



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 21 JUNE 2023 at 6.00 pm

**Rooms 1&2
Civic Suite
London
SE6 4RU**

Enquiries to: Emma Campbell Smith, Head of Governance and Committee Services

Email: emma.campbellsmith@lewisham.gov.uk

MEMBERS

Damien Egan	Mayor
Councillor Brenda Dacres	Deputy Mayor and Housing Development and Planning
Councillor Chris Barnham	Children, Young People and Community Safety
Councillor Paul Bell	Health and Adult Social Care
Councillor Andre Bourne	Culture and Leisure (job share)
Councillor Juliet Campbell	Communities, Refugees and Wellbeing
Councillor Sophie Davis	Housing Management and Homelessness
Councillor Amanda De Ryk	Finance and Strategy
Councillor Louise Krupski	Environment and Climate Action
Councillor Kim Powell	Businesses, Jobs and Skills
Councillor James-J Walsh	Culture and Leisure (job share)

Members are summoned to attend this meeting



**Jeremy Chambers, Monitoring Officer
Lewisham Town Hall
Catford
London SE6 4RU
Date: Tuesday, 13 June 2023**

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MINUTES OF THE MAYOR AND CABINET

Wednesday, 10 May 2023 at 6.00 pm

PRESENT: Councillors Damien Egan (Mayor), Brenda Dacres, Chris Barnham, Paul Bell, Juliet Campbell, Amanda De Ryk, Louise Krupski and Kim Powell

MEMBER(S) JOINING REMOTELY:

- Councillor Sophie Davis, Cabinet Member for Housing Management, Homelessness and Community Safety; and
- Councillor James-J Walsh Culture, Cabinet Member for Leisure, and Communication (job share).

ALSO PRESENT: Monitoring Officer, Executive Director for Corporate Resources, Executive Director for Children and Young People, Housing Officials, and Senior Committee Manager.

Apologies for absence were received from Councillor Andre Bourne.

1. Minutes

It was MOVED, SECONDED and RESOLVED that the Minutes of the last meeting held on Wednesday, 8 March 2023 were agreed.

2. Declaration of Interests

No interests were declared.

3. Matters Raised by Scrutiny and other Constitutional Bodies

3.1 Mayor, Damien Egan introduced the Item and announced that a referral together with an officer's response had been received from the Children and Young People Select Committee (CYPSC) on "Amplifying Children's Voices".

3.1.2 Speaking on the referral, Councillor Chris Barnham, Cabinet Member for Children and Young People invited the Mayor and Cabinet to note and approve the officer's report, highlighting the following:

- That the amplification of children and young people's voices was relevant because of the significantly high number of the borough's population currently under 16, and the Council's manifesto to build on the Young Mayor's programme.
- That a working group, which included Lewisham's Young Advisers, had been set up by officers to build on the recommendations in the officer's report, with a view to bring further proposals to the Mayor and Cabinet aimed at enhancing the voices of children and young people in policy development and delivery across the spectrum of the Council's work.

3.2 The Mayor announced that another referral was received from the Safer Stronger Communities Select Committee (SSCSC) relating to “Borough of Sanctuary”.

3.2.1 Councillor Liam Shrivastava, the Vice-Chair of the SSCSC addressed the meeting on the second referral, advising that at its meeting on 2 March 2023, the SSCSC received an update report on matters relating to referral. It was stated:

- That the SSCSC welcomed information that efforts had been made to reinforce the Council’s commitment by the reinstatement of a dedicated officer resource to drive the delivery of the Borough of Sanctuary strategy.
- That the SSCSC commended the work of the local voluntary and community sector to help safeguard and support sanctuary seekers in Lewisham.
- That the SSCSC endorsed the work undertaken by the Action for Refugee in Lewisham, and the Lewisham’s Refugee and Migrant Network (LRMN) regarding front-line support provision, and the Safer Surgeries Campaign.

3.2.2 Councillor Shrivastava continued by stating that the SSCSC understood that the Council’s strategy as a Borough of Sanctuary was strong but felt that the delivery was not as effective as it could be. Thus, the SSCSC’s referral contained 9 recommendations which the Council could adopt if it were to meet its Borough of Sanctuary ambitions. Commenting on some of the recommendations, Councillor Shrivastava asked the meeting to note the following:

- That the SSCSC recognised restrictions and exemptions regarding to ‘no recourse to public funds’ (NRPF). Thus, the SSCSC had recommended:
 - That officers should take a proactive approach when assessing claims regarding statutory duties relating (NRPF).
 - That officers should keep lines of communication open with advocacy organisations to help anticipate issues to support sanctuary seekers, including early help for families with complex needs.
- That the SSCSC acknowledged that some of the Home Office’s policies directly contravened sanctuary principles. Thus, the SSCSC had recommended:
 - That training, like the type of the Safer Surgeries’ work undertaken with local General Practitioners would be useful to enhance knowledge and skills of front-line service staff.
- That the SSCSC felt that collaborative working would help delivery partners to share best practice and identify patterns and challenges that could present themselves in different councils. Thus, the SSCSC had recommended:
 - That the Council should appoint a person to act as a champion for migrants and refugees in Lewisham. It was stated that the

person to be appointed, in addition to acting as a critical friend to the Council and its partners, would be expected to work collaboratively with the nation-wide migrant champions' network managed by the Joint Council for the Welfare of Immigrants.

3.2.3 In closing, Councillor Shrivastava informed the meeting that since the recommendation was agreed for an update on the use of migration dispersal funding, the SSCSC had received and welcomed a report by the Borough of Sanctuary Manager as follows:

- That as well as using the asylum dispersal grant for funding the Council's services which asylum seekers could access, the Council was considering transferring some of the funding to further strengthen work relating to the Borough of Sanctuary strategy.

3.3 Commenting on the SSCSC's referral, Councillor Juliet Campbell, Cabinet Member for Communities, Refugees and Wellbeing expressed an appreciation to Members of the SSCSC for formulating recommendations to build on the work of the Council as a leading borough of sanctuary, and she asked the meeting to note the following:

- That the Council had produced a comprehensive action plan to progress with its work as a Borough of Sanctuary, in addition to a series of works planned across departments and with the voluntary sector.
- That discussion to recruit a Migration Champion was underway, with an expectation that the job holder would work collaboratively with the Sanctuary Officer to progress with the Borough of Sanctuary's strategy.
- That the Sanctuary Officer, since starting work in January 2023, had met objectives regarding the work which the Council was doing as a sanctuary borough. Thus, the migration dispersal fund was effectively utilised.

It was MOVED, SECONDED and RESOLVED that Mayor and Cabinet

- Direct officers to explore the feasibility of adopting suggestions in paragraph 4.1 of the report made by young people who were already engaged with the Council and to report back to the Children and Young People Select Committee.
- Note comments and views of the Safer Stronger Communities Select Committee on the Borough of Sanctuary strategy, and that officers should provide a formal response on the matter to Mayor and Cabinet before reporting back to the Committee.

4. Appointment of Directors to Catford Regeneration Partnership Limited

4.1 Councillor Brenda Dacres, the Deputy Mayor and Cabinet Member for Housing Development and Planning introduced the report, with a recommendation to appoint a director for the wholly-owned council

company, Catford Regeneration Partnership Limited, otherwise known as the CRPL, following the resignation of two directors.

4.2 Councillor Dacres gave a background about the CRPL and highlighted the rationale for the proposed appointment. The following were noted:

- That the CRPL was created in January 2010 to purchase the leasehold interest in and around the Catford Centre to manage and regenerate the assets, with a view to improve the economic, social, and environmental well-being of residents.
- That since the creation of CRPL, work had commenced to reinvigorate the Catford Town Centre, including the introduction of the Catford Library and the Catford Mews.
- That the appointment, as recommended, was necessary to progress with the aims of the Catford Town Centre's framework and to ensure the continued success of the CRPL.

It was MOVED, SECONDED and RESOLVED that Mayor and Cabinet approve the appointment of John Bennett as Company Director to replace Zahur Khan, an officer Director who resigned from the role.

5. Approval to confirm an Article 4 Direction to withdraw permitted development rights for the change of use from dwelling house (Use class C3) to small HMO's (Use Class C4)

5.1 The meeting received an update report by Councillor Brenda Dacres, the Deputy Mayor and Cabinet Member for Housing Development and Planning relating to the outcome of representation of making a non-immediate Article 4 Direction for Houses of Multiple Occupancy (HMOs) in the remainder of the borough.

5.2 In introducing the recommendations, Councillor Dacres advised as follows:

- That under Permitted Development Rights, individuals could convert a family dwelling to a small HMO of a maximum of six individuals without a planning permission without the need of a planning application.
- That although exempt dwellings were not covered by Article 4, it should be recognised that HMOs were supporting the Council to manage its housing supplies, as they represented a legitimate form of housing in the London Plan and the Local Plan.
- That Article 4 proposals would not only enable the Council to determine if HMOs were good quality and in a suitable location but would be able help prevent concentrations in certain areas within the borough. Thus, 81% of respondents who made representations were supportive of the proposals which would require individuals to apply for HMOs as part of the Council's planning process alongside its licensing scheme.
- That if the recommendations were approved, the policy would come into force on 19 January 2024, which would be 12 months after the Article 4 direction would have been published.

It was MOVED, SECONDED and RESOLVED that Mayor and Cabinet considered the responses to the consultation set out in Section 5 of the report, and:

- Authorise the Director of Law and Corporate Governance to confirm the non-immediate Article 4 Direction, which removes permitted development rights from C3 Dwelling Houses to C4 Houses in Multiple Occupation (HMO) for the remainder of the borough.
- Authorise the Director of Planning to carry out the statutory notification of the decision to confirm the Article 4 direction
- Note the legal and financial implications set out in Sections 6 and 7 of the report.

6. Tender for Council Insurances

5.1 The meeting received an update report by Councillor Brenda Dacres, the Deputy Mayor and Cabinet Member for Housing Development and Planning relating to the outcome of representation of making a non-immediate Article 4 Direction for Houses of Multiple Occupancy (HMOs) in the remainder of the borough.

5.2 In introducing the recommendations, Councillor Dacres advised as follows:

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- That Article 4 proposals would not only enable the Council to determine if HMOs were of good quality and in a suitable location but would be able to prevent their concentrations in certain areas within the borough. Thus, 81% of respondents who made representations were supportive of the proposals which would require individuals to apply for HMOs as part of the Council's planning process alongside its licensing scheme.
- That if the recommendations were approved, the policy would come into force on 19 January 2024, which would be 12 months after the Article 4 direction would have been published.

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- Authorise the Director of Law and Corporate Governance to confirm the non-immediate Article 4 Direction, which removes permitted development rights from C3 Dwelling Houses to C4 Houses in Multiple Occupation (HMO) for the remainder of the borough.

- Authorise the Director of Planning to carry out the statutory notification of the decision to confirm the Article 4 direction
- Note the legal and financial implications set out in Sections 6 and 7 of the report.

7. Network Links - Part 1

7.1 Councillor Amanda De Ryk, the Cabinet Member for Finance and Strategy introduced the report. She highlighted proposals for Shared Technology Services (STS) comprising London boroughs of Brent, Lewisham, and Southwark for contracts due to expire on 31 March 2024, and asked the meeting to note the following:

- That the STS would enhance digital inclusion through the provision of network connections to the Council's multiple sites for internet access.
- That because of the proposals, the Council would achieve economies of scale by having a single contract, as opposed to current arrangements for two contracts.
- That in addition to benefits of some free-of-charge broadband lines to deliver connectivity to remote sites, further discussions and negotiations were underway between the Council's officers and the provider, London Grid for Learning Trust, about what they could provide from a social value perspective in respect of delivering the contract.

7.2 In closing, Councillor De Ryk informed the meeting that the Council was reviewing its policies, with a view to reassess how it would secure wider social value in its commissioning arrangements across departments, and a report on the matter would be submitted to Mayor and Cabinet in due course.

It was MOVED, SECONDED and RESOLVED that Mayor and Cabinet:

- Approve Brent entering into the contract with London Grid for Learning Trust for a period of five years, commencing 1 April 2023, on behalf of the Council.
- Approve the expenditure of up to a maximum value of £600,000 for the Lewisham element of the contract.

8. Exclusion of Press and Public

All closed (Part 2) reports were considered alongside their open (Part 1) counterparts, therefore there was no need to exclude the Press and Public.

9. Network Links - Part 2

Considered alongside item 7.

Agenda Item 2



Mayor and Cabinet

Declarations of Interest

Date: 21 June 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider declare any personal interest they have in any item on the agenda.

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).

- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)


Agenda Item 4

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>
Non-Key Decision	<input type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Contract award for Maximising Wellbeing of Unpaid Carers Contract	
Author	Tristan Brice (Associate Director, Integrated Commissioning Team)	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration		x
EMT consideration	x	

Signed: 
 Cabinet Member for Health and Adult Social Care
 Date: 12/06/2023

Signed: 
 Executive Director for Community Services
 Date: 12/06/2023



Mayor and Cabinet

Contract award for Maximising Wellbeing of Unpaid Carer Service

Date 21 June 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Associate Director, Community Support and Care, Lewisham Integrated Commissioning Team, Senior Lawyer and Finance Business Partner

Outline and recommendations

Mayor and Cabinet are recommended to award a contract to Imago Community. The Maximising Wellbeing of Unpaid Carer service will go live on 1st July 2023 for 3 years plus the option to extend by 2 further years. The estimated value of the contract across this period will be £1,602,285, an annual value of £320,457.

This new contract brings together 4 Unpaid Carer related contracts previously commissioned:

- Adult Carer Information, Advice and Support Service (provided by Your Voice in Health and Social Care)
- Young Carer Support Service (provided by Carers Lewisham, a subsidiary of Your Voice in Health and Social Care)
- End of Life Carers' Advice and Support service (provided by Saint Christopher's)
- Family and Carer Support Service (provided by Stroke Association)

The service will draw on the five Solution-Focused Wellbeing coaching services that will be open to Unpaid Carers. These will go live on the 01 September 2023 and will cover the following areas:

- Solution-Focused Wellbeing Coaching - End of Life Care
- Solution-Focused Wellbeing Coaching - Effective management of individuals with advanced dementia including those presenting with behaviours that challenge
- Solution-Focused Wellbeing Coaching - Learning Disability and autism
- Solution-Focused Wellbeing Coaching – Mental Health
- Solution-Focused Wellbeing Coaching – Enabling and supporting clients into meaningful

Timeline of engagement and decision-making

March – July 2023: Coproduction of service specification

May – July 2023: Unpaid Carer Implementation Plan consultation (2022 – 2024) that went out to consultation for a seven week period.

21 September 2022: Mayor and Cabinet gave permission to procure the Maximising Wellbeing of Unpaid Carer service. The overarching aim of the service will be to maximise the wellbeing of Unpaid Carers by ensuring Carers are visible, valued and supported, in line with the aims of the Unpaid Carer Implementation Plan (2022 – 2024).

22 March 2023: Tender issued

June 2023 – Contract preparation and Mobilisation

Summary

- 1.1 The new model operationalises the joint legislative framework of the Care Act (2014) and the Children and Families Act (2014), which clearly set out the expectation of commissioned services to improve people's wellbeing through a person-centred approach. In addition, the legislative framework places the wellbeing outcomes of carers on an equal footing to the person they care for, taking a whole family approach to reviewing the support requirements of both the cared for and the Unpaid Carer. The service will comprehensively enable Unpaid Carers to maximise their wellbeing. This includes an expectation that Unpaid Carers will be fully involved and treated as an equal partner in the information, advice and support they receive, as well as the assessment, support planning and ongoing review if they are eligible for assessment and support. Considering the carer's views and wishes is critical to our Proud to Care Lewisham Family approach and to the successful delivery of this service.
- 1.2 This new contract brings together 4 Unpaid Carer related contracts previously commissioned:
 - Adult Carer Information, Advice and Support Service (provided by Your Voice in Health and Social Care)
 - Young Carer Support Service (provided by Carers Lewisham, a subsidiary of Your Voice in Health and Social Care)
 - End of Life Carers' Advice and Support service (provided by Saint Christopher's)
 - Family and Carer Support Service (provided by Stroke Association)

2. Recommendations

- 2.1 It is recommended that Mayor and Cabinet award the Maximising Wellbeing of Unpaid Carer Service contract to Imago Community. The contract will be for an initial period of 3 years with an option to extend for up to a further 2 years up to a total contract value of £1,602,285.

3. Policy Context

3.1 Care Act (2014), Children and Families Act (2014)

The Care Act (2014) put in statute for the first time the needs of carers and their right to be recognised for the work that they do. The Care Act (2014) and the Children and Families Act (2014) introduced significant and welcome measures to improve the rights of adult carers. These measures include:

- A duty on local authorities to promote the physical, mental and emotional wellbeing of carers and their participation in work, education and training;

- A duty on local authorities to provide information, advice and access to a range of preventative services which reduce carers' need for direct support;
- Assessments which put carers on an equal footing with the person they care for;
- Giving carers, for the first time, a clear right to receive services, via a direct payment if they choose;
- A national eligibility threshold, bringing greater clarity around entitlement for carers and those they care for;
- Processes in place to ease the transition between child and adult services.

3.2 2016 Consultation on a National Carers Strategy

In March 2016, the Government launched a call for evidence on what should be included in a planned Carers Strategy for England¹. Six topics were subject to consultation:

- **Impact of caring** – respondents *“reported that caring had a significant effect on their physical and mental health, on their ability to pursue educational opportunities and to maintain full-time employment”*;
- **Identifying carers** – *“half of carers who responded to this question said they had not received any help to identify themselves”, while “most people agreed that there were things that health, care and educational organisations and workers could do to help identify people as unpaid carers”*;
- **Valuing carers** – while roughly half of carers felt valued and involved in the cared for person's care, *“most respondents felt strongly that it was important that services valued and involved carers more in future”*
- **Information and advice** – only half of carers said they had *“received information about caring and the support available to them”* and *“most people commented about things that they would like to see happen in future, rather than things that had worked well for them in the past”*;
- **Supporting adult carers** – *“individuals and organisations felt it was a priority to improve support”, and, looking ahead, “responses said that accessible and affordable respite care or sitting services would significantly improve their lives”*;
- **Supporting young carers** – *“most respondents on this theme said they had not received any services or other formal support for young carers and had not had help to maintain their education or balance life outside caring”*².

Although the consultation closed in July 2016, the Government response was not published until June 2018. In it, the Government confirmed it would not publish a Carers Strategy but said carers would be included in a then proposed Green Paper on social care. The response said this presented *“an opportunity for a more fundamental approach to tackling the challenges carers face, by considering them alongside our strategy for social care”*³.

3.3 Carers Action Plan 2018 – 2020

In June 2018, the Government published a Carers Action Plan 2018–20 which *“set out a cross-government programme of work to improve support for carers over the next two years”*⁴.

The action plan was highlighted as *‘an essential step towards realising the Government’s commitment to value, recognise and support carers to provide care in a way that supports their own health and wellbeing, employment and other life chances’*.

¹ Department of Health, How can we improve support for carers? 18 March 2016.

² Department of Health and Social Care, How can we improve support for carers? Government response to the 2016 carers call for evidence, June 2018, pp7–12.

³ Department of Health and Social Care, How can we improve support for carers? Government response to the 2016 carers call for evidence, June 2018, pp5–6.

⁴ Department of Health and Social Care, Carers Action Plan 2018 – 2020: Supporting carers today, June 2018, p7.

The plan set out a two-year programme of targeted work to support unpaid carers focusing on practical actions to support carers and give visibility to the work already underway or planned within government. These practical actions focused on five themes

- Services and systems that work for carers
- Employment and financial wellbeing
- Supporting young carers
- Recognising and supporting carers in the wider community and society
- Building evidence and research to improve outcomes for carers

Through implementing the plan, the Government sought to build accessible carer friendly communities and public services, promote innovative local projects and support carers

4. Background

An Unpaid Carer is a person of any age (including children, referred to as young carers) who provides unpaid support to a partner, relative, friend or neighbour who could not cope without their help. This could be due to old age, frailty, disability, a serious health condition, mental ill health or substance misuse.

Data from the Office for National Statistics shows 19,957 people in Lewisham were looking after someone without being paid when the census was carried out in March 2021. Of these, 9,890 people were providing more than 20 hours of unpaid care a week in 2021 – including 5,133 people doing so for more than 50 hours a week.

Since the start of the pandemic, Carers UK estimate that the number of unpaid carers increased by around 4.5 million people⁵. Carers UK published the results of a survey in October 2020 which showed the impact of the pandemic on unpaid carers. The survey found since the start of the pandemic:

- 81% of carers are providing more care
- 38% of carers said the reason they were providing more care was due to reduced availability of local care and support services
- 78% of carers said the needs of the person they care for had increased, and 51% said this had impacted on their health and wellbeing.

5. Maximising Wellbeing of Unpaid Carer Service overview

5.1 Maximising Wellbeing for Unpaid Carer Service is delivered through the Lewisham Carer Hub and spoke model. This approach will ensure that Unpaid Carers have a single point of access when seeking information, advice and / or support within Lewisham. The Service Model will also operate in partnership with Lewisham's emerging Family Hub initiative.

5.2 Maximising Wellbeing is the key outcome of the service delivered by the successful bidder for this contract. 'Wellbeing' is a broad concept and is described in the Care Act (2014) as relating to the following areas in particular:

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (including over care and support provided and the way they are provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing

⁵ HC Deb Volume 690, National Carers Strategy, 12 March 2021, c1207; Carers UK, Facts & figures [accessed 25 May 2021].

- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society.

5.3 There is no hierarchy in the areas of wellbeing listed above – all are equally important. There is also no single definition of wellbeing, as how this is interpreted will depend on the individual, their circumstances and their priorities.

5.4 The seven core elements of the service include, but are not limited to and detailed information can be found in the Maximising Wellbeing of Unpaid Carers Specification:

#	Core element
1	<p>Lewisham Unpaid Carer Hub and Spoke model – Providing a single point of access, the Hub and Spoke model will support Unpaid Carers to maintain their own health, wellbeing and independence; and to care safely, confidently and effectively through provision of:</p> <ul style="list-style-type: none"> • Information, advice and support throughout all stages of the caring journey • 24/7 Helpline • Financial support enabling Unpaid Carers to access specific advice on finance, debt and benefits • Unpaid Carer passport - passport-style wallet to keep a personalised Unpaid Carers ID card, alert card and information booklet. It identifies a person as an Unpaid Carer, opening doors to recognition and support. • Regular news and what's on updates via the Carer website • Free face to face and online training courses, enabling Unpaid Carers to develop new skills and knowledge to become more confident in their caring role. • Peer support which will bring Unpaid Carers together for mutual support by offering, regular groups, one to one support or variety of small group activities.
2	<p>Unpaid Carer Primary Care Coordinator - The role will work across the 6 Primary Care Networks (PCN) in Lewisham to enable effective identification of Carers across all Lewisham based GP surgeries, whilst also promoting Carer Wellbeing and other relevant services available to Carers, using the Supporting carers in general practice: a framework of quality markers⁶.</p> <p>Key responsibilities will include:</p> <ul style="list-style-type: none"> • Promoting implementation of the supporting Unpaid Carers in general practice: a framework of quality markers. This will support practices in: <ul style="list-style-type: none"> a. Identifying and registering Unpaid Carers (including Young Carers) b. Using Unpaid Carer's register to support holistic carer health and wellbeing needs c. Organising how best to understand and respond to the needs of Unpaid Carers d. Making it easier for Unpaid Carers to access its services e. Communicating with, involving and informing Unpaid Carers f. Promoting an Unpaid Carer-friendly culture • Encouraging practices to refer all Unpaid Carers to the Maximising Wellbeing of Carers service • Regularly updating practices on the outcomes achieved by the Unpaid Carers referred by the practice to the Maximising Wellbeing of Unpaid Carers service
3	<p>Young Carer Schools Facilitator – facilitated by the lead head teacher for Young Carers, the role will work across all schools linking up with school nurses within Lewisham and provide direct, individual and whole family support intervention to Young Carers and their families within school settings and through home based visits. The work will involve using recommended toolkits and resources⁷. The role will focus on supporting Young Carers to increase educational as well as health outcomes and engagement and decrease negative impact of their caring role. The potential overrepresentation of BAME young people in the local population of Young Carers must also be considered in the planning and delivery of the service, giving consideration to the intersectionality of Young Carers and how the service may support and address any related stigma or challenges they face. The role will also be key for those young carers transitioning from primary school to secondary school or from secondary school to higher education, training or employment.</p> <p>Key responsibilities will include:</p> <ul style="list-style-type: none"> • To deliver or organise training to school staff including school governors and school nurses (teaching and non-teaching) in order to increase their knowledge and understanding of the impact of the caring role and the needs of Young Carers within the school setting. • To raise awareness / identification with both pupils and staff, developing guidance, protocols and resources for schools with regards to identifying and supporting Young Carers and their families. • To establish excellent working relationships within schools in order to facilitate successful interventions with Young Carers and their families.

⁶ <https://www.england.nhs.uk/publication/supporting-carers-in-general-practice-a-framework-of-quality-markers/>

⁷ <https://carers.org/resources/all-resources/27-supporting-young-carers-in-schools-a-toolkit-for-young-carers-services>

#	Core element
	<ul style="list-style-type: none"> To deliver individual and small group work to students in schools as part of raising awareness and identification.
4	<p>Championing Unpaid Carers Lead – Working across all neighbourhoods, the role will champion and showcase the value of Unpaid Carers through:</p> <ul style="list-style-type: none"> Identifying, supporting and promoting Workplace Unpaid Carer Champions Supporting Workplace Unpaid Carer Champions network through: <ul style="list-style-type: none"> Collation and dissemination of information Providing a forum for sharing good practice, problem solving 'wicked' issues etc. Delivering awareness raising sessions, and empowering Workplace Unpaid Carer Champions to deliver awareness sessions within their organisations. Supporting the launch and promotion of the Proud to Care Lewisham annual awards. Working with national and regional partners such as Carers UK to coordinate participation in national campaigns and events such as Carer's Week, and Carers' Rights Day Capitalising on local events and programmes, such as Lewisham People's Day, to celebrate the value of Unpaid Carers to Lewisham and raise their profile. Working with local businesses to secure new benefits for Unpaid Carers such as free car parking and discounts, as well as facilitating access to existing schemes.
5	<p>Wellbeing Carer Coordinators – Working across all neighbourhoods, the coordinators will ensure the wellbeing outcomes set out at 1.8 are met for all Unpaid Carers through:</p> <ul style="list-style-type: none"> Supporting completion of a Carers Assessment, which is for adult carers of adults (over 18 years) who are disabled, ill or elderly. The assessment will look at: <ul style="list-style-type: none"> How caring affects, the life of the Unpaid Carer Physical, mental and emotional wellbeing of the Unpaid Carer Ability of the Unpaid Carer to access work, education and recreation. Identifying any young carers in the household and ensuring their needs are met by linking them up with the Young Carers School Facilitator whilst also ensuring they are not undertaking inappropriate levels of caring duties Completion of a Person-Centred Support Plan, setting out the agreed key outcomes as identified within the Carer Assessment Supporting development of an escalation plan so that Unpaid Carers are prepared for unforeseen circumstances that would impact negatively on ability to care, thus providing peace of mind and helping ease any potential worries.
6	<p>Unpaid Carer Activities Coordinator – the role will be responsible for planning, delivering and promoting a programme of educational, fun, leisure and residential activities for Young and Adult Unpaid Carers. The core aim of the activity programme is to provide Young and Adult Unpaid Carers with a much needed break from their caring responsibilities, in a safe and social environment where they can meet other carers and focus on their wellbeing.</p> <p>The individual will plan a broad and exciting spectrum of activities that is appealing to Young and Adult Unpaid Carers and provides them with a crucial break from their caring role. Building and maintaining relationships, both within the Service and externally to develop and maintain the activities programme for Young and Adult Unpaid Carers is key to the role.</p>
7	<p>Specialist Wellbeing coaches</p> <p>Unpaid Carers of individuals in receipt of care from the Maximising Wellbeing at Home service will have direct access to specialist wellbeing coaching in the following areas:</p> <ul style="list-style-type: none"> End of Life Care Effective management of individuals with advanced dementia including those presenting with behaviours that challenge Learning Disability and Autism Mental Health Enabling and supporting clients into meaningful life roles

6. Synopsis and Evaluation of the Bids Received

- 6.1 The procurement of this contract was carried out via an open (one stage) procurement process with one successful provider being awarded the contract.
- 6.2 The procurement was advertised via the Council's online e-tendering system (Proactis procurement portal) publishing the opportunity onto Contracts Finder and Find a Tender service.
- 6.3 The tender for Maximising Wellbeing for Unpaid Carers went live on 22 March 2023 and closed on 26 April 2023. Two bids were received. Both providers submitted full tender

documentation. Therefore, two organisations went through to the evaluation process. A synopsis of the bids is set out in section 6 of the Part 2 report.

6.4 The following criteria were assessed during the evaluation process:

- Financial 30%
- Quality 70% (including 10% on Social Value)

6.5 The qualitative assessment was based on the tendering provider's responses to the method statements included in the Invitation to Tender. These were used to test tenderers' understanding of service requirements. The following criteria were assessed during the quality evaluation:

- a) Financial 30%
- b) Mobilisation 4%
- c) Operationalising the Maximising Wellbeing at Home Service 14%
- d) Provision of Information and Advice 10%
- e) Project Management and Sustainability 6%
- f) Culturally competent service 10%
- g) Embedding an evidence-based approach to assessing need 6%
- h) Safeguarding 4%
- i) Social Value 10%

6.6 Tenderers were required to answer a series of technical questions in the Standard Selection Questionnaire that assessed their suitability to deliver the contracts. Tenderers were asked to submit a description of their proposals in the form of Method Statements in order to test their understanding of service requirements. The Methods Statements were assessed under the quality criteria, and those provided by the successful tenderer(s) will form part of the contract documentation against which their performance will be monitored.

6.7 The scoring for quality was awarded on a scale of 0 – 10 with 0 being non-existent and 10 being perfect. All of the criteria had a minimum quality score of five (5) to be considered valid, and method statement two (with seven distinct elements), required each of the seven elements to score a minimum of six (6) to be valid. Any Tender which failed to attain these minimum scores would be deemed invalid.

6.8 The price of each tender was evaluated using the Lowest Price Option. In line with the methodology detailed in the ITT document. and the worked example, which were provided to bidders as part of the tender pack as follows:

$$\text{Price score} = 30 \times (\text{lowest valid tender} / \text{Form of Tender price})$$

6.9 The evaluation panel consisted of representatives from:

- Adult Integrated Commissioning Team
- CYP Integrated Commissioning Team
- Adult Social Care
- Unpaid Carers

6.10 The overall ranking for cost and quality are set out below –

Rank	Bidder	Price Rank	Quality Rank	Valid/Invalid
1	Imago Community	1	=1	Valid
2	Company A	2	=1	Valid

6.11 Full synopsis of the bids received are set out in section 7 of the Part 2 report.

6.12 The evaluation panel agreed that Imago Community submitted a tender that achieved the highest combined price and quality score and it is recommended that they are

awarded the contract.

- 6.13 A credit check was run on Imago Community by the Council's Procurement team in April 2023, which demonstrated the company was considered low risk.

7. Financial implications

- 7.1 This service is adequately funded via the 23/24 Better Care Fund plan. There are currently no financial risk relating to this proposal for the tenure of the proposed contract
- 7.2 Due finance diligence via a review of CreditSafe report as well as financial statements provided have been satisfactorily undertaken by Lewisham Council.

8. Legal implications

- 8.1 The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the Public Contracts Regulations 2015 ("Regulations") with which the Council must comply. The contract that is the subject of this report falls under the Light Touch Regime under the Regulations, which relates to services such as health, social and related services. As such, while the requirements are less onerous than those for other contracts to which the Regulations apply, the obligations still require compliance with principles of equal treatment, transparency and non-discrimination.
- 8.2 The report proposes the establishment of a contract with Imago Community for a period of 3 years with the option to extend for up to a further 2 years. The potential value of the contract, including the extension, exceeds £500,000, which means that this is a Category A contract for the purposes of the Council's Contract Procedure Rules and one which is to be awarded by Mayor and Cabinet.
- 8.3 The contract has been externally and openly advertised as required by the Regulations and the Council's Constitution. The report explains the evaluation approach and process applied to the bids and the reasons for recommending the successful bidder for approval.

9. Equalities implications

- 9.1 An Equalities Analysis Assessment was drafted in May 2022 for the Carer Implementation Plan⁸. Key data for the relevant protected characteristics is provided below. It should be noted that the data on carers from the 2021 census has not yet been published.
- Age - The age group in Lewisham with the highest total number of carers is 35 to 49, but the most overrepresented age range is 50 to 64, at 17.2%. (2011 census). A 2013 report from the Children's Society found young carers were 1.5 times more likely to be from black, Asian or minority ethnic groups and twice as likely not to speak English as a first language.
 - Ethnicity – According to the 2011 census, carers largely align with the wider population demographics for ethnicity. However, 'White: Total' as a combined ethnic group bracket were overrepresented by 5%.
 - Gender - People identifying as female are also overrepresented amongst unpaid carers, as shown by census 2011 data (58.7%), and other local data sources including the Your Voice in Health and Social Care commissioned service figures.
 - Disability – in the 2011 census, 7% of the Lewisham general population reported

⁸ <https://councilmeetings.lewisham.gov.uk/documents/s102842/07%20MC%20Permission%20to%20Tender%20Carers%20Services.pdf>

having a disability that limited their day to activities a little, compared to 9% of those providing unpaid care, and a further 7% of the general population reported having a disability that limited their day to day activities a lot, compared to 14% of the population providing unpaid care.

- Carer Status - In the 2011 census, 22,521 Lewisham residents reported providing some level of unpaid care every week. According to this data, unpaid carers are therefore underrepresented in Lewisham (8.9%), compared to the national proportion of the population who are unpaid carers (10.3%).
- Health -The 2018-19 Personal Social Services Survey of Adult Carers in England (SACE) results for Lewisham over 60% of respondents reported disturbed sleep, feelings of stress, and feeling tired as a result of their caring role. Over 40% also reported physical strain and feelings of depression
- Income & Socioeconomic - 65.3% of carers responding to 2018-19 SACE reported that their caring role had caused them financial difficulties over the last 12 months.

9.2 The Carers service will provide satisfactory details of their equal opportunities policies which demonstrate that they meet Council policy.

10. Climate change and environmental implications

10.1 The Service will be expected to comply with the Council's Environmental and Climate Change requirements, so as to minimise the environmental impact of the service.

10.2 The Service will also be expected to support the Council's commitment to making the borough carbon neutral by 2030

11. Crime and disorder implications

11.1 There are no crime or disorder implications.

12 Health and wellbeing implications

12.1 The literature⁹ reports the detrimental effect on some carers' health and wellbeing, with older carers at higher risk than younger carers. Disabled carers also face particular challenges to their health and wellbeing that are often exacerbated by their caring role.

12.2 The Service will commit to improving the Wellbeing outcomes (as outlined in the Care Act, 2014) for all unpaid carers within the borough throughout the duration of the contract.

13. Social Value

13.1 The Council's Sustainable Procurement Code of Practice will be applied to this contract. This sets out various social, environmental and economic considerations to be applied. The purpose is to ensure that products and services are sourced and produced responsibly; to maximise resource and energy efficiency in the manufacturing and supply of goods and services in order to minimise environmental impacts; and to deliver outstanding value for money over the entire lifetime of the contract.

13.2 In addition, the service will ensure minimum pay rates in line with prevailing London Living Wage (LLW) or above where applicable.

13.3 Imago Community demonstrated a commitment to the Council's four key objectives using the social value KPI's and providing numerate values to achieve over the contracted period. This included job development, apprenticeship schemes and GDPR

⁹ Welsh Government, 2021. Strategy for unpaid carers: equality impact assessment.

training.

- 13.4 Once a contract has been awarded the Social value delivery and monitoring be formally reported on the KPI Performance report.

14. Contract Management

- 14.1 In accordance with the Council's contract management framework this contract is a tier 1 contract. Contract Management meetings will be held on a monthly basis and the key performance indicators (KPIs) on the contract management dashboard will be monitored and reported on accordingly.

15. Background paper

- 15.1 The following background documents were referenced in this document. Permission to Procure Part 1 Report for Mayor and Cabinet
<https://councilmeetings.lewisham.gov.uk/documents/s102628/07%20MC%20Permission%20to%20Tender%20Carers%20Services%20DRAFT%20v23.pdf>

16. Report author(s) and contact


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Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>
Non-Key Decision	<input type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Contract award for Maximising Wellbeing at Home services (Lots 1,2,3,4,7)	
Author	Tristan Brice (Associate Director, Integrated Commissioning Team)	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration		x
EMT consideration	x	

Signed: 
 Cabinet Member for Health and Adult Social Care
 Date: 12/06/2023

Signed: 
 Executive Director for Community Services
 Date: 12/06/2023



Mayor and Cabinet

Report title: Contract award for Maximising Wellbeing at Home services (Lots 1,2,3,4,7)

Date 21 June 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Associate Director, Community Support and Care, Lewisham Integrated Commissioning Team

Outline and recommendations

This report seeks approval from Mayor and Cabinet to:

1. Award the contract for Neighbourhood 1 to Carepoint Services Ltd (lot 1), for 5 years with the option to extend for a further 2 years, at an estimated current value of £17,500,000.
2. Award the contract for Neighbourhood 2 to Eleanor Nursing & Social Care (lot 2), for 5 years with the option to extend for a further 2 years at an estimated current value of £42,000,000.
3. Award the contract for Neighbourhood 3 to Westminster Homecare (lot 3), for 5 years with the option to extend for a further 2 years at an estimated current value of £37,100,000.
4. Award the contract for Neighbourhood 4 to Nomase Care Ltd & Unique Personnel (lot 4), for 5 years with the option to extend for a further 2 years at an estimated current value of £22,400,000.
5. Award the contract for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals with advanced dementia including those presenting with behaviours that challenge to Bluefield Care Services. The contract value will be £120,000 per annum, equating to £600,000 over 5 years, and £840,000 over 7 years if the option to extend is utilised.

Each of the 5 contracts will commence on the 01 September 2023.

Timeline of engagement and decision-making	
Date	Engagement / decision making
09 March 2022	Permission to Procure approved by Mayor and Cabinet.
March – July 2022	Coproduction of service specification
September 2022	Market warming events
08 September 2022	Tender published (Stage 1)
December 2022	Executive Director for Community Services gives approval for 11 tenderers to be invited to the second stage of the procurement process
08 December 2022	Tender issued to shortlisted suppliers (Stage 2)
19 December 2022	Tender reissued for Lots 5, 6, 8 and 9
01 September 2023	Commencement of new contracts

Summary

- 1.1 This report seeks approval from Mayor and Cabinet to award contracts for Lots 1 – 4, Neighbourhood Lead Providers (Maximising Wellbeing at Home) and Lot 7 (Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals with advanced dementia including those presenting with behaviours that challenge) following a competitive tender process in which they were the successful bidder:

Lot	Proposing the following organisations are awarded contracts
1	Carepoint Services Ltd
2	Eleanor Nursing & Social Care
3	Westminster Homecare Ltd
4	Nomase Care Ltd & Unique Personnel
7	Bluefield Care Services

- 1.2 The new model will include the following core elements:
- Personalised set of principles through which care is provided
 - Embedding the voice of people with lived experience and unpaid carers into the delivery and overview of the service
 - Four Lead Neighbourhood Providers of Maximising Wellbeing at Home
 - Five specialist advice, support and training providers to support the Lead Neighbourhood Providers
 - Embedding the service within the wider Lewisham Community Offer
 - A career progression pathway for Wellbeing Workers. This will be embedded in the ICS commitment to working with social care providers to promote workforce development opportunities and career pathways.
 - Compliance with UNISON's Ethical Care Charter and a commitment for care workers to receive equivalent pay as band 3 NHS workers (£12.75.per hour at 2021/22 pay scale). This compares to London Living Wage (2021/22) of £11.95.

- A commitment to promote Maximising Wellbeing at Home as a career of choice for Lewisham residents.
- A commitment to embedding the London ADASS Big Promise within service delivery https://www.youtube.com/watch?v=iZWclGpwfY&list=PLio1_qJY3EazD4z2SCKGPgUPUhfAfGOYUd
- A commitment to identifying and nurturing untapped talent within the borough through developing innovative roles delivered through the apprenticeship route <https://lewisham.referrals.selectminds.com/landingpages/apprentice-opportunities-at-lewisham-council-7>

1.3 The new model will go live on the 01 September 2023.

2. Recommendations

2.1 It is recommended that Mayor and Cabinet:

2.1.1 Award the contract for Neighbourhood 1 to Carepoint Services Ltd (lot 1), for 5 years with the option to extend for a further 2 years, at an estimated current value of £17,500,000.

2.1.2 Award the contract for Neighbourhood 2 to Eleanor Nursing & Social Care (lot 2), for 5 years with the option to extend for a further 2 years at an estimated current value of £42,000,000.

2.1.3 Award the contract for Neighbourhood 3 to Westminster Homecare (lot 3), for 5 years with the option to extend for a further 2 years at an estimated current value of £37,100,000.

2.1.4 Award the contract for Neighbourhood 4 to Nomase Care Ltd & Unique Personnel (lot 4), for 5 years with the option to extend for a further 2 years at an estimated current value of £22,400,000.

2.1.5 Award the contract for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals with advanced dementia including those presenting with behaviours that challenge to Bluefield Care Services. The contract value will be £120,000 per annum, equating to £600,000 over 5 years, and £840,000 over 7 years if the option to extend is utilised.

Each of the 5 contracts will commence on the 01 September 2023.

3. Policy Context

3.1 The Care Act 2014 had a significant impact on Maximising Wellbeing at Home providers and commissioners and on people who use Maximising Wellbeing at Home services and their carers. The majority of the Care Act came into effect in April 2015 and put a duty on local authorities to promote wellbeing and meet needs (rather than requiring them simply to provide services). It also requires local authorities to assess and offer support to address the needs of carers, independently of the person they care for. This is aligned with a range of other carer-specific policies which emphasise the value of carers, and the importance of enabling them to have 'a life alongside caring'.

3.2 Under the Act, local authorities have a duty to prevent, delay or reduce the development of people's social care needs, so far as possible, and to work in an integrated, person-centred way, with all other support agencies including those in the third sector. They also have a duty to provide information and advice for the whole population, not just those who are receiving services that they fund. This means that people funding their own Maximising Wellbeing at Home support are entitled to guidance from the local authority, including on financial matters. The Care Act 2014 also requires local authorities to stimulate and manage their local market to benefit the whole population, not just those in receipt of local authority funded support.

- 3.3 Engaging people with lived experience is a core element of the Care Act 2014, which states: 'Local authorities should, where possible, actively promote participation in providing interventions that are co-produced with individuals, families, friends, carers and the community'.
- 3.4 The report supports the following corporate priorities:
- Cleaner and greener
 - A strong local economy
 - Open Lewisham
 - Health and wellbeing

4. Background

- 4.1 In 2015, Lewisham Council adopted a Neighbourhood Care Team Model as part of the wider initiative to establish health and care services on a neighbourhood footprint. With health partners, it worked to establish virtual neighbourhood teams of district nurses and social work staff aligned to GP practices, working with other specialist community health and care services such as the South London and Maudsley NHS Foundation Trust to co-ordinate work at a neighbourhood level. The Council appointed a neighbourhood coordinator for each of the four neighbourhoods to coordinate the partnership. A key part of this vision included building strong relationships with the lead Maximising Wellbeing at Home providers.
- 4.2 The Council entered into 2-year contracts (with the option to extend for 1 year) on 01 April 2016 with 4 Maximising Wellbeing at Home providers, one for each of the planned four neighbourhoods. This contract replaced the previous Framework Agreement for Domiciliary Care (2010-2016) which included 18 providers.
- 4.3 The rationale for the significant consolidation of contracted Maximising Wellbeing at Home providers was to appoint one Lead Provider per Neighbourhood who would have the capacity and expertise to lead the delivery of Maximising Wellbeing at Home in that neighbourhood and work closely with the neighbourhood teams. The Service Specification for the Lead Provider contract was developed to enable Adult Social Care and Health to optimise the Maximising Wellbeing at Home service to individuals in their own home by facilitating integrated working across health and social care, offering a localised and personalised experience and most importantly delivering the outcomes that are important to the Service User.
- 4.4 Three of the four contracts have been extended until 31 March 2023. The Neighbourhood 1 contract was not extended, due to quality issues. As a result, the Neighbourhood 1 contract was split between the remaining three remaining lead providers based on postcode.
- 4.5 Throughout its tenure the Maximising Wellbeing at Home Contract has enabled the Council to discharge its responsibilities to provide care to individuals in their own home in an efficient, structured and timely way.
- 4.6 Adult Social Care Neighbourhood Leads report that there has been an improvement in the provision of Maximising Wellbeing at Home since moving to the Lead Provider model. It has been easier to build relationships with one Lead Provider and ensure that quality concerns are addressed promptly. They have been encouraged by the Provider's willingness to take part in Multi-Disciplinary meetings and pilot new ways of working to benefit their Service Users. Service Users also report benefits from the Neighbourhood Model of Maximising Wellbeing at Home including a more positive experience of service provision and an increase in independence and enhanced quality of life. The re-procurement will build on these foundations.
- 4.7 Insourcing has been considered and an options appraisal was undertaken in 2019 looking

at:

- The re-procurement of domiciliary care services via the existing neighbourhood model;
- Transferring services back 'in house' under the existing Adult Social Care management structure; Option A.
- The establishment of a Council owned organisation to deliver domiciliary care services; Option B.

4.8 The report concluded that transferring services back 'in house' under the existing Adult Social Care management structure (Option A) over a five-year period is estimated to cost £142m, whilst establishing a Council owned organisation to deliver domiciliary care services (Option B) over a five-year period is estimated to cost £118m, compared to delivering the service in its current form (£91m). Both Option A and Option B would also impact on the Councils market shaping duty (Care Act, 2014) to stimulate a diverse range of care and support services to ensure that people and their carers have choice over how their needs are met and that they are able to achieve the things that are important to them. Both Option A and Option B would also be challenging as currently the Council does not employ staff with the necessary knowledge, skills and experience to run such diverse and complex services.

4.9 The new Maximising Wellbeing at Home model seeks to maximise benefits to the adult social care Wellbeing Worker workforce in order to both recognise their value and also to provide real career opportunities and embrace them within our Proud to Care Lewisham family.

4.10 In parallel, we will also be growing the Personal Assistant market to enable residents to have greater choice and control.

4.11 On 9th March 2022, Mayor and Cabinet gave permission to procure 4 Neighbourhood Lead Providers (Maximising Wellbeing at Home) and 5 specialist advice support and training providers to support the four Neighbourhood Lead Providers as shown in the table below:

Lot	Contract	Estimated annual value	Estimated value – 5 years	Estimated value – 7 years
1	Neighbourhood 1	£2,500,000	£12,500,000	£17,500,000
2	Neighbourhood 2	£6,000,000	£30,000,000	£42,000,000
3	Neighbourhood 3	£5,300,000	£26,500,000	£37,100,000
4	Neighbourhood 4	£3,200,000	£16,000,000	£22,400,000
5	Specialist End of Life Care advice, support and training	£120,000	£600,000	£840,000
6	Specialist Mental Health advice, support and training	£120,000	£600,000	£840,000
7	Specialist advice, support and training to support the effective management of individuals with advanced dementia including those presenting with behaviours that challenge	£120,000	£600,000	£840,000
8	Specialist Learning Disability and autism advice, support and training	£120,000	£600,000	£840,000
9	Specialist advice, support and training to enable all those in receipt of commissioned Maximising Wellbeing at Home service to maximise meaningful life roles e.g. enabling community engagement.	£120,000	£600,000	£840,000

4.12 Mayor and Cabinet also delegated approval to the Executive Director of Community

Services following stage 1 of the procurement process to decide the short-listed suppliers recommended to stage 2 of the procurement process. This paper summarises stage 2 of the procurement process and recommends that Mayor and Cabinet award contracts to the following providers:

Lot	Proposing the following organisations are awarded contracts
1	Carepoint Services Ltd
2	Eleanor Nursing & Social Car
3	Westminster Homecare Ltd
4	Nomase Care Ltd & Unique Personnel
7	Bluefield Care Services

5. Maximising Wellbeing at Home overview

5.1 Maximising Wellbeing at Home is coaching focused support delivered by Wellbeing Teams through a rehabilitation lens. The Service is delivered to people living in household accommodation that is owned or occupied by the person receiving the Maximising Wellbeing at Home service. The household accommodation arrangements are fully independent of the Maximising Wellbeing at Home service (which remain at all times a visiting arrangement).

5.2 Six core elements

#	Core element
1	<p>Seven step approach repeated bi-annually in collaboration with officers from the Council and other relevant partners</p> <ul style="list-style-type: none"> • Step 1: Yourself – How can you build on the strengths and qualities that you already have? What else could you do improve your knowledge, skills or confidence? • Step 2: Technology – Are there any apps or technology that could help? • Step 3: Equipment and adaptations – Are there any products or equipment that could help? Are there any physical changes that could be made to your home or environment that could help? • Step 4: Family, Friends and Neighbours – Is there anything that your family, friends or neighbours could help with? • Step 5: Community – Are there places, groups or events happening in your community that could help? • Step 6: Services or Setting – Are there any general health or social services that could help? What is available through universal services? • Step 7: Choose your Wellbeing Team
2	<p>Neighbourhood footprint</p> <p>The Service must work collaboratively with the other three Lead Neighbourhood organisations delivering the Maximising Wellbeing at Home service to ensure sharing of learning and maximising efficiencies where possible. The Service must also commit to:</p> <ul style="list-style-type: none"> • Supporting the delivery of an integrated health and care offer to Clients by referring to appropriate services and engaging meaningfully in relevant meetings, joint assessments and collaborative interventions. • Improving communication between organisations, reduce duplication and build a support team around the individual to prevent or delay their need increasing and enable wellbeing, choice and independence. This will result in the right level of support in the community for all adults requiring services as well as a reduction in the number of reviews and unnecessary handoffs. • Work closely with the Relationship Manager to ensure referrals are being made to appropriate services e.g. Carer Information, Advice and Wellbeing Officers • Enable the branch office to become a hub of activity for Neighbourhood 1 celebrating and promoting the industry as a career of choice amongst local residents

#	Core element
3	<p>Person Centred and Outcome focused</p> <ul style="list-style-type: none"> • The Service management and Wellbeing Teams will be required to meaningfully involve people with lived experience and unpaid carers in their service delivery and management. This will help to further embed the development and delivery of person centred, outcome focused support planning initiatives. • The Service must review on a regular basis level of need by repeating Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs).¹ • The Service must coordinate and analyse bi-annually the Adult Social Care Outcomes Toolkit INT4 and deliver an action plan to improve satisfaction • The Service must also coordinate and analyse annually Client and Wellbeing Worker annual satisfaction surveys and again deliver an action plan to improve satisfaction year on year. • Aim to achieve Outstanding by the CQC within three years and retain this rating for the remainder of the contract duration
4	<p>Promoting choice and control</p> <ul style="list-style-type: none"> • Clients choose their own Wellbeing Team (can be up to 12 Wellbeing Workers) using video introductions and one-page profiles. At least two teams from other Maximising Wellbeing at Home organisations in the Neighbourhood must be included in the offer to the Client. • Once the Wellbeing Team has been selected, they collaboratively design an ideal week with the Client, where visits have an indicative time related to what they are trying to achieve in that visit.
5	<p>Wellbeing Workers in Wellbeing Teams</p> <ul style="list-style-type: none"> • Wellbeing Workers will adopt a more rehabilitative approach to service delivery. Learning from Denmark showed this improved the status of the sector, whereby Wellbeing Workers are seen as coaches undertaking more positive, motivational work that is distanced from the 'current image of the sector' • Wellbeing Workers will work in Wellbeing Teams (up to 12 individuals) • Wellbeing teams: <ul style="list-style-type: none"> ○ Provide relationship-centred support ○ Focus on what matters to the person and their wellbeing ○ Enable people to be part of their community ○ Are self-managed • Each Wellbeing Team will be allocated a coach by their employer to support their knowledge, skills and confidence in providing the service. The coach will meet monthly and create a trusted and supported environment to enable the team to grow and develop. • The employer organisation will ensure Wellbeing Teams are enabled to develop by promoting regular team meetings to avoid isolated working conditions, and more training and flexibility to work autonomously and flexibly to meet the person's needs • The employer will also ensure the Service is: <ul style="list-style-type: none"> ○ Fully compliant with UNISON's ethical care charter ○ Fully committed to work towards parity of esteem with equivalent roles in the NHS ○ Committed to promoting Wellbeing Workers as a career of choice for Lewisham residents ○ Committed to embedding the London ADASS Big Promise within service delivery https://londonadass.org.uk/news/our-big-promise-following-race-equality-week/ <p>As noted in 1.3, the Neighbourhood footprint may change slightly following the NHSE Fuller Review to ensure close collaboration with health colleagues on a PCN footprint where there is a health input that overlaps / aligns with the work of the wellbeing team</p>
6	<p>Solution-Focused Wellbeing coaches</p>

¹ Key life tasks that people need to manage, in order to live at home and be fully independent.

#	Core element
	<p>Wellbeing Teams will have direct access to specialist wellbeing coaching in the following areas:</p> <ul style="list-style-type: none"> • End of Life Care • Effective management of individuals with advanced dementia including those presenting with behaviours that challenge • Learning Disability and autism • Mental Health • Enabling and supporting clients into meaningful life roles <p>Wellbeing Teams within Neighbourhood 1 must work collaboratively and effectively with the five Solution-Focused Wellbeing Coaching service providers to ensure the assessed needs of Clients are met in the most effective way.</p>

5.3 Shared approach to recruitment – Proud to Care Lewisham Family

Within Lewisham, we have agreed a shared three step approach to the recruitment of Wellbeing Workers. The Service Provider must fully engage and comply with the Proud to Care Lewisham Family three step approach. This three-step approach which is fully compliant with the UNISON Ethical Care Charter consists of:

Step 1 – Recruitment into our Proud to Care Lewisham Family through a values-based approach. This step is coordinated by our Proud to Care Lewisham apprentices in collaboration with Lewisham Works. Values based recruitment is an approach which attracts and recruits Wellbeing Workers on the basis that their individual values and behaviours align with the values of Lewisham Council and the NHS Constitution. The key elements of step 1 include:

- Pool of interviewers drawn from registered managers² based locally, unpaid carers and people with lived experience
- Interviews focus on whether the values of prospective applicants align with those of the Proud to Care Lewisham Family. During step 1, interviews do not focus on the organisation that the individual will be matched to.
- Applicants who successfully pass step 1 are then added to our Proud to Care Lewisham Family

Step 2 – Recruitment of applicants to Maximising Wellbeing at Home organisations. Within step 2, each Maximising Wellbeing at Home organisation based in Lewisham has the opportunity to advertise vacancies to all candidates in the Proud to Care Lewisham Family. As the prospective employer, the Maximising Wellbeing at Home organisation must ensure the recruitment approach that the organisation adopts during step 2 is fully compliant with CQC regulations.

To participate in step 2, the Service Provider must sign up to full compliance with the UNISON Ethical Care Charter. Compliance with the Charter ensures all Wellbeing Workers are enabled to:

- Provide appropriate support and given time to talk to their clients
- Ensure they are not forced to rush their time with clients or leave their clients early to get to the next one on time through more control of their rotas
- Be paid for their travel time, their travel costs and other necessary expenses such as mobile phones

² Drawn from Maximising Wellbeing at Home providers based in Lewisham

- Be covered by an occupational sick pay scheme to ensure they do not feel pressurised to work when they are ill in order to protect the welfare of their vulnerable clients.
- Receive sustainable pay, terms and conditions and access to training
- Work in Wellbeing Teams enabling clients to be allocated the same Wellbeing Workers
- Have confidence in raising concerns about their clients' wellbeing through robust local provider procedures
- Develop professionally and provide high quality care through access to the Proud to Care Lewisham training programme
- Develop individually and within their wellbeing team through regular meetings with team and co-workers to share best practice and limit their isolation. Each Wellbeing Team will be allocated an internal coach by their employer to support ongoing development of the team.
- Be paid at least the London Living Wage³

Step 3 – Supporting the Maximising Wellbeing at Home pool of Wellbeing Workers. If Wellbeing Workers do not feel that the role they are currently employed in is meeting their needs, they can resign from that organisation and re-enter the Proud to Care Lewisham pool where they will be matched to another Maximising Wellbeing at Home provider. The key elements of step 3 include:

- Submission of resignation by the Wellbeing Worker
- Wellbeing Worker exit interview undertaken by Proud to Care Lewisham Apprentice
- Maximising Wellbeing at Home provider exit interview undertaken by Proud to Care Lewisham Apprentice
- Feedback (anonymised) from exit interviews added to the Proud to Care Lewisham dashboard
- Wellbeing Worker then matched with a different Maximising Wellbeing at Home provider

6. Evaluation

6.1 The tables below set out details of the key dates and number of tenders received for lots 1,2,3,4,7:

Activity	Date	Bids (lot 1)	Bids (lot 2)	Bids (lot 3)	Bids (lot 4)	Bids (lot 7)
Tender published	08/09/2022					
SSQ closed	11/10/2022					
Expressions of interest received		5	3	6	4	2
SSQ evaluation completed	16/12/2022					
Tenders not shortlisted		2	0	3	2	0
Tenders shortlisted		3	3	3	2	2
ITT opens	08/12/2022					
ITT closes	27/02/2023					
Tenders received		3	3	1	2	2

³ <https://trustforlondon.org.uk/what-we-do/work/london-living-wage/#:~:text=As%20of%20September%202022%2C%20the,as%20the%20national%20minimum%20wage.>

ITT evaluation completed	24/04/2023					
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- 6.2 No bids were received for lots 5,6,8,9, therefore a tender for these lots was issued on 20 December 2022. The paper summarising the outcome of the evaluation of lots 5,6,8,9 will be presented at a subsequent Mayor and Cabinet meeting.
- 6.3 The procurement for lots 1,2,3,4,7 was carried out via a two stage restricted process with one successful provider being awarded the contract for each lot.
- 6.3 The procurement was advertised via the Council’s online tendering system (Proactis procurement portal) publishing the opportunity onto Contracts Finder and Find a Tender service.
- 6.4 Stage 1 (the Standard Selection Questionnaire) was issued on 08/09/2022. Tenders were required to submit a completed Standard Selection Questionnaire which included additional questions on tenderers technical capability in providing homecare (for lots 1 – 4) and in providing solution focused coaching (for lots 5 – 9). Following compliance checks conducted by Procurement, the technical questions were evaluated by an Evaluating Panel made up of officers from Commissioning, Reablement and Social Care in order to shortlist the four highest scoring tenders.

For lot 1 (Neighbourhood 1) five expressions of interest were received. Two of these were not shortlisted and 3 were shortlisted and invited to the second stage of the tender (stage 2 Invitation to Tender).

