

Notice of Meeting

CABINET

Tuesday, 21 May 2024 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Darren Rodwell (Chair); Cllr Saima Ashraf (Deputy Chair) and Cllr Dominic Twomey (Deputy Chair); Cllr Sade Bright, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Kashif Haroon, Cllr Jane Jones, Cllr Elizabeth Kangethe and Cllr Maureen Worby

Invited: Cllr John Dulwich (non-voting)

Date of publication: 13 May 2024

Fiona Taylor
Chief Executive

Contact Officer: Alan Dawson
Tel. 020 8227 2348
E-mail: alan.dawson@lbbd.gov.uk

Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

1. Apologies for Absence

2. Declaration of Members' Interests

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

3. Minutes - To confirm as correct the minutes of the meeting held on 16 April 2024 (Pages 3 - 7)

4. Local Hardship Scheme Policy 2024/25 (Pages 9 - 60)

5. Contract for Provision of SEND and Children's Social Care Transport (Pages 61 - 80)

6. **Procurement of an Enforcement and Regulatory IT System (Pages 81 - 93)**
7. **Disposal of Redundant Vehicle Stock (Pages 95 - 98)**
8. **BDTP Contract Extensions (Pages 99 - 112)**
9. **Any other public items which the Chair decides are urgent**
10. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend / observe Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended). ***There are no such items at the time of preparing this agenda.***

11. **Any other confidential or exempt items which the Chair decides are urgent**

Our Vision for Barking and Dagenham

**ONE BOROUGH; ONE COMMUNITY;
NO-ONE LEFT BEHIND**

Our Priorities

- Residents are supported during the current Cost-of-Living Crisis;
- Residents are safe, protected, and supported at their most vulnerable;
- Residents live healthier, happier, independent lives for longer;
- Residents prosper from good education, skills development, and secure employment;
- Residents benefit from inclusive growth and regeneration;
- Residents live in, and play their part in creating, safer, cleaner, and greener neighbourhoods;
- Residents live in good housing and avoid becoming homeless.

To support the delivery of these priorities, the Council will:

- Work in partnership;
- Engage and facilitate co-production;
- Be evidence-led and data driven;
- Focus on prevention and early intervention;
- Provide value for money;
- Be strengths-based;
- Strengthen risk management and compliance;
- Adopt a “Health in all policies” approach.

The Council has also established the following three objectives that will underpin its approach to equality, diversity, equity and inclusion:

- Addressing structural inequality: activity aimed at addressing inequalities related to the wider determinants of health and wellbeing, including unemployment, debt, and safety;
- Providing leadership in the community: activity related to community leadership, including faith, cohesion and integration; building awareness within the community throughout programme of equalities events;
- Fair and transparent services: activity aimed at addressing workforce issues related to leadership, recruitment, retention, and staff experience; organisational policies and processes including use of Equality Impact Assessments, commissioning practices and approach to social value.

MINUTES OF CABINET

Tuesday, 16 April 2024
(7:02 - 7:40 pm)

Present: Cllr Dominic Twomey (Deputy Chair in the Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Kashif Haroon, Cllr Jane Jones, Cllr Elizabeth Kangethe and Cllr Maureen Worby; Cllr John Dulwich

Apologies: Cllr Darren Rodwell and Cllr Sade Bright

107. Declaration of Members' Interests

There were no declarations of interest.

108. Minutes (19 March 2024)

The minutes of the meeting held on 19 March 2024 were confirmed as correct.

109. Contract for the Provision of a Domestic Abuse Victim / Survivor Support Service

The Cabinet Member for Adult Social Care and Health Integration presented a report on proposals to procure a new, maximum five-year contract for the provision of a Domestic Abuse Victim / Survivor Support Service commencing 1 October 2024.

The Cabinet Member advised that in the 12-month period to May 2023, Barking and Dagenham had the highest rate of domestic abuse offences in London at 16.8 per 1,000 population, which showed that despite the various initiatives already being undertaken by the Council and other partners in the Borough, much more needed to be done. The proposed procurement was for an outcome-based, proactive support service which could be adapted to the changing needs and resources available, working in conjunction with other agencies and services to provide a coordinated response. Outputs that would be included in the tender specification included:

- A single front door with one phone number, one referral form, assessment and transfer into appropriate support;
- Trauma-informed service provision for residents, victims, survivors and their children;
- Refuge accommodation;
- Independent Advocacy and 1:1 Support;
- Therapeutic support (group) for adults and for children affected by domestic abuse;
- Sanctuary schemes and target hardening, making the survivors safer in their homes;
- Community engagement and awareness raising, including training for staff and partners, and healthy relationship workshops offered to schools and providers working with children and young people;

- Volunteering opportunities, peer mentoring and peer support development.

Cabinet Members spoke in strong support of the proposals and highlighted the need for such services, which serve extremely vulnerable individuals and their children, to be properly funded.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a contract for a Domestic Abuse Victim / Survivor Support Service in accordance with the strategy set out in the report; and
- (ii) Authorise the Commissioning Director, Care and Support, in consultation with the Cabinet Member for Adult Social Care and Health Integration, the Strategic Director, Resources and the Head of Legal, to award and enter into the contract(s) and all other necessary or ancillary agreements to fully implement and effect the proposals.

110. Provision of Children's Residential Care Homes and Independent Foster Care Agency Services

The Cabinet Member for Children's Social Care and Disabilities introduced a report on the proposal for the Council to join the London Borough of Newham's Dynamic Purchasing System (DPS), which would allow access to a pool of pre-approved providers of children's residential care homes and independent foster care agencies.

The Cabinet Member advised that a key aim of the Council's approach to children and young people who were not able to stay safely within their family environment was to provide, wherever possible, suitably matched high-quality homes within family settings, such as foster care, and as near as possible to the child's family home, to support the maintaining of links with their family and local community wherever appropriate. The Cabinet Member referred to the excellent in-house foster care arrangements already in place across the Borough and confirmed that participation in the DPS would supplement that existing provision by giving access to a range of additional high-quality and flexible provision. The new arrangement was also expected to reduce current costs through lower membership/participation fees compared to existing arrangements and by lessening the need to independently spot-purchase services.

It was noted that the initial intention was to join the DPS on 1 April 2024 for an initial 23-month period up to 8 March 2026. The initial period would allow the Council to evaluate whether the DPS met the needs of its children and young people and, if so, the Council would have the option to extend its participation for a further four years until March 2030.

Cabinet **resolved** to:

- (i) Approve the entering into of an Access Agreement with the London Borough of Newham and call-off from Newham's Dynamic Purchasing Vehicle (DPS) in respect of the provision of Children's Residential Care

Homes and Independent Foster Care Agency Services, in accordance with the Council's Contract Rules and the strategy detailed in the report; and

- (ii) Delegate authority to the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Children's Social Care and Disabilities, the Strategic Director, Resources and the Head of Legal, to award and enter into the Access Agreement and all other necessary or ancillary agreements to fully implement and effect the proposals.

111. Procurement of Reablement At Home Service

The Cabinet Member for Adult Social Care and Health Integration presented a report on proposals regarding the development and procurement of a Reablement at Home service.

The Cabinet Member explained that there were two main elements/outcomes relating to a therapy-based reablement service, the first being a short-term care service offered to individuals at home who were unwell and unable to look after themselves due to a 'crisis' in their lives. Typically, that would be due to an accident, poor health or the early onset of a long-term health condition. At the end of the intervention the aim was for the individual to be able to return to living independently, outside of the care system. The second element acknowledged that some individuals still needed longer term care services, for example Homecare, and reablement would contribute to supporting individuals to recover sufficiently to have a reduction in their care hours and complexity of support within the first few weeks. The new therapy-driven service would have a positive impact on both the individual in need and the pressures faced by the Council in relation to the significant costs of care provision.

The Cabinet Member advised that the Council had initially commissioned two short-term pilots to test and trial different models of reablement. Both pilots were due to end in the coming months but in light of the positive results, those pilots would be extended until the new Reablement at Home service had been commissioned and there had been an efficient transition from the existing Adult Crisis Intervention service.

Cabinet colleagues spoke in strong support of the new service proposals and reiterated the call for local authorities to be properly resourced to meet the significant increase in demand for adult and children's social care services.

Cabinet **resolved** to:

- (i) Note that the two reablement pilot schemes were extended into the 2024/25 financial year and shall terminate upon the award / mobilisation of the new reablement provision;
- (ii) Agree that the Council proceeds with the procurement of a contract for Reablement at Home arrangements in accordance with the strategy set out in the report, subject to the endorsement of the Procurement Board to the exact model of reablement to be procured; and

- (iii) Authorise the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Adult Social Care and Health Integration, the Strategic Director, Resources and the Head of Legal, to conduct the procurement and award and enter into the contract(s) and all other necessary or ancillary agreements to fully implement and effect the proposals, including any periods of extension.

112. Travelodge Hotel, Yew Tree Avenue, Dagenham - Development Agreement

Further to Minute 114 (20 March 2018), the Cabinet Member for Regeneration and Economic Development presented a report on the proposal to enter into a new Development Agreement with Travelodge for the conversion of the vacant ground floor retail space into 15 additional hotel rooms at the site in Yew Tree Avenue, Dagenham.

The Cabinet Member explained that the original agreement with Travelodge related to the development of a 78-bed hotel with a ground floor retail unit. Whilst the hotel element had been trading successfully, there had been limited occupancy / interest in the retail unit. As a consequence, Travelodge were seeking to transform the retail space into additional hotel accommodation. The Cabinet Member alluded to the financial elements of the proposed Development Agreement, which were detailed in an exempt appendix to the report, and it was noted that the proposed terms met the required metrics within the Council's Investment and Acquisition Strategy.

Cabinet colleagues raised the potential merits of retaining the ground floor retail space and other alternative options, particularly in view of the major developments coming to fruition in the immediate area. The Cabinet Member confirmed that a range of options had been considered and costed but, on balance, the conversion into 15 additional hotel rooms represented the most economically advantageous proposal. He pointed out, however, that the conversion proposal was subject to planning permission and should a potential retail tenant come forward in the meantime, the terms of any offer would be considered.

Cabinet **resolved** to:

- (i) Approve the entering into of a Development Agreement with Travelodge in respect of the conversion of the vacant ground floor retail space at the Dagenham East site into 15 additional hotel rooms (Option 1), in line with the terms set out in Appendix 1 to the report;
- (ii) Authorise the Strategic Director of Resources, in consultation with the Cabinet Member for Finance, Growth and Core Services and the Cabinet Member for Regeneration and Economic Development, to agree final terms for the Development Agreement (including the capital contribution), the agreement for lease and the new lease; and
- (iii) Delegate authority to the Head of Legal to execute all the legal agreements, contracts, and other documents on behalf of the Council in order to implement the arrangements.

(Note: During consideration of this item, a resolution to exclude the public and press from the meeting was passed to allow a very brief discussion of the financial information that was exempt from publication by virtue of paragraph 3 of Part 1, Schedule 12A to the Local Government Act 1972 (as amended).)

This page is intentionally left blank

CABINET**21 May 2024**

Title: Local Hardship Scheme Policy 2024/25	
Report of the Cabinet Member for Finance, Growth and Core Services	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Authors: James Johnston, Service Manager Donna Radley, Head of Welfare	Contact Details: E-mail: james.johnston@lbbd.gov.uk E-mail: donna.radley@lbbd.gov.uk
Accountable Executive Team Director: Jo Moore, Strategic Director of Resources	
<p>Summary:</p> <p>On 6 March 2024, the Government announced the extension of the Household Support Fund (HSF) for a further six-month period. The scheme funding period will run from 01 April - 30 September 2024.</p> <p>Prior to this announcement it had been expected that the Household Support Fund would close at the end of the 2023/24 financial year.</p> <p>The Council will be allocated Government funding for the financial year 2024/25 through the Household Support Fund to support residents with the ongoing issues surrounding the increased costs of living.</p> <p>This funding is in addition to allocated government funding for the Discretionary Housing Payment scheme (DHP) and Council funding for the Discretionary Council Tax Relief (DCTR) fund.</p> <p>This report sets out the Government Scheme's, minimum criteria and the Council's proposed approach to the allocation of Hardship Funds for the 2024/25 financial year. It proposes changes to the administration of the Household Support Fund to vary and target support for residents in the borough.</p>	
Recommendation(s)	
The Cabinet is recommended to:	
<ul style="list-style-type: none"> (i) Approve the Council's updated Discretionary Housing Payment, Household Support Fund and Discretionary Council Tax Hardship Scheme policy for 2024/25, as set out at Appendix 1 to the report; and (ii) Delegate authority to the Strategic Director, Resources, in consultation with the Cabinet Member for Finance, Growth and Core Services, to vary the allocation of funding and scheme criteria where appropriate to reflect future demand. 	

Reason(s)

To assist the Council in achieving its priorities from the corporate plan 2023 to 2026 of supporting residents during the current cost of living crisis to build and maintain financial resilience moving forwards, ensuring interventions are both sustainable, help immediate need but also support a long-term route out of poverty.

1. Introduction and Background

- 1.1 We continue to be in the midst of the biggest cost of living crisis in over 30 years. Increasing inflation and further pressures on the cost of living are disproportionately affecting low-income residents in the borough who are more vulnerable than most due to the existing levels of deprivation and residual effects of the Covid-19 pandemic.
- 1.2 The cost-of-living crisis has had a substantial impact on poverty rates in the UK with hundreds of thousands of people being plunged into poverty.
- 1.3 In October 2023¹ around 2.8 million of the poorest households (47%) were in arrears with their household bills, or behind on scheduled lending repayments. 4.2 million households (72%) were going without essentials and 3.4 million households reported not having enough money for food. Analysis shows that basic rates of benefits are now below destitution levels. Universal Credit claimants are £140 short of the money needed to afford basic essentials each month, even after benefits increase.² Benefit claimants are 6% worse off in real terms than they were in 2019³. Living standards are expected to drop by 3.5% by 2024/25 compared to pre-pandemic levels, representing the largest reduction in living standards since ONS records began in the 1950's⁴. The Joseph Rowntree Trust states "In short, poverty in the UK is deepening. The deeper we look, the faster it is rising. People in poverty are moving further and further below the poverty line"⁵.
- 1.4 Residents in Barking & Dagenham experience some of the highest levels of deprivation in the country, with high unemployment and economic inactivity.
- 1.5 46,100 (62.4%) households in the borough have at least one measure of deprivation, the highest proportion in England and Wales. 46% of children are estimated to live in poverty, the third highest rate in England and Wales. 9,100 (5.6%) residents aged 16 or over were unemployed, the seventh highest proportion in England and Wales. 58,100 residents were economically inactive with 18% having never worked⁶.
- 1.6 With many households in the borough already with low incomes, with high levels of deprivation and poverty, reliance on welfare assistance has continued to increase becoming an important lifeline to meet basic living costs. All the financial challenges and continued increases in the cost of living, despite some headline inflation figures

¹ UK Poverty 2024 – Joseph Rowntree

² The Trussel Trust

³ The Institute for Fiscal studies (IFS)

⁴ The Office for Budget Responsibility (OBS)

⁵ UK Poverty 2024 – Joseph Rowntree

⁶ 2021 Census data

falling back by the end of 2023, will heavily impact our borough and its residents more disproportionately.

- 1.7 During the 2023/24 financial year the Council continued to administer the Household Support Fund and Discretionary Housing Payment schemes, funded by the Government to support residents in the borough. This sat alongside the Councils own hardship fund to capture residents who required an additional level of financial support or were excluded from the other schemes and the Discretionary Council Tax Relief fund.
- 1.8 Due to ongoing budgetary pressures the Council can no longer fund its own hardship scheme but has committed to continue to fund the Discretionary Council Tax Relief fund for 2024/25.
- 1.9 This paper sets out the Councils approach to the administration of all remaining discretionary financial support schemes for the 2024/25 financial year.
- 1.10 To simplify the resident's journey and align the policies and processes, the Discretionary Housing Payment, Household Support and Discretionary Council Tax Hardship Scheme have one application process and one policy as set out in Appendix 1.

2. The Household Support Fund

- 2.1 The Spring statement announced that the Household Support Fund (HSF) would be extended for a further 6 months running between April and September 2024. The Government had failed to previously commit to an extension of the scheme despite extensive lobbying for an extension and the expectation was that the fund would not be extended. The late notice of the extension and continuation of the fund means longer term planning for the administration of the fund was not able to be undertaken in advance.
- 2.2 The Government has made a further investment of £421 million into the scheme to deliver support to residents to help with the cost of essentials and the wider cost of living.
- 2.3 LBBD will be allocated £2,162,051.52 for the first six months of 2024/25, allocated for the period 01 April to 30 September 2024.
- 2.4 Government guidance dictates how the scheme should be administered. Policy stipulations from the extension of the scheme in 2024 remain in place in line with the previous iteration of the scheme in 2023/24. With the key objective of providing crisis support to vulnerable households in most need with the cost of essentials⁷.
- 2.5 Authorities must operate an application-based service for support based on the scheme guidance, to ensure those in need have a route to emergency support. The Council has operated an application-based service since the commencement of the Household Support Fund and already meets this requirement.

⁷ Household Support Fund guidance for Local Authorities 2024/25

- 2.6 The Household Support Fund extension will continue to be used to support households in the most need. It will cover a wide range of low-income households including families with children of all ages, pensioners, unpaid carers, care leavers, people with disabilities and will continue to operate in a similar way to the original Household Support Fund scheme, with a greater emphasis on supporting households with their cost of living with a particular focus and priority on energy, food, utility and water bills.
- 2.7 This can be summarised as:
- Support with energy bills
 - Essentials linked to food, energy and water
 - Wider essentials including support with other bills
 - Support for housing costs and rent arrears in certain circumstances
 - Advice services
 - Support for white goods
- 2.8 Exclusions to the Household Support Fund are that it cannot be issued for advice, such as debt advice or mortgage costs and those with no recourse to Public Funds are excluded unless there is a genuine care need that does not arise solely from destitution.
- 2.9 Reasonable administrative cost can be included – These may include staff costs, advertising, web page design, printing application forms, IT Change associated to the scheme.
- 2.10 It can be paid via vouchers, food, BACS, cash & cheques & third parties can be used such as:
- Registered charities and voluntary organisations
 - Schools
 - Food banks
 - General Practitioners
 - Care organisations
- 2.11 In order to ensure the full allocation of funding is achieved a delivery plan has been drafted to demonstrate how the Council will spend the Household Support Fund. The delivery plan for 2024/25 is attached as Appendix 3. It should be noted that these are estimated forecasts based on previous iterations of the Household Support Fund, which has been fully allocated each year.
- 2.12 The delivery plan is flexible and lets the Council adjust the funding allocation as needed, it is monitored daily to ensure the funds are used properly, in a timely manner, and for all demographics.
- 2.13 All allocations are closely monitored by the Department of Work and Pensions (DWP), delivery plans are declared at the start of the fund and final management information is returned to the DWP every six months of each iteration of the HSF.
- 2.14 All funding allocated to the Council from HSF 1 to 4 has been allocated in full.

3. Proposals and Issues

- 3.1 Previous iterations of the Household Support Fund have provided support to families whose children are in receipt of Free School Meals. A voucher has been issued for term breaks over half term, Christmas and Summer breaks at a cost of approximately c£1m for each 6-month period, dependent upon caseload and holiday periods. This equates to approximately 50% of the available funding from the scheme and limits the scope of the remaining funds.
- 3.2 Due to the expected end of the Household Support Fund, prior to its unexpected extension, schools in the borough were notified of the expected end of available funding. As a result, schools closed their administrative pathways to the issuing of vouchers and affected residents were notified accordingly of the end of the Free School Meal voucher scheme through the Household Support Fund. It should be noted that there was a significant administrative burden on schools to undertake the issuing of vouchers through this scheme.
- 3.3 This paper proposes the end of the Free School Meal voucher scheme with a different use of the available funding that will result from its withdrawal.
- 3.4 The current system of Free School Meals allows for recipients to receive transitional protection to retain the award for the full primary/secondary school period, regardless of changes to income that would previously have led to an end of the award. As a consequence, it is estimated that approximately one-third of the Free School Meal case load is under transitional protection and would not be entitled to this support based on household income. As a result, vouchers may be issued to recipients who, but for transitional protection, would not be eligible for the support.
- 3.5 A collaborative approach to work with schools to identify vulnerable families with support still available through the wider Household Support Fund is proposed to mitigate against the end of the voucher scheme. This will be done in conjunction with the supporting families programme and give schools greater freedom in supporting households with children and not limited by the provision of free school meals as a qualifying criteria. The Holiday and Activity and Food programme (HAF) remains available to support families.
- 3.6 The managed migration of the remaining old style Legacy Benefits to Universal Credit is scheduled to commence in April 2024. This will see a significant impact on both the Housing Benefit caseload and for many residents in the borough in receipt of the old-style Legacy Benefits.
- 3.7 Residents in receipt of old-style Legacy Benefits, inclusive of some Housing Benefit claims are due to receive migration to Universal Credit notices giving them 3-months to apply for Universal Credit, with a 1-month grace period for late applications. Failure to apply within time will see the end of all the old Legacy Benefits in payment, including Housing Benefit.
- 3.8 Applicants for Universal Credit will see a minimum 5-week wait for their award before payment will be made. For many applicants on a low income they do not have sufficient remaining income or capital to meet basic living expenses during this period and are therefore required to take an advanced payment through Universal Credit to cover the period.

- 3.9 The 5-week wait for Universal Credit and advance payment has led to financial hardship and damaged households longer term financial resilience⁸. The use of advanced payments, which are a loan, and must be paid back from ongoing Universal Credit entitlement, pushes households into debt from the start of their claim, reducing their available ongoing income, making it more difficult to budget into the future. Food bank use rises in the months preceding a claim for Universal Credit.
- 3.10 Internal analysis has identified approximately 2500 (approx. 46% of the working age Housing Benefit caseload) cases that are expected to migrate to Universal Credit currently in receipt of Housing Benefit and other Legacy Benefits.
- 3.11 Approximately 950 cases were identified as Council tenancies currently sat in the Housing Revenue Account (HRA) with direct payments to the rent account that are likely to be migrated to Universal Credit. This will end the direct payment of Housing Benefit and residents will be required to ensure that standing orders are set up for payment of the Housing Cost element of Universal Credit for rent which is paid directly to the claimant as a standard practice. For many residents this may be the first time that they have been required to pay rent direct in this way. Payments to landlord can be requested through alternative payment arrangements however the resident has the right to refuse such a request.
- 3.12 The annual value of direct payments through Housing Benefit in this scenario was estimated to be £5.5m.
- 3.13 13% of England's HRA stock accrued an average of £240 of rent arrears within the first twelve weeks of moving to Universal Credit. After 13 weeks 54% continued to under pay their rent⁹.
- 3.14 Universal Credit migration presents a significant risk to income collection for both Council Tax and the HRA with the potential for missed payments, broken payment arrangements, and no future arrangements to pay due to issues that arise from the cross over between benefits.
- 3.15 It also poses a risk to the financial resilience of residents on a low income with a possibility of accrued debts and rent arrears in the private sector during the 5-week wait for payment.
- 3.16 In light of the challenges posed by Universal Credit migration this paper proposes that the Household Support Fund is also used to support residents during this migration process to assist with ensuring financial resilience is maintained and sufficient support is provided to avoid residents falling into debt, affecting their ability to meet their basic living and accommodation costs ongoing.
- 3.17 Residents with vulnerability and support needs can be identified through a proactive approach to the Housing Benefit caseload and Department for Work & Pension Universal Credit data share stop notices that confirm a migration to Universal Credit has occurred.

