------------------------------|--------------------------------------|
| | referrals to SPOC and | how to make good referrals to | agency has some arrangements | referrals to Children's Social Care and | SPOC are returned or "no further | whether they are accepted or not are |
| | MASH of a high quality. | Children's Social Care. | in place, but is not fully meeting | include: | actioned"? What action are you | welcomed |
| | | | the standard. | - Full names, dates of birth and gender of | taking to improve the rate of | |
| | | | | children | accepted referrals? Is this rate the | |
| | | | | - Family address and, where relevant, | same for disabled and non disabled | |
| | | | | school/nursery attended | children? Do you use the | |
| | | | | - Names and dates of birth of all members of | | |
| | | | | the household | appropriate? | |
| | | | | - Ethnicity, first language and religion of | | |
| | | | | children and parents | | |
| | | | | - Any special needs of the children | | |
| | | | | - Any significant recent or past events | | |
| | | | | - Cause for concern including details of | | |
| | | | | allegations, their sources, timing and location | 1 | |
| | | | | - Child's current location and emotional and | | |
| | | | | physical condition | | |
| | | | | - Whether the child needs immediate | | |
| | | | | protection | | |
| | | | | - Details of any alleged perpetrator | | |
| | | | | - Referrer's relationship with and knowledge | | |
| | | | | of the child and his or her family | | |
| | | | | - Known involvement of other agencies | | |
| | | | | - Information regarding parents' knowledge | | |
| | | | | and agreement to referral | | |
| _ | | | | | | |
| Page | There are accessible | There are no policies in place to | Please rate 'Partly met' if your | The organisation has clear procedures and | Do you have details on staff | |
| Ö | policies in place to | support effective inter-agency | agency has some arrangements | protocols for effective inter-agency working | attendance at TAF meetings or CP | |
| $\widetilde{\Theta}$ | support effective | working in individual cases. | in place, but is not fully meeting | and communication between partner | meetings? We can evidence | |
| | interagency working in | | the standard. | agencies. | respectful challenge (where | |
| 28 | individual cases. | | | | required) and our input to plans at | |
| ∞ | | | | Staff are aware of local policies and | meetings. Our staff feel that their | |
| | | | | protocols and apply them when they are | view is valued and appropriately | |
| | | | | working on individual cases. | considered at multi-agency | |
| | | | | Details of attendance at multi-agency | meetings. | |
| | | | | meetings | | |
| 7.5 | | | | | | |
| | information to additionall | | | | | |
| | support your compliance | | | | | |
| | in this area. | | | | | |
| | | | | | | |

Remember to fill in the blanks

8. Information sharing

| bel you me | ease read each statement low and decide whether ur organisation has 'Fully t', 'Partly met' or 'Not met' e standard. | 1. Not met | 2. Partly met | 3. Fully met | Croydon Focused Evidence | Please provide evidence of your compliance in this area or how you intend to meet the requirements. This section cannot be left blank. |
|------------------|---|---|--|--|---|--|
| 8.1 | clear understanding of the responsibility to share information relevant to safeguarding children and | The organisation does not understand its responsibility to share information in order to safeguard children. There is no clear guidance available to staff about information-sharing with other organisations. | has some arrangements in place, but is not fully meeting the standard. | | · | |
| Page 29 | who come into contact with children should understand the purpose of information sharing in order to safeguard children. | | not fully meeting the standard. | All staff and volunteers are aware of their personal responsibilities relating to sharing information in order to safeguard children and understand its purpose. All staff / volunteers are confident about what they can and should do under the law, including how to obtain consent to share information and when information may be shared even though consent has not been obtained. | Do you use Croydon specific examples or scenarios when training staff? For example - learning from audits, when sharing is and isn't appropriate and the impact it had on children concerned. | Evidence of attendance at strategy and child protection meetings is also relevant here. |
| 8.4 | go to should they require clarification on information sharing. | Staff do not know who to go to if they have any concerns about sharing | Please rate 'Partly met' if your agency has some arrangements in place, but is | Staff have a named contact to whom they can go for clarification of any issues in relation to information sharing. | Who is the Croydon staff member your staff should contact? | |

Remember to fill in the blanks

Scoring Guidance: Evaluation of Best Start Safeguarding Method Statement

Eight questions make up the safeguarding self-assessment toolkit. To ensure alignment with the other method statements, the total marks available for the safeguarding method statement is five.

Providers must score at least 60% in each question to pass. The scoring variable in each question shows the required score for a 'not met', 'partially met' or 'fully met' answer.

For example:

For Question 1 (worth a total of 0.25%), a partially met answer would need a score of at least 0.15% (i.e. 0.60% of 0.25).

On each sheet, the evaluation panel should input the provider name in Row 1 and the agreed score in Row 9 - 'Evaluators score'.

The scores for each question will be automatically added to calculate a 'Total Score' in Row 13. To pass the total score should be a minimum of three which equates to 60% of the five marks available. The total score should not exceed five.

Please return the completed scoring sheet to Croydonbeststart@croydon.gov.uk cc'd to Sarah.adesikun@croydon.gov.uk no later than 16:00 Wednesday 13th October 2021.

| | _ | |
|----------|---|------------------------------|
| Question | | Total Marks Available |
| - | 1 | 0.25 |
| 2 | 2 | 1 |
| 3 | 3 | 1 |
| 4 | 4 | 0.25 |
| Ţ | 5 | 0.75 |
| (| 5 | 0.25 |
| 7 | 7 | 0.5 |
| 8 | 3 | 1 |

Insert Provider Name:

| Qu | estion 1 | | |
|--------------------|----------|-------------|--|
| | Scori | ng variable | |
| Not met | 0 | 0 - 0.14 | |
| Partially met | 0.15 | 0.15 - 0.19 | |
| Fully met | 0.2 | 0.2 - 0.25 | |
| Evaluators score: | | | |
| TOTAL AVAILABLE | 0.25 | | |

| Question 2 | | | | | | |
|--------------------|------------------|------------|--|--|--|--|
| | Scoring variable | | | | | |
| Not met | 0 | 0 - 0.59 | | | | |
| Partially met | 0.6 | 0.6 - 0.79 | | | | |
| Fully met | 0.8 | 0.8 – 1 | | | | |
| Evaluators score: | | | | | | |
| TOTAL AVAILABLE | | 1 | | | | |

| Qu | estion 3 | |
|--------------------|----------|---------------|
| | Sco | ring variable |
| Not met | 0 | 0 - 0.59 |
| Partially met | 0.6 | 0.6 - 0.79 |
| Fully met | 0.8 | 0.8 – 1 |
| Evaluators score: | | |
| TOTAL AVAILABLE | | 1 |

| Question 4 | | |
|--------------------|------------------|-------------|
| | Scoring variable | |
| Not met | 0 | 0 - 0.14 |
| Partially met | 0.15 | 0.15 - 0.19 |
| Fully met | 0.2 | 0.2 - 0.25 |
| Evaluators score: | | |
| TOTAL AVAILABLE | 0.25 | |

| Question 5 | | |
|--------------------|-------|--------------|
| | Scori | ing variable |
| Not met | 0 | 0 - 0.44 |
| Partially met | 0.45 | 0.45 - 0.59 |
| Fully met | 0.6 | 0.6 - 0.75 |
| Evaluators score: | | |
| TOTAL AVAILABLE | 0.75 | |

| Qu | estion | 6 |
|------------------|--------|----------------|
| | Sco | oring variable |
| ot met | 0 | 0 - 0.14 |
| artially met | 0.15 | 0.15 - 0.19 |
| ully met | 0.2 | 0.2 - 0.25 |
| valuators score: | | |
| OTAL VAILABLE | | 0.25 |

| Question 7 | | | |
|--------------------|------------------|------------|------|
| | Scoring variable | | |
| Not met | 0 | 0 - 0.29 | Not |
| Partially met | 0.3 | 0.3 - 0.39 | Par |
| Fully met | 0.4 | 0.4 – 0.5 | Full |
| Evaluators score: | | | Eva |
| TOTAL AVAILABLE | 0.5 | | TO' |

| Question 8 | | |
|--------------------|------------------|------------|
| | Scoring variable | |
| Not met | 0 | 0 - 0.59 |
| Partially met | 0.6 | 0.6 - 0.79 |
| Fully met | 0.8 | 0.8 – 1 |
| Evaluators score: | | |
| TOTAL AVAILABLE | | 1 |

TOTAL SCORE 0

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

Document is Restricted



Procurement Board (PB)

Contract Award Report

| Date of meeting | 23/09/2021 |
|--------------------|--|
| Ву | Jon Martin, Consultant, Croydon Digital Service |
| Title | Contract Award for Idox IT Solution |
| Project Sponsor | Heather Cheesbrough Director of Planning, Building Control and Strategic Transport |
| Executive Director | Sarah Hayward, Executive Director of Place |
| Lead Member | Cllr Young, Cabinet Member for Resources & Financial Governance |
| Key Decision | n/a |

1. Recommendations

The Contracts & Commissioning Board (CCB) recommends to the Director of Commissioning and Procurement to:

- 1. Approve a waiver under Regulation 19 of the Tenders and Contracts Regulations against the requirement under Regulation 8.1 for a strategy report.
- 2. Approve a waiver under Regulation 19 of the Tenders and Contracts Regulations against regulation 23.3 (a), 23.3(g) and 23.4 (standard contract clauses)
- 3. Approve a waiver under Regulation 19 of the Tenders and Contracts Regulations against regulation 14 (Social Value

The CCB is asked to recommend to the Leader the recommendation below:

Leader of the Council

The Leader of the Council to make the decisions set out in the recommendations below:

The Leader is recommended by the Contracts and Commissioning Board to:

1. Directly award a contract to Idox as a compliant call off from Crown Commercial Services framework RM3821 DATA AND APLICATION SOLUTIONS Lot 2b for a period of 5 years at a contract value of £550k for the supply and support of Idox IT solutions for the reasons set out in the report.

2. Background & strategic context

Idox are suppliers of the suite of IT applications referred to as Uniform that is used by the following service areas at Croydon:

- Development Management (i.e., planning)
- Building Control
- Food and Safety
- Commercial Licensing
- Trading Standards
- Pollution
- Neighbourhood Safety
- Housing Renewals

Uniform has been used in some capacity at Croydon for over 20 years with the current contract arrangements for licensing and support expiring on 30th October 2021.

A GPS framework call off contract was awarded on 21st November 2012 CCB0636/12 (B)), approved through Corporate Services Committee on 21st November 2012 (Award minute reference A122/12) and entered on 29th November 2012.

The contract was varied up to a value of £559,954 in 2014 CCB0748/13-14 and the Regulatory Services contract was added CCB1280/17-18 and varied CCB1450/18-19 bringing a total aggregate value of 660k.

An RP1 Make or Buy paper was submitted and approved by CCB on 12th March 2020 - this recommended that we should look to the market rather than develop something internally due to the breadth and depth of functionality, whilst recognising that there were several short-comings with the current solution. An RP2 Procurement Strategy paper was later submitted and approved by CCB in May 2020 – this recommended we should conduct an open tender, splitting the application into three service-focused lots. However the drive for contract savings led to entering into negotiations with the supplier to secure the outcomes of reducing the contract charges for the future in exchange for a long term commitment and at the same time avoiding the cost of reprocurement and the change costs associated with a change of solution in the event Idox either did not bid if the tender outcome were to identify a different supplier and solution.