For lot 2 (Neighbourhood 2) three expressions of interest were received. All three were shortlisted and invited to the second stage of the tender (stage 2 Invitation to Tender).

For lot 3 (Neighbourhood 3) six expressions of interest were received. Three of these were not shortlisted and three were shortlisted and invited to the second stage of the tender.

For lot 4 (Neighbourhood 3) four expressions of interest were received. Two of these were not shortlisted and two were shortlisted and invited to the second stage of the tender.

For lot 7 (Neighbourhood 3) two expressions of interest were received. Both were shortlisted and invited to the second stage of the tender.

For lots 5, 6, 8 and 9 no expressions of interest were received. A tender for these lots were reissued on 20th December 2022.

- 6.5 Stage 2 (Invitation to Tender) for lots 1, 2, 3, 4 and 7 was issued to the shortlisted tenderers on 8th December 2022 and closed on 27th February 2023.

The following criteria were assessed during the evaluation process:

- Quality 50%
- Financial 50%

Minimum scoring thresholds were applied to key method statements within the tender process, such as those related to core service delivery, to ensure that valid bids received were of a high quality and fully compliant with the key elements of the service specifications.

- 6.6 The following criteria was used during the evaluation process:

Lots 1 – 4	Lot 7
<ul style="list-style-type: none"> • Mobilisation (4%) • Operationalising the Maximising Wellbeing at Home Service (6%)* • Project Management and Sustainability (4%) 	<ul style="list-style-type: none"> • Mobilisation (4%) • Operationalising the Solution-Focused Wellbeing Coaching (8%)* • Supporting operationalisation of the Maximising Wellbeing at Home Service

<ul style="list-style-type: none"> • Culturally competent service (5%) • Enabling Wellbeing teams to operate semi-autonomously (5%) • Electronic Call Monitoring (ECM) system (5%) • Safeguarding (5%) • Social Value (10%) • Interviews (6%) • Price (50%) 	<ul style="list-style-type: none"> • (6%) • Project Management and Sustainability (4%) • Culturally competent service (5%) • Career progression pathway for those wanting to specialise (4%) • Embedding an evidence-based approach to assessing need (6%) • Safeguarding (4%) • Social Value (5%) • Interviews (4%) • Price (50%)
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- 6.6 The criteria marked with an asterisk (*) in the table above were assigned a minimum score of six (6) that bidders had to achieve. All other criteria had a minimum score of five (5). Any Tender which failed to attain these minimum scores would be deemed invalid and not considered for contract award
- 6.7 Tenderers were asked to submit a description of their proposals in the form of Method Statements in order to test their understanding of service requirements. The Method Statements were assessed under the quality criteria, and those provided by the successful tenderer(s) will form part of the contract documentation against which their performance will be monitored.
- 6.8 The evaluation of the price was worth 50% of the overall score for all lots. For lots 1 – 4 this included evaluation of efficiencies offered on each year of the contract on a capitated budget. For lot 7 the bidders were evaluated on their total price over the 5 year contract duration and the number of hours coaching they would offer over the 5 years. The evaluation of the quality element for all lots was 50% of the overall score, and was awarded based on the responses to the Method Statements and interviews..
- 6.9 The scoring for quality was awarded on a scale of 0 – 10, with 0 being non-existent and 10 being perfect. The table below provides a description of each score:

Score	Level	Standard
0	Non-existent	Proposal absent
1	Inadequate	Proposal contains significant shortcomings and/or is inconsistent or in conflict with other proposals
2	Very poor	Proposal contains many shortcomings and/or is inconsistent or in conflict with other proposals
3	Poor	Proposal falls well short of achieving expected standard in a number of identifiable respects
4	Weak	Proposal falls just short of achieving expected standard in a number of identifiable respects
5	Barely adequate	Proposal just meets the required standards in nearly all major aspects, but is lacking or inconsistent in others
6	Adequate	Proposal meets the required standards in nearly all major aspects, but is lacking or inconsistent in others
7	Good	Proposal meets the required standard in all major material respects
8	Very good	Proposal meets the required standard in all major material respects and in a few of the minor requirements
9	Excellent	Proposal meets the required standards in all major material respects and nearly all of the minor requirements
10	Perfect	Proposal meets the required standards in all major material respects and all of the minor requirements

- 6.10 The evaluation panel consisted of representatives from:

- Adult Integrated Commissioning Team
- Adult Social Care

- Primary Care
- Unpaid Carers
- Healthwatch.

6.11 Synopsis of bids

Lot 1: The table below shows the scoring given to the providers for Lot 1. Tenderers 2 and Tenderer 3 did not meet the minimum scoring thresholds. Tenderer 2 did not meet the quality threshold for 3 questions, and Tenderer 3 did not meet the quality threshold for 2 questions.

The overall quality scores are on the table below – scores are out of a possible 50.

Name of Tenderer	Carepoint	Tenderer 2	Tenderer 3
Quality score met?	Yes	No	No
Quality score	40.90	Invalid tender	Invalid tender
Quality score ranking	1	N/A	N/A
Price score	44.00	N/A	N/A
Price ranking	1	N/A	N/A
Overall score	84.90	N/A	N/A

Care Point Services Ltd achieved the highest combined price and quality score for lot 1 and it is recommended that they are awarded the contract.

Lot 2: The table below shows the scoring given to the providers for Lot 2. Tenderers 2 and Tenderer 3 did not meet the minimum scoring thresholds. Tenderer 2 (did not meet the quality threshold for 2 questions, and Tenderer 3 did not meet the quality threshold for 1 question.

The overall quality scores are on the table below – scores are out of a possible 50.

Name of Tenderer	Eleanor Nursing and Social Care	Tenderer 2	Tenderer 3
Quality score met?	Yes	No	No
Quality score	41.10	Invalid tender	Invalid tender
Quality score ranking	1	N/A	N/A
Price score	47.00	N/A	N/A
Price ranking	1	N/A	N/A
Overall score	88.10	N/A	N/A

Eleanor Nursing and Social Care achieved the highest combined price and quality score for lot 2 and it is recommended that they are awarded the contract.

Lot 3: The table below shows the scoring given to the provider for Lot 3.

The overall quality scores are on the table below – scores are out of a possible 50.

Name of Tenderer	Westminster Homecare
Quality score met?	Yes
Quality score	39.80
Quality score ranking	1
Price score	45.50
Price ranking	1
Overall score	85.30

Westminster Homecare achieved the highest combined price and quality score for lot 3 and it is recommended that they are awarded the contract.

Lot 4: The table below shows the scoring given to the providers for Lot 4.

The overall quality scores are on the table below – scores are out of a possible 50.

Name of Tenderer	Tenderer 1	Nomase Care & Unique Personnel
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Quality score met?	Yes	Yes
Quality score	36.40	41.20
Quality score ranking	2	1
Price score	11.48	47
Price ranking	2	1
Overall score	47.38	88.20

Nomase Care & Unique Personnel achieved the highest combined price and quality score for lot 4 and it is recommended that they are awarded the contract.

Lot 7: The table below shows the scoring given to the providers for Lot 7. Tenderer 2 did not meet the minimum scoring threshold, not meeting the quality threshold for 1 question.

The overall quality scores are on the table below – scores are out of a possible 50.

Name of Tenderer	Bluefield Care Services	Tenderer 2
Quality score met?	Yes	No
Quality score	37.78	Invalid Tender
Quality score ranking	1	N/A
Price score	50	N/A
Price ranking	1	N/A
Overall score	87.78	N/A

Bluefield care Services achieved the highest combined price and quality score for lot 7 and it is recommended that they are awarded the contract.

For further details on the tender evaluation for each lot please see the corresponding part 2 report, section 6.

6.12 Form of Tender

For Lots 1, 2, 3 and 4 the Form of Tender was for efficiencies offered on the capitated budget

Successful Bidder Lot 1. For lot 1 Carepoint Services offered the most economically advantageous tender. and it is recommended that they are awarded the contract for Neighbourhood 1.

Successful Bidder Lot 2. For lot 2 Eleanor Nursing and Care offered the most economically advantageous tender and it is recommended that they are awarded the contract for Neighbourhood 2.

Successful Bidder Lot 3. For lot 3 Westminster Homecare offered the most economically advantageous tender. With overall high scores for price and quality and it is recommended that they are awarded the contract for Neighbourhood 3.

Successful Bidder Lot 4. Nomase Care & Unique Personnel offered the most economically advantageous tender. With overall high scores for price and quality and it is recommended that they are awarded the contract for Neighbourhood 4.

Successful Bidder Lot 7. For lot 7 Bluefield Care Services offered the most economically advantageous tender. With overall high scores for price and quality and it is recommended that they are awarded the contract for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals with advanced dementia including those presenting with behaviours that challenge

7. Financial implications

For Neighbourhoods 1 – 4, these contracts will operate on a 'capitated budget' model. This means that the annual contract value will be agreed at the start of each year on the basis of the number of hours of care provided for the previous year, multiplied by the agreed hourly Lewisham Fair Cost of Care. There is a mechanism to adjust the hours to

reflect changes in demographic growth in the relevant Neighbourhood, however the hourly rate paid will not be adjusted over the contract term. As part of the evaluation of price, each bidder submitted also annual efficiencies which will be applied to each relevant year when setting the agreed contract value.

Therefore, the Council is taking the risk of demographic changes over the contract period, and the contractor is taking price risk and the risk for the delivery of the efficiencies over the same period.

The hourly Lewisham Fair Cost of Care is £23.14.

For Neighbourhood 1, based on the current number of hours of care, the equivalent annual value would be £2,500,000.

For Neighbourhood 2, based on the current number of hours of care, the equivalent annual value would be £6,000,000.

For Neighbourhood 3, based on the current number of hours of care, the equivalent annual value would be £5,300,000.

For Neighbourhood 4, based on the current number of hours of care, the equivalent annual value would be £3,200,000.

Therefore, based on the current number of hours of care delivered, the total equivalent cost for Neighbourhoods 1 – 4 is £17,000,000 compared to the 2023/24 budget of £17,000,000 for this service.

Whilst the Council is taking demographic (demand led) growth risk, the contractor is taking all price risk, therefore it is assumed that over the five year contract period that any demographic/demand pressures will be mitigated in part by the efficiencies applied and then any remaining pressure funded via growth in budgets for inflation uplifts. In the event that the demographic pressures are such that this cannot be funded in full by the service then this will need to be reported and funding sought as part of the annual budget setting process.

For Lot 7 the annual contract value is £120,000 per annum, equating to £600,000 over 5 years, and £840,000 over 7 years if the option to extend is utilised. The current service budget is £600,000 and therefore this contract can be delivered within budget.

8. Legal implications

- 8.1 The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the Public Contracts Regulations 2015 ("Regulations") with which the Council must comply. The contracts that are the subject of this report fall under the Light Touch Regime under the Regulations, which relates to services such as health, social and related services. As such, while the requirements are less onerous than those for other contracts to which the Regulations apply, the obligations still require compliance with principles of equal treatment, transparency and non-discrimination.
- 8.2 The report proposes the establishment of 5 contracts, 4 are for the provision of a maximising wellbeing in the home service and one is for solution-focused coaching: specialist advice, support and training. All are for 5 years with the option to extend for up to a further 2 years. The potential value of each contract, including the extension, exceeds £500,000, which means that this is a Category A contract for the purposes of the Council's Contract Procedure Rules and one which is to be awarded by Mayor and Cabinet.
- 8.3 The contracts have been externally and openly advertised as required by the Regulations and the Council's Constitution. The report explains the evaluation approach and process applied to the bids and the reasons for recommending the successful bidders for approval. The Invitation to Tender set out that tenderers had to reach

specified scores. The process followed, including exclusion of tenderers who did not reach the minimum score, was in compliance with the advertised and required procedures.

9. Equalities implications

- 9.1 The recommendations made in this report relate to one specific group - adults who have been identified and assessed as being in need of services in order for them to maintain their independence and remain in their own home. Implementing these recommendations will not have an impact on individual client choice or on the manner in which support is delivered and the quality of that care.
- 9.2 The service specification includes a commitment to embedding the LondonADASS Big Promise within service delivery
https://www.youtube.com/watch?v=iZWclcGpwfY&list=PLio1_qJY3EazD4z2SCKGPqUPUhAfGOYUd and ensure the nine protected characteristics are embedded within service delivery
- 9.3 The COVID-19 pandemic has shone a spotlight on the health inequalities experienced by those from Black, Asian and Minority Ethnic communities. Embedding community voice and lived experience, particularly for those from Black, Asian and Minority Ethnic minority communities, into the procurement process of the Maximising Wellbeing at Home model will be a critical part of ensuring that any existing equalities are taken into account in developing the new service. The findings of the Birmingham and Lewisham African Caribbean Health Inequalities Review (BLACHIR) reported to the Lewisham Health and Wellbeing Board in March 2022 have also been considered within the procurement process for the service.

10. Climate change and environmental implications

- 10.1 The Council's environmental objectives will be addressed in the contract documentation and form part of criteria used at evaluation.

11. Crime and disorder implications

- 11.1 There are no specific crime and disorder implications arising from this piece of procurement. However, contract compliance measures around safeguarding, assertiveness and anti-bullying initiatives have been built into the service specification.

12 Health and wellbeing implications

- 12.1 It is expected that the new model of Maximising Wellbeing at Home in Lewisham will focus on increasing Service User's independence by giving them more choice and control in arrangements for their care and allowing Wellbeing Workers sufficient time to work with Service Users to enable them to regain skills and develop strategies that allow them to remain in their own home.
- 12.2 Maximising Wellbeing at Home provision will be an integral part of the Care at Home initiative. As Care Workers begin to work much more closely with Community Nurses, Primary Care and Therapists it is hoped that this will reduce demand on in-patient beds (avoid admissions) and also lead to less delayed discharges.

13. Social Value

- 13.1 The Council's Sustainable Procurement Code of Practice will be applied to this contract. This sets out various social, environmental and economic considerations to be applied. The purpose is to ensure that products and services are sourced and produced responsibly; to maximise resource and energy efficiency in the manufacturing and supply of goods and services in order to minimise environmental impacts; and to deliver

outstanding value for money over the entire lifetime of the contract.

Social Value formed 10% of the award criteria for each of the lots. The awarded tenderers made various social value commitments as part of their tender submissions. These commitments will form part of their contract and will be monitored to ensure delivery.

13.2 In addition, the service will ensure minimum pay rates in line with prevailing London Living Wage (LLW) or above where applicable.

13.3 All contracts will be fully compliant with the UNISON Ethical Care Charter

14. Background papers

Title of Document	Date	File Location	Contact Officer
Mayor & Cabinet (Contracts) Report: Award of Home Care Services (Lead Provider) Contract	9.12.15	Governance Support	Emma Aye-Kumi
Mayor & Cabinet (Contracts) Report: Provision of Homecare Services (Lead Provider) – Extension of Contract	6.12.17	Governance Support	Emma Aye-Kumi
Mayor & Cabinet (Contracts) Adoption of the Ethical Care Charter	20.9.18	Governance Support	Emma Aye-Kumi
Mayor & Cabinet: Report on Care at Home	21.11.18	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Provision of Homecare Services (Lead Provider) – Extension of Contract	12.12.18	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Provision of Homecare Services (Lead Provider) – Extension of Contract	30.10.19	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Future Home Care Arrangements	11.03.2020	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: COVID related contract extensions	24.03.2021	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Future Home Care Arrangements (New Model and Procurement Process)	09.03.2022	Governance Support	Emma Aye-Kumi
Executive Director Report: Permission to Invite Tenders to Second Procurement Stage, Maximising Wellbeing at Home services.	15.12.2022	Governance Support	Tristan Brice
Mayor & Cabinet Report: Permission to extend the current lead home care provider contracts until 31 August 2023	08.03.2023	Governance Support	Emma Aye-Kumi

15 Report author(s) and contact

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Comments for and on behalf of the Director of Law and Corporate Governance. Mia
Agnew (Senior Solicitor) mia.agnew@lewisham.gov.uk (Ref: JW)

Appendix 1: full list of compliant tender documentation

Full list of compliant tender documentation:

- The Standard Selection Questionnaire (SSQ) (Lots 1, 2, 3 & 4).



FINAL - Lewisham
Wellbeing Service - :

- SSQ Selection Questions (Lots 1, 2, 3, & 4).



Lot 1 - SSQ
Selection Questions



Lot 2 - SSQ
Selection Questions



Lot 3 SSQ Selection
Questions.docx



Lot 4 SSQ Selection
Questions.docx

- The Standard Selection Questionnaire (SSQ) (Lot 7).



Lot 7 SSQ Advanced
dementia.docx

- SSQ Selection Questions (Lot 7).



Lot 7 SSQ Selection
Questions Advancec

- Method Statement Questions



FINAL - Lewisham
Wellbeing Service - I

Appendix 2: Full list of questions included in the SSQ

Please note that the SSQs across lots 1 to 4 of the Maximising Wellbeing at Home procurement were the same; the SSQs for lot 7 were different.

Lots 1-4:



Lot 1 - SSQ v2.docx



Lot 1 - SSQ Selection Questions \

Lot 7:



Lot 7 SSQ Selection Questions Advanced



Lot 7 SSQ Advanced dementia.docx



Lewisham

Community Services Directorate

Lewisham Wellbeing Service

Method Statements

Adult Integrated Commissioning Team

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London

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August 2022

This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on 5th October 2022.**



Lewisham

Lewisham Wellbeing Service

Method Statements

1. LIST OF METHOD STATEMENTS REQUIRED

- 1.1 The Council requires Method Statements to be given so that an evaluation process can be completed. This is how the Council will assess the quality of the Service which the Tenderer is going to provide, and the successful Tenderer will have to provide the Service in the way set out in their Method Statements, once they have been agreed with the Council.
- 1.2 It is important that the Method Statements you provide are clear, concise and detailed in full. Explain your methodologies, processes, and time frames and cost calculations, where appropriate.
- 1.3 The Method Statements cover these main areas:
 - MS1 Service Design and Delivery
 - MS2 Project Management
 - MS3 Communication
 - MS4 Continuous Improvement
 - MS5 Equality, Diversity & inclusion
 - MS6 GDPR and Data Handling
 - MS7 Health & Safety
 - MS8 Social Value
 - MS9 Climate Change
- 1.4 The Method Statements set out on the following pages are the particular areas the Council wishes to see covered. Your Method Statements should be provided on the following sheets provided, and should be completed using a minimum of font size 11.



Lewisham

- 1.5 As the questions and issues within each statement are essential to the evaluation process, please ensure that they are all answered. If they are not, your tender bid will not be considered further and will be deemed non-compliant.
- 1.6 If separate attachments are included, to supplement your Method Statements, please clearly mark which Method Statements they refer to and refer to them in your method statement for clarity.



Lewisham

MS1 Service Delivery and Design (10%)

MS 1a: Describe how will you plan, develop, staff and run the required service for Lewisham. Explain how the way you work will ensure service users and their goals are centred. (5%)

Minimum score of 7 required

MS 1b: Please provide an example of a wellbeing intervention your organisation will deliver, describing how the intervention will be designed and delivered to meet a specific need (5%)

Minimum score of 7 required

Word limit: 1500 words

MS2 Project Management (10%)

2a) Describe the system(s) you will put in place to effectively monitor and mitigate against risks to the implementation or delivery of the service. (5%) *Minimum score of 7 required*

2b) Outline the system(s) you will put in place to demonstrate your performance against the key performance indicators as outlined in the service specification. (5%)

Minimum score of 7 required

Word limit: 1500 words



Lewisham

A large empty rectangular box, likely intended for a student to write their response to the question above.

MS3 Communication (5%)

MS 3a: Describe how you will work with key stakeholders to develop an effective single point of access, reducing the barriers for service user(s) in accessing appropriate interventions. (3%)



Lewisham

MS 3b: Describe how you will ensure the service is as accessible as possible and engages with a broad range of service users. (2%)

Word Limit: 1000 words

MS4 Continuous Improvement (5%)

MS 4a: Describe how you will review and test the delivery of the services to show continuous improvement and how service users will be involved in this process during the length of the contract. (3%)

MS 4b: Describe how you would contribute learning, data and evidence to support the continuous improvement of the broader Lewisham system. (2%)



Lewisham

Word Limit: 1000 words

MS5 Equality, Diversity & Inclusion (5%)

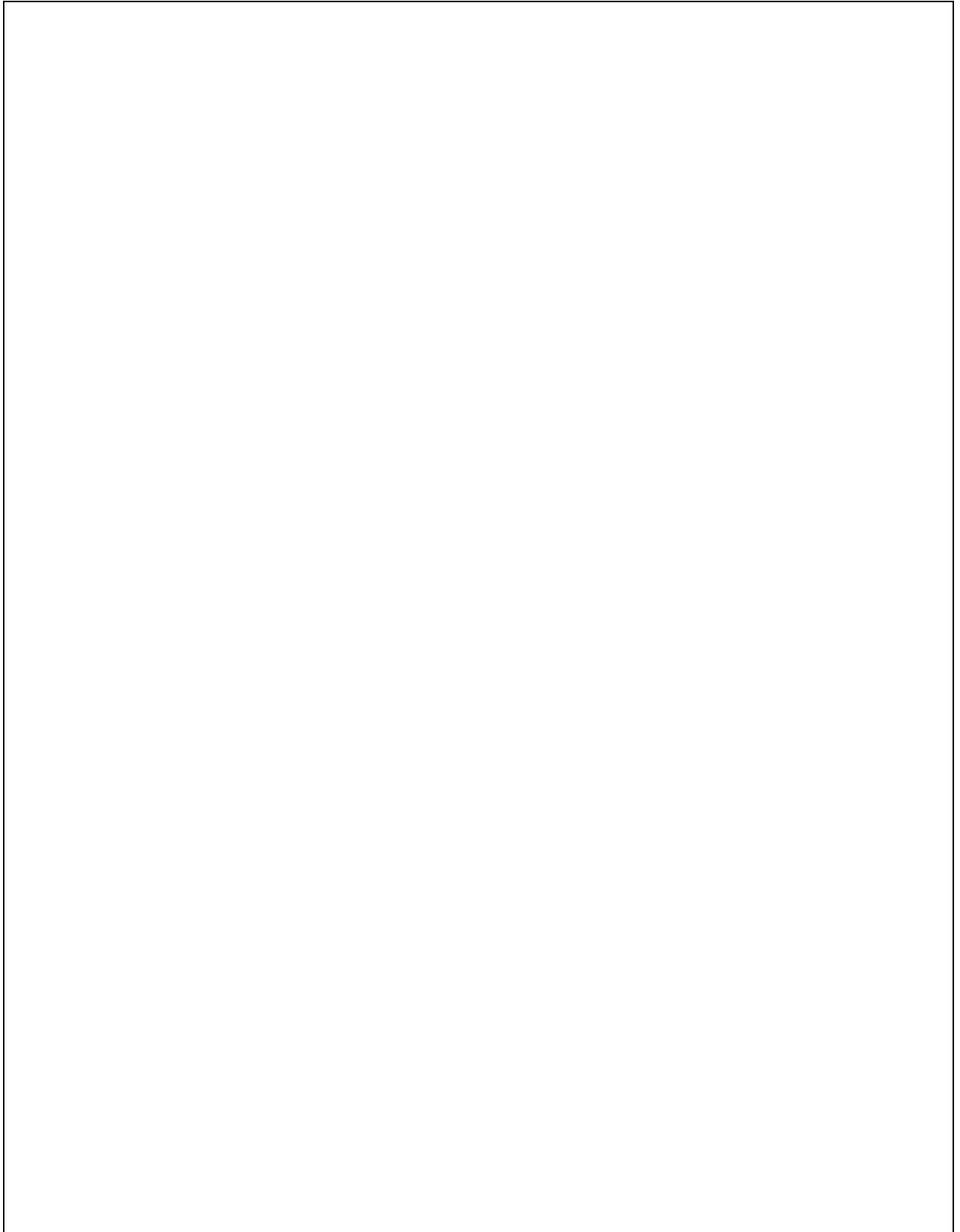
MS 5a: Describe how you would ensure that interventions are culturally accessible and meet the needs of the diverse communities in Lewisham. (3%)

MS 5b: Describe how you would seek to recruit, train and sustain a pool of staff that reflects equality and diversity. (2%)

Word Limit: 1000 words



Lewisham





Lewisham

MS6 GDPR and Data Handling (5%)

Please provide a clear description of how you will store and manage data in relation to the proposed services, and how you will comply with GDPR regulations.

Word Limit: 750 words



Lewisham

MS7 Health & Safety (5%)

MS 7a: Describe your approach to safeguarding and how you would ensure our service users and staff are safeguarded appropriately (2%)

MS 7b: Describe what measures you would put in place to ensure the safety and wellbeing of service users and staff is ensured. (3%)

Word Limit: 1000 words



Lewisham

MS8 Social Value (5%)

Social Value is the additional economic, social and environmental benefits that can be created when the Council procures an external service or contractor to deliver works.

The Social Value Monitoring Tool (see '*Appendix 1 – Social Value Monitoring*') sets out the Council's key performance indicators (KPIs) for measuring how well a contract performs against these four objectives as follows:

- **Employment, Skills & Economy**
- **Creating a greener Lewisham**
- **Making Lewisham Healthier**
- **Training Lewisham's future**

Using the examples in the Social Value Monitoring Tool, please state which KPIs (and how many of each) you will deliver as part of your social value contribution, specifically stating the number of outcomes (e.g. the number of jobs, apprenticeships, training opportunities or other) for each theme selected and the time period when these will be delivered over the life of the contract

Word Limit: 1000 words



Lewisham

MS8 Climate Change (For information only)

Tenderers are required to report on their corporate carbon emissions as an organisation using an accredited method;

- To disclose what those emissions are
- To identify what actions or modifications they have included (if any) in relation to the goods or services tenderers are proposing that will reduce carbon intensity.

Word Limit: 750 words



Lewisham

Signed for Tenderer:

Signature	Print name(s) in full	Position held by each signatory (in the case of a company)



Lewisham

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

Telephone No _____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address



Community Services

Maximising Wellbeing at Home – Neighbourhood 1 (Lot 1)

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



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Maximising Wellbeing at Home – Neighbourhood 1



SSQ Selection Questions

The following questions must be answered

9.1	Safeguarding	Pass/Fail
9.2	Mental Capacity Act	Pass/Fail
9.3	UNISON Ethical Care Charter	Pass/Fail
9.4	Regulation with the Care Quality Commission	Pass/Fail
9.5	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.6	TUPE	Pass/Fail
9.7	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.8	Electronic Call Monitoring System	Pass/Fail
9.9	GDPR and data handling compliant	Pass/Fail
9.10	Annual turnover	Pass/Fail
10.1	Experience in delivering high quality care	20%
10.2	Experience in effectively involving and engaging unpaid Carers in service delivery	5%
10.3	Experience in delivering across client groups	5%

9.1	Safeguarding	
	Does your organisation have the following policies / procedures in place:	
9.1(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.1(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2		Mental Capacity Act
9.2(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iii)	Are staff trained and able to apply the principles of the MCA?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iv)	Is training on the MCA provided within your induction, training and refresher training programmes?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(v)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vi)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vii)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(viii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ix)	Can you evidence that there is plainly a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(x)	Does the service ensure staff fully understand and apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.3		UNISON Ethical Care Charter
9.3(i)	Please self-certify if your organisation is fully compliant with the UNISON Ethical Care Charter https://www.unison.org.uk/care-workers-your-rights/the-ethical-care-charter/	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.3(ii)	If your organisation is not presently fully compliant with the UNISON Ethical Care Charter, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4 Regulation with the Care Quality Commission		
9.4(i)	Please self-certify that you have / will have a Lewisham based office registered to provide personal care with the Care Quality Commission (CQC) by 31 March 2023 if awarded the contract	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(ii)	Has your organisation been subject to any enforcement action(s) by the Care Quality Commission (CQC) in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.4(iii)	If you have answered yes to question 8.4(ii), please provide details of the enforcement action(s) and what action (if any) you have taken to prevent similar enforcement action(s) being received?	Enter text here: (300 words max) For information only

9.5 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.5(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6 TUPE		
9.6(i)	The Council believes that TUPE will apply to this contract. Please confirm that your organisation agrees to comply with TUPE legislation, should you be identified as the preferred bidder for this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.7 Compliance with the Lewisham Joint Medicines Policy	
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9.7(i)	Please self-certify that you are compliant with the Lewisham Joint Medicines Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>
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9.8 Electronic Call Monitoring system		
9.8(i)	Please self-certify whether you have an Electronic Call Monitoring system in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.8(ii)	If your organisation does not presently have an Electronic Call Monitoring system in place, please self-certify that this will be in place by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 GDPR and data handling compliant		
9.9(i)	Please self-certify that your organisation is fully compliant with GDPR regulations in storing and managing client level data.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Annual turnover		
9.10(i)	Please self-certify that your organisation has an annual turnover of at least £10 million	Yes <input type="checkbox"/> No <input type="checkbox"/>

Q10.1 Experience of delivering high quality care



Demonstrate your previous experience of delivering a high quality home care service on a locality / neighbourhood footprint including two examples of contracts you have delivered detailing as a minimum:

- How you ensured Clients were fully involved and treated as an equal partner in their assessment, support planning and reviews.
- How you embedded innovation within the delivery model, including the use of technology.
- How you embedded a learning culture within the organisation
- How you worked with social workers, commissioners and Care Quality Commission colleagues to have a shared understanding of quality

[Word Limit: 3000 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in service delivery



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in service delivery. Please include examples/case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Q10.3 Experience in delivering across client groups



Demonstrate how you have provided home care services to clients across a range of cohort's e.g. older people / mental health / end of life care including examples / case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Signed for Tenderer:



Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

Telephone No _____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address



Community Services

Maximising Wellbeing at Home – Neighbourhood 1 (Lot 1)

Standard Selection Questionnaire

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



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Please see supplier guidance on completing this document at Annex A, B & C

Part 1: Potential supplier Information

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 1	Potential supplier information	
Question number	Question	Response
1.1(a)	Full name of the potential supplier submitting the information	
1.1(b) – (i)	Registered office address (if applicable)	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify your trading status)	
1.1(d)	Date of registration in country of origin	
1.1(e)	Company registration number (if applicable)	
1.1(f)	Charity registration number (if applicable)	
1.1(g)	Head office DUNS number (if applicable)	
1.1(h)	Registered VAT number	
1.1(i) - (i)	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(i) - (ii)	If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s).	
1.1(j) - (i)	Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(j) - (ii)	If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this.	
1.1(k)	Trading name(s) that will be used if successful in this procurement	
1.1(l)	Relevant classifications (state whether you fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE) b) Sheltered Workshop	

c) Public service mutual		
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) ¹ ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(n)	Details of Persons of Significant Control (PSC), where appropriate: ² <ul style="list-style-type: none"> - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC usually lives; - Service address; - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); - Which conditions for being a PSC are met; <ul style="list-style-type: none"> - Over 25% up to (and including) 50%, - More than 50% and less than 75%, - 75% or more. ³ (Please enter N/A if not applicable)	
1.1(o)	Details of immediate parent company: <ul style="list-style-type: none"> - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	
1.1(p)	Details of ultimate parent company: <ul style="list-style-type: none"> - Full name of the ultimate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

¹ See EU definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

² UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance.](#)

³ Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award.

Please provide the following information about your approach to this procurement:

Section 1	Bidding model				
Question number	Question	Response			
1.2(a) - (i)	Are you bidding as the lead contact for a group of economic operators?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3. If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3.			
1.2(a) - (ii)	Name of group of economic operators (if applicable)				
1.2(a) - (iii)	Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.				
1.2(b) - (i)	Are you or, if applicable, the group of economic operators proposing to use sub-contractors?	Yes <input type="checkbox"/> No <input type="checkbox"/>			
1.2(b) - (ii)	If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.				
Name					
Registered address					
Trading status					
Company registration number					
Head Office DUNS number (if applicable)					
Registered VAT number					
Type of organisation					
SME (Yes/No)					
The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables					
The approximate % of contractual obligations assigned to each sub-contractor					

Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Section 1	Contact details and declaration	
Question number	Question	Response
1.3(a)	Contact name	
1.3(b)	Name of organisation	
1.3(c)	Role in organisation	
1.3(d)	Phone number	
1.3(e)	E-mail address	
1.3(f)	Postal address	
1.3(g)	Signature (electronic is acceptable)	
1.3(h)	Date	

Part 2: Exclusion Grounds

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	<p>Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage.</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	
2.2	If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.3(a)	Regulation 57(3)	Yes <input type="checkbox"/> No <input type="checkbox"/>

	<p>Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?</p>	
2.3(b)	<p>If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.</p>	

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

Section 3		Grounds for discretionary exclusion
	Question	Response
3.1	<p>Regulation 57 (8)</p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.</p>	
3.1(a)	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(d)	Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(g)	Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(i)	Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(j)	Please answer the following statements	
3.1(j) - (i)	The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2

3.1(j) - (ii)	<p>absence of grounds for exclusion or the fulfilment of the selection criteria.</p> <p>The organisation has withheld such information.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
3.1(j) –(iii)	<p>The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
3.1(j)-(iv)	<p>The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>

3.2	<p>If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)</p>	
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Part 3: Selection Questions⁴

Section 4	Economic and Financial Standing	
	Question	Response
4.1	Are you able to provide a copy of your audited accounts for the last two years, if requested? (Answer with Y/N in the relevant box.) If no, can you provide one of the following:	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.2	Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out.	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 5	If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:	
Name of organisation		
Relationship to the Supplier completing these questions		

5.1	Are you able to provide parent company accounts if requested to at a later stage?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.2	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.3	If no, would you be able to obtain a guarantee	Yes <input type="checkbox"/>

⁴ [See Action Note 8/16 Updated Standard Selection Questionnaire](#)

elsewhere (e.g. from a bank)?	No <input type="checkbox"/>
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Section 6	Technical and Professional Ability
6.1	<p>Relevant experience and contract examples</p> <p>Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.</p> <p>If you cannot provide examples see question 6.3</p>

	Contract 1	Contract 2	Contract 3
Name of customer organisation			
Point of contact in the organisation			
Position in the organisation			
E-mail address			
Description of contract			
Contract Start date			
Contract completion date			
Estimated contract value			

6.2	<p>Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)</p> <p>Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries)</p>

6.3	<p>If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.</p>

Section 7	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
7.1	<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?</p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
7.2	<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant URL:</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation:</p>

8. Additional Questions

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

Section 8	Additional Questions
8.1	Insurance
a.	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Y/N</p> <p>Employers liability - £10million Public liability - £10million Clinical negligence - £5million Professional Indemnity - £5million</p> <p>*It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.</p>

8.2	Skills and Apprentices ⁵ – (please refer to supplier selection guidance)	
a.	<p>Public procurement of contracts with a full life value of £10 million and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This policy is set out in detail in Procurement Policy Note 14/15.</p> <p>Please confirm if you will be supporting apprenticeships and skills development through this contract.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
b.	<p>If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
c.	<p>Do you have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>

⁵ [Procurement Policy Note 14/15– Supporting Apprenticeships and Skills Through Public Procurement](#)



Standard Selection Questionnaire

Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion⁶. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

Supplier Selection Questions: Part 3

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

⁶ For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

Supplier Notes for completion

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. **Note for Contracting Authorities: The following paragraph is optional for inclusion if a decision has been made to request a self-declaration of the exclusion grounds from sub-contractors. All sub-contractors are required to complete Part 1 and Part 2⁷.**
7. For answers to Part 3 - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

⁷ See PCR 2015 regulations 71 (8)-(9)

Mandatory Exclusion Grounds

Public Contract Regulations 2015 R57 (1), (2) and (3)

Public Contract Directives 2014/24/EU Article 57(1)

Participation in a criminal organisation

Participation offence as defined by section 45 of the Serious Crime Act 2015

Conspiracy within the meaning of:

- Section 1 or 1A of the Criminal Law Act 1977 or
- Article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

Where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime;

Corruption

Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;

The common law offence of bribery;

Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983;

Fraud

Any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the convention on the protection of the financial interests of the European Communities:

- the common law offence of cheating the Revenue;
- the common law offence of conspiracy to defraud;
- fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
- fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;

- an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
- the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

Terrorist offences or offences linked to terrorist activities

Any offence:

- listed in section 41 of the Counter Terrorism Act 2008;
- listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
- under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points;

Money laundering or terrorist financing

Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002

An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996

Child labour and other forms of trafficking human beings

An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;

An offence under section 59A of the Sexual Offences Act 2003

An offence under section 71 of the Coroners and Justice Act 2009;

An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994

An offence under section 2 or section 4 of the Modern Slavery Act 2015

Non-payment of tax and social security contributions

Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.

Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:

- HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
- a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
- a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established

Other offences

Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland

Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

Discretionary exclusions

Obligations in the field of environment, social and labour law.

Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including the following:-

- Where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.
- In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
- In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).

- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.

Bankruptcy, insolvency

Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State;

Grave professional misconduct

Guilty of grave professional misconduct

Distortion of competition

Entered into agreements with other economic operators aimed at distorting competition

Conflict of interest

Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

Been involved in the preparation of the procurement procedure.

Prior performance issues

Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.

Misrepresentation and undue influence

The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

Additional exclusion grounds

Breach of obligations relating to the payment of taxes or social security contributions.

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

Consequences of misrepresentation

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

- The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
- The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
- If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
- If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning)



Community Services

Maximising Wellbeing at Home – Neighbourhood 2 (Lot 2)

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Tuesday 11 October 2022.**

Maximising Wellbeing at Home – Neighbourhood 2



SSQ Selection Questions

The following questions must be answered

9.1	Safeguarding	Pass/Fail
9.2	Mental Capacity Act	Pass/Fail
9.3	UNISON Ethical Care Charter	Pass/Fail
9.4	Regulation with the Care Quality Commission	Pass/Fail
9.5	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.6	TUPE	Pass/Fail
9.7	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.8	Electronic Call Monitoring System	Pass/Fail
9.9	GDPR and data handling compliant	Pass/Fail
9.10	Annual turnover	Pass/Fail
10.1	Experience in delivering high quality care	20%
10.2	Experience in effectively involving and engaging unpaid Carers in service delivery	5%
10.3	Experience in delivering across client groups	5%

9.1		Safeguarding
Does your organisation have the following policies / procedures in place:		
9.1(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>



9.1(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2		Mental Capacity Act	
9.2(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(iii)	Are staff trained and able to apply the principles of the MCA?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(iv)	Is training on the MCA provided within your induction, training and refresher training programmes?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(v)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(vi)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(vii)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(viii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(ix)	Can you evidence that there is plainly a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.2(x)	Does the service ensure staff fully understand and apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

9.3		UNISON Ethical Care Charter	
9.3(i)	Please self-certify if your organisation is fully compliant with the UNISON Ethical Care Charter https://www.unison.org.uk/care-workers-your-rights/the-ethical-care-charter/	Yes <input type="checkbox"/> No <input type="checkbox"/>	For information only
9.3(ii)	If your organisation is not presently fully compliant with the UNISON Ethical Care Charter, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>	

9.4 Regulation with the Care Quality Commission		
9.4(i)	Please self-certify that you have / will have a Lewisham based office registered to provide personal care with the Care Quality Commission (CQC) by 31 March 2023 if awarded the contract	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(ii)	Has your organisation been subject to any enforcement action(s) by the Care Quality Commission (CQC) in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.4(iii)	If you have answered yes to question 8.4(ii), please provide details of the enforcement action(s) and what action (if any) you have taken to prevent similar enforcement action(s) being received?	Enter text here: (300 words max) For information only

9.5 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.5(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6 TUPE		
9.6(i)	The Council believes that TUPE will apply to this contract. Please confirm that your organisation agrees to comply with TUPE legislation, should you be identified as the preferred bidder for this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.7 Compliance with the Lewisham Joint Medicines Policy		
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9.7(i)	Please self-certify that you are compliant with the Lewisham Joint Medicines Policy – link to be added	Yes <input type="checkbox"/> No <input type="checkbox"/>
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9.8 Electronic Call Monitoring system		
9.8(i)	Please self-certify whether you have an Electronic Call Monitoring system in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.8(ii)	If your organisation does not presently have an Electronic Call Monitoring system in place, please self-certify that this will be in place by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 GDPR and data handling compliant		
9.9(i)	Please self-certify that your organisation is fully compliant with GDPR regulations in storing and managing client level data.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Annual turnover		
9.10(i)	Please self-certify that your organisation has an annual turnover of at least £10 million	Yes <input type="checkbox"/> No <input type="checkbox"/>

Q10.1 Experience of delivering high quality care



Demonstrate your previous experience of delivering a high quality home care service on a locality / neighbourhood footprint including two examples of contracts you have delivered detailing as a minimum:

- How you ensured Clients were fully involved and treated as an equal partner in their assessment, support planning and reviews.
- How you embedded innovation within the delivery model, including the use of technology.
- How you embedded a learning culture within the organisation
- How you worked with social workers, commissioners and Care Quality Commission colleagues to have a shared understanding of quality

[Word Limit: 3000 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in service delivery



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in service delivery. Please include examples/case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Q10.3 Experience in delivering across client groups



Demonstrate how you have provided home care services to clients across a range of cohort's e.g. older people / mental health / end of life care including examples / case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Signed for Tenderer:



Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

Telephone No _____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address



Community Services

Maximising Wellbeing at Home – Neighbourhood 2 (Lot 2)

Standard Selection Questionnaire

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Tuesday 11 October 2022.**

Please see supplier guidance on completing this document at Annex A, B & C

Part 1: Potential supplier Information

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 1	Potential supplier information	
Question number	Question	Response
1.1(a)	Full name of the potential supplier submitting the information	
1.1(b) – (i)	Registered office address (if applicable)	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify your trading status)	
1.1(d)	Date of registration in country of origin	
1.1(e)	Company registration number (if applicable)	
1.1(f)	Charity registration number (if applicable)	
1.1(g)	Head office DUNS number (if applicable)	
1.1(h)	Registered VAT number	
1.1(i) - (i)	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(i) - (ii)	If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s).	
1.1(j) - (i)	Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(j) - (ii)	If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this.	
1.1(k)	Trading name(s) that will be used if successful in this procurement	
1.1(l)	Relevant classifications (state whether you fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE) b) Sheltered Workshop	

c) Public service mutual		
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) ¹ ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(n)	Details of Persons of Significant Control (PSC), where appropriate: ² - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC usually lives; - Service address; - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); - Which conditions for being a PSC are met; - Over 25% up to (and including) 50%, - More than 50% and less than 75%, - 75% or more. ³ (Please enter N/A if not applicable)	
1.1(o)	Details of immediate parent company: - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	
1.1(p)	Details of ultimate parent company: - Full name of the ultimate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

¹ See EU definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

² UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance.](#)

³ Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award.

Please provide the following information about your approach to this procurement:

Section 1	Bidding model				
Question number	Question	Response			
1.2(a) - (i)	Are you bidding as the lead contact for a group of economic operators?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3. If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3.			
1.2(a) - (ii)	Name of group of economic operators (if applicable)				
1.2(a) - (iii)	Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.				
1.2(b) - (i)	Are you or, if applicable, the group of economic operators proposing to use sub-contractors?	Yes <input type="checkbox"/> No <input type="checkbox"/>			
1.2(b) - (ii)	If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.				
Name					
Registered address					
Trading status					
Company registration number					
Head Office DUNS number (if applicable)					
Registered VAT number					
Type of organisation					
SME (Yes/No)					
The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables					
The approximate % of contractual obligations assigned to each sub-contractor					

Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Section 1	Contact details and declaration	
Question number	Question	Response
1.3(a)	Contact name	
1.3(b)	Name of organisation	
1.3(c)	Role in organisation	
1.3(d)	Phone number	
1.3(e)	E-mail address	
1.3(f)	Postal address	
1.3(g)	Signature (electronic is acceptable)	
1.3(h)	Date	

Part 2: Exclusion Grounds

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	<p>Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage.</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	
2.2	If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.3(a)	Regulation 57(3)	Yes <input type="checkbox"/> No <input type="checkbox"/>

	<p>Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?</p>	
2.3(b)	<p>If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.</p>	

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

Section 3		Grounds for discretionary exclusion
	Question	Response
3.1	<p>Regulation 57 (8)</p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.</p>	
3.1(a)	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(d)	Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(g)	Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(i)	Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(j)	Please answer the following statements	
3.1(j) - (i)	The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2

<p>3.1(j) - (ii)</p>	<p>absence of grounds for exclusion or the fulfilment of the selection criteria.</p> <p>The organisation has withheld such information.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
<p>3.1(j) –(iii)</p>	<p>The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
<p>3.1(j)-(iv)</p>	<p>The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>

<p>3.2</p>	<p>If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)</p>	
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Part 3: Selection Questions⁴

Section 4	Economic and Financial Standing	
	Question	Response
4.1	Are you able to provide a copy of your audited accounts for the last two years, if requested? (Answer with Y/N in the relevant box.) If no, can you provide one of the following:	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.2	Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out.	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 5	If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:	
	Name of organisation	
	Relationship to the Supplier completing these questions	

5.1	Are you able to provide parent company accounts if requested to at a later stage?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.2	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.3	If no, would you be able to obtain a guarantee	Yes <input type="checkbox"/>

⁴ [See Action Note 8/16 Updated Standard Selection Questionnaire](#)

elsewhere (e.g. from a bank)?	No <input type="checkbox"/>
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Section 6	Technical and Professional Ability
6.1	<p>Relevant experience and contract examples</p> <p>Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.</p> <p>If you cannot provide examples see question 6.3</p>

	Contract 1	Contract 2	Contract 3
Name of customer organisation			
Point of contact in the organisation			
Position in the organisation			
E-mail address			
Description of contract			
Contract Start date			
Contract completion date			
Estimated contract value			

6.2	<p>Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)</p> <p>Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries)</p>

6.3	<p>If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.</p>

Section 7	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
7.1	<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?</p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
7.2	<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant URL:</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation:</p>

8. Additional Questions

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

Section 8	Additional Questions
8.1	Insurance
a.	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Y/N</p> <p>Employers liability - £10million Public liability - £10million Clinical negligence - £5million Professional Indemnity - £5million</p> <p>*It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.</p>

8.2	Skills and Apprentices ⁵ – (please refer to supplier selection guidance)	
a.	<p>Public procurement of contracts with a full life value of £10 million and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This policy is set out in detail in Procurement Policy Note 14/15.</p> <p>Please confirm if you will be supporting apprenticeships and skills development through this contract.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
b.	<p>If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
c.	<p>Do you have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>

⁵ [Procurement Policy Note 14/15– Supporting Apprenticeships and Skills Through Public Procurement](#)



Standard Selection Questionnaire

Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion⁶. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

Supplier Selection Questions: Part 3

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

⁶ For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

Supplier Notes for completion

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. **Note for Contracting Authorities: The following paragraph is optional for inclusion if a decision has been made to request a self-declaration of the exclusion grounds from sub-contractors. All sub-contractors are required to complete Part 1 and Part 2⁷.**
7. For answers to Part 3 - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

⁷ See PCR 2015 regulations 71 (8)-(9)

Mandatory Exclusion Grounds

Public Contract Regulations 2015 R57 (1), (2) and (3)

Public Contract Directives 2014/24/EU Article 57(1)

Participation in a criminal organisation

Participation offence as defined by section 45 of the Serious Crime Act 2015

Conspiracy within the meaning of:

- Section 1 or 1A of the Criminal Law Act 1977 or
- Article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

Where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime;

Corruption

Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;

The common law offence of bribery;

Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983;

Fraud

Any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the convention on the protection of the financial interests of the European Communities:

- the common law offence of cheating the Revenue;
- the common law offence of conspiracy to defraud;
- fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
- fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;

- an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
- the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

Terrorist offences or offences linked to terrorist activities

Any offence:

- listed in section 41 of the Counter Terrorism Act 2008;
- listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
- under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points;

Money laundering or terrorist financing

Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002

An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996

Child labour and other forms of trafficking human beings

An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;

An offence under section 59A of the Sexual Offences Act 2003

An offence under section 71 of the Coroners and Justice Act 2009;

An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994

An offence under section 2 or section 4 of the Modern Slavery Act 2015

Non-payment of tax and social security contributions

Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.

Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:

- HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
- a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
- a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established

Other offences

Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland

Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

Discretionary exclusions

Obligations in the field of environment, social and labour law.

Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including the following:-

- Where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.
- In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
- In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).

- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.

Bankruptcy, insolvency

Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State;

Grave professional misconduct

Guilty of grave professional misconduct

Distortion of competition

Entered into agreements with other economic operators aimed at distorting competition

Conflict of interest

Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

Been involved in the preparation of the procurement procedure.

Prior performance issues

Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.

Misrepresentation and undue influence

The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

Additional exclusion grounds

Breach of obligations relating to the payment of taxes or social security contributions.

ANNEX X Extract from Public Procurement Directive 2014/24/EU

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

Consequences of misrepresentation

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

- The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
- The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
- If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
- If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning)



Community Services

Maximising Wellbeing at Home – Neighbourhood 3 (Lot 3)

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Monday 10 October 2022.**

Maximising Wellbeing at Home – Neighbourhood 3



SSQ Selection Questions

The following questions must be answered

9.1	Safeguarding	Pass/Fail
9.2	Mental Capacity Act	Pass/Fail
9.3	UNISON Ethical Care Charter	Pass/Fail
9.4	Regulation with the Care Quality Commission	Pass/Fail
9.5	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.6	TUPE	Pass/Fail
9.7	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.8	Electronic Call Monitoring System	Pass/Fail
9.9	GDPR and data handling compliant	Pass/Fail
9.10	Annual turnover	Pass/Fail
10.1	Experience in delivering high quality care	20%
10.2	Experience in effectively involving and engaging unpaid Carers in service delivery	5%
10.3	Experience in delivering across client groups	5%

9.1	Safeguarding	
	Does your organisation have the following policies / procedures in place:	
9.1(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>



9.1(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2	Mental Capacity Act	
9.2(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iii)	Are staff trained and able to apply the principles of the MCA?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iv)	Is training on the MCA provided within your induction, training and refresher training programmes?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(v)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vi)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vii)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(viii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ix)	Can you evidence that there is plainly a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(x)	Does the service ensure staff fully understand and apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.3	UNISON Ethical Care Charter	
9.3(i)	Please self-certify if your organisation is fully compliant with the UNISON Ethical Care Charter https://www.unison.org.uk/care-workers-your-rights/the-ethical-care-charter/	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.3(ii)	If your organisation is not presently fully compliant with the UNISON Ethical Care Charter, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4 Regulation with the Care Quality Commission		
9.4(i)	Please self-certify that you have / will have a Lewisham based office registered to provide personal care with the Care Quality Commission (CQC) by 31 March 2023 if awarded the contract	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(ii)	Has your organisation been subject to any enforcement action(s) by the Care Quality Commission (CQC) in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.4(iii)	If you have answered yes to question 8.4(ii), please provide details of the enforcement action(s) and what action (if any) you have taken to prevent similar enforcement action(s) being received?	Enter text here: (300 words max) For information only

9.5 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.5(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6 TUPE		
9.6(i)	The Council believes that TUPE will apply to this contract. Please confirm that your organisation agrees to comply with TUPE legislation, should you be identified as the preferred bidder for this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.7 Compliance with the Lewisham Joint Medicines Policy	
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9.7(i)	Please self-certify that you are compliant with the Lewisham Joint Medicines Policy – link to be added	Yes <input type="checkbox"/> No <input type="checkbox"/>
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9.8 Electronic Call Monitoring system		
9.8(i)	Please self-certify whether you have an Electronic Call Monitoring system in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.8(ii)	If your organisation does not presently have an Electronic Call Monitoring system in place, please self-certify that this will be in place by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 GDPR and data handling compliant		
9.9(i)	Please self-certify that your organisation is fully compliant with GDPR regulations in storing and managing client level data.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Annual turnover		
9.10(i)	Please self-certify that your organisation has an annual turnover of at least £10 million	Yes <input type="checkbox"/> No <input type="checkbox"/>

Q10.1 Experience of delivering high quality care



Demonstrate your previous experience of delivering a high quality home care service on a locality / neighbourhood footprint including two examples of contracts you have delivered detailing as a minimum:

- How you ensured Clients were fully involved and treated as an equal partner in their assessment, support planning and reviews.
- How you embedded innovation within the delivery model, including the use of technology.
- How you embedded a learning culture within the organisation
- How you worked with social workers, commissioners and Care Quality Commission colleagues to have a shared understanding of quality

[Word Limit: 3000 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in service delivery



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in service delivery. Please include examples/case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Q10.3 Experience in delivering across client groups



Demonstrate how you have provided home care services to clients across a range of cohort's e.g. older people / mental health / end of life care including examples / case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Signed for Tenderer:



Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

Telephone No _____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address



Community Services

Maximising Wellbeing at Home – Neighbourhood 4 (Lot 4)

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Tuesday 11 October 2022.**

Maximising Wellbeing at Home – Neighbourhood 4



SSQ Selection Questions

The following questions must be answered

9.1	Safeguarding	Pass/Fail
9.2	Mental Capacity Act	Pass/Fail
9.3	UNISON Ethical Care Charter	Pass/Fail
9.4	Regulation with the Care Quality Commission	Pass/Fail
9.5	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.6	TUPE	Pass/Fail
9.7	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.8	Electronic Call Monitoring System	Pass/Fail
9.9	GDPR and data handling compliant	Pass/Fail
9.10	Annual turnover	Pass/Fail
10.1	Experience in delivering high quality care	20%
10.2	Experience in effectively involving and engaging unpaid Carers in service delivery	5%
10.3	Experience in delivering across client groups	5%

9.1	Safeguarding	
	Does your organisation have the following policies / procedures in place:	
9.1(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>



9.1(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2	Mental Capacity Act	
9.2(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iii)	Are staff trained and able to apply the principles of the MCA?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iv)	Is training on the MCA provided within your induction, training and refresher training programmes?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(v)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vi)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vii)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(viii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ix)	Can you evidence that there is plainly a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(x)	Does the service ensure staff fully understand and apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.3	UNISON Ethical Care Charter	
9.3(i)	Please self-certify if your organisation is fully compliant with the UNISON Ethical Care Charter https://www.unison.org.uk/care-workers-your-rights/the-ethical-care-charter/	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.3(ii)	If your organisation is not presently fully compliant with the UNISON Ethical Care Charter, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4 Regulation with the Care Quality Commission		
9.4(i)	Please self-certify that you have / will have a Lewisham based office registered to provide personal care with the Care Quality Commission (CQC) by 31 March 2023 if awarded the contract	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(ii)	Has your organisation been subject to any enforcement action(s) by the Care Quality Commission (CQC) in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.4(iii)	If you have answered yes to question 8.4(ii), please provide details of the enforcement action(s) and what action (if any) you have taken to prevent similar enforcement action(s) being received?	Enter text here: (300 words max) For information only

9.5 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.5(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6 TUPE		
9.6(i)	The Council believes that TUPE will apply to this contract. Please confirm that your organisation agrees to comply with TUPE legislation, should you be identified as the preferred bidder for this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.7 Compliance with the Lewisham Joint Medicines Policy	
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9.7(i)	Please self-certify that you are compliant with the Lewisham Joint Medicines Policy – link to be added	Yes <input type="checkbox"/> No <input type="checkbox"/>
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9.8 Electronic Call Monitoring system		
9.8(i)	Please self-certify whether you have an Electronic Call Monitoring system in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.8(ii)	If your organisation does not presently have an Electronic Call Monitoring system in place, please self-certify that this will be in place by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 GDPR and data handling compliant		
9.9(i)	Please self-certify that your organisation is fully compliant with GDPR regulations in storing and managing client level data.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Annual turnover		
9.10(i)	Please self-certify that your organisation has an annual turnover of at least £10 million	Yes <input type="checkbox"/> No <input type="checkbox"/>

Q10.1 Experience of delivering high quality care



Demonstrate your previous experience of delivering a high quality home care service on a locality / neighbourhood footprint including two examples of contracts you have delivered detailing as a minimum:

- How you ensured Clients were fully involved and treated as an equal partner in their assessment, support planning and reviews.
- How you embedded innovation within the delivery model, including the use of technology.
- How you embedded a learning culture within the organisation
- How you worked with social workers, commissioners and Care Quality Commission colleagues to have a shared understanding of quality

[Word Limit: 3000 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in service delivery



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in service delivery. Please include examples/case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Q10.3 Experience in delivering across client groups



Demonstrate how you have provided home care services to clients across a range of cohort's e.g. older people / mental health / end of life care including examples / case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Signed for Tenderer:



Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

Telephone No _____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address

Maximising Wellbeing at Home (Lot 7)

Solution-Focused Wellbeing Coaching – Advanced dementia including those presenting with behaviours that challenge

Standard Selection Questionnaire

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House
Catford
London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Monday 10 October 2022.**

Please see supplier guidance on completing this document at Annex A, B & C

Part 1: Potential supplier Information

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 1	Potential supplier information	
Question number	Question	Response
1.1(a)	Full name of the potential supplier submitting the information	
1.1(b) – (i)	Registered office address (if applicable)	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify your trading status)	
1.1(d)	Date of registration in country of origin	
1.1(e)	Company registration number (if applicable)	
1.1(f)	Charity registration number (if applicable)	
1.1(g)	Head office DUNS number (if applicable)	
1.1(h)	Registered VAT number	
1.1(i) - (i)	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(i) - (ii)	If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s).	
1.1(j) - (i)	Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(j) - (ii)	If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this.	
1.1(k)	Trading name(s) that will be used if successful in this procurement	
1.1(l)	Relevant classifications (state whether you fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE) b) Sheltered Workshop	

c) Public service mutual		
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) ¹ ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(n)	Details of Persons of Significant Control (PSC), where appropriate: ² <ul style="list-style-type: none"> - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC usually lives; - Service address; - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); - Which conditions for being a PSC are met; <ul style="list-style-type: none"> - Over 25% up to (and including) 50%, - More than 50% and less than 75%, - 75% or more. ³ (Please enter N/A if not applicable)	
1.1(o)	Details of immediate parent company: <ul style="list-style-type: none"> - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	
1.1(p)	Details of ultimate parent company: <ul style="list-style-type: none"> - Full name of the ultimate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

¹ See EU definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

² UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance.](#)

³ Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award.