⁸ 5 weeks too long – The Trussel Trust (2019)

⁹ Southwark & London Councils (2020)

- 3.18 Open applications are also open to any residents not in receipt of Housing Benefit to apply for financial support through the scheme that have been affected by migration to Universal Credit.
- 3.19 Financial support can be provided via Household Support Fund payments to support residents during the five-week period for their Universal Credit payments to be received. This will give residents the financial support required to ensure they do not need to take a loan through an advanced payment and will help to ensure financial stability during the transitional period.
- 3.20 Additional guidance and support can also be provided to residents on the new payment methods for Housing Costs and the setting of arrangements to pay rent and Council Tax to ensure residents do not fall into debt or non-payment. This sets out a proactive rather than a reactive approach to supporting financial resilience.
- 3.21 This approach will help to safeguard and support residents' financial wellbeing through this process of change in their Benefit award and is seen as an effective use of the Household Support Fund that meets the principles and policy objectives of the scheme.
- 3.22 This paper also sets out to continue the approach of monetary and/or Voucher allocations to be provided to voluntary organisations in order to enable immediate support to be available at the point of contact. Examples of such organisations include:
- Food Banks and Community Food Hubs for food provision
 - The Source, DABD & Independent Living Agency for Energy Support
 - Homes & Money Hub for food and energy vouchers to support pre-paid meters
- 3.23 An open application process for grants for residents of the borough is available which will be considered on a 'case by case' basis taking account of the hardship discretionary funding policy.¹⁰
- 3.24 This open application process also extends to internal teams allowing services who work to support families and residents in the borough the opportunity to apply for the funding through the scheme.
- 3.25 A targeted approach to promotion and priority will be given to:
- Households with Carer Responsibilities (including young carers) and Disabled Occupants;
 - Sheltered/Supported Accommodation;
 - Care Leavers & those supported by Adult Social Care;
 - Families identified to have low financial resilience;
 - Those at risk of homelessness and those in or coming out of temporary accommodation
- 3.26 To aid the facilitation of this pathways for support will be implemented in MASH and Adult Intake.

¹⁰ Appendix 1 – Discretionary funding policy 2024/25

4 Discretionary Council Tax Relief

- 4.1 The Council is committed to supporting its residents through the cost-of-living crisis and as part of that commitment is providing Welfare funding through the Discretionary Council Tax Relief Scheme.
- 4.2 Funding for the Discretionary Council Tax Relief scheme is set at £250,000 for the financial year 2024/25. Due to the limitation of the fund available it is inevitable that demand will outstrip the available funding.
- 4.3 An open application process for support under the scheme for residents of the borough is available which will be considered on a 'case by case' basis taking account of the hardship discretionary funding policy.¹¹
- 4.4 The Council Tax Support (CTS) scheme has been replaced with a new income banded discount scheme for the 2024/25 financial year. Due to the variation of support caused by this scheme change some residents will lose support in their new Council Tax Support award.
- 4.5 The Council recognises that in some cases this loss of support may cause financial hardship with increased Council Tax costs. To continue to assist residents through the cost-of-living crisis and to mitigate the impact of the Council Tax Support scheme change, the Council has identified residents who have lost a significant percentage of their prior Council Tax Support award. A contribution towards this loss will be paid through the Discretionary Council Tax Relief scheme as a one-off mitigation to support those residents financially affected. No application will be required and this mitigation will be automatically awarded directly on to the Council Tax account.
- 4.6 For residents affected the Council Tax Support scheme change who are not automatically awarded mitigation relief the open application process is available and each application will be considered under its own merits.
- 4.7 The Council's updated Council Tax Hardship policies have been tailored with local residents in mind to continue to provide support and will sit alongside the Household Support Fund, and Discretionary Housing Payment schemes.
- 4.8 Residents are able to apply for any or all schemes through the Council's online application form which has merged the application form into one process.

5. Options Appraisal

- 5.1 The Household Support Fund guidance sets out the overarching policy attached to the scheme and how grant funding can be utilised and spent.
- 5.2 This paper recommends a change in the provision of funding from the Free School Meal voucher scheme to support Universal Credit migration. All other aspects of the administration of the scheme are recommended to remain the same as the previous financial year.

¹¹ Appendix 1 – Discretionary funding policy 2024/25

5.3 **Option 1 – Do not administer the scheme**

- 5.3.1 By not administering these schemes, residents of LBBD will be financially disadvantaged, voluntary organisations will struggle to support families through the unprecedented demand they are experiencing, the grant funds would expire and the opportunity to make a difference in the community would be lost.

5.4 **Option 2 – Agree the Funding - Recommended**

- 5.4.1 With many households already on low incomes, reliance on discretionary welfare assistance has continued to see significant demand, becoming an important lifeline to meet basic living costs. All the financial changes and increases this year in the cost of living will heavily impact our residents due to the high levels of deprivation and poverty within the borough. The administration of these scheme is essential to support these residents.

6. **Equalities and other Customer Impact/GDPR**

- 6.1 While a full Equality Impact Assessment is not required in this instance, the Equality Impact Assessment Screening Tool is attached at **Appendix 2**.

7. **Consultation**

- 7.1 External consultation has not been undertaken as proposals are based on government requirements and for the purpose the funding was intended to be distributed against.

8. **Financial Implications**

Implications completed by: Nurul Alom, Head of Finance (MTFS and Budgetary Control)

- 8.1 The report sets out the government and Council funding for financial year 2024/25 to support residents with the cost of living.
- 8.2 The Secretary of State determines the amount of the grant to be paid. The Household Support Funding allocation for the period 01 April 2024 to 30 September 2024 is set at £2,162,051.52.
- 8.3 The scheme will continue to be administered in accordance with Government guidance, supporting low-income households with their cost of living with a particular focus and priority on energy, food, utility and water bills.
- 8.4 Funding is paid in arrears following completion of two management information returns to the DWP outlining the grant spends and volume of awards. The amount of funding received will be in line with the evidence provided in this data return.
- 8.5 Any failure to comply with the specified reporting criteria could lead to delayed payments or refusal of payments and loss of funding.

8.6 The Council Tax Discretionary Relief is c£250k for 2024/25 and will be administered as detailed in section 4.

9. Legal Implications

Implications completed by Dr Paul Feild, Principal Governance Lawyer

9.1 The various schemes set out in this report have different considerations and to assist the Council in its administration of assistance, the Secretary of State has provided guidance which the Council should have due regard.

9.2 The Council, in providing relief and assistance, must act fairly on the basis of policies which enable appropriate consideration of the eligibility and circumstances of the beneficiaries. It is important in the setting up of the schemes to provide for a review mechanism to ensure that processes are applied fairly and injustice is not caused by incorrect application of the policies. Finally, the report rightly highlights the importance of equalities impact assessments to be taken into account when contemplating changes.

10. Other implications

10.1 **Risk Management** - Managing the risk of fraud. The Council will carry out due diligence checks on information required for the general application process and any allocation of funding. Over/Underspend of the Household Support Fund. The Council will closely monitor the expenditure of the scheme throughout.

Public Background Papers Used in the Preparation of the Report:

- Household Support Fund Guidance for Local Authorities 2024/25 ([1 April 2024 to 30 September 2024: Household Support Fund guidance for county councils and unitary authorities in England - GOV.UK \(www.gov.uk\)](#))

List of Appendices:

Appendix 1: Discretionary Housing Payment, Household Support Fund and Discretionary Council Tax Relief Scheme 2024/25 Policy

Appendix 2: Equality Impact Assessment Screening Tool

Appendix 3: Delivery Plan 2024/25

Local Discretionary Financial Hardship Schemes:

**Discretionary Housing Payment
(DHP)**

**Household Support Fund
(HSF)**

**Discretionary Council Tax Relief
(DCTR)**

**Policies
2024/2025**

Discretionary hardship funding policy

The Council Welfare service currently administers and operates three discretionary funding schemes:

- Discretionary Council Tax Relief Scheme (DCTR)
- Discretionary Housing Payment (DHP)
- Household Support Fund (HSF).

These schemes are intended to alleviate hardship and support those most in need that have been affected by the ongoing and rising cost of living and are suffering financial hardship.

Support may be provided against (but not limited to):

- Housing costs
- Council Tax arrears
- The cost of living
- Energy costs and utility arrears
- The provision of essential white goods

The support allows residents who face a variety of challenges, time to find alternative solutions to shortfalls in income and help with the cost of living on a short term and temporary basis and it should not be seen as a permanent solution.

The council recognised that many residents may be entitled to assistance under one of these schemes may also be entitled to assistance under one or more of the other schemes.

It has integrated the individual schemes and their administration, combining the application form into one form so residents will only be required to make a single application to be considered for an award under any or all of the available schemes as relevant to their circumstances.

All the administered schemes are discretionary, meaning that there is no statutory right to payment.

The Discretionary Housing Payment (DHP) and Household Support Fund (HSF) are funded entirely by the Government via the Department for Work and Pensions (DWP) with the Discretionary Council Tax Relief (DCTR) scheme being fully funded by the council.

Exercise of Discretion

Each application will be decided on its own merits but will be subject to the limits faced by the Council in terms of expenditure, statutory and policy restrictions, and the published and agreed Council priorities.

In exceptional cases the Council may make decisions which fall outside the provisions of this policy.

The Council will, in all cases, endeavour to ensure that all members of the community are able to access assistance offered by this scheme regardless of race, gender, age, religion or belief, sexual orientation, marital or civil partnership status and/or disability.

It will ensure that the decision-making process is fair and that no person is disadvantaged by virtue of their membership of one or more of the groups listed in the above paragraph.

Impact of the Cost-of-Living Crisis

We continue to be in the midst of the biggest cost of living crisis in over 30 years. Increasing inflation and further pressures on the cost of living are disproportionately affecting low-income residents in the borough who are more vulnerable than most due to the existing levels of deprivation and residual effects of the Covid-19 pandemic.

The financial year 2023/24 saw ongoing issues with the cost of living, particularly with regard to housing costs. Planned increase in Local Housing Allowance (LHA) rates from April 2024 although welcome, will not address the widening gap between actual rent costs and the allowable LHA rates for housing costs support.

Although inflation has started to fall the Council recognises that these issues will have a significant impact on the ability of many people to meet their housing costs and general cost of living into the 2024/25 financial year.

Discretionary schemes

With many households in the borough already with low incomes, reliance on welfare assistance has continued to increase becoming an important lifeline to meet basic living costs.

The Council also recognises that the funding available to assist residents is limited both in statutory terms and, more importantly, by the Council's own resources. It is all-but-inevitable that demand will significantly outstrip supply and the Council is determined that assistance will reach as many people as possible. To ensure this is the case:

- The Council will issue flat rate awards for applicants requiring assistance around basic cost of living from the Household Support Fund. This will ensure that funding will be available to as many applicants as possible.
- Long-term awards and awards covering the entirety of a financial shortfall will be strictly limited to cases where there is no realistic prospect of the applicant improving their financial situation and the failure to make an award would lead to the Council incurring expenditure which is likely to significantly exceed the level of the award.
- Repeat applications and awards within a 6 month rolling period will only be considered where an applicant can demonstrate extenuating circumstances for making an additional application(s)
- Awards are to alleviate immediate hardship and are not generally a long term solution.

We want to help people who are:

- On a low income or unable to work and are significantly affected by the rising cost of living and unable to afford essentials like energy bills, food and water bills.
- Unemployed but actively seeking employment e.g. applying for jobs and attending interviews or moving towards work readiness e.g. gaining employment skills, such as by volunteering or actively engaging in education.
- Engaged in or recently returned to employment to aid the financial changes & support back to work activities or assist with immediate needs of travel costs and/or wider expenses such as broadband or mobile phone usage bills if on a low income.
- Taking positive steps to reduce their overheads/outgoings e.g. reducing household bills, attending financial management activities etc.
- Able to show that you are suffering financial hardship and do not have any financial assets that you may be able to call upon.
- Experiencing short term financial issues associated to illness or disability.
- Had a significant change in your circumstances or life changing event that has placed you into hardship.
- Have no access to claim welfare benefits or have claimed welfare benefits and there is a delay in award and/or payment being made

- Are working with partner organisations, such as voluntary organisations, seeking support to improve their situation

- Effected by the migration of the remaining legacy Benefits to Universal Credit (managed migration) and may suffer financial insecurity or debt due to the change.

Purpose of the scheme(s)

- Prevent and reduce hardship and poverty caused by the rising cost of living.
- Encouraging and sustaining people in secure paid employment so they can meet their cost of living without further support.
- Help people through personal crises and difficult events that adversely affect their current financial situation.
- Supporting the vulnerable and elderly in the local community so they have assistance to meet their current cost of living.
To support the most vulnerable residents who are least able to help themselves (for example Terminally Ill or Severely Disabled) so they have assistance to meet their current cost of living.
- To support those residents affected by the managed migration of old Legacy Benefits to Universal Credit to prevent increased debt (advanced payments and other incurred debts) and ongoing future hardship

Am I eligible for support?

To be eligible support you must live in the London Borough of Barking & Dagenham (or be housed outside of the borough due to homeless duty accepted by the Council) and be resident in the borough for 3 months prior to any application for assistance.

This applies to the Household Support Fund, Discretionary Council Tax Relief Fund and Discretionary Housing Payments.

Any applicant who does not meet this requirement will have any application for assistance automatically refused.

You must also be on a low income. This would normally mean you will be getting one of the following benefits:

- Income Support.
- Income based Job Seekers Allowance.
- Income related Employment and Support Allowance, or
- Pension Credit (Guarantee Credit only).
- Has claimed, or is in receipt of, Universal Credit, or is affected by managed migration but is experiencing financial hardship.

(You are not required to be in receipt of any benefits to be eligible to make an application)

AND/OR

- Unemployed or on a low income
- Affected by rising living costs including food and utility price increases.
- You require support to stay in the community.
- Or you are being resettled into a new home by the council or a voluntary organisation following an unsettled period in your life.
- Or you don't have enough money to meet your (or you family's) immediate needs after an emergency or crisis.

- Affected by Universal Credit migration

Repeat applications

Due to the level of demand on the scheme(s) applicants are limited to 1 successful application that resulted in a financial payment within any 6-month rolling period.

This policy does not apply to Discretionary Housing Payment (DHP).

The 6-month rolling period commences from the date an award was made.

Any repeat application within this period will be automatically refused eligibility and access to the scheme(s).

Applicants may be permitted to apply for further support within this period if they can demonstrate extenuating circumstances that mean further support is required.

Extenuating circumstances is defined as issues such as, but not limited to:

- A fire or flood at the property
- A significant life occurrence such as a bereavement
- A life ending/changing illness
- A significant, abrupt and unplanned change in financial circumstances caused by one of the reasons listed above

Other eligibility criteria

Any applicants who have capital held in their bank accounts that is a reasonable amount above regular monthly bill payments that does not relate to incoming and outgoing income and is therefore consistently held (surplus capital) will not be eligible for the scheme.

Any applicant who is deemed to hold other capital assets such as crypto currency, stocks, shares or other property will also not be eligible for assistance through the scheme(s). Capital assets must be realised in full prior to any application.

Any application that meets these criteria will automatically be refused eligibility and access to the scheme(s).

Household Support Fund (HSF)

Get help paying for daily essentials (food and ongoing energy costs)

The Household Support Fund (HSF) can provide support to people in extreme hardship due to rising living, energy costs and other wider household costs.

For applications made for basic cost of living support to assist with ongoing food and basic energy costs the Council will provide a basic flat rate award for all applications.

For households that are deemed eligible for support the award amounts are as follows:

For single/couple households without children: A flat rate award of £380.

For single/couple households with children: A flat rate award of £500.

This will provide basic emergency support for a short period. It is not intended that the funds will be a long term solution.

No variation to these amounts will be granted unless in exceptional circumstances and this is at the discretion of the Council to decide.

Basic cost of living support will be paid in the first instance through Pin4Cash text payments as a lump sum payment.

If appropriate the Council may also issue funds through BACS or vouchers/pre-paid cards.

The Council retains the right to issue payments through a variety of means as specified above depending on the circumstances of the application.

Applicants can also access emergency support through the emergency voucher scheme. Access to the scheme is through the Homes & Money HUB and is subject to eligibility checks. Only one voucher can be issued within each 6-month rolling period.

Referrals for support can be made via [https://www.lbbd.gov.uk/form/homes-and-money-hub-referral-for-emergency-situations - Support with food parcels or utilities during a crisis period](https://www.lbbd.gov.uk/form/homes-and-money-hub-referral-for-emergency-situations-Support-with-food-parcels-or-utilities-during-a-crisis-period).

Get help paying for replacement/new white goods

The Household Support Fund can provide support to people who are struggling to afford key basic essentials such as a washing machine or fridge/freezer which may affect a household related to the cost of living.

For households that are deemed eligible for support the award amounts for basic essential household items are as limited to as follows:

- Washing machine with installation – for a value and contribution up to £340
- Cooker (gas/electric) with installation - for a value and contribution up to £480
- Fridge/freezer - for a value and contribution up to £350
- Single bed with mattress - for a value and contribution up to £200
- Double bed with mattress - for a value and contribution up to £350

No variation to these amounts or items will be granted unless in exceptional circumstances and this is at the discretion of the Council to decide.

If an applicant wishes to purchase items above the values listed above this will be at their own expense.

Items may be purchased directly from vendors for delivery at the Council's discretion, paid through Pin4Cahs or paid direct via BACS payment.

Receipts are required to be obtained for all items purchased and may be requested by the Council for the purpose of verification on the use of funding.

Get help with moving in packs

The Household Support Fund can provide support and a contribution to people who are struggling to afford key basic essentials that are required due to a move to an unfurnished property. Funding can be provided to purchase essential items which include a fridge/freezer, washing machine, oven & a bed. This does not apply to the replacement of items already held and is specific to those applicants who currently have no essential items when moving into a new property.

This may apply to households who have moved out of temporary accommodation, have had a succession of a Council tenancy or moved into sheltered accommodation that is an unfurnished property and who do not have the funds to purchase essential household items. This list is not exhaustive.

For households that are deemed eligible for support the award amounts for basic moving in packs are limited to as follows:

For single/couple households without children: A contribution up to £1250.

For single/couple households with children: A contribution up to £1500.

If an applicant wishes to purchase items above the values listed above this will be at their own expense.

Items may be purchased directly from vendors for delivery at the Council's discretion or paid direct via BACS payment. Pin4Cash will not be used due to the value of the award.

No variation to these amounts will be granted unless in exceptional circumstances and this is at the discretion of the Council to decide.

Receipts are required to be obtained for all items purchased and may be requested by the Council for the purpose of verification on the use of funding.

Get help with utility arrears

The Household Support Fund can provide support to people who are struggling with utility bill arrears. These can be energy or water bills and other basic household bills including broadband or phone bills.

There is no set amount limit and the Council will decide what amounts are appropriate. In some instances part payment towards arrears may be considered appropriate or a contribution towards arrears from an applicant.

The Council will make direct payment to suppliers unless in exceptional circumstances where payment may be direct via BACS payment and this is at the discretion of the Council to decide.

Get help for other reasons

In some circumstances the Council may consider additional financial support for reasons not listed above such as severe or long term financial issues caused by extenuating circumstances as listed above.

There is no set limit to the time that an award can be made for, and the council will decide what amounts and periods are appropriate. It may be appropriate to make an award for a short period to give the customer time to sort out their financial and/or personal circumstances. Or it may be appropriate to make a longer indefinite award or a one-off payment. It is not intended that either of the funds will be a long-term solution but the Council reserves the right to make longer term awards if there are extenuating circumstances and it considers it appropriate to do so.

Payments can be made through a variety of means such as vouchers, direct payment to suppliers, BACS or Pin4Cash text payments and are at the discretion of the Council.

All funding is discretionary and limited and subject to demands on the scheme which may vary. As the funds are both discretionary and limited the Council will consider the level of any awards made to ensure access to the funds is maintained for those residents in need of support.

Applications (All schemes)

An application must be made, or a referral received for an award from any, or all, of the discretionary financial support schemes and applicable funds to be considered and made.

Any claim should be made electronically via the Council's website

<https://www.lbbd.gov.uk/form/apply-for-discretionary-financi>

The online application form will consider basic eligibility on residency in the borough within the last 3 months and repeat applications within 6 months. Should

that eligibility not be met the application cannot proceed (excluding DHP for repeat applications within 6 months).

The Council will not accept paper application forms and all claims must be made and submitted electronically.

The Council or appointed third party support partner will complete a claim form on behalf of an applicant if:

- The applicant is disabled and
- Is unable to leave the home as a result of that disability and
- Is unable to complete the claim as a result of that disability and
- No family member, friend or other suitable person is available to assist the applicant
- Has any other legitimate barrier to the completion of an application requiring support

This may be done face to face at the resident's home, a council office or by a telephone appointment.

Support to complete forms is also available from the Council's digital champions volunteers who are available at local libraries and community HUBS.

Our Homes & Money HUB may also be available to provide support on making an application if you meet the criteria to be allocated a case worker.

For further information please visit <https://www.lbbd.gov.uk/money-and-debt/homes-and-money-hubs>

Information Required in Support of a Claim (All schemes)

When making a claim for an award under any of these schemes a resident must provide basic evidence to support their application.

This evidence must be uploaded and submitted with the application form.

The online application form will provide an evidence checklist to confirm what evidence must be uploaded and supplied with the application.

This will depend on the type of application and support required.

Evidence checklist:

For ALL APPLICATIONS:

- Two months bank statements, from all accounts held, regardless of balance. These must be full statements and not mini statements and show all transactions.
- Transactions to other accounts will be noted and verified. Statements from **all accounts** are required in all circumstances.

For additional support the following evidence is required in ALL cases.

For support with utility bill arrears:

- Proof of current utility arrears statements. This should be the full bill (front and back pages) showing the name and address of the supplier, the current amount owed and your account number.

For white goods purchase or replacement:

- Photographic evidence of damaged/broken items
- Photographic evidence of missing essentials items such as a cooker/washing machine

For moving in packs:

- Photographic evidence of the interior of the property to confirm the property is unfurnished

For rent arrears:

- Evidence of any rent arrears. This should show the name and address of your landlord/letting agent, amount currently owed, and a schedule of payments made. This must cover the date from when rent arrears accumulated to the current date.