The funding to undertake the re-procurement process and implementation of the preferred solution(s) had secured £4.2M from capital funds. £3.6M of this has now been returned to finance though extending the support on the current system from Idox. This avoids the interest on these funds and the effort across multiple services to both run the project and change ways of working to adapt to new systems at a time of great financial strain.

A dedicated project team, funded from capital, conducted a discovery and requirements gathering exercise in parallel to the CCB approvals process. This was progressing to create the baseline tender documents when Croydon entered section 114.

The Uniform Programme Board discussed the steer from procurement to review whether it was essential to continue, or whether the current contract could be extended to avoid the cost of the tender and potential implementation of new system/s. Board agreed to postpone the tender phase and review options for renewing/extending the current system.

. In return for a 5-year term Idox have offered to reduce annual support charges from £125k pa to £110k pa. This elicits a saving of 15k pa (75k total saving on core charges over the 5 year term). This is a 12% saving over the current annual support charges.

Renewing Croydon

The scope of the current system supports multiple service areas, most of which exist to ensure Croydon's statutory obligations are met in the areas of public safety, building compliance and the permitted development of the borough

Keeping our streets safe:

Uniform covers multiple service areas. As a result, there are a number of disparate user groups including, but not limited to:

Residents/Citizens

- Enquire and make planning applications
- Notifications about planning applications impacting them
- Enquire and make building control applications
- Report/make complaints about noise, environmental health issues, graffiti, abandoned cars
- Freedom of Information requests

Businesses

- Enquire and make planning applications
- Enquire and make building control applications
- Commercial license applications, including alcohol and food, street trading, skips, scaffolding and specific businesstype regulations
- Food standard inspections
- Trading standards investigations
- Information about running events within the Borough

Internal officers/users of the system - in addition to those already mentioned:

- Spatial planning
- Corporate Anti-Social Behaviour team
- Other Housing teams who view residential property history information
- Landlord licensing teams who view residential property history information

- GIS mapping team to share location-based data, LLPG and Gazetteer
- Information to support economic development and regeneration teams

Councillors:

- Planning applications by ward
- Common complaints by ward
- Responses to questions

Croydon Community Partners: (Consulted on planning applications and commercial licences.)

- Metropolitan Police
- Fire Service
- British Transport Police
- Public Health

Statutory Bodies:

- MHCLG
- HMRC
- Food Standards Agency
- Health and Safety Executive
- Environmental Agency
- Planning Inspectorate

We will live within our means, balance the books and provide value for money for our residents: The proposed contract will save 12% compared to existing contract charges.

3. Contract Providing for a Statutory Requirement

The IT systems that this Idox contract covers supports several service areas, primarily within Place department, who are governed by the following statutory legislation:

- Building Act (1984, latest version 2010) defines statutory obligation for building works in England and Wales.
- Multiple acts including Planning Act 2008, Town and Country Act covers the obligation of work carried out by the Planning team.
- The Licensing Act 2003 defines obligation for the following types of premise licences:
 - Sale or supply of alcohol
 - o Provide regulated entertainment
 - Late night opening
- Environmental Protection Act 1990 legislation includes the control of emission into the environment.
- Food Safety Act 1990, Health and Safety Act work Act, Pollution prevention and Control Act, Public Health Act includes a list of legislation enforced by Commercial Environmental Health.
- Public Health (Control of Disease) Act
- Clean Air Act 1993
- Housing Act defines mandatory licensing of Houses in Multiple Occupation (HMO)
- Consumer Protection Act covers the remit of Trading Standards

The services which the current system supports are both statutory (public protection, planning, building control). It is therefore vital that the system is able to reliably support residents.

• Planning – This is a highly political topic affecting all wards. Councillors are often involved in escalations and complaints so the system needs to be transparent, accurate and easy-to-use.

- Building Control a revenue generating service which polices compliance against standards. Following the Grenfell
 Tower disaster, this area is subject to additional scrutiny and pressure to have accurate data and efficient processes in
 place.
- Public Protection Health and safety issues can quickly escalate in to high profile, negative media scenarios. It is vital that robust processes are in place to provide the necessary evidence that Croydon is on top of its statutory obligations.
- Food Safety Same implications as public protection, with the additional pressure that the Food Standards Agency have the power to take-over Council functions should they consistently fail to achieve the required performance standards.
- Commercial Licensing A revenue generating service aimed at ensuring businesses and events are run safely and comply with all necessary legislative requirements so public safety is not put at risk, and partner organisations, such as the Police are aware of the activities being conducted within the borough.
- Neighbourhood Safety A presence on the streets monitoring complaints and offences which can be policed through issuing fixed penalty notices.

4. Financial implications

| Budget Available | Yes / No | Cost Centre (Internal/External) | Various – se | ee below |
|--------------------------------|----------|---|--------------|----------|
| In-year Pressures on Budget | Yes / No | Future Pressure on Existing MTFS Budget | Yes / No | |

| Details | Internal | | Period of | External | | Period of funding |
|-------------------------|----------|---------|-----------|----------|---------|----------------------|
| Details | Capital | Revenue | funding | Capital | Revenue | Period of fulfulling |
| Annual Support due 1/11 | | 109,639 | 21/22 | | | |
| Annual Support due 1/11 | | 109,639 | 22/23 | | | |
| Annual Support due 1/11 | | 109,639 | 23/24 | | | |
| Annual Support due 1/11 | | 109,639 | 24/25 | | | |
| Annual Support due 1/11 | | 109,639 | 25/26 | | | |

Previous contract comprised two separate but co-terminating contracts plus several small additional amounts as modules were added to the base over time. The total annual value was £125k paid initially by CDS cost code C14095 with a recharge to service cost codes.

New contract annual value is £110k pa, a reduction of 12%. Over 5 years this represents a contract value of £550k.

In parallel to entering this new contract CDS needs to work with finance from the services to agree a baseline for going forward. Uniform Programme Board preference is that monies from service budgets are transferred to CDS to simplify the need for journal transfers.

NOTE The funding to undertake the re-procurement process and implementation of the preferred solution(s) had secured £4.2M from capital funds. £3.6M of this has now been returned to finance though extending the support on the current system from Idox. This avoids the interest on these funds and the effort across multiple services to both run the project and change ways of working to adapt to new systems at a time of great financial strain.

Essential Spend Criteria

The requirement is considered to meet the essential spend criteria *Expenditure to prevent the financial situation getting worse:*

This is because:

As a result of contract negotiations contract charges will be reduced and will bring a saving of 12% compared to previous annual charges.

5. Supporting information

| | Required Input | Details |
|-----|--|---|
| 5.1 | Procurement Process followed: | Due to the section 114 notice, the previously agreed approach from the RP2 paper to undertake a formal tender was postponed saving the short-term project costs of the |
| | Incl. details of the competition, | tender process and implementation of new solutions. |
| | advertisement, tenders received and | This report recommends a direct award to Idox as a compliant call off from Crown Commercial Services framework RM3821 DATA AND APLICATION SOLUTIONS Lot 2b |
| | any clarifications or issues. | underpinned by the Framework terms and conditions is a compliant route to contract and offers a call from the government e-marketplace as a direct award provided two conditions are met: |
| | | Call offs can be completed where: |
| | | The requirement must be intrinsically linked to a system already within the customers organisation |
| | | The system is already in use at Croydon |
| | | The products they are looking to award must be present on the Government eMarketplace |
| | | Idox already publish a catalogue entry for the solution on the government e- marketplace on line catalogue and will publish an updated entry to match the Croydon requirements based on agreeing an offer to the Council following detailed discussions. |
| | | This is in accordance with what is allowed under the framework. |
| | | External legal have previously provided advice in respect of using this framework route to market and the council has used this framework to award contracts on other major IT system contracts. |
| 5.2 | Evaluation results: | The proposed contract award is based on a direct award to the existing provider via a |
| | Incl. each providers scores in accordance | framework call off. Idox are the only providers of their proprietary IT solution. |
| | with the published criteria. Winning providers VFM offer | There is no change to the solution, previous project activity identified the solution meets requirements therefore there is no evaluation or scoring criteria. |
| | providers villaginer | The preferred option of the 5-year contract provides VFM since it is a 12% discount on previous annual charges and costs of change as set out in section 4 are avoided. |
| 5.3 | Any compliance issues with PCR or TCR? | A PCR compliant framework call off is recommended. A waiver under regulation 19 is requested in respect of regulation 8.1 of the TCRs requiring a tender to be conducted. |
| | | The call off for a direct award is in accordance with what the framework allows as mentioned in S5.1 above. |
| | | Note the discount offered is predicated on the following terms therefore a waiver to Regulation 23 (standard contract clauses) is requested: |
| | | There are no service credits – these are typically only offered by Idox where they also host the solution. The Croydon solution is hosted in the Councils Azure cloud. |
| | | Annual indexation based on RPI is included. |
| | | Payments are 6 months in advance. Idox usually charge 12 months in advance. |

| | | Termination for convenience cannot be implemented during the 5 year term but |
|-----|--|--|
| | | thereafter is 90 days. |
| | | Best Value: Idox require LBC to keep the level of discount offered confidential as it is unprecedented and therefore represents the best value. Note previous benchmarking and cost estimates |
| | | There is no social value offer, a waiver to Regulation 14 is requested |
| | | Previous performance of supplier: LBC have been a customer of Idox Software Limited for over 20 years. They are the UK market leader for most of the modules in use and we have had no issues with non-performance against the services provided under the support contract. |
| 5.4 | Contract Management: | The Idox solution is hosted on LBC-owned infrastructure so performance of the day-to-day running of the application is dependent on several factors outside of the control of Idox. |
| | Please detail how this will be delivered and by who? | CDS is establishing improved governance arrangements for all critical business systems including Idox and this includes oversight of contract monitoring and having a minimum of two contract management reviews per year. Service representatives are a key part of these governance arrangements. The category manager is also involved with supplier performance meetings. |
| | | Measures for a successful service: Performance against SLA to resolve problems/faults. Contract Performance mechanism linked to termination triggers |
| | | Measures for a successful ongoing operation Is the application available to applicants? Is the application available to staff? Is there sufficient monitoring of system resources adequate to enable pro-active management of the environment? What are the processes for reporting incidents, how are they prioritised and what are the SLAs? |
| 5.5 | Risks: | Refer to table in Annex of this paper. |
| | Incl. how they will be managed | The current contract term ends on 30th October 2021 we will be out of contract and will not be able to enter into a new contract until after that date. It has taken much longer than expected to conclude negotiations with Idox. Idox need a signed contract at least 2 weeks before expiry so they can enter into the various sub-contracts with their supply chain for components relying on 3rd parties. The PO needs to be raised before current contract expires The 12% discount is taken off the table if we can't achieve this |
| | | It is therefore a priority to approve the award as a matter of urgency. |
| 5.6 | Mobilisation plan How will it be managed? | The direct award is a new contract; however, it is in effect extending the use of the current systems and infrastructure. There is nothing to mobilise as part of entering the new agreement apart from updating the licence keys issued by Idox. |
| 5.7 | Decommissioning plans: | The direct award is a new contract; however, it is in effect extending the use of the current systems and infrastructure. There is nothing to decommission as part of entering the new agreement. |

