

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Extension to the DABD Contract
<b>Decision Maker:</b>	Sarah Bryant (Director Exchequer & Transactional Services)
<b>Cabinet Member:</b>	Councillor Chris Wilkins
<b>SLT Lead:</b>	Dave McNamara
<b>Report Author and contact details:</b>	Troy Aitken <a href="mailto:Troy.aitken@havering.gov.uk">Troy.aitken@havering.gov.uk</a>
<b>Policy context:</b>	The discretionary provision of financial support to vulnerable households in emergency need.
<b>Financial summary:</b>	Funding of <b>£103 000</b> already earmarked to cover cost of contract to administer scheme in 2022/23.
<b>Relevant OSC:</b>	Places Overview & Scrutiny
<b>Is this decision exempt from being called-in?</b>	Yes, it is a Non Key Decision

**Non-key Executive Decision**

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

People - Things that matter for residents

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

To exercise the available option and extend the current contract administering the Emergency Assistance Scheme with the Disablement Association Barking and Dagenham Ltd (DABD) for one year from 1 July 2023 to 30 June 2024. The value of the extension is £103 000 for the full year.

The Council may still terminate this contract by giving DABD three months' prior notice in writing in accordance with Schedule 1.3 of the contract.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Part 3 of the Constitution- Functions delegated to staff: 3.4 Powers of Second Tier Managers: Financial responsibilities:

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

### **STATEMENT OF THE REASONS FOR THE DECISION**

DABD work in partnership with Benefits Services to receive, assess and pay applications for emergency assistance since 1 April 2013.

Referrals are also made through Benefits Services, other Council departments and external and voluntary organisations. DABD and Benefit Services when reviewing claims will look at the applicant's financial situation as a whole and advise them regarding other benefits, personal budgeting and will also refer to Havering's Employment and Skills Service.

The contract with DABD commenced on 1 July 2021 and is due to end on 30 June 2023.

DABD deliver an essential service in partnership with the Council and it is proposed the contract is extended for 12 months to enable this service to continue while the Council explores alternative options that could prove more financially advantageous and operationally efficient.

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**OTHER OPTIONS CONSIDERED AND REJECTED**

The option to let the contract expire on the 30 June 2023 was considered. This option was rejected, as an alternative provider could not be set up and implemented in time for the end contract. Therefore, this option would cause hardship to eligible residents who would not be able to access scheme payments.

**PRE-DECISION CONSULTATION**

There is no statutory requirement for a public consultation.

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

Name: Troy Aitken

Designation: Programme Manager Havering Refugee and Crisis Response Team

Signature: *Troy Aitken*

Date: 22 May 2023

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The Council has the power to extend the contract through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions, or through its general power of competence in section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The Council can extend the contract by activating the extension period of 12 months in the contract. Therefore, the Council can extend the contract for 12 months in accordance with regulation 72(1) (a) Public Contract Regulations 2015, as the extension was provided for, in the initial procurement documents in clear, precise and unequivocal review clauses.

### **FINANCIAL IMPLICATIONS AND RISKS**

The cost of the 12 month extension is estimated to be £103k based on current levels of service provision.

It is anticipated the contract will process approx. £1.1m of assistance payments to residents.

The cost of both the contract and the payments to residents is able to be met from balances held within the Emergency Assistance Scheme Reserve.

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

There are no implications or risks to Havering employees as the administration of the emergency assistance scheme has always been undertaken by DABD, an external service provider.

### **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:

- (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.

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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 the Equalities Duty in the provision and commissioning of its services.

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 recommendations for approval in this report will be essential to support the financial health of families with children and pensioners during the cost of living crisis.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

There are no environmental and climate change implications or risks to this report.

### **BACKGROUND PAPERS**

None

### **APPENDIX**

None

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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: Sarah Bryant (Director of Exchequer & Transactional Services)

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title: Director of Exchequer & Transactional Services

Date: 25/05/2023

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_