For a rent deposit and rent in advance:

- Proof of the rent deposit/advance payment required (tenancy agreement or confirmation from the landlord)

For moving costs:

- Evidence of two quotes from moving firms. Moving quotes are for basic removals only and must not cover additional services such as packing.

If an application does not contain the information requested from the evidence checklist, uploaded with the claim, the application will be automatically refused for the non-provision of evidence as stipulated.

Basic evidence must be supplied with ALL claims as directed by the evidence checklist.

If additional bank accounts are identified and statements have not been supplied the application will be automatically refused.

If the Council requires further evidence to substantiate the circumstances of the application a request for further information will be issued.

This will give the applicant 5 working days to provide any additional information and/or evidence which is required to support their claim and enable the council to make an award.

Failure to provide any additional information requested within the 5 day timeframe will result in the application being automatically refused for the non-provision of evidence as above.

No award will be made in the event that an applicant fails, without reasonable cause, to comply with the above requirements.

How will we use & share this information?

Information collected during the application process will be used to assess an applicants' claim. Information will be cross matched with other data held by the Council and third-party agencies e.g. DWP, HMRC for verification purposes.

In assessing a claim, it may be appropriate to make referrals within the Council or to external agencies to provide advice or support.

To allow the council to communicate and provide services appropriate to your needs, for example Free School Meal applications

The Council may also share data with both internal and external organisations for the purposes of validating any applications or support you may make or have made for other Council services such as Housing Applications, School Placements, Homeless Applications, Homes & Money Hub, Job Brokers & Right to Buy Applications. Please note that this list is not exhaustive.

Applications may be passed to external organisations such as Disability Action Barking & Dagenham (DABD) who may contact applicants directly when a need arises for additional support such as applications for welfare benefits, energy efficiency or basic debt advice.

Subject to a legal gateway, your information may also be shared for the prevention of fraud and criminal activity with (list not exhaustive):

- The police
- Immigration Service, Absconder Services and/or UK Border Agency
- Health and social care organisations
- Other Local Authorities

Financial Assessment

The authority will in some cases conduct a financial assessment when considering whether to make a discretionary award.

As part of the process of undertaking a financial assessment the Council uses household benchmarks to review household expenses. Benchmarks are used by the Council as a guide against basic living costs only as part of the financial assessment

This benchmarking is using weekly data from The Joseph Rowntree Organisation, Shelter & Policy in Practice.

Household benchmarks:

Single Person	Couple	First Child Supplement	Per Additional Child Supplement
Utilities £23.95 Water £6.91 Food £63.22 Clothing & Shoes £8.30 Internet £7.38 Mobile Phone £4.15 TV Packages £4.85 Streaming Services £2.30 Total £ 121.06	Utilities £29.70 Water £9.11 Food £79.76 Clothing & Shoes £16.60 Internet £7.38 Mobile Phone £8.30 TV Packages £4.85 Streaming Services £2.30 Total £ 158.00	Utilities £5.62 Water £1.44 Food £23.52 Clothing & Shoes £8.30 Mobile Phone £4.15 Total £43.03	Utilities £3.12 Water £0.93 Food £19.73 Clothing & Shoes £8.30 Mobile Phone £4.15 Total £36.23

Financial assessments will consider the applicant's income and capital by:

- Calculating the income and capital available to the applicant's household as a whole.
- Adding to this any resources which the authority believes the applicant, or any member of the applicant's household could reasonably obtain or have access Then deducting the following:
- A reasonable amount for essential expenditure on basic necessities such as food, clothing, and utilities, which may make reference to household benchmarks.
- Any capital attributable to payments made from government funds to alleviate the impact of disasters, miscarriages of justice and crises including, but not limited to, those made in consequence of the Grenfell Tower disaster and payments made under the Windrush Compensation Scheme
- Unavoidable expenditure which the applicant is required to meet by law or by contract and which the applicant has taken reasonable measures to reduce or avoid.

No allowance shall be made for expenses such as the following:

Type of expenditure	Examples
Leisure	Holidays, eating out, socialising, cinema, theatre, concerts and sporting events
Home Entertainment	Excessively expensive cable/ fibreoptic / mobile contracts. Home entertainment subscriptions such as Netflix, Apple TV and Amazon Gaming subscriptions Magazine subscriptions
Personal Expenditure	Alcohol, tobacco, or gambling unless a person is receiving treatment for an addiction. Expensive clothing, luxury household goods, private medical Insurance Excessively expensive gym membership Special dietary foods and supplements unless they are taken under formal medical advice.
Other Expenditure	Car hire purchase (unless a person is entitled to assistance under the Motability scheme) Loans to family or friends

Unless they were reasonably incurred before the need for a support payment arose and cannot be reasonably reduced or avoided.

Household Support Fund (HSF)

What happens next: Decisions

Possible outcomes of a Household Support application are that that the:

- The application is automatically refused because evidence was not uploaded with the application form or was not provided within 5 days of a request for information
- The application is refused because it does not meet other eligibility criteria such as excess capital
- The application is refused for another reason such as excessive unessential spending
- The application is awarded. This may be a standard award as referenced above or an individual award at the discretion of the Council.

The Household Support will be awarded on the basis of the known facts and evidence supplied.

The Council will aim to make decisions as soon as possible where all applications and supporting documents are supplied. This timeframe is dependant upon demand on the scheme. Where it is apparent that there are extenuating circumstances the payment time may be reduced.

Appeal Rights

Any application that is automatically refused either as evidence stipulated by the evidence checklist is not supplied with the application form or is not provided within 5 days of a request for information being issued will have no right of appeal against a decision made to refuse the application for non-provision of evidence.

Any application refused for the non-provision of evidence will be notified via a text message to the phone number stated on the application. In the instance no phone number is available a refusal will be notified by email. This will confirm the application has been refused for failing to provide evidence. No formal letter beyond this notification of the refusal will be issued.

A new application with the required evidence will be required to be submitted if the applicant wishes to be considered for an award after a refusal for non-provision of evidence.

If an application is refused for any other reason the Council will write to the applicant to confirm the decision and the reasons for the refusal. If an application is awarded the Council will write to the customer to confirm the Household Support decision but as an award is discretionary there are no appeal rights to an Independent Tribunal. But the customer can ask the council to look at their case again if they are not happy with the outcome of their request for support. This would need to be made in writing, stating the reasons you are asking for a review of the decision and be signed and dated. Review Requests should then be sent to benefits@lbbd.gov.uk and it will then be dealt with by a Relationship Manager/Service Manager and the outcome notified in writing within 28 days.

Part 2: Provisions Specific to Discretionary Housing Payment (DHP)

A DHP is a payment made from a cash-limited discretionary fund to help applicants who require 'further financial assistance' towards housing costs. To be eligible a person must be in receipt of either.

- Housing Benefit (HB) or
- Universal Credit (UC) including a housing costs element.

The phrase 'further financial assistance' is not defined in law and is left for the authority to determine. For the purpose of this policy it means a need for a payment where there is a shortfall between HB or UC (housing costs) and the contractual rent and the person is either unable to meet their housing costs from their available resources or needs a 1-off payment to either secure an existing tenancy or enter into another, more appropriate, affordable tenancy.

Purpose of the scheme

The primary purpose of this scheme is to prevent homelessness by helping residents who cannot afford to meet their housing costs by reducing the impact of certain changes to the housing benefit and universal credit regulations on those who have been affected by:

- The overall benefit cap.
- The limitation on the number of bedrooms occupied by tenants housed in both the social and private sectors.
- Assisting people with the costs of moving to more affordable accommodation or, where such a move is not viable, assisting them in retaining their current accommodation.
 - Providing short term assistance to people who are unable to meet their housing costs as a result of financial hardship or exceptional circumstances such as fire, flood or health deterioration.
 - Assisting people in retaining their tenancies when they are in a situation where it is unreasonable to expect them to move.

Essential criteria for a DHP

Before making a payment, the authority must be satisfied that there is:

- A valid claim or referral for DHP and
- The applicant is in receipt of Housing Benefit (HB) or Universal Credit (Housing Costs element) (UC/HC) and
- There is a shortfall between the HB/UC award and housing costs

In general, 'housing costs' usually refers to rental liability, although the term can be interpreted more widely to include:

- rent in advance.
- Rent deposits: and other lump sum costs associated with a housing need such as removal costs.
- the shortfall between HB/UC and contractual rental liability

What a DHP can cover

On-going shortfall including but not limited to;

- reductions in HB or UC where the benefit cap has been applied
- reductions in HB or UC due to the maximum rent (social sector) size criteria;
- reductions in HB or UC as a result of LHA restrictions.
- rent officer restrictions such as local reference rent or shared accommodation rate.
- non-dependant deductions in HB, or housing cost contributions in UC;
- rent shortfalls to prevent a household becoming homeless.
- income taper reduction; and
- any other legislative change that limits the amount of HB/UC housing costs payable, for example the removal of the family premium.

Rent deposits and rent in advance

A DHP can be awarded for a rent deposit or rent in advance for a property in or outside the borough if the applicant is already entitled to HB or UC at their present home. When awarding a DHP for a rent deposit or rent in advance, the authority must be satisfied that:

- the property is affordable for the tenant,
- the tenant has a valid reason to move,
- the deposit or rent in advance is reasonable and not more than 4 weeks equivalent rent ongoing
- neither the tenant nor the tenant's partner has received prior assistance for these purposes from the Council unless it is reasonable that a further award be made.
- The authority will also consider whether the applicant.
- is due to have a deposit or rent in advance in respect of their existing tenancy returned to them, and whether that deposit can be secured against the new tenancy in time or,
- has received assistance towards a rent deposit, for example, a rent deposit guarantee scheme or similar.
- Before agreeing to make such an award the authority requires.
- Proof of the offer of tenancy, signed dated and contracted between the tenant and managing agent or landlord. and
- The landlord protects any deposit paid in a government approved tenancy deposit protection scheme in the name of the tenant. Further information can be found at: <https://www.gov.uk/tenancy-deposit-protection/overview>

DHPs on multiple homes

The authority may consider a DHP in respect of two homes if.

- The applicant is fleeing domestic violence or
- An applicant is temporarily absent from their main home, and it considers there is good reason for that absence e.g. to stay near a child receiving treatment in hospital or
- The applicant has an unavoidable rental liability on more than one property and HB on two homes cannot be awarded.

An award of DHP may be backdated subject to the following restrictions:

- No award can be made in respect of a period when neither HB nor a relevant award of UC was in payment.
- No award can be made if there is no shortfall between the HB/UC amount and contractual rent for the period of backdating.
- An award may be backdated if it is reasonable to do so and.
- The applicant is facing action for rent arrears which may lead to eviction or
- The existence of rent arrears is preventing the applicant from taking some form
- of action to reduce their rental liability such as bidding for more affordable
- accommodation
- There has been a change in the applicant's circumstances which prevents them from being able to maintain an existing arrangement to clear rent arrears or
- There are some other exceptional circumstances in existence which warrant a retrospective award being made.

In the event of any backdated award being made any HB already paid towards 'housing costs' must be deducted when calculating the amount of a DHP to avoid duplicate provision.

Circumstances where a DHP may be refused

A DHP may be refused in the following circumstances.

- The amount an applicant has been paying towards their housing costs has ceased or reduced substantially and there are no good reasons for such a reduction.
- The applicant has entered into an unaffordable tenancy recklessly.
- For a tenancy that is clearly unsustainable either due to a rent increase or is unsustainable in the long term due to the level of rent over the LHA rate.
- The applicant has received a recoverable overpayment of DHP and has failed to take reasonable measures to repay it. For the avoidance of doubt, reasonable measures may include making no repayment if it is unaffordable.
- *The applicant has failed to comply with a DHP information/evidence request within the permitted timescale.
- An award would be so high that the authority believes it would unreasonably impact on its ability to make awards to other applicants unless a lower amount can be awarded which will make the tenancy sustainable for the applicant.
- The applicant has failed, without good cause, to comply with a recommendation attached to a previous award with regard to improving their financial situation or finding cheaper accommodation.

The applicant has rent arrears which the authority is satisfied were accrued with an intention to obtain social housing or an award under this scheme.

- Subject to a disregard of £500, the applicant has capital in excess of the DHP award being made
- Where a previous payment of arrears has been made and arrears have again accumulated since that point no further payments for arrears may be considered at the discretion of the Council dependant on the circumstances of the application.

DHP cannot be considered

There are certain elements of an applicant's rent that the HB and UC regulations exclude so they cannot be included as 'housing costs' for the purposes of a DHP.

- Ineligible charges: service charges which are ineligible for HB or UC cannot be covered by a DHP. These are;
 - as specified in Schedule 1 to the Housing Benefit Regulations and Schedule 1 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations. not included in paragraph 7 of Schedule 1 to the Universal Credit Regulations
 - Increases in rent due to outstanding rent arrears: under Regulation 11(3) of the Housing Benefit Regulations and Regulation 11(2) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit)
 - Regulations, where an applicant's rent is increased on account of outstanding arrears owed by the applicant in respect of their current or former property, the shortfall cannot be covered by a DHP.
- Sanctions and reductions in benefit including any:
 - reduction in Income Support (IS) or income-based Jobseeker's Allowance (JSA(IB)) due to a Reduced Benefit Direction (RBD) for failure to comply with the Child Support Agency in arranging maintenance.
 - reduction in benefit as a result of non-attendance at a work-focused interview. This applies both where the person's HB is reduced and when any other benefit that the person is receiving (such as IS) is subject to a sanction.
 - reduction or loss of benefit due to a JSA employment sanction.
 - reduction in benefit due to a JSA sanction for 16/17-year-olds – for young people who receive JSA under a Severe Hardship Direction
 - restriction in benefit due to a breach of a community service order, or reduction in UC due to a sanction as specified under regulations 100 to 114 of the UC Regulations 2013
 - Shortfalls caused by HB or UC overpayment recovery:
 - Benefit suspensions: Where HB or UC is suspended either because there is a general doubt about entitlement or because an applicant has failed to supply information pertinent to their claim.

Calculation of Award

If the purpose of the DHP is to meet an on-going rental liability, the level of DHP shall not exceed.

- the weekly HB eligible rent, or
- The monthly amount calculated in accordance with Schedule 4 of the UC regulations (i.e. the value stated for housing costs on a UC award notice).

Any HB or UC already paid towards 'housing costs' shall be deducted when calculating the amount of a DHP to avoid duplicate provision.

After carrying out a financial assessment any amount by which income exceeds expenditure shall be deducted from the shortfall between the HB/UC. The result shall be the basic DHP award.

The basic DHP award may be adjusted depending on the personal circumstances of the applicant.

In some cases a split award may be awarded. This will mean a part payment is made up front, with a remaining balance to be awarded conditional on an applicant meeting set criteria such as maintaining an arrangement to pay. If conditionality is not met the remaining payment may not be authorised.

The authority may exercise its discretion to vary the length of a maximum award at any time if the applicant's circumstances warrant such an extension, subject to a maximum period of 52 weeks from the date on which the claim was made.

Recommendations to improve financial situation

In addition to any recommendations arising from a finding that an applicant is suffering from financial hardship the Council may make recommendations with regard to an award of DHP in the following circumstances. This may mean that the applicant is expected to engage with support services such as the JobShop or other voluntary partner organisations to help to improve their situation such as obtaining employment.

Persons subject to the social size criteria

- The applicant contacts the landlord with a view to moving to smaller accommodation or
- By registering with a council exchange or a similar web-based organisation which helps people swap homes.

Persons subject to the benefit cap

- In the case of a lone parent they start or increase their hours to a minimum of 16 week or earnings of £520 a calendar month
- In the case of a couple with children, working hours increase to a total of at least 24 a week with one member working at least 16 of those hours.
- Those without children start or increase work to a minimum of 30 hours a week or demonstrate that they have been looking for work by providing the responses from employers as evidence of rejection, or
- they have taken concrete steps to improve their employment prospects by undertaking training or enrolling in relevant courses.

Payments

Payments to meet a weekly or monthly rental liability will be made at the same frequency as any HB payment and will otherwise be paid in the same way that HB, if it were awarded, would be paid.

Payments will be made to the landlord, managing agent or removal company but the authority may consider making payment to the applicant in exceptional cases.

Notification of the decision

The authority will notify the applicant or appointee and the persons to whom payment is to be made as soon as possible after the decision is made. The notification to the applicant will contain the following.

If an award is not made, the reason for the refusal and details of any action the applicant may be advised to take to increase their chances of a future claim being successful.

If an award is made, the amount, the start and end dates, the manner in which payment will be made, a brief explanation of the way in which the award has been calculated, details of any recommendations made associated with the making of the award, duty to notify any changes in circumstances and all notifications will contain details of how the decision may be challenged.

Part 3: Provisions Specific to Discretionary Council Tax Relief (DCTR)

The purpose of DCTR is to relieve people in particular need of the requirement to meet all, or part of, their liability to pay the Council Tax.

Council Tax is a priority debt; taxpayers are therefore obliged to treat their liability as taking precedence over expenditure such as.

- credit card debts
- hire purchase agreements (HP)
- unsecured bank and payday loans (loans that are not secured against property) water bills.
- Sky/Broadband subscriptions
- car insurance
- loans from friends and family

Therefore when deciding eligibility for an award of DCTR, the test will be more stringent than for DHP.

An applicant will only be entitled to an award under this scheme if the applicant has an outstanding amount of council tax liability.

- The council is satisfied that the applicant is suffering from severe financial hardship.
- The applicant has been significantly affected by the change in the Council Tax Support scheme in the 2024/25 financial year leading to a significant loss of support awarded under the previous scheme
- The applicant has exhausted all other options with regard to improving his or her current financial circumstances.
- The authority has sufficient funds available and making an award would not unreasonably impact on its ability to make awards to other applicants.
- The application does not relate to an empty property normally let on a commercial basis.

The expenditure for the scheme is limited to £250,000.

In most cases, the person who applies for a DCTHS is the person liable for Council Tax. However, an application may be accepted from another person appointed to act on behalf of the applicant at the authority's discretion.

Unlike DHP there is no statutory requirement that a claim be made for an award. The authority will consider making an award in the absence of a claim if;

- There are arrears of Council Tax and the council has obtained a liability order in respect of those arrears, and
- The council is satisfied that, on the basis of information either already in its possession or provided to it by another agency, the person against whom

any liability order has been obtained would receive an award were an application made, and

- Those arrears have not been accrued as a result of reckless spending and
- It is appropriate to make such an award having regard to the principals of this policy.

The maximum level of a DCTR award

The maximum level of a DCTHS is the amount of Council Tax debt outstanding excluding costs of recovery such as summons costs and bailiff fees although these may be considered for waiver in exceptional circumstances.

Assessments of Award

Assistance may be claimed for historic liability, the liability for the current year or both.

Backdated awards

In respect of an award for a past period the authority will satisfy itself as to the amount the applicant can afford to pay towards the debt over the period of the award.

That the applicant was not able to pay part or all of the amount of Council Tax outstanding at the time it fell due and that this inability was not due to financial mismanagement on the part of the applicant

On-going awards

In respect of an award for a current period the authority will satisfy itself

As to the amount that the applicant can afford to pay towards the liability on a weekly basis.

That the inability of the applicant to meet the liability was not caused by financial mismanagement/reckless spending.

In cases where an applicant is jointly and severally liable with one or more persons who are not his partner the council may, in lieu of the making of an award under this scheme, provide the applicant with an undertaking not to pursue the applicant for part or all of the Council Tax liability.

Determination of Awards

A person will only be considered to be suffering from financial hardship and consequently entitled to a reduction under this scheme if after taking all reasonable measures, they are unable to meet their essential needs relating to heating, food and hygiene having regard to their age, health and family make up together with any expenditure which the person is required to meet by law and which he has taken reasonable steps to avoid or reduce.

The Council is satisfied that the financial hardship has not been caused by the Applicant's reckless or extravagant expenditure.

Payments

Every award will be made by reducing the applicant's liability for Council Tax by way of a credit to the Council Tax account.

Notification of Decisions

A decision will be made within 1 month or as soon afterwards as is practicable of the council receiving a properly completed application and the satisfaction of any requests for information or evidence made as a result of that claim. The notification of this decision shall contain.

- The amount of any award
- The period of any award
- If no award is made a brief explanation of the reason for the decision
- Details of how to challenge the decision
- If an award is made, the duty to notify any circumstances,
- Any recommendations made to improve current finances.

Changes in circumstances

The authority will review the award when it becomes aware of a change in circumstances. This may lead to the award being increased, decreased or left unaltered.

Overpayments

The authority may review an award at any time, and as a result of that review may decide that DCTR has been overpaid. An overpayment will be recoverable if the authority is satisfied.

- That the award was made, at least in part, as the result of a misrepresentation whether intentional or otherwise or.
- An error was made by the Council when the award was made and, as a result of that error, the award was higher than it otherwise would have been. Any overpayment is recoverable if.
 - It arose as a result of a change in circumstances.
 - It arose as a result of a change in the amount of Council Tax for which an applicant is liable.

Any recoverable DCTR overpayment will be debited from the Council Tax account.

In any case where:

- An award has been made under the provisions of this scheme and a reduction in liability is allowed in respect of the year in which the reduction under this scheme was awarded and,
- the effect of the application of that reduction is to reduce the amount remaining payable in respect of that year to an amount that is less than zero.

The award made under the provisions of this scheme in respect of that year shall be reduced to the lesser of zero or the amount necessary to reduce the amount remaining payable to zero.

Disputes

An applicant may require that the authority review any decision by writing to the authority and stating the grounds on which it is believed that the decision is wrong.

On receipt of an application for a review, the authority shall, within 2 months, consider the decision afresh in light of the representations and any new evidence available to it and advise the applicant; whether or not the decision has been changed and the reasons for that decision.

Appeals

If after a review the person is still aggrieved, or the authority has failed to reply within 2 months, the person may lodge an appeal directly to;

Valuation Tribunal Service

Hepworth House

2 Trafford Court

Doncaster, DN1 1PN

Telephone: 0300 123 1033

<http://www.valuationtribunal.gov.uk/Home.aspx>

Any appeal must be lodged within 2 months of the date of decision made by the authority or if the authority has failed to provide a response, within four months of the date on which the request for review was served.

Legislation

The following legislation is relevant to all administered schemes.

The Universal Credit Regulations 2013

The Local Government Finance Act 2012

Welfare Reform Act 2012

Child Poverty Act 2010

Equality Act 2010

Housing Act 1996

Armed Forces Covenant

Social Security Act

1992 Fraud Act 2000

Anti-fraud statement

All discretionary schemes are subject to significant financial constraints. The making of a false declaration with a view to obtaining or increasing an award may amount to a criminal offence under the Fraud Act 2006. Where the council suspects that an offence

may have been committed, the matter will be investigated, and appropriate action taken including the initiation of criminal proceedings.