Please provide the following information about your approach to this procurement:

Section 1	Bidding model				
Question number	Question	Response			
1.2(a) - (i)	Are you bidding as the lead contact for a group of economic operators?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3. If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3.			
1.2(a) - (ii)	Name of group of economic operators (if applicable)				
1.2(a) - (iii)	Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.				
1.2(b) - (i)	Are you or, if applicable, the group of economic operators proposing to use sub-contractors?	Yes <input type="checkbox"/> No <input type="checkbox"/>			
1.2(b) - (ii)	If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.				
Name					
Registered address					
Trading status					
Company registration number					
Head Office DUNS number (if applicable)					
Registered VAT number					
Type of organisation					
SME (Yes/No)					
The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables					
The approximate % of contractual obligations assigned to each sub-contractor					

Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Section 1	Contact details and declaration	
Question number	Question	Response
1.3(a)	Contact name	
1.3(b)	Name of organisation	
1.3(c)	Role in organisation	
1.3(d)	Phone number	
1.3(e)	E-mail address	
1.3(f)	Postal address	
1.3(g)	Signature (electronic is acceptable)	
1.3(h)	Date	

Part 2: Exclusion Grounds

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	<p>Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage.</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	
2.2	If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.3(a)	Regulation 57(3)	Yes <input type="checkbox"/> No <input type="checkbox"/>

	<p>Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?</p>	
2.3(b)	<p>If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.</p>	

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

Section 3		Grounds for discretionary exclusion	
		Question	Response
3.1	<p>Regulation 57 (8)</p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.</p>		
3.1(a)	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1 (b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(d)	Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(g)	Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(i)	Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2	
3.1(j)	Please answer the following statements		
3.1(j) - (i)	The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2	

<p>3.1(j) - (ii)</p>	<p>absence of grounds for exclusion or the fulfilment of the selection criteria.</p> <p>The organisation has withheld such information.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
<p>3.1(j) –(iii)</p>	<p>The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
<p>3.1(j)-(iv)</p>	<p>The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>

<p>3.2</p>	<p>If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)</p>	
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Part 3: Selection Questions⁴

Section 4	Economic and Financial Standing	
	Question	Response
4.1	Are you able to provide a copy of your audited accounts for the last two years, if requested? (Answer with Y/N in the relevant box.) If no, can you provide one of the following:	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.2	Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out.	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 5	If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:	
Name of organisation		
Relationship to the Supplier completing these questions		

5.1	Are you able to provide parent company accounts if requested to at a later stage?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.2	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.3	If no, would you be able to obtain a guarantee	Yes <input type="checkbox"/>

⁴ [See Action Note 8/16 Updated Standard Selection Questionnaire](#)

elsewhere (e.g. from a bank)?	No <input type="checkbox"/>
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Section 6	Technical and Professional Ability
6.1	<p>Relevant experience and contract examples</p> <p>Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.</p> <p>If you cannot provide examples see question 6.3</p>

	Contract 1	Contract 2	Contract 3
Name of customer organisation			
Point of contact in the organisation			
Position in the organisation			
E-mail address			
Description of contract			
Contract Start date			
Contract completion date			
Estimated contract value			

6.2	<p>Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)</p> <p>Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries)</p>

6.3	<p>If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.</p>

Section 7	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
7.1	<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?</p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
7.2	<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant URL:</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation:</p>

8. Additional Questions

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

Section 8	Additional Questions
8.1	Insurance
a.	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Y/N</p> <p>Employers liability - £5 million Public liability - £5 million Clinical negligence - £5 million Professional Indemnity - £2 million</p> <p>*It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.</p>

Standard Selection Questionnaire

Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion⁵. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

Supplier Selection Questions: Part 3

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

⁵ For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

Supplier Notes for completion

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. **Note for Contracting Authorities: The following paragraph is optional for inclusion if a decision has been made to request a self-declaration of the exclusion grounds from sub-contractors. All sub-contractors are required to complete Part 1 and Part 2⁶.**
7. For answers to Part 3 - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

⁶ See PCR 2015 regulations 71 (8)-(9)

Mandatory Exclusion Grounds

Public Contract Regulations 2015 R57 (1), (2) and (3)

Public Contract Directives 2014/24/EU Article 57(1)

Participation in a criminal organisation

Participation offence as defined by section 45 of the Serious Crime Act 2015

Conspiracy within the meaning of:

- Section 1 or 1A of the Criminal Law Act 1977 or
- Article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

Where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime;

Corruption

Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;

The common law offence of bribery;

Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983;

Fraud

Any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the convention on the protection of the financial interests of the European Communities:

- the common law offence of cheating the Revenue;
- the common law offence of conspiracy to defraud;
- fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
- fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;

- an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
- the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

Terrorist offences or offences linked to terrorist activities

Any offence:

- listed in section 41 of the Counter Terrorism Act 2008;
- listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
- under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points;

Money laundering or terrorist financing

Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002

An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996

Child labour and other forms of trafficking human beings

An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;

An offence under section 59A of the Sexual Offences Act 2003

An offence under section 71 of the Coroners and Justice Act 2009;

An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994

An offence under section 2 or section 4 of the Modern Slavery Act 2015

Non-payment of tax and social security contributions

Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.

Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:

- HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
- a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
- a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established

Other offences

Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland

Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

Discretionary exclusions

Obligations in the field of environment, social and labour law.

Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including the following:-

- Where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.
- In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
- In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).

- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.

Bankruptcy, insolvency

Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State;

Grave professional misconduct

Guilty of grave professional misconduct

Distortion of competition

Entered into agreements with other economic operators aimed at distorting competition

Conflict of interest

Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

Been involved in the preparation of the procurement procedure.

Prior performance issues

Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.

Misrepresentation and undue influence

The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

Additional exclusion grounds

Breach of obligations relating to the payment of taxes or social security contributions.

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

Consequences of misrepresentation

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

- The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
- The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
- If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
- If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning)



Community Services

Maximising Wellbeing at Home (Lot 7)

Solution-Focused Wellbeing Coaching – Advanced Dementia and Behaviours that Challenge

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor
Laurence House
Catford**



London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022

This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Monday 10 October 2022.**



Maximising Wellbeing at Home: Solution-Focused Wellbeing Coaching – Advanced Dementia and Behaviours that Challenge (Lot 8)

SSQ Selection Questions

The following questions must be answered

9.1	Solution-Focused Coaching	Pass/Fail
9.2	The OSKAR Framework (Outcome, Scale, Know-how, Affirm + Action, Review)	Pass/Fail
9.3	Compliance with the International Coaching Federation (ICF) standards and practices	Pass/Fail
9.4	Compliance with the principles of Scenario: Management of end-stage dementia (NICE)	Pass/Fail
9.5	Safeguarding	Pass/Fail
9.6	Mental Capacity Act	Pass/Fail
9.7	London Living Wage	Pass/Fail
9.8	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.9	Care Quality Commission regulatory framework	Pass/Fail
9.10	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.11	GDPR and data handling	Pass/Fail
10.1	Experience of delivering solution-focused coaching	17.5%
10.2	Experience in effectively involving and engaging unpaid Carers in solution-focused coaching	7.5%



9.1 Solution-Focused coaching	
9.1(i)	Please self-certify that the coaching staff in your organisation have the necessary knowledge, skills and experience to deliver solution-focused coaching to external teams
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Please self-certify that the coaching staff within your organisation adopt an outcome orientated, competence-based approach, encouraging external teams to take personal responsibility and focus on future actions to direct these towards a specific goal using their personal strengths to their best effect
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2 The OSKAR Framework (Outcome, Scale, Know-how, Affirm + Action, Review)	
9.2(i)	Please self-certify that the coaching staff in your organisation have the necessary knowledge, skills and experience to work within the OSKAR Framework https://link.springer.com/chapter/10.1007/978-3-030-53161-4_19
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.3 Compliance with the International Coaching Federation (ICF) standards and practices	
	Does your organisation have policies / procedures in place to ensure full compliance with the following International Coaching Federation (ICF) standards and practices: https://coachingfederation.org/regulation
9.3(i)	The 11 ICF Core Competencies
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(ii)	Coach Credentialing
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(iii)	ICF Code of Ethics
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(iv)	ICF's Code of Conduct
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(v)	The professional charter for coaching and mentoring
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4 Compliance with the principles of Scenario: Management of end-stage dementia (NICE)	
	Does your organisation have policies / procedures in place to ensure full compliance with the principles of Scenario: Management of end-stage dementia (NICE)? These include:
9.4(i)	If possible, plan ahead in the earlier stages of dementia (while the person still has capacity) with the person and their family/carer.
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4(ii)	For people living with dementia who are approaching the end of life, use an anticipatory healthcare planning process.	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(iii)	<p>When providing care for a person with dementia:</p> <ul style="list-style-type: none"> • Personalise care and facilitate shared decision-making (between the person with dementia, their carer/family, and the multidisciplinary healthcare team). • Avoid overly aggressive, burdensome, or futile treatment. • Ensure continuity and coordination of care - People with dementia may require coordination of a diverse range of services (for example primary care, community nursing, physiotherapy, and hospice care) to enable them to continue living at home and to die there if that is their wish. • Provide psychosocial and spiritual support for the person with dementia and their family/carer. • Recognise and discuss the terminal stage with family/carers in a timely way. • Assess the carer's needs and support them - Families/carers may need social support, education on the palliative aspects of care in dementia, and bereavement support. • Seek advice from a specialist (such as the palliative care team or a GP with a special interest in palliative care) if unsure of how to manage any palliative care issues. 	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(iv)	<p>Specific issues that may be a concern in people with dementia at the end of life include:</p> <ul style="list-style-type: none"> • Eating and drinking • Distress or changes in behaviour • Constipation, nausea, and loss of appetite • Withholding or withdrawal treatment • Resuscitation 	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.5	Safeguarding	
	Does your organisation have the following policies / procedures in place:	
9.5(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.5(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6		Mental Capacity Act
9.6(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(iii)	Are staff trained and able to coach how to apply the principles of the MCA when working with vulnerable adults?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(iv)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(v)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(vi)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(vii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(viii)	Can you evidence that your organisation has the knowledge and experience to coach external teams on how to effectively embed a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.6(ix)	Does the service ensure staff fully understand and are able to coach external teams on how to apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.7		London Living Wage
9.7(i)	Please self-certify if your organisation is fully compliant with paying staff the London Living Wage	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.7(ii)	If your organisation is not presently fully compliant with paying staff the London Living Wage, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being	Yes <input type="checkbox"/> No <input type="checkbox"/>



	awarded this contract.	
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9.8 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.8(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 CQC regulatory framework		
9.9(i)	Please self-certify that your organisation is fully aware of the regulatory responsibilities of the Care Quality Commission	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Compliance with the Lewisham Joint Medicines Policy		
9.10(i)	Please self-certify that your organisation is fully aware of the Lewisham Joint Medicines Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.11 GDPR and data handling		
9.11(i)	Please self-certify that your organisation has policies and procedures in place to ensure full compliance with GDPR regulations	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.11(ii)	Please self-certify all that all personal data captured and stored within your organisation is fully compliant with GDPR regulations	Yes <input type="checkbox"/> No <input type="checkbox"/>



Q10.1 Experience of delivering solution-focused coaching

Demonstrate your experience of delivering solution-focused coaching in the area of Advanced Dementia and Behaviours that Challenge to external teams, including two examples of contracts you have delivered or are delivering, detailing:

- Number and characteristics of teams coached
- Size of the coaching workforce
- Impact of the coaching
- Any other relevant points

[Word Limit: 1750 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in solution-focused coaching



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in the solution focused coaching delivered by your organisation. Please include examples/case studies from current or previous contracts detailing:

- Number of carers coached
- Impact that the coaching had on the wellbeing of carers
- Challenges faced and how they were addressed
- Any other relevant points

[Word Limit: 750 words]

Q10.3 Experience working with adult social care staff



Demonstrate how you have effectively worked with adult social care staff to support them to maximise outcomes whilst also supporting individual staff members to develop personally and professionally. Include examples / case studies from current or previous contracts to support your answer.

[Word Limit: 500 words]



Signed for Tenderer:

Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

_____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address



Community Services

Maximising Wellbeing at Home (Lot 7)

Solution-Focused Wellbeing Coaching – Advanced Dementia and Behaviours that Challenge

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor
Laurence House
Catford**



London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022

This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Monday 10 October 2022.**



Maximising Wellbeing at Home: Solution-Focused Wellbeing Coaching – Advanced Dementia and Behaviours that Challenge (Lot 8)

SSQ Selection Questions

The following questions must be answered

9.1	Solution-Focused Coaching	Pass/Fail
9.2	The OSKAR Framework (Outcome, Scale, Know-how, Affirm + Action, Review)	Pass/Fail
9.3	Compliance with the International Coaching Federation (ICF) standards and practices	Pass/Fail
9.4	Compliance with the principles of Scenario: Management of end-stage dementia (NICE)	Pass/Fail
9.5	Safeguarding	Pass/Fail
9.6	Mental Capacity Act	Pass/Fail
9.7	London Living Wage	Pass/Fail
9.8	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.9	Care Quality Commission regulatory framework	Pass/Fail
9.10	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.11	GDPR and data handling	Pass/Fail
10.1	Experience of delivering solution-focused coaching	17.5%
10.2	Experience in effectively involving and engaging unpaid Carers in solution-focused coaching	7.5%



9.1 Solution-Focused coaching	
9.1(i)	Please self-certify that the coaching staff in your organisation have the necessary knowledge, skills and experience to deliver solution-focused coaching to external teams
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Please self-certify that the coaching staff within your organisation adopt an outcome orientated, competence-based approach, encouraging external teams to take personal responsibility and focus on future actions to direct these towards a specific goal using their personal strengths to their best effect
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2 The OSKAR Framework (Outcome, Scale, Know-how, Affirm + Action, Review)	
9.2(i)	Please self-certify that the coaching staff in your organisation have the necessary knowledge, skills and experience to work within the OSKAR Framework https://link.springer.com/chapter/10.1007/978-3-030-53161-4_19
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.3 Compliance with the International Coaching Federation (ICF) standards and practices	
	Does your organisation have policies / procedures in place to ensure full compliance with the following International Coaching Federation (ICF) standards and practices: https://coachingfederation.org/regulation
9.3(i)	The 11 ICF Core Competencies
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(ii)	Coach Credentialing
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(iii)	ICF Code of Ethics
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(iv)	ICF's Code of Conduct
	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.3(v)	The professional charter for coaching and mentoring
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4 Compliance with the principles of Scenario: Management of end-stage dementia (NICE)	
	Does your organisation have policies / procedures in place to ensure full compliance with the principles of Scenario: Management of end-stage dementia (NICE)? These include:
9.4(i)	If possible, plan ahead in the earlier stages of dementia (while the person still has capacity) with the person and their family/carer.
	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4(ii)	For people living with dementia who are approaching the end of life, use an anticipatory healthcare planning process.	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(iii)	When providing care for a person with dementia: <ul style="list-style-type: none"> • Personalise care and facilitate shared decision-making (between the person with dementia, their carer/family, and the multidisciplinary healthcare team). • Avoid overly aggressive, burdensome, or futile treatment. • Ensure continuity and coordination of care - People with dementia may require coordination of a diverse range of services (for example primary care, community nursing, physiotherapy, and hospice care) to enable them to continue living at home and to die there if that is their wish. • Provide psychosocial and spiritual support for the person with dementia and their family/carer. • Recognise and discuss the terminal stage with family/carers in a timely way. • Assess the carer's needs and support them - Families/carers may need social support, education on the palliative aspects of care in dementia, and bereavement support. • Seek advice from a specialist (such as the palliative care team or a GP with a special interest in palliative care) if unsure of how to manage any palliative care issues. 	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(iv)	Specific issues that may be a concern in people with dementia at the end of life include: <ul style="list-style-type: none"> • Eating and drinking • Distress or changes in behaviour • Constipation, nausea, and loss of appetite • Withholding or withdrawal treatment • Resuscitation 	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.5	Safeguarding	
	Does your organisation have the following policies / procedures in place:	
9.5(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>



9.5(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6		Mental Capacity Act	
9.6(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(iii)	Are staff trained and able to coach how to apply the principles of the MCA when working with vulnerable adults?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(iv)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(v)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(vi)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(vii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(viii)	Can you evidence that your organisation has the knowledge and experience to coach external teams on how to effectively embed a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9.6(ix)	Does the service ensure staff fully understand and are able to coach external teams on how to apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

9.7		London Living Wage	
9.7(i)	Please self-certify if your organisation is fully compliant with paying staff the London Living Wage	Yes <input type="checkbox"/> No <input type="checkbox"/>	For information only
9.7(ii)	If your organisation is not presently fully compliant with paying staff the London Living Wage, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being	Yes <input type="checkbox"/> No <input type="checkbox"/>	

	awarded this contract.	
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9.8 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.8(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.8(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 CQC regulatory framework		
9.9(i)	Please self-certify that your organisation is fully aware of the regulatory responsibilities of the Care Quality Commission	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Compliance with the Lewisham Joint Medicines Policy		
9.10(i)	Please self-certify that your organisation is fully aware of the Lewisham Joint Medicines Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.11 GDPR and data handling		
9.11(i)	Please self-certify that your organisation has policies and procedures in place to ensure full compliance with GDPR regulations	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.11(ii)	Please self-certify all that all personal data captured and stored within your organisation is fully compliant with GDPR regulations	Yes <input type="checkbox"/> No <input type="checkbox"/>



Q10.1 Experience of delivering solution-focused coaching

Demonstrate your experience of delivering solution-focused coaching in the area of Advanced Dementia and Behaviours that Challenge to external teams, including two examples of contracts you have delivered or are delivering, detailing:

- Number and characteristics of teams coached
- Size of the coaching workforce
- Impact of the coaching
- Any other relevant points

[Word Limit: 1750 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in solution-focused coaching



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in the solution focused coaching delivered by your organisation. Please include examples/case studies from current or previous contracts detailing:

- Number of carers coached
- Impact that the coaching had on the wellbeing of carers
- Challenges faced and how they were addressed
- Any other relevant points

[Word Limit: 750 words]

Q10.3 Experience working with adult social care staff



Demonstrate how you have effectively worked with adult social care staff to support them to maximise outcomes whilst also supporting individual staff members to develop personally and professionally. Include examples / case studies from current or previous contracts to support your answer.

[Word Limit: 500 words]



Signed for Tenderer:

Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

_____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address



Community Services

Maximising Wellbeing at Home – Neighbourhood 1 (Lot 1)

Standard Selection Questionnaire (SSQ) Selection Questions

Two Stage Restricted Process (Above Threshold)

**Joint Commissioning Unit
3rd Floor**

Laurence House

Catford

London SE6 4RU

Lewisham.Procurement@lewisham.gov.uk

September 2022



This document is to be completed in accordance with the Invitation to Tender document and submitted via the London Tenders Portal, with all relevant documentation, by no later than **noon (12pm) on Tuesday 11 October 2022.**

Maximising Wellbeing at Home – Neighbourhood 1



SSQ Selection Questions

The following questions must be answered

9.1	Safeguarding	Pass/Fail
9.2	Mental Capacity Act	Pass/Fail
9.3	UNISON Ethical Care Charter	Pass/Fail
9.4	Regulation with the Care Quality Commission	Pass/Fail
9.5	Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'	Pass/Fail
9.6	TUPE	Pass/Fail
9.7	Compliance with the Lewisham Joint Medicines Policy	Pass/Fail
9.8	Electronic Call Monitoring System	Pass/Fail
9.9	GDPR and data handling compliant	Pass/Fail
9.10	Annual turnover	Pass/Fail
10.1	Experience in delivering high quality care	20%
10.2	Experience in effectively involving and engaging unpaid Carers in service delivery	5%
10.3	Experience in delivering across client groups	5%

9.1		Safeguarding
Does your organisation have the following policies / procedures in place:		
9.1(i)	Safeguarding policies and procedures for children, young people and adults which is accessible to staff and volunteers and clearly sets out how they should respond to safeguarding concerns	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(ii)	Safer recruitment procedures in-line with regulatory requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.1(iii)	A complaints procedure that is accessible to service users and relatives	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.1(iv)	A whistleblowing policy that is accessible to staff and volunteers?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.2		Mental Capacity Act
9.2(i)	Does the Mental Capacity Act (MCA) feature in every relevant policy and procedure within your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ii)	Do all policy and procedures relevant to the Mental Capacity Act (MCA) within your organisation include clear statements to evidence that you promote and work within the MCA five guiding principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iii)	Are staff trained and able to apply the principles of the MCA?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(iv)	Is training on the MCA provided within your induction, training and refresher training programmes?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(v)	Is the assumption of capacity clear in the service's ethos and practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vi)	Can you evidence that all staff have an understanding of when it is necessary to assess a person's capacity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(vii)	Are staff trained to recognise the inherent rights and value of all people whether they have a disability or not?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(viii)	Can your service and your managers demonstrate an understanding of when a formal assessment is needed and how to record it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(ix)	Can you evidence that there is plainly a culture which clearly promotes autonomy and choice but recognises when decisions must be made for others?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.2(x)	Does the service ensure staff fully understand and apply the best interests decision making principles?	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.3		UNISON Ethical Care Charter
9.3(i)	Please self-certify if your organisation is fully compliant with the UNISON Ethical Care Charter https://www.unison.org.uk/care-workers-your-rights/the-ethical-care-charter/	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.3(ii)	If your organisation is not presently fully compliant with the UNISON Ethical Care Charter, please self-certify if your organisation would ensure full compliance by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.4 Regulation with the Care Quality Commission		
9.4(i)	Please self-certify that you have / will have a Lewisham based office registered to provide personal care with the Care Quality Commission (CQC) by 31 March 2023 if awarded the contract	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.4(ii)	Has your organisation been subject to any enforcement action(s) by the Care Quality Commission (CQC) in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.4(iii)	If you have answered yes to question 8.4(ii), please provide details of the enforcement action(s) and what action (if any) you have taken to prevent similar enforcement action(s) being received?	Enter text here: (300 words max) For information only

9.5 Compliance with the Health and Safety Executive guidance for 'Domiciliary care provided in people's own homes'		
9.5(i)	Please self-certify that you are compliant with the Moving and handling guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(ii)	Please self-certify that you are compliant with the Dealing with challenging behaviour guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iii)	Please self-certify that you are compliant with the Equipment safety guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(iv)	Please self-certify that you are compliant with the Hot water and hot surfaces guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(v)	Please self-certify that you are compliant with the Slips and trips guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vi)	Please self-certify that you are compliant with the Lone working guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>
9.5(vii)	Please self-certify that you are compliant with the First aid guidance	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.6 TUPE		
9.6(i)	The Council believes that TUPE will apply to this contract. Please confirm that your organisation agrees to comply with TUPE legislation, should you be identified as the preferred bidder for this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.7 Compliance with the Lewisham Joint Medicines Policy	
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9.7(i)	Please self-certify that you are compliant with the Lewisham Joint Medicines Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>
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9.8 Electronic Call Monitoring system		
9.8(i)	Please self-certify whether you have an Electronic Call Monitoring system in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> For information only
9.8(ii)	If your organisation does not presently have an Electronic Call Monitoring system in place, please self-certify that this will be in place by 31 March 2023 in the event of your organisation being awarded this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.9 GDPR and data handling compliant		
9.9(i)	Please self-certify that your organisation is fully compliant with GDPR regulations in storing and managing client level data.	Yes <input type="checkbox"/> No <input type="checkbox"/>

9.10 Annual turnover		
9.10(i)	Please self-certify that your organisation has an annual turnover of at least £10 million	Yes <input type="checkbox"/> No <input type="checkbox"/>

Q10.1 Experience of delivering high quality care



Demonstrate your previous experience of delivering a high quality home care service on a locality / neighbourhood footprint including two examples of contracts you have delivered detailing as a minimum:

- How you ensured Clients were fully involved and treated as an equal partner in their assessment, support planning and reviews.
- How you embedded innovation within the delivery model, including the use of technology.
- How you embedded a learning culture within the organisation
- How you worked with social workers, commissioners and Care Quality Commission colleagues to have a shared understanding of quality

[Word Limit: 3000 words]

Q10.2 Experience in effectively involving and engaging unpaid Carers in service delivery



Demonstrate how you have ensured unpaid carers have been fully involved and engaged in service delivery. Please include examples/case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Q10.3 Experience in delivering across client groups



Demonstrate how you have provided home care services to clients across a range of cohort's e.g. older people / mental health / end of life care including examples / case studies from current or previous contracts to support your answer.

[Word Limit: 750 words]

Signed for Tenderer:



Signature	Print name(s) in full	Position held by each signatory (in the case of a company)

Dated this _____ day of _____ 20__

Full name of Organisation _____

Address for correspondence _____

Registered Address _____

(If different from above) _____

Telephone No _____ Fax No _____

E-mail address _____

State whether sole proprietor YES/NO* (delete as appropriate)

In case of partnership the full names and address of each partner:

Name	Address

Name of Directorate

Name of Team

Standard Selection Questions

Team Name

3rd Floor

Laurence House

Catford

SE6 4RU

020 8314 7507

Lewisham.procurement@lewisham.gov.uk

Month Year

This document is to be completed in accordance with the Invitation and Instructions for Tendering for receipt, via the London Tenders Portal, with all relevant documentation by no later than noon on **Day Date Month Year**

Part 1: Your information and the bidding model.

You must answer all questions in parts 1 and 2. If you are the supplier, you must answer all questions in part 3 as well.

Bidders must ensure that every organisation on which they will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2.

Section 1		Your information
Question number	Question	Response
1.1(a)	Name (if registered, please give the registered name)	
1.1(b) – (i)	Registered address (if applicable) or head office address	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) - public limited company b) - private limited company c) - limited liability partnership d) - other partnership e) - sole trader f) - third sector g) - other (please specify your trading status)	
1.1(d)	Date of registration (if applicable) or date of formation.	
1.1(e)	Registration number (company, partnership, charity, etc if applicable).	
1.1(f)	Registered VAT number.	
1.1(g) - (i)	Are you registered with the appropriate professional or trade register(s) specified for this procurement in the Member State where your organisation is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(g) - (ii)	If you responded yes to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide - the website address, - issuing body - reference number.	
1.1(h) - (i)	For procurements for services only, is it a legal requirement in the country where you are established for you to: a) possess a particular authorisation, or b) be a member of a particular organisation, to provide the requirements specified in this procurement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(h) - (ii)	If you responded yes to 1.1(h) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number.	

1.1(i)	Relevant classifications (state whether you fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE). b) Sheltered Workshop. c) Public service mutual.	
1.1(j)	Are you a Small, Medium or Micro Enterprise (SME) ¹ ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1 (k)	Details of Persons with Significant Control (PSC) ² , where appropriate ³ : - Name - Date of birth - Nationality - Country, state or part of the UK where the PSC usually lives - Service address - The date he or she became a PSC in relation to the company ; - Which conditions for being a PSC are met: - Over 25% up to (and including) 50% - More than 50% and less than 75% - 75% or more (Please enter N/A if not applicable)	
1.1(l)	Details of your immediate parent company: - Full name of immediate parent company, - Registered or head office address, - Registration number (if applicable), - VAT number (if applicable), Please enter N/A if not applicable)	
1.1(m)	Details of ultimate parent company: - Full name of ultimate parent company, - Registered or head office address, - Registration number (if applicable), - VAT number (if applicable), (Please enter N/A if not applicable)	
Please note: A criminal record check for relevant convictions may be undertaken for the preferred supplier and all relevant persons and entities (as described above).		

¹See definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

²UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](#). Overseas bidders are required to provide equivalent information.

³Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only.

Please provide the following information about your approach to this procurement:		
Section (cont.)	Bidding model	
Question number	Question	Response
1.2	<p>Please indicate if you are bidding as a single supplier or as part of a group or consortium?</p> <p><i>If you are bidding as a single supplier please go to Q 1.3.</i></p> <p>If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us:</p> <p>a) The name of the group/consortium.</p> <p>b) The proposed structure of the group/consortium, including the legal structure where applicable.</p> <p>c) The name of the lead member in the group/consortium.</p> <p>d) Your role in the group/consortium (e.g. lead member, consortium member, subcontractor).</p> <p>e) If you are the lead member in the group/consortium, whether you are relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria you are relying on them for</p>	

1.3	<p>If you are proposing to use subcontractors please provide the details for each subcontractor⁴.</p> <ul style="list-style-type: none"> - Name - Registration number - Registered or head office address, - Trading status <ul style="list-style-type: none"> a. Public limited company b. Private limited company c. Limited liability partnership d. Other partnership e. Sole trader f. Third sector g. Other (please specify your trading status) - Registered VAT number - SME (Yes/No) - The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known - The approximate % of contractual obligations assigned to each subcontractor, if known - Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them for? 	
1.4	<p>Lots</p> <p>Where applicable, please tell us which lot(s) you wish to bid for?</p>	Answer

Part 2: Exclusion Grounds		
<p>Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2.</p>		
Section 2	Grounds for mandatory exclusion	
Question number	Question	Declaration

⁴This applies to all supply chain members and/or subcontractors, where their identity is known at this stage, irrespective of whether you are relying on them to meet the selection criteria. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into with that subcontractor for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18.

2.1 (a)	<p>Within the past five years, anywhere in the world, have you or any person who:</p> <ul style="list-style-type: none"> ● is a member of the supplier’s administrative, management or supervisory body or ● has powers of representation, decision or control in the supplier⁵, ● been convicted of any of the offences within the summary below and listed in full on the webpage? 	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Terrorist offences or offences linked to terrorist activities.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Money laundering or terrorist financing.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Child labour and other forms of trafficking in human beings.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction <u>outside</u> England, Wales or Northern Ireland.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.1(b)	<p>If you have answered yes to any part of question 2.1(a), please provide further details, including:</p> <ul style="list-style-type: none"> ● date of conviction and the jurisdiction, ● which of the grounds listed the conviction was for, ● the reasons for conviction, ● the identity of who has been convicted. <p>If the relevant documentation is available electronically please provide:</p> <ul style="list-style-type: none"> ● the web address, ● issuing authority, ● precise reference of the documents. 	

⁵see Notes for Completion

2.1(c)	If you have answered yes to any part of the question above please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self cleaning).	
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Section 3	Mandatory and discretionary grounds relating to the payment of taxes and social security contributions	
<p>The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out on this webpage,⁶ and should be referred to before completing these questions.</p>		
Question number	Question	Declaration
3.2(a)	<p>Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.</p> <p>If documentation is available electronically please provide:</p> <ul style="list-style-type: none"> ● the web address, ● issuing authority, ● precise reference of the documents 	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
3.2(b)	<p>If you have answered no to 3.2(a) please provide further details including the following:</p> <ul style="list-style-type: none"> ● Country concerned, ● what is the amount concerned ● how the breach was established, i.e. through a judicial or administrative decision or by other means. ● if the breach has been established through a judicial or administrative decision please provide the date of the decision, ● if the breach has been established by other means please specify the means. 	
3.3	<p>Please also confirm whether you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>Please Note: We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions</p>		

⁶https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

Section 4	Grounds for Discretionary Exclusion	
The detailed grounds for discretionary exclusion of an organisation are set out on this webpage , ⁷ and should be referred to before completing these questions.		
Question number	Question	Declaration
4.1	Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full on the webpage applied to you?	
4.1(a)	Breach of environmental obligations? To note that environmental law obligations include Health and Safety obligations. See webpage .	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(b)	Breach of social law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(d)	Bankruptcy or subject of insolvency?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(f)	Distortion of competition?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(g)	Conflict of interest?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(i)	Prior performance issues?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j) 4.1(j) - (i)	Do any of the following statements apply to you ? You have been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.	Yes <input type="checkbox"/> No <input type="checkbox"/>

⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

4.1(j) - (ii)	You have withheld such information.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j)- (iii)	You are not able, without delay, to submit documents if/when required.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j)-(iv)	You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.2	<p>You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.</p> <p>If you are a relevant commercial organisation please -</p> <ul style="list-style-type: none"> • confirm that you have published a statement as required by Section 54 of the Modern Slavery Act. • confirm that the statement complies with the requirements of Section 54 and any guidance issued under Section 54. 	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4.3	<p>If your latest published statement is available electronically please provide:</p> <ul style="list-style-type: none"> • the web address, • precise reference of the documents. 	N/A <input type="checkbox"/>
4.4	If you have answered YES to any of the questions in 4.1, or NO to question 4.2, please explain what measures have been taken to demonstrate your reliability despite the existence of a relevant ground for exclusion. (Self cleaning)	N/A <input type="checkbox"/>

Part 3: Selection Questions		
Section 5	Economic and Financial Standing	
Question number	Question	Response
5.1	<p>If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:</p> <ul style="list-style-type: none"> • the web address • issuing authority • precise reference of the documents 	
5.2	<p>If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last two years (audited if required by law).</p> <p>Also, for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing, please provide a copy of their detailed accounts for the last two years (audited if required by law).</p>	
5.3	<p>If you are not able to provide a response to questions 5.1 or 5.2, please provide any of the following alternatives.</p> <p>A statement of your annual turnover, Profit and Loss Account/Income statement, Balance Sheet/statement of Financial Position and Statement of Cash Flow for the most recent year(s) of trading and a bank letter outlining the current cash and credit facility position.</p> <p>Alternative information to evidence economic and financial standing (e.g. forecast financial statements and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).</p>	
5.3(a)		
5.3(b)		
5.4	<p>Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Section 6	Technical and Professional Ability
Question number	Question
6.1	<p>Relevant experience and contract examples</p> <p>Please provide details of up to three contracts, to meet the technical and professional ability criteria set out in the procurement documents in any combination from either the public or private sectors; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Where this procurement is for supplies or services, the examples must be from the past three years. Where this procurement is for works, the examples may be from the past five years.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>For consortium bids, or where you have indicated that you are relying on a subcontractor in order to meet the technical and professional ability, you should provide relevant examples of where the consortium/subcontractors have delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or members of the Special Purpose Vehicle or subcontractors (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or subcontractor(s) who will deliver the contract.</p> <p>For each contract please provide the following information</p> <p>If you cannot provide examples see question 6.2</p>

	Contract 1	Contract 2	Contract 3
Name of customer organisation who signed the contract			
Name of supplier who signed the contract			
Point of contact in the customer's organisation.			
Position in the customer's organisation			
E-mail address			
Description of contract.			
Contract Start date.			
Contract completion date.			
Estimated contract value			

6.2	If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this and how you meet the selection criteria relating to technical and professional ability e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.	
6.3	Where you intend to subcontract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your subcontractor(s). The description should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment and whether you are a signatory of the UK Prompt Payment Code (or have given commitments under other equivalent schemes).	

Section 7	Additional Questions including Project Specific Questions	
Question number	Question	Response
7.1	<p>Insurance Please confirm whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:</p> <p>Employer's (Compulsory) Liability Insurance = £x</p> <p>Public Liability Insurance = £x</p> <p>Professional Indemnity Insurance = £x</p> <p>Product Liability Insurance = £x</p> <p>*There is a legal requirement for certain employers to hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information: http://www.hse.gov.uk/pubns/hse39.pdf</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
7.2	Data protection	
7.2(a).	Please confirm that your organisation has appropriate policies, procedures and systems in place to ensure that data is collected, processed, stored and transferred in accordance with the General Data Protection Regulations ("GDPR") and Information Commissioner's Office (ICO) guidance?	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
7.3 7.3 (a)	<p>Health and Safety</p> <p>Please describe the arrangements you have in place to manage health and safety effectively and control significant risks relevant to the requirement (including risks from the use of contractors, where relevant).</p> <p>Please use no more than 500 words.</p>	

PUBLIC SECTOR CONTRACTS ONLY – Requirement under the Public Contracts Regulations 2015 (Regulation 113)		
7.4	Please confirm that for public sector contracts awarded under the Public Contract Regulations 2015 you have systems in place to include (as a minimum) 30 day payment terms in all of your supply chain contracts and require that such terms are passed down through your supply chain.	Yes <input type="checkbox"/> No <input type="checkbox"/> PASS/FAIL
PUBLIC AND PRIVATE SECTOR CONTRACTS		
7.5 (a)	<p>(a) Please provide the percentage of invoices⁸ paid by you to those in your immediate supply chain on all contracts for each of the two previous six month reporting periods⁹. This should include the percentage of invoices paid within each of the following categories:</p> <ol style="list-style-type: none"> 1. within 30 days 2. in 31 to 60 days 3. in 61 days or more 4. due but not paid by the last date for payment under agreed contractual terms. <p>It is acceptable to cross refer to information that has previously been submitted to Government or other bodies or is publicly available (provided it covers the required reporting periods), including data published in accordance with the Reporting on Payment Practices and Performance Regulations 2017. If you do wish to cross refer, please provide details and/or insert link(s).</p>	
7.5 (b)	(b) If you are unable to demonstrate that all invoices have been paid within the agreed contractual terms, please explain why.	
7.5 (c)	<p>(c) If you are unable to demonstrate that ≥95% of invoices payable to your supply chain on all contracts have been paid within 60 days of the receipt of the invoice in at least one of the last two six months reporting periods please provide an action plan for improvement which includes (as a minimum) the following:</p> <ul style="list-style-type: none"> ● Identification of the primary causes of failure to pay: <ul style="list-style-type: none"> ○ 95% of all supply chain invoices within 60 days; and ○ if relevant under question 6.4(b), all invoices within agreed terms. ● Actions to address each of these causes. ● A mechanism for and commitment to regular reporting on progress to the bidder's audit committee (or equivalent). ● A plan signed off by your director ● Plan published on its website (this can be a shorter, summary plan). <p>If you have an existing action plan prepared for a different purpose, it is acceptable to attach this but it should contain the above features</p> <p>Note: if you are required to submit an action plan under question 7.5(c), this action plan must also set out steps to address your payment within agreed terms, in order to achieve a pass for question 7.5 (c).</p>	

7.6	Carbon Reduction In Contracts Above £5m per annum	Yes <input type="checkbox"/>
7.6 (a)	Please confirm that you have detailed your environmental management measures by completing and publishing a Carbon Reduction Plan which meets the required reporting	No <input type="checkbox"/>
7.6 (b)	Provide a link to your most recently published Carbon Reduction Plan here:	PASS/FAIL Provide a web link (URL) to your CRP
7.6 (c)	Please confirm that your organisation is taking steps to reduce your GHG Emissions over time and is publicly committed to achieving Net Zero by 2050	Yes <input type="checkbox"/>
	Please provide your current Net Zero Target Date:	No <input type="checkbox"/>
7.6 (d)	Supplier Emissions Declaration	PASS/FAIL Year of Net Zero Target, e.g. 2050
7.6 (e)7.6 (e) (i)		
7.6 (e) (ii)	Baseline Year	
7.6 (e) (iii)	Scope 1 emissions:	
7.6 (e) (iv)	Scope 2 emissions:	
	Scope 3 emissions:	
7.6 (f) (i)		
7.6 (f) (ii)	Current/Most Recent Reporting Year:	
7.6 (f) (iii)	Scope 1 emissions:	
7.6 (f) (iv)	Scope 2 emissions:	
	Scope 3 emissions:	

Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this complete document are correct and accurate, including parts 1, 2 and part 3.

I declare that, upon request and without delay I will provide the certificates and/or documentary evidence referred to in this document except where this documentation can be accessed by the contracting authority via a national database free of charge or the contracting authority already possesses the documentation.

I understand that the information will be used in the selection process to assess my suitability to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Signature (electronic is acceptable)

Date

Contact details of those making the declaration

	Response
Contact name	
Name of organisation	
Role in organisation	
Phone number	
E-mail address	
Postal address	


Agenda Item 6

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>
Non-Key Decision	<input type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Permission to direct award to Medequip Assistive Technology Limited until 31 March 2024	
Author	Tristan Brice (Associate Director, Integrated Commissioning Team)	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration		x
EMT consideration	x	

Signed: 
 Cabinet Member for Health and Adult Social Care
 Date: 12/06/2023

Signed: 
 Executive Director for Community Services
 Date: 12/06/2023



Mayor and Cabinet

Permission to direct award to Medequip Assistive Technology Limited until 31 March 2024

Date: 21 June 2023

Key decision: Yes.

Class: Part 1

Ward(s) affected: All Wards

Contributors: Executive Director, Community Services, Director of Law & Corporate Governance, Executive Director for Corporate Resources

Outline and recommendations

1.0 Purpose of the report

The purpose of this report is to seek agreement from Mayor and Cabinet:

- To use the Kent framework agreement
- To make a direct award in accordance with the framework agreement

This will enable officers to undertake a comprehensive review of options available in relation to the reprocurement of the Integrated Community Equipment Service. The findings from this comprehensive review will be included in a permission to procure report that will be presented to Mayor and Cabinet in July 2023.

This comprehensive review was delayed due to the decision of the High Court to suspend award of contract to Nottingham Rehab Centre Limited¹ following a challenge by Medequip Assistive Technology Limited. The suspension was lifted on 22 December 2022 with details of the framework agreement shared with Lewisham Council officers in January 2023. The time lost due to the suspension means that Lewisham officers have been unable to undertake a comprehensive review of options and then recommend to Mayor and Cabinet the preferred option within this financial year (2022/23).

2.0 Recommendation

It is recommended that Mayor and Cabinet approve the decision:

- To use the Kent framework agreement

¹ Trading as NRS Healthcare Ltd

- To make a direct award in accordance with the framework agreement

This will enable officers to undertake a comprehensive review of the procurement options available in reprocurring this contract. A permission to procure paper will be brought to Mayor and Cabinet in July 2023 following the comprehensive review

3.0 Summary

- 3.1 In February 2012, Mayor and Cabinet agreed for the London Borough of Lewisham to join the London Community Equipment Consortium (the Consortium), hosted by the London Borough of Hammersmith and Fulham. Since 2018, Westminster City Council has taken over the hosting of the Consortium.

Until the 31 March 2023, the Consortium operated a single framework agreement with Medequip Assistive Technology Limited, with whom each Consortium member local authority had a call-off contract. This framework agreement had been in place since 2017 with Medequip Assistive Technology Limited and was due to end on 31 March 2021. On 24 March 2021 Mayor and Cabinet approved a two-year extension up until 31 March 2023. Medequip Assistive Technology Limited was also the provider of services under predecessor agreements which had been in place since 2009. The earlier agreements were smaller in scale with the first involving seven boroughs and they expanded in extent as more boroughs joined the Consortium.

- 3.2 The reprourement of the Integrated Community Equipment Service (ICES) contract was conducted in the name of the Royal Borough of Kensington and Chelsea (RBKC) with Westminster City Council (WCC) acting as co-lead with RBKC for the purposes of the Consortium. The Invitation to Tender (ITT) was published on the 09 May 2022 with closing submission date of the 04 July 2022. Two tender responses were received by the submission deadline. The initial 7-week tender period was extended by 7 working days following tender amendments to the contract and specification document.
- 3.3 The evaluation panel consisted of current Consortium members from 21 London Boroughs, IT experts and included a Responsible Procurement manager to ensure the quality questions could be evaluated with the correct expertise. Individual evaluations were conducted by evaluation panel members, followed by moderation meetings to reach consensus scores.
- 3.4 Based on the most economically advantageous tender, it was recommended that Nottingham Rehab Centre Ltd was awarded the contract for the provision of Integrated Community Equipment Services for the London Consortium for a period of 5 years with the option to extend for a further 2 years. The estimated total net value of the London Consortium framework contract for the period of 5 + 2 years, is £360m for the full proposed contract period based on current expenditure (including the extension options) for all Consortium Boroughs. The decision was approved by Westminster City Council on the 05 September 2022 with a contract mobilisation period of six months.
- 3.5 Medequip Assistive Technology Limited was told that it was the unsuccessful tenderer on 5th September 2022 and commenced proceedings on 23rd September 2022. This resulted in a suspension of contract mobilisation which was lifted on the 22 December 2022 following a High Court decision.
- 3.6 The contract award notice to Nottingham Rehab Centre Ltd was published on the 08 February 2023. The delay as a result of the suspension has impacted on Lewisham Council officers undertaking a comprehensive review of the options available in relation to the reprourement of Integrated Community Equipment Service and then

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presenting those findings to Mayor and Cabinet via a permission to procure report before the current framework expired on the 31 March 2023.

4.0 Recommendation

4.1 It is recommended that Mayor and Cabinet agree:

- To use the Kent framework agreement
- To make a direct award in accordance with the framework agreement

The estimated contract value is £2,400,000 (of which Lewisham Council contribution is £800,000 and South East London Integrated Commissioning Board, Lewisham is £1,600,000. This will be via the Integrated Community Care Equipment framework (Y21006) managed by KCS procurement services

4.2 This will enable officers to undertake a comprehensive review of the procurement options available in reprocurring this contract. A permission to procure paper will be brought to Mayor and Cabinet in July 2023 following the comprehensive review

5.0 Policy Context

5.1 Local authorities in England have a statutory duty to plan for the provision of certain home-based services, including the provision of disability aids and 'community equipment', to meet the assessed eligible needs of service users who are ordinarily resident in their area. The supply of Community Equipment is a statutory duty under:

- Care Act 2014 (Adult Social Care only)
- Chronically Sick and Disabled Persons Act 1970
- Children and Families Act 2014
- National Health Service Act 2006
- Health and Safety at Work act 1974 and Regulations

5.2 The provision of community equipment to eligible children and adults is vital in helping to achieve efficiency and cost-effectiveness across a range of other local authority and health authority services, and to help achieve local and health authority strategic objectives. 5.3 The report supports the following Corporate priorities:

- Cleaner and greener
- A strong local economy
- Open Lewisham
- Health and wellbeing

6.0 Background

6.1 Local authorities in England have a statutory duty to plan for the provision of certain home-based services, including disability aids and community equipment, to meet the assessed eligible needs of those individuals who are ordinarily resident in their area. It is an important element in supporting independence, one of the key objectives of both Lewisham Council and South East London ICB (Lewisham).

6.2 As with most other local authorities, the Council and the then Lewisham Primary Care Trust (now part of South East London ICB) set up a combined Integrated Community Equipment Services (ICES). The agreement, made under Section 256 of the NHS Act 2006, highlighted that 'an important objective for both health and social care is to support the independence of vulnerable people in the community and to be able to manage whole system costs. The community equipment contract is an important element in delivering on that objective allowing both health and social care professionals to quickly order items for loan such as hoists, beds, commodes etc. which can support early discharge from hospital or prevent the need for a hospital admission in the first instance.

This equipment is specially designed to assist older people and those with longer term conditions to be able to continue to perform core tasks such as washing, getting out of bed, getting upstairs etc. which otherwise might mean that they had to leave their home or rely further on increased care packages'. Most community equipment services across the country are outsourced to a private provider, with the contract held by the Council.

- 6.3 In February 2012 Mayor and Cabinet agreed that the Council should join the London Community Equipment Consortium (the Consortium), hosted by the London Borough of Hammersmith and Fulham. Since 2018, Westminster City Council has taken over the hosting of the Consortium. The Consortium is currently made up of twenty-one London Boroughs including Lewisham and is the largest community equipment consortium in the UK and potentially Europe. Each borough contributes an annual fee (Lewisham pays £9,450pa) towards the Consortium's running costs.

7.0 Options appraisal

- 7.1 There are two options available in relation to the provision of the Integrated Community Equipment Service for the next year. These include:

- One year extension with the London Consortium
- Awarding a contract direct to Medequip Assistive Technology Limited for one year via the Integrated Community Care Equipment framework agreement (Y21006). The framework agreement is managed by KCS Professional Services, on behalf of Kent County Council (KCC). The framework agreement sets out the objective conditions for making a direct award which includes the following:
 - The Supplier is able to supply the required Goods/Services within the Customers timescales
 - Continuity of existing Goods/Services from an awarded Supplier

Provided the Council can show that any one of the above objective conditions then we can make a direct award. In this case, Medequip meet both of the conditions set out above.

Option	Pros	Cons
Remaining in the consortium and thereby transitioning to NRS on the 01 April 2023 for one year	<ul style="list-style-type: none"> • New contract embeds strong control measures and stretch key performance indicators e.g., achievable social value targets such as an electric fleet of vehicles • Continued engagement with consortium members enables shared learning and support • Contract mobilisation is managed by the consortium who have extensive experience managing Community Equipment contracts. • Contract mobilisation is already underway with regular updates shared with consortium members • Emergency Out of Hours response times will be better as Contract will be run out of Sidcup, as opposed to Medequip Heathrow or Woodford Green. • Benefit of sharing specials, which will cease if stay with Medequip. NRS Limited are moving specials back to London, so savings will only improve in 	<ul style="list-style-type: none"> • Only 85% of existing products will be included in the 2023/24 catalogue. • Officers have not had sufficient time to review the various options available regarding the reprocurement of Integrated Community Equipment Services including the benefit of the NRS five-year contract to Lewisham residents. • Permission to award contract to NRS was unable to be presented to Mayor and Cabinet due to the delays in the London Consortium awarding the contract to NRS. This was mainly due to legal challenge by Medequip. • There is a risk of additional contract mobilisation costs e.g., handover of data from the exiting provider, parking permits for NRS drivers, possible damage claim from the incumbent • There is a reputational risk of exiting the consortium. This is being mitigated through ongoing engagement with consortium colleagues and

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Option	Pros	Cons
	<p>this area with the London Consortium. Cross Borough items issued can be maintained and serviced by one provider. Out of Boroughs will not be an issue.</p> <ul style="list-style-type: none"> • Due to the scale of the LC, NRS have in excess of 300 LC staff to call on, along with 152 full EV vehicles which will hugely reduce emissions locally in the borough & across the Consortium. In terms of capacity NRS also have a fleet of 30 diesels as a backup if required • NRS has a London Clinical Team, led by a Clinical Director. To advise and assist the Contract on aspects of Prescriber support, training and Service User Safety. 	<p>acknowledgement that two other boroughs have chosen to remain with the current provider.</p>
<p>Remaining with Medequip and thereby transitioning to Integrated Community Care Equipment framework agreement (Y21006) on the 01 April 2023 for one year</p>	<ul style="list-style-type: none"> • 100% of existing products will be included within the 2023/24 catalogue • Community equipment delivery times will be the same in 2023/24 as they were in 2022/23 • Prescribers are in favour of this option as disruption is minimised due to using the same catalogue, online ordering system and delivery time expectations. • The Integrated Community Care Equipment framework agreement (Y21006) will enable Medequip to mirror in financial year 2023/24 the activity / charging arrangements currently in place (2022/23 financial year) • The Integrated Community Care Equipment framework agreement (Y21006) will enable prescribers and approvers to use the same online system (TCES) to order equipment from the 01 April 2023, thus resulting in minimal disruption to Service Users, Prescribers and Clinicians. A robust transition plan will be coproduced to manage a phased and coordinated transition to TCES Community on 01 July 2023. • The transition to TCES Community will be undertaken by Medequip staff who have a detailed understanding of Lewisham specific issues. • A strong and effective working relationship has been established between LBL commissioners and Medequip over the last four months with an agreed and joint approach to developing data driven overview of contract activity through Medequip developing a series of Power BI dashboards. 	<ul style="list-style-type: none"> • Agreed, phased move to TCES Community will require staff to be trained on the upgraded TCES ordering system only. This will be managed in a phased and seamless way. n • Potential readmission fee if choose at a later stage to re-join the consortium. This is offset by no fee being paid in the 2023/24 financial year. • Commissioners need to strengthen working relationship with the team managing the Integrated Community Care Equipment framework agreement (Y21006). • Unclear impact on the delivery time for community equipment with the Medequip depot moving from Greenwich to Woodford Green. Medequip have assured LBL that delivery time expectations will remain as is and this will be included within the call off contract Key Performance Indicators. Options exist where we base Lewisham, including Rochester and Woodford Green, and the potential to supplement the solution with local drop off/collection and storage.

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Option	Pros	Cons
	<ul style="list-style-type: none"> • All existing contract requirements and processes are already integrated into the Medequip Quality Management System and there are processes in place to agree any CTE changes to existing catalogue products and confirm actions on legacy products. The Integrated Community Care Equipment framework agreement (Y21006) will enable these to continue. • All equipment items are currently fully templated and recorded and all items will be moved from current Ely (Cambridge) store to be held more locally at Woodford Green (Redbridge). • The Integrated Community Care Equipment framework agreement (Y21006) will enable continued strong control of overall costs and increasing re-cycling without disruption to focus • Ordering of specials has not ceased 	

8.0. Financial implications

8.1 The annual gross budget for this service is £2.4m. It is funded from ICB, CYP and ASC budgets. This proposal does not present any significant additional risk to current estimated spend forecasts. The direct award allows for continuity of provision which is key to the preventative and transformation agenda in Lewisham council. It also allows the council to potentially source more cost efficient options for the medium to long term. The service is demand led and so there remains some risk should there be a sudden surge in demand. This however is not expected based on present demand and market analysis. Also any such risks burden will be shared across the various partners and the impact to Lewisham if any will be limited.

9.0 Legal implications

9.1 Under the Council's Contract Procedure Rules the Council may use a framework agreement set up by a public sector body where that framework agreement has been procured in accordance with the Public Contracts Regulations 2015 ("Regulations") and allows named contracting authorities to call off under the framework agreement. It appears that the framework agreement is compliant with the Regulations and allows the Council to call-off a contract.

9.2 The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc) (EU Exit) Regulations ("the Regulations") with which the Council must comply. Given the value of the contract the Regulations do apply.

9.3 The report proposes the establishment of a contract for 1 year. The potential value of the contract including the extension is above £500,000, which means that this is a Category A contract for the purposes of the Council's Contract Procedure Rules and one which is to be awarded by Mayor and Cabinet.

9.4 This contract has been procured as required by the Regulations and the Council's Constitution. The report explains the approach and process applied and the reasons for recommending the award of contract to Medequip under the KCS framework

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Agreement. The framework agreement set out that a direct award was allowable provided a contracting authority can meet any one of the objective criteria set out in the framework agreement. The report sets out the objective criteria that has been met and therefore that the contract may be awarded.

10.0 Equalities implications

10.1 The current provider will continue to fulfil their equalities contractual obligations for the extended one year.

11.0 Climate change and environmental implications

11.1 The current provider will continue to fulfil their climate change and environmental contractual obligations for the extended one year.

12.0 Crime and Disorder implications

12.1 There are no specific crime and disorder implications arising from this extension

13.0 Health and wellbeing implications

13.1 The current provider will continue to fulfill their contractual obligations for the extended one year by increasing Client's independence by giving them more choice and control in arranging their equipment and in support collection of equipment no longer needed by the Client.

14.0 Social Value implications

14.1 The current provider will continue to fulfil their Social Value contractual obligations for the extended one year.

15.0 Background Papers

Title of Document	Date	File Location	Contact Officer
Covid-10 Contract Related Extensions	24 March 2021	Integrated Joint Commissioning Team, 3 rd Floor Laurene House	Emma Campbell Smith
Community Equipment Services (award call off contract)	8 February 2017	Integrated Joint Commissioning Team, 3 rd Floor Laurene House	Emma Campbell Smith
Commissioning arrangements for community equipment – Pan London Consortium	15 February 2012	Governance Team	Emma Campbell Smith

16 Report author(s) and contact

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Comments for and on behalf of Finance

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Agenda Item 7

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>

Date of Meeting	19 July 2023	
Title of Report	Refugee Programme Contract extension	
Author	Fenella Beckman, Director of Housing Strategy	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	
Agenda Planning Group consideration	x	



Signed:
Cabinet Member for Communities, Refugees and Wellbeing
Date: 9 June 2023



Signed:
Interim Executive Director, Place: Nazeya Hussain
Date: 8 June 2023

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Refugee Programme Contract Extension

Date: 21st June 2023

Key decision: No.

Class: Part 1

Ward(s) affected: All

Contributors: Fenella Beckman

Outline and recommendations

The purpose of this report is to seek approval for the extension of the Refugee Council's contract to support arrivals under the council's refugee programme. The contract award is £914,785

Timeline of engagement and decision-making

Mayor and Cabinet awarded the contract on 19 May 2021, at a cost of £1,707,728. The contract began on 19 July 2021 and lasts for two years, with the option of a two-year extension.

After Mayor and Cabinet approval a further contract variation was awarded to support an additional 10 households from the ARAP and ACRS programmes on the 6th of October 2021 at a cost of £341,600

On 19/04/2022, 31/05/2022, 29/07/2022 contract variations were awarded to the Refugee Council via delegated decision for £347,012, £134,683 and £134,683 respectively to extend support to households included in the Homes for Ukraine programme

1. Summary

- 1.1. This report sets out a proposal to extend the Refugee Council's contract for supporting the council's resettlement programme
- 1.2. For clarity the 'refugee programme' historically refers to the Local Authority's

commitment to resettle 110 households granted refugee status via the UNHCR, and includes a range of nationalities in located refugee camps or Local Authority Bridging hotels. Whilst nominally not classed as refugees in law, households supported under the Homes for Ukraine scheme are also supported by the Refugee Council

- 1.3. This proposal sets out the council's commissioning strategy for integrating these current support commitments, and includes 110 UNHCR households and a further 60 households from the HFU scheme
- 1.4. For the 110 UNHCR households a more intensive service is envisaged, whilst for HFU households with high levels of bilingualism, and employment suitability a more 'light touch' service is planned for focusing on the avoidance of homelessness and assistance in navigating UK institutions and services
- 1.5. This support provided to households supported under this contract includes, but is not limited to:
- 1.6. Making initial reception arrangements for new arrivals (e.g. transportation to their accommodation after arrival, provision of food, making arrival aware of the value of local currency).
- 1.7. Providing ongoing casework support for new arrivals.
- 1.8. Registering families with local services, such as health, education and benefits.
- 1.9. Developing and delivering a support programme based on each individual's needs for the first 12 months after their arrival.
- 1.10. Ensuring translation services are available where required.
- 1.11. Ongoing support for families after their first 12 months, so that they are able to integrate fully in to their local community.
- 1.12. Fulfilling all requirements set out in Home Office Local Authority Funding Instructions, and DLUC guidance relating to local authorities involved in the Homes for Ukraine programme
- 1.13. At £914,785 and supporting a caseload of 170 with 110 from the Home Office refugee programme, and 60 households from the Homes for Ukraine scheme. The contract supports a larger number of households at a lower unit cost than previously commissioned. The proposal also integrates all commissioning requirements related to the refugee programme
- 1.14. It is expected that most households in the UNHCR refugee programme should be equipped with independent living skills and the ability to independently access universal services but the council intends, where appropriate to review progress and hold back funds for targeted commissioning based on individualised needs assessments

2. Recommendations

- 2.1. It is recommended that Mayor and Cabinet
- 2.2. Approve the extension of Refugee Council's contract to deliver Lewisham Council's refugee resettlement programme at a cost of £914,785 over two years

3. Policy Context

- 3.1. The contents of this report are consistent with
- 3.2. the Council's policy framework. It supports the priorities set out in the Corporate Strategy 2018-2022:
- 3.3. • Open Lewisham;

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- 3.4. • Tackling the housing crisis;
- 3.5. • Giving children and young people the best start in life;
- 3.6. • Building an inclusive local economy;
- 3.7. • Delivering and defending: health, social care and support;
- 3.8. • Making Lewisham greener; and
- 3.9. • Building safer communities.

4. Background

- 4.1. Resettlement through the main refugee UNHCR programme requires Lewisham Council to accept referrals from the Home Office, and take responsibility for the families accepted from arrival at the airport or Home Office bridging hotels. A similar bespoke support service is also commissioned for households arriving under the Homes for Ukraine programme
- 4.2. Resettlement support is provided to support families to move towards independence, and this focuses on tenancy sustainment and management; budgeting, including benefits management; ESOL, employment, education and training; and health and care needs.
- 4.3. The British Refugee Council have provided the support service since 19 August 2019 and the current contract is due to end on 18 July 2023.
- 4.4. A recent review of the costs and efficacy of the programme, highlighted the need for a more streamlined service in order to mitigate financial pressures posed by procurement costs, impacts on discretionary housing benefit reserves, and expenditure by Children's Services and Adult Social Care
- 4.5. Many of the newer refugee households possess higher levels of education and fluency in English than the original cohort, with several working in prestigious and well paid occupations. This enables a more rapid transition to independent living in the community
- 4.6. It was also assessed that there needed to be more flexibility for targeted commissioning
- 4.7. It was also considered desirable to fully integrate all refugee programmes and commission a combined support service for 170 households drawing on both Home Office and DLUC funding streams
- 4.8. The current proposal delivers a significantly more cost effective service with no sacrifice in quality of support.