| | How will they be managed between providers? | |
|------|--|---|
| 5.8 | TUPE: If applicable, how will it be managed? | There are no TUPE implications associated with this contract. |
| 5.9 | Interdependencies – If any: Incl. details of any arrangements i.e. Landlords, Consortiums, Assets connections and how they will be managed | There are no external dependencies associated with this direct award. |
| 5.10 | GDPR implications: | Further information and support can be found at the link below: |
| | Has an assessment been completed, do | https://intranet.croydon.gov.uk/resources/information-management/gdpr/gdpr-overview |
| | legal know to include in t&cs? | Attached DPIA hasn't changed to the version included with and reviewed by Information Management as part of the RP2 paper. Key points to note are: |
| | | The attached DPIAs primarily covers how the current IT solution effects GDPR. The DPIAs for each service area are the responsibility of the service. |
| | | The current privacy notice has been reviewed as part of each service's ongoing compliance with GDPR. |
| | | Personal data is already collected and is used to carry out our obligations for the current scheme |
| | | The council only use the data for the purposes of processing an application or service request |
| | | The system will enable us to deal with Data Subject Requests and retrieve the information held on our database. |
| 5.11 | Equalities: Please confirm how the proposed contract will support the EQIA? | Attached Equalities Assessment hasn't changed to the version included with and reviewed by Yvonne Okiyo on 17 th March 2020 |
| | | The solution will comply with Croydon's accessibility standards and web design guidelines which adheres to the Government's Service Standard. This states that the services provided must be accessible to everyone who needs it both online and offline. |
| | | The technical section of the proposed tender will define these standards and how they will be evaluated. |
| | | We expect the system to store primarily the name and address of the various stakeholder groups identified within various piece of legislation. |
| | | For some services, we may additionally include date of birth and answers to questions about convictions pertinent to their assessment of being 'Fit and Proper' to hold a licence. |
| | | We don't expect the new or upgraded solution (s) to store information around any of the following protected characteristics: disability, gender, gender reassignment, marital status, religion/belief, race, sexual orientation, or pregnancy/maternity. |

| 5.12 | Social Value: Please confirm how the provider will deliver the 10%? | Idox were asked to propose social value deliverables but they did not offer anything to the Council. A waiver to regulation 14 is requested. |
|------|--|---|
| 5.13 | London Living Wage (LLW): Please confirm the provider pays LLW? | Idox are an accredited Living Wage employer https://www.livingwage.org.uk/accredited-living-wage-employers |
| 5.14 | Premier Supplier Scheme (PSP): Please confirm this is included in the requirements | Idox have selected not to join the PSP however we should continue to invite the supplier to join the scheme during the contract period. |

Other options previously considered

Option 1: A contract extension of current arrangement for a further 5 years

Focus on delivering a series of "Quick Wins" to improve the current system. This will require having to extend our contract with Idox for up to 5 years to allow time to implement and benefit from any "quick win fixes".

Contract will require variation in order to extend beyond allowable extensions. Total spend will exceed the 50% threshold highlighted under PCR Regulation 72. There is a risk of challenge but this is considered low

- 1. Is there a benefit to the services using Uniform by delaying going to tender Some current performance and functional issues could be addressed by in house developments, enhancements by the incumbent supplier and acquisition of other third party tools.
- 2. Impact and likelihood of challenge due to Croydon being in beach of PCR 72,1,c
 The risk is considered low. We have already established that the market isn't large which limits the number of competitors able to challenge. We have recently spoken to two competitors as part of soft market testing so there is some expectation that Croydon may be going to tender. There have been no FoI requests received in the last couple of years specifically for IT systems in these service areas, other than more generic requests about all the IT systems in use at Croydon. Should a challenge be forthcoming, apart from any reputational issues this may pose, it would likely force Croydon's hand at that time rather than wait for any agreed delay period. This suggests there is a low likelihood of challenge and the impact would be
- 3. Impact of total contract value this extension may have on any modified contract
 This would add a further *contract value* £628,040.00 to the current contract value not just for the extended period but also for acquisition from the incumbent of additional modules and software to allow for the enhancements and fixes needed to address some of the current issues.

Option 2: Go to tender split into multiple Lots

Option to go to tender with the procurement being split into the following 4 Lots:

- Development Management,
- 2. Building Control,

inconvenient but not significant.

- 3. Public Protection and Licensing; and,
- 4. Housing Renewals.

Having a single lot encompassing all service areas would restrict bidding to the larger companies only. Having service-specific lots should encourage more competition as more suppliers will be able to respond to the tender. Requirements will include that any separate systems must be able to interact where required with the others and will other council systems. We would also allow "packaged" bids so that a supplier could bid for multiple lots if they wished. By adopting this strategy, we could phase the implementation more easily if required.

Routes to Market

Option 1: Use GCloud

Different procurement frameworks have been considered and the one which most closely targets the Software as a Service (SaaS) solution for the service areas concerned is the latest G-Cloud framework.

This framework was used as part of the soft-market review which identified a number of suppliers able to provide a single solution. A limitation of G-Cloud is that it is limited to a maximum contract term of 4 years.

The framework approach does not allow sufficient flexibility, although a contract variation to extend the contract could be considered, as the contract length comes to term.

Option 2: Use DAS framework

Supplier prequalified on framework. Any contract adheres to the framework's terms and conditions. (NOTE THE DASS FRAMEWORK DIRECT AWARD OPTION IS RECOMMENDED FOR THIS AWARD REPORT)

Option 3: Use an Open Tender Process

A number of the suppliers on the G-Cloud framework are relatively new players in the market (last three years) and whilst they are on G-Cloud, they are not on more traditional service frameworks.

Therefore, to ensure Croydon could benefit from the widest possible pool of bidders, an open tender would best fit that requirement and we can dictate the terms of the contract and award a contract over a longer period of up to 10 years. This is to be considered as part of the exit strategy.

6. Conclusion and reasons for recommendations

A summary of the purpose of the report and reasons for recommendations

This paper outlines the work done with the current supplier, Idox, so Croydon can continue to use and get support for this IT application. The recommendation is to directly award a new contract to Idox for a period of 5 years at a cost of £110k p.a. as this was the best option Idox provided to achieve the extension and saved the most money over the current arrangements.

| 7. Outcome and approvals | | |
|---------------------------------|--|---------------------------------|
| Outcome | Date agreed | |
| | Service Director (to confirm Executive Director has approved the report) | 15/9/21 |
| | Cabinet Member for Culture & Regeneration | 15/9/21 |
| | Cabinet Member for Resources and Financial Governance | 14/10/21 |
| | Cabinet Member for Homes | 30/9/21 |
| | Legal Services | 06/10/21 |
| Insert outcome of PB discussion | Head of Finance | 23/9/21 |
| | Human Resources (if applicable) | report/a |
| | C&P Head of Service | 13/9/21 |
| | Cllr Young (for contract award over £500k) | 14/10/21 |
| | | CCB1698/21-22 |
| | РВ | 23 rd September 2021 |

8. Comments of the Council Solicitor

The legal considerations are as set out in this report.

Approved by Kiri Bailey on behalf of the Director of Law and Governance

9. Chief Finance Officer comments on the financial implications

Approved

Approved by [Matt Davis] on behalf of the Chief Finance Officer

Risk Log

| RISK ID | RISK DESCR | RISK IMPACT | ASSIGNED TO | EXISTING CONTROLS | RISK SCORE |
|------------|---|---|----------------------|---|---------------|
| 1 | Contract with Idox expires 30 th October: Croydon legal; procurement, and lead member sign-off requirements may take longer than this. | Current system is unlicensed. Could mean system access is turned off or we lose the discount offer. (Prob 4 * Impact 5) | Programme Board | Achieve internal approvals to allow council to enter into contract before the end date | 20 |
| 2 | Personal Information is accessible to officers who do not need this information to perform their duties | Increased risk of security breaches Non-compliance with data protection laws (Prob 1 * Impact 4) | Programme Board | Existing access controls fit for purpose | 4 |
| 3 | Legal challenge caused by a direct award without continuing the tender. | Additional costs and reputational harm to the council (Prob 1 * Impact 4) | Programme Sponsor | Use of a PCR compliant framework which allows for direct award resolves the risk | 4 |
| 4 | System may become outdated over life of contract | May not meet statutory requirements or new business needs (Prob 1 * Impact 4) | Programme Sponsor | Contract to oblige supplier to update software as legislation changes. Idox proposal includes option to migrate to their newer cloudhosted solution over the contract term. | 4 |
| 5 | Current contract financing and recharge is messy and time-consuming | Needs better control to manage expectations over life of contract (Prob 3 * Impact 2) | Programme Board | Working with finance to agreed a better baseline position. | 6 |

| Procurement Board (CCB) |
|-------------------------|
| Contract Award Report |

| Date of meeting | 21/10/21 | |
|--------------------|---|--|
| Ву | Shaun Lochinger Reprographic and Mailroom Manager | |
| Title | Postal Goods and Services Contract | |
| Project Sponsor | Steve Iles, Director Public Realm | |
| Executive Director | Sarah Hayward, Executive Director Place | |
| Lead Member | Cllr Callton Young, Cabinet Member for Resources & Financial Governance | |
| Key Decision | 4921RFG 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 Cabinet Member for Resources and Financial Governance in consultation with the Leader is recommended to:

- 1.1 approve the award a call off contract for Postal Goods and Services following a tender led by the Royal Borough of Greenwich, (acting as a Central Purchasing Organisation) under CCS RM6017 Lot 3 Framework for Postal Goods and Services, for a term of 3 years with the option to extend for up to 2 further years for the value and to the provider stated in the part B report.
- 1.2 Note the contractor name and contract value will be published following contract award

2 Background & strategic context

2.1 Background

CCB approved a strategy CCB1682/21-22 to procure postal services as a call off by way of a mini competition led by the Royal Borough of Greenwich, (acting as a Central Purchasing Organisation) on behalf of participating authorities, from CCS' RM6017 Lot 3 Framework for Postal Goods and Services. This collaborative approach enables participating local authorities to aggregate requirements thereby achieving better value through economies of scale.

This report is seeking approval to commit to awarding a call off contract to the successful provider of the mini competition run by Greenwich Council.

The new contract will be for a term of 3 plus 2 years and will provide

- ability to order supplies such as recorded slips, trays, postal cages, sacks and other postal documents included in the contract price
- best discounts for 1st and 2nd class mail
- a high quality service on a consistent and reliable basis
- the flexibility and scale to be able to handle variations in volumes
- a ranges of services to meet the requirements of different mailing options for speed, economy, visibility and security
- support and advice the council to improve their efficiency and take advantage of new innovations

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confidence that the provider will operate in way that meets the council' social value criteria

3 Contract Providing for a Statutory Requirement

3.1 Background

There is a statutory requirement to send parking fines out by post.

Local authorities depend on physical post to deliver vital information and communicate with residents and businesses despite the growing focus on digital services. The Council's mailroom has new franking machines, folder inserters and has a centralised post room to make mailing processes as cost efficient as possible.