No award of any type will be made if an applicant knowingly makes a false statement in order to obtain or increase an award under the provisions of these schemes.

An overpayment in Benefit created due to fraud or undisclosed circumstances will not be considered under any of the schemes.

Any award made, or partially made, as the result of an intentional misrepresentation will be cancelled and recovery of the monies paid will be sought irrespective of whether criminal proceedings are initiated.

If the Council believes that any issues may impact on a person's entitlement to Housing Benefit, Council Tax Support or any other benefit or allowance the Council may either widen the scope of its investigation and/or share the information with other bodies including;

- Other departments within the Council
- Other local authorities
- The DWP
- Her Majesty's Revenues and Customs (HMRC)
- The Police

Financial hardship

The Council's long-term aim is to help people become self-sufficient. Discretionary funds are limited and cannot generally be relied upon as a permanent measure. If an applicant is experiencing financial hardship the authority may review their income and expenditure and recommend that the applicant take action to improve their finances.

The scheme will work in conjunction with the Homes & Money Hub (<https://www.lbbd.gov.uk/money-and-debt>) to support residents across a broad range of services. This will include referrals of applicants to services such as Job Shop, Budgeting and Debt advice, Adult Learning, and any other relevant service as applicable for further advice and ongoing support. Independent Living Agency to support emergency gas and electric key top ups and referred into from Care Leavers Team, CAB and DABD and relevant third-party support agencies within the voluntary and community sector.

In any case the authority must be satisfied that the applicant has taken reasonable steps to improve their financial situation. In the absence of such evidence the authority may decide that any further award shall be made at a reduced rate or that no award shall be made at all.

If you can't pay your bills because of living cost rises

There are things you can do if you're struggling to pay for things like food, water, energy bills, your rent, or mortgage.

It's important you don't ignore your bills. Speak to the organisation you owe money to - they might be able to help by letting you pay smaller amounts or take a break.

It's also worth checking with your bank or building society - they might be able to help you with your debts or let you delay loan or credit card repayments.

If you can't pay your energy bills

Speak to your energy supplier as soon as you can. You might be able to set up a payment plan with them to help spread the cost of your bills. Your supplier has to help you come to a solution. You should try to negotiate a deal that works for both of you. You can try to negotiate a better deal. If you don't, your supplier might make you have a prepayment meter installed.

Find out more about what to do if you're struggling to pay your energy bills.

[What to do if you're struggling to pay your energy bills - Citizens](#)

[Advice https://www.askbill.org.uk/energy/](https://www.askbill.org.uk/energy/)

If you're in debt to your energy supplier, you might be able to get a grant to help pay it off. There are several energy companies who offer grants and schemes that are open to anyone - you don't have to be a customer. When you apply for a grant, you'll have to provide detailed information about your financial situation in your application. You may need to complete a budget sheet with a Financial Conduct Authority (FCA) approved adviser.

Visit [Grants to pay off your energy debts - Citizens Advice](#) for more information.

If you have a prepayment energy meter

Your supplier will try to help you find ways to keep your energy supply connected if you can't top up your meter because of immediate hardship.

Tell your supplier as soon as possible if you can't top up. You'll find their contact details on their website or on your bill.

Check our advice on what to do if:

you can't afford to top up your prepayment meter
you can't get to a shop to top up your prepayment meter

If you can't pay your water bill

It's best to speak to your water company as soon as you can if you're having problems paying your bill. You can find out more about what to do if you're struggling to pay your water bill.

[If you don't pay your water bill - Citizens Advice](#)

Check who your water supplier is:

<https://www.water.org.uk/advice-for-customers/find-your-supplier/>

Help with your water bills:

<https://www.ccwater.org.uk/households/help-with-my-bills/>

<https://www.askbill.org.uk/water/>

You can reduce your bill by up to 50% with Essex and Suffolk Water tariffs. These would be suitable for you if:

- Your total household income is less than £16,105, and your annual water bill is more than 3% of your net household income (after housing costs, rent or mortgage payments)
- A member of your household receives Pension Credit, and your annual water bill is 3% or more of your net household income (after housing costs, rent or mortgage payments), or
- Your income is not enough to cover your essential bills – in this case, you'll need a financial assessment from an independent debt advice organisation, such as StepChange Debt Charity, along with your application.

If you are in arrears with your water bill, Essex and Suffolk Water offer an arrears support scheme to write off your water debt over a two-year period. This is a once only opportunity and you must maintain ongoing payments of your current charges to receive this support. To apply you would need to seek free independent debt advice and complete a financial budget. If your circumstances show that you are unable to pay the debt within a three-year period, you will qualify. They also offer payment breaks and direct payments from benefits.

Full details of these schemes and how to apply can be found at:

<https://www.eswater.co.uk/services/extra-support/financial-support/>

Similar schemes are also run by Thames Water which can be found at:

<https://www.thameswater.co.uk/help/account-and-billing/financial-support>

WaterSure is a scheme which helps some people with their water bills. To apply for the scheme, you must be on benefits and need to use a lot of water either for medical reasons or because your household has a certain number of school-age children. You also need to be on a water meter or be waiting to have one installed.

Details of the scheme can be found at:

[Watersure Scheme](#)

If you are struggling to manage or repay your debts

If you are struggling with long term debt repayments, there is help available to you. From bereavement to illness, and from relationship breakdown to unemployment, these life events can plunge people into financial hardship, particularly those who are already struggling to make ends meet. For many, the result can be a financial crisis.

Visit our [Barking and Dagenham Money](#) website for help and advice on a range of solutions including:

- 1) Debt advice
- 2) Emergency Support
- 3) Benefits
- 4) Getting into Work
- 5) Money Tools
- 6) Gambling Support
- 7) Divorce and separation
- 8) Scams
- 9) Mental Health Support



- 10) Dealing with mis-selling, including advice on how to claim compensation and make a complaint
- 11) Family and care
- 12) Budget, Benefits, Car costs, Credit Card, Baby budget, Loan, Mortgage and Divorce calculators
- 13) Immigration support

Stepchange debt charity offer the widest range of debt solutions to help, no matter what you're dealing with.

Solutions they can support you with include:

- 1 Debt Management Plan (DMP)
- 2 Debt Relief Order (DRO)
- 3 Individual Voluntary Arrangement (IVA)
- 4 Breathing Space Scheme
- 5 Bankruptcy Advice
- 6 Equity Release
- 7 Token Payment Plan
- 8 Mortgage Advice

Their advice is free, and they will support you for as long as you need. You can complete the process entirely online or switch between their online and phone service as you choose.

Take the 60 second debt test to help find out in just one minute if you need help with your debts [Debt Test. Assess & Tackle Your Debts Today.](#)

Contact Stepchange at <https://www.stepchange.org/contact-us.aspx> or by calling 0800 138 1111 Monday to Friday 8am to 8pm and Saturday 8am to 4pm.

Alternative help is available through Citizens Advice at [CAB debt and money](#) or Debt advice line UK at [Helping people in debt | Debt Advice Line](#)

If you've got less money because of a change in your circumstances

If you've had a change in circumstances that has resulted in a loss of income you might be able to claim benefits or get more money on your current benefits if:

- you've lost your job
- or you're self-employed and can't get work
- or your income has reduced
- or you are on reduced working hours

Check what benefits you can get if you're affected by any of the above. There are a number of online benefit and budgeting calculators that will help you to see what you may be entitled to with information on income-related benefits, tax credits, contribution-based benefits, Council Tax Reduction, Carer's Allowance, Universal Credit, how these are calculated and how your benefits will be affected if you start work or change your working hours:

- 2) [Benefit and budgeting calculator | Policy In Practice \(betteroffcalculator.co.uk\)](#)
- 3) [Turn2us Benefits Calculator](#)

- 4) [Benefits Calculator - entitledto - independent | accurate | reliable](#)
- 5) [Money Manager for Universal Credit claimants | MoneyHelper](#)

You may be able to claim Universal Credit <https://www.gov.uk/apply-universal-credit> and/or Personal Independence Payments <https://www.gov.uk/pip/how-to-claim> if you are unable to work due to a health condition.

You may be able to claim Council Tax Support if your income has reduced. You can claim online at <https://www.lbbd.gov.uk/claim-council-tax-support>

Maternity Allowance, Child Benefit, Milk Vouchers & additional support are available at <https://www.healthystart.nhs.uk/>

If you've had a change in circumstances or have run out of money and can't afford essentials like food or heating, there are emergency funds to help you. Our Homes and Money Hubs are open for a drop in at Barking Learning Centre and Dagenham Library from 9am to 4pm, Monday to Friday or via homesandmoneyhub@lbbd.gov.uk.

Reducing your household bills

Join the Community Food Club and you could reduce your food shopping bill by having access to £20 worth of shopping each week. Membership is available for one person per household, to visit once a week and is valid for 3 months. Your membership will give you access to support from a wide range of services, providing advice on finances, health, employment, training and skills.

Visit <https://www.lbbd.gov.uk/community-food-clubs>

Social tariffs

Can provide a safety net for eligible households who might be struggling to afford their broadband or mobile services. The broadband market offers customers a wide range of choice, with different deals available to suit different needs. Some providers offer social tariffs which are only available to customers who receive certain government benefits.

Visit [Cheaper broadband and phone packages - Ofcom Social Tariffs](#) for more information.

In addition to these tariffs, other support might be available to customers who might not be able to get online because they struggle to afford internet services. If you're struggling to pay your mobile phone or broadband bill, you should speak to your provider as soon as possible to see how they can help.

Budget Planner tools

There are a number of available online to help you manage your finances:

- [Budget Planner | Free online budget planning tool | MoneyHelper](#)
- [Budget Planner: how to manage your money - MoneySavingExpert](#)
- [Work out your budget - Citizens Advice](#)

If you can't pay your rent

You should explain the situation to your landlord straight away - they might give you more time to pay or agree to reduce your rent.

You still need to pay your rent. If you've fallen behind with your rent you should start dealing with rent arrears. You can also check if you can get extra financial help.

If your landlord doesn't offer to be flexible with your rent payments, it's a good idea to pay as much as you can afford and keep a record of what you discussed.

You should also contact your nearest Citizens Advice - an adviser can help you explain things to your landlord.

Barking & Dagenham Citizens Advice Bureau - <https://bdcab.org.uk/>

You may be entitled to benefits to help with housing costs if your income has reduced, even if you're still working.

Housing advice and homelessness prevention

As a council we aim to support residents who are facing housing issues or homelessness.

Visit <https://www.lbbd.gov.uk/housing-advice-and-homelessness-prevention> where you will find information about how to avoid homelessness or what to do if you are homeless.

Alternatively, please call 020 8724 8323, Monday to Friday 9am to 5pm, or email housingadvice@lbbd.gov.uk and we will make every effort to respond to you as soon as possible.

If your landlord has started court action to evict you

You can find out more about what to do if you're being evicted for rent arrears. (link below)

[Eviction notices from private landlords - Shelter England](#)

You can also find out more about support for renters on GOV.UK.

[Private renting for tenants: evictions - GOV.UK \(www.gov.uk\)](#)

If you can't pay your mortgage

Get in touch with your mortgage provider immediately to find out more about how they can assist you.

You can also find out more about dealing with mortgage problems.

[How to deal with mortgage debts - Citizens Advice](#)

If you're a homeowner, you might be able to get help towards interest payments on:

- 1) your mortgage
- 2) loans you've taken out for certain repairs and improvements to your home

This help is called Support for Mortgage Interest (SMI).but you will need to be in receipt of a qualifying benefit – Income Support, Income Based JSA, Income Related ESA, Universal Credit or Pension Credit.

You can start getting the loan:

- from the date you start getting Pension Credit
- after you've claimed Income Support, income-based JSA or income-based ESA for 39 weeks in a row
- after you've received Universal Credit for 9 months in a row, as long as you're not getting certain income

Please visit <https://www.gov.uk/support-for-mortgage-interest> for more information.

Emergency funds from your local council

Local councils are now responsible for helping you if you've been hit by a disaster like a fire or flood, or had a significant change in circumstances and you're suddenly homeless or can't afford food or necessities.

The type of help varies from council to council, there are no set rules about what they have to provide. Some will direct you to food banks and churches, some will give you a card loaded with cash that lets you buy food (but not alcohol or cigarettes), and some will give you a short-term loan. You don't have to be on benefits to get this help.

Equality Impact Assessment Screening Tool

Equality Impact Assessments help the Council to comply with its public sector duty under the Equality Act 2010 to have due regard to equality implications. EIAs also help services to be customer focussed, leading to improved service delivery and customer satisfaction.

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	Household Support Fund and discretionary financial support 2024/25	
Service Area	Community Solutions – Support and Collections	
Officer completing the EIA Screening Tool	James Johnston – Service Manager	
Head of Service	Donna Radley – Head of Welfare	
Date	26/03/2024	
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	Approval of the administration and provision of the Household Support Fund 2024/25 and all other discretionary financial support schemes	
Protected characteristic	Impact	Description
Age	Positive impact (L)	There are no perceived negative impacts on this protected characteristic. The administration of the schemes is open to residents of all ages (18+) suffering from financial hardship. The age of residents making applications for financial support is not

		<p>a determining factor in the granting of any financial support.</p> <p>However it is recognised that certain demographics in relation to age may require extra support. The authority is working with Voluntary partners such as DABD on projects such as providing support to young carers or pensioners not in receipt of eligible Pension Credit.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Disability	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic. The administration of the schemes is open to residents with disability who are suffering from financial hardship.</p> <p>However it is recognised that certain demographics in relation to disability may require extra support. The authority is working with Voluntary partners such as DABD on projects such as providing support for applications for Personal Independence Payments.</p> <p>Outreach is also available to support residents with the application process.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Gender re-assignment	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic. The administration of the schemes is open to all residents who are suffering from financial hardship.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Marriage and civil partnership	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p>

		<p>The administration of the schemes is open to all residents irrespective of household type who are suffering from financial hardship.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Pregnancy and maternity	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p> <p>The administration of the schemes is open to all residents irrespective of household type who are suffering from financial hardship.</p> <p>Applications take into account household size and make up with additional provisions for those households with children.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Race	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p> <p>The administration of the schemes is open to all residents irrespective of ethnicity who are suffering from financial hardship.</p> <p>Ethnicity data can be recorded in applications on a voluntary basis and will be used to analyse any impacts from ethnicity on previous iterations of the scheme to help inform any ongoing policy.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Religion	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p>

		<p>The administration of the schemes is open to all residents irrespective of ethnicity who are suffering from financial hardship.</p> <p>Religion data can be recorded in applications on a voluntary basis and will be used to analyse any impacts from religion on previous iterations of the scheme to help inform any ongoing policy.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Sex	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p> <p>The administration of the schemes is open to all residents irrespective of sex who are suffering from financial hardship.</p> <p>Gender data is recorded in applications on a voluntary basis and will be used to analyse any impacts from gender on previous iterations of the scheme to help inform any ongoing policy.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents.</p>
Sexual orientation	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p> <p>The administration of the schemes is open to all residents irrespective of sexual orientation who are suffering from financial hardship.</p> <p>Sexual orientation data is recorded in applications on a voluntary basis and will be used to analyse any impacts from sexual orientation on previous iterations of the scheme to help inform any ongoing policy.</p>

		The provision of discretionary financial support will improve the financial resilience of this category of residents
Socio-Economic Disadvantage¹	Positive impact (L)	<p>There are no perceived negative impacts on this protected characteristic.</p> <p>The administration of the schemes is open to all residents who are suffering from financial hardship.</p> <p>In 2023/24 1674 individual claims were awarded through all the available schemes. All these awards were made against residents who were socio-economically disadvantaged and suffering financial hardship.</p> <p>Basic budgeting advice and signposting is provided in all cases.</p> <p>The service has also used partner organisations such as DABD to provide support to help welfare take up and income maximisation.</p> <p>Priority escalation routes are available for those residents requiring immediate and emergency support.</p> <p>The provision of discretionary financial support will improve the financial resilience of this category of residents</p>
How visible is this service/policy/project/proposal to the general public?		High visibility to the general public (H)
What is the potential risk to the Council's reputation? Consider the following impacts – legal, financial, political, media, public perception etc		High risk to reputation (H)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

There are no perceived negative impacts on these protected characteristics.

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

Cases can be identified with provisions that are in place for escalation routes to prioritise cases in emergency need, such as cases at risk of immediate homelessness or those without resources to meet the most basic living requirements, such as those with children unable to buy food.

The service pro-actively identifies residents with protected characteristics and works with partner organisations to directly engage and support those residents. This helps to reach those residents who may not normally engage or request support.

An open application process allows residents of all backgrounds and characteristics to access support if required.

There is no requirement to complete a full Equalities Impact assessment

Please submit the form to CE-strategy@lbbd.gov.uk and include the above explanation as part of the equalities comments on any subsequent related report.

1) LA details	
Local authority	Has the return been completed in full?
Barking & Dagenham	✓

Notes
 To complete the Governance tab, please ensure to:
 a) choose your Local Authority name in Table 1
 b) enter the return date in Table 2 (dd/mm/yyyy)
 c) complete all cells in Table 3
 A summary and explanation of the traffic light system is included below and in the guidance tab. It details how the system is applied throughout the template.
 When a green circle with a white tick appears next to Tables 1 to 3, the tables are compliant.
 When a green circle with a white tick appears in Table 1 Has the return been completed in full?, the delivery plan is compliant and ready for submission.

2) Reporting period	
Reporting period	Return date (dd/mm/yyyy)
01/04/2024 - 30/09/2024	26/04/24

3) Governance			
Cabinet Member (name)	Cabinet Member's email	Has the Cabinet Member approved this plan? (dropdown)	Section 151 Officer's email
Councillor Dominic Twomey Councillor Ashraf Salma	dominic.twomey@lbbf.gov.uk salma.ashraf@lbbf.gov.uk	Yes	s151.officer@lbbf.gov.uk
			Is the Section 151 Officer/CFO copied into the return email? Yes

4) Totals			
Anticipated spend for vulnerable households (£)	Anticipated admin costs (£)	Anticipated total LA spend (£)	Allocation (£)
£ 1,945,846.00	£ 216,205.00	£ 2,162,051.00	£ 2,162,051.52
			Percentage of allocation accounted for in delivery plan (%)
			100%

Traffic Light Guidance System	
Anticipated spend for vulnerable households (£)	✓
Anticipated admin costs (£)	✗

The traffic light guidance system is used throughout this workbook to help inform the user, Cabinet Member and Section 151 officer of any outstanding required inputs. The icons can be found next to each table.
 The green circle with a white tick indicates that the adjacent table is compliant.
 The red circle with a white cross indicates that the adjacent table is non-compliant.

For LA/ED use only	
Governance	✓
Anticipated spend	✓
Anticipated volumes	✓
Anticipated No of households	✓
Planned activities	✓

HSF5 Anticipated spend

Notes

The totals cells which auto populate have been greyed out and locked for editing. Please only input into the green cells.

The totals in the auto populated cells of tables 6 to 9 must be the same for the return to be compliant.

Please input values in full (e.g. 120,000.00) to enable us to process the return accordingly. Only numbers (eg 123.00) can be entered into each cell. If any other format is input an error message will appear.

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

If there is no anticipated spend to report, in order to enable the green light with white tick next to each table, the cells should still be completed with 0 (zero as a numerical value rather than typing out 'NIL', for example). This will help us process the return promptly for you.

*Has the spend tab been completed correctly? - the traffic light will turn green with a white tick once Tabs 5 to 9 are compliant.

The acronym FSM used in the tables below refers to Free School Meals.

5) Anticipated admin spend		 Traffic light check	
Admin spend		Has the anticipated spend tab been completed correctly?	
£	216,205.00		

6) Anticipated spend (£) split by household composition

	Households with children (£)	Households with pensioners (£)	Households with a disabled person (£)	Other households (£)	Anticipated total spend (by household composition) (£)
£	882,361.00	348,500.00	471,235.00	243,750.00	1,945,846.00

7) Anticipated spend (£) split by types of support

	Vouchers (£)	Cash awards (£)	Third party organisations (£)	Tangible items (£)	Other (£)	Anticipated total spend (by types of support) (£)
£	150,000.00	815,056.00	471,925.00	125,000.00	383,865.00	1,945,846.00

8) Anticipated spend (£) split by access routes

	Application-based support (£)	Proactive support (£)	Other (£)	Anticipated total spend (by access routes) (£)
£	489,300.00	856,621.00	599,925.00	1,945,846.00

9) Anticipated spend (£) split by category

	Food (excluding FSM support in the holidays) (£)	FSM support in the holidays (£)	Energy and water (£)	Essentials linked to energy and water (£)	Wider essentials (£)	Housing costs (£) (if you have any anticipated housing costs please complete section 10)	Advice services (£)	Anticipated total spend (by category) (£)
£	834,850.00	260,000.00	223,845.00	122,683.00	193,243.00	162,500.00	148,725.00	1,945,846.00

10) Anticipated Housing Costs

If you have anticipated spend on Housing Costs, please confirm which of the following applies (dropdown):

3. A combination of 1. and 2

HSF5 Anticipated volumes

Notes

The totals cells which autopopulate have been grayed out and locked for editing. Please only input into the blue cells.

Please only input whole numbers. If any other format is input an error message will appear.

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

If there are no anticipated volumes to report, in order to enable the green light with white tick next to each table, the cells should still be completed with 0 (zero as a numerical value rather than typing out 'NIL' for example).

The acronym FSM used in the tables below refers to Free School Meals.

11) Anticipated volume of awards split by household composition

Households with children	Households with pensioners	Households with a disabled person	Other households	Anticipated total volume of awards (by household composition)
15178	1268	1233	14525	32204

12) Anticipated volume of awards split by types of support

Vouchers	Cash awards	Third party organisations	Tangible items	Other	Anticipated total volume of awards (by types of support)
15097	2167	2315	110	12515	32204

13) Anticipated volume of awards split by access routes

Application-based support	Proactive support	Other support	Anticipated total volume of awards (by access routes)
879	13205	18120	32204

14) Anticipated volume of awards split by category

Food (excluding FSM support in the holidays)	FSM support in the holidays	Energy and water	Essentials linked to energy and water	Wider essentials	Housing costs	Advice services	Anticipated total volume of awards (by category)
3587	8215	17255	502	730	65	1850	32204

End

HSF5 Anticipated number of households helped

Notes

The totals cells which autopopulate have been greyed out and locked for editing. Please only input into the blue cells.

Please only input whole numbers. If any other format is input an error message will appear.

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

If there are no anticipated numbers to report, in order to enable the green light with white tick next to each table, the cells should still be completed with 0 (zero as a numerical value rather than typing out 'NIL', for example).

The acronym FSM used in the tables below refers to Free School Meals.

