

Notice of Non-Key Executive Decision

Subject Heading:	Contract Extension for the Provision of a Support Service at Brunswick Court
Decision Maker:	Tara Geere, Director of Starting Well
Cabinet Member:	Cllr O Ford (Children and Young People's lead member) Cllr G Ford (Adults lead member) Cllr P McGeary (Housing lead member)
SLT Lead:	Tara Geere, Director of Starting Well
Report Author and contact details:	Michelle Purcell, Commissioner, Supported Housing Michelle.purcell@havering.gov.uk
Policy context:	This contract supports Havering Council to meet the People Theme priorities in the Corporate Plan 2022/23 – 2026/27 to invest and transform the borough with an emphasis on improving the lives of vulnerable children, adults and families. The contract is ensuring that people with learning disabilities are helped to live independent, socially connected and healthier lives in line with legislative requirements.
Financial summary:	The majority of the funding (74%) comes from the children social care placement budget with the rest (26%) from the adult social care budget. This reflects that the accommodation is divided between children and adults: 6 flats for adults and 17 flats for young people. The current contract is for a duration of 3 years (1st April 2021 to 31st March 2024) with a total cost of £634,460. The total cost for the 15 month contract extension will be £309,831.42.

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Relevant OSC:	People
Is this decision exempt from being called-in?	Yes, it is a Non Key Decision

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

People - Things that matter for residents X

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Approval to extend the current contract for the provision of support services to individuals placed in accommodation at the Brunswick Court site. The current three year contract ends on 31st March 2024. The proposed fifteen month contract extension period is from 1 April 2024 until 30th June 2025.

AUTHORITY UNDER WHICH DECISION IS MADE

Power to authorise the award is delegated to members of the Senior Leadership Team under Part 3 (Responsibility for Functions), Paragraph 3.3 of the Council's Constitution as follows:

Part 3.3.3

Powers common to all Strategic Directors

4.2 To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3.

STATEMENT OF THE REASONS FOR THE DECISION

1. Background

1.1 Ensuring continuity of this service in the borough supports some of our most vulnerable residents on the pathway to independence and further develops the skills and strategies needed to manage their own tenancies effectively when supported to 'move on'. This approach reduces the number of young people leaving care and other vulnerable Adults who would otherwise be at risk of becoming homeless or not having the skills to live independently.

1.2 The original contract was for three years and did not have an extension option, as it had been originally anticipated that the building would not be available longer than the contract term agreed as the Brunswick site was earmarked for demolition and redevelopment as part of the Council's '12 sites' regeneration programme. There has been slippage to the regeneration timeline which means that Brunswick Court could be utilised for a further 6 years. The request for an extension is being made so that continuity of service provision can be maintained for the existing tenant group while a service review and preparation for procurement are undertaken as this extension request is an interim arrangement whilst a full retendering exercise is undertaken.

2. Statutory Duties

2.1 The Children's Act 1989 requires local authorities to provide accommodation for individuals in care or in receipt of social care services. Section 22g of the Children's

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Act requires local authorities to publish a Sufficiency Statement of how they are providing sufficient accommodation for children in care and care leavers.

2.2 The Children Leaving Care Act 2000 stipulates a duty to improve the life chances of young people living in and leaving local authority care. Its main aims are: to delay young people's discharge from care until they are prepared and ready to leave; to improve the assessment, preparation and planning for leaving care; to provide better personal support for young people after leaving care; and to improve the financial arrangements for care leavers.

2.3 The Care Act 2014 requires that Housing promote Health and Well-being. This service will contribute towards living independently, sustainable tenancies, active members of the community, the development of strategies to promote positive well-being, accessing training and/or employment opportunities.

3. The Service

3.1 Brunswick Court is a sheltered housing scheme based in Cranham that was due to be re-developed as part of the Council-wide regeneration programme. Scheduling for redevelopment was postponed by up to 6 years, which presented the opportunity for re-purposing the building in the medium term to support clients in receipt of social care services who had been identified as ready to move on to a tenancy that offers greater independence before moving on to full independence in the wider community and maximising income.

3.2 The delivery approach was a new one for the borough at the time and was developed in partnership with Housing, Children's and Adults Social Care, maximising use of part of Brunswick Court sheltered housing scheme.

3.3 The service offers support with tenants having their own self-contained flat or bedsit for which they are issued a licence. The support service is funded through existing social care revenue budgets. The current client cohort is adults with learning disabilities, those with mental health needs and young people leaving care, all of whom have been assessed as requiring support to further develop their independence skills prior to moving on to fully independent accommodation in the community.

