

REQUEST FOR MAYORAL DECISION – MD2657

Title: 'Life off the Streets' – expanded rough sleeping services in 2020/21 (MHCLG RSI funded)

Executive Summary:

The GLA commissions and funds a range of pan-London rough sleeping services, which collectively form the Mayor's 'Life off the Streets' programme. This MD approves spending of £5.17m that the Mayor has secured from the Government to support expansions of No Second Night Out (NSNO), Routes Home, the Tenancy Sustainment Teams (TSTs) and the Clearing House, a mental health service, additional outreach provision, and a mental health pilot and a supported housing service.

Decision:

That the Mayor approves:

1. the receipt of grant funding of £6.6m from the Government's Rough Sleeping Initiative (RSI) for pan-London rough sleeping services and projects
2. expenditure of £5.17m (of the above £6.6m) comprising:
 - a. £2.21m for expanded No Second Night Out staging posts, floating hubs, and a dedicated Private Rented Sector (PRS) Access team (via a variation to the GLA's existing agreement with St Mungo's which began on 1 April 2017);
 - b. £0.22m for Routes Home to provide additional support to non-UK nationals (via a variation to the GLA's existing agreement with St Mungo's which began on 1 April 2016);
 - c. £0.48m for the Tenancy Sustainment Teams and the Clearing House to support people moving into PRS Accommodation (via a variation to the GLA's existing agreements with Thames Reach and St Mungo's which began on 1 April 2016);
 - d. £0.60m for outreach – to Thames Reach and to nine boroughs (grant);
 - e. £0.19m to the Enabling Assessment Service London (EASL) for mental health support (grant);
 - f. £0.45m to Housing Justice for winter accommodation provision (grant);
 - g. £0.06m for staff resources;
 - h. £0.21m to Riverside for a new peer-led outreach service (grant);
 - i. £0.75m for a new supported housing service (grant);
3. an exemption from the requirements of the Contracts and Funding Code to enable variations of existing contracts as per decisions 2 a, b and c above;
4. delegated authority to the Executive Director – Housing and Land, in consultation with the Deputy Mayor for Housing and Residential Development, to approve allocation of grant funding for point 2i based on the recommendations by GLA officers in the Rough Sleeping team.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:

Date: 07 08 2020



PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1 During 2018/19, 8,855 people were seen sleeping rough in London – more than double the number in 2010/11. Of these, 62 per cent were new to the street, 51 per cent were non-UK nationals, and 31 per cent were from Central and Eastern European (CEE) countries. Around three-quarters had support needs, with 50 per cent having a need related to mental health, 42 per cent alcohol, and 41 per cent drugs.
- 1.2 Since 2016, the Mayor has coordinated efforts to help rough sleepers through his Life off the Streets taskforce to identify, implement, lobby for, and monitor the effectiveness of interventions to tackle rough sleeping. In his London Housing Strategy, the Mayor set out his aim that there should be a sustainable route off the streets for every rough sleeper in London. In June 2018, he published his Plan of Action which outlines the steps that need to be taken by City Hall, the Government, and others to achieve this.
- 1.3 Since taking office, the Mayor has been expanding the pan-London rough sleeping services the GLA funds and commissions. These services collectively form his Life off the Streets programme. They are services for rough sleepers, or initiatives to tackle rough sleeping, that cannot or would not be provided at a London borough level, as they are pan-London or multi-borough in their remit.
- 1.4 The £5.17m spending approved by this MD will further expand the Mayor's services. The funding has been secured from the Government's Rough Sleeping Initiative. The remaining balance of £1.43m (from the £6.6m) will be accounted for in a separate MD to contribute to the Mayor's wider effort to support people on the streets during the Covid-19 pandemic.
- 1.5 The budget will be spent as follows:
 - No Second Night Out (NSNO) – two staging posts, floating hubs, and a specialist Private Rented Sector (PRS) Access team (£2.21m);
 - Routes Home – further support for non-UK nationals including two members of staff to work in and alongside the floating hubs, and three additional bed spaces to accommodate non-UK nationals whilst this support is being delivered (£0.22m);
 - TST and Clearing House – floating support and referrals administration for up to 500 people moving into PRS (£0.48m);
 - Rapid Response outreach – a contribution to the Rapid Response service provided by Thames Reach, which provides outreach response to StreetLink referrals in 24 boroughs, and funding to nine London boroughs, or their outreach teams, to provide a local Rapid Response service (£0.6m);
 - mental health support – two specialist mental health workers in a minimum of eight London boroughs provided by Enabling Assessment Service London (EASL), working with outreach teams and other services, such as the floating hubs (£0.19m);
 - Equipping Shelters Project – a minimum of six navigator posts within Housing Justice to support a small grants programme (£0.45m);
 - GLA staff resources (£0.06m, approved under Head of Paid Service (HOPS) form 0311);
 - peer-led outreach – an outreach team of people with lived experience of rough sleeping working in at least four boroughs, supporting longer-term rough sleepers who other rough sleepers have not successfully engaged with (£0.21m); and
 - supported housing service – a new service to provide medium-term accommodation and on-site support to people sleeping rough, in at least three new sites (£0.75m).

- 1.6 The detail of each of these services is set out in section 2 below.
- 1.7 When the Mayor came to office, the GLA was spending £8.45m a year on its rough sleeping services. Through a combination of the above and other increases in spending, this year the total GLA budget for rough sleeping services is expected to be more than £19m.
- 1.8 A separate MD (2620) is expected to approve the one-year extensions of the Mayor's core rough sleeping services, which will be varied following signature of this MD.

2 Objectives and expected outcomes

- 2.1 The details of the services that will benefit from the £5.17m approved by this MD are set out below.