5. Reason for Contract Extension

- 5.1. The current contract was procured on the basis of a 2 year contract with the option to extend for up to a further 2 years. The contract commenced in July 2021 and the 2 years in due to expire on the 18th July. Therefore officers are now requesting a 2 year extension which was clearly provided for in the original procurement.
- 5.2. The Refugee Council has been supporting refugees for several years and will, as of necessity, have commenced support planning with over 50 UNHCR households having arrived in the six months prior to July 2023. To alternate providers at such a critical juncture will sacrifice vital continuity of support for vulnerable families who are already linked in with existing safeguarding plans. Given the support needs/ vulnerabilities of the families, many of whom will have suffered trauma in their countries of origin, creating any confusion and uncertainty of service users would be both unsettling and potentially destabilising

- 5.3. The Refugee Council has also delivered a high quality service and has built up an effective infrastructure of services and forged strong working links with local voluntary sector bodies in the community. Safeguarding practices are robust, and performance against Home Office and DLUC outcomes has been exemplary .
- 5.4. The proposed model enables the local authority to extend a high quality service which has a coherent plan for completing the resettlement support phase for all refugees within two years. This is particularly necessary given the shorter period of funding attached to the Afghan refugee cohort who now form a disproportionate percentage of the refugees resettled (owing to excessive delays in Home Office processing of other UNHCR cases the preponderance of remaining refugees will be Afghan refugees arriving through the ARAP/ACRS schemes).
- 5.5. The cost of the current proposal is also less than the optional renewal cost provided by the Refugee Council two years ago, and also supports a larger number of households.
- 5.6. It is anticipated that with this service model the local authority will retain essential reserves which will enable it commission where appropriate, further specifically tailored services and provide options for building capacity in the local voluntary sector. This will help to ensure a lasting legacy, and potentially extend opportunities to locally based community organisations

6. Financial implications

- 6.1. This report seeks approval for the award of the refugee resettlement contract to the Refugee Council for a total sum of £914,785. This will enable intensive support to be provided for up to 170 refugee/HFU households. This equates to £5,381 per household.
- 6.2. The original contract comprised an award of £1,707,728 for 100 refugee households with subsequent variations in October 2021 for 10 households from the ARAP/ACRS scheme (£341,600 over 3 years) and also variations for the HFU cohort.
- 6.3. The service is funded by grant income from the Home Office and DLUC, with the level of funding contingent on arrivals under the respective programmes.
- 6.4. From March 2022, local authorities received a £10,500 HFU tariff from DLUC for each Ukrainian national arrival in their area. From 1 January 2023, except for eligible minors, the tariff has been reduced to £5,900 per arrival to support guests and sponsors.
- 6.5. The UNHCR programme is funded by the Home Office. The funding is £10,500 per person in the first year and £3,000 per person for the following 2 years. There are currently 82 families and 241 individuals in the programme in the borough. The service is expecting another 20 families to arrive in the next 2 months and it is expected that the number of families covered by this contract will be reached.
- 6.6. The anticipated level of grant funding for both programmes is sufficient to cover the cost of this contract.
- 6.7. The Refugee Council, (RC), has a current credit score of 58, which is classed as a low risk score (the Council considers any score below 30 as high risk). RC has maintained a credit score of at least 58 over the past ten years. The company's credit limit is £25,000, however it has already successfully undertaken higher valued contracts for the Council.

7. Legal implications

- 7.1. The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV), some of which are requirements based on the Public Contract Regulations 2015 ("Regulations")

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with which the Council must comply. Those requirements were complied with when the contract was awarded.

- 7.2. The current contract was procured on the basis of a 2 year contract with the option to extend for 2 years. The recommendation in the report is to extend the contract with the extension period. This is a 'Permitted Extension' under the Contract Procedure Rules, being one which was clearly provided for in the original procurement and contract documents (as set out in Rule 17 of the Contracts Procedure Rules, and Regulation 72 of the Regulations 2015).
- 7.3. The report sets out the reasons why this extension is proposed. It notes that the performance of the incumbent provider is satisfactory.
- 7.4. The extension of this contract is not a Key Decision under the Constitution because the approval to award the contract on the basis of the extension was approved at the point the contract was awarded. However, where the value of an extension to a services contract is more than £500,000, the decision on the extension is reserved to Mayor and Cabinet.

8. Equalities implications

- 8.1. The service directly supports vulnerable refugees with a range of protected characteristics, of which there is a higher than average representation amongst service users due to the nature of refugee resettlement supporting the most vulnerable families. Continuity of provision is particularly important in light of the heightened risk for these families linked directly to protected characteristics like age, disability and maternity.

9. Climate change and environmental implications

- 9.1. There are no direct climate change or environmental implications arising from this report. There will be an ongoing expectation of any provider working with the Council to operate in line with the Council's values, and the Corporate Strategy which sets out the Council's objectives around becoming a greener Lewisham

10. Crime and disorder implications

- 10.1. There are no specific crime and disorder implications to this report. The supplier is required under the original specification to report to us any incidents and will continue to do so. To date there have been three hate crimes reported. The supplier supported the individual to report this to police.

11. Health and wellbeing implications

- 11.1. While direct delivery of health and wellbeing provision is outside of the scope of this contract, service users are likely to have experienced significant trauma, and will all have experienced displacement which often means health and wellbeing needs are neglected as a result of the environment and circumstances.
- 11.2. The service will be supporting refugees resettled to access health and wellbeing services and the provider has been ensuring all families have accessible information from Public Health in their first language and orally where there are literacy issues. Stable ongoing provision established through this extension should have a positive impact on the health of the service users and wider community

12. Social Value implications

- 12.1. Refugee Council demonstrated how it will deliver against several of Lewisham Council's social value outcomes. Lewisham Council's social value outcomes are:

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- 12.2. • Open Lewisham;
- 12.3. • Tackling the housing crisis;
- 12.4. • Giving children and young people the best start in life;
- 12.5. • Building an inclusive local economy;
- 12.6. • Delivering and defending: health, social care and support;
- 12.7. • Making Lewisham greener; and
- 12.8. • Building safer communities.

13. **Background papers**

Contract Award – Refugee Resettlement Contract – 19th June 2021

14. **Glossary**

Term	Definition
ARAP	Afghan Relocation and Assistance Policy
UNHCR	United Nations High Commission on Refugees
ARAP	Afghan Relocation and Assistance Policy
HFU	Homes for Ukraine
ACRS	Afghan Citizens Resettlement Scheme

15. **Report author(s) and contact**

- 15.1. Fenella Beckman - Fenella.Beckman@lewisham.gov.uk
- 15.2. Financial implications - Shola Ojo Shola.Ojo@lewisham.gov.uk
- 15.3. Legal implications - Mia Agnew Mia.agnew@lewisham.gov.uk

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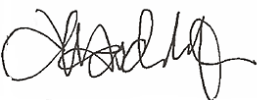
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Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Distribution of Household Fund 4	
Author	Mick Lear	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	Yes	
Legal Comments	Yes	
Cabinet Briefing consideration	Yes	
EMT consideration	Yes	
Agenda Planning Group consideration		



Signed:
Cabinet Member for Finance and Strategy
Date: 13/6/23

Kathy Freeman

Signed:
Executive Director for Corporate Resources
Date: 13/6/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Report title: Distribution of Household Fund 4

Date: 21 June 2023

Key decision: Yes.

Class: Part 1

Ward(s) affected: All wards

Contributors: Executive Director for Corporate Resources

Outline and recommendations

The purpose of this report is to set out details of the arrangements for administering and distributing the funding received from central government under Household Fund 4 (HF4), the 4th iteration of this funding scheme.

This report seeks Mayor and Cabinet approval of the proposed distribution of the funding but also delegated authority to officers to review and refresh the proposed allocation spend as appropriate, to ensure funds are targeted in an agile and effective way. The main recommendations are:

- Note and agree the contents of the report including the administration and distribution of the funding received under HF4;
- Agree delegated authority for the Executive Director for Corporate Resources, in consultation with the Cabinet Member for Finance and Strategy to amend the distribution formula in the event of further changes to the government's cost of living (COL) response or any change in the proposed funding arrangements for provision of free school meals (FSM) for primary school children from September 2023 onwards;
- Note the EAA carried out in respect of the proposed allocation.
- Note the proposed allocation for HF4 is part of a wider set of COL Support measures provided by the Council, as set out in paras 3.1 to 3.6 of this report.
- Agree the recommendations in the proposed distribution of the funds, as set out in para 5.1 to 5.13 of this report.

Timeline of engagement and decision-making

Distribution of funding under HF4 was initially discussed at EMT on 22 February. A further meeting was held on 3 March with representatives from Age.UK, Citizen's Advice Lewisham, Lewisham Local, Lewisham's foodbanks and the Disability Coalition where proposals for distribution were shared and considered with the group.

1. Purpose of the Report

- 1.1 This report provides an update on proposals to distribute funding received from central government through the latest iteration of the Household Fund. This report seeks agreement on the way forward in administering the scheme and distributing funding and to seek delegated authority for the Executive Director for Resources to amend the arrangements for distribution in the event of other associated changes in national policy or expenditure.

2. Recommendations

- 2.1 Note and agree the contents of the report including the administration and distribution of the funding received under HF4;
- 2.2 Agree delegated authority for the Executive Director for Corporate Resources, in consultation with the Cabinet Member for Finance and Strategy to amend the distribution formula in the event of further changes to e.g. the government's cost of living (COL) response or any change in the proposed funding arrangements for provision of free school meals (FSM) for primary school children from September 2023 onwards;
- 2.3 Note the detailed equalities screening carried out in respect of the proposed allocation;
- 2.4 Note the proposed allocation for HF4 is part of a wider set of COL Support measures provided by the Council, as set out in paras 3.1 to 3.6 of this report;
- 2.5 Agree the recommendations in the proposed distribution of the funds, as set out in para 5.1 to 5.15 of this report.

3. Cost of Living

- 3.1 Since late 2021 the UK has been experiencing increased costs across food, fuel and other essentials. Coupled with lasting effects of the Covid-19 pandemic, the country is now in a 'cost-of-living crisis'. Early research showed that Lewisham residents are particularly vulnerable to price increases and changes in economic

circumstance, and existing disparities are steadily increasing¹.

- 3.2 Given the urgent nature of the crisis, a suite of cost-of-living responses was set up by the council, utilising internal and external resource and expertise. The work has been delivered by relevant workstream leads and VCS partners and has been coordinated by a cost-of-living programme manager.
- 3.3 Whilst a key catalyst of the work-to-date was the winter months and resulting concerns around energy bills, data shows that the cost-of-living crisis is not expected to subside in the foreseeable future. Citizens Advice Bureau national data shows that food bank referrals have more than tripled since April 2019. People who were coping previously are now struggling - the number of people they helped with first-time food bank referrals and crisis support in February 2023 was 9,444 – the equivalent figure in 2019 was 5,177. Whilst general debt advice requests have returned to pre-pandemic levels, energy debt levels have risen exponentially².
- 3.4 There are opportunities to support residents across workstreams relating to food justice, fuel poverty mitigation, income maximisation and debt support and work is already underway across these workstreams. Using resident insight gathered from the Warm Welcome hubs which were launched in partnership with Lewisham Local, it is evident that community-based responses are necessary to ensure initiatives and resources reach under-represented and disproportionately impacted groups.
- 3.5 A detailed equalities screening has been carried out to understand the effects of the crisis on protected groups, and there are also plans to link the cost-of-living work with the Institute of Health Equity's rapid review of cost-of-living interventions to reduce impacts on health inequalities. This is included with this report at Appendix 1. We now have access to the Low-Income Family Tracker dashboard (LIFT) which enables us to identify and target the most vulnerable households, identified through benefit claims. Furthermore, the cost-of-living programme team are working with the Lewisham Strategic Partnership to ensure cohesive links between political, partnership and council-led responses.
- 3.6 It is proposed that, in addition to other allocations, an amount of £400k from HF4 is allocated to support these activities designed to mitigate the pressure of the cost-of-living crisis on the most vulnerable residents.

4. Household Fund 4 (HF4)

- 4.1 This is the 4th iteration of Household Fund. For the 3 prior iterations, Councils were required to plan and consider distribution but with very little time prior to their starting to provide support.
- 4.2 Delegated authority was previously sought and agreed for Household Fund 2 in April 2022 when the Executive Director for Corporate Resources in consultation with the Cabinet Member for Finance and Strategy were able to make any changes to the discretionary elements of the scheme. Retrospective approval of the Council's distribution of the November 2021 Household Fund allocation was

¹ (London School of Economics; Mahnoor Murad Khan; Yolanda Blavo, 2022)

² (Citizens Advice, 2023)

agreed as these funds were distributed in line with guidance from the Department for Work and Pension (DWP) and with urgency to ensure the first tranche of payments were issued to support residents before the Christmas holiday period.

- 4.3 The reason to have acted urgently with distributing funds is that with the previous schemes, the Council received very little notice between the announcement and timescales for delivery as shown below;

Scheme	Announcement	Start
HF1	6 October 2021	6 October 2021
HF2	31 March 2022	1 April 2022
HF3	30 September 2022	1 October 2022

- 4.4 In February 2023, the Council was advised of the allocation for HF4. Lewisham will receive funding of £5.337m. For prior iterations, the Council was mandated on how to spend large proportions of the funding eg in Household Fund 3, we had to distribute at least 33% to each group of families with children and elderly residents. We had discretion over the remaining 33%. With HF4, there are no restrictions although there is a requirement to have an application process as part of the distribution. This has continually made planning and allocation difficult however with HF4, guidance was received on 20 February 2023 and the scheme started on 1 April 2023 and will run for 12 months giving us significantly more time to plan for activities over a whole year.

- 4.5 The other significant change is that we are able to use the funding on activities rather than payments e.g. benefit take-up and debt awareness. These are options we have campaigned for to try and deliver sustainable and long-term solutions rather than cash payments that provide immediate but short-term support.

- 4.6 In prior iterations, the Council have distributed funds based on mandated criteria and generally taken the view to try and provide (a) funding to children through food provision and (b) to as many residents as possible. Significant consultation was carried out with Citizens' Advice Lewisham, Age.Uk Lewisham and Southwark and the Disability Coalition to try and identify those groups most in need of support. However, by providing support widely, the amount of support given was modest and only provided immediate relief rather than a more sustainable solution. Details of spend in the 3rd iteration of the Household Fund are shown below;

Group		£15 p/w
Children FSM	10,666	£1,119,930
Children Non-FSM	10,189	£1,069,845
		£2,189,775
		£100 payment
Elderly households	8,832	£883,200

The terms of HF4 allow us more scope to provide financial and sustainable support. This is detailed in section (5) below.

5. Proposed spend

Support for families during school holidays for children who receive free

school meals during term-time periods- £2.007m

- 5.1 As in previous years, we propose to provide support for families with children during school holidays who would otherwise receive FSMs during school terms. It is proposed to provide this support @ £15 per week per child for all 13 weeks of the school holidays although given the Mayor of London's announcement of funding for FSMs from September 2023 onwards, the final amount to be distributed may be adjusted to reflect the Mayor's commitment.

Energy Support measures - £200k

- 5.2 We worked closely on the allocation of Household Fund iteration 3 with colleagues in Energy Efficiency. £100k was awarded to provide support across a number of areas including;
- Debt repayments with direct payments to energy suppliers;
 - Heat the human, provision of heated gilets and bears for children, infant's sleeping bags;
 - Fuel vouchers, via payments posted into a Charis account who then supplied the fuel vouchers;
 - Heating parts for heating systems;
 - White goods eg boiler replacement and repair.

- 5.3 Support was made available to some 500 households and it is proposed to increase coverage and provide additional support totalling £200k;

Support for households not receiving government support for the COL payment from central government - £395k

- 5.4 Residents may be entitled to up to 3 COL payments of £301, £300 and £299 if they receive any of the following benefits or tax credits;
- Income-based Jobseeker's Allowance (JSA) or income-related Employment and Support Allowance (ESA)
 - Income Support
 - Pension Credit
 - Universal Credit
 - Child or working tax credits
- 5.5 Additional payments of £150 will be paid to residents who receive a disability benefit from the Department for Work and Pensions and an additional £150 or £300 (depending on the recipients date of birth) which will be paid to anyone of pension age who receives the Winter Fuel Payment. It is considered that those households who receive the COL payments will be adequately funded by central government so the proposal is to provide funding to those who are not in direct receipt of support from central government.
- 5.6 In prior iterations of the scheme, payments from the Household Fund have been paid in addition to the central government COL payments. However, for this iteration it is proposed to provide support to those households requiring additional support i.e. receiving housing and council tax benefit but who do not qualify for

the additional COL payments. We will provide a meaningful amount of support to those individuals and families. The proposed payment will be £500 per household and, as per the prior iteration, the number of households qualifying for this support will be 790 and therefore the funding will be £395k (being £500 paid to each of 790 households).

Support to provide sustainable solutions - £500k

- 5.7 Through each iteration of the Household Fund, the Council has had discussions with DWP to look to create more sustainable, long term solutions which were not possible through the short term nature of previous schemes. However, with HF4 being an annual sum, the Council is now able to create a longer term solution.
- 5.8 The proposal is that we provide support across the borough through benefit take-up activities, debt counselling / advice and improving money management. No specific amount has been mandated for this purpose by the DWP but we are encouraged to use a minimal amount of the fund. The proposal is to set aside £500k which is less than 10% of the fund. This funding would be spent on
- identifying shortfalls in benefits (using the Council’s “Low Income Family Tracker” (LiFT) portal) to help with identifying unclaimed benefits and encouraging applications;
 - to provide debt awareness / money management support;
 - to help residents to maximise their income and improve their financial management;
 - creating a link to the Council’s Employment Support Team to enhance prospects for getting people into work;
- 5.9 To achieve this, we would need to;
- Recruit our own trained staff plus manager to deliver outreach for residents across the borough - This would be done through hosting a number of regular roadshows using community centres, libraries etc to attract customers to come to us to get the advice;
 - Commission current providers / services to expand their support offers;
 - Ensure Jobcentre+ take an active role in receiving and processing applications highlighted by the Council.
- 5.10 At this stage, the delivery of the solution will be a hybrid of all 3. Before defining the model, we will undertake a borough-wide survey of current provision, overlay this with demand profiles (again using the LiFT portal) and ensure the appropriate level of support is already available and where it is most needed. In essence, ensuring the correct type of support borough wide where and when residents most need it and, where necessary, provide funding to bridge any gaps in provision.
- 5.11 The Council will also look to provide seed funding of circa £100k to work with an approved agency to provide debt consolidation services for residents. This will enable residents and families who are at risk of becoming financially vulnerable to consolidate currently unsustainable levels of debt into a single, affordable debt.

Support for schools and school children - £900k

- 5.12 Funding of £400k was available in iteration 3 of the Household Fund for schools to support children. The criteria was discretionary and allowed schools to undertake a series of initiatives to provide support that their pupils needed most. Broadly, this was spent on food and included schemes such as breakfast clubs, additional snacks and food during after school clubs. We are still getting details of what activities schools used their allocation on and with what results and outcomes. It would not be possible to be prescriptive with what works best for each school and instead, it is proposed that we make funding of up to £300k for each term of the 2023/24 academic year so £900k in total for schools. They will be provided with £300k for the Summer term and future funding for the remaining 2 terms will be conditional on their providing details of how they had used their allocation of the funding on the previous term. This is to ensure there is a degree of control and rationale covering how the funding has been used.
- 5.13 We are about to move into Summer and there will be less demand for fuel support. However, it is equally likely that the COL crisis will continue into the immediate future and that there will be a need for support with utilities later in the year when temperatures are lower. It is proposed to set-aside the remaining funding and develop a scheme for residents and organisations to apply for support through an application process when the support is most likely to be needed from – say – September onwards.
- 5.14 In order to ensure the Council can respond in an agile way and have flexibility to target support where it is most needed, M&C are requested to delegate authority to the Executive Director for Corporate Resources, in consultation with the Cabinet Member for Finance and Strategy to determine the most appropriate allocation of the residual funding available., This approach will also provide an opportunity to react to any changes in government initiatives and direct funding as deemed appropriate e.g. changes to the Mayor of London's support for primary school children from September 2023 onwards.

Support to improve the quality and efficiency of schools catering £250k

- 5.15 Set aside some funding to support schools to change some of their arrangements for catering in schools. This will improve both the quality of food provided but also the efficiency of preparing and providing catering within the schools. The proposed allocation of funding is £250k.

6. Conclusion – Proposed allocation of funding

- 6.1 The allocation of funding for HF4 is £5.337m. It is proposed that this will be distributed on the following basis;
- 6.2 Payments to children receiving FSMs during school holidays

- 6.3 There are 10,295 children receiving FSMs. There are 13 weeks of school holidays therefore the support will be as follows;
- 6.4 School children – 10,295 x 13 weeks (holidays) x £15 per week = **£2,007m**
- 6.5 Payments to support households with energy efficiency measures, total **£200k**
- 6.6 Support for households not receiving government support for the cost of living payment from central government (as per section 5.4 to 5.6 above), total **£395k**
- 6.7 Support for sustainable initiatives (as per section 5.7 to 5.11 above), total **£500k**
- 6.8 Application option for schools to undertake their own local initiatives to provide support for children, funding would be through applications for an allocation of £400k for each of the 3 terms in the 2023/24 academic year - **£900k (being £300k per term for each of 3 terms)**.
- 6.9 Capital support for school kitchens to improve the quality and provision of food. There are a number of issues affecting the areas providing food in secondary schools and the funding will improve the facilities and therefore the quality and speed of food delivery – **Total funding will be £250k**
- 6.10 The proposed spend can be seen more clearly in the table below;

Proposed spend	Amount
Children receiving FSMs	£2.007m
Energy efficiency	£200k
Households NOT receiving COL payments	£395k
Supporting sustainable solutions	£500k
Localised application scheme for schools	£900k
School kitchens – Capital support	£250k
Admin support	£40k
Total	£4.292m

6.11 The current funding is £5.337m, the proposed spend being £4.292m leaving a surplus of £1.045m. It is therefore proposed that this surplus should remain set-aside for the moment giving the Executive Director for Resources delegated authority to develop options for distribution of this funding later in the year and when it is likely residents will most need support towards utility bills.

7. Communication

7.1 Details of the proposed distribution of the funding and information for applicants including schools will be available through the current conventional channels including Lewisham’s website and other social media. Households not receiving a current COL payment from central government will be targeted directly with letters providing instructions to receive their support.

8. Financial Implications

- 8.1 This report sets out details of the arrangements for administering and distributing the £5.337m funding from HF4. The expenditure made under this scheme will be contained within this sum and accounted for according to the grant funding conditions. The sum allows for reasonable costs of administering the grant.

9. Legal Implications

- 9.1 Grant funding for the Household Support Fund will be paid to the Council by the Secretary of State for Work & Pensions under the powers granted under Section 31 of the Local Government Act 2003. The Council's general power of competence, "to do anything that individuals generally may do", in Section 1 of the Localism Act 2011 is sufficient to cover the arrangements for receiving and making payments of the grant as set out in this report.
- 9.2 The Council must comply with the conditions set out in Annex B of the "Household Support Fund Grant Determination 2023 Number 31/6496" which defines eligible expenditure to which the grant can be applied as well as setting out reporting and record keeping requirements. In the event that the Council fails to comply with any of the conditions the Secretary of State may reduce, suspend or withhold grant payments or require the repayment of the whole or any part of the grant monies paid.
- 9.3 The Council must publish on its website, and by any other appropriate means, such information as it considers sufficient to enable the general public to understand the Scheme (including eligibility criteria and how the Scheme can be accessed) in accordance with the Scheme guidance.

10. Equalities implications

- 10.1 The proposals set out in this report contribute to the Council's Single Equality Framework objective: 'to reduce the number of vulnerable people in the borough by tackling socio-economic inequality'. According to data from the Department for Energy and Climate Change, nearly 2 in 10 Lewisham households are fuel poor. The impact of fuel poverty in Lewisham, a low-income economy compared to London, is likely to be further exacerbated by the ongoing cost of living crisis.
- 10.2 In terms of characteristics protected under the Equality Act 2010, the proposals set out in this paper will have a positive impact on all protected groups, but in particular older person households (Lewisham ranks 18th out of 317 local authorities in England for income deprivation affecting older people) and those with dependent children (Lewisham ranks 39th out of 317 local authorities in England for income deprivation affecting children).
- 10.3 Mitigation of socio-economic inequality is one of the specific aims of the 'Fairer Lewisham Duty', which is being used to help the Council to better assess and understand the likely socio-economic effects of its decisions on households and in particular, those facing the greatest vulnerability. The application of this lens suggests that the proposals set out in this report, will contribute to positive outcomes for recipients and help to reduce the likelihood of disproportionate effects on the most disadvantaged.

11. Local policy context

11.1 Lewisham is one of the most deprived local authorities in the country. Nationally, Lewisham ranks 63rd out of 317 local authorities in England and 7th out of 33 local authorities in London, for relative deprivation (1= high deprivation). In Lewisham, relative deprivation is particularly high as it relates to ‘barriers to housing’ (13th out of 317), ‘income deprivation affecting older people’ (18th out of 317) and ‘living environment’ (20th out of 317). The disbursement of funds through the Household Fund fulfils the Council’s public welfare role to promote the social, economic and environmental wellbeing of the borough. In the broadest terms, the disbursement of the grant meets the following Corporate Strategy priorities:

- Giving children and young people the best start in life - every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential;
- Tackling the housing crisis - everyone has a decent home that is secure and affordable.

12. Climate change and environmental implications

12.1 There are no climate change and environmental implications arising from this report

13. Crime and disorder implications

13.1 There are no crime and disorder implications arising from this report

14. Health and wellbeing implications

14.1 There are no health and wellbeing implications arising from this report

15. Background papers

15.1 The government guidance dated 21 February 2023 and entitled “Household Support Fund guidance for council councils and unitary authorities in England” (referred to as “the Government Guidance”).

16. Report author and contact

16.1 Mick Lear, Head of Revenue and Benefits mick.lear@lewisham.gov.uk

17. Comments for and on behalf of the Executive Director for Corporate Resources

17.1 Peter Allery, Strategic Business Partner – Corporate Group Finance – peter.allery@lewisham.gov.uk

18. Comments for and on behalf of the Director of Law, Governance and Elections

18.1 Melanie Dawson, Principal Lawyer and Deputy Monitoring Officer – melanie.dawson@lewisham.gov.uk

1. Equalities Screening Template

For each of the nine protected characteristics, identify whether the proposal has a high, medium, low or neutral impact on service users and whether this is a positive or negative impact.

Identify whether the proposal has a high, medium, low or neutral impact on socio-economic inequality (e.g. low income, fuel poverty, food insecurity, digital inclusion etc) and whether this is a positive or negative impact.

Identify whether a full service equalities analysis assessment is required for this proposal based on this Equalities Analysis Toolkit. For advice on whether an EAA is required and how to assess service equalities impact please contact the Policy, Strategy & Executive Support Service.

Impact & Outcomes

What is the likely impact of the proposed changes?

Service Users

The cost-of-living crisis is an accumulation of short- and long-term changes in general circumstance, including an increase in the cost of housing; varied indirect effects of the Coronavirus pandemic including changes in employment, health and wellbeing, care arrangements; changes in energy cost, interest rates, and inflation; and others. These create a circumstance where a growing number of households are struggling to meet basic living expenses.

At the time of this review, we estimate that all service users (and all Lewisham residents) are affected by the crisis through these changes in general economic circumstance, as well as the secondary effects of such changes, which may include changes in employment. We believe Lewisham residents are particularly vulnerable: salaries are comparatively low, and deprivation comparatively high compared to other central London Boroughs.

We can already see clear indicators for a shift in our residents' financial well-being, for example a doubling of Universal Credit claimants since early 2020, and a significant increase in the use of local food banks. In November 2022, Citizens Advice Lewisham reported a 390% increase in clients who called for advice about a fuel debt compared to the previous year, and a 275% increase in redeeming of fuel vouchers (these are handed out at food banks.) In London, a recent GLA survey showed that 18% of Londoners are already financially "struggling or going without", this is particularly pronounced among respondents of Black ethnicity, people not in employment and people of below-average household income, private renters and social renters, and people whose activities are limited due to health or disability. At national level it is observed that inflation has had clear disproportionate impacts on lower-income households, including an increase in absolute poverty.

Sources:

- [Lewisham CoL Dashboard - Power BI](#) (internal dashboard)

- https://lginform.local.gov.uk/reports/view/lga-research/ficlga-research-report-financial-hardship-and-economic-vulnerability?mod-area=E09000023&mod-group=AllBoroughInRegion_London&mod-type=namedComparisonGroup (LG Inform indicators about Lewisham)
- <https://drive.google.com/file/d/10u1MixQnapeV5DbadwrMl-8ff-lt9Cg9/view> (Citizens Advice Lewisham briefing)
- <https://data.london.gov.uk/dataset/gla-poll-results-cost-of-living-2022> (London survey)
- <https://public.flourish.studio/story/1634399/> (CAB national dashboard)
- <https://www.jrf.org.uk/press/600000-will-be-pulled-poverty-result-chancellors-inaction>
- <https://www.jrf.org.uk/press/additional-400000-people-pulled-poverty-mortgage-rates-55>

As a result of these factors, we expect that without targeted intervention, the crisis will amplify existing inequalities in the Borough, and create new inequalities.

A central aim of the programme is to deliver a programme of work that serve to limit these unequal effects. For example, by identifying vulnerable groups and individuals and ensuring they make use of any available benefits and other support.

(See remainder of the form for specifics on the vulnerable groups identified in our reviews.)

Staff

Lewisham staff members are subject to the same general circumstances, and the same considerations apply to them as well, especially for those on lower salaries.

Further, many Lewisham officers can already see the effects of the crisis in their work. For many it is increasing our workloads and/or affecting our personal circumstances. According to the 2022 Lewisham Employee Survey, less than half of staff indicated they can do their job without working overtime (down from 50% in 2018.) This has added to existing pressures on staff, including effects on mental health and general wellbeing. The number of referrals to our PAM Assist staff support programme has increased by 60% compared to last year, many of which are for mental health reasons, as well as back aches and other musculoskeletal issues.

Informed by these statistics as well as an all-staff snap survey, the programme has developed further staff support activities including guidance and support for managing increasing household costs.

It is hoped that the local government pay increase, backdated to April 2022, will mitigate some of the financial strain on employees particularly over the winter months where increasing energy prices have the biggest impact. However, we know this is not enough to alleviate all the anxiety and concern over the crisis that has been intimated by the above analysis.

Given the financial constraints faced by the council as a whole, our response has to be proportionate to our resources.

Outputs for our staff response are

- Appropriate signposting to relevant services
- Sharing information widely so that employees across the council can access (i.e. effectively reaching those who do not work on a computer regularly)
- Tools to support managers to talk to their staff about help that is available (where appropriate)
- Feedback opportunities for staff to submit experiences relating to personal circumstances, and also from service delivery perspective
- Specific tools in a variety of media (workshops, webinars, talks, webpages etc.)

Key objective

- For staff to felt supported by the Council in navigating the crisis (both personally and in their day-to-day service delivery).

Other Council Services

It is anticipated that all services will feel the effects of the crisis in some way, e.g.

- Reduced service resources
- Increase in demand for support from residents in heightened need
- Non-resident-facing roles will be impacted as front line service pressure increases (e.g. more administrative burden)
- Staff personal concerns affecting ability to do work

It is important that services have opportunity to feedback residential experience and their own concerns so that signposting and support can be adapted accordingly. Information sharing and collaboration between services should be fostered by the COL programme working group.

Using specific staff networks to share messages / signposting; capitalise on groups who share circumstances more likely to engage with those networks (e.g. staff may be more likely to access information through their support networks.)

Partners

Partnership working is the backbone of this work. The [Local Strategic Partnership](#) is integral to delivering action.

The key partners include, but not limited to:

- VCS partners (Citizens Advice Lewisham, Lewisham Local, Age UK Lewisham & Southwark) and the smaller community projects within their reach
- Anchor institutions (NHS, RPs, DWP etc.)
- Internal teams

The LSP is drafting a set of outputs and objectives for the COL workstream, relating to the creation of a cohesive COL offer across the partnership.

Each partner will represent their own resident-focused cost of living activity and cascade information accordingly. The objective is maximum information sharing and collaboration to reach residents most in need of support / intervention.

Alongside the LSP, the council-led COL working group will deliver actions across key services (Revenues & Benefits, Climate Resilience, Public Health, Insight, Communications, Lewisham Economy & Partnerships). Collaboration with other services will naturally be required through the growth of the programme.

Are there any specific equalities implications? Please provide a response for each protected characteristic/equalities consideration, even if the impact is neutral.

Protected characteristics and other equalities considerations

Analysis of impact of cost-of-living crisis

Age

Children: nationally, 42% of children are already living in poverty after housing costs (Source: End Child Poverty; as quoted in SEF 2020-24 Data Sift).

19% of Lewisham residents are age 15 or under, which is approx. 57,000 children ([ONS 2021 Census](#)).

	<p>In Lewisham 39% of children are in poverty (Joseph Rowntree Foundation, 2019/20).</p> <p>Young adults saw high unemployment rates and employment benefit claimant rates during the pandemic, which has since reduced (DWP).</p> <p>Elderly & pensioners: multiple vulnerabilities and unequal impacts.</p> <ul style="list-style-type: none"> • Residents above 65 are at higher likelihood of living alone, thus more likely to be financially vulnerable, and may be more reliant on external support. This disproportionately affects women over 65 • People aged 65 and above are at increased likelihood of reduced mobility, thus more dependent on additional support in a crisis • These particularly affect the South of the Borough, which has a higher share of residents above 65 • (Sources: SEF 2020-24 Data Sift) • Pensioners are more likely affected by increased inflation. Pension income is inflation adjusted (via triple lock), however the next such adjustment will only be effective from April 2023 onwards. <p>During the pandemic we have seen an increase of people above 50 leaving the work force. It is yet unclear whether this is for health-related reasons, or a decision to join early retirement. This is also observed nationally. We believe it is likely that this group is particularly financially vulnerable when faced with significant increases in costs. (Source: DWP, internal reviews)</p> <p>Proposed campaigns relating to income maximisation, fuel poverty mitigation, employment, food justice, will take the above into account and target support accordingly. Some key examples of this from the existing programme include:</p> <ul style="list-style-type: none"> - Food Justice - given the child poverty statistics, effect of the crisis on young people and relatively large proportion of young people in Lewisham, the Food Justice Action Plan has a specific priority for children young people. This will ensure that actions to achieve food justice will be sufficiently focused on children and young people. - Warm Welcomes – a range of settings have been set up to be accessible to older people in the borough given the specific vulnerabilities of the crisis for older residents.
<p>Disability</p>	<p>Households unable to work due to ill health, disability or caring responsibilities are particularly vulnerable to increases in the cost of living (https://www.jrf.org.uk/press/600000-will-be-pulled-poverty-result-chancellors-inaction).</p> <p>London survey: cost of living effects are particularly felt among people whose activities are limited due to health or disability (https://data.london.gov.uk/dataset/gla-poll-results-cost-of-living-2022).</p> <p>In the year ending March 2021, disabled people were more likely to report feelings of loneliness “often or always” (15.1%) than non-disabled people (3.6%) (ONS).</p>

	<p>7% of Lewisham residents (approx. 21,000 residents) are severely limited in their day-to-day activities due to long-term health problems or disability (ONS 2011 Census; 2021 Census data on disability will be released on 19 January 2023).</p> <p>4% of Lewisham residents aged 16 or over (approx. 10,000 residents) are economically inactive due to long-term sickness or disability (ONS 2021 Census).</p> <p>Citizens Advice Lewisham is already reporting a higher share of clients with disabilities.</p> <p>It is imperative that interventions / campaigns take above into account and work to be accessible to service users with access needs. Promotional activity must be accessible and across a range of formats. Warm spaces and community initiatives should aim for maximum accessibility and reach to help mitigate isolation / loneliness amongst disabled people.</p>
<p>Ethnicity</p>	<p>Cost of Living data suggests that members of Black, Asian and minority ethnic groups in the UK are particularly affected by the cost of living crisis, in part because these groups are already disproportionately impacted by economic hardship / financial vulnerability factors. In three of the five most deprived wards in Lewisham, the majority of the population are from Black, Asian and minority ethnic backgrounds.</p> <p>The Birmingham and Lewisham African Caribbean Health Inequalities Review (BLACHIR) shows us that Black African and Black Caribbean populations are disproportionately impacted by negative outcomes from wider determinants of health – these wider determinants being intrinsically linked to the cost of living (e.g. unemployment, income, housing, deprivation, financial support and fuel poverty). 23% of Lewisham’s population is Black African or Black Caribbean (BLACHIR 2022). 49% of Lewisham residents (approx. 147,000 residents) have an ethnic minority background (ONS 2021 Census).</p> <p>The crisis interventions and offers in place through the council and community partners are designed to target our most vulnerable residents but we know this is not enough. The cost of living crisis is recent but the factors leading to disproportionate impacts on diverse groups are systemic and structural.</p> <p>In Lewisham, unemployment rates in the groups “16+ ethnic minority UK born” and “16+ ethnic minority not UK born” are 10.6% and 8.2% respectively, compared to 2.3% in the group “16+ white UK born” (London Datastore). Ethnicity employment gaps in Lewisham are evident in existing Lewisham Works employment programmes. Development of Lewisham Works (including a pipeline in-work poverty project) will ensure that participants are representative of Lewisham’s diverse community, and work towards addressing structural racism challenges facing Black and minority ethnic residents.</p> <p>Through collaboration with Public Health and the Local Strategic Partnership, we will make sure cost of living implications on Black, Asian and minority ethnic groups are accounted for and understood when</p>

	<p>developing evidence-based actions (via action plans under the Lewisham Health Inequalities and Health Equity Plan, LSP, Food Justice Alliance).</p> <p>In relation to staff in the borough, specific efforts have been made to ensure that the Black Asian and Minority Ethnic professional network has access to the available support materials around Cost of Living to cascade to network members.</p>
Gender	<p>Public Health research has shown that women were disproportionately affected by the pandemic. Many of the associated reasons may carry over into the current crisis:</p> <ul style="list-style-type: none"> • Higher rates of unemployment than men • More likely to be working part time, in jobs on low income and on zero hours contracts • More likely to work in sectors affected by lockdown (e.g. service industry and front-line work) • More affected by limited childcare provision and need for childcare support • Pregnant women working at workplaces that could not be made safe due to COVID were put on statutory sick pay, rather than on furlough, resulting in lost earnings <p>Source: Presentation "Vulnerable groups and COVID (v11)" by Katie Ferguson, GLA</p> <p>53% Lewisham residents are female (159,000 residents) (ONS 2021 Census).</p> <p>Citizens Advice Bureau already reports comparatively high current support need by women in recent months.</p> <p>Employment support interventions will consider the above impacts when targeting and ensure take up is proportionate to where support is most needed.</p>
Gender reassignment	<p>Direct impact not explored in full due to availability of data. Work will take place with partners to ensure inclusivity across services.</p>
Marriage and civil partnerships	<p>Clear impacts on families with dependents, due to added cost and increased vulnerability among single-earner households with dependents, which includes households where parents have separated. See notes below under "Socio-economic inequality".</p> <p>14% of Lewisham residents are married or in a civil partnership but have separated; or are divorced or widowed. (Approx. 42,000 residents.) (ONS 2021 Census).</p> <p>Proposed campaigns will consider these impacts and target accordingly.</p>
Pregnancy and maternity	<p>Please see notes on Gender relating to impacts of crisis on women; much of which links to childbearing / child-rearing where we aim to target employment support interventions.</p> <p>10% of Lewisham households are single-parent households with dependent children (ONS 2021 Census). We will aim to use LIFT analysis to understand where particular vulnerabilities lie amongst this cohort.</p>

<p>Religion and belief</p>	<p>Direct impact not explored in full due to availability of data; however we know from the coronavirus pandemic we may need to do more for our services to reach some religious groups – i.e. those of some in some religious groups may use public services but are underrepresented in public discussion, so their needs aren't heard or considered.</p> <p>Where possible, we must forge links with trusted community leaders and stakeholders to increase information / advice / guidance access across the diverse networks within Lewisham, and allow feedback so that we can better understand how to hear the needs of those whose voices are not fully represented. This is already taking place via the COVID-19 Community Champions who have received a dedicated webinar regarding Cost of Living support in Lewisham.</p>
<p>Sexual orientation</p>	<p>Direct impact not explored in full due to availability of data. Work will take place with partners to ensure inclusivity across services.</p>
<p>Socio-economic inequality</p>	<p>Evidence shows that low-income households are impacted the most by the crisis.</p> <p>Joseph Rowntree Foundation (JRF): Real benefits increase has not kept up with inflation. Families in poverty will be £446 per year worse off in 2022-23. Source: https://www.jrf.org.uk/press/600000-will-be-pulled-poverty-result-chancellors-inaction</p> <p>In November 2022, JRF estimated that an additional 400k people nationally would enter absolute poverty due to the recent increase in mortgage rates. Source: https://www.jrf.org.uk/press/additional-400000-people-pulled-poverty-mortgage-rates-55.</p> <p>These and related impacts of the crisis are highly unequally distributed:</p> <ul style="list-style-type: none"> • Low-income households have less of a savings buffer, are more likely to struggle with existing debt. • Out-of-work families: almost half are considered in poverty. • Families receiving Universal Credit & legacy benefits: more than half considered in poverty, 43% considered food insecure. Basic out-of-work benefits at 30-year low (after adj. for inflation.) • Single-parent families and larger families with three or more children: almost half are considered in poverty. • Bangladeshi, Pakistani and Black families: 40% individuals in poverty • (Definition of poverty in this report: when household income after housing cost is below 60% of the middle household's income, adjusted for family size.) <p>Source: Joseph Rowntree Foundation, "UK Poverty 2022"</p> <p>In 2019/20, 35% of people in Lewisham lived in households with an income of less than 60% the UK median after housing costs have been subtracted. This was worse than the average London Borough (Trust for London).</p>

	<p>The COL programme must aim to reduce the negative impacts of the crisis on Lewisham residents, especially those most financially vulnerable. Proposed campaigns will consider above and target accordingly – particularly fuel poverty, income maximisation and debt triage workstreams; for example:</p> <ul style="list-style-type: none"> - Use of LIFT dashboard to highlight those in most need and put them at forefront of campaigns. - Use of our data to identify vulnerable residents who have so far not received central government cost-of-living support; e.g. the latest Household Support Fund will support 800 of these households. - Ensuring that in-depth debt support capacity is reserved for those unable to self-support. - Work with providers to plan promotion of initiatives amongst under-served groups and using voluntary / community assets to advise on best ways to do this.
<p>Is a full EAA required?</p>	<p>It is proposed that the above impacts of the wider crisis are considered for each intervention by service planning stakeholders. It should be an objective for all interventions to ensure that those most vulnerable to the cost-of-living crisis are considered and targeted in delivery. Interventions should be inclusive in delivery and targeting.</p> <p>It should also be referenced that some interventions may target a specific vulnerable group and therefore be exclusive to a certain protected cohort with sound reasoning (e.g. a warm space held at a women’s aid venue should naturally be limited to women as a safe refuge).</p>


Agenda Item 9

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	21/6/23	
Title of Report	Supported Accommodation sites and leases	
Author	Assistant Director- Integrated commissioning	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration	✓	
EMT consideration	✓	
Agenda Planning Group consideration	✓	

Signed: 
 Cllr Paul Bell- Cabinet Member for Health and Social Care
 Date: 7/6/23

Signed: 
 Tom Brown - Executive Director for Community Services
 Date: 7/6/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	06/01/23
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	17/02/23
Date submitted to Executive Director for sign off	17/02/23



Mayor & Cabinet

Report title: Leases for supported housing sites

Date : 21 June 2023

Class: Part 1

Key decision: Yes

Ward(s) affected: All

Contributors: Commissioning Manager Supported Housing, Assistant Director- Adult Integrated Commissioning

Outline and recommendations

This report recommends that Mayor and Cabinet give permission to grant 30 year leases for the sites for 2 current supported housing projects currently owned by the Council, to appropriate one site from the Housing Revenue Account to the general fund, and delegate authority for further decisions to the Executive Director for Community Services, in consultation with the Director of Inclusive Regeneration and Executive Director for Corporate Resources and the Director of Law and Corporate Governance, to support better stewardship of the Council's assets in this area.

Timeline of engagement and decision-making

Date	Engagement / decision making
November 2021	asset review board
November 2022	asset review board
December 2022	Community Services and Housing, Regeneration and Public Realm Directorate Management Teams

1. Summary

- 1.1 This report concerns 2 key supported housing services on sites owned by the Council. These are vital services for some of the borough's most vulnerable residents, and to meeting some of the borough's key strategic objectives. These sites have over time become out of date, dilapidated and in need of refurbishment.
- 1.2 The report recommends that Mayor and Cabinet give permission to appropriate the Lewisham Assessment and Recovery Site from the Housing revenue Account (HRA) to the general fund.
- 1.3 This report recommends that Mayor and Cabinet authorise the grant of 30 year leases on each of these sites, to support their long term management, and the realisation of external investment opportunities to support refurbishment and development to better meet the Council, residents and partners' needs. To support this aim the report recommends delegating authority to the Executive Director for Community Services in consultation with the Director of Inclusive Regeneration and Executive Director for Corporate resources to finalise the lease terms.

2. Recommendations

- 2.1 This report recommends that, subject to the Secretary of State's approval, Mayor and Cabinet approve the appropriation of the Lewisham Assessment and Recovery Site from the Housing revenue Account (HRA) to the general fund and authorises an application to the Secretary of State to consent to this appropriation.
- 2.2 This report recommends that Mayor and Cabinet give permission to negotiate up to 30 year leases for the below sites:
 - 2.1.1 subject to the Secretary of State's consent to appropriate the site to the General Fund, Lewisham Assessment and Recovery Centre site to St. Mungo's
 - 2.1.1 Perry Vale supported housing site to Metropolitan and Thames Valley Housing Trust (MTVHT)
- 2.3 The report recommends that Mayor and Cabinet delegates authority to the Executive Director for Community Services in consultation with the Director of Inclusive Regeneration and Executive Director for Corporate Resources and the Director of Law and Corporate Governance to agree the detailed lease terms and enter into the final form leases, provided where the rent is less than market value these fall within the General Consent.

3. Policy Context

- 3.1 The Prevention, Inclusion and Public Health Commissioning Team's (PIPHCT) supported housing funding is an important strand in the delivery of many government priorities. It plays a key role in delivering national strategies such as the; Reducing Reoffending National Plan, the new National Drugs Strategy, and the National Statement of Expectations for Supported Housing.
- 3.2 The proposed grant of lease to support these services meets the corporate strategy 2022/25 as follows:

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- 3.3 Children and Young People. The supported housing provision procured and monitored by the PIPHC Team contributes to ensuring the most vulnerable children and young people are protected from harm. Supported housing gives options for supporting young people leaving care.
- 3.4 Quality Housing. The recommendations in this report will support improvement of supported housing provision procured and monitored by the PIPHC Team, which gives people with support needs safe, comfortable accommodation that they can be proud of and happy living in. This increases the offer of safe and comfortable accommodation to more of Lewisham's residents.
- 3.5 Safer Communities. The services commissioned by the PIPHC Team work to prevent people entering the criminal justice system, including young people. Supported housing services work as part of the Safer Lewisham Partnership's Public Health approach to youth violence, aiming to reduce knife crime and sexual exploitation.
- 3.6 Health and Wellbeing. Recommendations in this report will support improvement of services commissioned by the PIPHC Team, in particular their work to improve health outcomes through more psychologically informed environments and improved access to health services.

4. Background

- 4.1 The Prevention, Inclusion and Public Health Commissioning Team (PIPHCT) commissions a range of floating & accommodation-based support services to meet the needs of homeless service users who require support to manage and maintain their accommodation.
- 4.2 PIPHCT work to align services with the ambitions of Lewisham Council working with external and internal partners including Housing, Children's and Adult Social Care, Southeast London Integrated Care Board (ICB) and South London and Maudsley (SLaM) mental health trust, to improve access to and strategic utilisation of supported accommodation & floating support services.
- 4.3 The physical environment of these services is vital to meeting the Council's ambitions for its residents as described above. Historic lease arrangements have contributed to the current position, and the sites are in need of significant investment
- 4.4 The Council's ability to invest capital is limited. Specialist Housing Associations in this sector have the expertise in this area, as well as potential opportunities to invest themselves and secure additional investment to improve these sites and the service they host for Lewisham's residents

5. Sites and services concerned

- 5.1 Lewisham Assessment And Recovery Centre (LARC)
 - 5.1.1 St Mungo's has been delivering the LARC support contract at Pagnell Street for a number of years and has, since April 2019, held a new 5 year contract to deliver the borough's assessment centre for the single adults' pathway. St Mungo's also holds supported housing contracts at Spring Gardens and Newstead Road, and deliver the GLA funded No Second Night Out service from the Hither Green site.
 - 5.1.2 The Council owns the Pagnell Street site which is held in the Council's Housing Revenue Account. Historically lease arrangements have mirrored the service contract

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length on a full repairing lease only - with cyclical improvement and replacement works remaining the liability of LBL. The building, as a result of short term lease arrangements, is in significant need of capital investment and improvement work. The short term lease will also mean the provider will not invest into the building beyond the current lease terms (full repair). Currently the cyclical improvement and replacement liability sits with LBL.

- 5.1.3 As part of the Council's COVID pandemic response, all services and service users were risk assessed through a multiagency process led by Lewisham Public Health. Both the LARC site and its service users were assessed as at the highest possible level of risk, underlining the need for improvement of the site.
- 5.1.4 The issuing of a 30 year lease will give certainty to the Council and provider, and remove the risk to the Council associated with cyclical improvement and replacement responsibilities. The lease granted will be a full repairing and insuring lease, i.e. the costs of all repairs and insurance will be the responsibility of the tenant.
- 5.1.5 The site was considered as part of an options appraisal taken to the asset review board on 1 November 2021 that considered options for the site and re-provision and concluded refurbishment in situ remained the preferred option. This was reconfirmed at the asset review board 6 October 2022
- 5.1.6 The lease will contain mutual rights to break (terminate) the lease on expiry of the current contract (31st March 2025). Aside from the full repairing obligations in the lease, there will be no obligation on the tenant to undertake improvement or refurbishment works and the Council will not have a decisive influence over any refurbishment works undertaken.

5.2 Perry Vale young people's supported housing service

- 5.2.1 SHP have been delivering the service since 2019 and it is the higher needs medium term supported housing option in the young persons' pathway. The service is made up of five buildings with varying levels of staff cover, Perry Vale is the largest 24 hour building in the service.
- 5.2.2 Perry Vale is vital because it offers the highest support option in the Pathway for some of Lewisham's most vulnerable young people. This is a supported housing option for both Care Leavers and homeless 16 and 17 year olds, both of who are priority groups.
- 5.2.3 This service offers an important alternative to Semi Independent Accommodation (SIL) placements. In 2021 Lewisham officers in Children's Social Care assessed their spend on (SIL) for Care Leavers. On average the spend per week was £1,106 per person. The average spend for each unit in the Lewisham Young Persons Supported Housing Pathway was £240 per week, a difference of £866 per week per unit.
- 5.2.4 The site for this service has been managed by Metropolitan and Thames Valley Housing Trust (MTVHT) throughout that time. The lease is due for expiry on April 2025, with a full repair and improvement responsibility to MTVHT. The current liability of this has been assessed as £400,650.
- 5.2.5 There are opportunities for significant improvement of that site. Issuing a longer lease, with the minimum requirements and liabilities of the previous lease, allows the opportunity for the provider to take a longer term view of the needs of the building and opportunities for improvement. This also offers the opportunity to use the existing liabilities as match funding to secure additional investment.
- 5.2.6 The lease will contain mutual rights to break (terminate) the lease on expiry of the

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current contract (31st March 2025). Aside from the full repairing obligations in the lease, there will be no obligation on the tenant to undertake improvement or refurbishment works and the Council will not have a decisive influence over any refurbishment works undertaken. The tenant will be responsible for rectifying any dilapidations at the expiry of the term.

6. Rationale

- 6.1 The physical environment of these services is vital to meeting the Council's ambitions for its residents as described above. Historic lease arrangements have contributed to the current position, with a number of these sites dilapidated and in need of significant investment.
- 6.2 The Council's ability to invest capital is limited. Specialist Housing Associations in this sector have the expertise in this area and potential opportunities to invest themselves and secure additional investment to improve these sites and the service they host for Lewisham's residents.
- 6.3 The market for providers to take on leases for building in this sector is increasingly limited, with a number of providers exiting the market in this period, locally and nationally. Providers have also become increasingly risk averse in formally tendering for services with responsibility for associated buildings, and this was cited by providers consulted as the reason for not bidding for a Lewisham procurement for mental health supported housing in 2021.
- 6.4 Through issuing a longer lease, this will remove the Council's cyclical improvement liabilities over this period, and incentivise the Lessee to invest in longer term strategies for improving the buildings, including through realising opportunities for external investment.
- 6.4 A full market rental assessment will be taken out on each property, and rents set at a level that provides best value for the Council on the balance of service outcomes and income.
- 6.5 Through the inclusion of break clauses in these leases, there is the opportunity to test the approach and its benefits and potential disbenefits, and review and take a further decision before committing to the full term of the lease.
- 6.7 The services contracts will expire in April 2025. They will be reprocured through open tender processes conducted by officers in 2024.

7. Financial implications

- 7.1 This report seeks approval from Mayor and Cabinet to transfer the Pagnell Street site from the Housing Revenue Account to the General Fund as this site is no longer required for Housing purposes but for an Assessment and Recovery centre instead.
- 7.2 The report also seeks approval from Mayor and Cabinet to delegate the negotiation of the lease terms, proposed for 30 years, to officers. The financial implications set out consider the impact of transferring the Pagnell Street site from the HRA to the General Fund and details of the current rent for each site.
- 7.3 At present, it is too early to assess the full financial impact of the proposal between forgoing rent in exchange for capital financing, grant and redevelopment costs of the two sites. This will need to be considered in the delegated authority report following negotiations with the new provider. However, in terms of headlines numbers:

* The revised annual rent is £180k for Pagnell Street HRA and £55k for Perry Vale

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* The cost of refurbishment is £2.45m (£2m for Pagnell St £452k for Perry Vale (including £200k which represents the maximum loss on subsidence)).

* Any decision on rent forgone, over up to a 30 year period will be considered against the total capital investment and any grant e.g. GLA that the new providers will be able to secure to support the financing requirements of the site. This will include any negotiations on rent for both properties, to support the undertaking of major building works.

Pagnell Street Hostel, 2 Exeter Way London SE14 6LL

- 7.4 This building is owned by the Council and held within the HRA. In order to ensure both operational and accounting requirements are aligned, it is envisaged that this property will be appropriated to the General Fund before the end of this financial year.
- 7.5 This will require Member approval. If approved, an adjustment in the HRA will be required (paragraph 5, Part III of Schedule 4 to the Local Government and Housing Act 1989). This adjustment should recognise the value of the asset moving between GF/HRA, by an increase / decrease in the Capital Financing Requirement (CFR) (debt). The adjustment is based on the "certified value" of the land, which in most cases is the current market value. One fortieth of the value of the debt would be charged to revenue every year.
- 7.6 The current terms of the lease together with the schedule of condition, while full repairing and insuring, does not require the tenant to yield the building back in a better condition than was originally provided. This means that the Council still bears some responsibility for the overall investment need of the building particularly in key areas such as fabric and structure.
- 7.7 The building currently requires significant repairs and while a large part is the tenant's responsibility under the terms of the lease, some will be the Council's responsibility. In addition to the necessary repairs, recent post COVID service changes has meant that there will need to be additional investment in the site to ensure it continues to support the needs of the service users catered for at the site.
- 7.8 The lessee is proposing to apply for a grant from the GLA to cover part of the cost of the overall repairs and investment, with the remaining amount coming from their own resources. In order to do this, a longer lease is required. The Council is supportive of this, in part, to limit the call on Council resources and also to mitigate the risk of losing the service provision in the borough.
- 7.9 The Council has the option of carrying out the repairs itself, which would have to be financed through the Council's capital programme or the HRA capital programme. These costs have not yet been calculated but it is anticipated that it could cost at least £2M. If this were to be the case, a shorter lease could be negotiated within the 21 years permissible and the property could remain part of the HRA.
- 7.10 There is a risk worth noting. If the GLA funding is not forthcoming, the Council may have to fund part of the repair costs itself, though the main cost of the repairs should be funded through the new lease arrangement. Once the property is appropriated, this responsibility would fall to the general fund.
- 7.11 It should be noted that an appropriation of the building from the HRA to the general fund would result in a loss of income to the HRA, currently £125k per annum. This would be reviewed under a new lease. The latest valuation has put the rent level at £185k.

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106 Perry Vale London SE23 2LQ

- 7.12 This building is owned by the Council and is held in the general fund. The lessee will also be seeking external match funding to significantly improve the site.
- 7.13 A dilapidation survey was undertaken by the lessee which estimated repairs at £221k, with a further estimate for structural works of £31k. There was also a 'maximum loss on subsidence' value of £200k.
- 7.14 A full market rental assessment has been taken out on each property, and a proposed value is included in the draft heads of terms attached to this report as appendix 2. The rental value for Perry Vale is £55k.
- 7.15 Officers will negotiate with the lessees from this point, and agree rents set at a level that provides best value for the Council on the balance of service outcomes and income. It is important to note that the nature of supported housing services is such that they do not always operate to maximal rental incomes.
- 7.16 The services contracts will expire in April 2025. They will be reprocedured through open tender processes conducted by officers in 2024.
- 7.17 It is proposed that authority to agree any variation to the lease and rental terms be delegated to the Executive Director for Community Services in consultation with the Director of Inclusive Regeneration and the Executive Director for Corporate Services, which will include detailed consideration of the above financial implications.