15) Anticipated number of households helped split by household composition

Households with children	Households with pensioners	Households with a disabled person	Other households	Anticipated total number of vulnerable households helped (by household composition)
12215	1288	1233	14125	28841

16) Anticipated number of households helped split by types of support

Vouchers	Cash awards	Third party organisations	Tangible items	Other	Anticipated total number of vulnerable households helped (by types of support)
15097	4169	2315	110	7150	28841

17) Anticipated number of households helped split by access routes

Application-based support	Proactive support	Other	Anticipated total number of vulnerable households helped (by access routes)
879	12885	15097	28841

18) Anticipated number of households helped split by category

Food (excluding FSM support in the holidays)	FSM support in the holidays	Energy and water	Essentials linked to energy and water	Wider essentials	Housing costs	Advice services	Anticipated total number of vulnerable households helped (by category)
1597	8215	16242	482	640	65	1600	28841

End

HSF5 Planned activities

Notes
 All grey boxes require a written response.
 If there is nothing to report in a cell, write "N/A". Only use "N/A" where you have no reported spend for that category. For example, if you have reported a spend of 0 for tangible items, you will record "N/A" in the box below "tangible items".
 Any sections which have had a reported spend in previous tabs needs a written explanation.
 The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.
 You must refer to the full guidance document when completing this tab to ensure you have provided all necessary information.

19) Planned activities - Categories			
Food (excluding FSM support in the holidays)	FSM support in the holidays	Energy and water	Essentials linked to energy and water
<p>Application process, emergency food voucher, food network and targeted cohorts across pension age, disabled and UC migratory residents.</p> <p>FSM voucher support ended with HSF4, schools will be given grants from HSF to support those children who are eligible to FSM and also on their Supported Families list who may need specific support by exception during school holidays.</p>			
20) Planned activities - Types of Support			
Vouchers	Cash awards	Third party organisations	Tangible items
<p>Application and Emergency Support access pathways for food and energy support</p>	<p>Cash First Approach with all cost of living and essential living costs awards for food, water essentials and personal costs.</p>		<p>Provision of white goods or essential utensils, appliances, clothing, blankets etc where alternate payment methods are not appropriate.</p>

21) Planned activities - Access Routes	
Application-based support	Other
<p>Application and Targeted support pathways</p>	<p>Application and targeted support pathways</p>

22) Planned activities - Further information
 Please refer to guidance document for questions to respond to using this field

ML data recording of all applications and grants alongside financial tracking, payment methods and relevant reference and transaction details. Financial tracking by year by month by grant type. Funds have been used for the period of time they were placed and we have been able to spend 100% of all funds issued in prior funding rounds whilst having support available to the last possible moment for residents that need it. Full checks are done on all applicants, internal systems are used to validate identity, residency, household members and incomes. We also use CTX electoral register, mobility, rents and admissions/schools records where required. Full audits, both internal and external, by our compliance teams have been completed on all hardship funds and schemes which have passed with full assurance. Third Party Organisations have full service and delivery agreements in place with regular review meetings held to monitor ongoing. No third party arrangement is entered into with a full service and delivery agreement being agreed and put in place. Targeted support is carried out and done in collaboration of a range of both internal council and external partner services and monitor ongoing whether any additional targeted work is required where vulnerabilities or possible lack of accessing funding is identified or referred into us by our VCS partners.



Wider essentials	Housing costs	Advice services
Application process, targeted residents identified through our Poverty, MAPS and COL programs.	Application and referral process. Homelessness prevention and support (HB and UCHE none qualifier residents)	Targeted support programs carried out on behalf of the LA by our relevant third party partners: Young Carers, Pension Credit and PIP maximisation, Benefit, Capped and Job Shop pathways.
Other		
Application and targeted support.		

CABINET**21 May 2024**

Title: Contract for Provision of SEND and Children's Social Care Transport	
Report of the Cabinet Member for Children's Social Care and Disabilities	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Nikki McGowran – Commissioning Manager	Contact Details: Tel: 020 8227 5466 E-mail: nikki.mcgowran@lbbd.gov.uk
Accountable Director: April Bald, Operational Director Childrens Care and Support	
Accountable Executive Team Director: Elaine Allegretti, Strategic Director, Children and Adults	
<p>Summary:</p> <p>The Council has a legal duty to ensure travel assistance for “eligible children” as they consider necessary to facilitate their attendance at school (s508B Education Act 1996 (EA 1996). The term “eligible children” is defined at Schedule 35B of the Education Act 1996. Children and young people with special educational needs and/or disabilities may be considered as “eligible”.</p> <p>The Council has a further statutory duty to provide social care support under the Care Act 2014 to vulnerable adults who qualify for support under the national eligibility criteria, both for those who cannot fund their care but also for those who can.</p> <p>Home to School travel</p> <p>Every Local Authority has a duty to publish their policies that set out how the Council will provide support to some of our most vulnerable families with travel to and from school each day. More specifically this requirement extends to the publication of two distinct policies, as follows:</p> <ol style="list-style-type: none"> 1. The Council policy for providing home to school travel assistance for children and young people with special educational needs and/or disabilities (SEND); and 2. The Council policy for providing travel assistance and/or support for young people aged over 16 when travelling to or from further education. <p>Both policies are written in accordance with Department for Education statutory guidance and are underpinned by requirements as set out in the Education Act. This report introduces the current reiterations of these policies, as we are required to do so on an annual basis. The home to school travel assistance policy for children and young people with SEND remains unchanged following review; the post-16 travel assistance policy has been updated (and details of this update will be outlined in this report).</p>	

Children's Social Care Transport

In the past year there has been an increase in demand of providing travel support for young people in care to the Local Authority. These requests range from a young person attending supervised contact, a young person or families moving placement/homes (removals), a young person needing secure transport and young people moving to their first home.

The support previously provided was met within the home to school transport contract, however, with the increase in demand and the increased number of eligible children in receipt of travel assistance to school this has had an impact on the available resources in the current framework contract.

Due to the increase in demand and the complexity of the requests there has been an increase in use on the current framework contract. Additionally, there is limited availability due to the existing commitments in the mornings and afternoons for the pickup and drop offs at schools or transporting children to family contact sessions; therefore, a new framework model is necessary to include all areas which will be broken down into separate Lots.

The aim of the new service is to provide safe, sensitive, and reliable travel solutions for Service Users identified by Children's Services.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the procurement of a four-year framework contract for the provision of SEND and Children's Social Care Transport services to ensure that the Council met its statutory responsibilities under the Education Act 1996 and Care Act 2014, in accordance with the strategy set out in the report; and
- (ii) Authorise the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Children's Social Care and Disabilities, the Strategic Director, Resources and the Head of Legal, to conduct the procurement and award and enter into the contract(s) and all other necessary or ancillary agreements to fully implement and effect the proposals.

Reason(s)

- To support the Council's priorities in ensuring residents are safe, protected, and supported at their most vulnerable (Priority 2: LBBB Corporate Plan 2023 - 2026).
- To ensure that the Council is meeting its statutory duty to provide home to school travel assistance for those that meet the eligibility criteria.
- To support the Council's Vision to "protect the most vulnerable keeping Adults and Children healthy and safe."
- To provide an appropriate, best-value service that delivers excellent outcomes for children and young people in care.

1. Introduction and Background

- 1.1 LBB Social Care frequently need to use taxis to transport service users to appointments. Historically, any travel requirements were met through the SEND framework contract that is currently in place for home to school transport. With the implementation of the brokerage service, all requests for travel assistance are submitted through to the brokerage team who look at the most cost effective and efficient way of providing the support needed. This included the use of public transport.
- 1.2 Due to the increase in demand and the complexity of the requests there has been an increase in use on the current framework contract. Additionally, there is limited availability due to existing commitments in the mornings and afternoons due to pick up and drop off at school or transporting children to family contact sessions - many of which are at a similar time; therefore, a new framework model is necessary.
- 1.3 This increase in demand is also due to an increase in children in care placements where family contact is required, and it is essential that we have sufficient providers to meet this increased demand to meet this statutory requirement to preserve the stability of care placements for these children.
- 1.4 In addition, the cost-of-living crisis is causing families to need extra support for transport expenses.
- 1.5 Brokerage also frequently receive requests to transport service users when moving home. For example, when a Care Leaver moves from one placement to another. LBB currently has a contract with Crowns for house removals, but they are a large removal company that would be booked for full house moves and therefore not cost effective for smaller removal tasks.

Home to School Transport

- 1.6 Local authorities have a statutory duty to provide travel assistance to every young person that meets the eligibility criteria as set in the home to school transport policy and the post 16 transport policy.
- 1.7 The provision of home to school transport can take a variety of forms, however, with the increasing demand and complexity of needs of the young people needing access to this service the internal transport provision (Passenger Transport Service) has insufficient resources and bespoke service to meet the needs of all children and young people that are eligible. In January 2024 the in-house Passenger Transport Service (minibuses) were only able to cover school routes for 260 children. Hence, the need to commission this service externally with Providers for the remaining 315 children.
- 1.8 The increase in demand of these services relate to the increase in special school places including additional resourced provisions, an increase in children with complex needs moving into the borough where a school is named on the ECH plan and there is no available suitable school place is available. There is also an increase to provide individual bespoke travel solutions for young people where their needs are such that they cannot travel with others.

- Department for Education - Home to School Travel and Transport Statutory Guidance <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>
- Department for Education - Transport to education and training for people aged 16 and over <https://www.gov.uk/government/publications/post-16-transport-to-education-and-training>

Current demand

Taxi services for home to school transport

- 1.9 The Internal service provided by Passenger Transport Service is used to transport children and young people to and from school but, as detailed above, is unable to meet the demand for all home to school travel. This service is delivered internally and is not part of this tender.
- 1.10 In order to meet the additional need other travel arrangements are offered as alternatives to encourage independence and to enable savings to be made:
- Independent travel
- 1.11 We have more children and young people aged year 7 and above, these are all referred for travel training to give them more independence going into adult life. Our contracted provider offers each child/young person a 12-week course to enable them to travel to and from school independently. This is not part of this tender and we will not be seeking providers for this element as a contract is already in place. This information has been provided primarily for information purposes. As this offer promotes savings, we will continue to encourage parents and carers to take up this offer where possible.
- Direct payments
- 1.12 This allows families to make travel arrangements that suit their family's needs. This can include families paying for breakfast/after school clubs for siblings to allow families to assist the eligible child to get to and from school. This gives them more flexibility on a day-to-day basis. This is also offered when there are challenging behaviours on the buses and taxis where a child is unable to be transported in a safe way. This has increased over the last 3 years due to the increase in numbers of children showing challenging behaviour. We will not be seeking providers for this element. This information has been provided primarily for information purposes. As this offer promotes savings, we will continue to encourage parents and carers to take up this offer where appropriate.
- Mileage
- 1.13 This is payments made to Parents/Carers who transport their children and young people to school. This is our most cost-effective travel offer. This has increased over the last 3 years due to the increase in numbers of children eligible (approximately an extra 150 to 200 children). We will not be seeking providers for this element. This information has been provided primarily for information

purposes. As this offer promotes savings, we will continue to encourage parents and carers to take up this offer where possible.

Home to school Transport

Travel by type	21/22	22/23	23/24
Independent travel	£71,696.00	£120,000.00	£125,820
Direct Payments	£214,646	£335,253	£335,864
Mileage	£27,945.87	£43,797	£65,324
Totals	£314,287.87	£499,050.00	£527,008.00

Children's Social Care Travel Assistance

1.14 This Strategy Report is requesting permission to seek providers to deliver the services below:

Taxi Services

1.15 These are those providers used to transport children and young people to and from school. The spend on this has remained consistent.

Additional Transport Requests

1.16 These requests range from a young person attending supervised contact, a young person or families moving placements or to their new homes.

Secure

1.17 These are Providers who are procured to securely transport children and young people at risk of absconding. This can be to move them to a new placement or to and from Court appearances. The number of requests has increased by 4 or 5 per year; however, the cost has increased significantly.

Travel by type	21/22	22/23	23/24
Taxi services	£2,159,503	£2,072,989	£2,260,946
Additional Transport Requests (removals)	£220,842.46	£333,296.58	£229,440.87
Secure	£10,694.33	£10,227.45	£15,490.00
Totals	£2,391,039.79	£343,524.03	£2,416,513.03

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured.

2.1.1 The service being procured is for the provision of Travel Assistance for the following areas these will be separate lots:

- Taxi services for Home to School Transport for children and young people SEND and/or Disabilities this includes travel for post 16 students with SEND and/or Disabilities
- Additional transport requests for the support of Children's Social Care

- Removal Services
- Secure Transport

2.1.2 The aim of the service is to provide safe, sensitive and reliable travel solutions for Service Users identified by Children's and Adult Services. Their needs are a key factor for this contract and are as follows:

Safe: The safety of each Service User under your care is the most important element. It should be evident in every aspect of the service including staff employment, training and processes, and vehicle procurement and maintenance.

Sensitive: Contractors and their staff should understand the needs of the Service User groups and treat them appropriately. Staff turnover and variations in their schedules should be minimised to relieve or prevent anxiety amongst vulnerable Service Users.

Reliable: Vehicles must arrive at the right location and on time, every time.

2.1.3 The Contract covers the transportation of Service Users on various regular scheduled journeys using specialist vehicles. Because of these needs, all journeys will require that a Passenger Assistant be provided to accompany them. The Contractor will supply the Council's Authorised Officer with the identity of all the Drivers and Passenger Assistants (including possible replacements) at least 5 working days prior to the commencement of this Contract. Details will include:

- Driver's name, DBS Reference number and date of issue;
- Passenger Assistant's name, DBS reference number and date of issue;
- Names and DBS references of any other personnel that may be used to deliver the front-line service.

2.2 **Estimated Contract Value, including the value of any uplift or extension period.**

2.2.1 The contract will be a Framework Contract that will have no minimum value. No commitment to expenditure by the Council will be stipulated within the contract itself. Expenditure will only be incurred when referrals are made.

2.2.2 The projected spend for the 5 year period covering 2024-25 to 2028-29 is £23.8m, this has been calculated by using the average increase in spend for the last couple of years and adding increases to allow for the new prices as part of the tender exercise (anticipated at £1.4m per year), plus £0.2m per year for transport services to/from a new school that is set to open in September 2025.

2.3 **Duration of the contract, including any options for extension**

2.3.1 The Framework Agreement will be for a period of four years.

2.4 **Is the contract subject to (a) the Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?**

2.4.1 Yes, The Contract is subject to the Public Contracts Regulation and the contract is considered a 'light touch regime contract' under current procurement legislation. As

the procurement will be undertaken under the Light Touch Regime, it will be subject to the full rigor of the Public Contracts Regulations 2015, and we will ensure that the procurement is open, transparent, and fair.

2.5 Recommended procurement procedure and reasons for the recommendation

2.5.1 The tender procedure will be conducted in compliance with the Council's Contract Rules. Framework Agreements/Contracts - Procurements from Frameworks are exempt from the full application of the Contract Rules (March 2023), provided the framework has been properly procured under the Regulations and the procurement is made in accordance with the Framework's terms and conditions. Contract Rule 10.2 will be adhered to.

2.5.2 This will be a single stage tender using the Open Process. The tendering of this service will be advertised on Find a Tender, the Council's e-tendering portal (Bravo), Contracts Finder and the council's website following the open process.

2.5.3 There are a number of advantages to a contractual framework over spot-purchasing:

- Good practice and training opportunities can be shared amongst providers and forums held with local partners.
- Good quality services should lead to more consistent, needs-focused service provision for families.
- A pre-agreed pricing structure that commits the Providers to maintain their base prices across the term of the contract, which has proven successful under the current framework.
 - Prices have remained the same and good working relationships have been built with Providers to maintain the current rates and this will encourage the Providers to continue to provide the 'best price' to LBBD under the new framework.
 - If we were to cost comparison the rates on the framework to spot purchasing, there would be a significant difference in the projected spend. This would be a disadvantage to LBBD's current financial situation, although this tender is not based on cost saving.
 - It would be fair to acknowledge that the current framework has kept pricing consistent when rates should have been higher, which has effectively saved LBBD money. If we were to spot purchase now instead of continuing a successful framework we would lose trust in providers, incur greater costs and potentially be in a position whereby we could not deliver the effective service that we have been doing for the last four years.

2.5.4 A Framework Agreement, would have additional advantages. It would not oblige the Local Authority to purchase any particular volume from a provider. The Council will select suppliers to provide services via a "direct call-off". If a direct "call off" is not feasible then a mini competition will be held with the providers within the specific category to ensure that the most suitable provider is selected, the selection will be based on price, quality, and the needs of service users.

2.5.5 The Framework Agreement will be advertised (as above) and London Borough of Barking and Dagenham will invite expressions of interest from suitably qualified

providers interested in joining a Framework Agreement to provide services. Interested parties will be invited to tender on the basis of a compliant tender.

2.5.6 Providers will be required to submit Tender Submission Documents via the Council's e-tendering portal (Bravo) link and will be asked to meet minimum standards, as well as completing method statements responding to set questions under the following headings as to how they will deliver services outlined in the specification.

- Service, Delivery and Design
- Recruitment, Expertise and Credentials
- Health, Safety and Safeguarding
- Quality Assurance
- Equalities

2.5.7 A pricing schedule will also be completed by Providers which will reflect the current financial situation, including ULEZ and updating the vehicles to be compliant with carbon emissions. Corporate Procurement will work with the Service to ensure the correct balance is found between ensuring the tender documents are 'light' enough to not be perceived as a barrier to local and/or SME providers, whilst also being robust enough to ensure that the correct quality/price is achieved. When we advertise, we will advise Providers that vehicles must be ULEZ compliant so that there are no additional charges. We will also encourage the use of electric or hybrid vehicles to reduce carbon emissions in the borough. At present we do not get any costs passed on for these and currently there are safer streets in place around the borough, we receive exemption passes for the Providers through the SSE team.

2.5.8 Providers will also complete a Social Value assessment which will identify a commitment to a minimum of two themes set out in LBBB's Social Value Policy in line with the goals of the borough manifesto.

2.5.9 An evaluation of all full and compliant tenders received will take place once the deadline has passed for submission. To ensure that the quality of the service is satisfactory, there will be a pass threshold and a minimum quality and price score that provider(s) must meet to be admitted on to the Framework. This approach will ensure that only providers that are of good-quality and are price-competitive are placed on the framework.

2.5.10 Following the evaluation of the tenders, providers will be advised if they have been successfully placed on the Framework. This will result in a shortlist of preferred providers.

2.5.11 It is anticipated that this re-tender will be advertised in June 2024 with the tender exercise and contracts awarded by Sept 2024.

Proposed Procurement Timetable

Activity	Completion Date
Prior Information Notice	22 May 2024
Advertise Tender on Bravo	29 May 2024
Deadline for provider Queries	23 June 2024
Tender closes	27 June 2024
Download Tenders from Bravo	28 June 2024
Evaluation of Tenders	8 July 2024
Provisional notification of successful providers	9 July 2024
Alcatel (10-day standstill period)	18 July 2024
Award Report – sign off	25 July 2024
Send Contracts to successful providers for signing	1 August 2024
Contract Start Date	1 August 2024

2.6 The contract delivery methodology and documentation to be adopted.

2.6.1 The contract will be delivered by external providers.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract.

2.7.1 There will be no direct savings relating to service provision however, the service will play a significant role in assisting the Council to fulfil its commitment to support the Councils priorities in ensuring residents are safe, protected, and supported at their most vulnerable.

2.8 Criteria against which the tenderers are to be selected and contract is to be awarded.

2.8.1 The price/quality ratio upon which contracts will be awarded will be 45% Quality, 45% Price, 10% Social Value. Providers will be ranked based on their tender submission and presentation scores.

2.8.2 This price/quality split has been arrived at to ensure a framework of providers of sufficient quality will equal weighting on the Price to allow for Contracts to be awarded based on the most economically advantageous tender. The Tender documentation will make it clear that no direct award will be made to those organisations that are too expensive and we will be able to award based on price at the call-off stage if this is more tangible.

2.8.3 The evaluation of the Tenders will include key operational colleagues to take part in the evaluation of the Tender Submission Documents (method statement) to ensure that the quality, price and social value delivery is satisfactory.

2.8.4 Discussion with Legal and Procurement colleagues will take place to ensure the scoring for each method statement heading (Service Delivery and Design, Recruitment Expertise and Credentials, Health Safety and Safeguarding and

Quality Assurance and Equality) is compliant. There will be a pass threshold and a minimum quality score will be set that provider(s) must meet to be considered for the Framework.

2.8.5 Once a decision has been made to notify bidders of contracts to be awarded, a 10-day Alcatel standstill period will commence (in compliance with the Public Contracts Regulations 2015), to give suppliers an opportunity to challenge the decision.

2.9 **How the procurement will address and implement the Council's Social Value policy.**

2.9.1 Social Value will contribute to 10% of the overall scoring during the evaluation.

2.9.2 LBBD's social value toolkit will be shared as part of the Tender Documents. Providers will be given two social value themes to focus as part of the Social Value Toolkit 'Investment in Local People' and 'Investment in Local Economy' as it is felt that these themes will have greater impact and be more achievable for both local and out of borough providers who may apply.

2.9.3 Providers will be expected to complete method statements and delivery plans which will be provided as templates on the Method Statement document, outlining clear and measurable outputs, timescales and information on who will be responsible for overseeing the delivery.

2.9.4 Successful providers will be subject to monitoring which will oversee how the provider is meeting their Social Value commitments outlined in their social value delivery template and method statement.

2.10 **How the Procurement will impact/support the Net Zero Carbon Target and Sustainability**

2.10.1 Providers will be subject to Net Zero Carbon Audits and will be required to demonstrate their Carbon Reduction Plans. These will be factored into the new terms and conditions of the Contract.

3. **Options Appraisal**

3.1 **Option 1: Spot Purchase**

3.1.1 The Council could spot purchase these services from their current suppliers. There would be a high degree of financial risk associated with this option, as spot purchasing will often be the most expensive method of purchasing. This could expose the Council to potential price increases and deficit budgetary positions. This method of purchasing does not require a long-term contract; therefore, suppliers could change their terms with little or no warning which could essentially impact on the quality, continuity, and consistency of the service being delivered to our service users.

3.1.2 Without contracts in place, we cannot enforce DBS (Disclosure and Barring Service) checks being mandatory, or that service providers have the correct policies and procedures in place. This option is not recommended.

3.2 Option 2: Join an existing Framework Agreement

3.2.1 There are no suitable existing frameworks in place that the LBBB can call-off.

3.3 Option 3: Framework Agreement.

3.3.1 It is felt the best viable option for the service is to carry out a full procurement exercise for travel. Having multiple providers on a framework also helps to drive costs down as providers are competing against each other.

3.3.2 There are a number of advantages to a contractual framework over spot-purchasing:

- Good practice and training opportunities can be shared amongst providers and forums held with local partners.
- Good quality services should lead to more consistent, needs-focused service provision for families.
- A pre-agreed pricing structure that commits the providers to maintain their base prices across the term of the contract.