There is an ongoing requirement for the postage and delivery of mail and parcels and a replacement contract is required for the one expiring in September 2021. Note that arrangement will continue until replaced by this contract.

4 Financial implications

Financial implications are set out in Part B

3.1 Essential Spend Criteria

The expenditure meets essential spend criteria

Expenditure required to deliver the councils statutory services at a minimum possible level and expenditure to better the situation

Local authorities depend on physical post to deliver vital information and to communicate with residents and businesses, despite the growing focus on digital services. There is a statutory requirement to send parking fines out by post, currently upwards of 10,000 per week. There are also large quantities of mail for electoral services, Revenues and Benefits, Planning, Housing and other services around the Council.

SAVINGS COMPARED TO NOT AWARDING THE CONTRACT

Overall the Council will save in excess of £112,032 per annum compared to current arrangements based on current volumes. Further details are set out in Part B.

5. Supporting information

| | Required Input | Details |
|-----|---|---|
| 5.1 | Procurement Process followed: Incl. details of the competition, | The Royal Borough of Greenwich as the Central Buying Organisation, (CPO), has run a mini competition on behalf of all participating local authorities. |
| | advertisement, tenders received and any | Participating boroughs shared their mail volumes to maximise the demand and included the boroughs of: |
| | clarifications or issues. | Croydon, Ealing, Barnet, Brent, Camden, Greenwich, Harrow, Havering, Hillingdon, Islington, Kensington and Chelsea, Kingston, Merton, Newham, Richmond, Southwark, Sutton, Tower Hamlets Wandsworth, Westminster. |

| | | <u> </u> |
|-----|--|---|
| | | There were 8 suppliers on the framework Lot DHL Parcel UK trading as UK Mail DX Network Services Limited Paragon Customer Communications PostalSort Limited Royal Mail and Parcelforce Worldwide Swiss Post Solutions Ltd The Delivery Group Whistl UK Limited This collaborative approach enables participating local authorities to aggregate requirements thereby achieving better value through economies of scale. |
| | | This report is seeking approval to commit to awarding a call off contract to the successful provider of the mini competition run by Greenwich Council. |
| 5.2 | Evaluation results: Incl. each providers scores in accordance with the published criteria. Winning providers VFM offer | Evaluation summary of the preferred is set out in the appendix. A compliant tender was received which met the requirements. Two other bidders withdrew from the tender as they felt they wouldn't be able to consistently deliver within the required timescales. |
| 5.3 | Any compliance issues with PCR or TCR? | No compliance issues. The tender was conducted in accordance with the Public Contracts Regulations 2015 (PCR) and the Council's Tenders and Contracts Regulations (TCR). |
| 5.4 | Contract Management: Please detail how this will be delivered and by who? | On a quarterly basis, London boroughs will hold a joint meeting with the provider, in addition, the Council's Reprographics' Manager will undertake the day to day management of the contract with the added benefit of access to an online business account to ensure accurate billing. |
| 5.5 | Risks: Incl. how they will be managed | There is a risk that the price of the contract will increase, postage charges have increased over the last few year, however due to this being a collaborative exercise, obtaining volume discounts through the aggregation of participating boroughs, any increase would most likely be less than any increase in price should we tender / run a mini competition ourselves. |
| 5.6 | Mobilisation plan How will it be managed? | Mobilisation details are set out in the Part B report. |
| 5.7 | Decommissioning plans: How will they be managed between providers? | Exit management forms part of contract obligations for any transfer to other providers when this new contract terminates. |

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| 5.8 | TUPE: If applicable, how will it be managed? | The provider does not have any personnel dedicated to working on the Croydon contract therefore TUPE does not apply | | | | |
|------|--|---|--|--|--|--|
| 5.9 | Interdependencies – If any: Incl. details of any arrangements i.e. Landlords, Consortiums, Assets connections and how they will be managed | There are interdependencies as each borough must go through their own governance to approve awards. | | | | |
| 5.10 | GDPR implications: Has an assessment been completed, do legal know to include in t&cs? | Following Consultation with Information Management, a DPIA is not required as no information is being shared with the supplier. | | | | |
| 5.11 | Equalities: Please confirm how the proposed contract will support the EQIA? | This contract is unlikely to have any adverse impact on protected groups compared to non-protected groups therefore an Equality Analysis has not been undertaken | | | | |
| 5.12 | Social Value: Please confirm how the provider will deliver the 10%? | Social value was a requirement of the tender, the offer is to be confirmed with the supplier before the council enters into a contract to ensure contracted deliverables for Croydon with examples listed below. i. Community – range of local community support thought volunteering, food banks, and charitable work. ii. Employment – local based employees the majority of whom are paid considerably more than the London Living Wage. iii. Environment – committed to delivering a cleaner future and be a net zero company by 2050. | | | | |
| 5.13 | London Living Wage (LLW): Please confirm the provider pays LLW? | Whilst the supplier is not affiliated to the Living Wage Foundation the vast majority of their London employees are paid well above the London Living Wage. | | | | |
| 5.14 | Premier Supplier Scheme (PSP): Please confirm this is included in the requirements | PSP did not form part of the evaluation process. However once the contract has been awarded, the successful provider will be asked, by Croydon Council, if they will sign up to Croydon's PSP. | | | | |

6. Conclusion and reasons for recommendations

The recommendation is to enter into a new contract with the successful provider for a term of 3 plus 2 years. The contract will provide

• ability to order supplies such as recorded slips, trays, postal cages, sacks and other postal documents included in the contract price

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- best discounts for 1st and 2nd class mail
- a high quality service on a consistent and reliable basis
- the flexibility and scale to be able to handle variations in volumes
- a ranges of services to meet the requirements of different mailing options for speed, economy, visibility and security
- support and advice the council to improve their efficiency and take advantage of new innovations
- confidence that the provider will operate in way that meets the council' social value criteria

Options

No other options were considered at tender stage. Procurement options were considered for the approved strategy, there has been no departure from the approved strategy.

| 7. Outcome and approvals | | | | | |
|--------------------------|---|----------------------------|--|--|--|
| Outcome | Date agree | ed | | | |
| | Service Director Peter Mitchell | 5/10/2021 | | | |
| | Cabinet Member for Resources & Financial Governance | 14/10/21 | | | |
| | Legal Services | 24.8.2021 | | | |
| Insert outcome of Board | Head of Finance Michael Jarrett | 30/9/2021 | | | |
| discussion | Human Resources (if applicable) | n/a | | | |
| | C&P Head of Service | 19/08/2021 | | | |
| | Lead Member (for contract award over £500k) | 14/10/21 | | | |
| | Procurement Board | CCB1700/21-22 - 21/10/2021 | | | |

8. Comments of the Council Solicitor

There are no additional procurement related legal considerations directly arising from this report

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

9. Chief Finance Officer comments on the financial implications

Approved

Approved by [Michael Jarrett] on behalf of the Chief Finance Officer



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

Document is Restricted



| | QUALITY/TECH | NICAL QUES | TIONS N | IARKING SHEET |
|--------------------|---|---|----------------|--|
| Question Number | Question Detail | Weighting 55%(below scoring is out of 100% of the 55%) | Marks (0-4) | Comments: Give full rationale to justify Score noting Particular strengths and weaknesses in the bidder's response |
| Part A | Quality | | | |
| A1 | Provision of Goods and/or Services: demonstrate a good understanding of the Goods and/or Services required to meet the Contracting Body requirements. | 15% | 3 | Good response suggesting the specification will be satisfactorily met in all relevant respects. |
| A2 | Methodology: e.g. a clear demonstration of how the Goods and/or Services will be fulfilled and delivered. | 25% | 4 | Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value |
| A3 | Social Value: outcomes offered as additional benefits over and above the core requirements, providing tangible benefits for residents from contracting authorities | 10% | 3 | Good response suggesting the specification will be satisfactorily met in all relevant respects. |
| A4 | How has the Service Provider detailed their implementation plan proposed for delivering the | 10% | 3 | Good response suggesting the specification will be satisfactorily met in all relevant respects. |

| | required Goods and/or Services (including lead times) to meet the Contracting Body requirements along with a clear demonstration of the technical assistance that will be provided during implementation? | | | |
|----|---|-----|---|--|
| A5 | After sales service – demonstrate a robust after sales support structure is in place. | 10% | 4 | Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value |
| A6 | Security: demonstrate that all the security requirements of the Contracting Body can be met. | 10% | 4 | Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value |
| A7 | Environmental characteristics: what support can be offered to help the Contracting Body achieve any environmental considerations | 5% | 3 | Good response suggesting the specification will be satisfactorily met in all relevant respects. |
| A8 | Service Levels and Key Performance Indicators (KPIs): demonstrate a clear commitment to meeting the SLA's and KPI's. | 15% | 2 | Weak response suggesting there may be shortcomings of a less serious nature in the relevant aspect of service. |

| Lot 3 | Supplier (%) |
|---------|--------------|
| Quality | 45.65 |
| Cost | 45.00 |
| Total | 90.65 |



Procurement Board (CCB)

Contract Award Report

| Date of meeting | 26/8/21 Once stage 2 confirmed from finance and lead member send back to CCB for virtual. Make sure is on delegated cabinet member decision list |
|--------------------|--|
| Ву | Vicki Richardson, Head of HR & Finance Service Centre, Resources |
| Title | Pension Enquiry Service |
| Project Sponsor | Sue Moorman Director of Human Resources |
| Executive Director | Asmat Hussain Interim Executive Director Resources |
| Lead Member | Cllr Callton Young |
| Key Decision | Insert key decision number (if applicable) |

1. Recommendations

The CCB is asked to recommend to the Cabinet Member for Resources and Financial Governance to:

- 1. Approve the award of a Pension Enquiry Service contract in accordance with Regulation 28((4)(c) of the Council's Tenders and Contracts Regulations to Liberata UK Limited for a period of 2 years from 1 April 2021 with a maximum contract value of £150,000.
- 2. Approve a waiver under regulation 19 of the tenders and contracts regulations in respect of regulation 11.3 requiring a tender to be conducted.
- 3. Note the aggregate spend with the supplier is £547,716 including this arrangement.

The Cabinet Member for Resources and Financial Governance in consultation with the Leader is recommended to:

- 1. Approve the award of a Pension Enquiry Service contract in accordance with Regulation 28(4)(c) of the Council's Tenders and Contracts Regulations to Liberata UK Limited for a period of 2 years from 1 April 2021 with a maximum contract value of £150,000.
- 2. Note the aggregate spend with the supplier is £547,716 including this arrangement

2. Background & strategic context

The Council ceased providing payroll services for schools 2016. Prior to this the Council had provided this via a 3rd party contract with Liberata UK Ltd. Liberata decided to offer their payroll services directly to Croydon schools and 48 schools are signed up to have their payroll service with them.

As the Payroll contract is now between Liberata and the schools, the Council would not have the authority to have access to data that they previously had which included the Pensions Team. As the Pensions Team administers the Teachers' Pension Scheme and the Local Government Pension Scheme then an important part of the process involved having access to the payroll database. This was considered essential for the Pension Team to carry out their duties especially as the receipt of timely and quality information is paramount, with any failure to do this carried legal implications. The Pension Manager at the time advised that not having access to essential data would require an increase in staffing levels by 2 FTE's.