3.4 Housing management is provided by the Housing department and consists of a dedicated housing officer on site during office hours, Monday to Friday providing intensive housing management functions. A post of Supported Housing Officer sits within the existing sheltered housing team structure to support Brunswick Court funded through rent and service charges.

3.5 The service delivers the following benefits:

- Local cost effective low level supported accommodation capacity in Havering
- Cost effective supported housing options for young mothers and babies in Havering
- Financial savings through greater control over accommodation costs

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- Improved outcomes for individuals through targeted independence skills development
- Increased pathway options for individuals ready to further develop their independence skills to move on to independent living
- Reduction in numbers of individuals with learning disabilities or mental health needs living in HMO accommodation which is unsuitable to achieve best outcomes
- Facilitating improved access to local partner and community services such as mental health services, schools and colleges where individuals would otherwise have been placed out of borough

3.6 The support model is one that delivers low to moderate level support in a structured way. The service operates with the following aims and outcomes:

- developing responsibilities around holding a tenancy, paying rent, incorporating an approach around 'good' neighbour issues
- budgeting, managing money, accessing benefits and addressing debt
- maintaining good levels of personal appearance and hygiene
- accessing training, education, volunteering or employment by having the skills to use public transport, seek and maintain yourself in sustainable employment.
- addressing chaotic, offending or anti-social behaviours
- creating positive social networks and knowledge about community resources.
- encouraging and supporting people's well-being and health
- encouraging and supporting people to stay safe including safeguarding against the dangers of substance misuse, sexual exploitation, abuse etc.
- improving daily living / independence skills such as cooking, meal planning, healthy eating, laundry, cleaning, housekeeping, etc.
- dealing with issues around confidence and developing maturity, including issues to do with sexuality, effective use of contraception and safe sex
- developing a culture whereby individuals value independence and acquire the skills to sustain independent living.
- parenting support, care and an understanding the skills to aide child development and motherhood.

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- ensuring best value through supporting independence and self-sufficiency and thereby reducing high cost placements

3.7 Those placed at Brunswick Court are issued with a licence for the duration of their placement. This intervention is part of a plan or pathway to help residents to manage and secure their own long-term accommodation whether in the public or private sector.

4. Governance

4.1 Contract governance includes regular contract management meetings that take place quarterly led by a partnership of the support service provider, social care, housing and commissioning to provide seamless support, management and oversight. Performance is reviewed and joint planning to manage risks, minimise voids and optimise independence outcomes for people living at Brunswick Court. The current provider of the support service has confirmed its willingness to extend the current contract for the 15 month period defined in this report.

4.2 A tender will be required for a new service. A new Executive Decision paper will be produced providing benchmarking and recommended options to achieve best value. A project team will be formed to oversee and manage 1) a service review which will inform procurement options; 2) A procurement to achieve / assure best value to deliver the service and to monitor the progress of the project.

OTHER OPTIONS CONSIDERED AND REJECTED

1. Option one: Do nothing – the contract will come to an end in March 2024. This will mean that current people residing at Brunswick Court will need to be rehoused quickly and potentially greater cost and with less suitable arrangements to prepare residents for independent living.

2. Option two: Re-tender the service – there is insufficient time to fully co-produce a review with residents and partner agencies. Consequently, a rushed tender process may lead to a suboptimal specification which is not updated current priorities, projected needs and with potential consequent financial risks and impact on stability for a vulnerable cohort of people.

PRE-DECISION CONSULTATION

The pre-decision consultation has involved engaging with a number of stakeholders to prepare this paper. In summary, the following table presents the type, methods and stakeholders engaged in the pre-decision consultation;

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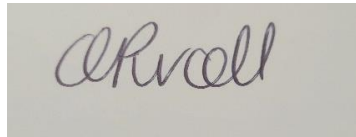
Type	Methods	Consultees
Project Group	Formal regular virtual meetings, phone calls, E-mails and reports	a. Current provider b. Joint Commissioning Unit c. Housing d. Children Social Care e. Adult Social Care f. Legal g. Procurement h. Finance

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

Name: Michelle Purcell

Designation: JCU

Signature:



Date: 13th June 2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has the general power of competence under Section 1 of the Localism Act 2011 to do anything an individual may generally do, subject to any statutory limitations.

Additionally, Section 111 of the Local Government Act 1972 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.

Officers seek authorisation to make a direct award to Inclusive Support Ltd for the provision of support services to individuals placed in accommodation at the Brunswick Court site. The support provision is arranged under a various legislative provisions detailed elsewhere in this report.