8. Legal implications

- 8.1 The Council has a general power under s.1 of the Localism Act 2011 to do anything which an individual may generally do.
- 8.2 Expenditure and income relating to property listed in section 74 of the Local Government and Housing Act 1989 must be accounted for in the Council's Housing Revenue Account. This comprises mostly housing and other property provided by authorities under Part II of the Housing Act 1985. Properties which may originally have been provided under one of the powers in section 74 of the Local Government and Housing Act 1989 may no longer fulfil their original purpose. In these circumstances, the authority should consider their removal from the HRA by appropriating the property to a different purpose. The Government's Ring Fence Guidance gives examples of properties which might fall into this category, being estate shops and other commercial premises, such as banks, post offices, workshops, public houses, industrial estates and surgeries, where there is no longer any connection with the local authority's housing. The Pagnell Street property is currently held within the Council's Housing Revenue Account and it is proposed that the property is appropriated to the General Fund prior to the grant of lease. Pursuant to section 122(1) Local Government Act 1972, the Council must be satisfied that the land no longer fulfils in order for it to be removed from the Housing Revenue Account. Where such land comprises a house or part of a house (including flats, lodging houses and hostels) the Council must first obtain the consent of the Secretary of State (section 19(2) Housing Act 1985). If land is transferred between the HRA and the General Fund, an adjustment in the HRA will be required (paragraph 5, Part III of Schedule 4 to the Local Government and Housing Act 1989). It should be noted that, although property can be transferred for accounting purposes between the HRA and the General Fund (subject to obtaining any necessary Secretary of State consent), in legal terms there is no transfer or lease of the property

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because the Council's HRA and General Fund are not separate legal entities and the Council cannot contract with itself.”

- 8.3 A specific power exists under s.123 of the Local Government Act 1972 for the Council to dispose of land, subject to this being for the best consideration reasonably obtainable. A general consent is available for disposals at an undervalue, provided the provisions of Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 are complied with. Before disposing of any interest in land the Council is advised to ensure that it obtains a realistic valuation of that interest, following the advice provided in the Technical Appendix to the Secretary of State's "Circular 06/03.: Local Government Act 1972 general disposal consent (England) 2003 disposal of land for less than the best consideration that can reasonably be obtained.”
- 8.4 Each lease will be a full repairing and insuring lease, i.e. the costs of all repairs and insurance will be the responsibility of the tenant. There will be no obligation on the tenant in the lease or otherwise to undertake improvement or refurbishment works to the premises beyond the usual repair obligations. Any works that are proposed will be subject to the Landlord's consent, although the Council will not have a decisive influence over any improvement works undertaken. This ensures that the relationship remains one of landlord and tenant, rather than being construed as a contract for works which would be regulated by the Public Contracts Regulations 2015.
- 8.5 Given the proposed cumulative value of the disposals contemplated in this report, the decision is a Key Decision meaning that the Council's key decision procedure must be followed. The Council's Financial Regulations require that all negotiations in respect of the leases to be granted must be conducted either by or under the supervision of an appropriately qualified officer or adviser (the Executive Director for Corporate Services and the Director of Law and Corporate Governance) who shall expressly be required to approve any proposed terms in advance and thereafter the terms tentatively agreed.
- 8.6 Any future procurement of services as envisaged in this report must comply with both procurement legislation and the Council's constitutional provisions then in force.

9 Equalities implications

- 9.1 Equality Analysis Assessments have been completed for the Mental Health & Single Adults Pathway, and for the Young Persons, Single Adult pathways.
- 9.2 These assessments have been completed using the methodology and approach set out in Lewisham Corporate Equalities policy in line with the Equalities Act 2010.
- 9.3 It assessed the proposals in line with the Equality Act 2010 and considered the potential impact on all of the nine protected characteristics.
- 9.4 One of the key quality criteria measured during any framework commissioning process is "*Processes for addressing equality and diversity*". The criteria will continue to be measured for all future commissioning.
- 9.5 All the services contained in this report will be specified to record and report demographic data to better monitor trends and gaps in supported housing service provision.
- 9.6 These services will accommodate and support people with a range of support needs, who suffer from significant exclusion and unequal outcomes in a number of areas. The service users will be supported to progress in their lives holistically and to improve their

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situation in a number of areas, and will prepare them to live with increased independence in the community.

10 Climate change and environmental implications

- 10.1 The Council has made a commitment to making the borough carbon neutral by 2030.
- 10.2 The extension to the supported housing contracts listed in this report will not have any negative impact on the rate of energy consumption or increase of carbon admissions.
- 10.3 Supported housing service buildings are maintained by various landlords. The energy efficiency of services etc will be discussed in contract monitoring meetings and assessed during Quality Assurance visits.
- 10.4 Recycling should be proactively promoted in supported housing services and will be monitored during scheme visits and will be discussed with residents.

11 Crime and disorder implications

- 11.1 Provision of suitable supported accommodation links directly to the delivery of S17 of the Crime and Disorder Act. Section 17 of the Act recognises that there are key stakeholder groups who have responsibility for the provision of a wide and varied range of support services to and within the community. In carrying out these functions, section 17 places a duty on partners to do all they can to reasonably prevent crime and disorder in their area.
- 11.2 The purpose of section 17 is simple: the level of crime and its impact is influenced by the decisions and activities taken in the day-to-day of local bodies and organisations. The responsible authorities are required to provide a range of services in their community. Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making.
- 11.3 Research by the Home Office has shown that stable housing is a significant factor in reducing the likelihood of people re-offending. For example, stable accommodation reduces the potential for committing further crime by offenders within the community by about 20%. The Supporting People Framework Agreement, which has been used to procure services, reduces risk to offenders and the community and therefore benefits community safety and cohesion.

12 Health and wellbeing implications

- 12.1 Improvement of the supported housing services detailed in this report will have a positive impact on health, mental health, and wellbeing by providing housing with support to homeless vulnerable service users in the borough.
- 12.2 These supported housing services will have a positive impact on social, economic and environmental living conditions that indirectly affect health by providing good quality accommodation with support to address health issues early on and to ensure wrap around services are in place.

13. Social Value

- 13.1 The services listed are delivering support to vulnerable residents in the borough independently of local authority funding, promoting a range of social value in the

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borough. Further the delivery of the Council's wider Social Value forms 10% of the tender scoring when these services are reprocured.

- 13.2 The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or services within Lewisham pay their staff at a minimum rate equivalent to the LLW rate. Contractors are expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the service specification and contract documents.
- 13.3 The incorporation of Social Value into Lewisham contracts will significantly help the Council to deliver on its strategic corporate and Mayoral priorities and deliver added value for the borough as a whole.

1.4 14. Background papers

<https://councilmeetings.lewisham.gov.uk/documents/s108250/Permission%20to%20procure%20and%20extensions%20for%20Mental%20Health%20Supported%20Housing%20FINAL.pdf>

1.5 15. Report author(s) and contact

Iain McDiarmid, Assistant Director for Adult Integrated Commissioning.
iain.mcdiarmid@Lewisham.gov.uk

Comments for and on behalf of the Executive Director for Corporate Resources: Shola Ojo, strategic business partner

Comments for and on behalf of the Director of Law: Melanie Dawson, Principal Lawyer – Place.

Appendix 1 Draft LARC heads of terms



Appendix 1 HOTS
Pagnell st hostel 03.

Appendix 2 Draft Perry Vale Heads of terms



appendix 2 HOTS
106 Perry Vale Hoste

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Heads of Terms

Pagnell Street Hostel, 2 Exeter Way London SE14 6LL SUBJECT TO CONTRACT AND WITHOUT PREJUDICE

1. TENANT: St Mungo Community Housing Association
2. TENANT'S SOLICITORS: TBA
3. LANDLORD: London Borough of Lewisham
Laurence House, 1 Catford Road, London, SE6 4RU
4. LANDLORD'S SOLICITOR: In house legal team
5. TRANSACTION : A surrender of the existing lease and simultaneous regrant of a new lease
6. DEMISE: The premises and land known as Pagnell Street Hostel, 2 Exeter Way
London SE14 6LL as shown hatched and edged red on the attached Plan
7. USE: The permitted use will be a hostel, which is Sui Generis under the
current Use Classes Order.
8. RENT: £180,000 per annum exclusive. Payable quarterly in advance by direct
debit. Rents are exclusive of all outgoings.
9. REPAIR & INSURANCE: A Full Repairing and Insuring Lease. The tenant is to maintain the entire
demise including the boundary fences, walls and playing surface. The
tenant is responsible for contents insurance, third party and public
liability insurance.
10. RUBBISH COLLECTION: The tenant is responsible for all rubbish/waste to be removed.
11. UTILITIES: The tenant is responsible for all utilities.
12. LEASE: Surrender and re-grant of a new lease outside the 1954 Act for a term of
30 years
13. RENT REVIEW 5 Yearly to market value or RPI at the Landlord's sole discretion
14. DEPOSIT: TBC by way of a Rent Deposit Deed
15. ALTERATIONS: Structural Alterations are not permitted. Non-structural alterations are
permitted with the Landlord's consent. Alterations are subject to a
License for Alterations. All works must be done in accordance with
building regulations and planning consent.
16. RATES The tenant is responsible for all business rates
17. ALIENATION: Subletting of the whole or part and assignment of part is prohibited.
Assignment of the whole is permitted with Landlord's consent.
17. INDEMNITY: The Tenant shall keep the Landlord indemnified against all liabilities,
expenses, costs (including but not limited to any solicitors' or other
professionals' costs and expenses), claims, damages and losses (including

Heads of Terms

Pagnell Street Hostel, 2 Exeter Way London SE14 6LL SUBJECT TO CONTRACT AND WITHOUT PREJUDICE

but not limited to any diminution in the value of the Landlord's interest in the Property and loss of amenity of the Property) suffered or incurred by the Landlord arising out of or in connection with any breach of any tenant covenants in the lease, or any act or omission of the Tenant, any under tenant or licensee or their respective workers, contractors or agents or any other person on the Property with the actual or implied authority of any of them.

18. INFORMATION:

GDPR - It is agreed that personal information of Tenant may be provided to each other, to utility suppliers, the local authority, authorised contractors, any credit agencies, reference agencies, legal advisers, debt collectors, or any other interested third part

19. LEGAL COSTS:

Each party responsible for their own legal fees.

20. CONDITION:

Subject to formal Council approval.

21. TIMING:

The terms are offered for acceptance for 2 weeks.

Heads of Terms

Pagnell Street Hostel, 2 Exeter Way London SE14 6LL
SUBJECT TO CONTRACT AND WITHOUT PREJUDICE

To: Asset Management

Lewisham Council

Property:

I have received a letter dated of which this is a true copy and agree to take a lease on the terms and conditions contained therein, subject to contract.

Full Tenant Name/

Signed:

Date:

Registered Office Address/

Full Postal Address

Heads of Terms

Hostel at 106 Perry Vale London SE23 2LQ SUBJECT TO CONTRACT AND WITHOUT PREJUDICE

1. TENANT: Metropolitan Thames Valley Housing Trust
2. TENANT'S SOLICITORS: TBA
3. LANDLORD: London Borough of Lewisham
Laurence House, 1 Catford Road, London, SE6 4RU
4. LANDLORD'S SOLICITOR: In house legal team
5. TRANSACTION : A surrender of the existing lease and simultaneous regrant of a new lease
6. DEMISE: The premises and land known as hostel at 106 Perry Vale London SE23 2LQ as shown hatched and edged red on the attached Plan
7. USE: The permitted use will be a hostel, which is Sui Generis under the current Use Classes Order.
8. RENT: £55,000 per annum exclusive. Payable quarterly in advance by direct debit. Rents are exclusive of all outgoings.
9. REPAIR & INSURANCE: A Full Repairing and Insuring Lease. The tenant is to maintain the entire demise including the boundary fences, walls and playing surface. The tenant is responsible for contents insurance, third party and public liability insurance.
10. RUBBISH COLLECTION: The tenant is responsible for all rubbish/waste to be removed.
11. UTILITIES: The tenant is responsible for all utilities.
12. LEASE: Surrender and re-grant of a new lease outside the 1954 Act for a term of 30 years
13. RENT REVIEW 5 Yearly to market value or RPI at the Landlord's sole discretion
14. DEPOSIT: TBC by way of a Rent Deposit Deed
15. ALTERATIONS: Structural Alterations are not permitted. Non-structural alterations are permitted with the Landlord's consent. Alterations are subject to a License for Alterations. All works must be done in accordance with building regulations and planning consent.
16. RATES The tenant is responsible for all business rates
17. ALIENATION: Subletting of the whole or part and assignment of part is prohibited. Assignment of the whole is permitted with Landlord's consent.
17. INDEMNITY: The Tenant shall keep the Landlord indemnified against all liabilities, expenses, costs (including but not limited to any solicitors' or other professionals' costs and expenses), claims, damages and losses (including

Heads of Terms

Hostel at 106 Perry Vale London SE23 2LQ SUBJECT TO CONTRACT AND WITHOUT PREJUDICE

but not limited to any diminution in the value of the Landlord's interest in the Property and loss of amenity of the Property) suffered or incurred by the Landlord arising out of or in connection with any breach of any tenant covenants in the lease, or any act or omission of the Tenant, any under tenant or licensee or their respective workers, contractors or agents or any other person on the Property with the actual or implied authority of any of them.

18. INFORMATION:

GDPR - It is agreed that personal information of Tenant may be provided to each other, to utility suppliers, the local authority, authorised contractors, any credit agencies, reference agencies, legal advisers, debt collectors, or any other interested third part

19. LEGAL COSTS:

Each party responsible for their own legal fees.

20. CONDITION:

Subject to formal Council approval.

21. TIMING:

The terms are offered for acceptance for 2 weeks.

Heads of Terms

Hostel at 106 Perry Vale London SE23 2LQ
SUBJECT TO CONTRACT AND WITHOUT PREJUDICE

To: Asset Management

Lewisham Council

Property:

I have received a letter dated of which this is a true copy and agree to take a lease on the terms and conditions contained therein, subject to contract.

Full Tenant Name/

Signed:

Date:

Registered Office Address/

Full Postal Address

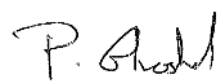
Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Procurement of Adventure Playgrounds: Play Service and Site Maintenance and Development Service	
Author	Simon Whitlock, Head of Joint Commissioning Team, Children and Young People	Ext. 46806
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	

Signed: 
 Cabinet Member for Children and Young People
 Date: 8/6/23

Signed: 
 Executive Director for Children and Young People
 Date: 8/6/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Report title: Permission to Procure Adventure Playgrounds: Play Service and Site Maintenance and Development Service

Date: 21 June 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Simon Whitlock, Head of Children and Young People's (CYP) Joint Commissioning Team and Harsha Ganatra, Early Help and Prevention Joint Commissioner for CYP.

This report seeks Mayor and Cabinet permission to procure an Adventure Playground (APG) Play Service and an Adventure Playground Site Maintenance and Development Service for a period of five years from 1 December 2023, with an option to extend for a further two years. The available budget (over seven years) for the APG Play Service will be £1,360,000 and £658,000 for the APG Site Maintenance and Development Service.

Both the Play Services and APG Site Maintenance and Development Service will operate across all five of Lewisham Council's adventure playground sites: Ladywell Fields, Home Park, Honor Park, The Dumps, and Richard MacVicar.

The Council faces significant challenges providing a consistent Play offer and keeping the APGs open due to the poor conditions of the APG sites and the ongoing maintenance costs, which are expected to rise as the sites general conditions worsen without intervention. This has impacted on APG site utilisation, and the quality of services being provided. These challenges cannot be met by the council alone and require a partnership approach that draws upon a range of knowledge and experience within the play and adventure playground sector.

The proposals in this report are in line with the vision and recommendations within the Lewisham Council Play Strategy 2023-2028, which sets out the council's commitment to becoming a leader in play opportunities for children and young people. The strategy also commits the council to maintaining and developing the APGs to meet the Play England 'Gold Standard' of play as part of a five-year plan.

Mayor and Cabinet are recommended to:

1. Approve the procurement for the Adventure Playground Play Service for a period of five years from 1 December 2023, with the option to extend for a further two years

2. Approve the procurement of the Adventure Playground Maintenance and Development Service for a period of five years from 1 December 2023, with the option to extend for a further two years.
3. Note the intention to seek approval from the Mayor and Cabinet for the Contract Award for the Play Service and the Site Maintenance Service following the conclusion of the procurement process.
4. Authorise the advertisement of the disposal by way of seven-year lease to the selected Adventure Playground Space Provider of open space at Home Park APG, Honor Oak APG and Ladywell Fields APG in accordance with section 123(2A) Local Government Act 1972 and note that a further report will be brought to Mayor & Cabinet to consider any objections received to the proposed disposals.

Issuing of non-repairing leases to the Adventure Playground Play Service provider is expected to increase the provider's ability to maximise site occupancy and increase the ability to secure long-term funding to grow play sessions and draw in external funding to refurbish and replace (where deemed necessary) the APGs. The Dumps and Richard MacVicar APG sites are not being leased at this time. The Dumps APG is due to be rebuilt as part of the Watergate School expansion in 2024, and Ricard MacVicar is currently leased to a Youth Service Provider.

Timeline of engagement and decision-making

- As part of the development of Lewisham's Play Strategy which was approved in October 2022, children, young people and their families were extensively consulted
- Their views were represented in the Play Strategy's vision and recommendations
- Autumn 2022 – provider market engagement event
- May 2023 – extended existing contracts for Play and APG maintenance and repair until 30 November 2023

1 Summary

- 1.1 In 2023, Lewisham Council launched its Play Strategy (2023-28) setting out the council's vision to be a leader of play opportunities for children and young people with a variety of places to play within walking distance of their homes. The Play Strategy was coproduced with Lewisham's children, young people, and families in recognition of the importance play opportunities have on their quality of life, development, and wellbeing. The Play Strategy and the recommendations are a sign of the council's commitment to protecting play as a fundamental right for everyone.
- 1.2 Adventure Playgrounds (APGs) are huge assets and well-liked by children, young people, and their families. Lewisham Council is fortunate to operate five within the borough, however, this is not without significant challenges. The APGs are underutilised and in poor conditions as they near the end of their current expected lifespan, which is, on average 3-5 years remaining without significant intervention. Furthermore, the wider sites (including outbuildings) require large amounts of work, and this has impacted on the sites being open. The challenge is further increased due to the APG structures primarily being built from large wooden telegraph poles, which have limited lifespan and are costly to repair and maintain. It has been a consistent struggle to provide a high-quality APG Play Service for our young people. In summary, the council alone cannot

meet the ongoing challenges of operating the APGs and the recommendations of the Play Strategy without the support of a range of partners.

- 1.3 This report seeks permission from Mayor and Cabinet to procure the APG Play Service for children and young people across the London Borough of Lewisham's five APG sites to deliver a key Play Strategy priority – increasing APG usage and maximising their potential as community assets. The Play Service will be contracted to provide a minimum core accessible play offer across the five APG sites and will require the provider to increase APG site usage through various means of site diversification, income generation, and external funding opportunities during the lifetime of the contract. This approach is intended to increase play opportunities and community access for Lewisham residents, as well as support the ongoing challenge of maintaining, refurbishing, and replacing the sites over the next five to seven years (estimated lifespan of the current APG structures without significant redevelopment/replacement).
- 1.4 This report also seeks permission from Mayor and Cabinet to procure the service for the APG Site Maintenance and Development Service in conjunction with the core APG Play Service, to ensure the APGs remain in safe, usable order. The APG site maintenance provider and APG Play Service provider will work together with the council to develop an APG Master Development Plan. The plan will coordinate site refurbishment and replacement through external funding opportunities and site income generation. In addition, the Play Service provider will also be expected to increase APG play services through external funding opportunities.
- 1.5 The proposed new service delivery model is expected to provide more stability so that APG play services can be provided more consistently and more frequently across the APG sites, which will increase the quality of provision. The new model will achieve this by giving providers a long contract that enables them to recruit and train permanent staff to deliver the services. It is expected that providers will also be able to leverage in additional funding to increase service provision and improve the current sites. To support this, additional budget has been made available for the Play Service provider to generate income with a dedicated resource for fundraising and business development.

2 Recommendations

Mayor and Cabinet are recommended to:

- 2.1 Approve the procurement for the Adventure Playground Play Service for a period of five years from 1 December 2023, with the option to extend for a further two years. In line with the proposal within this report, the Play Service will provide a core offer across Lewisham Council's five APGs to children and young people. The value of the contract over the seven years will be up to £1,386,000 (£198,000 pa).
- 2.2 Approve the procurement of the Adventure Playground Maintenance and Development Service for a period of five years from 1 December 2023, with the option to extend for a further two years. In line with the proposal within this report, the Adventure Playground Maintenance Service will provide a core maintenance offer across Lewisham Council's five APGs to ensure they are safe to operate for the duration of the Play Service contract. The value of the contract over the seven years will be up to £658,000 (£94,000 pa).
- 2.3 Note the intention to seek approval from the Mayor and Cabinet for the Contract Award for the Play Service and the Site Maintenance Service.

- 2.4 Authorise the advertisement of the disposal by way of seven-year lease to the selected Adventure Playground Space Provider of open space at Home Park APG, Honor Oak APG and Ladywell Fields APG in accordance with section 123(2A) Local Government Act 1972 and note that a further report will be brought to Mayor & Cabinet to consider any objections received to the proposed disposals.
- 2.5 Issuing of non-repairing leases to the Adventure Playground Play Service provider is expected to increase the provider's ability to maximise site occupancy and increase the ability to secure long-term funding to grow play sessions and draw in external funding to refurbish and replace (where deemed necessary) the APGs.

3 Policy Context

3.1 This report aligns with Lewisham's Corporate Priorities, as set out in Lewisham Council's [Corporate Strategy \(2022-2026\)](#):

- Cleaner and Greener
- A Strong Local Economy
- Quality Housing
- Children and Young People
- Safer Communities
- Open Lewisham
- Health and Wellbeing

3.2 This report also aligns to Lewisham Council's [Play Strategy 2023-28](#) vision that all Lewisham children will have a variety of supervised and unsupervised places for play within walking distance of their home, and the strategy's three co-produced aims:

- To oversee the development of a high-quality, accessible play service.
- To ensure that all residents have play facilities within walking distance.
- To make sure that all play developments are created in consultation with users.

3.3 In addition, the proposals within this report support Lewisham Council meet the Key Recommendations from the Play Strategy:

- The council is committed first and foremost to developing and promoting play opportunities in the borough, and in doing so, we will ensure that this is undertaken through ongoing consultation and co-production with children and young people and their families, on design and development of new play provision and play spaces.
- Ensure that our current play provision and spaces, including the adventure playgrounds, are in locations where they are needed, and for the council to consider how best to manage, maintain and drive their use including financial and legal implications and community engagement.
- The council will ensure that consideration is given to 'play' in all plans, designs, and developments within the borough and making sure play is always in mind across all council activities.

4 Background

4.1 Lewisham's adventure playgrounds hold a rich history and importance to Lewisham residents with some APGs dating back to the 1970s. There is a history of residents coming together to build APGs and turning these structures into community assets for children and young people to enjoy and experience the benefits of outdoor play in safe, welcoming environments.

- 4.2 Lewisham Council is proud to be one of the top five London boroughs in terms of the number of adventure playground sites and is committed to retaining this achievement. However, maintaining and developing the APGs (including the wider sites/grounds) comes with challenges - particularly given the sustained cuts local authorities have faced due to austerity. Since 2009-10, central government funding has reduced significantly and has made it extremely difficult for local authorities, like Lewisham, to maintain APGs and provide sustainable play sessions year-round.
- 4.3 Despite the acute challenges, Lewisham Council continues to commit to operating APGs and spends an estimated £370,000 per annum to provide play sessions, maintain and repair the APG sites, and cover the operational running costs (utilities, refuse collection, insurance, pest control, and site security) for each APG. In 2023, the council's Play Strategy (2023-28) committed Lewisham Council to work towards delivering the 'Gold Standard' (Play England) in APG play provision, which would reverse a trend of reducing play session and APG opening hours and increase the number of children and young people benefiting from play.
- 4.4 As part of the Play Strategy development, an audit of the five APGs was carried out and highlighted that the site structures are heavily dependent on large wooden telegraph poles. Telegraph poles are expensive to maintain and prone to wood rot in the ground with a relatively short lifespan. The audit highlighted that all the current APG structures would require replacement within the next five to seven years, with most sites requiring replacement within three to five years; sites would also require significant refurbishment before then to remain safe and compliant.
- 4.5 Based on current estimates, the cost of replacing all five APGs with modern long-lasting equipment that would require less maintenance would exceed £1m (est. £200-£285k per site), which the council is unable to meet alone. However, via S.106 funding and the expansion of a nearby school (Watergate Special School), the replacements cost for the Dumps APG have been secured. Under the current school expansion timeline, The Dumps is planned to close in January 2024 and a new co-designed and inclusive site will open in 2024-2025, following the completed expansion of the school. The new contract provision will provide for services to be run flexibly across all sites taking into account site closures with replacement services running from youth centre buildings located within the sites, at nearby adventure playgrounds or community venues until sites open again.
- 4.6 To meet the challenges and deliver a Gold Standard of play across the APGs within the operating budget, the council needs to adapt its APG operating approach and look towards a partnership approach that draws on external funding opportunities and maximises commercial opportunities to generate income from the sites.

5 Current APG Play and APG Maintenance Offer

Play Service

- 5.1 Youth First, a local youth services provider, currently provide play sessions across four APG sites with a current annual spend of around £120k pa for 288 sessions. The overall budget for play sessions is currently £158k pa., however the council only funds sessions delivered and due to site conditions and staff shortages, not all APG sites have been open during the year. Play sessions are not currently provided at Richard MacVicar, which is currently operating as a youth service whilst Riverside Youth Centre is closed for redevelopment; it is intended that play sessions will restart once the Riverside Youth Centre redevelopment work is completed. The Youth First APG play contract has been extended until the 30th of November 2023 to allow for the procurement of a new core offer.

- 5.2 Currently, with the exception for Ladywell APG, which has been closed due to unsafe air quality within the outbuilding and Richard MacVicar which is currently used as youth club, all the APG sites have two play sessions per week (staggered) of afterschool and weekend (Saturday) delivery. Take up rate of sessions varies throughout the year, however, across the five APG sites, there is capacity for 510 children and young people to access play sessions at any one time. There are no immediate plans to make improvements to the outbuilding however, the service provider will be required to work flexibly either by opening the site using temporary outbuildings/toilets or delivering services at nearby APGs or community sites. This will be specified in the service specification and contract.
- 5.3 In the context of reduced central government funding for play and outdoor spaces, the APG equipment conditions, national staff shortages, and increased operating costs, it has been challenging to maintain a consistent play offer across all the APG sites. Overall, APG site utilisation is very low across all sites and mostly limited to the Youth First play sessions only. This is primarily due to the condition of some of the sites and there being no coordinated approach between the play session provider and Lewisham Council to maximise site usage.

APG Maintenance Service

- 5.4 The maintenance service has been provided by London Play Design, a specialist APG maintenance provider since July 2021 (prior this, London Play Design were sub-contracted by Youth First when APG maintenance was part of the Youth Service contract). The contract has been extended until 30th November 2023 to allow for the procurement of a new maintenance service.
- 5.5 The average annual routine maintenance cost (APG site maintenance contract) per site was £9-10k in 2022-23. Excluding play sessions, the average annual operating cost of one APG site (incl. routine maintenance) was £42k pa in 2022-23.
- 5.6 The current provider has utilised corporate social responsibility days (corporate volunteer days) and community pay-back (community service) schemes to provide low-cost maintenance, which has been highly effective at reducing costs. The provider oversees the schemes and ensures the required safety standards are met.
- 5.7 Currently, the two services (maintenance and play) operate independently of each other, and Lewisham Council has overall oversight for site management and development. This arrangement has maintained the status quo but is not sufficient given the size and scale of the challenges facing the continued operation of APGs in Lewisham. Therefore, a new approach working in partnership with providers is required to harness in additional funding to support long-term solutions and site adaptations. The service specification will require the providers to work together and develop a partnership agreement (Master Development Plan) that will provide for working collaboratively around health and safety issues, site development requirements and accessing additional funding to increase play sessions and redevelop the APGs and the wider sites (e.g., outbuildings). This will be strengthened by regular monitoring and partnership meetings which will examine the effectiveness of partnership working and how service and development plans are progressing for each site/service. Each provider will be required to attend the Play Strategy Advocacy Group and will be made accountable to that Group.

6 Cost Benefit Analysis (options appraisal) and APG Audit Recommendations from the Play Strategy (2023-28)

6.1 Cost Benefit Analysis

6.1.1 As part of the Play Strategy development an audit and cost benefit analysis (CBA) was carried out to review long-term solutions to the council's challenges as an APGs operator. The CBA and audit considered the sites' conditions, Lewisham Council's ambitions for play, the potential unused capacity of each site to become multipurpose / multioccupancy sites, and the potential to generate income through traded activity. It is important to note, APGs require ongoing maintenance to keep them in safe, usable conditions. Therefore, there will be ongoing costs and the options reflect the use of modern APG equipment, which has a lower ongoing maintenance cost. The below table is a summary of the audit recommendations and options analysis, including financial modelling over a 10-year period.

6.1.2 Play Strategy APG Audit Summary (aim of replacing APGs within five years):

No.	Option Description	Benefits	Disadvantages
1	Site closure and removal of 100% of funding	<ul style="list-style-type: none"> Initial saving of £160k pa (play sessions ceasing) as they APG Play Service would cease Minor savings in maintenance costs 	<ul style="list-style-type: none"> Ongoing repair costs across the site as they would still require maintenance, even if not in use Increase in security costs likely as sites are vacant for longer and more likely to become a target for trespassing/squatting /anti-social behaviour
2	'Status Quo' / 'As is'	<ul style="list-style-type: none"> Remain within the council's allocated budget in the immediate short-term 	<ul style="list-style-type: none"> Site closures as repair costs would exceed available budget
3	Replacing APG with new modernised equipment / structures	<ul style="list-style-type: none"> New cost-effective equipment that would enable an increase in site usage Long-term savings in maintenance costs through equipment that is cheaper to maintain 	<ul style="list-style-type: none"> One-off costs of £1m - £1.2m (est.) to replace APGs sites, which would require significant budget growth Reduced maintenance costs as sites would be built to modern specifications
4	Mixed model of funding via income generation and grants with a phased APG Master Development/ Replacement plan (A plan for maintenance, repair and replacement) over five years	<ul style="list-style-type: none"> Long-term plan to remain within the council's allocated budget Master development plan to support the redevelopment replace of sites Focus on site income generation (ring-fenced) for 	<ul style="list-style-type: none"> Dependent on external income via traded activities and grant funding Site conditions and designs are currently prohibiting some traded activities that could be expected through activities such as venue hire

		sustainability	
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6.1.3 The below (Figure 1) is the CBA financial summary table, which provides an example of a 10-year view of the options considered. The figures are indicative estimates that were proposed for illustrative purposes only. The recommended option will be delivered within the available budget and the council has carried out detailed financial modelling to ensure the proposals for site maintenance and development can be delivered within budget.

(Option 4 is split into 'A' and 'B'. Option 4a is an example level of investment to repair and replace the APGs over the first five years with costs reducing thereafter. Option 4b is the same as Option 4a, but with the estimated income generated by the provider removed to reduce the overall cost.)

Estimated repair, maintenance, and construction costs for the external play equipment at the five Lewisham adventure playgrounds											Totals		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Years 1-10	Years 10-20	Years 1-20
Option 2	£60k	£90k	£120k	£150k	£180k	£60k	£90k	£120k	£150k	£180k	£1.2m	£1.2m	£2.4m
Option 3	£60k	£450k	£465k	£255k	£5k	£5k	£5k	£8k	£10k	£15k	£1.28m	£1.2m	£2.48m
Option 4a	£125k	£125k	£125k	£125k	£125k	£75k	£75k	£75k	£75k	£75k	£1m	£750k	£1.75m
Option 4b	£95k	£95k	£95k	£45k	£45k	£45k	£45k	£45k	£45k	£45k	£700k	£750k	£1.45m

Figure 1 - Lewisham Play Strategy 2023-28 Options Analysis Financial Summary (pg.45)

6.1.4 Option 4 (**recommended**) provides best value for Lewisham Council and Lewisham residents, whilst remaining within the council's available budget. This option would enable the development and replacement of sites over an initial five-year period through sustained and targeted investment to gradually redevelop the sites in a planned way. From year six onwards, the maintenance costs reduce as the sites have been replace/redeveloped with more cost-effective equipment. Costs further reduce once income generation is considered, which would increase as the site conditions improve and become more commercially viable.

Using a mixed model of funding (commissioned service and external grant/sources), the Play Service Provider (in partnership with the Site Maintenance Services) will leverage in additional income through a mixture of income generating activities and grants through external funding opportunities. They will develop a master development plan (section 5.7) that methodically directs additional resources to the repairs and replacements needed across the sites. Income generated by the Providers would be ring-fenced for increasing play sessions and/or funding repair/replacement works. Under this proposal, the council benefits from either not having to fund additional services or pay for high repair/replacement bills for play equipment. Quality of services being provided will also increase because of the sustained investment in the APGs and the sites, benefiting our children and young people.

6.1.5 Option 3 was assessed as not providing Lewisham Council with best value and would not address the challenges the council faces. This option requires significant investment upfront, which the council alone could not fund, and would propose that the structures

are replaced 'like-for-like'. This would not be a long-term solution to the challenge and would create an escalating cycle of repair costs. The like-for-like replacement will mean that that telegraph poles continue to need maintenance when the most efficient solution would be to replace with low maintenance structures.

6.1.6 Option 2 'status quo' is not recommended as it would mean that the APG sites would become unsafe (leading to closures) and the opening hours / play sessions would significantly reduce across all sites (apart from the newly replaced The Dumps APG from 2024-25). To maintain the sites, and the level of play sessions currently being provided, Lewisham Council would have to increase funding beyond the available budget within 2-3 years. This option does not support the vision and aims of the council's Play Strategy.

6.1.7 Option 1 would offer initial savings of £160k per year (APG Play spend), however, the sites would still incur maintenance costs and site running costs (e.g., security). This option would not be in line with the council's Play Strategy and would be a loss for Lewisham residents.

6.2 APG Key Audit Recommendations

1.	Gold Standard Adventure Playground As one of the top five boroughs for adventure play in the capital, Lewisham Council should make a public statement and/or produce a formal undertaking to recognise adventure play as the gold standard for children's play, and commit to keeping its adventure playgrounds open, adequately staffed/operated and in good repair.
2.	Commission an appropriate site management organisation Ideally competent in adventure play and play work, play safety regulations, design, construction and engineering, community liaison as well as procuring sources of low cost labour) to devise a phased, costed design master plan to reduce the number of large telegraph pole play structures (and their corresponding significant repair bills) over a period of five years to a number that can be easily maintained by user groups.
3.	Health and Safety - Carry out ongoing essential repairs The site management organisation should carry out essential repairs to keep the sites safe and secure, in line with reports from an independently commissioned play safety inspector. Where appropriate, this should be done with sources of low-cost labour such as teams of corporate volunteers or probationers to further reduce maintenance costs. Repair some of the equipment (by risk priority identified in the safety inspection reports) and remove other outmoded items, in line with the design plan.
4.	Maximise the number of community groups that use the sites To maximise the number of community groups that use the sites outside of core adventure playground opening hours (e.g., schools, youth work providers, tenants' associations, community groups etc.) in return for a contribution (monetary, labour, promotional/acknowledgements or in kind) towards the upkeep of the playgrounds. Additional user groups would likely bring additional funding to individual sites.
5.	Introduce a commercial hire programme To introduce a commercial premises, hire programme (outside of core opening hours) such as children's parties, photo shoots or corporate team building days. Funds raised by the programme should be ringfenced for adventure playground site maintenance and the development of new features and equipment.
6.	Staff Play Service staff from the Play Service Provider should hold or work towards play work or related qualifications and facilitate all aspects of adventure play. This includes insurance for staff to carry out play structure maintenance and construction as well as den building and other adventure play activities with children and young people.
7.	Install auxiliary roofs

	The council should install auxiliary roofs to the workshop section at Honor Oak Park APG (now at hand) and at Ladywell APG. Within five years, the installation of auxiliary roofs at the other sites with container-style buildings is strongly recommended as leaks will develop in a similar fashion and damage to circuits is likely.
8.	Create a flexible and evolving play space including for disabled children Phase in materials, equipment and features that facilitate adventure play currently missing from the offer. For example, regular access to bonfires and cooking outdoors, having 'loose parts' materials and objects (such rope, cable drums, tractor tyres, old prams etc.), den building opportunities, performance spaces/stages (exception: The Dumps where this already exists) dressing-up and costume making. Phase in better provision for children with disabilities.

7 Service outline and roles and responsibilities

Partner	Service Outline & Key Responsibilities
Play Service Provider	<p>Service Aims</p> <ul style="list-style-type: none"> - Provide safe and engaging play spaces and opportunities for children and young people to develop and be active - Increase play opportunities for children and young people - Lead the APG site development and refurbishment plans to be sustainable community assets open throughout the year <p>Service Outline</p> <ul style="list-style-type: none"> • Provide a core play services across the five APG: • A minimum of two play sessions of at least 2.5hrs twice per week across the five APG site delivered by qualified play staff • Delivered afterschool, during school holidays and at weekends • A staffing ratio to operate each APG session to capacity (varies per site) • Core service required for a minimum of 40 weeks per year (priority period between March-December) • When sites are closed (e.g., refurbishments, site issues) increase provision across open APG sites • Develop income generation through site rental and build the customer base by promoting the APGs to other organisations to use and benefit from • Lead on fundraising bids to grow Play Services/improve buildings and replace play equipment • In partnership with the APG site maintenance provider implement the Master Site Development Plan • Ring-fence income generated through service activity, site rental, and external funding sources for the sole purpose of increasing play sessions and redeveloping the APG sites (as part of the Master Development Plan). This will form part of the partnership agreement and accountability to the Play Strategy Advocacy Group • Hold sufficient level of insurance commensurate to the activities being carried out
Site Maintenance and Development Service Provider	<p>Service Aims</p> <ul style="list-style-type: none"> - Provide safe and engaging spaces for children and young people to develop and be active - Maintain the APGs throughout the year to ensure they remain in a safe and usable condition and compliant with

	<p>relevant health and safety regulations</p> <ul style="list-style-type: none"> - Contribute (and lead where appropriate) to the APG site development and refurbishment plans to be sustainable community assets open throughout the year, which (where appropriate) are replaced/re-designed to the highest quality <p>Service Outline</p> <ul style="list-style-type: none"> • Provide a core routine maintenance and groundwork service to ensure the APG sites remain open, safe to use, and compliant with at least the minimum health and safety requirement for large outdoor play structures - RoSPA code of practice for Play Areas and wooden structures • Work to a phased, fully costed design and maintenance plan for the sites that looks at replacing, over a period of five years, most old high-maintenance equipment with low-maintenance features, giving equal or higher play value in line with Play England adventure play guidance. Repair some of the equipment (by risk priority identified in the safety inspection reports) and remove other outmoded items in line with the design plan • Liaise closely with the council's Estates Manager, Play Service Provider, Commissioner, and facilities team to highlight areas of concerns and proposed solutions to resolve • Access funding from other external sources • Lead the development and implementation of the Master Site Development Plan, in partnership with the APG play service provider • Ring-fence (restricted income) of any income through external funding sources for the sole purpose of increasing play sessions and redeveloping the APG sites (as part of the Master Development Plan). This will form part of the partnership agreement and accountability to the Play Strategy Advocacy Group • Hold sufficient level of insurance commensurate to the activities being carried out
Lewisham Council	<ul style="list-style-type: none"> • Hold regular partnership working/monitoring meetings • Ensure Master Development Plan is realistic and achievable • Signposting providers to funding opportunities and supporting bids • Continue to explore sources of funding for revenue/capital funding (i.e., S.106 and government grants to develop open spaces) • Encourage other commissioned providers to utilise the APG sites which would generate income and a regular customer base for the Play Service provider • Initially maintain the oversight of the APG site operational running costs
Collaborative working - all parties	<ul style="list-style-type: none"> • Work in partnership to contribute to the Master Development Plan (updated annually) for services and site development, working towards a self-sustaining APGs.

8 Procurement Strategy

- 8.1 The recommended option for the procurement of the APG Play Service and APG Site Maintenance and Development Service is via a one-stage open tender process. An open tender will allow for competition from the market and for new service providers to bid. Via an open tender, the council will select a service provider/s offering value for money, competitive prices, and acceptable quality through the Most Economically Advantageous Tender (MEAT).
- 8.2 Officers have designed the service specifications of the new Play Service and APG Site Maintenance and Development in line with the recommendations of Lewisham's Play Strategy 2023-28 and following feedback from a market engagement event held in November 2022. The process also involved engaging with a range of stakeholders, particularly children, young people, and families that were engaged as part of the development of Lewisham's Play Strategy.
- 8.3 There will be two separate tender opportunities and hence two separate contracts to be awarded, as set out below:

Opportunity 1: Delivery of a core APG Play Service across all five APG sites (The Dumps; Home Park; Honor Oak; Ladywell Fields and Richard MacVicar)

Opportunity 2: Delivery of APG Site Maintenance and Development Service (The Dumps; Home Park; Honor Oak; Ladywell Fields and Richard MacVicar)

The procurement will involve awarding two separate contracts for tender opportunity 1 and 2. These tender opportunities will allow smaller organisations to bid allowing greater collaboration and greater interest from the market. Commissioners will review the tender submissions and make an assessment based on best value.

- 8.4 Tender opportunity 1: Delivery of a core APG Play Service at all five APG sites

The tender opportunity would entail play services provided after school, weekends, and school holidays across the five Lewisham Council APG sites. Supported by an increase in contract value on the previous contract, it will also include an element of income generation to expand the number of play sessions over the lifetime of the contract and to lead on income generation (via charitable grants and traded offers) to contribute to the refurbishment and replacement costs of the APG sites to secure the long-term usage. The provider will work in partnership with the Site Maintenance and Development provider to develop the annual Master Development Plan to coordinate efforts to generate income, maintain, and redevelop the APGs prior to them reaching the end of their safe usable lifespan.

The tender opportunity will be based on a budget envelope of £198,000 per annum. Tenderers will be evaluated on price, quality, and commercial aspects of their bid with an evaluation scoring method of 45% quality, 45% price and 10% social value. This will include testing the viability of their proposals to bring in additional funding to replace/renew the current assets (play equipment and buildings) and expand the service offer. The additional funding can be generated through hiring the sites for other activities by the wider community including accessing a variety of charitable funding. It is not envisaged that the amount of fundraising is capped as the income generated is required to improve the adventure playground sites and enhance play services.

The provider will be required to ring-fence any income generated and treat as designated / restricted income in their organisation's accounts for the purpose of delivering the contract, increasing provision, and developing APG sites.

The provider will be required to deliver services flexibly across all five sites including at Richard McVicar (subject to negotiations with the leaseholder) and the Dumps (to deliver services either at the youth centre building located within the site, nearby community venues or at other APG sites when the site is closed for the Watergate School expansion). This will be specified in the contract and the service specification.

8.5 Tender opportunity 2: Delivery of APG Site Maintenance and Development Service

The tender opportunity will provide routine and preventative maintenance across the five APG sites to ensure they remain operational during the lifetime of the APG Play Service contract, as well as being operational and in good condition for alternative site usage. The site maintenance contract will also support the delivery of the Master Development Plan and utilise any annual maintenance underspend and additional income (generate from either Play Service or Site Maintenance provider) to develop, improve, and replace the APGs as defined in the annual Master Development Plan. This approach is intended to ensure the sites remain fit-for-purpose and are replaced/remodelled in line with their current expected lifespan.

8.6 Tender opportunity 2 will be based on 45% quality, 45% price and 10% social value.

As with tender opportunity 1, the provider will be required to ring-fence any income generated and treat as designated / restricted income in their organisation's accounts for the purpose of delivering the contract, increasing provision, and developing APG sites. The Provider will be able to generate income through charitable funds, site hire and bidding for additional services.

The provider will be expected to work flexibly across all five sites. When one site is closed such as the Dumps, to reallocate resources to the other open sites. This will be specified in the contract and service specification.

8.7 Proposed Procurement Timetable for opportunity 1&2:

Milestone	Due Date
Mayor and Cabinet	21/06/2023
Issue Tender	03/07/2023
Mayor and Cabinet Contract Award and Grant of leases	20/09/2023
Contract Mobilisation and Implementation	Oct 2023 – 30 Nov 2023
Contract Start	01/12/2023

9 Granting of Leases for the APG Sites

9.1 Under the proposals within this paper, the APG Play Service provider will be expected to increase APG site usage (including number of play sessions) and source funding through charitable grants and other external sources. It is recognised this is challenging and grant funders and high net worth individuals require long-term security of bids. Therefore, following feedback from providers and potential funders, non-repairing leases are being proposed. The Mayor and Cabinet will be presented with proposals to approve the leases along with the contract award.

- 9.2 Lewisham Council is the Freeholder of four of the five APG sites – Ladywell APG, The Dumps APG, Home Park APG, and Richard MacVicar APG. Network Rail are the Freeholder of Honor Park APG and lease the site to the Council for £1508.10 pa. In conjunction with the proposals within this report, the council intends to issue coterminous non-repairing leases of seven years to the provider of the APG Play Service contract for Ladywell APG, Honor Park APG (sub-lease), and Home Park APG. There will be break and termination provisions, enabling the leases to be terminated in the event that the contract is not extended or is terminated early for breach.
- 9.3 The lease to the Dumps will not be granted at this stage due to the site being redeveloped as a result of the Watergate School expansion from approximately January 2024 to July 2025. The new Provider will be expected to continue to provide services until its closure and resume services at the site when it reopens. During the period of the closure, the Service Provider is expected to provide services at either the youth centre building located at the site, at a nearby community venue or increase services at other APG sites. This will clearly be stipulated in the contract and service specification.
- 9.4 In terms of Richard MacVicar, a Youth Provider already has a non-repairing lease until 2024 to that site but services are expected to run at the site on the days when the site is not in use. This will be subject to negotiation and agreement with the Youth Provider. The contract and service specification for the Play Service will stipulate this requirement clearly.
- 9.5 As Richard MacVicar and The Dumps APGs are not currently in scope for the grant of leases, this may be considered later to support the delivery and aims of the APG Play Service.
- 9.6 Section 123 Local Government Act 1972 requires the council to publish notice of its intention to dispose (including by way of lease) of land forming open space for two consecutive weeks in a local newspaper and consider any objections to the proposed disposal which may be made to the council. It is intended that this notice will be published prior to the contract award for the APG Play Service. This means that no decision to grant the leases is being made at this stage and any decision to do so would only be made once the statutory requirements have been complied with and only after objections had been properly considered at a meeting of Mayor and Cabinet. If the objections received cannot be reconciled, there is a risk that the procurement of the APG Play Service may need to be discontinued. The decision of Mayor and Cabinet to authorise the commencement of procurement in no way fetters their ability to reject any proposal for a disposal of open space at the approval to award point.
- 9.7 In 2009, the then Big Lottery Fund (now National Lottery Community Fund), provided a grant to redevelop the Home Park APG site and an interest was registered against the site as part of the funding conditions. In consultation with the National Lottery Community Fund, the registered interest will be removed so that the Council can freely lease the site.

10 Financial implications

- 10.1 The cost of managing and maintaining Lewisham's Adventure Playgrounds (APG) are met from the Contracts for Youth Services budget which is currently £1.743m.
- 10.2 The Contracts for Youth Services Budget includes and allocation of £198,000 for the Play Service and £94,000 for site maintenance and development.

- 10.3 The expected cost of both contracts, as set out in the recommendations in section 2, can be met from the Contracts for Youth Service budget and will not result in a pressure on the General Fund
- 10.4 The successful contractor will be expected to explore external funding and income generation opportunities in order to develop the service and meet ongoing cost increases, such as inflation and pay awards. This will form the basis of the award agreement. In the event that the provider is not able to raise sufficient income, the service would be expected to reconsider the tender agreement within existing resources.

11 Legal implications

- 11.1 The power to provide play services is contained in Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 which enables the Council to provide recreational facilities.
- 11.2 The disposal of open space land is permitted by section 123(2A) Local Government Act 1972, provided that the Council has advertised its intention to dispose of the land in question in a local newspaper for two consecutive weeks and has considered any objections that are made as a result of those advertisements. This report recommends that Mayor and Cabinet approve the advertisement of the proposed disposal by way of 7-year lease to the selected Adventure Playground Space Provider of open space at Home Park APG, Honor Oak APG and Ladywell Fields APG. A future report considering any objections raised will be brought to Mayor and Cabinet for consideration at a later date. This report makes no recommendations in relation to the grant of leases at The Dumps, Richard MacVicar or any alternative site. Should leases of these sites, or any alternative, be considered at a later date then the requirements of s123(2A) Local Government Act will need to be complied with separately.
- 11.3 The Council must obtain approval/consent to the proposed grant of lease from the freeholder of Honor Park APG and the National Lottery Community Fund (in relation to the lease of Home Park APG). Any contractual requirements in respect of the Richard MacVicar site, will need to be consistent with the pre-existing lease over that site and will be subject to the consent of the existing tenant.
- 11.4 The report seeks approval to procure 2 contracts, one for the provision of play services at the Council's adventure playground sites and one for maintenance across all sites, both for a period of 5 years with the option to extend for up to a further 2 years. Given the potential spend on the contracts both would be categorised as Category A contracts under the Council's Contract Procedure Rules. The report sets out the options considered for the provision of the services and explains why those are the recommended options.
- 11.5 Assuming that Mayor and Cabinet accepts the recommendation to procure a contract for the provision of play services at the Council's adventure playground sites and one for maintenance across all sites by an external provider, the Contract Procedure Rules ("CPR") place requirements on how that should happen. The CPR require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders must be sought. Given the potential spend on the contracts the Public Contracts Regulations 2015 ("Regulations") will apply. The requirements of both the Regulations and the CPR would be satisfied by use of the open procedure as set out in this report. As Category A contracts, it will be for Mayor and Cabinet to take a decision on the award of contracts.

12 Equalities implications

- 12.1 Any new provider/s will be required to have appropriate and relevant equalities and diversity strategies, policies, and procedures in place for ensuring that the service is meeting the needs of Lewisham's children and young people to a high standard. They will be expected to maintain and report on equalities service data
- 12.2 A complete Equalities Analysis Assessment (EAA) has been conducted as part of the re-commissioning exercise. Broadly, the findings are that play services should be much more accessible to increased number of children and young people and should involve Lewisham's many communities in the development and use of APG sites. In the long term, new services will also enable APG sites to be used for children from 0-19 (up to 25 for children with special educational needs and disabilities). The proposed Watergate School Expansion's proximity to the Dumps provides new opportunities to develop services there for disabled children. The EAA, therefore, shows that the new service model will have a positive impact on children and young people with protected characteristics as more disabled children and children from minoritized communities participate.

13 Climate change and environmental implications

- 13.1 The new provider is expected to comply with the Council's Environmental and Climate Change requirements, to minimise the environmental impact of the service.

14 Crime and disorder implications

- 14.1 Adventure play services contributes towards keeping children and young people safe from exploitation, anti-social behaviour, or criminal activity.

15 Health and wellbeing implications

- 15.1 Adventure play services plays a significant role in promoting the health and mental wellbeing of children and young people and contributes towards the public health outcomes around obesity and health.

16 Social Value implications

- 16.1 Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process how wider social, economic, and environmental benefits that may improve the wellbeing of the local area can be secured.
- 16.2 The council is also an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or service within Lewisham pay their staff at a minimum rate equivalent to the LLW rate. Successful contractors will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the tender documents.

Background papers

Lewisham Play Strategy – Mayor and Cabinet, October 2022

<https://councilmeetings.lewisham.gov.uk/documents/s103136/MC%20Play%20Strategy%20Report%20Final.pdf>

Glossary

Term	Definition
YF	Youth First
APGs	Adventure Playgrounds
CBA	Cost Benefit Analysis
EAA	Equalities Analysis Assessment
MEAT	Most Economically Advantageous Tender
LLW	London Living Wage
RICS	Royal Institute of Chartered Surveyors
RoSPA	Royal Society for the Prevention of Accidents

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Appendices

Not applicable

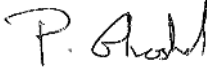
Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Decision – Adding a new SEN Provision at Launcelot Primary School	
Author	Matt Henaughan	Ext. 43321

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	

Signed: 
 Cabinet Member for Children and Young People
 Date: 7/6/23

Signed: 
 Executive Director for Children and Young People
 Date: 7/6/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Report title: Adding a SEN Resource Base at Launcelot Primary School – Decision Report

Date: 21 June 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: Whole Borough

Outline and recommendations

This report provides the results of the statutory period of representation conducted on the proposal to add a Special Educational Needs (SEN) provision catering for up to 16 children with Autism Spectrum Disorder (ASD) at Launcelot Primary School with an anticipated implementation of January 2024. The report then goes on to seek a decision from the Mayor and Cabinet (as LA Statutory Decision Maker) to enable this addition of a SEN provision to take place.

The Mayor and Cabinet are recommended:

- to note the results of the period of representation conducted on the proposal to add a SEN provision at Launcelot Primary School.
- to agree to the proposal of an addition of a SEN provision of up to 16 ASD places at Launcelot Primary School, with an implementation date of January 2024.
- to delegate authority to the Executive Director for Children and Young People to procure and award the necessary construction contracts

Timeline of engagement and decision-making

17 March 2023 – Publication of proposal

17 March – 12 May 2023 – Period of Representation (consultation period)

21 June – Mayor & Cabinet decision

January 2024 – Planned Implementation

1. Summary

- 1.1 The report feeds back on the representation period and seeks a decision from the Mayor and Cabinet regarding the proposed addition of a SEN provision at Launcelot Primary School for up to 16 children with ASD, with an implementation date of January 2024.

2. Recommendations

- 2.1 The Mayor and Cabinet are recommended:
- 2.2 to note the results of the period of representation conducted on the proposal to add a SEN provision at Launcelot Primary School.
- 2.3 to agree to the proposal of an addition of a SEN provision of up to 16 ASD places at Launcelot Primary School, with an implementation date of January 2024.
- 2.4 to delegate authority to the Executive Director for Children and Young People to procure and award the necessary construction contracts

3. Policy Context

- 3.1 The proposal to add a SEN provision at Launcelot Primary School will contribute to the following key priority outcome of Lewisham's Corporate Strategy 2022-2026:
- 3.2 We will continue the fantastic work of the last four years, supporting our schools to improve and increasing the opportunities for young people in Lewisham within our inclusive, comprehensive schools.
- 3.3 The Local Authority has a duty to ensure the provision of sufficient places for pupils of statutory school age

Education Strategy 2022-27

- 3.4 The Lewisham Education Strategy has a priority focussed on providing 'A place in a good school/setting for all of our children and young people'. This specifically refers to effective planning of high-quality school places (including for SEND) to meet demand through continuous monitoring and review of population projections.
- 3.5 Within this the strategy also highlights the need to review the provision we have within the borough that caters for children and young people with special educational needs and disabilities (SEND), to ensure that the correct provision is provided in the right place at the right time.

School Organisation Requirements

- 3.6 Proposals to add a SEN provision at a school must comply with the provisions set out in *The Education and Inspections Act 2006 (EIA 2006)* and *The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013*. These set out the statutory process for making changes to a school, and statutory guidance on making changes to a maintained school indicates 4 stages to making a prescribed alteration to a maintained school. These are:

- 1) Publication of a Statutory Notice
- 2) Representation period
- 3) Decision making

4) Implementation

- 3.7 In the case of a community school (which Launcelot Primary School is) the Local Authority must propose and conduct the publication and representation periods, with the Mayor and Cabinet (as statutory decision maker) then making the decision.

4. Background

- 4.1 In 2019, Lewisham Council started the coproduction and consultation process for the Local Area SEND Strategy which was due to be launched in 2020. From the consultation a number of areas were highlighted as gaps in current provision across the Council. One of these was around sufficiency and place planning. Therefore, as part of the SEND Strategy there is a work stream on Sufficiency, and Place Planning. To ensure that the plan reflected the current picture of gaps in provision a number of data exercises were carried out.
- 4.2 The data continues to show an increasing demand for specialist provision for children and young people with Autism. Currently over one third of the number of EHC plans that are issued by Lewisham include Autism as an identified need.
- 4.3 As such the proposal to add a SEN provision at Launcelot Primary School comes as part of a wider piece of work that the council is undertaking to enable more Lewisham young people to be educated in Lewisham schools. This follows on from recent decisions to add a SEN provision into both Edmund Waller Primary School and Forster Park Primary School and to expand Drumbeat School, which together with this proposal is providing an additional 100 SEN places over the next 12 months.
- 4.4 Our ASD Special School (Drumbeat) along with our ASD resource bases continue to receive large numbers of consultations for places. At present we are having to find Independent Placements outside of Lewisham for a high proportion of these pupils, as we do not currently have sufficient capacity within our ASD provisions.
- 4.5 All provisions for students with autism are currently over their commissioned numbers and the demand for these specialist places continue to grow.
- 4.6 The objective of the proposal is to help ensure sufficiency of places offering the right level of support to students with a primary need of ASD within the Borough.
- 4.7 This proposal forms part of Lewisham Council's response to the statutory obligation to provide sufficient school places.

Implementation of the proposal

- 4.8 The addition of the resource base will allow the school to cater for up to 16 pupils with ASD over time. With the first pupils arriving in January 2024.
- 4.9 The provision will utilise spare capacity within the school site, with some minor modifications made to ensure that the spaces are fit for purpose.

Effect on other educational institutions in the area

- 4.10 It is not anticipated that the proposed resource base will have any impact on other educational institutions within the local area. The proposal has been made to accommodate the continued increase in students diagnosed with ASD and requiring additional support.

5. Publication & Representation

- 5.1 The statutory notice and proposal for the addition of a SEN provision at Launcelot Primary School were published on 17 March 2023, with the representation period running for 8 weeks until 12 May 2023.
- 5.2 As well as being published in the local press and on the Lewisham website, the proposal was distributed to all parents, carers and staff at the school
- 5.3 A public consultation meeting was held at Launcelot Primary School on Thursday 4 May for interested parties to attend, to discuss the proposals and pose further questions.
- 5.4 During the period of representation there were no responses received.
- 5.5 The School also spoke with children and parents, conducting a google poll as well. The children had no negative responses, and just wanted to understand how the new children would integrate as part of the school. One response was received directly from a parent, which was positive. The google poll received 53 responses, of which only 5% weren't in favour of the provision, worrying about capacity and skills within the school.
- 5.6 Officers have completed the statutory process fully and have received no formal objections to the proposal. The school has effectively engaged with their stakeholders and there is overwhelming support for the proposal.
- 5.7 As such, officers recommend that the Mayor and Cabinet agree to the addition of a SEN provision at Launcelot Primary School, catering for up to 16 children with ASD, with an implementation date of January 2024.

6. Factors relevant to a making a decision on school organisation proposals

When making a decision on a school organisation proposal the Decision Maker must consider the following factors:

6.1 Consideration of consultation and representation period

The decision-maker will need to be satisfied that the appropriate consultation and/or representation period has been carried out and that the proposer has had regard to the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider all the views submitted, including all support for, objections to and comments on the proposal.

The consultation has been undertaken in accordance with the statutory requirements. Stakeholders have been involved in the development of the proposals. The notices have been published as required (See appendix 1 & 2). No views were submitted.