An arrangement was put in place with Liberata for 20 officers within the pension team to have direct access to the schools payroll system. To date this has been renewed on an annual basis via the issue of a purchase order. The previous purchase order for this service expired at end March 2021 and we have been undertaking a review of the arrangement.

Local Government Pension Service (LGPS)

Over 20% LGPS active and deferred scheme members are on the Liberata payroll. At Croydon the LGPS Pension Team calculate final pay and CARE benefits. The salary data contained on the system is used to process and calculate a range of pension benefits from new starters, leavers, final pay calculations, estimates, divorce and death benefits plus other ad-hoc

calculations. In addition, the service data contained on the system is used to establish service history, maternity leave dates, sick pay dates and service breaks.

Liberata also provide monthly reports to notify the pension team of starters and leavers which contain all of the information needed by the team in an easily understandable format which can be directly uploaded into the pension administration team.

Without direct access to the payroll system the LGPS admin team will need to contact the individual school to provide final pay and care pay for every member who becomes a leaver, requests a retirement estimate, transfer valuation, divorce valuation or payment of pension benefits. This will result in delays for scheme members and inefficiency in pension administration due to the resource efforts involved in chasing for information.

In addition each school would to notify the pension team provide starters and leavers. It is likely that this would result in schools providing the information in a variety of formats including paper forms and emails. This will be less efficient for the LGPS who will spend more time chasing up this information from these 48 employers. In addition information provided in paper/email format will need to be processed manually rather than directly loaded into the pensions administration system. A rollout of software known as I-connect enables that employers to submit their data to the pension fund electronically to schools who have their payroll service with Liberata would significantly reduce the manual effort involved.

Analysis of the number of days to process pension benefit estimates has been undertaken and on average, LGPS benefits are processed more quickly using the Liberata payroll, with an average of 7 days compared with 23 days for an employer with an alternative payroll provider. This is due to delays experienced in obtaining the information from the employer or their payroll provider. The time spent processing cases where the pension team have direct access to the payroll system is also, on average 36 minutes shorter.

Teachers Pensions Service (TP)

The Teachers Pensions (TP) Team provide a TP administration service to 83 schools, including 16 out of borough schools and are income generating. 60 of the schools/academies buying the TP service contract with Liberata for their payroll service. In 2020/21 the income generated was £63k.

A full TP service is provided to schools using the Liberata payroll service which includes:-

- Central records and electronic filing of Teacher' Pension (TP) forms, member instructions, service records and pension membership status for each teacher
- Preparation and submission to TP Darlington of monthly auto enrolment schedules and auto enrolment advice and support.
- Preparation of monthly data collection reports and submission to Teachers Pensions.
- Preparation end of year certificates and submission to Teachers Pensions.
- Investigation and resolution of pension queries including historic or complex cases involving several agencies e.g. correcting LGPS information, challenging TP on claims for retrospective uncollected pension contributions and investigation of archived material to capture missing information.
- For schools joining the Teachers' Pension Service an audit of all teachers' pension records and remedial action to bring all records up-to-date.
- Pension workshops on request and/ or 1-2-1 sessions with teachers.

Liberata provide the TP team with a number of monthly reports which enables the delivery of the service they offer including, automatic enrolment, starters/leavers, ½ and Nil Pay, monthly contributions and monthly data collection information for Teachers.

The alternative would be to ask the individual schools and academies to provide the data to the TP team.

The TP team also access the system on a daily basis, looking at pay slips, history of hours etc. to respond to enquiries from Teacher's Pensions. This information may be able to be obtained from previous end of year returns or directly to the schools.

The resource effort involved in providing the TP service to schools and academies would increase meaning costs to the Council may increase. An options appraisal of the service will need to be undertaken to determine ongoing viability. No longer providing a TP service where the Council is ultimately the employer may lead to poor quality recording keeping in relation to Teachers Pensions. This carries some financial risk into the future, if accurate records are not maintained historic arrears cases could cost the Council significant sums of money.

Options Appraisal

| Option | Advantages | Disadvantages and Risks |
|----------------------------|--------------------|--|
| nothing and service ceases | No ongoing cost of | Direct access to the data will |
| | arrangement | be lost. |
| | | Increased resources will be |
| | | needed in LGPS Team. Initially |
| | | an additional 4 officers at a |
| | | cost of £185k per annum will |
| | | be required to:- |
| | | Process starters and |
| | | leavers manually |
| | | Implement i-connect |
| | | Raise enquiries with |
| | | individual schools to |
| | | provide final pay and care |
| | | pay |
| | | Educate employers on |
| | | calculation of final pay |
| | | Scheme members will wait |
| | | longer for their pension |
| | | benefits to be calculated. |
| | | Poor data quality leads to the |
| | | administering authority being |
| | | unable to meet The pension |
| | | regulator (TPR) code of |
| | | practice in relation to record |
| | | keeping. |
| | | Poor quality data provided by |
| | | employers leads to incorrect |
| | | calculation of pension benefits |
| | | resulting in financial loss. |
| | | Poor data quality results in |
| | | actuarial assumptions needing |
| | | to be made that leads to an |
| | | increase in employer rates. |
| | | May impact ability to |
| | | implement changes to pension |
| | | regulations e.g. McCloud |
| | | judgement as will be reliant on |
| | | employers providing the |
| | | required information for |
| | | McCloud remedy. |
| | | TP Impact – may need to repay |
| | | income to schools who have |
| | | signed up to SLA on basis that |
| | | we have direct access. |

Additional resource (0.5 FTE) needed in TP team to obtain return information direct from the schools raise enquiries with employers. TP arrears – if accurate records are not maintained historic arrears cases could cost the Council significant sums of money No time to deliver exit plan to minimise service impacts/risks. Ceasing the service without a plan to resdesign how we deliver the service is likely to impact on the morale of the team, leading to increased sickness and impacting on staff retention. Renew for current year plus Allows time to deliver an exit Direct cost of arrangement -2022/23 and implement for £75k PA plan to minimise service risks March 2023 of ceasing service. Exit plan includes:-An additional 2 officers will be **RECOMMENDED OPTION** needed until March 2023 at a Full rollout of i-connect total cost of £123k for the expected 18 month duration plan to reduce manual data processing and require to deliver the following elements of the exit plan:number of queries that will need to be raised with Implement i-connect the employer Educate employers on Undertake systems calculation of final pay process review, learning from other funds From 23/24 direct access will be lost which will does have Educating employers on calculation of final pay the following disadvantages and risks, albeit somewhat Educating employers on mitigated through the delivery their responsibilities for LGPS and TP of the exit plan:-Arrange extraction of data Direct access to the data will needed for McCloud be lost. remedy Review of traded services A permanent additional 1 FTE to schools including will be needed in LGPS Team charging models to process the data received via i-connect at a cost of £39k per annum. Scheme members will wait longer for their pension benefits to be calculated. Poor data quality leads to the administering authority being

| | | unable to meet The pension regulator (TPR) code of practice in relation to record keeping. |
|--|---|---|
| | | Poor quality data provided by employers leads to incorrect calculation of pension benefits resulting in financial loss. |
| | | TP arrears – if accurate records are not maintained historic arrears cases could cost the Council significant sums of money . |
| Renew for current year with options to extend annually e.g. for a further 5 x 1 year | Ongoing direct access to the data | Ongoing cost of Pension Enquiry Service is expensive at £75k per annum and cost reduction that could be |
| | Efficient processing of LGPS pension benefits for over 20% of active and deferred scheme members, | achieved through ceasing the arrangement and redesign of service will not be delivered. |
| | Benefits scheme members who will receive the calculation of their benefits quicker | Risk that in the event schools move to an alternative payroll provider that value for money would be further reduced. |
| | Access to quality data assists in ensuring the correct calculation of pension benefits. | |
| | Actuarial assumptions are made on good quality data | |
| | TP arrears – good quality data reducing risk of financial burden on the Council of historic arrears cases . | |

3. Contract Providing for a Statutory Requirement

The administration of the Local Government Pension Scheme and the employer responsibilities for Teachers Pensions are governed by legislation and the Council has obligations under both The Local Government Pension Scheme Regulations 2013 and The Teachers' Pension Scheme Regulations 2014.

Consideration has been given to how we redesign service delivery to enable this arrangement to be terminated without significant impact on the pension team and risks to the administration of pensions as outlined in the options appraisal.

It will take time to deliver the service redesign activity and therefore it is recommended that this arrangement continues until March 2023 to enable this to take place.

4. Financial implications

The original cost of the service in 2016 was £82,500 per annum. This was reduced to £77,472 in 2018. Liberata have advised the reduction was in the recognition that Liberata do get some benefit from the arrangement as it is a unique selling point for their payroll services to schools.

Further discussions have been held with Liberata about the cost of the service and they have agreed to a further reduction in cost to £75,000 per annum. Discussions were with Liberata whether further costs savings could be achieved by reducing the number of users but they have advised this is not possible as their costing basis is the numbers of records held on the database.

Spend with supplier

| Amount | | |
|---------|--|--|
| 82,500 | | |
| 82,500 | | |
| 77,572 | | |
| 77,572 | | |
| 77,572 | | |
| 397,716 | | |
| | | |
| | | |
| 75,000 | | |
| 75,000 | | |
| | | |
| | | |
| 547,716 | | |
| | | |

Apportionment of costs

As the service is provided to both the LGPS pension team and Teachers Pensions the costs will be apportioned between the general fund and pension fund.

Access to the service allows Croydon Council to meet its responsibilities to two separate pension schemes, the Local Government Pension Scheme (LGPS) and the Teachers' Pension Scheme (TPS). The costs have been appointed between the pension fund and the general fund to ensure the Council's responsibility, as the administering authority for the LGPS, to ensure funds are used correctly is adhered to. The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 permits any costs, charges and expenses incurred administering the fund to be taken from the fund.

Costs not associated with the administration and running of the LGPS (such as the TPS) cannot be met by the pension fund.

Croydon Council is deemed to be the employer for all community, foundation and voluntary aided schools in the borough and has legal responsibilities under the Teachers' Pension Scheme (TPS) regulations to provide information and data to TPS. TP Administration is a service purchased by schools and the cost of access to the Trent payroll system is met by this cost.

Therefore the 15k from general fund is to cover the contract charges in relation to administering the TPS and cannot be met by the LGPS pension fund.