The proposed value of the direct award is estimated to be £309,831.42 which is below the applicable threshold for light touch services of £663,540 (Inc VAT) under Schedule 3 of the Public Contracts Regulations 2015 (PCR) and therefore, it is not subject to the full rigours of the PCR.

The Council's Contract Procedure Rule (CPR) 14 permits exceptions to the competitive requirements where it does not infringe any applicable procurement laws; and meets the criteria set out in CPR 14.3. The body of this report confirms that the award of this contract is in the Council's best interest by providing support services to individuals placed in accommodation at the Brunswick Court site.

A tender exercise was not carried out as required by the Contract Procedure Rules (CPR) and the contract will need to be directly awarded to the provider. In accordance with CPR 14 a waiver will be sought to authorise the award without competition and this decision is subject to that waiver being granted.

For the reasons set above, the Council may award the contract to Inclusive Support Ltd.

FINANCIAL IMPLICATIONS AND RISKS

This decision paper is seeking approval to extend the current contract for the provision of support services to individuals placed in accommodation at the Brunswick Court sit. The 15-month extension will start from 1st April 2024 to 30th June 2025.

The total cost of the extension is estimated to cost £310k.

The total cost of the extension for the 24/25 financial year is estimated to be £248k. The annual contract value for the 23/24 financial year was £214k, the extension period is an increase of £34k per annum.

The actual contract costs for the 23/24 financial year were £247k, and therefore the impact is negligible assuming the 24/25 costs match the contract value. This will

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therefore be funded from within existing resources and will not add additional pressure to Havering's finances.

The contract commenced on 1st April 2021 for 3 years at a total cost of £634k, the extension of the contract for 15 months will take the total contract value up to £944k.

Extending this contract is beneficial and demonstrates value for money, as a comparator an adult supported accommodation placement average £56.6k per annum (based on 23-24 figures) with a children services average placement cost being £56k per annum. Brunswick supports 23 clients, if there are no voids the average annual placement cost amounts to 11k per annum.

Brunswick supports clients from both Adult Social care and Children Social Care and the cost of the contract will be split between adults and children's based on the number of clients being supported from each service area. The current split is 74% funded by children and 26% funded by adults.

The accommodation costs of clients supported in Brunswick's will be covered by housing credit/benefits, however there is a risk that the housing credit will not fund all the accommodation costs which the council will be liable for. If clients are also ineligible for housing credit/benefits, then the council would also be liable for these costs.

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

There are no implications or risks anticipated to Council staff as the employees involved in the delivery of the current service are employed directly by the existing Supplier. As the incumbent Supplier will be awarded the new contract the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 will not apply.

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, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

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 action undertaken will include monitoring how the service meets the needs of all eligible users, including those from ethnic minority communities and the disabled. The Council will also ensure that potential providers have undertaken equality training and adhere to the Council's Fair to All Policy or their own equivalent.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

Havering Council is committed to improving the health and well-being of all residents including those most vulnerable. This contract will have a positive impact on the health and well-being of people who use the service.

The new service will ensure that it supports adults achieve positive outcomes, with access to high-quality health and social care services and reduce health inequalities through personalised support with the service user's involvement.

Positive impact is expected to be achieved by explicit requirement of the Supplier to support the following health and well-being outcomes:

- Promoting the independence of individuals to lead the life they wish
- Behaviour and lifestyle such as diet, exercise or self-care
- Mental health and wellbeing
- Access to and quality of education or other training opportunities
- Employment, income, opportunities for economic development
- Access to green space, sports facilities and opportunities to be active
- Opportunity to interact socially with other people, social isolation, community support networks and being able to live independently
- Ability to access health and social care services
- Transport, and connections to places within or between the Borough

To conclude, this contract will impact positively on the quality of life, health and wellbeing of the service users.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The Council's Social Value Framework will be used to assess the environmental impact and plans of the contracted supplier. As a result, the supplier will be required to describe how they intend to minimise impact on the environment by:

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- a) Eliminating the need for one use plastics
- b) Ensuring that all waste is correctly recycled
- c) Utilising public transport when this fits with Infection Protection Control measures
- d) Employing locally wherever possible to reduce the environmental impact of travelling to work
- e) Employing digital solutions to reduce the need for manual recording and disposable materials.

BACKGROUND PAPERS

None

APPENDICIES

Key Executive Decision

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: Tara Geere

Director of Starting Well

Date: 02.07.24

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 _____