3.3.3 A Framework Agreement, would have additional advantages. It would not oblige the local authority to purchase any particular volume from a provider. The Council will select suppliers to provide services via a "direct call-off". If a direct "call off" is not feasible then a mini competition will be held with the providers within the specific category to ensure that the most suitable provider is selected, the selection will be based on price, quality, and the needs of service users.

3.4 Option 4: Use the internal Council Passenger Travel Service

3.4.1 The option is not viable as the current in-house minibus service (PTS) is only able to cover less than half of the of the school routes for home to school transport. Also, the minibus vehicles are not suitable for small removal jobs and journeys to and from contact for children.

4. Waiver

4.1 Not applicable.

5. Consultation

5.1 Consultation has taken place between Commissioning, Brokerage and procurement and legal colleagues.

5.2 The proposals in this report were considered and endorsed by the Procurement Board at its meeting on 15 April 2024.

6. Corporate Procurement

Implications completed by: Francis Parker – Senior Procurement Manager

- 6.1 The proposed route to market is compliant with the Public Contract Regulations and the Councils contract rules.
- 6.2 An Open tender process is likely to yield the best value for money to the Council and will encourage the widest participation in the procurement process.
- 6.3 Officers must ensure that they have calculated the contract value as accurately as possible. Taking into account potential increases in demand as well as the likely uplift in contract rates due to large inflationary pressures over the previous four years of the current contract.

7. Financial Implications

Implications completed by: Antony Envoldsen-Harris, Finance Business Partner

- 7.1 The projected spend for the 5 year period covering 2024-25 to 2028-29 is £23.8m, this has been calculated by using the average increase in spend for the last couple of years and adding increases to allow for the new prices as part of the tender exercise (anticipated at £1.4m per year), plus £0.2m per year for transport services to/from a new school that is set to open in September 2025. Full projection as follows:

	2024/25	2025/26	2026/27	2027/28	2028/29	Total 5 Year Spend
<i>Base Spend</i>	3,195,885	3,358,885	3,521,885	3,684,885	3,847,885	17,609,424
<i>New Tender</i>	700,000	1,400,000	1,400,000	1,400,000	700,000	5,600,000
<i>New School</i>		100,000	200,000	200,000	100,000	600,000
Total	3,895,885	4,858,885	5,121,885	5,284,885	4,647,885	23,809,424

- 7.2 The increase in cost will be met from the agreed budget for SEND transport in 2024/25 onwards, with a uplift having been agreed as part of budget setting to meet the current demand.

8. Legal Implications

Implications completed by: Lauren van Arendonk, Acting Principal Contracts and Procurement Lawyer, Law & Governance

- 8.1 This report seeks to approve the open procedure process procurement for the establishment of a Transport Framework for SEN children.
- 8.2 The procurement is subject to the Light Touch Regime (“LTR”) and its value is over Light Touch threshold. The LTR applies to health care, social care, education, cultural and certain other services defined in the regulations by CPV codes, noting

that home care is a service provided directly to individuals or groups of people as set out under Schedule 3 of the Public Contract Regulations (“PCR 2015”).

8.3 Under Regulation 76 of PCR 2015, the LTR affords a higher degree of flexibility in respect of how a contracting authority may procure services. Under the LTR, an authority can design its own procedure, provided that it complies with principles of equal treatment and transparency (reg 18 of PCR 2015) and sets proportionate and reasonable timeframes for the procurement process. Regulation 33 of PCR 2015 permits framework agreements as a valid route to market and stipulates that a framework agreement shall have a maximum term of four years, unless exceptional circumstances apply. In this instance, no exceptional circumstances apply. The proposal is for all call off contracts to be direct awarded, rather than the option to run mini competitions.

8.4 The Council shall have the option but no obligation to call off the services available on the Framework Agreement. Therefore, there is no guaranteed value or volume of work under this Framework Agreement. Subject to the compliance and adherence to Contract Rules and the PCR 2015, this procurement can be approved.

9. Other Implications

9.1. **Risk and Risk Management** - A risk assessment has been undertaken highlighting keys areas of risk associated with tender and procurement process. See table below:

Risk	Likelihood	Impact	Risk Category	Mitigation
Delay to/ failed procurement process	Low	High	Medium	Set and monitor realistic implementation timetable, ensure legal and procurement compliance, clear escalation pathways of any potential delay
No appropriate bids received	Low	High	Low	Current suppliers have demonstrated appetite to submit bids. Standard Selection Questionnaire – Eligibility Questions will be posed, to avoid bids that do not meet criteria required. Currently have suppliers we can spot purchase from, however will need to negotiate costs if these are increased.
Challenge of contract award decision by unsuccessful provider(s)	Low	High	Medium	Alcatel 10-day standstill period to be implemented. Procure contract in line with Council's contract rules and EU Public Contracts Regulations. Ensure documentation is kept. ITT to detail procurement approach and transparent process. Stick to the timeframes given. Ensure that communication is consistent.

- 9.2 **TUPE, other staffing and trade union implications** – Not Applicable
- 9.3 **Corporate Policy and Equality Impact** - As part of the procurement process, an Equalities Impact Assessment (EIA) Screening Tool has been completed and is attached at Appendix 1.
- 9.4 **Safeguarding Adults and Children** - The Children Act 1989 requires Local Authorities to provide services for children in need for the purposes of safeguarding and promoting their welfare.
- 9.5 **Business Continuity / Disaster Recovery** – As this is a Framework Agreement, we will have the option to ‘call off’ with other providers on the Framework.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix 1** - Equality Impact Assessment Screening Tool

Equality Impact Assessment Screening Tool

Equality Impact Assessments help the Council to comply with its public sector duty under the Equality Act 2010 to have due regard to equality implications. EIAs also help services to be customer focussed, leading to improved service delivery and customer satisfaction.

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	The provision of Travel Assistance for the following areas: • Home to School Transport for children and young people SEND and/or Disabilities • Travel for post 16 students with SEND and/or Disabilities • Travel for the support of Children's Social Care•Children's and Families Removals
Service Area	Children's Care and Support (Commissioning)
Officer completing the EIA Screening Tool	Nikki McGowran, Commissioning Manager
Head of Service	Heather Storey, Head of Commissioning Children's
Date	05/04/2024
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	Currently re-tendering the SEN Transport contract that is due to expire on the 31st of August 2024. The duration of this contract is four years. Due to the increase demand within Children's Social Care for taxi requests for children being escorted to contact for example or families requiring transport for when moving the current framework of providers do not have the capacity to take on all the additional work. Therefore, as part of re-tendering the SEN framework which continues to work sufficiently (however, there has been an overspend from the original projected spend again due to the increased number in children requiring the services) we are including separate lots within the Framework to provide for this. The reason being as some of the Providers on the current Framework would bid

	<p>for this, so it makes sense to combine it under one agreement. The Council has a legal duty to ensure travel assistance for “eligible children” as they consider necessary to facilitate their attendance at school (s508B Education Act 1996 (EA 1996)). The term “eligible children” is defined at Schedule 35B of the Education Act 1996. Children and young people with special educational needs and/or disabilities may be considered as “eligible”. The Council has a further statutory duty to provide social care support under the Care Act 2014 to vulnerable adults who qualify for support under the national eligibility criteria, both for those who cannot fund their care but also for those who can. Therefore, this framework is for the provision of private hire vehicle transport services (with and without Passenger Assistants) for children and young people with special educational needs and/or disabilities (SEND) and vulnerable adults. It will assist LBBD in meeting its statutory duty to ensure that there is sufficient, good quality, and safe travel for the children in its care. This framework represents value for money and will be sourced in compliance with the Public Contracts Regulations 2015 (PCR 2015), and the Council’s Contract Rules, to ensure best value for both the children and the Council. It is also important to note that Section 149 of the Equality Act requires public authorities to remove or minimise disadvantages affecting any particular equality group. This means that giving due regard to Equality will require the procurement process, tender specification and award of the tender to take into account the needs of children.</p>	
Protected characteristic	Impact	Description
Age	Positive impact (L)	<p>This framework is for the provision of private hire vehicle transport services (with and without Passenger Assistants) for children and young people with special educational needs and/or disabilities (SEND) and vulnerable adults. It will assist LBBD in meeting its statutory duty to ensure that there is sufficient, good quality, and safe travel for the children in its care from 0-25.</p> <p>Through continued standards established in the service specifications, targets set and contract monitoring, Providers will be required to demonstrate how they are ensuring a reliable and safe service.</p>
Disability	Positive impact (L)	The current framework already has considered the needs of children and

		<p>young people who have complex needs. For example, Service Users using the service are likely to be vulnerable and may suffer from a severe learning disability, have behaviour which can be challenging, have sensory or hearing difficulties, an autistic spectrum disorder or another physical disability.</p> <p>This will be achieved through standards established in the service specifications, targets set and contract monitoring. The contract will be monitored by the Commissioner for the service. Due to the requirements of service delivery this contract will require daily liaison with the provider to ensure that transport routes are fit for purpose, and the provider is delivering to the requisite standards to ensure these vulnerable, young people are kept safe.</p>
Gender re-assignment	Positive impact (L)	<p>All children and young people will be treated the same. This will continue to be monitored as per the current arrangements of the framework.</p> <p>Capturing gender, identity and sexual orientation will be achieved through standards established in the service specifications, targets set and contract monitoring; Providers will be required to demonstrate how they are meeting these needs.</p> <p>Providers will also be required to submit details of incidents and their response to keep young people safe including bullying, issues related to their sexuality or sexual identity and other protected factors.</p>
Marriage and civil partnership	Not applicable (N/A)	Not applicable.
Pregnancy and maternity	Positive impact (L)	The current framework already has considered the needs of young people or adults. This will be achieved through standards established in the service

		specifications, targets set and contract monitoring
Race	Positive impact (L)	All children, young people and families across the diverse population of LBBB will be supported as appropriate, regardless of their race. Providers will also be expected to understand cultural needs. This will be achieved through continued standards established in the service specifications, targets set and contract monitoring
Religion	Positive impact (L)	LBBB has a diverse population, children, young people and families which will be supported/transported as appropriate, regardless of their religion. Providers will continue to understand this.
Sex	Positive impact (L)	Providers will continue to be expected to understand this. Capturing gender, identity and sexual orientation will be achieved through standards established in the service specifications, targets set and contract monitoring; Providers will be required to demonstrate how they are meeting these needs. Providers will also be required to submit details of incidents and their response to keep young people safe including bullying, issues related to their sexuality or sexual identify and other protected factors.
Sexual orientation	Positive impact (L)	Providers will continue to be expected to understand this. Capturing gender, identity and sexual orientation will be achieved through standards established in the service specifications, targets set and contract monitoring; Providers will be required to demonstrate how they are meeting these needs. Providers will also be required to submit details of incidents and their response to keep young people safe including bullying, issues related to

		their sexuality or sexual identify and other protected factors.
Socio-Economic Disadvantage¹	Positive impact (L)	<p>The Council has a legal duty to ensure travel assistance for “eligible children” as they consider necessary to facilitate their attendance at school (s508B Education Act 1996 (EA 1996)).</p> <p>The term “eligible children” is defined at Schedule 35B of the Education Act 1996. Children and young people with special educational needs and/or disabilities may be considered as “eligible”.</p> <p>The Council has a further statutory duty to provide social care support under the Care Act 2014 to vulnerable adults who qualify for support under the national eligibility criteria, both for those who cannot fund their care but also for those who can.</p> <p>Therefore, the Children and young people are often from families who experience socio-economic disadvantage².</p> <p>This is already included in the current framework and Providers have an understanding of this.</p>
How visible is this service/policy/project/proposal to the general public?		Medium visibility to the general public (M)
What is the potential risk to the Council’s reputation? Consider the following impacts – legal, financial, political, media, public perception etc		High risk to reputation (H)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

²(https://assets.publishing.service.gov.uk/media/5a7c4b2d40f0b6321db3836b/33571_2901304_CMO_Chapter_11.pdf,p5)

This screening tool has identified that a full EIA is not required at this time, the retendering of the current framework is a positive impact against all protected characteristics listed above; however, the impact on protected characteristics will continue to be reviewed and monitored over the course of the four years.

Please submit the form to CE-strategy@lbbd.gov.uk and include the above explanation as part of the equalities comments on any subsequent related report.

CABINET

21 May 2024

Title: Procurement of an Enforcement and Regulatory IT System	
Report of the Cabinet Member for Enforcement and Community Safety	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Authors: Ben Davis, IT Procurement Lead Julia Kanji, Head of Regulatory Services Becki Green, Head of Quality and Business Performance	Contact Details: E-mail: ben.davis@lbbd.gov.uk Julia.kanji@lbbd.gov.uk Becki.green@lbbd.gov.uk
Accountable Director: Gary Jones, Interim Operational Director for Enforcement, Regulatory Services and Community Safety	
Accountable Executive Team Director: Leona Menville, Strategic Director, My Place	
<p>Summary:</p> <p>The current IT system, Civica APP (more commonly referred to as Flare) has been a staple of the Council's enforcement and regulatory teams for nearly 30 years. The database is used to manage complaints, access information, respond to residents, allocate tasks and monitor staff workload to manage investigations into food hygiene, health and safety inspections and complaints, noise and air quality complaints and investigations, antisocial behaviour and housing. The system is also used by the Education, Aids and Adaptations and Dog Warden services, as well as for infectious disease and accident at work investigations, food sampling, proceeds of crime, illicit tobacco and counterfeiting investigations and other targeted work undertaken by the Trading Standards function. The system also supports complaints and intelligence from the Citizens Advice Bureau, investigation of empty properties, landlord and HMO licensing schemes, property disrepair, requests and complaints relating to street cleansing, refuse collection, littering and environmental crime, including fly tipping and associated fixed penalty notices issued. The premises record function allows the Council to see the full history of a residential or commercial premises which is a both critical function around enforcement decision making and a useful source of intelligence. The system serves as the Council's regulatory and enforcement prosecutions and sanctions database.</p> <p>Although this product and the relationship with Civica have yielded good results for the Council's Enforcement and Regulatory services, recent news that Civica would be moving away from the current on-premises model to a Cloud only solution has prompted a review of arrangements.</p> <p>Furthermore, the Council has not tested the market or any alternative solutions in 30-years, it is now seen as a good opportunity for the Council to explore the market and test</p>	

whether the current solution is the best fit for the organisation and what other potential suppliers exist.

This procurement will be conducted on the CCS RM6259 – Vertical Application Solutions Framework (VAS) Lot 3, with the aim of establishing a contract for a period of five years with an option for a two-year extension. Vertical Application Solutions employs a more traditional procurement process where an ITT will be submitted to all suppliers named on the lot, which is 29 suppliers. Only the suppliers who have a solution will respond and their bid evaluated as part of the procurement process.

The overall cost of a solution of this size and design is around **£88,000.00** per annum, putting the total potential contractual cost at **£616,000.00** for 7 (5+2) years.

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree that the Council proceeds with the procurement of a contract for an Enforcement and Regulatory IT System in accordance with the strategy set out in the report; and
- (ii) Authorise the Operational Director of Enforcement, Regulatory Services and Community Safety, in consultation with the Cabinet Member for Enforcement and Community Safety, the Strategic Director, Resources and the Head of Legal, to conduct the procurement and award and enter into the contract and all other necessary or ancillary agreements to fully implement and effect the proposals.

Reason(s)

This is a critical database system used to record officer visits, activities, residential service requests, investigation logs and to progress and track prosecutions, FPNs and other sanctions of a variety of statutory services within Enforcement and Regulatory services. The database is used by Aids and Adaptations to progress disability adaptations in properties and by Education to track and progress FPNs for truancy.

1. Introduction and Background

- 1.1 The Department currently uses Civica APP software as a shared database to record complaints, service requests, investigation progression and enforcement across the Regulatory Teams in Private Sector Housing, Environmental Health, Trading Standards, Environmental Enforcement, Licencing and Environmental Protection. The system allows us to record officer actions, create legal notices and performance reports and is fully auditable. The system was originally procured in 1993 and the licence has been renewed annually with some system upgrades undertaken. The current system is at the end of life with the supplier moving to a cloud-based management system and the contract agreed in 1993 has few of the technical assurances, insurance and performance clauses that would be standard in a modern contract.

- 1.2 The Council must continue to meet its Statutory Community Protection duties, and that is not possible without a computer system that can record, monitor, allocate resources, act and report to Local Courts and Central Government on the following range of statutory duties and powers - Anti-Social Behaviour Crime & Policing Act 2014; Clean Air Act 1993; Consumer Protection Act 1987; Consumer Rights Act 2015; Environmental Protection Act 1990; Explosives Act 1875; Explosives Regulations 2014; Fireworks Act 2003, Petroleum (Consolidation) Act 1928; Fraud Act 2006; Gambling Act 2005; Highways Act 1980 (Section 130); Housing Act 2004 Housing Conditions. Inspect houses, take enforcement action; Immigration and Asylum Act 1999; Licensing Act 2003; Licensing and Management of Houses in Multiple Occupation Regulations 2007; Noise and Statutory Nuisance Act 1993; Public Health Act 1936 (noxious matter, verminous articles & persons). etc. this is not an exhaustive list.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured

2.1.1 This procurement will look to obtain and implement an Enforcement and Regulatory system. This system's main functions for the Council are to record complaints, service requests, investigation progress and enforcement across the multitude of Regulatory Teams.

2.1.2 The current solution is hosted in the council's Azure cloud infrastructure. The new solution will be a Software as a Solution (SaaS) and delivered also from the cloud infrastructure and will be accessible to the regulatory teams through an internet connection, on their laptops and other mobile devices anytime.

2.2 Estimated Contract Value, including the value of any uplift or extension period

2.2.1 Overall cost of a solution of this size and design is estimated to be around **c£88,000.00** per annum, putting the total potential contractual cost at **c£616,000.00** for 7 (5+2) years.

The service has made a successful application to the Council's capital funding for the implementation costs with the ongoing annual costs including licences to be apportioned to each team, but The Selective Private Sector Licencing Scheme will contribute to the ongoing costs from cost code F26290.

2.3 Duration of the contract, including any options for extension

2.3.1 This contract will be acquired for an initial five-year term with the option to extend for a further two years.

This contract length has been chosen because systems of this size and complexity have a long implementation phase with a relatively high implementation cost, to avoid recurring costs in the short term it is seen a more strategically viable for the Council to secure products of this nature on a more long-term basis. The Council trusts that the procurement process will yield the best product for the organisation.

2.4 Is the contract subject to (a) the Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?

2.4.1 Yes.

2.5 Recommended procurement procedure and reasons for the recommendation

2.5.1 This procurement will be using the CCS-RM6259 Vertical Application Solutions Framework, Lot 3. This framework is valid between 07/03/2023 until the 06/09/2025. This framework was chosen due to its availability of reputable Enforcement and Regulatory system providers.

2.5.2 This framework follows a more traditional process of requiring the Council to upload an ITT to the lot, allowing a window of time for bidders who can provide the service to respond and then evaluating them against a set of requirements that the Council has devised. All suppliers will be given the same requirements as well as the same amount of time to respond and submit their responses.

2.6 The contract delivery methodology and documentation to be adopted

2.6.1 This contract will be delivered under the VAS Frameworks call off contract and terms and conditions; the suppliers licensing T&Cs will also form part of this contract.

2.6.2 The contract itself will be managed by the Enforcement and Regulatory team, with some input from IT Services to ensure that the technical components of the system are being maintained and run successfully.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract

2.7.1 Currently the system is only receiving mandatory updates from the supplier. All forward-thinking development is being channelled into a newer modern platform. New systems will allow teams to be digitally agile as they are web based. New systems will offer improved processing efficiency and reduced administration via process automation. Teams will be able to be more active operationally as a result without the need to increase team capacity and will improve resident experience by supporting a number of self-serve functions which will reduce the need for business support interaction. The systems trialled have the facility to assign, prioritise and escalate tasks automatically freeing up manager resources.

2.8 Criteria against which the tenderers are to be selected and contract is to be awarded

2.8.1 This procurement will be awarded based on the following criteria split:

60% - Price

30% - Quality

10% - Social Value

2.9 How the procurement will address and implement the Council's Social Value policy

- 2.9.1 Due to the value of this procurement, Social Value will form 10% of the awarding criteria and have two dedicated questions as part of the Councils requirements supplied to all potential suppliers.

The team responsible for the running of this procurement will work with the Councils Social Value officer to come up with two distinct and clear questions that relate to the Councils Social Value policy and can be effectively answered and evaluated.

The Social Value aspect of this contract will be delivered and managed by the Enforcement and Regulatory Team.

2.10 London Living Wage (LLW)

- 2.10.1 Not applicable as the system implementation & on-going support can be delivered remotely.

2.11 How the Procurement will impact/support the Net Zero Carbon Target and Sustainability

- 2.11.1 The procurement of the application software will take into consideration suppliers who are fair trade and environmentally friendly such as those who purchase electricity from renewable sources and using energy efficient technologies in their data centre. Sustainability KPIs will be setup & reviewed as part of the procurement process & contract management process.

3. Options Appraisal

- 3.1 The following options were considered:

Option	Rationale
Do Nothing (Rejected)	An Enforcement and Regulatory system is required by legislation for the service, as well as being integral in the monitoring and resolution of several services provided by the Council to and for the public. Doing nothing would result in the service being inoperative, this would have significant negative impacts on the organisation including, but not limited to, its reputation.
Open Market Tender (Rejected)	Due to the availability of viable CCS Frameworks and the number of competitors on these frameworks that can provide such systems, it does not seem advantageous for the Council to engage in an open market tender. This process is often longer than using a designated framework, and for the benefit of time management it is seen as a less advantageous option.

Other viable frameworks, notably G-Cloud 13	The Council have explored a number of routes to market, including G-Cloud 13. Due to the disconnect between the engagement with the supplier and the evaluation process on G-Cloud 13, the Council believes it does not allow for as comprehensive a tender exercise and given the financial size and technical complexity of this system, is not suitable.
Direct Award (various methods)	<p>With the organisation not having tested the market in 30-years and the relative competitiveness of the market at this current moment in time, it is seen as more advantageous to explore the market.</p> <p>Furthermore, under public contract rules, a direct award in the current circumstances would not be compliant.</p>

4. Waiver

4.1 Not applicable as a fully compliant procurement process is being completed.

5. Consultation

5.1 The proposals in this report were considered and endorsed by the Procurement Board on 19 February 2024 and by the Executive Management Team on 25 April 2024.

6. Corporate Procurement

Implications completed by: Sam Woolvett, Category Manager, Resources

6.1 A further competition from Lot 3 of the CCS-RM6259 Vertical Application Solutions Framework, is likely to yield the best value for money for this requirement and is suitable for this level of spend.