There is sufficient budget in the Teacher Pensions budget for the general fund costs.

| Budget Available | Yes | Cost Centre (Internal/External) | C14714/C90471 | |
|-----------------------------|-----|---|---------------|--|
| In-year Pressures on Budget | No | Future Pressure on Existing MTFS Budget | No | |

| Details | Internal | | Period of | | External | | Dariad of funding |
|--------------|----------|---------|--------------------|---|----------|---------|-------------------|
| Details | Capital | Revenue | funding | | Capital | Revenue | Period of funding |
| Pension Fund | | 135k | 2021/22 2022/23 | 1 | | | |
| General Fund | | 15k | 2021/22 2022/23 | - | | | |

5. Supporting information

| | Required Input | Details |
|-----|---|---|
| 5.1 | Procurement Process followed: Incl. details of the competition, advertisement, tenders received and any clarifications or issues. | Direct Award |
| 5.2 | Evaluation results: Incl. each providers scores in accordance with the published criteria. Winning providers VFM offer | Not applicable |
| 5.3 | Any compliance issues with PCR or TCR? | Liberata UK Ltd are the only provider who can supply this service as they provide the payroll service to schools which would render competition absent for technical reasons under PCR Regulation 32(2)(b)(ii) which permits the use of the negotiated procedure without prior publication of advertisement. Note the contract amount for this direct award is below PCR threshold although aggregate spend to date exceeds PCR threshold. A direct award will require a TCR regulation 19 waiver to the requirements of regulation 11.3. |
| 5.4 | Contract Management: Please detail how this will be delivered and by who? | This will need to be agreed as part of the contract and will be responsibility of Head of Service for Pensions Administration. To date annual meetings have taken place as there have been no issues with service availability or performance. |
| 5.5 | Risks: Incl. how they will be managed | There is a procurement risk with the direct award although the risk is considered low as only the supplier can grant access to the IT system and data which they use to deliver the payroll services to schools. The main operational risk is that schools choose to switch to an alternative payroll provider during the next 12 months, although the risk is considered low. This will be monitored monthly. |

| | | T T | |
|------|--|---|--|
| | | Supplier unable to deliver service: The supplier has been engaged and is willing and able to continue the service as it ties in with their services being delivered to schools. There is a risk the in house service redesign is not able to be completed successfully in order to deliver savings. Project management, monitoring and regular status reporting to be deployed to ensure delivery kept on track. | |
| 5.6 | Mobilisation plan How will it be managed? | As this is continuation of an ongoing service no mobilisation is needed. | |
| 5.7 | Decommissioning plans: How will they be managed between providers? | The plan is to decommission this by March 2023 through service resdesign. The exit plan activity includes:- Full rollout of i-connect (I-connect enables employers to submit their data to the pension fund electronically) to reduce manual data processing and number of queries that will need to be raised with the employer Educating employers on calculation of final pay Arrange extraction of data needed for McCloud remedy Options appraisal of TP service and delivery of any change to service provision | |
| 5.8 | TUPE: If applicable, how will it be managed? | TUPE does not apply | |
| 5.9 | Interdependencies – If any: Incl. details of any arrangements i.e. Landlords, Consortiums, Assets connections and how they will be managed | The agreement is required as Liberata provide payroll services to schools. No other known interdependencies. | |
| 5.10 | GDPR implications: Has an assessment been completed, do legal know to include in t&cs? | Further information and support can be found at the link below: https://intranet.croydon.gov.uk/resources/information-management/gdpr/gdpr-overview A DPIA has been completed. | |
| 5.11 | Equalities: Please confirm how the proposed contract will support the EQIA? | An EQIA has been completed and the evidence shows there is no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review | |
| 5.12 | Social Value: Please confirm how the provider will deliver the 10%? | There is no social value offer with this arrangement. | |
| 5.13 | London Living Wage (LLW): Please confirm the provider pays LLW? | All Liberata employees are paid a minimum of the national living wage with the exception of apprentices. For some contracts they have an obligation to pay the real living wage. | |
| 5.14 | Premier Supplier Scheme (PSP): | There is no PSP offer with this arrangement however the supplier can be approached and invited to enter the scheme. | |

| Pleas | se confirm this | | |
|--------|-----------------|--|--|
| is inc | luded in the | | |
| requi | irements | | |

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6. Conclusion and reasons for recommendations

The purpose of this report is to enter into a direct award with Liberata Uk Ltd for the Pension Enquiry Service, and address legacy non-compliance with the Public Contracts Regulations 2015 and the Council's Tenders & Contracts regulation's.

The Pension Enquiry Service has been in place since 2016 and does provide administrative benefits to the Pensions team. However there is a significant cost attached to the ongoing provision and savings could be achieved through service redesign.

Therefore it is recommended that the Pension Enquiry service is continued until March 2023 to allow the delivery of an exit plan to minimise the risks and impacts to the Pensions Service and scheme members. The agreement will then be terminated.

7. Outcome and approvals Outcome **Date agreed** Service Director Sue Moorman Chris Buss All on 17 August 2021 Assmat Hussain see emails Cabinet Member for Finance & Resources 28/10/21 Legal Services Sonia Likhari 23.8.2021 CCBReportsforlegal@croydon.gov.uk Head of Finance Sent to Paul Cliftlands and Insert outcome of CCB discussion 17/8/21 Michael Jarrret on 26/8 Human Resources (if applicable) n/a **C&P Head of Service Scott Funnell** 19/8/21 Lead Member arranged for Sue Moorrman to n/a brief Cllr) (for contract award over £500k) **Procurement Board** CCB1697/21-25 7/10/21

8. Comments of the Council Solicitor

There are no additional legal considerations directly arising from this report

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

9. Chief Finance Officer comments on the financial implications

Approved

Approved by [Chris Buss] on behalf of the Chief Finance Officer



| DELEGATED DECISION REPORT TO: | Cllr Callton Young, Cabinet Member for Resources and Financial Governance |
|-------------------------------------|--|
| SUBJECT: | Property Disposals as part of the Interim Asset Disposal Strategy |
| LEAD OFFICER: | Richard Ennis - Interim Corporate Director Resources |
| CABINET MEMBER: | Councillor Stuart King - Cabinet Member for Croydon Renewal |
| | Councillor Callton Young - Cabinet Member for Resources and Financial Governance |
| WARDS: | Coulsdon Town |

CORPORATE PRIORITIES 2020-2024

Croydon Renewal Plan – the recommendations in this report are in line with the new corporate priorities and new way for renewing Croydon

Medium Term Financial Strategy

FINANCIAL IMPACT

This paper is seeking approval for the grant of a long lease and subsequent disposal of a Council asset in line with the Interim Asset Disposal Strategy. The proposal will deliver either a long term revenue benefit or, if the Council decide to sell the asset with the benefit of the lease, a significant capital receipt. This disposal is part of the wider disposal strategy and will significantly contribute towards the assets disposal target in the MTFS.

All disposal costs, including a contribution towards officer time will be paid for out of capital receipt in line with the current financial guidelines which allow up to 4% of the capital receipt to be allocated against reasonable revenue costs in achieving the sales.

FORWARD PLAN KEY DECISION REFERENCE NO.: 6121RFG

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

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

1. RECOMMENDATIONS

Cabinet Member for Resources and Financial Governance in consultation with the Leader agrees the following:

1.1 Approve the Letting of the former CALAT building in Malcolm Road, Coulsdon to Epsom and St Helier University Hospitals NHS Trust for a term of 25 years

- 1.2 Approve the subsequent sale of the freehold interest once the lease has been completed
- 1.3 Approve the grant of a new reversionary lease to Coulsdon Community Centre for a term of 25 years to follow on from their existing lease which is due to expire in 2026

On the basis of the terms set out in Part A and Part B of this report.

2. EXECUTIVE SUMMARY

- 2.1 This Interim Disposal Strategy has been developed to support the requirements of the Croydon Renewal Plan and Medium Term Financial Strategy [MTFS] and sets out the guidance and governance necessary to allow the disposal of surplus Council assets. The strategy was approved and adopted by Cabinet in February 2021.
- 2.2 The property included within this report has been identified as surplus within the context of the disposal strategy and was included in the initial tranche.
- 2.3 The above proposals have followed the governance process as set out within the strategy and has been approved by Place DLT and ELT.
- 2.4 The approved business case is attached as a background paper in the Part B report

3. BACKGROUND

- 3.1 Given the significant financial challenges faced by the Council, it is important to ensure that the best outcome is achieved from any disposal and this includes:
 - Holding cost of any surplus assets if to be retained for longer term use or sale
 - Running costs for under-utilised assets and how these can be reduced
 - Service requirements across the Council to ensure an asset is not being sold off if it could provide a cost effective solution for another service area
 - Achieving "Best Consideration" would delaying a disposal be more beneficial
 - Loss of revenue from any income producing assets
 - Impact on the local area from holding assets empty for prolonged periods or the additional benefit from regeneration
 - Reputational issues from having vacant assets
- 3.2 The letting and potential subsequent disposal of the former CALAT building being recommended for disposal fall within the following categories:

Surplus assets released by service areas

4. DETAIL

- 4.1 This asset forms part of a larger site that was formerly used by Croydon Adult Learning and Training (CALAT) Service, vacated in 2016. Following closure of the centre the site was declared surplus and under consideration to Brick by Brick (BBB) as a potential development site but this was not taken forward. The part of the site that is currently under offer relates to the former CALAT building as identified on the attached plan edged Red. The part of the site edged Blue is being sold separately for the development of a new health centre and was agreed by Cabinet in July 2021.
- 4. 2 this property has not been marketed, as it is subject to a community use under planning policy (and is also locally listed) and two proposals have already been identified, where the Council could consider disposal/use and satisfy its obligations under s123 of LGA 1972.

The two disposal options that have been considered are:

- Use as a community centre this was the original BBB proposal to allow the sale of the existing Community Hall site for housing
- Use as a Renal Dialysis Centre this has come forward more recently due to an urgent need and shortage of suitable alternative sites in the area.

4.3 OPTION 1: Relocation of Community Centre and residential development on existing site (Barrie Close)

- 4.3.1 The original BBB proposal considered relocation of the existing Coulsdon Community Centre, to this site, therefore allowing the existing site at Barrie Close to be redeveloped to provide 33 residential units. The new building proposed for the CALAT site would make use of the existing building and also include an element of new build to create a new theatre. BBB obtained planning consent for this proposal (17/06217/FUL), which has now expired. The planning for both the Barrie Road and CALAT sites are linked as the Community Centre needs to be re-provided before any residential development at Barrie Close under consent 17/06216/FUL (also now expired) could be commenced.
- 4.3.2 As part of this exercise, BBB obtained detailed costings for the work to create the new Community Centre from chartered quantity surveyors in April 2018, this cost advice estimated of £2.477m for the proposed scheme. This has not been updated but allowing for the considerable increase in building costs that has been experienced over the last 3 years it is not unreasonable to expect this figure to have increased and could now be closer to £3m The Department for Business, Energy and Industrial Strategy's (BEIS) Monthly Statistics of Building Materials and Components report for July suggests that "the cost of materials for repair and maintenance work rose 2.1% between May-June 2021, and increased by 15.6% between June 2020 and June 2021"