6.2 Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.

This expansion will allow the local authority to better meet the needs of our children and young people, by ensuring that our specialist provision is suitable for both the current and future cohort. Specifically the proposal will help cater for our growing number of

children with ASD.

6.3 **Equal opportunity issues**

The decision-maker must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

In developing this proposal the Council has had regards to its statutory responsibilities under section 149 of the Equality Act 2010. The proposal does not have any adverse effect on equal opportunity, and in fact helps the council deliver services that meet the needs of those with special educational needs and disabilities.

6.4 **Community cohesion**

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from, and about each other; by encouraging through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker should consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different groups within the community.

The proposal does not have any adverse effect on community cohesion. In fact it should have a positive impact on the local community as there will be an increase in places for pupils with a diagnosis of ASD, ensuring that more pupils can attend school closer to home rather than having to attend provision outside of the borough.

6.5 **Travel and accessibility**

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

The proposal will enable more students to access specialist provision more locally, reducing the need for travel to out of borough provision, and as such actually has a positive impact on travel and accessibility.

6.6 **Funding**

The decision-maker should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased.

In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

Feasibility work has been conducted to identify any additional capital works required to enable the spare capacity at Launcelot Primary School to be both fit for purpose and used in a safe manner. Capital funding has been identified.

- 6.7 The Mayor and Cabinet are recommended to agree the proposal for the addition of a SEN provision catering for up to 16 children with ASD at Launcelot Primary School with an implementation date of January 2024

7. Financial implications

Capital Financial Implications

- 7.1 It is estimated that £95k capital funding is required for this project. This is available within the capital programme as is currently unallocated within CYP resources.

Revenue Financial Implications

- 7.2 The report outlines the proposed introduction of a new resource base for SEN provision of up to 16 ASD places at Launcelot Primary School, with an implementation date of January 2024.
- 7.3 In line with all Local Authorities, SEN need is currently outstripping the provision available especially within Lewisham.
- 7.4 The proposed establishment of the resource base is part of a mitigation plan being progressed with Schools Forum and Schools to meet demand and reduce costs especially those associated with high cost out of borough placements
- 7.5 There are no direct financial implications for the General Fund. However, transport is funded from the General Fund, it is anticipated that should a pupil placed at this provision with transport associated costs, the position would be more favourable than an out borough placement
- 7.6 The revenue income and expenditure for any additional places forms part of the High Needs Block within the Dedicated Schools Grant funding. As previously stated, this provision should support longer term Lewisham strategy towards reducing costs.
- 7.7 From March 2023 through 2024/25, there will be a pressure on the High Needs Block as a consequence of practicalities of establishing the ASD unit and the basis on which funding allocations are made to Local Authorities however, longer term, the unit is anticipated to support delivering better value.

8. Legal implications

- 8.1 The Human Rights Act 1998 safeguards the rights of children in the borough to educational provision, which the local authority is empowered to provide in accordance with its duties under domestic legislation.
- 8.2 Section 14 of the Education Act 1996 obliges each local authority to ensure that there are sufficient primary and secondary school places available for its area i.e. the London Borough of Lewisham, although there is no requirement that those places should be exclusively in the area. The Authority is not itself obliged to provide all the schools required, but to secure that they are available.
- 8.3 In exercising its responsibilities under section 14 of the Education Act 1996 a local

authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

8.4 The Education and Inspections Act 2006 places requirements on local authorities to make their significant strategic decisions concerning the number and variety of school places in their localities against two overriding criteria:

- to secure schools likely to maximise student potential and achievement;
- to secure diversity and choice in the range of school places on offer.

Section 19 of the Education and Inspections Act 2006 provides that where a local authority or the governing body of a maintained school proposes to make a prescribed alteration to a maintained school and it is permitted to make that alteration, it must publish proposals.

8.5 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 provide that an addition of a SEN provision at a maintained school is a prescribed alteration which means that statutory proposals have to be published, and there must be a period of four weeks for representations before a decision is made. Proposals for the addition of a SEN provision at a maintained school will be determined by the local authority as decision maker.

8.6 The relevant Guidance advises that the Mayor as decision maker will need to be satisfied that the appropriate consultation and/or statutory representation process has been carried out and that the proposer has had regard to the responses received. The Mayor must consider all the views submitted, including all support for, objections to and comments on the proposals.

8.7 Any decision to add a SEN provision at Launcelot Primary School should be taken in the light of the representations received to the statutory consultation and the DfE Guidance for Decision-Makers attached at Appendix 3.

8.8 Decisions must be made within a period of two months of the end of the representation period or be referred to the Schools Adjudicator.

Equalities Legislation

8.9 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.10 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

8.11 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 8.10 above.

8.12 The weight to be attached to the duty will be dependent on the nature of the decision

and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 8.13 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

www.equalityhumanrights.com/en/advice-and-guidance/equality-actcodes-practice

www.equalityhumanrights.com/en/advice-and-guidance/equality-acttechnical-guidance

- 8.14 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty: A guide for public authorities
 - Objectives and the equality duty. A guide for public authorities
 - Equality Information and the Equality Duty: A Guide for Public Authorities

- 8.15 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

www.equalityhumanrights.com/en/advice-and-guidance/public-sectorequality-duty-guidance#h1

9. Equalities implications

- 9.1 This report supports the delivery of the Council's Equalities programme by ensuring that all children whose parents/carers require a place in a Lewisham school will be able to access one.
- 9.2 Specifically this report seeks to expand the SEN provision within the borough to ensure that we are best delivering for the current cohort of young people in Lewisham, and therefore ensures that we are taking due regard for their needs.

10. Climate change and environmental implications

- 10.1 The reduction in students travelling long distances to appropriate provision, and a lesser reliance on transport will have a positive benefit regarding emissions and helping tackle the climate emergency.

11. Crime and disorder implications

- 11.1 There are no crime and disorder implications.

12. Health and wellbeing implications

- 12.1 The provision of additional school places for children with ASD within Lewisham will have a positive impact on the health and wellbeing of children and their families. Reducing the amount of travel that they have to endure, and also ensuring that they are educated closer to home and their home communities.

13. Appendices

- 13.1 **Appendix 1** – Copy of Proposal to add a SEN Provision at Launcelot Primary School
13.2 **Appendix 2** – Copy of Statutory Notice to add a SEN provision at Launcelot Primary School
13.3 **Appendix 3** – Statutory Guidance for Decision Makers

14. Glossary

Term	Definition
ASD	Autism Spectrum Disorder
Representation	Period in which people can make comments. Like consultation

15. Report author and contact

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17. Comments for and on behalf of the Director of Law and Corporate Governance

- 17.1 Melanie Dawson, Melanie.Dawson@lewisham.gov.uk



PROPOSAL TO ADD SPECIAL EDUCATIONAL NEEDS PROVISION AT LAUNCELOT PRIMARY SCHOOL

Notice is given in accordance with Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 that Lewisham Council intends to add SEN provision at Launcelot Primary School. Specifically to add a Resource Base catering for students with a primary need of Autism Spectrum Disorder (ASD). The anticipated implementation date of this prescribed alteration is January 2024

Name, address and contact details of proposer:

Lewisham Council, Laurence House, 1 Catford Road, London SE6 4RU

Name, address and category of school:

Launcelot Primary School, Launcelot Road, Bromley BR1 5EA

This is a community school.

Background:

Launcelot Primary School is a coeducational primary aged community school in Downham, Lewisham, with approximately 330 pupils.

The school has expressed an interest in providing a 16 place ASD resource base for Lewisham young people utilising some spare capacity on the school site.

As part of Lewisham's wider Special Educational Needs and Disability place planning we have been working with the school to look at adding this resource provision, and the school are fully in support of this proposal.

Description of addition, and demand:

In 2019, Lewisham Council started the coproduction and consultation process for the Local Area SEND Strategy which was due to be launched in 2020. From the consultation a number of areas were highlighted as gaps in current provision across the Council. One of these was around sufficiency and place planning. Therefore, as part of the SEND Strategy there is a work stream on Sufficiency, and Place Planning. To ensure that the plan reflected the current picture of gaps in provision a number of data exercises were carried out.

The data continues to show an increasing demand for specialist provision for children and young people with Autism. Currently (February 2023) there are 1214 EHC plans where autism has been identified as the primary area of difference. This is over one third of the number of EHC plans that are issued by Lewisham, 3353.

For academic year 2021-2022, and to date in 2022-2023, Drumbeat (our ASD Special School) have received 246 consultations for places within the school. From those consultations they were able to meet the needs of 102 pupils but did not have the capacity within the school. These young people are now being educated in placements outside of Lewisham or remain in their current setting where they are not appropriately placed.

In the same time period, the primary autism resource bases have received 61 consultations, out of this number they felt that they were able to meet the needs of 33 children but did not have the capacity to.

All provisions for students with autism are over their commissioned numbers and the demand for these specialist places continue to grow.

These young people are also now being educated in Independent Placements outside of Lewisham.

Objectives:

The objective of the proposal is to ensure sufficiency of places offering the right level of support to students with a primary need of ASD within the Borough.

This proposal forms part of Lewisham Council's response to the statutory obligation to provide sufficient school places.

Implementation and any proposed stages for implementation:

The addition of the resource base will allow the school to cater for up to 16 pupils with ASD over time. With the first pupils arriving in January 2024.

Effect on other educational institutions in the area:

It is not anticipated that the proposed resource base will have any impact on other educational institutions within the local area. The proposal has been made to accommodate the continued increase in students diagnosed with ASD and requiring additional support.

Project Costs:

The proposal seeks to utilize existing space within the school buildings, and will only require light refurbishment/adaptations to ensure suitability for the pupils. Any costs arising will be met via council and/or school funds.

Commenting on the proposal:

Within eight weeks from the date of publication of this proposal (by 12 noon, 12 May 2023), any person may comment on, support, or object to the proposal in writing to Matt Henaughan, Head of Infrastructure, 2nd Floor Laurence House, 1 Catford Road, London SE6 4RU, matt.henaughan@lewisham.gov.uk

There will also be a public meeting for interested parties held on **TBC** at Launcelot Primary School, Launcelot Road, BR1 5EA.

Signed: Matt Henaughan, Head of Infrastructure, Children and Young People's Services

Publication date: 17 March 2023



PROPOSAL TO ADD SPECIAL EDUCATIONAL NEEDS PROVISION AT LAUNCELOT PRIMARY SCHOOL

Notice is given in accordance with Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 that Lewisham Council intends to add SEN provision at Launcelot Primary School (Launcelot Road, Bromley BR1 5EA). Specifically to add a Resource Base catering for students with a primary need of Autism Spectrum Disorder (ASD). The anticipated implementation date of this prescribed alteration is January 2024

This Notice is an extract from the complete proposal, copies of which can be obtained via the Lewisham website www.lewisham.gov.uk/myservices/education/schools/school-statutory-notice or direct from Matt Henaughan, Head of Infrastructure, 2nd Floor Laurence House, 1 Catford Road, London SE6 4RU, matt.henaughan@lewisham.gov.uk

Within eight weeks from the date of publication of this proposal, any person may comment on, support, or object to the proposal in writing to Matt Henaughan at the address or email above.

The closing date for responses is 12 noon, 12 May 2023.

Signed: Matt Henaughan, Head of Infrastructure, Children and Young People's Services

Publication date: 17 March 2023



Department
for Education

Making significant changes (‘prescribed alterations’) to maintained schools

**Statutory guidance for proposers and
decision-makers**

October 2018

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1: Summary

About this guidance

This is statutory guidance from the Department for Education. This means that recipients must have regard to it when making 'prescribed alterations' to maintained schools.

The purpose of this guidance is to ensure that good quality school places can be provided quickly where they are needed; that local authorities (LAs) and governing bodies (GBs) do not take decisions that will have a negative impact on other schools in the area; and that changes can be implemented quickly and effectively where there is a strong case for doing so. In line with these aims it is expected that, where possible, additional new places will only be provided at schools that have an overall Ofsted rating of 'good' or 'outstanding'. Schools which do not fall within the above categories should only be expanded where there are no other viable options.

A GB, LA or the [Schools Adjudicator](#) must have regard to this guidance when exercising functions under [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#) ('the Prescribed Alterations Regulations'). It should be read in conjunction with Parts 2 and 3 and Schedule 3 of the [Education and Inspections Act \(EIA\) 2006](#) and the Prescribed Alterations Regulations. It also relates to *the Establishment and Discontinuance Regulations* and [The School Organisation \(Removal of Foundation, Reduction in the Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations \(2007\)](#) ('the 'Removal Regulations').

It is the responsibility of LAs and GBs to ensure that they act in accordance with the relevant legislation when making changes to a maintained school and they are advised to seek independent legal advice where appropriate.

Review date

This guidance will be reviewed in October 2019.

Who is this guidance for?

Those proposing to make changes and making decisions on changes to maintained schools (e.g. GBs, LAs and the Schools Adjudicator), and for information purposes for those affected by a proposal (trustees of the school, diocese or relevant diocesan board, any other relevant faith body, parents etc.).

This guidance is relevant to all categories of maintained schools (as defined in section 20 of the [School Standards and Framework Act \(SSFA\) 1998](#)), unless explicitly stated. It is not relevant to [Pupil Referral Units](#). Separate advice [on making significant changes to an academy](#) and [opening and closing a maintained school](#) is available.

Please refer to the '[Further Information](#)' section for the full website address should you be unable to access documents via the hyperlinks provided.

Terminology

Definitions of common terms used in this guidance:

Schools with a religious character - All schools designated as having a religious character in accordance with the [SSFA](#).

Foundation Trust - For the purpose of this guidance the term 'foundation trust' refers to a foundation complying with the requirements set out in section 23A of the SSFA.

Parent(s) - The Education Act 1996 defines 'parent' as including someone who has care of, or legal responsibility for, the child. Therefore, a parent can include, for example, a grandparent, other family member or foster carer if they have care of or responsibility for the child.

Main points

- All proposals for prescribed alterations must follow the processes set out in this guidance.
- Where a LA proposes to expand a school that is eligible for intervention as set out in Section 59 of the [Education and Inspections Act 2006](#), they should copy the proposal to the relevant [Regional Schools Commissioner \(RSC\)](#) at the point of publication.
- To enable the department to monitor potentially contentious proposals, the proposer should copy any proposal, which falls within the definitions set out in [part 3](#), to the School Organisation mailbox as soon as it is published schoolorganisation.notifications@education.gov.uk.
- LAs and GBs proposing to make a significant change to a school which has been designated as having a religious character should engage the trustees of the school, and in the case of Church schools the diocese or relevant

diocesan board, or any other relevant faith body, where appropriate at the earliest opportunity.

- Where a LA is the decision maker, it must make a decision within a period of two months of the end of the representation period. Where a decision is not made within this time frame, the LA must refer the proposal to the Schools Adjudicator for a decision.
- It is not possible for any school to gain, lose or change religious character through a change of category. Information on the process to be followed is available in the [opening and closing maintained schools guidance](#).
- Once a decision has been made the proposer (GB or LA) must make the necessary changes to the school's record in the department's system [Get Information About Schools](#) (GIAS) by the date the change is implemented.
- Where a school wishes to change their name, the GB will need to amend the Instrument of Government in line with regulation 30 of [The School Governance \(Constitution\) \(England\) Regulations 2012](#). Once that is done, either the school or the LA will need to update the school record in the department's GIAS system.

2: Prescribed alteration changes

Enlargement of premises (expansion)

Under section 14 of the [Education Act 1996](#), LAs have a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas. The department expects LAs to manage the school estate efficiently and to reduce or find alternative uses for surplus capacity (for example, increasing the provision of early education and childcare) to avoid detriment to schools' educational offer or financial position. LAs are encouraged to consider the use of modular construction solutions for any physical building expansion and to consider all options for the reutilisation of space including via remodelling, amalgamations, or closure where this would be the best course of action.

Where additional places are needed, including where there is a local demand for a particular category of places (for example in schools designated as having a religious character), the LA can propose an enlargement of the capacity¹ of premises.

The statutory process should be followed to enlarge premises as set out in the [Prescribed Alterations Regulations](#) (see [part 5](#)) if:

- the proposed enlargement is permanent (longer than three years) and **would increase the capacity of the school** by:
 - more than 30 pupils; **and**
 - 25% or 200 pupils (whichever is the lesser).
- the proposal involves making permanent any temporary enlargement (which was intended to be in place for no more than three years) that meets the above threshold.

GBs of all categories of mainstream schools and LAs can propose small scale expansions that do not meet the thresholds above without the need to follow the formal statutory process in [part 4](#). In many cases this can be achieved solely by increasing the school's published admissions number² (PAN); please see the [School Admissions Code](#). The thresholds do not, however, apply to special schools. Details of how special schools can increase their intake³ are covered below.

¹ Net capacity as calculated using the DfE Guidance Assessing the Net Capacity of Schools (2002).

² All admission authorities must set a published admission number (PAN) for each 'relevant age group' when they determine their admission arrangements. So, if a school has an admissions number of 120 pupils for Year 7, that is its PAN.

³ The number of pupils admitted into the school at a particular time

Examples of when mainstream schools would/would not need to publish 'enlargement' proposals

A secondary school with a capacity of 750 (5 form of entry - 30 pupils per class, 5 year groups) **could** enlarge its premises to add 1 form of entry (30 extra pupils x 5 year groups = increase of 150 pupils) bringing the capacity to 900 pupils, **without** having to publish statutory proposals. Although the increase would be by 'more than 30' pupils, it is less than '200', and also less than '25%' of the current capacity (i.e. by less than 187).

A small primary school with a capacity of 50 **could** enlarge its premises to increase its capacity by up to 29 pupils **without** having to publish statutory proposals, because although it would be more than '25%', it is less than 30.

A school of any size enlarging its premises to enable it to add 300 places **would** need to follow the statutory process as the increase would be **both** 'more than 30' **and** '200' (it may or may not be more than '25%' but that is irrelevant if the 200 threshold would be met).

A primary school with a capacity of 210 enlarging its premises to enable it to add 105 places (1.5 forms of entry 45 x 7 = 315), **would** need to follow the statutory process as the increase would be 'more than 30' and **more than** '25%' (it would be less than 200 but this is irrelevant as the 25% threshold would be met).

The quality of new places created through expansion

We expect LAs to consider a range of performance indicators and financial data, before deciding whether a school should be expanded. Where schools are underperforming, we would not expect them to expand, unless there is a strong case that this would help to raise standards. We expect LAs to create new places in schools that have an overall Ofsted rating of 'good' or 'outstanding'. If, however, there are no other feasible ways to create new places in the area, the LA should notify their Pupil Places Planning adviser⁴. In cases where there is a proposal to expand a school that is rated inadequate, the LA should also send a copy of the proposal to the [relevant RSC](#) so that they can ensure appropriate intervention strategies are in place.

The table below sets out who can propose an enlargement of premises and what process must be followed:

⁴ Advisers.PPP@education.gov.uk

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Enlargement of premises that meets the threshold	Statutory process	LA	CofE Diocese RC Diocese
LA for voluntary or foundation	Enlargement of premises that meets the threshold	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
LA for voluntary and foundation	Enlargement of premises (below the threshold)	Non statutory process	LA	N/A
GB of all categories mainstream	Enlargement of premises (below the threshold)	Non statutory process	GB	N/A

Expansion onto an additional site (or ‘satellite sites’)

Where proposers seek to expand onto an additional site they will need to ensure that the new provision is genuinely a change to an existing school and not in reality the establishment of a new school. Where a LA decides that a new school is needed to meet basic need, they should refer to the [guidance for opening new schools](#).

Decisions about whether a proposal represents a genuine expansion will need to be taken on a case-by-case basis, but proposers and decision makers will need to consider this non-exhaustive list of factors which are intended to expose the extent to which the new site is integrated with the existing site, and the extent to which it will serve the same community as the existing site:

The reasons for the expansion

- What is the rationale for this approach and this particular site?

Admission and curriculum arrangements

- How will the new site be used (e.g. which age groups/pupils will it serve)?
- What will the admission arrangements be?
- Will there be movement of pupils between sites?

Governance and administration

- How will whole school activities be managed?
- Will staff be employed on contracts to work on both sites? How frequently will they do so?
- What governance, leadership and management arrangements will be put in place to oversee the new site (e.g. will the new site be governed by the same GB and the same school leadership team)?

Physical characteristics of the school

- How will facilities across the two sites be used (e.g. sharing of the facilities and resources available at the two sites, such as playing fields)?
- Is the new site in an area that is easily accessible to the community that the current school serves?

The purpose of considering these factors is to determine the level of integration between the two sites; the more integration, the more likely the change will be considered as an expansion.

LAs should copy any proposal to expand a school onto a satellite site to schoolorganisation.notifications@education.gov.uk for monitoring purposes.

Expansion of existing grammar schools

Legislation prohibits the establishment of new grammar schools⁵. Expansion of any existing grammar school onto a satellite site can only happen if the new site is genuinely part of the existing school. Decision-makers must consider the factors listed above when deciding if an expansion is a legitimate enlargement of an existing school.

Changes to the published admissions number (PAN) where an enlargement of premises has not taken place

Admission authorities⁶ must set a PAN for each 'relevant age group' when determining their admission arrangements. If an admission authority of a mainstream school wishes to increase or decrease PAN, without increasing the overall physical

⁵ Except where a grammar school is replacing one of more existing grammar schools

⁶ The LA in the case of community and voluntary controlled (VC) schools or the GB in the case of voluntary aided (VA) and foundation schools

capacity of the buildings, this would be classed as an admissions change, not a prescribed alteration. The statutory process described in this guidance would not need to be followed (please see the [School Admissions Code](#) for further details of the processes admission authorities must follow).

Change in number of pupils in a special school

The School Admissions Code does not apply to special schools. GBs of all categories of special school, and LAs for community special schools, may seek to increase the number of places by following the statutory process in [part 5](#), if the increase is by:

- 10%; or
- 20 pupils (or 5 pupils if the school is a boarding-only school),

(whichever is the smaller number).

The exception to this is where a special school is established in a hospital.

GBs of all categories of special school, and LAs for community special schools, may seek to decrease the number of pupils, by following the statutory process in [part 5](#).

The table below sets out who can propose a change in the number of pupils in a special school and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB foundation special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB community special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	LA	CofE Diocese RC Diocese
LA for community special and foundation special	Increase by 10% or 20 pupils (5 for boarding special)	Statutory process	LA	CofE Diocese RC Diocese

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for foundation special	Increase by 10% or 20 pupils (5 for boarding special)	Statutory process	LA	GB/Trustees
LA for community special	Decrease of numbers	Statutory process	LA	CofE Diocese RC Diocese

Change of age range

For changes that are expected to be in place for more than 2 years (as these are considered permanent increases):

LAs can propose:

- a change of age range of up to 2 years (except for adding or removing a sixth form) for voluntary and foundation schools by following the non-statutory process, see [part 4](#).
- a change of age range of 1 year or more for community schools (including the adding or removal of sixth form or nursery provision) and community special schools or alter the upper age limit of a foundation or voluntary school to add sixth form provision by following the statutory process, see [part 5](#).

GBs of foundation and voluntary schools can propose:

- an age range change of up to 2 years (except for adding or removing a sixth form) by following the non-statutory process, see [part 4](#).
- an age range change of 3 years or more (including adding or removing a sixth form) by following the statutory process, see [part 5](#).

Before making such a proposal, the GB should consult with LAs, and where the school is designated as having a religious character the trustees of the school, dioceses or relevant diocesan boards, or any other relevant faith body, to understand the place management needs of the area.

GBs of community schools can propose the alteration of their upper age limit to add sixth form provision following the statutory process, see [part 5](#).

GBs of community special and foundation special schools can propose a change of age range of 1 year or more following the statutory process, see [part 5](#).

Where a proposed age range change would also require an expansion of the school's premises, the LA or GB must also ensure that they act in accordance with the requirements for proposals for the [enlargement of premises](#).

In cases where the age-range of the school has changed, this should be altered on GIAS. For example if the age-range is changed so that the school no longer caters for pupils below compulsory school age, the lower age range of the school would need to be increased so as not to include that age group.

The table below sets out who can propose a change of age range and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for voluntary and foundation	Alteration of upper or lower age range of up to 2 years (excluding adding or removing a sixth form)	Non statutory process	LA	NA
GB of voluntary and foundation	Alteration of upper or lower age range by up to 2 years (excluding adding or removing a sixth form)	Non statutory process	GB	N/A
GB of voluntary and foundation	Alteration of upper or lower age range by 3 years or more	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
LA for community and community special	Alteration of upper or lower age range by 1 year or more (for community schools including the adding or removal of sixth form or nurse provision)	Statutory process	LA	CofE Diocese RC Diocese
GB foundation special	Alteration of upper or lower age range by one year or more	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB community special	Alteration of upper or lower age range by one year or more	Statutory process	LA	CofE Diocese RC Diocese
LA for community	Alteration of upper age range so as to add or	Statutory process	LA	CofE Diocese RC Diocese

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
	remove sixth form provision			
LA for voluntary and foundation	Alteration of upper age range so as to add sixth form provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of voluntary and foundation	Alteration of upper age range so as to add sixth form provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community	Alteration of upper age range so as to add sixth form provision	Statutory process	LA	CofE Diocese RC Diocese
GB of voluntary and foundation	Alteration of upper age range so as to remove sixth form provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Adding a sixth form

The department wants to ensure that all temporary (which is anticipated will be in place for no more than 2 years) and permanent provision is of the highest quality and provides genuine value for money. There is a departmental expectation that proposals for the addition of sixth form provision will only be put forward for secondary schools that are rated as 'good' or 'outstanding' by Ofsted. Proposers should also consider the supply of other local post-16 provision in the area and assess if there is a genuine need for the additional provision.

In deciding whether new sixth form provision would be appropriate, proposers and decision makers should consider the following guidelines:

- **Quality:** The quality of pre-16 education must be good or outstanding (as rated by Ofsted) and the school must have a history of positive Progress 8 scores (above 0);
- **Size:** The proposed sixth form will provide at least 200 places and there should be sufficient demand for those places;
- **Subject Breadth:** The proposed sixth form should - either directly or through partnership - offer a minimum of 15 A level subjects. LAs may wish to consider the benefits of delivering a broader A level curriculum through

partnership arrangements with other school sixth forms. Working with others can offer opportunities to:

- Improve choice and attainment for pupils
- Deliver new, improved or more integrated services
- Make efficiency savings through sharing costs
- Develop a stronger, more united voice
- Share knowledge and information.

Schools proposing a partnership arrangement must include evidence of how this will operate on a day-to-day basis, including timetabling and the deployment of staff;

- **Demand:** There should be a clear demand for additional post-16 places in the local area (including evidence of a shortage of post-16 places and a consideration of the quality of Level 3 provision in the area). The proposed sixth form should not create excessive surplus places or have a detrimental effect on other high quality post-16 provision in the local area;
- **Financial viability:** The proposed sixth form should be financially viable (there must be evidence of financial resilience should student numbers fall). The average class size should be at least 15, unless there is a clear educational argument to run smaller classes – for example to build the initial credibility of courses with a view to increasing class size in future.

Not all changes in age range to add a sixth form will necessitate a change to the school's admissions arrangements, for example a school may set up sixth form provision solely for its own pupils. However, if the intention is to also admit external applicants to the sixth form the school will need to adopt a sixth form PAN and may also wish to add academic entry requirements on changing its age-range.

The addition of post-16 provision requires a change of age-range, therefore, where a decision-maker is considering a proposal to add post-16 provision, they should refer to the section on changing an age range.

Closing an additional site

For foundation and voluntary schools that are already operating on a satellite site(s), GBs must follow the statutory process in [part 5](#) if they are proposing the closure of one or more sites, where the main entrance at any of the school's remaining sites is one mile or more from the main entrance of the site which is to be closed. The LA may make such a proposal for a community school following the statutory process in [part 5](#).

The table below sets out who can propose the closure of an additional site and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Closure of one or multiple sites	Statutory process	LA	CofE Diocese RC Diocese
GB voluntary or foundation	Closure of one or multiple sites	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Transfer to a new site

Where the main entrance of the proposed new site for a school would be more than two miles from the main entrance of the current school site, or if the proposed new site is within the area of another LA:

- **LAs** can propose the transfer to an entirely new site for community schools, community special schools and maintained nursery schools following the statutory process in [part 5](#).
- **GBs of voluntary, foundation, foundation special and community special** schools can also propose a transfer to a new site following the statutory process in [part 5](#).

The table below sets out who can propose a transfer to a new site and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community, community special and maintained nursery	Transfer to new site	Statutory process	LA	CofE Diocese RC Diocese
GB voluntary foundation or foundation special	Transfer to new site	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB community special	Transfer to new site	Statutory process	LA	CofE Diocese RC Diocese

Changes of category

GBs of all categories of maintained schools, apart from GBs of foundation special schools, may propose to change category by following the statutory process. The [addition or removal of a foundation](#) is described in [part 6](#). Where GBs are proposing a change of category covering a change in provision (e.g. from mainstream to special school) they are encouraged to seek advice by emailing schoolorganisation.notifications@education.gov.uk.

For a proposal to change the category of a school to voluntary-aided, the decision-maker should be satisfied that the GB and/or the foundation are able and willing to meet their financial responsibilities for building work. The decision-maker may wish to consider whether the GB has access to sufficient funds to enable it to meet 10% of its capital expenditure for at least five years from the date of implementation, taking into account anticipated building projects.

Guidance on adding or changing a designated religious character can be found in the [Opening and closing maintained schools](#) guidance.

The table below sets out who can propose a change of category and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of voluntary	VC to VA VA to VC	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of voluntary	VC or VA to foundation school VC or VA to foundation school and acquire a foundation VC or VA to foundation school, acquire a foundation and majority foundation governors on GB	Statutory process	GB	For proposals at a VA school when decided by the GB: LA CofE Diocese RC Diocese
GB of foundation	Foundation school to VC or VA	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of foundation	Acquire foundation Acquire a majority of foundation governors on the GB Removal of foundation and/or reduction in majority of foundation governors on GB	Statutory process	GB	N/A
GB of community	Community to VC or VA	Statutory process	LA	CofE Diocese RC Diocese
GB of community	Community to foundation school Community to foundation school and acquire foundation Community to foundation school and acquire majority of foundation governors on GB	Statutory process	GB	N/A
GB of foundation special	Remove foundation and/or reduce majority of foundation governors on GB	Statutory process	GB	N/A

Single sex school becoming co-educational (or vice versa)

Proposers can seek to change their school from single sex to co-educational (or vice versa) when they can show that this would better serve their local community. A co-educational school cannot change its nursery or post-16 provision to single sex. When making a decision, LAs will need to consider the demand for and balance of school places for boys and girls in line with the [Equality Act 2010](#).

The table below sets out who can change a school from single sex to co-educational (or vice versa) and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community or community special	To co-ed or single sex provision	Statutory process	LA	CofE Diocese RC Diocese
GB of foundation. foundation special or voluntary	To co-ed or single sex provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community special	To co-ed or single sex provision	Statutory process	LA	CofE Diocese RC Diocese

Mainstream school: establish/remove/alter special educational needs (SEN) provision

When considering any reorganisation of provision that the LA recognises as reserved for pupils with special educational needs, including that which might lead to children being displaced, proposers will need to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children.

The table below sets out who can propose to establish, remove or alter SEN provision and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Establish, remove or alter SEN provision	Statutory process	LA	CofE Diocese RC Diocese
LA for voluntary and foundation	Establish or remove SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of foundation	Establish, remove or alter SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
and voluntary				

Change the types of need catered for by a special school

The table below sets out who can propose a change to the type of need catered for by a special school and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese
LA for foundation special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese
GB of foundation special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Boarding provision

The introduction of boarding provision can require the statutory process to be followed (depending on the type of school in question – see table below). LAs and GBs will need to consider how the Prescribed Alterations Regulations apply in conjunction with this guidance and, where there is any doubt, seek independent legal advice, as the department cannot advise on individual cases.

LAs can propose for:

- community schools; the establishment, removal or alteration (decrease by 50 pupils or 50% whichever is the greater) of boarding provision by following the statutory process in [part 5](#).

- community special schools; the establishment, removal or alteration (increase or decrease by 5 places or more where there are both day and boarding places) of boarding provision following the statutory process in [part 5](#).

GBs of voluntary and foundation schools can propose the establishment or increase of boarding provision following the non-statutory process in [part 4](#) and the removal or alteration (decrease by 50 pupils or 50% whichever is the greater) of boarding provision by following the statutory process in [part 5](#).

GBs of special schools can add or remove boarding provision or, where the school makes provision for day and boarding pupils, can increase or decrease boarding provision by five pupils or more following the statutory process in [part 5](#).

The table below sets out who can propose to establish, change or remove boarding provision and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Add, remove or change (decrease by 50 pupils or 50% whichever is greater) boarding provision	Statutory process	LA	CofE Diocese RC Diocese
LA for community special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	LA	CofE Diocese RC Diocese
GB of foundation or voluntary	Add boarding provision	Non-statutory process	GB	N/A
GB of foundation or voluntary	Remove or change (decrease by 50 pupils or 50% whichever is greater) boarding provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of foundation special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	LA	CofE Diocese RC Diocese

In making a decision on a proposal to remove boarding provision from a school, the decision-maker should consider whether there is a state funded boarding school within reasonable distance from the school and whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

Remove selective admission arrangements at a grammar school

The table below sets out who can propose the removal of selective admission arrangements⁷ and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of voluntary or foundation	Remove selective admission arrangements	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community	Remove selective admission arrangements	Statutory process	LA	CofE Diocese RC Diocese

Amalgamations

The LA and/or GB (depending on school category) can publish a proposal to close one school (or more) and enlarge/change the age range/transfer site (following the statutory process as/when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

Alternatively, LAs may propose to close all the schools involved and replace them with a new school. For more information, please consult the separate guidance on [opening and closing a maintained school](#).

⁷ In accordance with s.109 (1) of the School Standards and Frameworks Act 1998

3: Contentious proposals

When proposing changes, LA's and GBs should act reasonably, and in line with the principles of public law, to ensure that the changes do not have a negative impact on the education of pupils in the area.

To enable the department to monitor potentially controversial proposals, LAs and GBs should notify schoolorganisation.notifications@education.gov.uk of the publication of any proposals which would:

- involve [expansion onto a separate 'satellite' site](#); or
- where objections have been raised that the proposed change could potentially undermine the quality of education in the local area by creating additional places where there is surplus capacity.

4: Changes that can be made outside of the statutory process

LAs and GBs of mainstream maintained schools can make limited changes (see [part 2](#) for the exact detail) to their schools without following a statutory process, including some temporary changes; they are nevertheless required to adhere to the usual principles of public law. They MUST:

- act rationally;
- take into account all relevant and no irrelevant considerations; and
- follow a fair procedure.

The department expects that in making these changes, LAs and GBs will work together and will:

- liaise with the trustees of the school, and in the case of schools designated as having a religious character the diocese or relevant diocesan board, or any other relevant faith body, to ensure that a proposal is aligned with wider place planning/organisational arrangements, and that any necessary consents have been gained;
- not undermine the quality of education provided or the financial viability of other 'good' and 'outstanding' schools in the local area;
- not create additional places in a local planning area where there is already surplus capacity in schools, taking the quality and diversity of the provision into account as well as cross boundary impacts; and
- ensure open and fair consultation with parents, any affected educational institutions in the area (e.g. primary, secondary, special schools, sixth form and FE colleges as required) and other interested parties. The [consultation principles guidance](#) can be referenced for examples of good practice.

Before making any changes GBs should ensure that:

- they have consulted with the LA to ensure the proposal is aligned with local place planning arrangements
- they have secured any necessary funding;
- they have identified suitable accommodation and sites;

- they have secured planning permission and/or agreement on the transfer of land where necessary⁸. The proposal can be approved subject to planning permission being granted;
- they have the consent of the site trustees or other land owner where the land is not owned by the GB;
- where a school is designated as having a religious character, they have the consent of the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body, where appropriate; and
- the admissions authority is content for the published admissions number (PAN) to be changed where this forms part of expansion plans, in accordance with the School Admissions Code.

Once a decision on the change has been made, the proposer (i.e. LA or GB) is responsible for making arrangements for the necessary changes to be made to the school's record in the department's [GIAS](#) system. These changes must be made no later than the date of implementation for the change and can be input in advance, once a decision is made.

⁸ Including, where necessary, approval from the Secretary of State for change to the use of playing field land under Section 77(1) of the SSFA 1998.

5: Statutory process: prescribed alterations

The statutory process for making prescribed alterations to schools has four stages:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and LAs will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations. Schools should have the consent of the site trustees and where a school is designated as having a religious character the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body.

When considering making a prescribed alteration change, it is best practice to take timing into account, for example:

- by holding consultations and public meetings (either formal or informal) during term time, rather than school holidays and, where appropriate, extend the consultation period if it overlaps school holidays etc;
- plan where any public and stakeholder meetings are held to maximise response;
- take into account the admissions cycle for changes that will impact on the school's admission arrangements.

A number of changes can impact admissions necessitating reductions in PAN, new relevant age groups for admission or the adoption of revised admission criteria. Changes to admission arrangements can be made by the admission authority in one of two ways:

- the consultation on changing the admission arrangements (as set out in the [School Admissions Code](#)) takes place sufficiently in advance of a decision on the prescribed alteration so that the change to admissions can be implemented at the same time as the proposals; or
- a variation is sought, where necessary, in view of a major change in circumstances, from the [Schools Adjudicator](#) so that the changes to the admission policy can be implemented at the same time as the prescribed alteration is implemented.

Decision-makers should, so far as is possible, co-ordinate with the admission authority, if different, to ensure they avoid taking decisions that will reduce a PAN or remove a relevant age group for admission after parents have submitted an application for the following September (e.g. 31 October for secondary admissions or 15 January for primary admissions).

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. [Annex A](#) sets out the minimum that this should include. The proposal should be accessible to all interested parties and should therefore use 'plain English'.

Where the proposal for one change is linked to another, this should be made clear in any notices published. Where a proposal by a LA is 'related' to a proposal by other proposers (e.g. where one school is to be enlarged because another is being closed) a single notice could be published.

The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date that the representation period ends; and
- the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. If the proposal is published by a GB then notification must also be posted in a conspicuous place on the school premises and at all of the entrances to the school.

Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to:

- the GB/LA (as appropriate);
- the parents of every registered pupil at the school - where the school is a special school;
- if it involves or is likely to affect a school which has been designated as having a religious character:
 - the local Church of England diocese;
 - the local Roman Catholic diocese; or
 - the relevant faith group in relation to the school;
- proposals affecting a special school should go to any LA that has commissioned a place at the school (i.e. all relevant authorities who have made an out of county/borough placement there); and
- any other body or person that the proposer thinks is appropriate e.g. any affected educational institutions in the area.

Within one week of receiving a request for a copy of the proposal, the proposer must send a copy to the person requesting it.

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

Representation (formal consultation)

The representation period must last for four weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

Decision

The LA will be the decision-maker in all cases except where a proposal is 'related' to another proposal that must be decided by the [Schools Adjudicator](#)⁹.

Decision-makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).

Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
- approve the proposal, with or without modification – subject to certain conditions¹⁰ (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so, the proposer must send written notice to the LA or the GB (as appropriate); or the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Within one week of making a decision the LA must publish their decision and the reasons for it, on the website where the original proposal was published and send copies to:

- the LA (where the Schools Adjudicator is the decision-maker);
- the Schools Adjudicator (where the LA is the decision-maker);

⁹ For example where a change is conditional on the establishment of a new school under section 10 or 11 of EIA 2006 (where the Schools Adjudicator may be the default decision maker).

¹⁰ The prescribed events are those listed in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations

- the GB/proposers (as appropriate);
- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- the parents of every registered pupil at the school – where the school is a special school; and
- any other body that they think is appropriate (e.g. other relevant diocese or diocesan board, faith organisation and any affected educational institutions in the area).

If the [Schools Adjudicator](#) is the decision-maker they must notify the persons above of their decision, together with the reasons, within one week of making the decision. Within one week of receiving this notification the LA must publish the decision, with reasons, on the website where the original proposal was published.

Related proposals

Where proposals appear to be related to other proposals, the decision-maker must consider the related proposals together. A proposal should be regarded as related if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Conditional approval

For many types of proposal, decision-makers may make their approval conditional on certain prescribed kinds of events¹¹. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

¹¹ Under paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations

Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.

Equal opportunities issues

The decision-maker must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

Further information on the considerations can be found on the [Equality and Human Rights Commission](#) website.

Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from, and about each other; by encouraging through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker should consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different groups within the community.

Travel and accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Further information is available in the statutory [Home to school travel and transport guidance](#) for LAs.

Funding

The decision-maker should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

Rights of appeal against a decision

The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:

- the local Church of England diocese;
- the local Roman Catholic diocese; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

On receipt of an appeal, a LA decision-maker must then send the proposal, representations received and the reasons for their decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

Implementation

The proposer must implement a proposal in the form that it was approved, taking into account any modifications made by the decision-maker.

Modification post determination

Proposers can seek modifications from the decision-maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been published.

Details of the modification must be published on the website where the original proposals were published.

Revocation of proposals

If the proposer no longer wants to implement an approved proposal, they must publish a revocation proposal to be relieved of the duty to implement, as set out in the Prescribed Alterations Regulations.

Land and buildings

Foundation, foundation special or voluntary controlled schools

Where a LA is required to provide a site for a foundation, foundation special or voluntary controlled school, the LA must¹²:

- transfer their interest in the site and in any buildings on the site which are to form part of the school's premises to the trustees of the school, to be held by them on trust for the purposes of the school; or
- if the school has no trustees, to the GB, to be held by that body for the purposes of the school.

In the case of a dispute as to the persons to whom the LA is required to make the transfer, the adjudicator will make a decision.

Voluntary aided schools

Where a LA is required to provide a site for a voluntary aided school, they must transfer their interest in the land to the trustees of the school, and must pay the reasonable costs to the GB in connection with the transfer.

¹² Under paragraph 17 of schedule 3 of the Prescribed Alterations Regulations

School premises and playing fields

Under the School Premises (England) Regulations 2012, all schools maintained by local authorities are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

[Guidelines](#) setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.

6: Statutory process: foundation proposals

Changing category to foundation, acquiring a foundation trust and/or acquiring a foundation majority

A 'foundation trust school' is a foundation school with a charitable foundation complying with the requirements set out in SSFA 1998¹³. These include that the foundation trust must have a charitable purpose of advancing education and must promote community cohesion.

The term 'acquire a foundation majority' means acquiring an instrument of government whereby the school's foundation trust has the power to appoint a majority of governors on the GB.

Where a school's GB considers changing category to foundation or acquiring a foundation trust and/or acquiring a foundation majority on the school's GB, the following five-stage statutory process must be followed:

Stage	Description	Timescale	Comments
Stage 1	Initiation		The GB considers a change of category to foundation/acquisition of a foundation trust/acquisition of a foundation majority
Stage 2	Publication		Having gained consent where appropriate
Stage 3	Representation (formal consultation)	Must be 4 weeks	As set out in the prescribed alteration regulations. The LA may refer a foundation trust proposal to the Schools Adjudicator during this period if it considers the proposal to have a negative effect on standards at the school
Stage 4	Decision	The GB must decide within 12 months of the date of publication	Unless the LA has referred the proposal to Schools Adjudicator at Stage 3
Stage 5	Implementation	No prescribed timescale	Must be as specified in the statutory notice, subject to any modifications agreed by the decision-maker

¹³ Section 23A

Initiation

For a proposal to change the category of a school to a foundation school, the GB should inform the LA in writing, at least seven days in advance of a meeting, if a motion to consult on a change of category proposal is to be discussed.

Before the GB can publish a proposal to change category from a voluntary school to a foundation school, the existing trustees and whoever appoints the foundation governors must give their consent.

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. Part 1 of [Schedule 1 to the Prescribed Alterations Regulations](#) specifies the information that the statutory proposal must contain. Further details on the publication stage can be found in [Part 5](#).

Representation (formal consultation)

The representation period starts on the date of the publication of the proposal and must last four weeks. During this period, any person or organisation can submit comments on the proposal to the GB, to be taken into account when the decision is made.

During the representation period, the LA has the power to require the referral of a proposal to acquire a foundation trust/foundation majority to the [Schools Adjudicator](#) for decision, if they consider it will have a negative impact on standards at the school.

The LA does not have this power in respect of a proposal solely to change the category¹⁴.

Where a proposal is referred to the [Schools Adjudicator](#), the GB must forward any objections or comments it has received to the Schools Adjudicator within one week of the end of the representation period.

¹⁴ However, where such a proposal is related to a proposal to acquire a trust, then the whole set of proposals will be referred to the Schools Adjudicator

Decision

Unless a proposal has been referred to the Schools Adjudicator (as set out above), the GB will be the decision-maker and must make a decision on the proposal within 12 months of the date of publication of the proposal.

Where a proposal to acquire a foundation trust or a foundation majority is linked to a proposal to change category to a foundation school, they will be decided together.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA;
- approve the proposal with or without modifications but conditional upon:
 - the making of any scheme relating to any charity connected with the school; and
 - the establishment of a foundation¹⁵.

Where the LA has referred a proposal to acquire a foundation trust/foundation majority to the Schools Adjudicator for decision, any related proposal(s) (including a change of category to foundation) will also fall to be decided by the Schools Adjudicator.

Decision-makers should consider the impact of changing category to foundation school, and acquiring or removing a foundation trust on educational standards at the school. In assessing standards at the school, the decision-maker should take account of recent reports from Ofsted and a range of performance data. Recent trends in applications for places at the school (as a measure of popularity) and the local reputation of the school may also be relevant context for a decision.

If a proposal is not considered strong enough to significantly improve standards at a school that requires it, the decision maker should consider rejecting the proposal. Foundation trusts have a duty¹⁶ to promote community cohesion, and decision-makers should carefully consider the foundation trust's plans for partnership working with other schools, agencies or voluntary bodies.

¹⁵ As defined in section 23A of the SSFA 1998

¹⁶ Under section 23A(6) of the SSFA 1998.

Foundation schools acquiring a foundation trust

For foundation trust schools the decision-maker should be satisfied that the following criteria are met for the proposal to be approved:

- the proposal is not seeking for a school to alter, acquire, or lose a designated religious character. These alterations cannot be made simply by acquiring a foundation trust;
- the necessary work is underway to establish the foundation trust as a charity and as a corporate body; and
- that none of the foundation trustees are disqualified from exercising the function of foundation trustee, either by virtue of:
 - o disqualifications from working with children or young people;
 - o not having obtained a criminal record check certificate¹⁷;
 - o [Charities Act 2011](#)¹⁸ which disqualify certain persons from acting as charity trustees.

Suitability of partners

Decision-makers will need to be satisfied of the suitability of foundation trust partners and members. They should use their own discretion and judgement in determining on a case-by-case basis whether the reputation of a foundation trust partner is in keeping with the charitable objectives of a foundation trust, or could bring the school into disrepute. However, the decision-maker should make a balanced judgement, considering the suitability and reputation of the current/potential foundation trust.

The following sources may provide information on the history of potential foundation trust partners:

- [The Health and Safety Executive Public Register of Convictions](#)¹⁹
- [The Charity Commission's Register of Charities](#); and
- [The Companies House web check service](#).

¹⁷ Under section 113A of the Police Act 1997

¹⁸ section 178 onwards

¹⁹ Appearance on this database should not automatically disqualify a potential trust member; decision-makers will wish to consider each case on its merits

Within one week of making a decision the GB must publish a copy of the decision (together with reasons) on the website where the original proposal was published and send copies to:

- the LA;
- the local Church of England diocese; and
- the local Roman Catholic diocese.

Where a proposal has been decided by the GB and is to change the category of a VA school to foundation (with or without the acquisition of a foundation trust/foundation majority), the following bodies have the right of appeal to the [Schools Adjudicator](#)²⁰:

- the LA;
- the local Church of England diocese(s); and
- the local Roman Catholic diocese(s).

Conditional approval

For many types of proposal, decision-makers may make their approval conditional on certain prescribed kinds of events²¹. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

Implementation

The GB must implement any approved proposal by the approved implementation date, taking into account any modifications made by the decision-maker.

Within one week of implementation, the GB must provide information to the Secretary of State²² about foundation proposals that have been implemented. Copies of the statutory proposals and decision record should be submitted to

²⁰ The specific circumstances in which a referral can be made are prescribed under paragraph 15 of Schedule 1 to the Prescribed Alterations Regulations

²¹ under paragraph 16 of Schedule 1 to the Prescribed Alterations Regulations

²² Paragraph 18 of Schedule 1 of the Prescribed Alterations Regulations

schoolorganisation.notifications@education.gov.uk in order for the school record to be updated on GIAS.

Modification post determination

Modifications can be made to a proposal by the governing body after determination but before implementation.

Revocation

If the proposer no longer wants to implement an approved proposal they must publish a revocation proposal to be relieved of the duty to implement, as set out in Paragraph 19 of Schedule 1 of the Prescribed Alterations Regulations.

Governance and staffing issues

Schedule 4 of the Prescribed Alterations Regulations provides further information on the requirements about:

- the revision or replacement of the school's instrument of government;
- reconstitution or replacement of the GB;
- current governors continuing in office;
- surplus governors;
- transfer of staff; and
- transitional admission arrangements.

Land transfer issues

Requirements as to land transfers, when a school changes category or acquires a foundation trust, are prescribed in Schedule 5 of the Prescribed Alterations Regulations.

Removing a foundation trust and/or removing a foundation majority

There are five or six statutory stages (depending on the proposal and circumstances) to remove a foundation trust and/or to reduce a foundation majority. It may be triggered in two different ways – either by a majority or a minority of the GB:

Stage	Description	Timescale	Comments
Stage 1	Initiation		<p>Majority A majority of governors considers publishing a proposal to remove a foundation trust/reduce the number of governors appointed by the foundation.</p> <p>or</p> <p>Minority A minority (of not less than a third of the governors) notify the clerk of the GB of their wish to publish a proposal to remove a foundation trust/reduce the number of governors appointed by the foundation</p>
Stage 2	Land Issues (applicable only to removal of trusts)	If not resolved within 3 months, disputes must be referred to the Schools Adjudicator	In cases of removing foundation trusts, the GB, trustees and the LA must resolve issues related to land and assets before a proposal is published
Stage 3	Consultation	<p>Majority A minimum of 4 weeks is recommended.</p> <p>or</p> <p>Minority No consultation required</p>	<p>Majority It is for the GB to determine the length of consultation</p>
Stage 4	Publication and representation	<p>Majority 6 week representation period.</p> <p>or</p> <p>Minority</p>	

Stage	Description	Timescale	Comments
		Where there are no land or asset issues – publish within 3 months of receipt of notice by GB clerk – followed by a 6-week representation period. Where there are land issues, publish within 1 month of receipt of School Adjudicator’s determination – followed by a 6-week representation period	
Stage 5	Decision	Within 3 months	A proposal initiated by a minority of governors may not be rejected unless at least two-thirds of the GB are in favour of the rejection
Stage 6	Implementation	No prescribed timescale	But must be as specified in the statutory notice, subject to any modifications agreed by the decision-maker

Initiation

A proposal for removing a foundation trust and/or removing a foundation majority can be triggered by:

- a) a majority²³ of the GB or a committee deciding to publish a proposal. The decision to publish must be confirmed by the whole GB at a meeting held at least 28 days after the meeting at which the initial decision was made; or
- b) at least one-third²⁴ of the governors requesting in writing to the clerk of the GB, that a proposal be published. No vote of the GB is required as they are obliged to publish a proposal. To prevent on-going challenges

²³ Regulation 4 of the Removal Regulations

²⁴ Regulation 5 of the Removal Regulations

there are a number of prescribed circumstances²⁵ in which there is no obligation to follow the wishes of the minority of governors.

Land and assets (when removing a foundation trust)

Before publishing proposals to remove a foundation trust, the GB must reach agreement with the trustees and LA on issues relating to the school's land and assets. Where such issues remain unresolved within three months of the initial decision (majority) or receipt of notice by the clerk (minority), they must be referred to the [Schools Adjudicator](#) for determination.

On the removal of the foundation trust, all publicly provided land held by the foundation trust for the purposes of the school will transfer to the GB²⁶. Where the land originated from private sources (for example, where land was gifted on trust), the land will transfer to the GB in accordance with a transfer agreement, providing for consideration to be paid by the GB to the foundation trust where appropriate. However, there may be land which has benefited from investment from public funds which remains with the trustees under the transfer agreement.

Alternatively, there may have been investment by trustees in the publicly provided land or from public funding in the land provided by the trustees. In either of these cases, it may be appropriate for either the trustees or the public purse to be compensated. The possibility of stamp duty land tax may also need to be taken into account.

The Schools Adjudicator will announce its determination in writing to both parties.

Consultation

Where a minority of governors initiated the process, this stage does not apply.

Where a majority of governors initiated the process, before publishing a proposal the GB must consult:

- families of pupils at the school;
- teachers and other staff at the school;
- the trustees and, if different, whoever appoints foundation governors;
- the LA;

²⁵ See regulation 5(4) of the Removal Regulations

²⁶ By virtue of regulation 17(1) of the Removal Regulations

- the GBs of any other foundation or foundation special schools maintained by the same LA for which the foundation acts as a foundation;
- any trade unions who represent school staff;
- if the school has been designated as having a religious character, the appropriate diocesan authority or other relevant faith group in relation to the school;
- any other person the GB consider appropriate.

Publication

Where the decision to publish a proposal was made by a majority of governors, the GB at this stage must decide whether to go ahead with publishing the proposal.

Where the decision to publish a proposal was made by a minority of governors and there are no land issues to be determined, the GB must publish the proposal within 3 months of the receipt of the notice by the clerk. If land issues were referred to the [Schools Adjudicator](#), the proposal must be published within 1 month of receipt of its determination.

Proposals to remove a foundation trust or to alter the instrument of government so that foundation governors cease to be the majority of governors must contain the information set out in [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#). Further details on the publication stage can be found in [Part 5](#).

At the same time as publishing the proposals, the GB must send copies of the proposals to the LA, trustees, and the Secretary of State via schoolorganisation.notifications@education.gov.uk.

Representation

The representation period starts on the date of the publication of the proposal and must last six weeks. During this period, any person or organisation can submit comments on the proposal to the GB to be taken into account when the decision is made.

Unlike the foundation trust acquisition process, there is no power for the LA to refer a proposal to the Schools Adjudicator to remove a school's foundation trust or to reduce the number of governors appointed by the foundation trust. However, GBs

must bear in mind that failure to follow the requirements of the statutory process could lead to a complaint to the Secretary of State under Section 496/497 of the Education Act 1996, and/or ultimately be challenged through judicial review.

Decision

The GB is the decision-maker for a removal proposal and must determine the proposal within 3 months of the date of its publication.

If a proposal was brought forward by a majority of governors, then it may be determined by a majority vote of those governors present²⁷.

If a proposal was brought forward by a minority of governors, then the GB may not reject the proposal unless two thirds or more of the governors indicate that they are in favour of its rejection²⁸.

When deciding a proposal for the removal of a foundation trust, the GB should consider the proposal in the context of the original proposal to acquire the foundation trust, and consider whether the foundation trust has fulfilled its expectations. Where new information has come to light regarding the suitability of foundation trust partners, this should be considered.

All decisions must be taken in accordance with the processes prescribed in [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)²⁹.

The GB must notify the relevant LA, trustees and the Secretary of State via schoolorganisation.notifications@education.gov.uk of their decision.

Implementation

The GB is under a statutory duty to implement any approved proposal, as published, by the approved implementation date, taking into account any modifications made. In changing category, an implementation period begins when the proposal is decided and ends on the date the proposal is implemented. During this period the LA and GB are required to make a new instrument of government for the school, so enough time must be built into the timeframe for this to happen. The GB must then be reconstituted in a form appropriate to the school's new category and also in accordance with the appropriate instrument of government taking into account the [School Governance \(Constitution\) \(England\) Regulations 2012](#).

²⁷ As per the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.

²⁸ As per regulation 11(2) of the Removal Regulations.

²⁹ Except as otherwise provided by the Removal Regulations.

When removing a foundation trust or a foundation majority, a governor may continue as a governor in the corresponding category (e.g. staff governor, parent governor) if that category remains under the new instrument of government. A member of a current GB who continues as a governor on these grounds holds office for the remainder of the term for which he or she was originally appointed or elected. Where a school with a religious character has no foundation trust, the GB must appoint partnership governors with a view to ensuring that the religious character of the school is preserved and developed in accordance with the School Governance (Constitution) (England) Regulations 2012. There is nothing to prevent the appointment of a former foundation governor being reappointed by the GB as a partnership governor.

The terms of the trust on which land is held for a voluntary or foundation school often include very specific provisions regarding the conduct of the school and the use of any fund held by the foundation trust for the use of the school and premises. When making a proposal to change category, proposers will need to consider whether the current terms on which the school's land is held on trust allows for the change in category proposed. If in doubt, or if a variation in the foundation trust is clearly necessary, promoters and the relevant site trustees are advised to make early contact with the Charity Commission to apply for the terms of the trust to be varied under the relevant trust law.

Modification of proposals

Modifications can only be made to the implementation date and the proposed constitution of the governing body.

Annex A: Information to be included in a prescribed alteration statutory proposal

A statutory proposal for making a prescribed alteration to a school must contain sufficient information for interested parties to make a decision on whether to support the proposed change. A proposal should be accessible to all interested parties and therefore use 'plain English'.

Proposers will need to be mindful of the factors that will inform the decision-makers assessment when determining the proposal.

As a minimum, the department would expect a proposal to include:

- school and LA details;
- description of alteration and evidence of demand;
- objectives (including how the proposal would increase educational standards and parental choice);
- the effect on other educational institutions within the area;
- project costs and indication of how these will be met, including how long-term value for money will be achieved;
- implementation plan; and
- a statement explaining the procedure for responses: support, objections and comments.

