

Notice of Non-key Executive Decision

Subject Heading:	Approval to enter into a contract with Hornchurch Housing Trust to provide housing services.
Cabinet Member:	Cllr Joshua Chapman, Cabinet Member for Housing
SLT Lead:	Patrick Odling-Smee, Director of Housing
Report Author and contact details:	Patrick Odling-Smee, Director of Housing
Policy context:	Housing trust management standards
Financial summary:	The council will charge a competitive rate that will cover the cost of providing the services.
Relevant OSC:	Town and Communities
Is this decision exempt from being called-in?	It is a non-key decision by a member of staff

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Decision:

To enter into a contract with Hornchurch Housing Trust to provide housing services for a period of 3 years on a pay as you go basis commencing on the 1st July 2021.

AUTHORITY UNDER WHICH DECISION IS MADE

3.3 Powers of Members of the Senior Leadership Team

General powers

(a) To take any steps necessary for proper management and administration of allocated portfolios.

Human resource powers

To exercise overall responsibility within their Group Directorate for human resource matters.

Financial responsibilities

(a) To incur expenditure within the revenue and capital budgets for their allocated portfolio as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

STATEMENT OF THE REASONS FOR THE DECISION

Hornchurch Housing Trust (HHT) is an alms-house charity whose mission is to provide good quality sheltered housing for the elderly and needy residents of Havering. It has a portfolio of residential and commercial properties.

HHT has approached Havering Council to provide HHT with housing and property services on a pay as you go basis and the terms of a draft agreement have been agreed between both parties. A copy of the draft agreement is attached as Appendix 1.

HHT provides a valuable housing resource for residents within the borough but does not have sufficient staffing resources to maintain the services, which are subject of the proposed services agreement in-house. It is considered that provision of the services to HHT is in the best interests of the Council's area and residents as it will provide valuable support and compliance to help HHT in meeting their objectives of providing housing needs for Havering residents.

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Provision of the services will be at cost. Whilst the Council will not be providing the services at a profit, the charges levied will be on a cost recovery basis to ensure there is no financial loss to the Council.

HHT and OneSource have negotiated a separate agreement relating to supporting HHT with corporate services.

At the request of the board of trustees of Hornchurch Housing Trust, the council has agreed to provide housing services as set out in Schedule 1 and 2 of the draft agreement (Appendix 1). The rates are set out in appendix 2 of the draft agreement.

OTHER OPTIONS CONSIDERED AND REJECTED

The option to not provide the services was considered however the benefits to the residents of HHT, and the lack of alternative providers of such services meant this was not pursued.

PRE-DECISION CONSULTATION

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Patrick Odling-Smee

Designation: Director of Housing



Signature:

Date: 17th June 2021

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Local Authorities (Goods and Services) Act 1970 (the Act) section 1 empowers the Council to provide administrative, technical and professional services to those public bodies which are specified in Local Authorities (Goods and Services) (Public Bodies) Order 1972 (SI 1972/853). Bodies specified include Trustees administering an alms-house charity.

The Act requires that provision of services must be subject of an agreement. This requirement will be satisfied via the proposed housing and property services agreement.

The Council may therefore provide the services to Hornchurch Housing Trust (HHT).

Trading under the Act may be at a profit however it is noted that the provision of the services to HHT is intended to be on a cost recovery basis.

It is understood that officers do not consider that any staff at HHT will be subject to TUPE as a result of the corporate services pay as you go arrangement.

FINANCIAL IMPLICATIONS AND RISKS

The amount of work that will be required by HHT, and therefore the value of the contract is not known however, it is estimated to be less than £25,000 per year.

A separate cost centre has been created to capture the expenditure and income arising from this contract. It will be closely monitored to ensure that the income received from HHT covers the expenditure incurred by Housing Services. The cost of services provided will be based on the latest schedule of charges.

The contract is for an initial period of 3 years with an option to extend for a further 2 years with the agreement of both parties.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The risks for staff providing services for third party organisations have been covered within the contract and public liability insurance is in place.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

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- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The services that will be provided through this contract will support and improve the living conditions for the residents of the HHT sheltered housing, the majority of which are elderly and vulnerable. It will therefore have a positive impact.

BACKGROUND PAPERS

None

Appendix 1: Draft housing and property services agreement.

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker



Signed

Name: Patrick Odling-Smee

Cabinet Portfolio held:

CMT Member title:

Head of Service

Other manager title:

Date: 30/06/21

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____