- 4.3.3 A RICS Red Book Valuation has been undertaken by external surveyors for the Barrie Close site, based on the planning consent that had been obtained by BBB but reducing affordable element to 36% (12 units) to reflect viability assumptions that a private developer would need in order to make this form of development commercially viable, this suggested a value is in the region of £2.35m. A copy of the valuation has been included under Appendix B in the Part B report.
- 4.3.4 A review has also been undertaken by local marketing agents to get a "market" view, which suggests that given the good current demand, a higher value may be achievable and whilst not having undertaken a formal marketing process to illicit actual market interest, they did have concern over the impact of the linked requirement of re-providing the community centre with no guarantee on costs and ability to fully deliver a re-provision within the cost estimate, this risk would be priced into any offer, as well as the potential delays and then the market conditions at that time in the future. This may significantly increase the build and financing periods likely to cause issues for many regional developers, the preeminent sector that are likely to be interested in the Barrie Close site.
- 4.3.5 Whilst it is anticipated that this option will at least be cost neutral, it is unlikely to provide a substantial capital receipt.
- 4.3.6 The proposed residential development of 4 x 1 bed, 12 x 2 bed and 17 x 3 bed properties is would generate future Council tax benefits of c£65,000pa. It should be noted the proposal under option 2 would generate a likely Business rate assessment of c£50,000 of which the Council would benefit from c£17,000 plus the existing Community Building attracts 100% relief and therefore there is no income expected. The additional housing would generate extra costs for the Council and therefore the net benefit will be reduced.
- 4.3.7 Although discussions took place between BBB, the Council and the Community Centre, with draft heads of terms agreed, there are no legal documents in place to commit the Council to this proposals. In light of the issues that BBB have encountered this does also substantially change this position. The proposed lease offered to the Community Group was for 25 years at a rent in line with their current rental, but for a new facility with the lease on a full repairing basis rent so there would be no direct financial benefit to the Council for this site.
- 4.3.8 As this is not a straightforward residential development the likely timelines to developing the site are expected to be:
 - 1. Obtain consent for both sites (9-12 months)
 - 2. Build out the new community centre (12+ months)
 - 3. Build out the housing (12 months after the community centre has relocated)

It could be expected therefore that the community centre would not be relocated for a further 18-24 months and the housing at least a further 12 months from that date

4.4 OPTION 2: Renal Dialysis site on Malcolm Road

- 4.4.1 This option is for a lease of the existing building to be granted to Epsom and St Helier University Hospitals NHS Trust, in its existing condition, to be converted for use as a Renal Dialysis centre. There is currently no dialysis facility in the local area, following the recent closure of the facility at Capella Court, Purley in 2020. Over the last 12 months patients have faced considerable extra travel with most having to attend St Helier or St George's Hospital. The previous site was on the top floor of an office building and did not provide easy access, as many patients are infirm by the nature of their medical conditions. The Trust are therefore keen to find a long term relocation site which provides ground floor accommodation.
- 4.4.2 The Trust undertook a site search within the south of the borough to identify suitable opportunities for a new renal dialysis unit, which commenced in quarter one of this year. The Trust identified numerous sites and these were reviewed with the senior team responsible for providing this service. Although the Trust identified a number of possible sites none were found to be as good as the Ullswater site in the early part of the search. The Trust then became aware of the CALAT building on Malcolm Road, Coulsdon. After the initial site visit it was concluded that the building offered much more than the Ullswater site in terms of ability to deliver the service, location, parking, access to transport hubs and the whole patient experience.
- 4.4.3 Following the initial search The Trust submitted a planning application for a change of use for the unit in the Ullswater Crescent Industrial Estate. This was refused as the proposal is contrary to both local and regional policy around the loss of B8 industrial use within a strategic industrial location. In addition to concerns surround pure planning policy, the suitability of having a dialysis centre within an industrial estate from the perspective of treating vulnerable patients was also of concern. The Trust have lodged a protective appeal against the decision but agreed to delay taking the appeal forward until a decision has been made regarding the CALAT site.
- 4.4.4 As a result of the planning issues, the Trust approached the Council to seek alternative accommodation solutions, with discussions then identifying that a far more suitable solution may be the re-use of the former CALAT main building. The Trust have carried out detailed investigations, had their dedicated conversion scheme fully costed, obtained a certificate of Lawful Use from the planning authority and have received sign off to their business case from the Trust and CCG, but the window of funding is only dedicated for the current financial year, which may require an NHS re-submittal should they not secure the facility soon.

- 4.4.5 Following this initial work, draft Heads of Terms have now been agreed and the proposed terms are:
 - Tenant Epsom and St Helier University Hospitals NHS Trust:
 - Lease for a term of 25 year lease subject to breaks at years 15 and 20
 - Rent agreed in line with District Valuer assessments
 - Rent free of 24 month to allow for the basic repairs required to the main fabric of the premises
 - Rent reviews every 5 year based on CPI increase (with the base date to be taken from 12 months after the lease date)
 - Lease to be on full repairing and insuring basis
 - Tenants to undertake full conversion and repair works at their own cost

These have now been approved by their board, they are ready to proceed should this option be approved.

- 4.4.6 Once the lease is in place the Council would have a choice as to whether to benefit from the revenue income, or dispose of the freehold, with the benefit of the lease to the NHS (investment sale), which currently is an attractive proposition. It is considered very unlikely that the NHS would break the lease due to the level of capital investment they would undertake and, the ongoing need for dialysis treatment and the fact that this premises is substantially more suitable than their previous occupation together with the lack of alternative options
- 4.4.7 The Trust have confirmed that in respect of the costings for the two sites, Malcolm Road appears to be 10% more economical than the Ullswater option. The time frames for conversion for each building are however fairly similar at about 6 months.
- 4.4.8 Under this option there is also a recommendation to grant a new reversionary 25 year lease to the Community Centre Trustees (terms to be agreed). This will follow on from the expiry of their existing lease and give them more long term certainty Their existing lease expires in March 2026, is a contracted out type lease, so they could loose possession of their occupation as there is no automatic right to renew. This could present issues for the Trustees, as this is a thriving centre with over 60,000 visits a year. Whilst it is unlikely the Council would not come to some arrangement, this option secures the longer term future enabling the Trustees to fully and properly plan, as well as having a longer term lease which they could leverage to secure alternative additional forms of grant funding, plan their commercial activities with greater certainty and invest in the facility to ensure it is fit for purpose. Under the previous proposal to relocate the Community Centre to the new premises they had been offered a 25 year lease, under similar considerations.
- 4.4.9 As the Trust have already obtained consent for their proposals and are under pressure to progress the development of a new centre, the period to completion of the lease is expected to be within 2 months of receiving cabinet approval.
- 4.5 Since the last occupational use by the Council, the site has been subject to antisocial behaviour, fly tipping and rough sleeping in the outbuildings, regularly requiring Police intervention. To mitigate H&S risks the Council have used a

guardian company who have placed 8 guardians in the property. However they have recently served notice to terminate the occupation of this property as considerable work has been identified as being necessary to comply with current fire regulations, to replace the boiler and carry out other repairs including the roof. These works make it uneconomic to continue with this approach to secure the building. In the short term it is proposed to place metal sheeting to the windows and doors and install an alarm system. This will incur an up-front cost of c£1,500 plus a weekly charge of £656, plus additional management time and potential other expenses, therefore it is important to minimise the period the property will be vacant.

- 4.6 The proposal under Option 1 is likely to require the asset to be held for at least a further 12 months in order to obtain the necessary planning consents. As any offers are likely to be conditional on planning, it is unlikely that the developer will want to pick up these costs and therefore they will either fall direct to the Council or the developer will look to reduce his bid to reflect this additional risk. On this basis it may be worth assessing the cost of the necessary works to continue occupation by the guardians or look to purchase the security equipment outright at a cost of £23,500. Under option 2, given that the Trust have already obtained consent for their proposal, including planning confirmation, the transfer of the site to them could be very swift and therefore minimise the holding costs.
- 4.7 The disposal of any Council owned asset is subject to achieving "Best Consideration" either in line with s123 of the Local Government Act 1972 or s233 of the Town and Country Planning Act 1990 where land has previously been appropriated for planning purposes. There are exceptions where a disposal at less than best consideration can be permitted, where the variance does not exceed £2m if there are clear economic, social or environmental benefit in line with the terms of the General Disposal Consent (England) 2003 or otherwise where the Secretary of State has provided a specific consent on the basis of a Council request.
- 4.8 For this site there is a clear social benefit for both options. However, the proposal to grant the lease for the use as a dialysis centre additionally has a clear financial benefit, maximises the potential value for the site both as a social use to provide essential healthcare facilities and providing a financial return to the Council. To demonstrate that Best Consideration is being achieved, both options have been reviewed by an independent external valuer, as part of the considered disposal process, and the opinion of a regional agent has been obtained.

5. CONSULTATION

5.1 External consultation has taken place with the Community Centre Trustees and a representative of the local residents associations

5.2 Ward councilors have been informed of the intention to dispose of these assets and various meetings have been held with them as part of the consultation exercise. Consultation has taken place with the Council's senior leadership team and Cabinet Members.

6. PRE-DECISION SCRUTINY

Capital receipts

6.1 The proposed disposal has not been presented to Scrutiny and their recommendations have been followed as part of the disposal process

7. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

7.1 Revenue and Capital consequences of report recommendations
Savings and Capital Receipts Included within the MTFS Budgets

Capital receipts generated from asset disposals (£000)

21/22 22/23 23/24 £4,230 £19,994 £5,988

Given the significant financial challenges faced by the Council, the disposal of surplus corporate assets is vital to ensure an improvement in its financial position, secure value for money and achieve financial savings by considering the net costs/benefits of holding surplus assets versus sale or letting of the assets.

We are required to pay for the costs of the capitalisation directions out of revenue budgets over a twenty year period, which on a straight line basis would cost 5% per year. In addition interest on those borrowings from the PWLB is at a 1% premium – at current rates this costs this would add 2.9%. Overall this would equate to £790k per £10m borrowed. By generating capital receipts, borrowing to support the capitalisation direction can be avoided and thus prevent pressures on revenue budgets.

There will be no capital expenditure incurred to release this asset But the disposal will generate revenue savings through removing future running costs i.e. business rates, premises costs, security, utilities etc).

The decision to dispose of an asset will consider the need to receive the benefits now, against a possible delayed sale when the financial benefit may be greater but less certain as usually this is dependent on obtaining suitable planning consent.

7.2 Risks

Disposal of properties in the corporate portfolio in the current economic climate gives rise to risks and uncertainties around achieving the best possible sale price. The capital receipts in the table above reflects an element of prudence and conservatism in the receipts of disposal and its timing. However, it must be

emphasised that these asset values are subject detailed market valuations and market conditions prevailing at the time of sale.

Failure to act quickly with Option 2 may lead to NHS not securing funding or too choose their alternative site which is felt by all concerned to be unsatisfactory, but would provide NHS certainty of a much needed facility soon.

7.3 Future savings/efficiencies

The savings highlighted in the table above reflects an estimate of sales proceeds/capital receipts arising from disposal of corporate properties and savings in borrowing costs i.e. interest and minimum revenue provision on the general fund budgets.

7.4 Approved by: Matt Davis, Interim Director of Finance.

8. LEGAL CONSIDERATIONS

- 8.1 The Interim Head of Commercial and Property Law comments on behalf of the Interim Director of Law & Governance that, as set out earlier in this report, when disposing of land the Council has a statutory duty under section 123 of the Local Government Act 1972 (or section 233 of the Town and Country Planning Act 1990 where the land has been appropriated for planning purposes) to ensure that it obtains best consideration for the land and buildings disposed of and provisions of section 87-89 of the Localism Act 2011. In certain exceptional cases a disposal for less than best consideration is permitted where the difference in the value between the proposed disposal and the best consideration that might be obtainable on the market is less than £2M or, in other cases, with a specific consent from the Secretary of State. The processes set out in this report in relation to the Interim Disposal Strategy seek to ensure that best consideration is obtained in relation to proposed disposals. If and where disposals are proposed to proceed for less than best consideration (e.g. to secure wider community benefits) it is recommended that officers seek detailed legal advice in relation to any potential 'Subsidy Control' issues (the Subsidy Control regime replaces the State Aid regulations).
- 8.2 Land should only be disposed of by a local authority where it is considered to be surplus to the Council's requirements. The process set out in the Interim Disposal seeks to ensure that consideration is given as to potential other Council uses of land before it is recommended for disposal.
- 8.3 As set out earlier in the report, where land considered for disposal forms part of an open space before disposing of the land the Council needs to publicise the intention to do so for two consecutive weeks in a local newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made.