6.2 This approach complies with LBBDD's Contract Rules. As the value of this procurement exceeds the threshold for the services under the Public Contract Regulations 2015 (the Regulations), standstill periods will be adhered to as recommended by the framework owner.

6.3 Corporate Procurement will be working with the service area and IT throughout the tender process and assisting in drafting the further competition documents.

7. Financial Implications

Implications completed by: Kenny Leshi, Finance Business Partner

7.1 This paper seeks the approval for the Operational Director of Enforcement, Regulatory Services and Community Safety, in consultation with the Cabinet Member for Enforcement and Community Safety, the Strategic Director, Resources and the Head of Legal, to conduct the procurement, award and enter into a contract for an Enforcement and Regulatory System.

7.2 The total contract value is c£88,000.00 per annum, with a total potential contractual value of c£616,000.00 over the proposed contract period of 7 (5+2) years.

7.3 The implementation cost of the project will be funded through the council's capital programme and ongoing annual costs will be apportioned to each team utilising the system. Finance will ensure the spend is monitored closely as part of the monthly monitoring process.

8. Legal Implications

Implications completed by: Yinka Akinyemi, Contracts and Procurement Lawyer, Law and Governance

8.1 This report seeks approval of the Cabinet for the Council to proceed with the procurement of a contract for the appointment of a suitable and qualified Contractor via the mini competition process under the CCS RM6259 – Vertical Application Solutions Framework (VAS) Lot 3 for an enforcement and regulatory system for a period of five years with an option for a two-year extension.

8.2 A procurement of this nature and value is subject to the requirements for a full competitive tender exercise in accordance with the Public Contracts Regulations 2015 (“the Regulations”) and the Council's Contract Rules.

8.3 The requirements for competitive tendering, as contained within the Council's Contracts Rules are met as Rule 4.2 (a) advises that it is not necessary for officers to embark upon a separate procurement exercise when using a Framework Agreement providing the Framework being used has been properly procured in accordance with the Regulations and the procurement is made in line with the Framework terms and conditions.

8.4 The Framework proposed in this report permits the Council to procure via it, as it specifically permits all UK public sector bodies/estates to procure services using its Framework terms and conditions. This ensures compliance with the Council's own Contract Rules and a legally compliant route to the market.

9. Other Implications

9.1 **Risk and Risk Management** – These are set out in Appendix 1.

9.2 **TUPE, other staffing and trade union implications** - This procurement is not expected to have any TUPE, staffing or trade union implications.

9.3 **Corporate Policy and Equality Impact** – An Equality Impact Assessment Screening Tool is attached at Appendix 2 and it was determined that a full assessment was not required.

9.4 **Safeguarding Adults and Children** - Various regulatory teams deal with vulnerable adults including Trading Standards dealing with doorstep crime complaints and ASB and Private Sector Housing who both carry out work with mental health, homeless services and drug rehabilitation services. The database allows us to review cases holistically in order to give an understanding of the full

impact of each case. Officers can then make informed decisions, confidently reach case outcomes and accelerate case resolution times which delivers better outcomes to vulnerable residents. The database is used by the Aids and Adaptations Team who are required to deliver adaptations to disabled residents and those with sensory requirements. Education use the system to track FPNs issued to the parents of minors who have truanted.

- 9.5 **Health Issues** - The Environmental Health Team use the database to investigate food poisoning outbreaks, infectious diseases and health and safety investigations. The database is used to process a range of health-related complaints, applications and requests and simplifies statutory data return reporting.
- 9.6 **Crime and Disorder Issues** - The system is used to receive and investigate criminal complaints on behalf of regulatory Services such as Environmental Health, Private Sector Housing, Health and Safety and Licensing. The system is also used to case manage ASB cases and to record complex prosecutions and fraud investigations.
- 9.7 **Property / Asset Issues** - The system is used by Aids and Adaptations in order to adapt assets to meet the needs of residents.
- 9.8 **Business Continuity / Disaster Recovery** - The system will be accessed remotely and agile working is a key component of our business continuity planning as we will still be able to respond rapidly to resident complaints and return to business as usual.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- Appendix 1 - Risk Register
- Appendix 2 - Equalities Impact Assessment Screening Tool

Risk Register

APPENDIX 1

ID	Date raised	Risk description	Likelihood of risk occurring	Impact if risk occurs	Severity <i>Rating based on impact & likelihood.</i>	Owner <i>Person who will manage the risk.</i>	Mitigating action <i>Actions to mitigate the risk e.g. reduce the likelihood.</i>	Contingent action <i>Action to be taken if the risk happens.</i>	Progress on actions
1	19/01/2024	Continued Delivery of a reactive service	low	Medium	Medium	Operational Director/Head of Service	Realignment of the Service will increase resource capacity. Current Civica APP contract is being converted to a two year contract on a framework ahead of reprocurement of a new system to offer additional protections .Business continuity plans	Business Continuity Plans	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
2	19/01/2024	potential breach of public contract regulation	low	low	low	Operational Director/Head of Service	Civica APP is being reprocured in accordance with procurement rules	N/A	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented
3	19/01/2024	Reduced Savings	low	high	medium	Operational Director/Head of Service	New enforcement database is being procured to increase efficiency and reduce workload. There is current service planning around the delivery of Departmental savings	non statutory functions have been identified that could be paused or terminated	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
4	19/01/2024	Increased Workload	medium	medium	medium	Operational Director/Head of Service	Services are being realigned to ensure the delivery of statutory functions is prioritised. New procured database will introduce more agile working creating efficiencies	non statutory functions have been identified that could be paused or terminated	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
5	19/01/2024	Poor service to communities, poor reputation, intervention from Government or external regulator	low	high	low	Operational Director/Head of Service	Services are being realigned to ensure the delivery of statutory functions is prioritised. New procured database will introduce more responsive interface with residents to resolve complaints expediently	non statutory functions have been identified that could be paused or terminated	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
6	19/01/2024	Loss of confidence in the Service, adverse effect on staff morale, processes not improved, waste of officer and manager resource	medium	medium	medium	Operational Director/Head of Service	Procurement of new enforcement database will improve efficiency, reduce wasted time and free up managerial resource. Realignment of services will ensure the services remain efficient with resources balanced to deliver good outcomes for residents	non statutory functions have been identified that could be paused or terminated	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
7	19/01/2024	Inability to respond to an incident which results in non compliance with statutory or other obligations	low	high	low	Operational Director/Head of Service	Procurement of new enforcement database will allow easier reporting for residents and will help with investigation. Service restructures are looking at ensuring resources are sufficient to meet statutory obligations	Business continuity plans to be followed and resources reallocated where possible with external resource procured if required	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
8	19/01/2024	Failure to adopt a best practice approach to managing Regulatory and Enforcement Services	low	low	low	Operational Director/Head of Service	Staff are trained to follow best practice. Reprocurement of an enforcement system to ensure that reporting and recording aligns with full range of statutory and non statutory best practice. The new service will also complete notices in accordance with Regulation and ensure processes can be mapped effectively.	Staff training	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented.

9	19/01/2024	Death or injury to staff, residents or contractors, reputation, litigation, corporate manslaughter	low	high	low	Operational Director/Head of Service	Safe systems of working and regular reviewed health and safety risk assessments are adopted. Council has procured StaySafe lone worker app and has a range of PPE for staff and contractors. New procured database will allow better mapping of flagged premises alerting visiting inspectors to risk inherent at address	Risk Assessments and systems of work have been signed off by Health and Safety including key risks around lone working, working with dogs, dealing with conflict and deescalating aggression. Should an incident occur we would look to self report and seek advice from Corporate Health and safety.	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented. Savings Proposals presented 18th Jan 2024
10	19/01/2024	Disruption caused by service failure leading to hardship for individuals, loss for businesses and reputational damage	low	medium	low	Operational Director/Head of Service	Business Continuity planning to address service disruption. New framework to be entered for Civica APP contract in advance of re procurement to ensure protections around performance, insurance and data integrity and processing are part of a contract.	Business Continuity Planning	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented.
11	19/01/2024	The investigation of truancy not resulting in issuing of FPNS resulting in an increase in educational non attendance and a reduction in FPN income	low	medium	medium	Head of Inclusion	Whilst this action is owned by Education the database required to facilitate this work is part of the enforcement database replacement project.	In the context of this RA this would be restricted to the new contract framework arrangements for Civica APP whilst we reprocure	Reprocurement in ongoing as of 19/01/23. It has been agreed to move the current contract to a standard framework until the new system is implemented.
12	19/01/2024	Essential repairs and disabled adaptations not undertaken resulting in dwellings remaining unfit for purpose with reputational risk	low	medium	Medium	Head of Commissioning Adults	Whilst this action is owned by Aids and Adaptations to database required to facilitate this work is part of the enforcement database replacement project.	In the context of this RA this would be restricted to the new contract framework arrangements for Civica APP whilst we reprocure	

Equality Impact Assessment Screening Tool

Equality Impact Assessments help the Council to comply with its public sector duty under the Equality Act 2010 to have due regard to equality implications. EIAs also help services to be customer focussed, leading to improved service delivery and customer satisfaction.

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	Procurement of an Enforcement and Regulatory IT System	
Service Area	IT Services	
Officer completing the EIA Screening Tool	Julia Kanji- Head of Regulatory Services	
Head of Service	Julia Kanji	
Date	17/11/2023	
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	This procurement is to acquire a new software platform to be used as a database for Enforcement and Regulatory Services. This procurement will be conducted on a CCS Framework with the objective of awarding a contract for a 5 plus 2 year period.	
Protected characteristic	Impact	Description
Age	Not applicable (N/A)	Describe the impact.
Disability	Positive impact (L)	Products are compatible with all accessibility software.

Gender re-assignment	Not applicable (N/A)	Describe the impact.
Marriage and civil partnership	Not applicable (N/A)	Describe the impact.
Pregnancy and maternity	Not applicable (N/A)	Describe the impact.
Race	Not applicable (N/A)	Describe the impact.
Religion	Not applicable (N/A)	Describe the impact.
Sex	Not applicable (N/A)	Describe the impact.
Sexual orientation	Not applicable (N/A)	Describe the impact.
Socio-Economic Disadvantage¹	Not applicable (N/A)	Describe the impact.
How visible is this service/policy/project/proposal to the general public?		Low visibility to the general public (L)
What is the potential risk to the Council's reputation? Consider the following impacts – legal, financial, political, media, public perception etc		High risk to reputation (H)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

The following procurement aims to establish a 5 plus 2-year contract for a Regulatory Services and Enforcement database to replace our current system Civica APP which was last procured in 1996 and is at end of life receiving only mandatory updates.

The product is of low visibility to the general public and is an operational database used to create auditable records of case management, complaint investigation, inspection recording and reporting. The system is used by a wide variety of Regulatory and Enforcement teams including Environmental Protection, Environmental Health,

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

Licencing, Health and Safety, the ASB team, Private Sector Housing, Housing Repairs and Trading Standards.

The need for a replacement is driven by Procurement rules but should we delay procuring a system there is the risk that costs may increase. I do not believe a full EIA is required to be completed.

This page is intentionally left blank

CABINET**21 May 2024**

Title: Disposal of Redundant Vehicle Stock	
Report of the Cabinet Member for Public Realm and Climate Change	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Rebecca Johnson	Contact Details: E-mail: Rebecca.johnson@lbbd.gov.uk
Accountable Director: Rebecca Johnson, Director of Public Realm	
Accountable Executive Team Director: Leona Menville, Strategic Director of MyPlace	
Summary	
<p>There are currently 89 vans owned and maintained by LBBD but utilised by WeFix. These are no longer cost effective to own due to age and cost of maintenance.</p> <p>This report seeks to obtain approval to dispose of 89 vans from the LBBD fleet via phased auction.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to approve the disposal of 89 vans via a phased auction approach (option 5) as detailed in the report.</p>	
Reason(s)	
<p>Approving this report enables LBBD to provide greater value for money via the disposal of assets that are reaching end of life.</p>	

1. Introduction and Background

- 1.1 The Council own 76 vans that have been utilised by WeFix (part of BDMS) as part of the maintenance service provided to HRA properties and a further 13 utilised by the Caretaking service. The vehicles are maintained by LBBD fleet and workshop services.
- 1.2 The vehicles have now reached an age where they are no longer fit for purpose due to mechanical and/or structural issues, whereby the cost of repairs and maintenance is resulting in a reduction in value for money.
- 1.3 As part of new contract arrangements, BDMS have procured their own lease and maintenance contracts for fleet operations, which means that they no longer require LBBD to provide a fleet.

2. Proposal and Issues

- 2.1 It is proposed to sell a total of 89 vehicles in a phased approach via auction avoiding saturating the market and realising a higher potential value.
- 2.2 Of the 89 vehicles, there are 24 which are no longer serviceable and currently off road. Of the remaining vehicles 65 it is the intention to repurpose 13 of the best vans to be utilised by the Caretaking service, which will enable the service to release the current non-ULEZ compliant vehicles. The final 52 vehicles are of deteriorating quality, increasing cost of maintenance and require a gradual removal from service.

3. Options Appraisal

- 3.1 **Option 1: Do nothing – Not recommended:** This is not considered viable due to the age and current quality of the vehicles, the cost of maintaining these will only increase. There will be further downtime of vehicles, resulting in further costs through additional hire vehicles to cover those off road.
- 3.2 **Option 2: Sell as one lot for a guaranteed price – Not recommended:** Whilst this is potentially a good option, it would require multiple dealers to price the vehicles and may result in a lower overall value.
- 3.3 **Option 3: Auction as one lot – Not recommended:** Whilst this would be the quickest option, it would risk flooding the market by diluting the value the vehicles would achieve at auction.
- 3.4 **Option 4: Sell individually at market value – Not recommended:** Whilst this could potentially deliver a higher overall value, it would be significantly time consuming and resource intensive.
- 3.5 **Option 5: Phased disposal at multiple auctions – Recommended:** This should realise the assets' potential without saturating the market.

4. Consultation

- 4.1 This report was considered and endorsed at Assets and Capital Board on 10 April 2024.

5. Financial Implications

Implications completed by: Sandra Pillinger, Finance Manager

- 5.1 There are 24 vehicles formerly used by WeFix which are no longer serviceable. The 65 remaining We Fix vehicles will be gradually removed from service and sold as they are replaced, other than 13 vehicles which will be repurposed by Caretaking. This will generate funding for the Council and will also enable Caretaking to release 13 non-ULEZ compliant vehicles which can then also be sold. There are 89 vehicles to be sold in total.

- 5.2 Each vehicle is anticipated to realise £3,000 on average at auction. The condition of each vehicle differs over the whole fleet so the sale proceeds will vary from vehicle to vehicle. The proceeds from the sale of an asset are classified as a capital receipt if the income from each individual asset sold is £10,000 or more. As the sale proceeds from each vehicle should be below this value, the income generated will be credited to the Fleet department's revenue budget. Costs of sale will be funded from the sale proceeds. The total anticipated sale proceeds from the disposal of both the We Fix vehicles, and the Caretaking vehicles will be in the region of £267,000.
- 5.3 There will a saving of £162.50 per day from no longer paying the congestion charge on the 13 non-ULEZ compliant Caretaking vehicles. This will result in a saving to the HRA.
- 5.4 Public Realm charge the HRA for the cost of maintenance of the WeFix fleet. In 2023/24 this cost was approx. £140,000. Public Realm will lose this income when the vehicles are sold but they will also no longer be incurring the maintenance costs. The HRA will no longer be charged for the maintenance costs of the vehicles to be sold but this cost will be replaced by the cost of the new vehicles to be leased by BDMS. BDMS charge the HRA for fleet costs as part of the BDMS contract as a variable charge. This cost will depend on the cost of leases entered into by BDMS for replacement vehicles and is not known at this time.

6. Legal Implications

Implications completed by: Dr Paul Feild, Principal Solicitor Standards & Governance

- 6.1 This report seeks Cabinet authority for the disposal by phased auction of obsolete commercial vehicles.
- 6.2 The Council Constitution at LBBB Constitution Part 4, Chapter 2 – Financial Regulations and Rules provides (see paragraph 5.14.4 'Disposals') that any asset of the Council deemed obsolete or surplus to requirements where the residual value exceeds £5,000 shall be subject to a report submitted to the Cabinet stating the reason for disposal and the recommended method of disposal. The Capital Finance team are to be informed of the disposal, as it may affect the Fixed Asset Register.
- 6.3 In all the circumstances, taking account the Councils processes and the Local Government Act 1999 duty to secure best value, the recommended option would secure compliance.

7. Other Implications

- 7.1 **Risk Management** – The current fleet of vehicles are either already off-road or of decreasing quality. By continuing to operate the current fleet it would lead to an increase in financial costs and risk of further structural or mechanical failure leading to operational risk
- 7.2 **Contractual Issues** – As part of the current contractual arrangements with BDMS, they are responsible for sourcing their own fleet and maintenance agreements.

Whilst there is a cost implication for this, it is factored into the BDMS contract arrangements accordingly.

- 7.3 **Staffing Issues** – The workshop service currently maintains the WeFix fleet, however the service has had challenges around sourcing staff due to a national shortage of mechanics. This has created capacity challenges for the service area. By disposing of the vehicles and ceasing maintenance requirements it will reduce capacity issues within the workshop service and enable improved maintenance of the remaining LBBB fleet.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None

CABINET**21 May 2024**

Title: BDTP Contract Extensions	
Report of the Cabinet Member for Community Leadership and Engagement	
Open Report	For Decision
Wards Affected: None	Key Decision: Yes
Report Author: Leona Menville, Strategic Director, MyPlace	Contact Details: E-mail: Leona.Menville@lbbd.gov.uk
Accountable Director: Kamran Rashid, Interim Director, Homes and Assets	
Accountable Executive Team Director: Leona Menville, Strategic Director, MyPlace	
<p>Summary</p> <p>In 2018, the Council approved arrangements for the creation of Barking and Dagenham Trading Partnership (BDTP) Limited, a Council-owned company that would be responsible for the delivery of a range of services including housing repairs and maintenance, school catering and cleaning and facilities management. The housing repairs and maintenance element is carried out within Barking and Dagenham Management Services (BDMS) Limited, a subsidiary of BDTP.</p> <p>The contract for services provided by BDMS, and other services within BDTP such as corporate cleaning undertaken by Barking and Dagenham Corporate Cleaning (BDCC), and staff management via We Fix, had an initial five-year term which expired on 31 March 2023. Due to concerns with BDMS services regarding customer and stakeholder satisfaction, increasing disrepair claims, financial viability issues and a lack of assurance on service quality, the Council opted for a one-year contract extension to 31 March 2024 instead of entering another long-term contract. The extension period was aimed at addressing concerns about productivity and value for money while also allowing the new leadership within BDMS to implement improvements.</p> <p>Despite some progress during the extension period, which included the implementation of a "green shoots" project which led to improvements in service delivery, customer satisfaction and reduced repair backlogs, further improvements are necessary within BDMS to meet the Council's expectations and deliver high-quality services to residents.</p> <p>Notwithstanding those challenges within BDMS, this report recommends extending contracts with BDTP for housing repairs and maintenance, cleaning and staff management for two years, from April 2024 to March 2026. This would maintain service continuity while exploring alternative providers and ensure uninterrupted service provision while the Council investigates alternative options.</p> <p>To ensure value for money, proactive practices including regular reviews and seeking cost savings have been completed by MyPlace and these will continue across the extended period.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree the extension of contracts with BDMS for repairs and maintenance, BDCC for corporate cleaning and the management of the council's DLO staff (Wefix) for an additional two-year period ending 31 March 2026;
- (ii) Agree that the Council pay the fees due to BDMS quarterly in advance to support with management of its financial liquidity, subject to compliance with the Subsidy Control Act 2022;
- (iii) Authorise that the Strategic Director of MyPlace, in consultation with the Cabinet Members for Community Leadership & Engagement and Finance, Growth & Core Services, the Strategic Director, Resources and the Head of Legal, to d conduct negotiations and finalise the terms of the contract extension with BDTP; and
- (iv) Note the Council's intention to explore alternative options for the provision of repairs and maintenance services, currently managed by BDMS, in order to optimise future service delivery in line with evolving needs, industry standards and value for money considerations.

Reason(s)

To assist the Council in achieving its priority of “Residents live in good housing and avoid becoming homeless” and to accord with the Council’s Contract Rules and the Public Contract Regulations 2015.

1. Introduction and Background

- 1.1 The Council is bound by Consumer Regulations and Home Standards, requiring them to provide cost-effective repairs and maintenance services that prioritise the health and safety of occupants. Additionally, as a landlord and local housing authority, the Council must ensure its residential properties are kept in repair under the Landlord and Tenant Act 1985 and the Housing Act 1985.
- 1.2 The provision of repairs and maintenance is crucial for the sustainability of the borough's physical assets, helping the Council meet its legislative and statutory obligations. With a significant number of social rented and affordable housing properties under management, along with leasehold properties, the Council plays a central role in ensuring these properties are well-maintained.
- 1.3 Repairs to individual properties and communal areas are essential services provided by the Council, impacting residents' lives positively when executed effectively but having negative consequences when they go wrong. Thus, the Council's commitment to delivering high-quality repairs and maintenance services is vital for the well-being of residents and the overall sustainability of the community.
- 1.4 The Council initiated contracts with BDTP in August 2018 to provide essential services including repairs and maintenance, corporate cleaning, and management of DLO staff. These services were crucial for fulfilling the Council's obligations

towards its properties and tenants. The contracts also aimed to give the Council greater ownership and control over service delivery while delegating management responsibility to its subsidiary.

- 1.5 Initially, the contracts had a five-year term which expired on March 31, 2023. Due to concerns regarding customer and stakeholder satisfaction, increasing disrepair claims, financial viability issues, and a lack of assurance on service quality, the Council opted for a one-year contract extension instead of entering another long-term contract with BDMS. This extension allowed for assessment against Key Performance Indicators (KPIs) and evaluation of the financial model.
- 1.6 The decision to extend these contracts by one year in 2023 aimed to allow BDMS an opportunity to enhance its performance and better align its services with the Council's objectives. Despite some progress during the extension period, further improvements are necessary to meet the Council's expectations and deliver high-quality services to residents.
- 1.7 The extension period has concluded, prompting further evaluation and decision-making regarding the provision of essential services to the Council and its residents. It is crucial for the Council to prioritise high-quality service delivery while ensuring value for money and meeting community needs. Future decisions on service provision must carefully consider performance, financial viability, and alignment with the Council's objectives.
- 1.8 In 2023, the Council chose not to seek new contracts when the original ones expired for several reasons including a lack of reliable benchmarking data and changes in leadership at BDMS. The extension period was aimed at addressing concerns about productivity and value for money, leading to collaborative efforts like the "green shoots" project to improve service delivery and address repair backlogs.
- 1.9 Discussions between MyPlace and BDMS in August 2023 focused on potential costs for the upcoming year, with acknowledgment that one-time funds injected in 2023/24 for backlog clearance and inspections would not recur.
- 1.10 The HRA budget report presented to the cabinet in January 2023 projected the costs of the BDMS service for 2024/25 at £21.25 million, based on anticipated changes to the delivery model and agreed transformation costs outlined in the BDMS business plan.
- 1.11 The transformation costs and delivery model changes set out in the BDMS business plan were not agreed between the parties and therefore the anticipated savings were not achieved. Consequently, the cost of delivering the repairs service has increased since the cabinet report in January 2024.