Annex B: Further Information

This guidance primarily relates to:

- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/3110/contents/made)
www.legislation.gov.uk/uksi/2013/3110/contents/made
- [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](http://www.legislation.gov.uk/uksi/2007/3475/contents/made) www.legislation.gov.uk/uksi/2007/3475/contents/made
- [The School Organisation \(Requirements as to Foundations\) \(England\) Regulations 2007](http://www.legislation.gov.uk/uksi/2007/1287/contents/made) www.legislation.gov.uk/uksi/2007/1287/contents/made
- [The Education and Inspections Act 2006](http://www.legislation.gov.uk/ukpga/2006/40)
www.legislation.gov.uk/ukpga/2006/40
- [The School Standards and Framework Act 1998](http://www.legislation.gov.uk/ukpga/1998/31/contents)
www.legislation.gov.uk/ukpga/1998/31/contents

It also relates to:

- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/3109/contents/made) www.legislation.gov.uk/uksi/2013/3109/contents/made
- [The School Governance \(Constitution\) \(England\) Regulations 2012](http://www.legislation.gov.uk/uksi/2012/1034/contents/made)
www.legislation.gov.uk/uksi/2012/1034/contents/made
- [The School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2014](http://www.legislation.gov.uk/uksi/2014/1257/pdfs/uksi_20141257_en.pdf)
www.legislation.gov.uk/uksi/2014/1257/pdfs/uksi_20141257_en.pdf
- [The School Governance \(Miscellaneous Amendments\) \(England\) Regulations 2015](http://www.legislation.gov.uk/uksi/2015/883/pdfs/uksi_20150883_en.pdf) www.legislation.gov.uk/uksi/2015/883/pdfs/uksi_20150883_en.pdf
- [The School Governance \(New Schools\) \(England\) Regulations 2007](http://www.legislation.gov.uk/uksi/2007/958/pdfs/uksi_20070958_en.pdf)
www.legislation.gov.uk/uksi/2007/958/pdfs/uksi_20070958_en.pdf
- [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/1624/contents/made) www.legislation.gov.uk/uksi/2013/1624/contents/made
- [The Childcare Act 2006](http://www.legislation.gov.uk/ukpga/2006/21/contents) www.legislation.gov.uk/ukpga/2006/21/contents
- [The School Premises \(England\) Regulations 2012](http://www.legislation.gov.uk/uksi/2012/1943/contents/made)
www.legislation.gov.uk/uksi/2012/1943/contents/made

- [Making Significant Changes to an Existing Academy](http://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy)
www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy
- [Academy/Free School Presumption – departmental advice](http://www.gov.uk/government/publications/establishing-a-new-school-free-school-presumption)
www.gov.uk/government/publications/establishing-a-new-school-free-school-presumption
- [Establishing New Maintained Schools – departmental advice for local authorities and new school proposers](http://www.gov.uk/government/publications/establishing-new-maintained-schools)
www.gov.uk/government/publications/establishing-new-maintained-schools
- [The School Admissions Code](http://www.gov.uk/government/publications/school-admissions-code--2) www.gov.uk/government/publications/school-admissions-code--2
- [Education Act 1996](http://www.legislation.gov.uk/ukpga/1996/56/contents) www.legislation.gov.uk/ukpga/1996/56/contents
- [Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/contents) www.legislation.gov.uk/ukpga/2010/15/contents
- [Police Act 1997](http://www.legislation.gov.uk/ukpga/1997/50/contents) www.legislation.gov.uk/ukpga/1997/50/contents
- [Charities Act 2011](http://www.legislation.gov.uk/ukpga/2011/25/contents) www.legislation.gov.uk/ukpga/2011/25/contents
- [Public Sector Equality Duty](http://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty) www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty
- [Home-to-school travel and transport - GOV.UK](http://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance)
www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance
- [Get information about schools - GOV.UK](http://www.get-information-schools.service.gov.uk/) www.get-information-schools.service.gov.uk/
- [Consultation principles: guidance - GOV.UK](http://www.gov.uk/government/publications/consultation-principles-guidance)
www.gov.uk/government/publications/consultation-principles-guidance
- [School land and property: protection, transfer and disposal - GOV.UK](http://www.gov.uk/guidance/school-land-and-property-protection-transfer-and-disposal)
www.gov.uk/guidance/school-land-and-property-protection-transfer-and-disposal

Annex C: Contact details for RSC offices

- East and North East London - RSC.EASTNELONDON@education.gov.uk
- North - RSC.NORTH@education.gov.uk
- East Midlands and Humber - EMH.RSC@education.gov.uk
- Lancashire and West Yorkshire - LWY.RSC@education.gov.uk
- South Central England and North West London - RSC.SCNWLON@education.gov.uk
- South East and South London - RSC.SESL@education.gov.uk
- South West - RSC.SW@education.gov.uk
- West Midlands - RSC.WM@education.gov.uk



Department
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Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>


Date of Meeting	21 June 2023	
Title of Report	Housing Futures Progress	
Author	Fenella Beckman, Director of Housing Strategy; Lynne Sacale, Programme Lead; David Austin, Director of Finance;	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	
Agenda Planning Group consideration	x	



Signed:
 Councillor Sophie Davis, Cabinet Member for Housing Management,
 Homelessness and Community Safety
 Date: 12 June 2023



Signed:
 Interim Executive Director, Place: Nazeya Hussain
 Date: 8 June 2023

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Housing Futures Progress Report

Date: 21 June 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Nazeya Hussain, Executive Director Place; Fenella Beckman, Director Housing Strategy; David Austin, Director of Finance; Lynne Sacale, Housing Futures Programme Lead.

Outline and recommendations

This report gives an update on progress of the Housing Futures Programme since the decision was taken to transfer Lewisham Homes in December 2022.

It is recommended that Mayor and Cabinet:

- a) Note progress of the Housing Futures programme
- b) Approve the use of up to £1.9m of existing reserves, including the £0.6m agreed preparatory commitment.
- c) Agree a further up to £2.6m for additional transfer costs now identified, including a £0.5m contingency, funded from HRA reserves if available or the use of General Fund reserves if not.
- d) Agree that the level of reserves should be restored through the delivery of a planned HRA savings programme so that the necessary prudent position to meet future unforeseen costs is restored at the earliest opportunity.

1. Summary

- 1.1. The decision was made to bring the Lewisham Homes services into the Council under a new Housing Directorate by 1 October 2023.
- 1.2. An options appraisal, consultation and engagement work, approved by the July 2022 Mayor and Cabinet, within the agreed cost of £500,000 to £600,000 has been undertaken.
- 1.3. This report sets out the progress made and outlines lessons learned from the early transfers that have taken place to date, including a detailed understanding of costs involved with transition.
- 1.4. The phased approach of transitioning circa 55 staff, into the Council, has allowed us to better understand the services and be business ready for the integration of the final 500+ staff in October 2023.

2. Recommendations

- 2.1. To note progress of the Housing Futures programme.
- 2.2. To approve the use of up to £1.9m of existing reserves, including the £0.6m agreed preparatory commitment.
- 2.3. To agree a further up to £2.6m for additional transfer costs now identified, including a £0.5m contingency, funded from HRA reserves if available or the use of General Fund reserves if not.
- 2.4. To agree that the level of reserves should be restored through the delivery of a planned HRA savings programme so that the necessary prudent position to meet future unforeseen costs is restored at the earliest opportunity.

3. Policy Context

- 3.1. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's [Corporate Strategy \(2022-2026\)](#):
- 3.2. Lewisham's Housing Strategy (2020-2026) includes the following themes:
 - Delivering the homes that Lewisham needs
 - Preventing Homelessness and meeting housing need
 - Improving the quality, standard and safety of housing
 - Supporting our residents to live safe, independent and active lives
 - Strengthening communities and embracing diversity

4. Background

- 4.1. The Future of Housing Management Options Appraisal presented in July 2022 gave approval to undertake preparatory work of consultation and engagement with residents. The Financial Implications noted that the cost of carrying out this phase of work to be between £500,000 to £600,000.
- 4.2. Drivers for change included the need to meet the new and emerging regulatory and legal requirements, increasing the pressure of accountability on landlords

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and to improve quality of housing service. The new requirements also ensure tenants and leaseholders are key part of governance and scrutiny arrangements, all with the aim of ensuring tenants and leaseholders have a voice and remain at the heart of the service.

- 4.3. Feedback from the communication and consultation process and the cost benefit analysis were presented in the December 2022 report, resulting in the decision being made to terminate the management agreement with Lewisham Homes (LH). The cost benefit analysis noted the requirement of one off costs associated with the transition, including unknown costs at that time that were unable to be calculated.
- 4.4. The Council meeting paper 'Creation of senior level Housing Services capacity' in January 2023 also noted the need to identify one off transition costs, including unknowns with regards redundancy payments.
- 4.5. The phased approach taken by the Council to the re-integration of LH functions has allowed us to learn and assimilate functions over a period with a strong project management approach underpinning the programme.
- 4.6. The first phase of the transfer involved bringing across the Lewisham Homes Development team, consisting of 12 staff, into Strategic Housing and Growth on 1 February 2023.
- 4.7. This was then followed by some of the support services being transferred on 1 May 2023, including ICT, Finance, Technology Digital and Data, Temporary Accommodation and the clienting of Lewisham's two Tenancy Management Organisations; in total this second phase of the transfer consisted of 44 staff.
- 4.8. The remaining services will include approximately 500 staff to transfer into to the newly formed Housing Directorate on 1 October 2023 and largely covers a range of housing landlord functions including Assets and Safety, Housing Management and Repairs.

5. Housing Futures – progress

- 5.1. Given the significance and complexity of the programme, a corporate led programme (Housing Futures (HF)) with dedicated resources has been put in place. It's key objectives are:
 - to ensure residents experience as little disruption to services as possible during the transfer
 - LH staff transferred to the Council have a positive transition experience and are provided with the right tools to be able to do their job when they join.
- 5.2. This includes detailed implementation planning to understand what and how LH carry out their service and for the Council to be business ready to integrate.
- 5.3. To underpin this significant transfer of responsibilities back into the Council, new governance arrangements, including robust reporting and monitoring processes and frameworks have been implemented. This ensures we have detailed plans for transfer of all services with consistent reporting tools and mechanisms. A diagram of the new governance arrangements can be found in **Appendix A**.
- 5.4. Closer working arrangements with Lewisham Homes (LH) have been formed

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through the new programme governance, with all workstreams established including membership of officers from LH. Each workstream has its own implementation plan, Project Manager and Senior Responsible Officer.

- 5.5. Residents have been informed of the housing services transition to the Council on 1 October 2023 and meetings with key stakeholder groups have been held. This includes the Leasholder forum in February 2023 and Tenant and Resident Association (TRA) Chairs' meeting in March. We will continue to work with LH to engage and understand their current practices and post transition, any changes and improvements will have residents at the core. We will also continue to utilise both Lewisham Homes and Lewisham Council channels to ensure residents are updated regarding the transition. This includes articles within Lewisham Life, newsletters, a mail-drop to Lewisham Homes residents and sharing information via digital channels.
- 5.6. Lewisham Homes led on the formal staff consultation in line with Transfer of Undertakings (Protection of Employment) (TUPE) regulations with senior council officers in attendance. A total of 7 staff sessions were held, including 2 on Microsoft Teams and 5 held face to face. The May cohort sessions were attended by 95% of staff and the October cohort 83%.
- 5.7. The consultation process was led by Human Resources (HR) to provide consistency, capture questions and concerns and ensure a good experience for staff. Relevant officers welcomed the staff and introduced them to what it's like working in Lewisham.
- 5.8. Joint staff Newsletters across both organisations are now in place with two already issued, helping to improve communication and consistent messaging across the organisations.
- 5.9. Implementation plans are in place for all remaining services to transfer on 1 October. These include the following services:
 - Property Services (Repairs, Compliance, Health & Safety, Stock Investment)
 - Resident Services (Environment, Home Ownership, Housing and Communities, Income and Support)
 - People Services
 - Communications
 - Governance
 - Performance and Assurance

6. Key areas of learning

- 6.1. A phased and early transfer of 55 staff split between February and May allowed us to learn from integration challenge experienceds in , and have a much better understanding for the final phase of the transfer of 500+ staff in October 2023.
- 6.2. We have been able to learn from other Councils where ALMO transfers have already taken place and early engagement and careful planning around transfer of data and having sufficient resources, has supported our successful progress.
- 6.3. Where in many other authorities ALMOs have used the same systems and data infrastructure as their parent Council, this is not the case for LH. The transition

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programme has also had to account for the added complexity that a number of LH back-office systems and updates have not taken place as expected, creating additional, unexpected work to ensure successful integration with Council systems. Other ALMO transfers have not had to set up their IT systems, re-network buildings or move across to a different accounting system, for example, in addition to transitioning a complete housing service. This process is being run alongside the introduction of a new LH Housing Management System (HMS). Mayor and Cabinet approved this investment for Lewisham Homes in 2019 but implementation has not progressed as hoped. This means that the Council IT team is now managing this workstream in addition (LH IT teams having transferred across in May).

6.4. **Resources:** The Housing Futures Programme is a large and complex change management implementation programme. It will enable Lewisham Homes housing services to transition smoothly into the Council on 1st October 2023 with the key objectives being:

- The Council is ready to receive services
- Lewisham Homes is ready to transfer services
- All services and responsibilities are transferred to the Council and where possible, assimilated into the respective parts of the council's functions, such as Communications and HR.
- Staff have the tools required to do their job.
- Staff feel that the transition has been positive, and they are welcomed to the Council.
- Tenants and leaseholders have a voice in the process and understand what the changes mean for them.

6.4.1. To allow key council officers to maintain service continuity and to also oversee implementation of the transition, additional programme resources have been assigned to the programme. The additional resource capacity also allows smooth transition, robust handover and no lost learnings.

6.5. **ICT:** Managing the migration of core housing service IT applications into the Councils' IT estate is an essential part of the programme of work and has included facilitating the transfer of all IT applications and technology in both transfer dates so far. Success has been attributed to dedicated resources and additional purchase of tools and equipment.

6.5.1. Minimum disruption of LH IT services during and post transfers to date has been achieved and ensuring all staff across both organisations continue to have the tools, IT systems, applications and hardware needed to do their job on the day of their transfer, a key objective.

6.5.2. For a successful October transfer, there remains a great deal of scoping work and activity under the IT workstream. This includes making sure we have a stable network, with required infrastructure and equipment for the additional 500 staff.

6.5.3. The programme plan also includes successful migration of operational, resident and historical data on transfer.

6.6. **Communication:** Clear, consistent and collaborative communication has

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proved positive to engage and inform staff. Useful 'how to' guides, frequently asked questions and induction planning have been welcomed by staff already transferred.

- 6.6.1. A dedicated Communications Officer has been recruited to the programme to maintain continuous and parallel communications across Lewisham Homes and the Council. This includes the co-ordination of the frequently asked questions (FAQ's) and joint staff Newsletters issued from both organisations' CEO's.
- 6.6.2. A scoping and prioritising exercise is taking place to plan and prioritise investment and determine timescales for renewal of branded materials. Most items can be implemented over time and as required, with very few, essential items requiring change on Day 1.
- 6.7. **Residents and Leasholders:** With increased regulatory and legislative pressures, under the new programme governance arrangements we have a separate workstream working with LH to understand how they currently engage with residents. Through the workstream understanding we are better placed to involve and ensure that residents are satisfied we are doing everything needed under the new regime and how it will fit best within the council governance post October.
 - 6.7.1. We continue to learn from, and maintain the service Lewisham Homes currently delivers. Meetings have taken place with key stakeholder groups including Leaseholder Forum, TRA Chairs and ongoing engagement with residents through a variety of channels will now be progressed.
- 6.8. **Programme Costs:** Whilst we are managing the transition, understanding the housing service and making sure the Council is ready to integrate the business, we have also needed to carry on with business as usual. Implementation and a seamless transition is required to manage resident expectations and continue to deliver a satisfactory service.
 - 6.8.1. Financial implications within the December M&C report estimated preparatory works needed for transition to be between £500,000 and £600,000, to be charged to the HRA and covered by use of allocated HRA balances.
 - 6.8.2. Since that report, strong progress, as noted above, has been made and further information, discovery and detailed analysis of costs, carried out. The detailed implementation plans, including lessons learned from transferring some services in advance of the October transfer date have revealed a much better understanding of costs associated with the transfer and a clearer understanding of actual costs.
 - 6.8.3. The main areas of cost relating to the transition, in line with the December cost benefit analysis, are attributed to Programme resources including professional services, one off redundancy costs and IT.

7. Next Steps

- 7.1. The programme governance arrangements will continue to report to Senior Council Officers and keep the transition date of 1 October on track. Programme resources will remain focused on ensuring a smooth transition into the Council, whilst service continuity is maintained across both organisations.
- 7.2. When services transition into the Council Lewisham Homes' (LH) Articles of

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association will need to be amended to reflect the change in objectives, or new ones adopted. With the Council being the member and guarantor of LH it will need to give consideration to how LH will continue to carry out its non-social housing functions. External advice has been sought and will need further work which will be implemented as part of the transition.

- 7.3. As we approach the transfer date Lewisham Homes (LH) leadership arrangements will remain in place until 30 September. At the LH Annual General Meeting (AGM) the Board will step down and on 30 September the current Executive team will leave.

8. Financial implications

- 8.1. Since the previous 'Future of Housing' report presented to Mayor and Cabinet (M&C) in December 2022, each of the programme workstreams have been able to identify estimated costs for their respective transition activities. Further to the £0.6m agreed in December, this report is asking M&C to:

- note the commitment of between £0.7m and £1.3m HRA reserves set aside for operational costs the transition will crystallise (e.g. redundancy);
- agree to the use of additional reserves, from the HRA in the first instance or General Fund if necessary, of up to £1.9m; and
- reconfirm the acknowledgment that the use of reserves, both HRA and General Fund, will need to be replenished from future HRA savings.

- 8.2. The estimated costs for the financial year 2023/24 are between £3.3m and £3.9m. These are the estimates for costs related to the transition of services from Lewisham Homes to Lewisham Council, with existing agreed revenue budgets utilised where available and reasonable to do so for non-transition / business as usual work.

- 8.3. This level of once-off costs for the transition represent c3% of the annual turnover of the Lewisham Homes company of £100m. Within this is a significant element of technology investment which was already part of the Lewisham Homes improvement journey which included getting closer to the Council's systems and infrastructure. However, these actions were delayed with the focus on Covid and new compliance priorities and the resources diverted. They are therefore now falling into the transition activities as these have to be done to enable the Lewisham Homes staff to transfer to the Council.

- 8.4. At this stage £1.4m - £1.9m of funding has been identified including utilisation of HRA and potentially General Fund reserves. Both will need to be replenished in forthcoming financial years. This will require savings and efficiency programmes within the HRA business as usual activities to ensure it is managed within the available resources going forward.

- 8.5. The gap, the costs for which funding has not yet been identified, are now estimated to be between £1.4m and £2.6m. This includes £0.5m of contingency which it is hoped will not be required. These costs will also need to be met from reserves as the HRA does not hold reserves to cover these. If available, the HRA reserves will be drawn upon in the first instance.

- 8.6. As with the previously agreed reserves drawdowns to fund the cost of bringing

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the housing management agreement work in-house, any use of reserves will need to be replenished by savings within the HRA following the full transition of services to the Council. This will add to the anticipated savings needed from housing operations arising from the government's recent rent caps and new housing regulations.

- 8.7. The table below summarises the Transition Costs, Funding identified and the Gap which is to be met from reserves discussed above.

Transition Costs	Best Case £m	Worst Case £m
<u>Transition Costs</u>		
Technology, Corporate, LBL PMO, LH costs, Redundancy, Contingency		
Total	3.3	3.9
<u>Funding - identified</u>		
Total	-1.9	-1.3
<u>Gap</u>		
To be covered by additional use of reserves	1.4	2.6

9. Legal implications

- 9.1. The Government issued guidelines for councils considering the future of their ALMO housing management services in December 2011, and these still apply. They have been followed up to this date.
- 9.2. This report proposes the use of Council Reserves (HRA Redundancy and General Fund) to fund the transfer of Lewisham Homes to the Council. The Council has sufficient powers to do this subject to the following. The Council is obliged by section 151 Local Government Act 1972 to make proper arrangements for the administration of the Council's financial affairs. Section 31A of the Local Government and Finance Act 1992 requires local authorities to maintain an appropriate level of reserve funding, although the judgment as to an appropriate level rests with the Council having regard to the advice of its s151 Officer. Regard should also be had to the Guidance on Local Authority Reserves and Balances issued by CIPFA.
- 9.3. In order to amend its articles of association, Lewisham Homes must obtain the approval of at least 75% of its members (Companies Act 2006). The appointment and resignation of any directors will need to be approved at a meeting of the board of directors.

10. Equalities implications

- 10.1. The Council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 10.2. The consultation and engagement process has complied with the Council's policies.
- 10.3. The programme to transfer Lewisham Homes services back to the Council will be developed to ensure it complies with the Council's policies.

11. Climate change and environmental implications

- 11.1. There are no direct environmental impacts arising from this report, although there are significant challenges in ensuring the housing stock can be improved to meet the Council's ambitions. Improving efficiency of the management of housing will provide greater capacity for the HRA to be able to invest in the stock.

12. Crime and disorder implications

- 12.1. There are no direct implications relating to crime and disorder issues.

13. Health and wellbeing implications

- 13.1. There are no direct implications relating to crime and disorder issues.

14. Background papers

- 14.1. [Future of Housing Management Options Appraisal 6 July 2022](#)
- 14.2. [Future of Housing Management 7 December 2023](#)
- 14.3. [Appendix 3 Cost Benefit analysis, Future of Housing Management 7 December 2023](#)

15. Report author(s) and contact

- 15.1. Lynne Sacale, Housing Futures Programme Lead
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- 15.2. David Austin, author of the financial implications
- 15.3. Melanie Dawson, author of the legal implications

16. Comments for and on behalf of the Director of Law and Corporate Governance

17. Appendices

- 17.1. Appendix A – Housing Futures new governance arrangements
- 17.2. Appendix B – Transition Cost detail. This is provided separately as a Part 2 (closed) report.

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Programme Governance



RESIDENTS AND LEASEHOLDERS

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>
Non-Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	21 st June 2023	
Title of Report	Annual Complaints Report	
Author	Maxine Gordon	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	



Signed:
Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy
Date: 12/06/2023



Signed:
Executive Director of Corporate Resources
Date: 8/6/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Report title: Annual Complaints Report 2022-23

Date: April 2023

Key decision: No.

Class: Part 1

Ward(s) affected: All wards

Contributors: Director of Resident and Business Services; Corporate Complaints, Casework & Contracts Manager; Customer Services Manager – Environment; Head of Governance & Complaints Lewisham Homes, Quality Assurance & Business Support Manager - Adult Social Care; Complaints & Information Manager - Children’s Social Care

Outline and recommendations

The purpose of this report is to set out complaints and casework performance in 2022/23 as well as the measures being put in place to improve complaint handling, performance and service delivery.

Mayor and Cabinet are asked to note the contents and the recommendations as set out in section 2 of this report.

Timeline of engagement and decision-making

This report was reviewed by:

- The Executive Management Team 17 May 2023
- The Standards Committee on 21 June 2023

1. Executive Summary

Performance

Overall Council Performance for 2022/23 was 74% of complaints answered within 10 days against a target of 90% and has improved by 1% compared to last year despite a significant increase of complaints by 20%. It is also worth noting that 98% of all complaints received were completed in 11 days (just 1 day outside our target of 10 days).

Volumes

Table 1– New Stage 1’s & New Enquiries for 2022/23 for Lewisham Council

Case type (Lewisham council)	2020/21	2021/22	2022/23	% increase / decrease from previous year
New Complaints (Stage 1 only)	1562	1923	2419	▲ 21%
All Enquires *	4116	4662	5817	▲ 20%
Total	5678	6585	8236	▲ 21%

*All Enquiries – This included General Enquiries, MP, Member, Mayor and CEO.

- 1.1 One of our core values set out in Lewisham Council’s Corporate Strategy is that ‘we are open, honest and fair in all we do’. As an organisation with a learning culture, we welcome customer feedback about its services and staff from residents and service users.
- 1.2 We have updated our website; making it easier for residents to make complaints, comments or suggestions on service delivery. Enquiries have increased this year due to the introduction of the members portal which allowed Cllrs to raise queries with ease and track their casework in one place.
- 1.3 This annual report sets out performance information on complaints and casework dealt with by Lewisham Council and its housing partners in 2022/23. The main report focuses on corporate complaints at all stages as well as enquiries to MPs, the Mayor, Councillors, and the Chief Executive and general enquiries. The Lewisham Homes annual figures have been included in this report under Appendix 14.4.
- 1.4 The Local Government and Social Care Ombudsman (LGSCO) report will be issued in Q3 of this year. We will publish it to the public when it is available along with our response.
- 1.5 The Adult Social Care and Children’s Social Care complaints reports are attached in **Appendix 14.1 and 14.2 respectively**. These reports include an overview of statutory complaints in Adult Social Care and Children’s Social Care.

- 1.6 The annual report from the Stage 3 Adjudicator can be found at **Appendix 14.3**.
- 1.7 The 2022/23 data provided in this report is based on information recorded on the complaints system - iCasework. Data for 2021/22 and previous years has been provided for comparison where available. The accuracy of the underlying data is dependent on how cases are recorded and categorised on the system by officers.
- 1.8 After looking at performance data, the processes around Members Casework was reviewed in partnership with a number of Councillors as part of the “Resident Experience Programme” in conjunction with the Corporate Complaints, Casework and Contracts Manager and other areas within the Council. As a result of this work, a new members portal was developed to enable elected representatives to log casework on behalf of their constituents be it a query or a complaint. This gave Councillors and Members greater visibility on the progress of their case and enable them to see who is dealing with the query. This led to improved response times for casework and cases will be directed to and owned by the service area rather than Corporate Complaints Team to prevent delays. This new portal was launched in July 2022.

Background & Main Issues

- 1.9 Since July 2022, performance information and response times have been available to Executive Directors, Directors and Heads of Service and therefore performance both good and bad is now being highlighted and discussed regularly in monthly Department Team meetings and quarterly at EMT and the Corporate Assurance Board.
- 1.10 In addition to this performance information, the Corporate Complaints team have met on a monthly basis with several teams that either have high volume of complaints and or / poor performance to better understand and support their complaints handling. These meetings have been well received and we are beginning to see better ownership and accountability around complaints performance and improved response times.
- 1.11 The Council recognised that investment was required in iCasework and as such invested £37k this year by renewing the contract and managing the contract more closely with the provider, Civica. This system will enable us to continue to log and track complaints and to carry out analysis of this data in helping us to improve our performance.

1.12 *Table 1 – Standard Response Times & Responsibilities*

Complaint / Casework	Timescales	Responsibility
Stage 1 Corporate Complaint	10 working days	Service Manager
Stage 2 Corporate Complaint	20 working days	Head of Service (if single service complaint) Corporate Complaints & Casework Team (if multifaceted)
Stage 3 Corporate Complaint	30 working days	Stage 3 Adjudicator
MP / Mayor / Councillor / CEO / General Enquiries	10 working days	Individual Service areas unless multifaceted which is Corporate Complaints responsibility.

1.13 Since the launch of the members portal, the enterprise dashboard and enhanced reporting, we are seeing incremental improvements across all areas as the changes made bed in.

1.14 Templates have now been uploaded onto the intranet so that all staff have access to good examples of how to compile a Stage one or Stage two complaint along with the agreed escalation process.

1.15 On 27 March, the Council was served with an Enforcement Notice by the ICO (Information Commissioner’s Office) for our poor performance in responding to FOIs, specifically relating to the backlog. An action plan has been agreed with the ICO and all teams are working together to clear the historical backlog.

2. Recommendations

2.1 One of the ways in which we have worked to improve accountability with service areas is to pilot the handling of stage 2 complaints within the respective service area. This was piloted with the Planning service in 22/23 and was successful with the service handling fewer Stage 2 complaints than the previous year.
LBL received:

46 Stage 2 complaints in 2021/22. 7 were for Planning (15%).

77 Stage 2 complaints in 2022/23. 8 were for Planning (10%)

The Planning service is a very complex service with statutory policies, planning laws and regulations, and as they successfully adopted this approach, this could be applied to less complex service areas within the Council.

- 2.2 Single service Stage Two Complaints and all Elected representative enquiries will now be responded to and dealt with by the responsible service directly and not via the Corporate Complaints team as this previously led to a delay in responses. Only multifaceted, Stage Two complaints and multifaceted elected representative enquiries are to be handled by Corporate Complaints team. This change will be rolled out across the Council in June 2023.
- 2.3 Since the members portal was implemented in July 2022 a number of system changes and enhancements have been made due to the system following feedback from Cllrs since going live. We will continue to work with Cllrs to ensure the system is catering for their needs of managing casework.
- 2.4 Complaints are also being discussed bi-monthly at the Corporate Assurance Board to focus on areas requiring improvement. The Director of Resident and Business Services attends this meeting. Improved enhanced reporting is now in place on a weekly basis which highlights all outstanding cases for service areas and the oldest cases that haven't been responded to as well as all cases over 100 days old. From April 2023, Service Area Directors will also be expected to attend this meeting to discuss their challenges and service improvements.
- 2.5 This year as well as improving our responsiveness in dealing with complaints and enquiries, we need to continue to use the learning from complaints to address service delivery issues and to help prevent complaints arising in the first place. Each Directorate is to provide root cause analysis at the end of each financial year detailing what has been learned, what improvements they will be making within their service to increase performance and reduce complaints within their area.
- 2.6 A Complaints Handling Induction course will be developed with Learning and Development this year so that all new staff understand what is expected of them.
- 2.7 Refresher training will continue to be provided to existing staff new to using iCasework. These will be offered through group drop in sessions on a monthly basis from June 2023. This refresher training will also be extended to members who would benefit from 1-1 support.
- 2.8 The Corporate Complaints Manager and the Support and Development Team will continue to work with Civica and Lewisham Homes to ensure reporting post October 2023 when Lewisham Homes transfer to LBL will mirror current reporting
- 2.9 A documented escalation process will be put into place from June 2023 where cases not responded to on time will be escalated to the Executive Directors / Chief Executive.

3. Policy Context

Corporate Complaints

- 3.1 The Council's Corporate Complaints Policy details how we handle the complaints and feedback that we receive. Corporate complaints are dealt with under a three stage complaints process. The Local Government & Social Care Ombudsman and Housing Ombudsman Service are external regulators with statutory powers to investigate complaints against councils.

Adult Social Care Statutory Complaints

- 3.2 Since 1991, the National Health Service and Community Care Act 1990 has charged each local authority with maintaining a statutory complaints process for adult social care services. The current regulations, The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, came into force on 1 April 2009. Statutorily, local provision of the regulations is the responsibility of each council's Chief Executive Officer. In Lewisham, that responsibility has been delegated to the Director of Operations for Adult Social Care.

Children's Social Care Statutory Complaints

- 3.3 The Children's Act 1989 Representation Procedure (England) Regulations 2006 requires local authorities have a formal complaint handling procedure in place for children and young people who wish to make a representation or complaint about social care. The regulations set out three stages: Stage One – Local Resolution; Stage Two – Independent Investigation, and Stage three – Review Panel:

Children's Act only complaints

- 3.4 The Council received a total of 98 cases of complaints in 2022/23, which were categorised under the Children's Act. The Children's Act complaints procedure is a statutory procedure for children and young people to make complaints and any other representations about actions and decisions of Children's Social Care services; it is also open to any other person acting on their behalf, as well as to people with 'sufficient interest' in the child or young person, to make complaints in their own right.
- 3.5 There was an increase of 13 cases on previous year 21/22 when 85 were received. There is a direct link with the higher number of complaints received and an increase in demand for services. There was a 29% increase in the number of referrals into Children's Social Care during the period (3381 in 2020/21 and 4365 in 2021/22) this together with a number of vacancies, has resulted in significant pressure on the service and the timeliness/quality of our communication which is our most reoccurring theme.

CYP Stage 1: Statutory complaints	2021/22	2022/23	% change
Statutory Stage 1 complaints	85	98	13%

Top three 2022/23 Children Act Complaints:

MASH / Referral and Assessment	30
Corporate Parenting	28
Family Support and Safeguarding	23

Overall Complaints within Children Young People section.

All CYP stage 1 complaints	2021/22	2022/23	% change
Statutory Stage 1 Complaints	85	98	13%
Non Statutory Stage 1 Complaint	53	73	28%
Total	138	171	20%

- 3.6 Children's Act complaints are about children's social care only and are prescribed by the Children's Act regulations. Non Statutory complaints are complaints falling under the Council's corporate complaints procedure, which for CYP includes complaints about educational services – admissions, Special Education Needs and Disabilities (SEND).

Top three 2021/22 All stage 1 complaints:

Integrated Services & SEND	52
MASH / Referral and Assessment	27
Family Support and Safeguarding	23

4 Council Wide Overall Performance

Table 2 – Volume of New Stage 1 Corporate Complaints Received by Lewisham Council & Lewisham Homes

Stage 1 Corporate Complaints Received – Lewisham Council & Lewisham Homes				
Organisation	2020/21	2021/22	2022/23	% increase / decrease from previous year
Lewisham Council	1926	1923	2421	▲ 21%
Lewisham Homes	381	680	1192	▲ 43%
Total	2307	2667	3613	▲ 36%

Comparison with 2021/22 shows that complaints and enquiries have increased over 2022/23 by 21%, however despite the increase, performance has improved over the year. See table 2 below which provides comparison of stage 1 (new) complaints and Enquiries from 2019/20, 2020/21 and 2021/22.

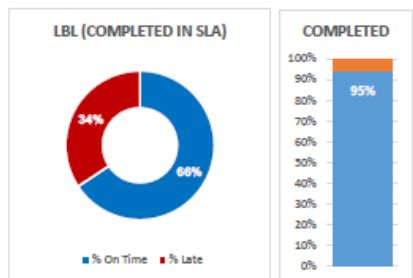
CORPORATE COMPLAINTS REPORT

DIRECTORATE OVERVIEW

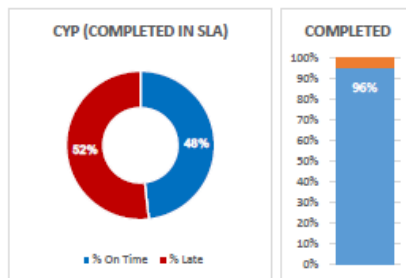
22/23

Complaints, Enquiries & Information Requests

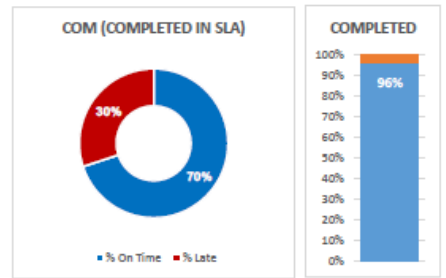
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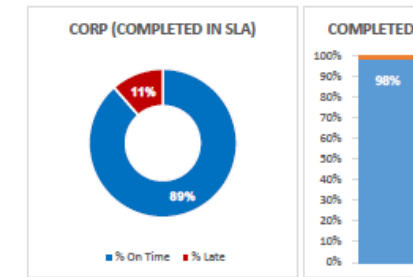
CHILDREN & YOUNG PEOPLE (CYP)



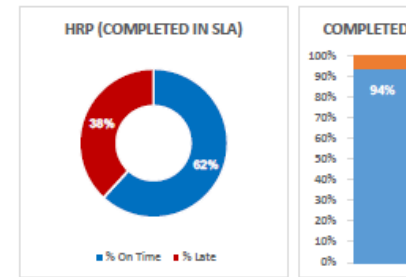
COMMUNITY (COM)



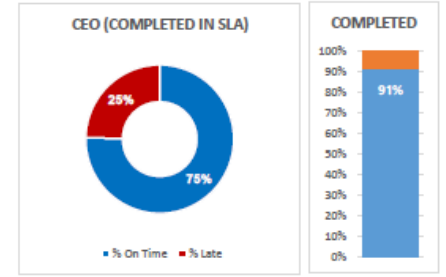
CORPORATE RESOURCES (CORP)



HOUSING, REG & PUBLIC (HRP)



CHIEF EXECUTIVE (CEO)



- 4.1 Overall Performance for the Council is under section 1. Individual Directorate performance is below:

CYP Division

39% of complaints responded to on time compared to 43% in 21/22
57% of enquiries responded to on time compared to 45% in 21/22
57% of requests responded on time compared to 45% in 21/22

Community Division

78% of complaints responded to on time compared to 56% in 21/22
66% of enquiries responded to on time compared to 86% in 21/22
77% of requests responded on time compared to 49% in 21/22

Corporate Resources

91% of complaints responded to on time compared to 95% in 21/22
86% of enquiries responded to on time compared to 86% in 21/22
68% of requests responded on time compared to 45% in 21/22

HRPR

70% of complaints responded to on time compared to 69% in 21/22
59% of enquiries responded to on time compared to 79% in 21/22
65% of requests responded on time compared to 50% in 21/22

CEO

75% of complaints responded to on time compared to 56% in 21/22
80% of enquiries responded to on time compared to 86% in 21/22
58% of requests responded on time compared to 48% in 21/22

See table 2 below which provides comparison

Lewisham Council & Lewisham Homes.

- 4.2.1 The total number of new complaints and enquiries received by Lewisham Council and Lewisham Homes in 2022/23 was 8,931 compared to 8,337 cases in 2021/22.
- 4.2.2 Of the 2,421 new Stage 1 complaints received in 2022/23, only 77 complaints (3%) escalated to Stage 2; 54 complaints escalated to Stage 3; and 8 (council only) cases referred to the Local Government & Social Care Ombudsman (LGSCO).
- 4.3 The volume of overall complaints & Enquiries increased from the previous year with an increase of 7% (594) from 8,337 in 21/22 to 8,931 in 22/23.
- 4.4 New first stage complaints (3,613) accounted for just over 40% of all casework received in 2022/23.
- 4.5 There were 7,058 new enquiries received in 2022/23. 24% of these cases were general enquiries, 23% were Member/Cllr enquiries and the remainder were MP / Mayor / CEO enquiries. The nature of general enquiries varies but can include

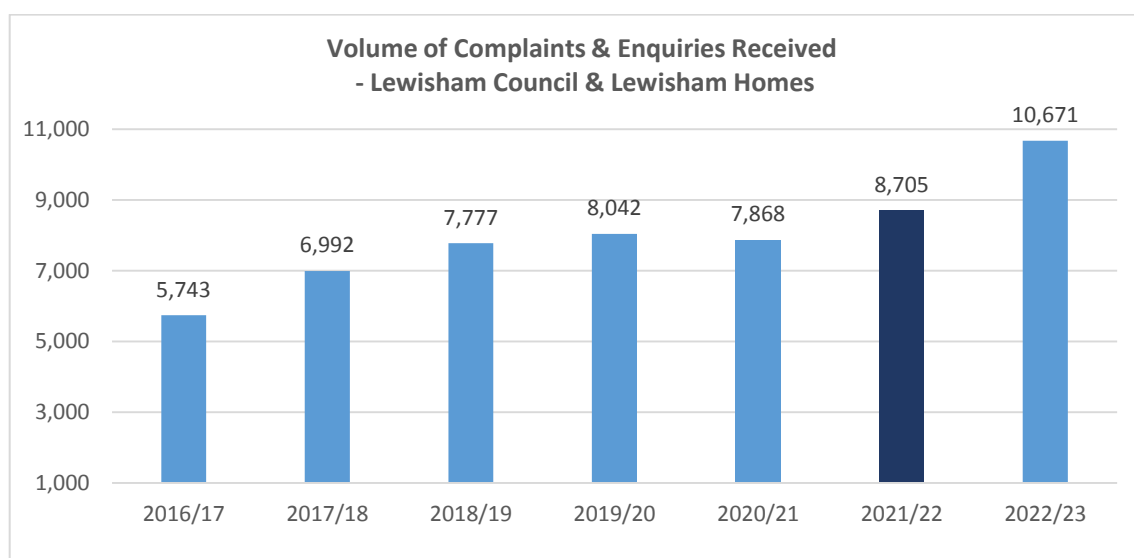
a request for a service or advice and information. There was also a significant increase in the number of Cllr enquiries due to the introduction of the Members portal in July 22.

Table 3 – Volume of New Enquiries by Lewisham Council & Lewisham Homes

Organisation	Enquiries Received – Lewisham Council & Lewisham Homes			% increase / decrease from previous year
	2020/21	2021/22	2022/23	
Lewisham Council	4492	4,662	5,817	▲ 24%
Lewisham Homes	1069	1,376	1,241	-10%
Total	5561	6,038	7,058	▲ 16%

4.7 The direction of travel shows a 16% increase of enquiries compared to last year.

Table 4 – Volume of Complaints & Enquiries Received (Lewisham Council & Lewisham Homes)



Summary – Case Volumes

4.8 Overall there is an increase in complaints and enquiries compared to last year. The direction of travel above for the Council shows a 20% increase overall for Stage 1 complaints when compared to last year and Lewisham Homes has seen a significant increase in the number of complaints (75%). This increase has been seen across the social housing sector for this period. Overall across this equates to a 36% increase in Stage 1 complaints.

5 Root cause of complaints

5.1 See below for top 10 service areas which received the most complaints. The services are high volume contact areas for the council, for areas such as waste collection, council tax, Housing and Planning.

Revenues issue 130,000 Council tax notices to domestic properties. With 437 complaints for 22/23 this equates to less than 0.0033% residents being dissatisfied with the service

It is worth noting that Environmental service collects 330,000 bins a week and 363 complaints equates to the service failing on 0.0001% of occasions

The total number of PCNs issued for last year is 207,162. 129 complaints received for the same period equates to 0.0622% of motorists either dissatisfied with the service or the parking/ moving traffic enforcement policy

Table – 5 – Top Ten Complaints by Service Areas

Top 10	Service Areas	Cases	% upheld
1	Council Tax	437	13%
2	Waste	363	60%
3	Parking Services - General	129	16%
4	Refuse & Recycling	123	33%
5	Homelessness Prevention & Assessment Service	96	34%
6	Housing Benefit	92	1%
7	Parks & Open Spaces	82	23%
8	Cleansing	68	15%
9	Supply & Resettlement- TA and Procurement of Properties	57	26%
10	Housing Options Centre	48	29%

Table 5.1 – Top 10 Complaints – Council Tax

Rank	Council Tax	Case
1	Account Query	257
2	Liability dispute	44
3	Refunds	29

4	Discount/exemption	21
5	Summons	15
6	Customer Service	15
7	Payments	11
8	Telephone	10
9	Enforcement Agents	9
10	Notices Issued (Rem/Final)	8

Table 5.2 – Top 10 Complaints – Waste

Rank	Waste	Case
1	Refuse	126
2	Recycling	114
3	Missed collections	102
4	Resources & Regeneration	8
5	Lumber collections	4
6	No classification	3
7	Mattress collection	3
8	Reuse and Recycling Centre (CA site)	2
9	Clean streets	1
10		

Table 5.3 – Top 10 Complaints – Parking General

Rank	Parking General	Case
1	PCNs	69
2	Parking Permits	16
3	Parking Enforcement	14
4	Parking signs and lines (existing)	7
5	Pay and Display	6
6	No Classification	5
7	NSL (Contractor)	5
8	Moving traffic enforcement	3
9	Resources & Regeneration	2
10	Parking Designs	1

Table 5.4 – Top 10 Complaints – Refuse & Recycling

Rank	Refuse & Recycling	Case
1	Missed Collection	62
2	Request for new/replacement bin	25
3	Disposal	13
4	Broken Bin	12
5	Bin not returned	7
6	Resources & Regeneration	2
7	Contamination	2
8		
9		
10		

Table 5.5 – Top 10 Complaints – Homelessness & Assessment Services

Rank	Homelessness Prevention & Assessment Service	Case
1	Housing Options Centre service (frontline)	35
2	Temporary Accommodation	22
3	Homeless/ Part 7 application	11
4	Suitability of accommodation	7
5	Eviction	6
6	Temporary accommodation (PSL)	4
7	Temporary accommodation (hostel)	3
8	Housing register /Part 6 application	3
9	Temporary Accommodation (Nightly Paid)	1

10	Change in circumstances	1
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- 5.3 . See below for further information on each of the top 5 Services, which show specific areas within the service that customer have made a complaint about.
- 5.3 Following the launch of our Chatbot last year onto the LBL webpage, we are reviewing our online offer so that we better improve the customer experience and reduce the number of incoming calls to the Call Centre regarding council tax enquiries.
- 5.4 We also plan to review our council tax letters over the course of this year so that we can offer better support and information for residents.

Table 6 – Top 5 Complaint Issues & Outcomes

Outcome of Top 5 Complaint Issues in 2022/23					
Lewisham Council					
Complaints Issue	No. of Cases	Resolved upon Receipt	Not Upheld	Partly Upheld	Upheld (%)
Account Query (Council Tax)	257	11	177	33	36 (14%)
Refuse (Waste)	126	19	20	16	71 (56%)
Recycling (Waste)	114	21	12	27	54 (23%)
Missed Collections (Waste)	102	5	11	3	83 (81%)
PCN's (Parking General Services)	69	9	41	4	15 (21%)
Lewisham Homes					
Complaints Issue	No. of Cases				
Plumbing	70				
Operational Issues	46				
Appointments	36				
Neighbour nuisance	34				
Damp	30				

Table 6.1 – Additional information supplied by Lewisham Homes.

Outcome	2022/23
Upheld	41%

Not upheld	29%
Partly upheld	29%

6. Performance (Cases Due & Timelines)

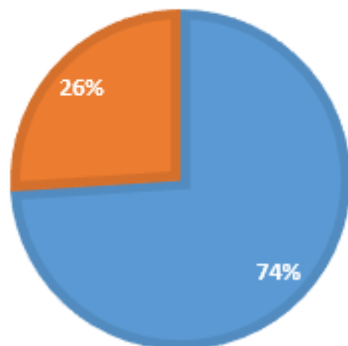
6.1 Please see below for summary of Lewisham council performance in Table 7, please see table 8 for more granular information including Lewisham homes.

Table 7 – Lewisham council overall complaints and Enquiries performance.

LEWISHAM Timeliness of Corporate Complaints & All Enquiries					
Organisation	Year / Variance	Stage 1 & 2 Complaints		All Enquiries	
		Cases Due	% On Time	Cases Due	% On Time
Lewisham Council	2020/21	1612	77%	4116	86%
	2021/22	1976	73%	4662	78%
	2022/23	2496	74%	5817	64%

STAGE 1 & 2 COMPLAINTS 22/23

■ Complete on Time ■ Late



ENQUIRIES 2022/23

■ Complete on Time ■ Late

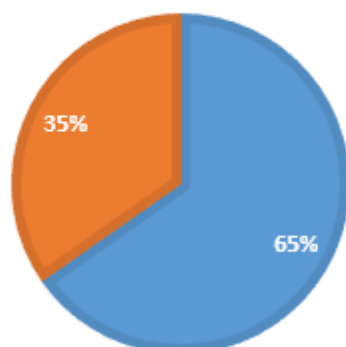


Table 8 - Timeliness of Stage 1 & Stage 2 Corporate Complaints and General Enquiries – Lewisham Council & Lewisham Homes, exc. Statutory complaints for children’s and adult’s social care

Timeliness of Corporate Complaints and General Enquiries – Council Directorates & Lewisham Homes							
Organisation	Year / Variance	Stage 1 Complaints		Stage 2 Complaints		General Enquiries	
		Cases Due	% On Time	Cases Due	% On Time	Cases Due	% On Time
Lewisham Council	2020/21	1562	79%	50	28%	2422	98%
	2021/22	1923	73%	53	72%	1995	93%
	2022/23	2419	75%	77	44%	5817	63%
	Variance	496	↑2%	↑24	↓28%	↑3823	↓30%
Lewisham Homes	2020/21	331	91%	90	92%	274	84%
	2021/22	680	76%	174	69%	215	78%
	2022/23	1192	83%	331	79%	1254	75%
	Variance	↑512	↑7%	↑157	↑10%	↑1039	↓3%
Total	2020/21	1893	81%	140	69%	2696	97%
	2021/22	2603	74%	227	70%	2210	96%
	2022/23	3611	77%	414	71%	7071	65%
	Variance	↑1008	↑3%	↑187	↑1%	↑4861	↓31%

6.2 The number of Stage 1 complaints saw an increase this year of 1,008 from 2021/22. Despite this significant increase in volumes, performance has increased by 3% on previous year.

This increase in cases is also reflected in stage 2 volumes which increased by 187 on previous year, however performance increased by 1% – see section 2.2.

6.3 Whilst general enquiries performance has reduced by 31%, this is due to the significant increase of cases logged by almost 5,000 compared to the previous year and is the bulk of the overall volume of all casework and complaints. This huge increase in volumes is down to the introduction of the Members Casework portal in July 22 where all members casework is now logged. In previous years, members casework wasn’t logged on the Councils database.

6.4 Completion rates of all casework is extremely high with 98% of all complaints being answered within 11 days and 93% of all enquiries being answered within 14.5 days.

Performance

6.5 A significant improvement has been made over the last year with the introduction of the Members Portal with 96% of all members enquiries now handled via the portal.

6.6 Overall volumes across all elected representative enquiries has increased. Performance has increased by 2% on MP enquiries despite the small increase

in volumes of 79. Performance has decreased by 2% compared to last year for Mayor enquiries, a reduction of 17% performance for Members enquiries and a 12% reduction in performance for Chief Exec enquiries compared to last year. However it must be noted that even though performance has dropped, since the introduction of the members portal, the number of enquiries overall has increased by over 2,000 compared to the previous year and all of those additional enquiries were from members using the new portal. This is likely to further increase this year as the portal was only introduced part way through the 2022/23 year. Better reporting measures have been put in place to monitor performance monthly and therefore any reduction in performance will continue to be picked up and addressed in a timely fashion.

7 Complaint outcomes

7.1 The high level breakdown of complaints by decision in 2022/23 for Lewisham Council and Lewisham Homes is as follows:

Table 10 – Complaints Outcomes in 2022/23 – (Lewisham Council & Lewisham Homes)

Complaint Outcomes – Lewisham Council*						
Complaint Stage	Resolved at initial contact	Withdrawn	Not Upheld	Partly Upheld	Upheld	Total
Stage 1	453 (22)	0	904(77)	394 (42)	584 (24)	2335 (165)
Stage 2	0	5	49 (5)	12 (3)	10 (0)	77 (8)
Stage 3	0	0	37 (0)	9 (0)	7 (0)	53(0)
Total	453	5	990 (83)	415 (45)	601 (25)	2464 (173)
% of Total	18%	0.2%	40%	17%	24%	-

CONTAINS CYP & ASC STATUTORY CASES AT ALL STAGES (in brackets)*.

7.2 **41%** (38% 21/22) of all complaint cases handled in Lewisham were upheld or partly upheld. The breakdown by complaint stage was as follows:

- Stage 1 –**42%** (39% 21/22) partly upheld/upheld;
- Stage 2 – **29%** (32% 21/22) partly upheld/upheld;
- Stage 3 – **30%** (37% 21/22) partly upheld/upheld.

8. Local Government and Social Care Ombudsman Annual Letter 2022/23

8.1 At the time of writing, the ombudsman’s letter is not yet available but we will publish it on our website, alongside our response as soon as we receive of it.

9 Stage 3 Adjudicator

9.1 The Stage 3 Adjudicator deals with Stage 3 complaints on behalf of the Council, Regenter and Lewisham Homes.

9.2 The Stage3 Adjudicator report for the Council is attached at below at Appendix 8.3. The key headlines are:

- 145 cases were received and 63% of these cases were regarding housing providers (Lewisham Homes and Regenter B3);
- The S3A determined 54 cases about the Council. The top themes for the Council were housing and homelessness. The top themes for housing providers were repairs and major works;
- Compensation was awarded in 52 cases totalling £30,699.23;
- The average compensation awarded was £590 in 2022/23, which a 20% increase on the previous year (£494). The median payment was £500 and the most frequent £500.
- Just over half of the complaints (76 out of 145, 52%) were upheld or partly upheld at stage 3.

Stage 3 Adjudicator Case Outcomes and Average Compensation Payment					
Year	Cases Determined	Cases Upheld / Partly Upheld	Cases Awarded Compensation	Total Compensation Awarded	Average Compensation Awarded
2021/22	109	57	50	£24,732	£494
2022/23	145	76	52	£30,699	£590

9.3 The large increase in compensation paid this year reflects the greater impact of fault on more vulnerable residents, particularly delays in completing housing repairs.

1. The S3A uses LGSCO and HOS guidance on remedies to arrive at compensation figures. There were cases this year which required significant payment to comply with that guidance, and even then, the ombudsmen recommended an additional payment in 4 cases, one of which might otherwise have ended up in court.

10 Complaints and enquiries by ward

10.1 Number of case records: 1,563

Of these:

- Number of records where postcodes are in Lewisham: 844
- Number of records where postcode is missing: 653
- Number of records where postcode is incomplete: 33
- Number of records where postcode is outside Lewisham: 32
- Number of records where postcode is "HOMELESS": 1

10.2 Summary tables

Note: the data does not explicitly mark cases as complaints or enquiries. In this analysis, all cases handled by the Corporate Complaints Team are considered to be complaints, and all other cases are considered enquiries.

By number of cases:

Ward	Complaint	Enquiry	Total
Rushey Green	31	176	207
Crofton Park	23	39	62
Lee Green	9	51	60
Sydenham	10	40	50
Blackheath	7	43	50
Telegraph Hill	13	34	47
Forest Hill	14	30	44
Catford South	13	27	40
Brockley	4	34	38
New Cross Gate	6	31	37
Deptford	11	24	35
Ladywell	6	29	35
Hither Green	8	23	31
Perry Vale	7	22	29
Downham	6	14	20
Grove Park	3	14	17
Lewisham Central	2	14	16
Bellingham	4	12	16
Evelyn	0	10	10

Number of cases per 1,000 residents:

Ward	Complaint	Enquiry	Total
Rushey Green	1.63	9.25	10.88
Crofton Park	1.49	2.53	4.02
Lee Green	0.60	3.40	4.00
Sydenham	0.59	2.36	2.95
Blackheath	0.43	2.62	3.04
Telegraph Hill	0.77	2.01	2.78
Forest Hill	0.92	1.98	2.90
Catford South	0.75	1.56	2.32
Brockley	0.23	1.94	2.17
New Cross Gate	0.54	2.80	3.34
Deptford	0.65	1.41	2.06
Ladywell	0.39	1.86	2.25
Hither Green	0.40	1.14	1.54
Perry Vale	0.38	1.18	1.55
Downham	0.33	0.76	1.09
Grove Park	0.19	0.89	1.08

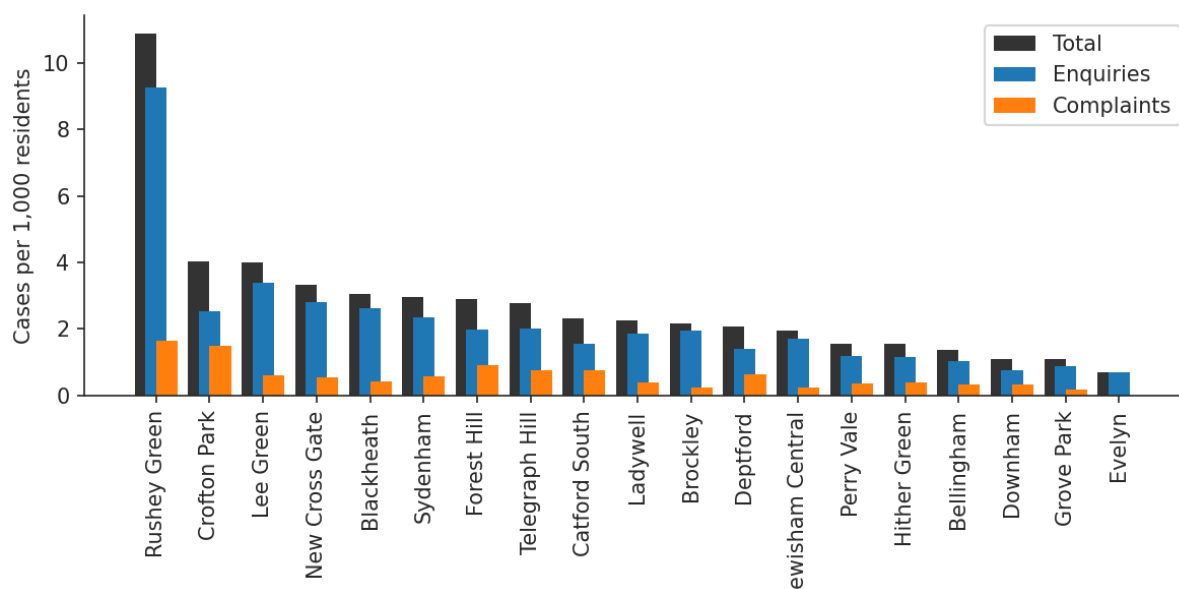
Lewisham Central	0.24	1.71	1.95
Bellingham	0.34	1.03	1.37
Evelyn	0.00	0.69	0.69

10.3 Analysis

The distribution of complaints and enquiries received by ward per 1,000 residents in 2022/23 is shown below.

The below information is based on available postcode data. In 2022/23 1,563 complaints and enquiries were recorded (compared with 8,006 in 2021/22) and ward information was available for 844 of these (compared with 6,597 in 2021/22). 653 records did not have a postcode recorded and 33 records had incomplete postcodes. The remaining 33 complaints and enquiries were made by residents outside of London (32) and a postcode recorded as 'homeless' (1). The majority of records with no postcode information recorded were enquiries (584 of 1,251 enquiries, 46% of enquiries) compared to 43% of complaints (135 of 312 complaints).