Nigel Channer, Interim Head of Commercial and Property Law on behalf of the Interim Director of Law and Governance & Deputy Monitoring Officer

9. HUMAN RESOURCES IMPACT

- 9.1 The proposed disposal is for a vacant property and therefore has no direct impact on staffing levels, restructuring or recruitment.
- 9.2 Approved by: Gillian Bevan, Head of Human Resources (Resources & ACE).

10. EQUALITIES IMPACT

- 10.1 Under the Equality Act 2010 the Council has an obligation to protect **people against discrimination, harassment or victimisation in employment**, and
 as users of private and public services based on nine protected characteristics:
 The proposed disposal comprises of vacant land and buildings and therefore
 the disposal will not have a direct impact individual's rights. Under Option 1 the
 proposed housing development would create 4 homes that would be suitable
 for wheelchair use and therefore potentially benefit individuals with disabilities
 and those with long term healthcare need. However, the development of the
 dialysis centre will also be an advantage to those seeking this specialist
 treatment and greatly reduce travel times which would have a positive impact
 on their health and also on the wellbeing of carers supporting individuals
 undergoing treatment.
- 10.2 An equalities impact assessment has been undertaken for this asset disposal collectively, and the action being taken to offset the impact on affected protected groups is noted.
- 10.3 Approved by: Denise McCausland, Equality Programme Manager.

11. ENVIRONMENTAL IMPACT

11.1 The proposed disposals do not have any direct environmental impact. Any development that may take place on the disposed sites will have to be in full compliance with current planning, building and environmental legislation.

12. CRIME AND DISORDER REDUCTION IMPACT

12.1 The disposal of the vacant site and redundant buildings will help to improve antisocial behavior and crime that has been evident around this site as it will become an active site.

13. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 13.1 The recommendation to adopt option 2 has been taken having fully considered the likely benefits to both the local area and from a financial perspective within this report are in line with the adopted Interim Asset Disposal Strategy and are being taken in a considered and transparent disposal process that is in line with governance expectations
- 13.2 The disposals will help to secure a significant capital contribution and annual revenue saving and will be helping to meet the requirements set out in the MTFS.
- 13.3 In addition to the financial benefits the disposals will help to deliver wider social benefits through helping to support partner organisations to secure a new Health Centre and enhanced SEN school provision.

14. OPTIONS CONSIDERED AND REJECTED

- 14.1 Both options are in line with the process set out in the Interim Property Strategy and the site has already been declared surplus so there is no alternative Council use and therefore disposal is the best option. Failure to do so would not help the Council to address the immediate financial position and the requirements of the MTFS.
- 14.2 The two principle options for the site have been considered within the report Alternative uses for housing or other forms of development for this site are likely to be extremely restricted due to the current planning designation for the site and the clear, viable community demand that has been demonstrated. Wider marketing is therefore not considered to be necessary.

 The disposal of the site is therefore recommended

15. DATA PROTECTION IMPLICATIONS

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

NO

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

NO

15.3 Approved by: Steve Wingrave, Head of Estates, Asset Management & Facilities.

CONTACT OFFICER:

Steve Wingrave, Head of Estates, Asset Management & Facilities. Ext 61512.

APPENDICES TO THIS REPORT:

Appendix 1 - Equalities Report

BACKGROUND DOCUMENTS:

Background Document 1 - Location Plans for Part CALAT site Malcolm Road Coulsdon



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 | Resources |
|--|---|
| Title of proposed change | Property Disposals as part of the Interim Asset Disposal Strategy |
| Name of Officer carrying out Equality Analysis | Steve Wingrave |

Page

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

The Council is proposing to dispose of a number of assets as part of the Interim Disposal Strategy to help generate income in line with the MTFS and enable the Council to continue to deliver its key services. This proposal is for the disposal of part of the former CALAT site to allow the provision of a Renal Dialysis Centre

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments

http://www.croydonobservatory.org/ Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Additional information needed to determine impact of proposed change

Table 1 - Additional information needed to determine impact of proposed change

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

| The proposed Disposal is for a vacant property that formerly accommodated CALAT and was more recently occupied by residential guardians to help secure the site. The guardians have now moved out and the site is vacant. The disposal will not impact the delivery of services by the Council as it has previously been declared surplus to requirements or is non-operational. This report covers the disposal of part of the former CALAT site at Malcolm Road, | ement/ELT November 2021 |
|--|-------------------------|
| Coulsdon. The remainder of the site has already been approved for disposal to provide a new medical centre | |

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

3.2 Deciding whether the potential impact is positive or negative

Table 2 – Positive/Negative impact

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

| Protected characteristic group(s) | Positive impact | Negative impact | Source of evidence |
|-----------------------------------|---|-----------------|-----------------------|
| Age | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | Asset Management Team |
| Disability | -The proposed Disposal for a new Renal dialysis centre will help to provide new facilities for patients needing treatment | None | As above |
| Gender | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |
| Gender Reassignment | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |
| Marriage or Civil Partnership | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |
| Religion or belief | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |

| Race | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |
|------------------------|---|------|-----------|
| Sexual Orientation | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |
| Pregnancy or Maternity | The proposed changes will not impact any protected characteristic group as the building is vacant and has been declared surplus to requirements | None | As above. |

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

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

3.3 Impact scores

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

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Table 4 – Equality Impact Score

| Seve | Lik | elihood | l of Impa | <u> </u> |
|--------------------|-----|---------|-----------|----------|
| erity | | 1 | 2 | 3 |
| / of | 1 | 1 | 2 | 3 |
| Severity of Impact | 2 | 2 | 4 | 6 |
| act | 3 | 3 | 6 | 9 |

| Key | |
|------------|----------------|
| Risk Index | Risk Magnitude |
| 6 – 9 | High |
| 3 – 5 | Medium |
| | |

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Equality Analysis



Table 5 - Impact scores

| lable 5 – Impact scores | - | | _ |
|------------------------------|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| | | OF VEDITY OF IMPACT COORS | 501141 ITV IMP 4 07 000D5 |
| PROTECTED GROUP | LIKELIHOOD OF IMPACT SCORE | SEVERITY OF IMPACT SCORE | EQUALITY IMPACT SCORE |
| | 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. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact | 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. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact | 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. Equality impact score = likelihood of impact score x severity of impact score. |
| Age | 1 | 1 | 1 |
| Disability | 2 | 3 | 6 (in a positive way) |
| 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 |

Equality Analysis



| 4. | Statutory duties | | |
|------|---|---|--------|
| | | | |
| 4.1 | Public Sector Duties | | |
| | k the relevant box(es) to indicate whether the proposed change will adversely impact the Cou uality Act 2010 set out below. | ouncil's ability to meet any of the Public Sector Duties in | the |
| Ad | vancing equality of opportunity between people who belong to protected groups | | |
| Elir | minating unlawful discrimination, harassment and victimisation | | |
| Fos | stering good relations between people who belong to protected characteristic groups | | |
| | portant note: If the proposed change adversely impacts the Council's ability to meet any of thoutlined in the Action Plan in section 5 below. | the Public Sector Duties set out above, mitigating action | s must |
| | | | |

5. Action Plan to mitigate negative impacts of proposed change

Table 5 – Action Plan to mitigate negative impacts

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

Equality Analysis



| Marriage/civil partnership | No Negative Impact | | |
|----------------------------|--------------------|--|--|
| A B 1 1 1 41 | | | |

6. Decision on the proposed change

| Based on the in | 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. The proposed disposal will change the current use of this asset but in a very positive way as it is currently vacant. The letting to the dialysis centre will benefit patients and provide a fit for purpose and accessible facility that provides a mush better proposition than the previous centre and reduce travel times and distances for Croydon residents based on the current short term arrangements | х | | |
| 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 | | | |
| 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. | | | |

Equality Analysis



Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet Yes.

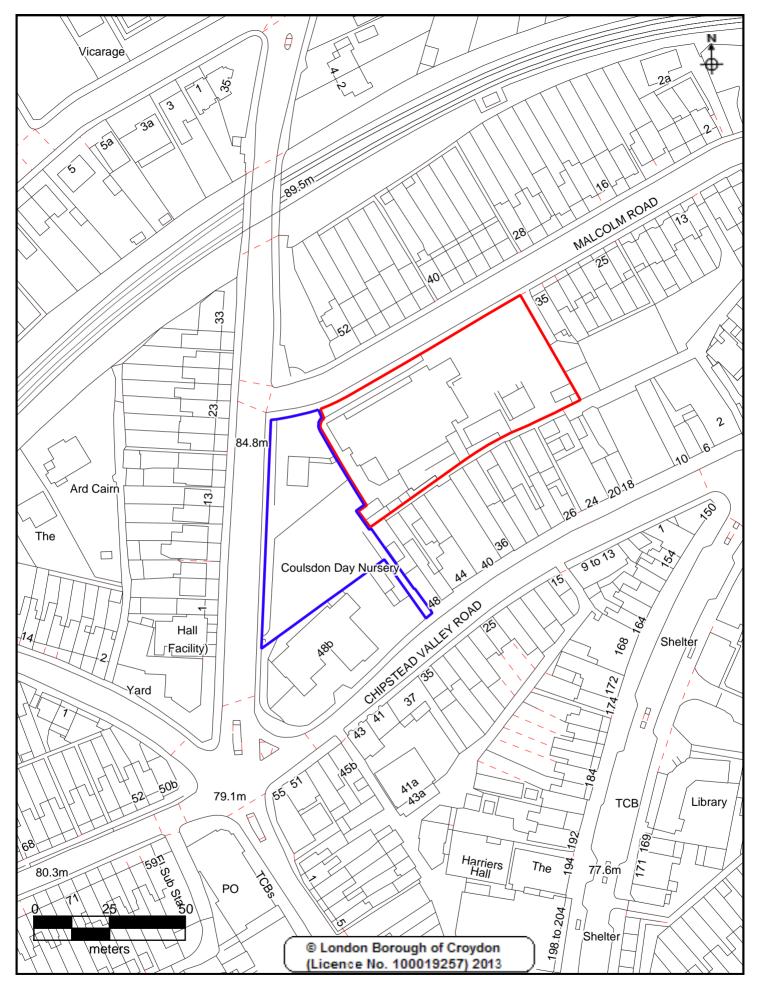
Meeting title: Cabinet
Date: 15 November 2021

7. Sign-Off

| Officers that must approve this decision | | | | |
|--|--------------|--|---------|-----------------|
| Equality lead | Name: | Denise McCausland | Date: 2 | 9 October 2021 |
| | Position: | Director for Policy & Partnerships | | |
| Director | Name: Pe | ter Mitchell | Date: | 2 November 2021 |
| | Position: In | terim Director of Commercial Investment and Capita | l | |

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