2. Proposal and Issues

- 2.1 The proposal includes a two-year extension of contracts, allowing for full testing of the open market and the transition and mobilisation to another provider (if found to provide better value for money and improved delivery of services to our communities) within that timeframe.
- 2.2 The contract extension proposes the following contract values:

- The total value of the contract extension for the repairs and maintenance service will be £16,662,000, compared to £17,061,000 in 2023/24. Planned capital works costs of £5,901,000 are to be undertaken in 2024/25 as part of this extension compared to £8,128,000 in 2023/24.
- The total value of the contract extension for the management of the DLO staff (WeFix) will be £5,427,000 compared to £6,206,000 in 2023/24.
- The total value of the contract extension for the corporate cleaning contract will be £1,757,894.71 compared to £1,970,134.37 in 2023/24.

Funding source

- 2.3 Funding for the contract extensions will be allocated from the Council's operational budgets with provisions made to accommodate the additional expenditure. Cabinet will note that it has already agreed to fund these services by way of the HRA business plan presented to it in January 2024 in relation to HRA services provided under this extension which amounts to £27,990,000. This is split between HRA revenue budgets, £22,089,000 and HRA capital budgets £5,901,000. The corporate cleaning contract is funded from the General Fund.
- 2.4 The 2024/25 HRA budget approved by Cabinet in January 2024 made provision of £21.250m for the repairs contract with BDMS Ltd compared to the revenue fee of £22.089m proposed in this report. This indicates a funding gap of £0.839m to be funded from HRA resources. The capital fee of £5.901m proposed in this report is still within the scope of the proposed HRA capital budget for 2024/25 of £24.688m.
- 2.5 Below is a summary of the key changes from the 2023/24 revenue fee to the revised fees proposed in this report. It shows a reduction in fee of £5.712m in 2024/25 compared to amount paid in 2023/24 from HRA revenue budgets.

Table A - Movement in BDMS fees charged to HRA revenue budgets.

Movement in BDMS FEES charged to HRA revenue budgets	£000
2023/24 BDMS Total Fee	27,801
Changes:	
Decrease in DLO management costs	(779)
Decrease in agency costs	(534)
Decrease in material costs	(52)
Decrease in Sub-contractors' costs	(202)
Decrease in Premises, expenses, uniform costs	(352)
Removal One-off investment in backlog in 23/24	(4,535)
Increase in LBBB Recharge - Contract centre & Ohs	352
Increase in LBBB Compliance	88
Addition of cost of cover for We Fix operatives	240
Increase in fleet management	61
Net total of changes	(5,712)
Proposed BDMS HRA Revenue Fee 2024/25	22,089

Issues

2.6 Cost Analysis

2.6.1 A cost analysis has been conducted comparing the expenses associated with extending the contract with BDMS against the potential costs of transition into new service providers. Extending the contracts with BDMS is deemed more cost effective in the short-term considering the complexities and uncertainties involved in re procurement. However, it is the Council's intention to review alternative repairs and maintenance contracts (currently delivered by BDMS) through open market testing and therefore any future proposals to transition to a new service provider would include these additional costs. Such proposals would be presented to cabinet as part of the approval and decision-making process.

2.7 Performance Evaluation

2.7.1 A comparison of performance data from November 2023 to January 2024, demonstrates a mix of progress and challenges in our repair services.

2.8 Progress

2.8.1 **Legacy Job Reduction:** A notable achievement is the continued reduction in legacy jobs, from 171 in November 2023 to just 1 by May 2024. This demonstrates effective clearing of longstanding issues.

2.8.2 **Customer Satisfaction:** Customer satisfaction averaged 75% for the full year, peaking at 83% in March 2024. This reflects well on the improvements in service delivery.

2.8.3 **Void Management:** The number of open void properties remained low at 43 on 1st May 2024, indicating a significant improvement from previous years. However, work is still required to consistently hit LBBB targets.

2.8.4 **Open Responsive Repair Jobs:** The current levels of open WIP are very positive with around 2 weeks' worth of WIP at any one time. This is acknowledged to be good performance in the sector.

2.9 Challenges

2.9.1 **Damp & Mould Challenges:** The damp and mould cases are now at LBBB target levels of around 100 open jobs. This is a very recent improvement, and we continue to monitor given the significance of Damp & Mould jobs to LBBB.

2.9.2 **Staff Turnover and Planning Issues:** High staff turnover, sickness and loss of temporary operational staff have contributed to challenges in planning and meeting demand.

2.9.3 **Completion Targets:** Jobs being completed outside of the LBBB priority target timescales continue to be an issue that needs resolution.

- 2.9.4 **Legal Disrepair:** While there have been improvements in the management of legal disrepair, the levels remain high and require ongoing attention.
- 2.10 An assessment of BDMS' current repair performance has been undertaken and this indicates that the current arrangement may not be delivering the expected value for money anticipated. The cost of this service was externally benchmarked by Ark in December 2022 at a cost of £2799 per unit per annum against a sector benchmark of £2500 (12% higher). Given the further increased costs of 2023/24 it is likely that this situation has not significantly improved.
- 2.11 Despite higher service costs compared to other local authorities the quality of service provided is not meeting the Council's desired standards resulting in lower outcomes for the Council and our communities.
- 2.12 It is acknowledged that due to contractual commitments (as set out above) we need to continue utilising the services of BDMS whilst we investigate alternative provision options.
- 2.13 It should also be noted that mobilising an alternative delivery model would take a minimum of 18 months to procure. While recognising this constraint it is imperative that we take proactive steps to explore these options and lay the groundwork for a smoother transition should an alternative service provision be determined as optimal for the Council and its residents.
- 2.14 Over the coming months we will be undertaking market testing and comprehensive market research to identify potential alternative repair service providers. This process will involve evaluating the capabilities track record, pricing structures and customer feedback of various providers to ensure that we select an option that offers superior value for money and aligns with our organisational objectives and aspirations.
- 2.15 At the same time, we will continue to explore opportunities for cost reductions and service improvements within BDMS with a view to realising efficiencies and bringing the overall cost of the service down to a more affordable and sustainable cost point without compromising the service or quality of offer to our communities.
- 2.16 We will continue to seek to negotiate mutually beneficial arrangements that address our concerns and pave the way for a smoother transition to either a new provider or a new long-term arrangement with BDMS.
- 2.17 As the report highlights, there is a lack of benchmarkable data in respect of the cost of the proposed fee, but high-level unit cost comparison undertaken in 2022 indicated 2022/23 fees were higher than similar contracts in the industry. Contracts of this nature should normally be able to be benchmarked against an industry Schedule of Rates so that average job costs can be compared and tested for value-for-money.
- 2.18 Within the fees are variable costs for fleet management, £1.390m, which could vary in relation to volume of work done. The final fee for the year could vary from the value assumed in the proposed fee. MyPlace will need to monitor volume of work and impact on fleet costs judiciously to ensure costs stays within budget or is offset by savings in other areas of the HRA budget.

- 2.19 The fixed fee approach for the rest of the contract on the other hand does not take account of the number of jobs that are undertaken and so the matter in relation to the number of open jobs highlighted in this report is a cause for concern.
- 2.20 Due to these factors and the absence of a competitive procurement exercise before the award of this extension to BDMS or market test data it cannot be evidenced whether the contract delivers value for money to the HRA but is unlikely to do based on the per unit cost comparison report provided by the consultancy firm ARK from 2022.
- 2.21 However, given that the contract is now “out-of-contract” and there is no alternative viable option at this late stage then there seems to be little choice but to extend the contract pending a competitive procurement exercise.
- 2.22 MyPlace intend to address this issue by mainly committing only to a 1-year fee with the expectation the fee for the second year of this 2-year extension period will be informed by market tests data and a competitive procurement.
- 2.23 In terms of how the additional cost is to be funded, it is proposed that the £0.839m additional cost compared to the agreed HRA budget is funded by reducing the £2.075m additional voluntary contribution to reserves built into the 2024/25 budget. The voluntary contribution to reserves for 2024/25 will therefore be £1.236m instead if the proposals in this report are approved.
- 2.24 HRA reserves are expected to close with a balance of £16.2m at the end of 2023/24 based on 2023/24 period 10 HRA outturn forecasts. Adding a further £1.2m to the reserves increases it to £17.4m, representing 14% of total income compared to 12% target set by MyPlace.
- 2.25 The BDTP cleaning contract extension will be covered from the 2024/25 General Fund budget provision of £1.989m. The cost of the contract extension for 2024/25 is £1,757,894.71.

Procurement

- 2.26 We anticipate commencing procurement for the repair and maintenance service in Q2 of FY24/25. While optimistically, the procurement process is expected to take approximately 12 months, considering the complexities around TUPE and scope options, this timeline could extend to circa 18 months. A realistic timescale for each key stage of the procurement is set out below.
- 2.27 By implementing these measures, we ensure our repair and maintenance service is robustly managed, delivers VFM, and achieves the desired service improvements. Regular meetings and quarterly reports enhance transparency, accountability, and performance management.
- 2.28 The indicative timeline for completing the market testing and mobilisation of an alternative provider or the provision of a new long-term contract to BDMS is set out in Table B below.

Table B
Indicative Timescale for Competitive Dialogue

Stage	Estimated Duration In Weeks
Develop prospectus and Pre-qualification questionnaire (PQQ)	4
Advertise - Open Tender OJEU	5
Response from contractors to PQQ	6
Develop output specification / tender documentation (concurrent with OJEU/PQQ period)	6
Short listing for Dialogue phase	1
Feedback to unsuccessful applicants	2
Dialogue phase	12
Review of dialogue phase submissions	4
Finalisation of tender documentation	4
Short listing for tender phase	2
Tender phase	12
Select preferred bidder	4
Negotiation with preferred supplier	4
Contract close	2
Contingency	12
Total	80

Measuring Value for Money and Performance

- 2.29 **Cost Benchmarking:** We are undertaking benchmarking to compare the current cost of the repair and maintenance service against industry standards and similar services offered by other providers to ensure competitiveness and value for money.
- 2.30 **Service Level Agreements (SLAs) Review:** We regularly review SLAs with BDMS to ensure that service standards are met efficiently and cost-effectively. We have developed SLAs which include specific VFM targets and indicators.
- 2.31 **Performance Monitoring for Cost Efficiency:** We have implemented robust performance monitoring systems to track key performance indicators (KPIs) such as response time, completion time, and customer satisfaction against the cost of the service.
- We regularly analyse performance data to identify areas where improvements in service delivery can be made to achieve better value for money. A recent example of this was the review of the void standard which highlighted a significant amount of over specification and additional cost.
- 2.32 **Efficiency of Resource Allocation:** We monitor the allocation of resources to ensure that they are used efficiently and are cost-effective.
- 2.33 **Regular Financial Audits:** We undertake regular financial audits to ensure that the repair and maintenance service is delivered within budget and that costs are managed effectively. This includes identifying and addressing areas of overspend or inefficiency.
- 2.34 **Fortnightly Client/Contractor Meetings:** We hold fortnightly contract management meetings between the Council (led by the Strategic Director of My Place) and BDMS (led by the BDTP Chief Executive). These meetings have now been in place

for over 12 months and were initiated as part of Project Green Shoots aimed at clearing the substantial backlogs across a number of key workstreams. We use these meetings to review performance, address any issues, and identify opportunities for improvement.

We have been providing reports to overview and scrutiny setting out the actual performance of our repairs and maintenance service. The latest meeting of Overview and Scrutiny led to the board requesting that the Council market test for alternative providers/options.

We regularly highlight operational and VFM considerations, including performance against KPIs and SLAs, cost efficiency and expenditure, customer satisfaction and feedback, identified risks and mitigation strategies, and progress on improvement initiatives.

2.35 **Risk Management and Contingency Planning:** We identify potential risks to service delivery and develop strategies to mitigate them.

2.36 **Innovation and Technology Adoption:** We are currently exploring innovative solutions and technologies to improve the efficiency and effectiveness of service delivery.

3. Options Appraisal

3.1 Table C below sets out the options considered regarding the ongoing provision of a repairs and maintenance service for our communities. The table evidences the decision reached to test the market for an alternative provider.

Table C: **Options Appraisal primary considerations**

Option	Advantages	Disadvantages	Decision
Maintaining the Status Quo	Familiarity - People already know how it works. Continuity: It keeps things running smoothly without changes. Retains control -ability to make quick adjustments when needed.	Lacks potential for improvement without significant further investment Historical service delivery and reputational issues Missed opportunities for improving VFM. Falling behind others/advancing sector offers People resist change – leading to low levels of productivity & service delivery	Rejected
Bringing DLO In-House	Potential VAT savings on labour costs Maintains control over workforce and service quality. Promotes high levels of job satisfaction	Requires significant initial investment and ongoing resource allocation. Assumes all labour-related risks, including HR management and performance issues. Involves substantial setup costs and complexity compared to outsourcing. Extension of existing contracts and direct supply chain management	Rejected
Adopting a Mixed Model of Service Delivery	Facilitates local specialists to tender, promoting community engagement Mitigates main contractor overheads, ensuring cost-effectiveness. Diversifies risk by avoiding reliance on a single contractor	Demands greater client management and resource allocation. May appear less attractive to the market due to fragmented contracts. Raises procurement costs and complexities. Contractors might show reluctance to invest in IT and social value initiatives. Inherent risks in IT and contact centre operations	Rejected
Testing the Market for an Alternative Provider	Simplifies management with one contractor and integrated IT systems for enhanced efficiency. Encourages contractor investment in IT, social value, and customer support. Centralised contact centre streamlines communication and service delivery	- Concentrates risk with 'all eggs in one basket' approach - Potential for higher subcontractor involvement leading to added costs - Limited market competition due to Tier 1 attractiveness - Local specialists may feel sidelined - TUPE transfer risk and IT/contact centre management challenges	Agreed

- 3.2 The report identifies various risks associated with extending contracts with BDTP, such as service quality, cost escalation, and legal compliance. To mitigate these risks, the council intends to implement robust performance monitoring mechanisms, including KPIs and service level agreements, and engage in regular audits and compliance checks.
- 3.3 The proposal to explore alternative service providers through open market testing reflects a proactive approach to risk management by diversifying options and ensuring compliance with procurement regulations.
- 3.4 The proposal to extend contracts with BDTP demonstrates a strategic approach to providing value for money by balancing cost considerations with service quality and performance. Furthermore, the implementation of risk management and compliance measures underscores the Council's commitment to transparency, accountability, and responsible governance in service delivery.

4. Consultation

- 4.1 The proposals in this report were considered and endorsed by the Executive Management Team.

5. Financial Implications

Implications completed by: Alex Essilfie-Bondzie (Interim Head of Finance, MyPlace and Inclusive Growth)

- 5.1 The total value of the repairs contract of £27,990,000, split between the revenue budgets £22,089,000 and capital budgets £5,901,000 is expected to be funded from the 2024/25 HRA budget approved by Cabinet in January 2024. The approved budget made provision of £21.250m for the revenue repairs contract with BDMS Ltd compared to the revenue fee of £22.089m proposed in this report. This indicates a funding gap of £0.839m to be funded from HRA resources. The capital fee of £5.901m proposed in this report on the other hand is within the scope of the proposed HRA capital budget for 2024/25 of £24.688m.
- 5.2 Below is a summary of the key changes from the 2023/24 revenue fee to the revised fees proposed in this report. It shows a reduction in fee of £5.712m in 2024/25 compared to amount paid in 2023/24 from HRA revenue budgets.

Movement in BDMS FEES charged to HRA revenue budgets	£000
2023/24 BDMS Total Fee	27,801
Changes:	
Decrease in DLO management costs	(779)
Decrease in agency costs	(534)
Decrease in material costs	(52)
Decrease in Sub-contractors' costs	(202)
Decrease in Premises, expenses, uniform costs	(352)

Removal One-off investment in backlog in 23/24	(4,535)
Increase in LBBD Recharge - Contract centre & OHs	352
Increase in LBBD Compliance	88
Addition of cost of cover for We Fix operatives	240
Increase in fleet management	61
Net total of changes	(5,712)
Proposed BDMS HRA Revenue Fee 2024/25	22,089

- 5.3 As the report highlights, there is a lack of benchmarkable data in respect of the cost of the proposed fee, but high-level unit cost comparison undertaken in 2022 indicated 2022/23 fees were higher than similar contracts in the industry. Contracts of this nature should normally be able to be benchmarked against an industry Schedule of Rates so that average job costs can be compared and tested for value-for-money.
- 5.4 Within the fees are variable costs for fleet management, £1.390m, which could vary in relation to volume of work done. The final fee for the year could vary from the value assumed in the proposed fee. MyPlace will need to monitor volume of work and impact on fleet costs judiciously to ensure costs stays within budget or is offset by savings in other areas of the HRA budget.
- 5.5 The fixed fee approach for the rest of the contract on the other hand does not take account of the number of jobs that are undertaken and so the matter in relation to the number of open jobs highlighted in this report is a cause for concern.
- 5.6 Due to these factors and the absence of a competitive procurement exercise before the award of this extension to BDMS or market test data it cannot be evidenced whether the contract delivers value for money to the HRA but is unlikely to do so based on the per unit cost comparison report mentioned above.
- 5.7 However, given that the contract is now "out-of-contract" and there is no alternative viable option at this late stage then there seems to be little choice but to extend the contract pending a competitive procurement exercise.
- 5.8 MyPlace intend to address this issue by mainly committing only to a 1-year fee with the expectation the fee for the second year of this 2-year extension period will be informed by market tests data and a competitive procurement.
- 5.9 In terms of how the additional cost is to be funded, it is proposed that the £0.839m additional cost compared to the agreed HRA budget is funded by reducing the £2.075m additional voluntary contribution to reserves built into the 2024/25 budget. The voluntary contribution to reserves for 2024/25 will therefore be £1.236m instead if the proposals in this report are approved.
- 5.10 HRA reserves are expected to close with a balance of £16.2m at the end of 2023/24 based on 2023/24 period 10 HRA outturn forecasts. Adding a further £1.2m to the reserves increases it to £17.4m, representing 14% of total income compared to 12% target set by MyPlace.

- 5.11 The BDTP cleaning contract extension will be covered from the 2024/25 General Fund budget provision of £1.989m. The cost of the contract extension for 2024/25 is £1,757,894.71.
- 5.12 BDMS Ltd and its parent BDTP Ltd in agreeing to these terms have secured an extension for two years which gives them an opportunity to improve performance over a relatively longer period to become more competitive and deliver savings to the Council before the next procurement of this contract is undertaken. The fee is also designed to give them an overall profit margin to cover group overheads and unexpected variations in company running costs. An agreement has also been reached to pay the fees quarterly in advance to support BDMS with management of its financial liquidity.

6. Legal Implications

Implications completed by: Lauren Van Arendonk, Principal Lawyer Contracts

- 6.1 Cabinet endorsed the recommendation to set up a fully owned company (BDTP) in July 2018.
- 6.2 Under reg 12(8) of the Public Contracts Regulations 2015 (SI 2015/102) (PCR (Public Contract Regulations) 2015), local authorities are exempt from running a procurement on the open market if they contracted with a legally distinct entity to provide services. The conditions for the exemption were:
- The service provider carries out the principal part of its activities with the authority. The authority exercises the same kind of control over the service provider as it does over its own departments.
 - There is no private sector ownership of the service provider nor any intention that there should be any.
- 6.3 Having met the necessary tests, the original contract entered by the Council and BDMS was lawfully made. However, general principles of the PCR 2015 continue to apply.
- 6.4 The Procurement Act 2023 sets out changes to the Public Contracts Regulations however, the exemption tests/criterion remain unchanged currently.
- 6.5 As the Council is paying the companies in advance and the size of the payment is several million pounds there may be Subsidy implications under the Subsidy Control Act 2022. The companies are market operators in a marketplace populated by other companies. The Council does not pay any of its other suppliers in advance. The subsidy would be the value to the companies of the advance payment.

7. Other Implications

7.1 Risk Management

- 7.1.1 While extending the contracts with BDMS mitigates the risk of service disruption, ongoing performance issues pose potential risks, including:

- **Service quality:** continued monitoring and oversight will be required to ensure that the BDMS continues to meet service quality standards and performance targets.
- **Contract compliance:** BDMS must comply with contractual obligations and performance criteria to avoid further deterioration in service and to our residents.
- **Cost escalation:** There is a risk that the costs associated with the extended contract could increase in year due to use of inefficient management of contractors and continued low productivity rates among operatives.
- **Affordability:** as the contract fee for year two will be renegotiated closer to the time of renewal there is a potential risk that the cost of the year two contract becomes prohibitively expensive and unaffordable.
- **Dependency on a single supplier:** Relying on a single supplier for repairs poses a risk of dependency, limiting flexibility, competition, and an inability to evidence VFM.
- **Legal and regulatory compliance:** We are aware of pending regulatory changes to the sector and as such there is a risk that we fail to comply with any new legal requirements, and this could expose the Council to legal and reputational damage. There is also a risk to breaching procurement rules in exercising the extension without full diligence.

Mitigation Strategies

- 7.1.2 A fixed fee contract has been agreed which should limit any cost escalations in year. In year 2, more granular data will be available to base the new contract fee on. In addition, we will regularly monitor contract performance and expenditure to identify any cost variances and address them promptly.
- 7.1.3 We have implemented a robust performance monitoring mechanism, including KPIs (key performance indicators), service level agreements and third-party auditing on key compliance areas. We also continue to use internal and external audits on the outputs of the service to residents.
- 7.1.4 We are committed to test our service needs on the open market to ensure that we are achieving or could achieve VFM from our supply chain. Additionally, we have access to several frameworks upon whom we could call if we needed to suddenly diversify our service offer.
- 7.1.5 Cabinet has been asked to consider the proposal to extend the contract and agree to the same which provides transparency and ensures good governance around the decision making. It has been established that the original decision to create the wholly owned company to carry out the repairs and maintenance service was legally compliant.
- 7.1.6 Due diligence has been undertaken on BDMS compliance with health and safety regulations and employment standards along with their commitment to observe any additional lawful requirements to ensure the Council remains compliant. (This is written into the contract)
- 7.2 **Staffing Issues** - The extension of the contracts does not give rise to any direct staffing issues, as the workforce would continue to provide the current services.

7.3 **Property / Asset Issues** - The extension of the contracts would mean that the Council's hosing stock will continue to be maintained.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None