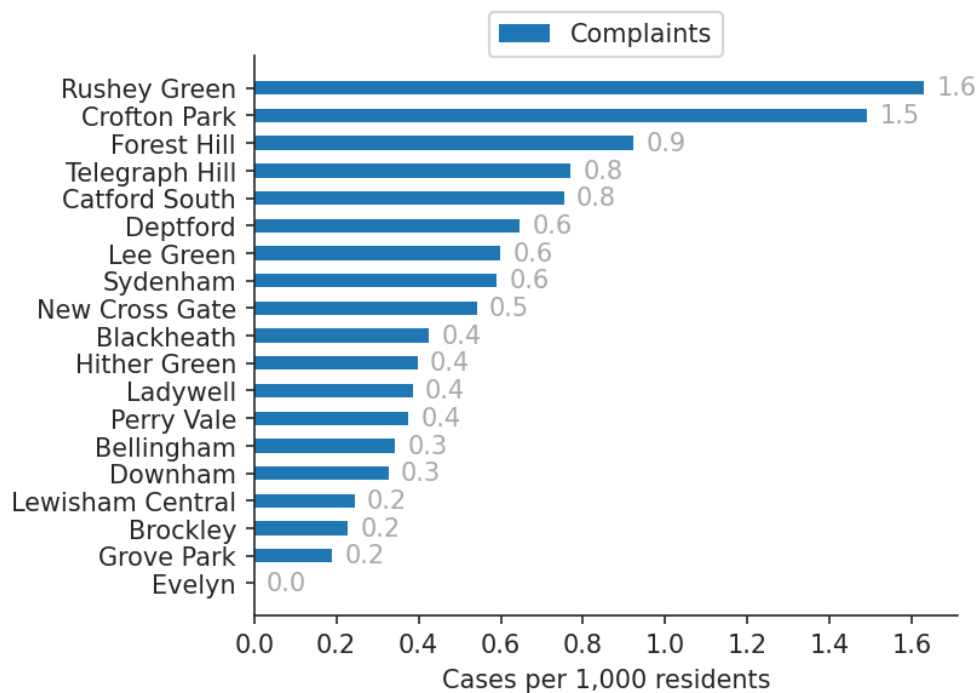
Complaints and enquiries per 1,000 by ward received in 2022/23



10.4 In 2022/23, the highest number of complaints received per 1,000 residents were from residents in Rushey Green (1.6 complaints per 1,000). In 2021/22, the highest number of complaints received per 1,000 residents were from residents in Evelyn (9.9 complaints per 1,000). The lowest number of complaints per 1,000 residents were from residents in Grove Park (0.2 complaints per 1,000). There were no complaints from Evelyn ward. In 2021/22, the lowest number of

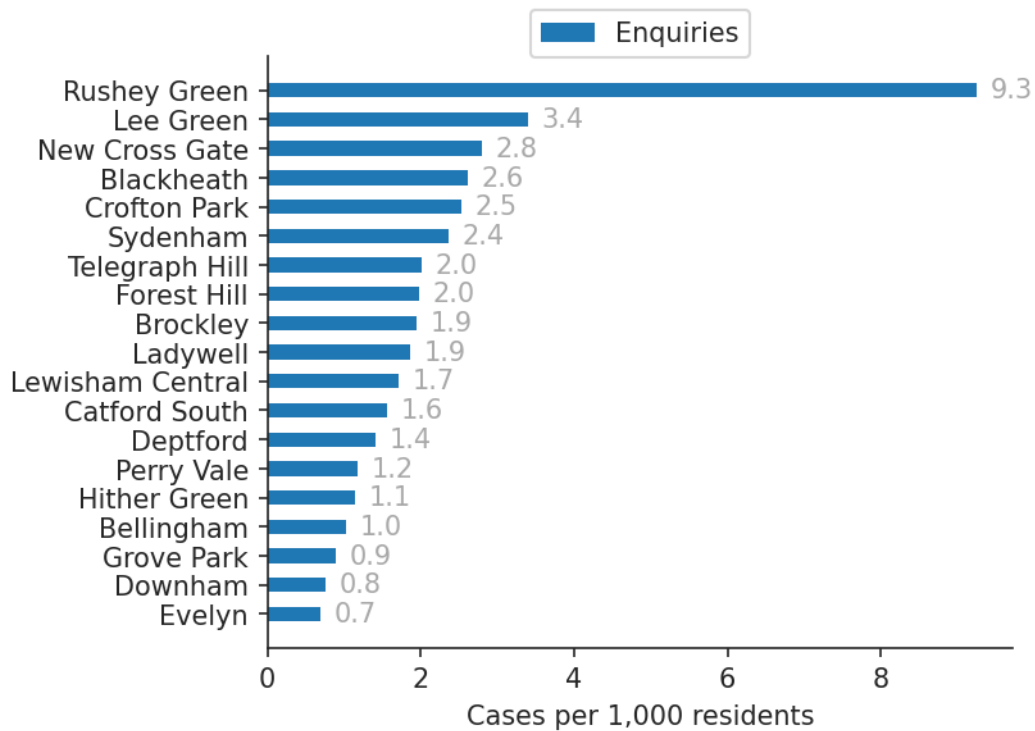
complaints received per 1,000 residents were from residents in Rushey Green and Whitefoot (with 4.1 complaints per 1,000 residents in both wards). In 2022/23, there were an average of 0.6 complaints per 1,000 compared to 6.9 complaints in 2021/22; part of the reason for this increase is due to improved postcode recording meaning that ward information is available for more complaints.

Number of cases per 1,000 residents, Complaints only:



10.5 The highest number of enquiries received per 1,000 residents were from residents in Rushey Green (9.3 enquiries per 1,000 in 2022/23), and Lee Green (3.4 enquiries per 1,000 in 2022/23). In 2021/22, the highest number of enquiries received per 1,000 residents were from residents in Brockley (45.3 complaints per 1,000) and Ladywell (39.8 enquiries per 1,000). The lowest number of enquiries per 1,000 residents was in Evelyn (0.7 enquiries per 1,000 in 2022/23). In 2021/22, the lowest number of enquiries per 1,000 residents was in Downham (5.9 enquiries per 1,000 in 2021/22). The average number of enquiries per 1,000 residents in each ward was 2.2 in 2022/23 (compared with 14.5 in 2021/22).

Number of cases per 1,000 residents, Enquiries only:



- 10.6 Of the 31 complaints made by residents of Rushey Green in 2022/23, Traffic management was the most complained about service (5 complaints), followed by Refuse & Recycling (4 complaints) and Highway Maintenance (4 complaints). In the ward with the least complaints per 1,000 residents, Grove Park, the most commonly complained about service was Refuse & Recycling (1 complaint in 2022/23) and Traffic management (1 complaint).
- 10.7 In Rushey Green, the ward with the most enquiries, 18.8% of enquiries related to Waste (33 enquiries in 2022/23). The second most common service to be the subject of an enquiry from a resident was Cleansing, with 12 enquires or 6.8% of the total enquiries from residents in Rushey Green. In Lee Green, the ward with the second most enquiries, the majority related to Parking Services (25.5% and 13 enquiries in 2022/23) followed by Council Tax (11.8% and 6 enquiries in 2022/23).
- 10.8 Finally, residents in Evelyn made the fewest enquiries in 2022/23 (0.7 per 1,000) and the largest proportion of these related to the Housing Register & Allocations/ Homesearch (20% and 2 enquiries), followed by Council Tax (10% and 1 enquiry) and Housing Benefit (10% and 1 enquiry).

11. Equalities Analysis

- 11.1 The Council has the ability to collect equalities monitoring information on the iCasework system. This information is not mandatory but it can help the Council to review the complaints process and to ensure that it remains accessible and to everyone.
- 11.2 The equalities data presented below is based on 10,077 contact records. In most of these contact records the equalities information was not disclosed. Therefore the equalities breakdown provided in the tables below gives us an indication of the diverse characteristics of complainants or service users in 2022/23. However, we cannot assume that this is an equalized profile of all complainants and service users during this period of time.
- 11.3 Almost 42% of contacts did not provide gender information. Of those who did respond, there were nearly twice as many female persons compared to male persons. This may be disproportionately higher because of the way case contacts are recorded on the system.

Table 1 – Equalities Data – Gender

Total for Gender is 10,077 for 01/04/2022 – 31/03/2023 (does not include Lewisham Homes)

Equality Category	Equality Characteristics	As % of Total Contacts	01/04/2021 to 31/03/2022
Gender	Did not disclose	39%	57%
	Female	36%	28%
	Male	22%	14%
	Prefer not to say	3%	1%
	Transgender	0%	0%
	Total	100%	100%

- 11.4 98% of contacts did not disclose whether they had a disability or not. The remaining 2% of contacts disclosed details of the type of disability or impairment affecting them.

Table 2 – Equalities Data – Disability

Total for Disabilities is 10,077 for 01/04/2022 – 31/03/2023 (does not include Lewisham Homes)

Equality Category	Equality Characteristics	As % of Total Contacts	01/04/2021 to 31/03/2022
Disability	Did not disclose or No Disability	98%	

		97%
Disability / Any Other Disability or Impairment	2%	3%
Physical Impairment	0%	0%
Mobility Issues	0%	0%
Mental Health Condition	0%	0%
Social or Communication Impairment	0%	0%
Long Standing Illness	0%	0%
Total	100%	100%

11.5 Although 77% of contacts did not disclose their sexual orientation, of the remaining 23% of contact, 939 of the respondents preferred not to say (9%) and almost 1,356 disclosed a heterosexual orientation (13%).

Table 3 – Equalities Data – Sexual Orientation

Total for Sexual Orientation is 10,077 for 01/04/2022 – 31/03/2023 (does not include Lewisham Homes)

Equality Category	Equality Characteristics	As % of Total Contacts	01/04/2021 to 31/03/2022
Sexual Orientation	Did not Disclose	77%	70%
	Prefer not to say	9%	19%
	Heterosexual	13%	10%
	Gay / Lesbian	1%	1%
	Bisexual	0%	0%
	Total	100%	100%

11.6 Our ethnicity data indicate 70% of those contacting us did not provide ethnicity details and of the remaining 30%, a large proportion of the responses were from the Bangladeshi community. We looked into this anomaly as our 2021 census data tells us that this community only make up 1% of Lewisham’s population and have identified a recording error on our system. This issue has subsequently been reported to our

software provider and a fix has been applied. Unfortunately we cannot retrospectively capture the ethnicity data.

Table 4 - Equalities Data – Ethnicity

Total for Ethnicity is 10,077 for 01/04/2022 – 31/03/2023 (does not include Lewisham Homes)

Equality Category	Equality Characteristics	As % of Total Contacts	01/04/2021 to 31/03/2022
Ethnicity	Did not disclose	70%	79%
	Bangladeshi	10%	7%
	Prefer not to say	3%	7%
	White Other	2%	2%
	Caribbean	2%	2%
	African	1%	1%
	Black or Black British Other	1%	1%
	Other	<1%	1%
	White and Black Caribbean	<1%	0%
	Any other mixed background	<1%	0%
	Indian	<1%	0%
	Asian or Asian British Other	<1%	0%
	White and Black African	<1%	0%
	Chinese	<1%	0%
	Turkish	<1%	0%
	Any other groups	<1%	0%
	Pakistani	<1%	0%
	White and Asian	<1%	0%
	Eastern European	0%	0%
	Traveller or Roma	0%	0%
Total		100%	100%

11.7 75% of contacts did not provide their age data. Of the remaining 25%, more than half of the contacts were from people aged 25 – 54 years (62%).

Table 5 – Equalities Data – Age Band

Total for Age Group is 10,077 for 01/04/2022 – 31/03/2023 (does not include Lewisham Homes

Equality Category	Equality Characteristics	As % of Total Contacts	01/04/2021 to 31/03/2022
Age Band	Did not Disclose	75%	80%
	0 – 14 years old	<1%	<1%
	15 – 24 years old	1%	<1%
	25 – 54 years old	16%	13%
	55 – 64 years old	4%	3%
	65+ years old	3%	3%
	Total	100%	100%

11.8 Equalities implications

Equalities data for 2021/22 is provided in Section 7 of this report. The iCasework system enables the Council to collect equalities monitoring information and it is used to help ensure the complaints process remains accessible and that no particular parts of the community suffer inequity in service delivery.

12 Financial Implications

- 12.1 There are no direct financial implications arising from this report. The Council has no specific budgets for compensation payments so the costs are absorbed by the relevant service as awarded

13 Legal Implications

- 13.1 There are no specific legal implications directly arising from this report aside from noting that it is recommended good practice from the Local Government's Ombudsman's Office to make full and specific reference to handling complaints within a management agreement entered into under section 27 of the Housing Act 1985.
- 13.2 Given the subject and nature of this report, it is relevant here to note that the Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 13.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

- advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

13.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

13.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/> The Equality and Human Rights Commission (EHRC) has previously issued five guides

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

13.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and whom they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information/resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

Term	Definition
IA	Stage 3 Adjudicator
LGSCO	Local Government & Social Care Ombudsman
HO	Housing Ombudsman

Appendices

- 14.1 Adult Social Care Annual Complaints Report (2022/23)
- 14.2 Children' Social Care Annual Complaints Report (2022/23)
- 14.3 Independent Adjudicator Annual Report (2023/23)
- 14.4 Lewisham Homes Annual Report (2022/23)

Report author and contact

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Comments for and on behalf of the Executive Director for Corporate Resources,
Kathy Freeman, Kathy.Freeman@lewisham.gov.uk

Comments for and on behalf of the Director of Law, Governance and HR,
Jeremy Chamber, Principal Lawyer, Jeremy.Chambers@lewisham.gov.uk

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>

Date of Meeting	21 June 2023	
Title of Report	Financial Outturn Report 2022/23	
Author	David Austin, Director of Finance, Nick Penny Head of Service Finance	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	
Agenda Planning Group consideration	x	



Signed:
Cabinet Member for Finance & Strategy
Date: 12/06/2023



Signed:
Executive Director of Corporate Resources
Date: 09/06/2023

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Financial Outturn Report 2022/23

Date: Wednesday 21 June

Key decision: No

Class: Part 1

Ward(s) affected: None Specific

Contributors: Executive Director for Corporate Resources

Outline and recommendations

This report presents the financial outturn for the 2022/23 financial year.

The report covers the outturn position on the Council's General Fund, Dedicated Schools Grant, Housing Revenue Account, Collection Fund and Capital Programme.

The Council-wide outturn pressure for General Fund activity is an overspend of £22m. This position is partially mitigated by £2.4m of funding held corporately, drawdowns from Reserves and Provisions of £8.6m to cover the cost of the staff pay award and energy price increase and £4m of legacy covid funding. This leaves a remaining overspend of £7m.

This is an improvement (lower overspend) of £2.6m from the position reported to Mayor and Cabinet, reflecting the ongoing focus on delivering agreed savings and managing costs. The 2023/24 Budget addressed some of these pressures going forward but some of the remaining overspend of £7m, principally reflecting agreed undelivered social care overspend reduction and savings measures, and some continuing inflationary pressures remain to be addressed.

The Housing Revenue Account (HRA) has a surplus of £1.1m, this is primarily driven by slippage in the capital programmes leading to lower than anticipated borrowing costs. The underlying revenue position is an overspend £6.5m.

The Dedicated Schools Grant (DSG) has overspent by £2.5m after using £1.6m of one off funding, which leaves a cumulative deficit of £13m on the high needs block.

The General Fund Capital Programme spend is £33.8m or 70% compared to a revised budget of £48.1m (agreed in March 2023) and the HRA Capital Programme spend is £112.4m or 75% compared to a revised budget of £150.5m (agreed in March 2023). The unspent budget is largely due to delayed expenditure on the programme with the budget transferred into 2023/24, a full reprofiling exercise is currently underway.

At the 31 March, 92.8% of council tax due had been collected which remains (3.2% or £5.5m) below the targeted level of 96%, at the same date, 96% of business rates due had been collected which remains (3% or £2m) below the targeted level. Collection activities continue alongside billing for the new financial year in 2023/24. This reflects the challenges of recovering from the impact of the pandemic and subsequent cost of living crisis.

The Council routinely sets aside funding in the accounts for uncollectable debt consistent with the policies audited by the external auditors. The report seeks Mayor and Cabinet approval for £0.4m of individual debts each over £0.05m.

Timeline of engagement and decision-making

February 2023 – Budget Report 2023/24 to Mayor and Cabinet

21 June 2023 – Financial Outturn report 2022/23 to Mayor and Cabinet

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the financial outturn for 2022/23 at the end of March 2023. The report compares the final outturn position to the position reported as part of the budget report to Mayor and Cabinet in February. The key areas to note are as follows:
- 1.2 There is a forecast overspend of £22m against the Directorates' net general fund revenue budgets, including £8.6m of costs arising from the staff pay award and energy price increases. These costs are funded from Provisions and Reserves, the overspend is further mitigated by £2.4m of funding held within Corporate Items and £4m of legacy covid grant funding. This leaves a remaining pressure of £7m, a £2.6m improvement (reduced overspend) on the position reported to Mayor and Cabinet in February as part of the Budget Report for 2022/23. The improvement is explained in detail in paragraph 4.2.
- 1.3 The Housing Revenue Account (HRA) has a surplus of £1.1m, arising from slippage in the capital programme leading to lower than budgeted interest charges, this is set out in more detail in section 12 of the report.
- 1.4 The Dedicated Schools Grant (DSG) following the high needs secondary transfer process has overspent by £2.5m, after using £1.6m of one off funding, which leaves a cumulative deficit on the high needs block of £13m. This is set out in more detail in section 13 of the report.
- 1.5 The General Fund Capital Programme spend as at 31 March 2023 is £33.8m, which is 70% of the revised budget (March 2023) of £48.1m. The HRA Capital Programme spend as at 31 March 2023 is £112.4m, which is 75% of the £150.5m budget revised in March 2023. The unspent budget is largely due to delayed expenditure on the programme with the budget slipped into future years, a reprofiling exercise across the capital programme is currently underway. This is set out in more detail in section 14 of the report.
- 1.6 As at 31 March, 92.8% of council tax due had been collected which remains (3.2% or £5.5m) adrift of the targeted level. At the same date, 96% of business rates due had been collected which remains (3% or £2m) adrift of the targeted level. This is set out in more detail in section 15 of the report.

2. PURPOSE AND RECOMMENDATIONS

- 2.1 The purpose of this report is to set out the financial outturn for 2022/23 providing a comparison to the financial position reported to Mayor and Cabinet as part of the Budget Setting report and as part of the preparation of the draft financial statements underway to be available for audit from the 1 July 2023.
- 2.2 Mayor and Cabinet are asked to:

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- 2.2.1 Note the Outturn Position for 2022/23, including the utilisation of Provision and Reserves funding, applied legacy Covid grant funding and money held within Corporate provisions to partially mitigate the service overspend. This is summarised in section 4 with additional detail in the subsequent sections of the report.
- 2.2.2 Note, as part of routine financial year closing work, the proposed write-off of debts totalling £0.2m under delegation as detailed in section 16.
- 2.2.3 Agree the proposed write off of the specific debts each over £50k totalling a further £0.4m as detailed in section 16, with supporting detail in Appendix B.

3. POLICY CONTEXT

- 3.1 This financial position demonstrates the impact of the very severe financial constraints which have been imposed on Council services with the cuts made year on year, despite the increasing demand to deliver services to the borough's residents.
- 3.2 The Council's strategy and priorities drive the Budget with changes in resource allocation determined in accordance with policies and strategy. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's Corporate Strategy (2022-2026):
- Cleaner and Greener
 - A Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.3 This financial position demonstrates the impact of the very severe financial constraints which have been imposed on Council services with the cuts made year on year, despite the increasing demand to deliver services to the growing number of borough residents. The Council's strategy and priorities drive the Budget with changes in resource allocation determined in accordance with policies and strategy.
- 3.4 The Council's strong and resilient framework for prioritising action has served the organisation well in the face of austerity and on-going cuts to local government spending. This continues to mean, that even in the face of the most daunting financial challenges facing the Council and its partners, we continue to work alongside our communities to achieve more than we could by simply working alone.
- 3.5 This joint endeavour helps work through complex challenges, such as the pressures faced by health and social care services, and to secure investment in the borough for new homes, school improvements, regenerating town centres, renewed leisure opportunities and improvement in the wider environment. This work has and continues to contribute much to improve life chances and life opportunities across the borough through improved education opportunities, skills development and employment. There is still much more that can be done to realise our ambitions for the future of the borough; ranging from our work to increase housing supply and business growth, through to our programmes of care and support to some of our most vulnerable and troubled families.

- 3.6 The pace, scope and scale of change has been immense: the current cost of living crisis is demanding agility, creativity, pace, leadership, organisational and personal resilience, strong communications and an unerring focus on the right priorities. The service and finance challenges following Covid are now blending with the wider economic implications of a decade of austerity and erosion of public services, the trading changes arising from Brexit, and the impacts from other global events (e.g. war in Ukraine, Covid lock downs in China, extreme climate events in India, etc..) on supply chains and inflation levels.
- 3.7 While we do not yet fully understand what all of the long-term implications of the above will mean for the borough, there have been many clear and visible impacts on our residents, Lewisham the place and also the Council. We know that coronavirus disproportionately affected certain population groups in Lewisham, matching patterns that have been identified nationally and internationally: older residents, residents born in the Americas & the Caribbean, Africa or the Middle East & Asia, and residents in the most deprived areas of the borough have considerably higher death rates. We know that more Lewisham residents are claiming unemployment benefits compared to the beginning of this year and that food insecurity has increased in the borough.

4. GENERAL FUND OUTTURN POSITION

- 4.1 The Council is reporting an overspend on general fund activities of £22.0m. This includes £6.4m of salary costs arising from the staff pay award and £2.2m of increased energy costs due to tariff increases, both of which are met from Provision and Reserves. The overspend is further mitigated by £4.0m of legacy Covid grant funding and £2.4m of funding held corporately, £1.4m of which relates to inflation (fully allocated in 2023/24) and £1m set aside to fund Children and Young People's overspend. These mitigations were reported through the in-year monitoring and remain as planned, this leaves a remaining overspend of £7.0m, which is an improvement (reduced overspend) of £2.6m from the position reported to Mayor and Cabinet in February.

Table 1 – General Fund Outturn Position

General Fund	Net Budget	Net Spend	Outturn Budget Variance	Budget Report Variance	Movement since Budget Report
	£m	£m	£m	£m	£m
Children & Young People	61.3	68.9	7.6	9.6	(2.0)
Community Services	82.4	84.0	1.6	2.1	(0.5)
Housing, Regeneration and Public Realm	21.7	26.4	4.7	6.0	(1.3)
Corporate Resources	33.8	32.9	(0.9)	0.0	(0.9)
Chief Executives	10.4	10.8	0.4	0.0	0.4
Salary Pressure	0.0	6.4	6.4	4.1	2.3
Energy Pressure	0.0	2.2	2.2	2.5	(0.3)
Directorate Totals	209.6	231.6	22.0	24.3	(2.3)
Corporate Items	39.0	36.6	(2.4)	(4.1)	1.7
Corporate Budget	39.0	36.6	(2.4)	(4.1)	1.7
Salary Pressure Provision and Reserves	0.0	(6.4)	(6.4)	(6.6)	0.2
Energy Pressure Provision and Reserves	0.0	(2.2)	(2.2)	0.0	(2.2)
Covid Funding from Reserves	0.0	(4.0)	(4.0)	(4.0)	0.0
Provisions and Reserves	0.0	(12.6)	(12.6)	(10.6)	(2.0)
Total	248.6	255.6	7.0	9.6	(2.6)

4.2 The movement since the position reported to Mayor and Cabinet in February is detailed below by Directorate:

- Children and Young People: £2m favourable movement due to reduced expenditure on placements following a detailed review of the recently developed service placement tracker, changes in need for individual children and less high cost placements than anticipated in the later part of 2022/23.
- Community Services: £0.5m favourable movement largely due to a one off refund the service have received from the multi-borough coroners court scheme relating to prior year activity.
- Housing, Regeneration and Public Realm: £1.3m favourable movement due to an improvement in the level of highways and transport income, increased rental income in regeneration and utilising the winter support grant funding against expenditure incurred within housing services.
- Corporate Resources: £0.9m favourable movement due to vacant posts across the Directorate, including the programme office and transformation teams which have transferred from the Chief Executives Directorate since the budget report.
- Chief Executives: £0.4m adverse movement due to both internal staff and externally commissioned expenditure on Legal Services, this had previously been offset by the underspend on services which have now transferred into Corporate Resources.

4.3 As in previous years, any overspend in service budgets must be funded through the use of corporate provision budgets where there is capacity or the use of reserves.

5. COVID GRANT FUNDING AND UTILISATION

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5.1 The Council had some legacy Covid grant funding carried forward from 2021/22. The full remaining £4.0m has been utilised to mitigate some of the service pressures incurred during 2022/23. Namely, temporary accommodation costs and Children’s and Adult Social Care demand pressures. For transparency (i.e. noting this is once off monies) this is shown within the Covid funding from reserves line as opposed to the service totals.

6. SAVINGS

6.1 The table below shows the savings programme for 2022/23 by Directorate. In 2022/23, there were £25.8m of savings to be delivered, including £5.6m as yet undelivered from 2020/21, £8.4m undelivered from 2021/22 and £11.8m new savings for 2022/23.

Table 2 – Savings Programme by Directorate

Savings Programme by Directorate	2020/21 £m	2021/22 £m	2022/23 £m	Totals £m
Children & Young People	1.3	0.7	3.7	5.7
Community Services	2.9	7.0	2.8	12.7
Housing, Regeneration and Public Realm	1.2	0.0	3.7	4.9
Corporate Resources	0.2	0.7	1.4	2.3
Chief Executives	0.0	0.0	0.2	0.2
Totals	5.6	8.4	11.8	25.8

6.2 The table below shows a summary savings delivery position at the end of 2022/23. At the end of of 2022/23, £7.9m of savings remained undelivered.

Table 3 – Savings Summary Position

Savings Summary Position	To be Delivered £m	Delivered £m	Shortfall £m
2020/21	5.6	(3.4)	2.2
2021/22	8.4	(4.6)	3.8
2022/23	11.8	(9.9)	1.9
Totals	25.8	(17.9)	7.9

6.3 The table below shows the undelivered prior year savings of £7.7m which remain to be delivered by Directorate (£0.2m deemed unachievable and removed as part of budget setting for 2023/24). There are also £12.6m of further savings approved as part of the 2023/24 budget setting process that also now need to be delivered – total to be delivered in 2023/24 of £20.3m. A detailed breakdown of the savings programme is provided in Appendix A.

Table 4 – Undelivered Savings by Directorate

Undelivered Savings by Directorate	2020/21 £m	2021/22 £m	2022/23 £m	Totals £m
Children & Young People	1.4	0.0	1.2	2.6
Community Services	0.4	3.4	0.4	4.2
Housing, Regeneration and Public Realm	0.1	0.0	0.0	0.1
Corporate Resources	0.0	0.4	0.4	0.8
Chief Executives	0.0	0.0	0.0	0.0
Totals	1.9	3.8	2.0	7.7

7. CHILDREN AND YOUNG PEOPLE

7.1 The Children and Young People's directorate is showing an overspend of £7.6m, this is before the planned application of £1m of corporate funding held within the corporate items budget to mitigate some of the overspend. The table below shows the variances by Division:

Table 5 – Children and Young People Directorate Outturn

Children and Young People Directorate Projected Outturn	Net Budget	Net Spend	Outturn Budget Variance	Budget Report Variance	Movement since Budget Report
	£m	£m	£m	£m	£m
Children's Social Care	52.0	57.5	5.5	8.1	(2.6)
Education Services	13.4	17.2	3.8	2.8	1.0
Family, Quality Commissioning	(2.1)	(3.8)	(1.7)	(1.3)	(0.4)
Schools	(2.0)	(2.0)	0.0	0.0	0.0
Directorate Total	61.3	68.9	7.6	9.6	(2.0)

7.2 **Children's Social Care:** £2.6m favourable movement from the position reported to Mayor and Cabinet in February. The improvement is due to reduced placement expenditure following a review of the service placement tracker, changes in need for individual children and less high cost placements in the later part of 2022/23 than previously anticipated. However placement expenditure incurred still exceeds the budgeted level, placements is a demand led budget, with the cost of placements dependent on the needs of the child, there are currently 445 Children Looked After (CLA) at the end of March 2023, compared to 475 CLA's in March 2022. However, it is important to note that whilst edge of care preventative interventions helps to manage placement demand, the children who do enter care have more complex need and therefore require higher cost placements. The expenditure incurred is comparable with the level of expenditure in 2022/23 suggesting that additional costs arising due to Covid remain within the system or have been replaced by costs at a similar level.

7.3 **Education Services:** The final outturn position shows an adverse moment of £1m since the position reported to Mayor and Cabinet in February. The transport service is forecast to overspend by £2.2m, elsewhere within the service there is a £0.6m pressure on Education Psychology and £1m pressure on Children with Complex Needs. It should be noted that in line with the majority of Local Authorities, the number of Education Health Care Plans (EHCP's) and the associated severity of targeted need continues to increase year on year. All EHCP require assessment by Educational Psychologists as part of the statutory framework and approximately 1 in 3 pupils with a plan are likely to need transport support. The education service is currently working towards a mitigation plan, which aims to place more pupils in Lewisham and is also working with the Department for Education (DfE) as part of the Delivering Better Value support package.

7.4 **Families, Quality and Commissioning:** The service has an underspend of £1.7m, a further underspend of £0.4m since the position reported to Mayor and Cabinet in February. The underspend is due to contract efficiencies on Children's centres of £0.5m, service

redesign and improved income on Child and Adolescent Mental Health Services of £0.4m and £0.4m reduced expenditure on Youth offending services due to effective interventions with young people at risk of entering the youth justice system. Staff vacancies and successful bids for additional grant funding have contributed towards the remaining underspend.

- 7.5 **Schools:** Unchanged from the position reported as part of the budget report in February in terms of any immediate impact on the General Fund.

8. COMMUNITIES

- 8.1 The Communities Directorate is showing an overspend of £1.6m, an improvement of £0.5m compared to the position reported to Mayor and Cabinet as part of the budget report. The table below shows the variances by Division:

Table 6 – Community Services Directorate Outturn

Community Services	Net Budget	Net Spend	Outturn Budget Variance	Budget Report Variance	Movement since Budget Report
Adults' Social Care	62.3	65.6	3.3	1.9	1.4
Integrated Commissioning	7.6	6.4	(1.2)	0.0	(1.2)
Public Health	(0.9)	(0.9)	0.0	0.0	0.0
Communities, Partnerships and Leisure	9.0	8.7	(0.3)	0.1	(0.4)
Culture, Learning and Libraries	3.5	3.3	(0.2)	0.1	(0.3)
Reserves and Provision	0.9	0.9	0.0	0.0	0.0
Directorate Total	82.4	84.0	1.6	2.1	(0.5)

- 8.2 **Adult Social Care and Integrated Commissioning:** There is an adverse movement of £0.2m across these Services since the projected outturn was reported to Mayor and Cabinet in February (the services are best viewed together due to the links between the two). The service have funded £2.8m of payments to Newton Europe without significantly worsening the reported position, due in part to higher than forecast client contributions of £0.3m, a reduction in expenditure of Homecare packages of £0.4m and additional contributions from Health partners of £0.3m. Due to undelivered savings of £4.2m, a significant amount of one off health reserves (in agreement with Health) have been used to bring the pressure down to £2.1m, these savings will need to be delivered in 2023/24. The level of Adult Social Care debt is £17.4m from £14m in 2021/22, this has led to a contribution to the Adult Social Care bad debt provision in 2022/23 of £2.4m, the service area and the debtors team continue to work on collecting this debt.
- 8.3 **Public Health:** The grant has been fully spent on Public Health expenditure with a residual unused element added to the Public Health Reserve.
- 8.4 **Communities, Partnerships and Leisure:** An improvement of £0.4m since the position reported to Mayor and Cabinet as part of the budget report in February due to a refund from the Coroners Court for an overpayment made in prior years.

8.5 **Culture, Learning and Libraries:** An improvement of £0.3m since the position reported to Mayor and Cabinet due to a reduction in spend on operational budgets in relation to the Book Fund and to the running costs of the new Catford Library where final costs were lower than projected.

9. HOUSING, REGENERATION AND PUBLIC REALM

9.1 The Housing, Regeneration and Public Realm Directorate is showing an overspend of £4.7m. The table below shows the variances by Division:

Table 7 – Housing, Regeneration and Public Realm Directorate Outturn

Housing, Regeneration and Public Realm	Net Budget	Net Spend	Outturn Budget Variance	Budget Report Variance	Movement since Budget Report
Strategic Housing	3.8	7.9	4.1	4.5	(0.4)
Public Realm	17.6	18.2	0.6	1.2	(0.6)
Regeneration	(0.4)	(0.5)	(0.1)	0.3	(0.4)
Planning	0.7	0.7	0.0	0.0	0.0
Directorate Total	21.7	26.4	4.7	6.0	(1.3)

9.2 **Strategic Housing:** £0.4m favourable movement from the position reported to Mayor and Cabinet in February. The improvement is utilising the Winter Homelessness Grant funding against qualifying temporary accommodation costs. The £4.1m pressure is due the number of people accommodated within nightly paid accommodation which has increased from 985 at the start of April 2022 to 1,068 at the end of March 2023. This increase in numbers has put additional pressure on recharges for Housing Benefit payments which have exceeded the caps and limits (otherwise known as HB limitation recharges) and therefore not payable through the DWP Housing Benefit claim. The final HB limitation recharge to the service for the financial year 2022/23 was £10.8m, some £3.1m over and above the budgeted level. The remainder of the pressure is due to £0.2m of incentive payments to Landlords over and above the budgeted level (£1.0m cost offset by £0.8m Winter Homelessness Grant), these payments are made to maintain housing arrangements for people at significant risk of needing Temporary Accommodation. A further £0.8m pressure is due to prior tenant arrears from unpaid rental income (over and above the housing benefit contribution) that people make towards their nightly paid accommodation.

9.3 **Public Realm:** £0.6m favourable movement since the position reported to Mayor and Cabinet in February. The favourable movement is due to an improvement in Highways and Transport income, the remaining pressure is due to the increased costs of providing an enhanced fly tipping service at £0.5m and £0.1m pressure on fuel costs.

9.4 **Regeneration:** £0.4m favourable movement since the position reported to Mayor and Cabinet in February. This is due to an increase in commercial rents across the estate and building control income improvement.

9.5 **Planning:** Nil movement since the position reported to Mayor and Cabinet in February. The Planning Service have experienced pressures with staffing costs increasing across London due to demand for planning, urban design, landscape and conservation staff. Alongside this, with cost of living increases and uncertainty due to proposed legislative changes, fee income has been volatile across all type of applications and many larger applications which attract high fees have been delayed. Slowing house sales have also affected land charges income, robust financial management and work to review expenditure and cost recovery has minimised the impact of this volatility to bring the overall

Planning Service in on budget.

10. CORPORATE RESOURCES

10.1 The Corporate Resources Directorate is showing an underspend of £0.9m, an improvement of £0.9m from the position reported to Mayor and Cabinet in February. The table below shows the variances by Division:

Table 8 – Corporate Resources Directorate Outturn

Corporate Resources	Net Budget	Net Spend	Outturn Variance	Budget Report Variance	Movement since Budget Report
Assurance	2.7	2.4	(0.3)	(0.1)	(0.2)
Financial Services	5.5	5.0	(0.5)	(0.2)	(0.3)
Resident & Business Services	16.8	17.0	0.2	0.3	(0.1)
IT & Digital Services	9.5	9.2	(0.3)	0.0	(0.3)
Reserves and Provision	(0.7)	(0.7)	0.0	0.0	(0.0)
Directorate Total	33.8	32.9	(0.9)	0.0	(0.9)

10.2 **Assurance:** The service outturn has improved by £0.2m since the position reported to Mayor and Cabinet in February. The underspend is due to staff vacancies across the teams.

10.3 **Financial Services:** An improvement of £0.3m since the position reported to Mayor and Cabinet in February, the underspend is due to staff vacancies across the service and underspends on non staffing expenditure budgets.

10.4 **Residents and Business Services:** An £0.1m improvement since the position reported to Mayor and Cabinet in February. The overspend is due to the delayed implementation of the service restructure leading to delayed delivery of savings, these will be fully delivered in 2023/24. This is partially negated by underspends on supported accommodation costs and cleaning services within Facilities Management.

10.5 **IT and Digital Services:** An underspend of £0.3m is reported at outturn, an improvement from the balanced position reported to Mayor and Cabinet in February. This is due to underspends on Strategic Transformation and the Programme Management office, two services recently transferred into Corporate Resources from Chief Executive's Directorate.

10.6 **Reserves:** Unchanged position with a planned drawdown relating to Insurance of £0.7m.

11. CHIEF EXECUTIVE'S

11.1 The Chief Executive's Directorate is showing an overspend of £0.4m compared to a balanced position reported to Mayor and Cabinet in February. The table below shows the variances by Division:

Table 9 – Chief Executive’s Directorate Outturn

Chief Executive's	Net Budget	Net Spend	Outturn Variance	Budget Report Variance	Movement since Budget Report
Communications & Engagement	2.7	2.5	(0.2)	0.0	(0.2)
Law & Corporate Governance	5.2	6.0	0.8	0.0	0.8
People & Organisation Development	2.5	2.3	(0.2)	0.0	(0.2)
Reserves and Provision	0.0	(0.0)	(0.0)	0.0	(0.0)
Directorate Total	10.4	10.8	0.4	0.0	0.4

- 11.2 **Communications and Engagement:** The position has improved by £0.2m since the position presented to Mayor and Cabinet in February. This is due to staff vacancies within the service.
- 11.3 **Law and Corporate Governance:** An adverse movement off £0.8m compared to the position reported to Mayor and Cabinet in February. This is due to additional expenditure on Legal Services arising from recruitment challenges leading to additional agency usage and payments to external firms. This external work is planned to be completed in house during 2023/24, it should be noted that this was partially mitigated in previous reports by underspends on the services that have recently transferred to Corporate Resources.
- 11.4 **People & Organisational Development:** An underspend of £0.2m compared to a balanced position reported to Mayor and Cabinet in February. This is due to staffing vacancies within the service.

12. HOUSING REVENUE ACCOUNT (HRA)

- 12.1 The table below shows the HRA Outturn Position, which is a surplus of £1.1m due to reduced expenditure on capital leading to lower than budgeted interest charges, this surplus will be transferred to the HRA reserves for use in future years leaving the HRA account with a zero balance for the year. The revenue operational overspend was £6.5m. Capital underspent by £9.6m, this is due to slippage in the works schedule and the capital expenditure will be incurred in future years. There are several key movements within the reported position which are detailed below:

Table 10 – HRA Outturn

Housing Revenue Account	Net Budget	Net Forecast	Outturn Variance	Budget Report Variance	Movement
	£m	£m	£m	£m	£m
Housing, Regeneration and Public Realm – Housing	15.2	16.1	0.9	0.2	0.7
Lewisham Homes & Repairs & Maintenance	46.0	47.8	1.8	0.0	1.8
Resources	1.8	2.1	0.3	0.0	0.3
Centrally Managed Budgets	(63.0)	(67.1)	(4.1)	2.4	(6.5)
Total	0.0	(1.1)	(1.1)	2.6	(3.7)

- 12.2 **Housing, Regeneration and Public Realm (Housing):** The £0.9m overspend is due to additional costs incurred for the settlement of the 2022/23 pay deal across the service including Lewisham Homes. Within this position are £1.7m of development costs which could not be capitalised against the Building for Lewisham programme. This was partly off-set by additional hostel income of £0.1m, underspends on rehousing and lettings of £0.1m and other small underspends across the service of £0.1m.
- 12.3 **Lewisham Homes & Repairs & Maintenance Repairs & Maintenance:** The pressure is due to repairs and maintenance expenditure over and above the budget figures, this has arisen due to the volume of repair requests on the service and repair/material costs being higher than anticipated.
- 12.4 **Resources:** The net impact on these budgets is a overspend of £0.3m which mainly relates to additional insurance costs following retendering of the insurance contract.
- 12.5 **Centrally Managed Budgets:** There is a significant income target from the charging of major works at properties owned by leasehold tenants, currently work undertaken on a leaseholder’s property is charged to them upon completion, as opposed to in advance based on estimates. At 31 March, there was a shortfall of £2.4m against the income target with £3.6m of leasehold charges raised for 2022/23. It is anticipated that the remaining works will be billed in 2023/24, Lewisham Homes are planning to move to billing in advance as oppose to in arrears on leaseholder works from August 2023.
- 12.6 The income shortfall of £2.4m is mitigated by the following underspends/income received to leave a surplus of £4.1m:
- A reduction in the forecast interest charges of £1.5m due to the reduction in capital expenditure reducing the need for any external borrowing as well as a lower cash return on investment (CRI) on based on an actual rate of 3.7%.
 - An additional income of £0.9m from tenant’s rents and service charges due to void levels being lower than the budgeted rates.
 - An additional income of £0.2m from other rental charges on non-dwelling stock.
 - Additional income of £0.3m from Leaseholder charges.
 - An overspend on the energy budget of £0.8m, off-set by a drawdown from reserves held for that purpose.

- Other underspends of £0.5m.
- Bad debt impairments charged to the HRA were underspent by £3.1m due to an reduction in overall debt following the adjustments for the Thames Water refunds.

12.7 Lewisham Homes final capital expenditure was £55.3m against the general capital allocations re-profiled budget of £64.9m (was £77.8m). This is a forecast underspend of £9.6m against the re-profiled programme (or £22.5m against the original allocation). In addition, the development programme costs were £57.1m against an original allocation of £72.5m.

12.8 The HRA budgeted contribution from reserves is £17.5m. The forecasted contribution will now increase by £1.0m to reflect the £0.8m drawdown from the Energy Reserve and £0.2m for redundancy costs. This will leave the HRA in a balanced position for financial year 2022/23.

13. DEDICATED SCHOOLS GRANT (DSG)

13.1 The table below shows the final position for the DSG in 2022/23:

Table 11 – DSG Outturn

DSG Outturn	Schools Block £m	Central School Services Block £m	High Needs Block £m	Early Years Block £m	Total DSG Allocation £m
Gross	180.8	3.7	69.6	24.7	278.8
In year Virements	(0.7)	0.0	0.7	0.0	0.0
General Fund Resources	0.0	0.5	0.0	0.0	0.5
DSG Budget	180.1	4.2	70.3	24.7	279.3
Expenditure	180.1	4.8	73.8	24.7	283.4
Total Spend	180.1	4.8	73.8	24.7	283.4
Net Position	0.0	0.6	3.5	0.0	4.1
Application of funding	(0.1)	(0.6)	(0.9)	0.0	(1.6)
Final Position	(0.1)	0.0	2.6	0.0	2.5

13.2 The DSG has overspent by £2.5m in 2022/23, after the application of £1.6m one off funding.

13.3 The pressure is within the High Needs Block, the final position is after the transfer of £0.7m from the schools block and £0.9m of early years funding relating to 2021/22 which was confirmed in 2022/23.

13.3 The EY block position remain provisional until the Department for Education DfE has confirmed the final figures pending pupil number data validation. There is a potential underspend of £0.6m however this cannot be included until the DfE has formally advised the LA.

13.5 The table below shows the overall deficit on the DSG:

Table 12 – DSG Overall Position

DSG Overall	Schools Block £m	Central School Services Block £m	High Needs Block £m	Early Years Block £m	Total DSG Allocation £m
DSG Variance 2022/23	(0.1)	0.0	2.6	0.0	2.5
DSG Variance 2021/22	0.0	0.0	5.4	(1.3)	4.1
DSG Variance Prior Years	(0.3)	0.0	5.0	(0.2)	4.5
Deficit/(Surplus) at end of 2022/23	(0.4)	0.0	13.0	(1.5)	11.1

- 13.6 The DSG variance at the end of 2022/23 was less than previously anticipated due to the application of £1.6m of one off funding, explained above. It should be noted that at present the DSG remains a ringfenced grant and is not offset against the general fund position in the statement of accounts. The ringfenced status is expected to remain for a further 3 year period, after this point there is a strong possibility that the ringfenced status could cease. This would provide wider challenges for the councils overall financial position, it should be noted that Lewisham is not alone in this predicament.
- 13.7 The DfE is currently working with several Local Authorities (LA) using two different approaches. The first is known as the “safety valve” which is for LA’s with currently large levels of deficit, the second approach is the delivering better value (DBV) – which has three tranches and covers 55 Local Authorities. Lewisham is in the third tranche of the second approach which is expected to commence during the summer 2023. The programme will enable Lewisham to benefit from any best practice as well as being able to evidence the challenges Local Authorities face which is not suitably funded. Lewisham has further requested that the review is not solely restricted to Special Educational Need costs but extended to cover associated areas including Transport.
- 13.8 The overall schools position is a surplus of £19m, down from a surplus of £26m in 2021/22. There are now 21 schools are now in a deficit position; 2 nursery schools, 1 special school, 1 secondary school and 17 primary schools.
- 13.9 Schools Finance continues to work closely with Schools to support where this is possible. All schools in deficits will be required to progress a deficit recovery plan where one is not already in place.

14. CAPITAL

- 14.1 The revised budgeted 2022/23 capital programme was £198.5m. This is made up of £48.1m General Fund (GF) budget and £150.5m Housing Revenue Account (HRA) budget. The GF expenditure was £33.8m or 70%, and the HRA expenditure was £112.4m or 75%. This gives a full programme outturn of £146.2m or 74% of revised budget. A breakdown of the 2022/23 Capital Programme can be seen in Table 13:

Table 13 – Capital Outturn

2022/23 Capital Programme	Revised Budget - March 2023	2022/23 Outturn	Spend against Budget
GENERAL FUND	£m	£m	%
CCTV Modernisation	0.5	0.0	0%
ICT - Tech Refresh	0.6	0.5	91%
Schools - School Places Programme	0.7	0.8	118%
Watergate School	0.2	0.2	114%
Greenvale School	2.1	2.2	108%
Riverside Youth Club	0.1	0.0	22%
Schools – Minor Works	3.9	3.9	100%
Schools – Other	0.2	0.2	99%
Highways & Bridges – TfL	1.0	1.0	97%
Highways & Bridges – LBL	4.7	2.3	48%
Asset Management Programme	0.8	0.9	111%
Corporate Estate Maintenance	1.7	0.9	52%
Other AMP Schemes	1.0	0.7	74%
Broadway Theatre	6.2	5.6	91%
Catford Phase 1 – Thomas Lane Yard/ CCC	0.3	0.2	67%
Catford Station Improvements	0.1	0.0	29%
Travellers Site Relocation	0.0	0.1	181%
Lewisham Gateway (Phase 2)	2.9	0.8	28%
Beckenham Place Park (Inc. Eastern Part)	0.7	0.7	94%
Catford Library (Winslade Way)	0.4	0.4	97%
Catford Town Centre	0.3	-0.1	-36%
Public Sector Decarbonisation	1.9	1.7	92%
A205 Road Realignment	1.8	0.6	36%
Other Miscellaneous Schemes	2.0	1.0	49%
Other General Fund Housing Schemes	2.6	1.6	64%
Deptford Southern Sites Regeneration	1.0	0.5	52%
Milford Towers Decant	0.3	0.3	119%
Edward St. Development	1.3	0.2	19%
Achilles St Development	0.8	1.5	197%
Place Ladywell	1.0	0.6	59%
Temporary Accommodation - Mayow Rd	5.9	3.6	61%
Temporary Accommodation - Canonbie Rd	0.6	0.2	38%
Temporary Accommodation - Morton House	0.1	0.0	80%
Temporary Accommodation - Manor Avenue	0.2	0.0	20%
Private Sector Grants and Loans	0.6	0.5	88%
TOTAL GENERAL FUND	48.1	33.8	70%
HOUSING REVENUE ACCOUNT			
Building for Lewisham Programme (BFL)	72.7	57.2	79%
Decent Homes Programme	74.7	54.1	72%
Housing Management System	2.2	0.8	35%
Other HRA Schemes	0.9	0.4	43%
TOTAL HOUSING REVENUE ACCOUNT	150.5	112.4	75%
TOTAL PROGRAMME	198.6	146.2	74%

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- 14.2 There are numerous schemes with in-year overspends, these schemes all have budget in future years and the overspend is due to the project being ahead of schedule. Additional commentary on high value schemes and schemes with large underspends is provided:
- 14.3 **Greenvale school:** The final cost of the Greenvale School Expansion project is £111m which has delivered a new secondary special education needs school building for 93 students. The project was completed, and the school opened in time for the start of the academic year. The project spent slightly more than budgeted in year, however there is some budget remaining in 2023/24 for any final costs.
- 14.4 **Broadway Theatre:** The Broadway Theatre Works project addresses the urgent health and safety, mechanical and electrical, Disability Discrimination Act and compliance requirements within the building, along with the overdue upgrade/refurbishment of identified areas throughout the building. This project is nearing completion as the Theatre is now in operation.
- 14.5 **Catford Town Centre:** This project had previously been used to fund the A205 realignment project, and the underspend this year comes from the re-imburement to this budget.
- 14.6 **Edward Street Development:** The project involves the delivery of high-quality two-bed apartments and units for affordable commercial uses, using modular construction methods. The original contractor for this project has gone into administration meaning that this project is currently on hold whilst the next steps are determined.
- 14.7 **Temporary Accommodation - Mayow Rd:** The project involves the demolition of premises at Mayow Road to facilitate the planned redevelopment of the site and construction of a 6 or 7 storey building, comprising of temporary accommodation and supported living homes. The contractor has experienced impaired productivity due to material and labour shortages and the anticipated completion has been pushed back.

Table 14 - Future Capital Programme Budgets

Capital Expenditure	Budgets					
	2023/24	2024/25	2025/26	2026/27	Future Years	Total
	£m	£m	£m	£m	£m	£m
General Fund	71.3	28.9	52.8	10.3	0.0	163.2
Housing Revenue Account	183.1	146.1	87.6	8.1	0.0	424.8
Total Programme	254.4	174.9	140.4	18.4	0.0	588.0

15. COLLECTION FUND

- 15.1 **Council Tax** - The collection rate for 2022/23 was 92.8% against a target of 96% which is £5.5m below the targeted level. Work to collect the debt due continues, with enforcement activity where necessary, and it is anticipated that this will increase the collection rate for the year by between 1-1.5%. The remaining shortfall will be factored into future year Collection Fund budget as a deficit, reducing the budget available for service spending on those years.

Table 15 – Council Tax Collected

Council Tax	Cash Collected (cumulative)	Cash needed to meet 96% Profile	Difference between collected and 96% profile	Current Year Collection Rate%	Required Collection Rate to reach 96%	Difference	2021/22 % Collected
Mar-23	157,787,389	163,257,795	5,470,406	92.8%	96.0%	-3.2%	92.4%

15.2 **Business Rates** - The collection rate for 2021/22 was 96% against a target of 99% which is £2m below the targeted level. Work on collection continues as noted above for CTax.

Table 16 – Business Rates Collected

Business Rates	Cash Collected (cumulative)	Cash needed to meet 99% Profile	Difference between collected and 99% profile	Current Year Collection Rate%	Required Collection Rate to reach 99%	Difference	2021/22 % Collected
Mar-23	62,389,614	64,359,486	1,969,872	96.0%	99.0%	-3.0%	94.0%

16. DEBT

- 16.1 The Council works hard to collect the monies owed to it for services provided and, where individuals may be struggling to pay, engages early and often over extended periods to work with customers to assist them pay. Only as a last resort will the Council use enforcement and court action to collect monies owed to it.
- 16.2 However, as for all organisations, it is not always possible to recover all debts owed. For example, some businesses stop trading or individuals leave the Borough and cannot be traced. The Council therefore routinely sets aside funding in the accounts for uncollected debt, consistent with the policies and judgements set out and audited by the external auditors. At the 31 March 2021, the most recent audited accounts, the balance being held against all uncollected debts (Sundry Debts, Council tax, Business Rates and Housing Benefit overpayment recovery) was £99.6m.
- 16.3 In 2021/22, £126.1m of debt was outstanding across the 4 categories, write offs of £42m were proposed and agreed. This was aimed at some specific debts that were no longer deemed recoverable and largely focussed on clearing the accounts of the older debts. These were typically over six years old (or four years in the case of Sundry debts), with some going back more than ten years. This will enable recovery work to be concentrated on live accounts to ensure the most success in collecting monies owed to the Council.

Table 17 – Debt Write Offs agreed in 2021/22 outturn report

Debt Summary	Amount Outstanding at 31 March 2022	Write Offs Agreed by M&C
	£	£
General Fund Sundry Debtor	21,922,842	2,141,936
Housing Benefit Overpayments	23,817,821	10,543,640
Council Tax	73,222,018	28,742,709
Business Rates	7,161,208	527,698
Total	126,123,889	41,955,983

- 16.4 Due to some resourcing and system challenges only £7.1m has been written off on the system (although it has been from the financial statements) at 31 May 2023. The bulk of the debt not yet written off is within Council Tax system and it is expected these will be actioned in the coming months.
- 16.5 As a result there is currently £133.5m of debt showing as outstanding within the system. This debt value will decrease by at least £28.3m once the remaining Sundry Debt and Council tax debt write offs have been processed. Business rates write offs were fully actioned in-year and the Housing benefit overpayment write offs require additional work. Therefore the level of unpaid on the various financial systems will be approximately £105m.
- 16.6 At this stage until those write offs have been actioned within the system, it is not proposed to recommended further Sundry Debt, Council Tax or Housing Benefit overpayment write offs. These will be actioned in the Period 4 report to Mayor and Cabinet later in the year and in quarterly reports moving forward.
- 16.7 At this stage £0.2m of Business Rates debt which was raised before the 31st March 2017 is proposed for write off, there is also £0.4m of debt for 4 companies who owe the council more than £0.05m individually. These are detailed further with explanations in Appendix B.

17. FINANCIAL IMPLICATIONS

- 17.1 This report concerns the projected financial outturn for 2022/23. Therefore, any financial implications are contained within the body of the report.

18. LEGAL IMPLICATIONS

- 18.1 The Council is under a duty to balance its budget and cannot knowingly budget for a deficit. It is imperative that there is diligent monitoring of the Council's spend and steps taken to bring it into balance.
- 18.2 The individual debts recommended for write off in section 16 of the report and detailed at Appendix C are presented in compliance with the delegations as set out in the Constitution:
- Part 2 Articles, under Article 16, section 16.2 Key Decisions, paragraph c, point (xiv) which state;
- writing off any bad debt in excess of £50,000, unless the Council has within the last 3 years already written off debts for the person/organisation concerned totalling that amount in which case any further write off would be a key decision.

19. CRIME AND DISORDER, CLIMATE AND ENVIRONMENT IMPLICATIONS

19.1 There are no specific crime and disorder act or climate and environment implications directly arising from this report.

20. EQUALITIES IMPLICATIONS

20.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

20.2 There are no equalities implications directly arising from this report.

21. BACKGROUND PAPERS

Short Title of Report	Date	Location	Contact
Outturn Report 2021/22	22 nd June 2022	1 st Floor Laurence House	David Austin
Monitoring Report Period 7 2022/23	7 th December 2022	1 st Floor Laurence House	David Austin
Budget Report 2022/23	1st March 2021 (Council)	1 st Floor Laurence House	David Austin

22. REPORT AUTHOR AND CONTACT

David Austin, Director of Finance david.austin@lewisham.gov.uk; or

Nick Penny, Head of Service Finance nick.penny@lewisham.gov.uk

APPENDIX A – 2022/23 Savings Tracker

Year	Ref	Directorate	Director	Proposal	Savings Shortfall	Risk Rating of Saving in 2022/23	Finance View
2020/21	CYP01	CYP	Lucie Heyes	More efficient use of residential placements	300		Elements of these savings may have been achieved but have been negated by increased demand/cost arising within the service. A review is to be undertaken in early 2023/24.
2020/21	CYP03	CYP	Lucie Heyes	More systematic and proactive management of the market	600		
2020/21	CYP04	CYP	Lucie Heyes	Commission semi-independent accommodation for care leavers	250		

2020/21	CYP05	CYP	Lucie Heyes	Residential framework for young people. Joint SE London Commissioning Programme	200		
2022/23	E-05	CYP	Angela Scattergood	Traded services with schools	50		No agreement in place with schools as yet
2022/23	E-06	CYP	Lucie Heyes	Reduce care leaver costs	100		Elements of these savings may have been achieved but have been negated by increased demand/cost arising within the service. A review is to be undertaken in early 2023/24.
2022/23	F-02	CYP	Lucie Heyes	Children Social Care Demand management	500		

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2022/23	F-03	CYP	Lucie Heyes	Children Service reconfiguration - fostering	250		Delivery slower than anticipated, no achievement in 22/23.
2022/23	F-05	CYP	Lucie Heyes	VfM commissioning and contract management - CSC	250		Elements of this savings may have been achieved but have been negated by increased demand/cost arising within the service. A review is to be undertaken in early 2023/24.
CYP Subtotal					2,500		

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2020/21	COM2A	Comm	Joan Hutton	Ensuring support plans optimise value for money	400		Task group set up aimed at progressing this saving. Savings delivered in part due to optimising value for money have been badged against F01 - Adult Social Care Demand Management in the first instance
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2021/22	F-01	Comm	Joan Hutton	Adult Social Care Demand management	1,100		A review programme to assess whether the level of packages is correct. It is now expected that this saving will be delivered in 23-24 as the programme and processes get more embeded in care team and management. There is also more resources dedicated to ths programme to expedite these savings
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2021/22	F-24	Comm	Joan Hutton	Adult Social Care cost reduction and service improvement programme	2,249		This is the saving being delivered as part of the Newton programme, the programme delivered £1.6m savings in 22/23 with the remainder delivered in 23/24.
2022/23	F-24	Comm	Joan Hutton	Adult Social Care cost reduction and service improvement programme	430		Continuation of the review savings across COM1A and F-01
Communities					4,179		

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2020/21	CUS04	HRPR	Zahur Khan	Income generation - increase in commercial waste charges	100		£100k still to be delivered in 23/24
2020/21	RES15	HRPR	Patrick Dubeck	Commercial estate growth	300		£300k unachievable and removed as part of 23/24 budget setting
Housing, Regen and Public Realm					400		
2021/22	A-05	Corp	Mick Lear	Revs and Bens - additional process automation	400		Delayed implementation of the service restructure, full delivery expected in 23/24

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2022/23	A-06	Corp	Mick Lear	Revs and Bens - Generic roles	400		Delayed implemetation of the service restructure, full delivery expected in 23/24
Corporate Resources					800		
Total					7,879		

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APPENDIX B – Business Rates: Individual debts over £50k to be written off

Shop and premise at 40B Lewisham Centre, Riverdale, Lewisham, London SE13 7EP

Total: £67,506 Period 1/6/22 – 1/4/24

The account was opened further to the company entering Administration on 1st June 2022. Bills were issued to the insolvency practitioners. No dividends were received and cannot continue recovery past final notice with the company being in administration. The Joint Administrators' First Progress Report published on 23 December 2022 confirms there are expected to be insufficient funds to enable a distribution to unsecured creditors

Retail Warehouse and Premises at Unit 3 Lewisham Retail Park, Loampit Vale, London SE13 7SN

Total: £155,592 Period 27/9/18 – 15/11/19

The account was opened in 2018 and bills were issued to the property address. No payment was received and as such, the debtor defaulted on their statutory instalments and recovery proceedings commenced. The Council subsequently obtained a Liability Order in August 2019, and the account was passed to Newlyn the Council's Enforcement Agents for collection. However, the debtor still failed to make payment. The Charity subsequently became insolvent and therefore Council are unable to continue to pursue the debt.

Retail Warehouse and Premises at Unit 3 Bromley Road Retail Park, 124 to 138 Bromley Road, London, SE6 2QU

Total: £112,012 Period 30/6/20 – 16/4/21

The account was opened further to the company entering Administration on 30 June 2020. Bills were issued to the insolvency practitioners. No dividends were received and cannot continue recovery past final notice with the company being in administration. The Council received a letter from the Insolvency Practitioners detailing a full and final dividend amount for the previous account confirming that no further dividends will be issued.

Shop and Premises at 104 to 106 Rushey Green, Catford, London, SE6 4HW

Total: £62,104 Period 10/12/21 – 30/5/23

Account was opened further to the lease agreement received. The account was set to empty as it had been confirmed as empty for a while. The bills were being returned from the registered office. A forwarding address was not able to be located but the company was still active on companies house so continued to send bill to their registered office. During summons vetting in May 2023, it was noticed that the company had recently dissolved on 30 May

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2023. The account was closed on this date and the balance to be written off is for the period the company was active.

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Agenda Item 15



Mayor and Cabinet

Exclusion of the Press and Public

Date: 21 June 2023

Key decision: No

Ward(s) affected: N/A

Contributors: Head of Governance and Committee Services

Recommendation

It is recommended that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

16. Permission to award Maximising Wellbeing of Unpaid Carers contract – Part 2
17. Permission to award Maximising Wellbeing at Home contracts (Lots 1-4, 7) – Part 2
18. Housing Futures progress report – Appendix B – transition costs – Part 2

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

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Agenda Item 18

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