No Second Night Out (NSNO)

- 2.2 NSNO was commissioned with a 2+1+1 contract duration (two years, plus two discretionary extensions of a further year each) from 1 April 2017 (see MD2031). It is an assessment and reconnection service. People who are seen sleeping rough for the first time are supported to access the service by outreach teams, and once at a hub they spend time with specialist staff who will establish their current situation and the best options available to them. The NSNO team then make people an offer of help based on their specific circumstances and needs and support them to take up that offer.
- 2.3 The core NSNO contract comprises three 'assessment hubs', two 'staging posts', and Severe Weather Emergency Protocol (SWEP) provision. The staging posts provide short-term accommodation and 24-hour support to people coming through NSNO who require additional support or time to achieve a sustained outcome. The Mayor has also significantly improved SWEP in the capital in recent years. Improvements include changing the trigger for emergency shelters to open from a forecast three consecutive nights of freezing weather to just one, and championing through his NSNO service the 'In for good' principle that all boroughs have now signed up to.
- 2.4 During 2018/19, NSNO worked with over 1,600 people who were sleeping rough of which 79 per cent were not seen rough sleeping again in that year. However, there are limitations on the success of NSNO, for example, some people refuse to attend the service due to the journey time to get to the hub. In addition, the length of time people spend in the assessment hubs is often considerably beyond the target times, meaning new people cannot enter the service. This is because move-on options such as supported housing and adequate privately rented properties for people to move into, are so limited.
- 2.5 For the last two years, to help address the above issues, NSNO provision was expanded to include floating hubs and two additional staging posts. Floating hubs provide emergency assessment at hotspots of rough sleeping and for specified cohorts of rough sleepers, such as people involved in street drinking, those with mental health issues, or non-UK nationals. By the end of February 2019, eighteen hubs had operated in fourteen different boroughs, assisting 399 people, with over two-thirds of these people not returning to rough sleeping after the hub.
- 2.6 The two additional staging posts have provided extra places to stay for those people who had visited NSNO and were awaiting a longer-term offer. Between April and December 2019, the additional staging posts accommodated 316 people, with only 2% returning to sleeping rough. Following the introduction of the additional staging posts in September 2018, the proportion of new rough sleepers who were not able to be referred to NSNO because the hubs were full had declined from 26 per cent to eight per cent.
- 2.7 In November 2019, a specialist No Second Night Out Private Rented Sector (PRS) Access team commenced. The team works with people from NSNO hubs, staging posts and floating hubs, and also people referred by outreach teams, for whom PRS accommodation is their most suitable route out of rough sleeping. The PRS Access team will source up to 200 additional properties per year and also provides pre-tenancy training and support to set-up their home to people moving into PRS housing.

- 2.8 There is a clear case for continuing the enhancements to the NSNO service, and this MD approves £2.21m extra spending to:
- continue the 'floating hubs' model, at a cost of £0.79m, to run twelve floating hubs from April 2020 to March 2021, with a target to support 270 people of which at least 70 per cent will not return to rough sleeping;
 - continue the additional staging posts, at a cost of £1.24m, to provide 51 bed spaces from April 2020 to March 2021, supporting at least 325 people into longer-term accommodation; and
 - continue the specialist PRS Access team, at a cost of £0.19 from October 2020 to March 2021, supporting at least 200 people to move into PRS accommodation during 2020/21.
- 2.9 It is proposed that there is variation to the NSNO contract with St Mungo's for the services that will be delivered with the 2020/21 funding outlined above, rather a new tender process. There are sound reasons for this. First, the current provider is the only one with access to the required buildings and the appropriate staffing structure in place. Second, retendering would result in a significant and unacceptable delay, and would affect the continuity of the service. There is also unlikely to be competition from other service providers because of the above reasons and the constrained timeframe in which funding is available.
- 2.10 The NSNO contract was entered following an OJEU procurement exercise to identify a provider. The initial NSNO contract value was £14.72m over four years (£3.68m per annum). This contract was subsequently varied by an additional £1.53m (approved under MD2333), £2.04m (approved under MD2481) and £2.63m (approved under MD2515). As a result of the changes above, a variation to the NSNO contract is required to ensure that additional investment of £2.21m be captured.

Routes Home

- 2.11 Routes Home assists non-UK national rough sleepers with support needs to find a route away from the streets. It helps them to access advice, accommodation and work in the UK, or supports them to voluntarily return to access accommodation and support in their home country. The service provides 16 bed spaces as part of its core contract.
- 2.12 In 2019/20, the GLA used funding secured from the Government to expand the Routes Home staffing team, the level of immigration advice and accommodation options, including the provision of three additional bed spaces.
- 2.13 Earlier this year, MHCLG also extended the suspension of derogation in relation to the use of funds for support of non-UK nationals in their first three months in London until the end of December 2020.
- 2.14 This MD approves extra spending of £0.22m to continue this work for one year, to fund:
- two members of staff to work in and alongside the NSNO floating hubs with EEA nationals who need assistance to access work and accommodation, or want to return to their home country;
 - three additional bed spaces to accommodate non-UK nationals whilst this support is being delivered; and
 - work with non-UK nationals who need support and advice regarding immigration.
- 2.15 This will support an additional 60 people to exit rough sleeping.
- 2.16 The current provider has the technical expertise to provide this service. If this additional provision were commissioned by competitive tender, the project would be significantly delayed. Furthermore, this would increase the risk of two contractors working with the same client group, which would be inefficient and costly due to duplication of services. The Routes Home contract was entered following an OJEU procurement exercise to identify a provider. Its initial contract value was £3.00m over five years (£0.599m a year). This contract was subsequently varied by approval of an additional £0.127m under MD2333 and 0.22m under MD2481. The changes above will result in a variation of contract to

capture additional investment of £0.22m. The proposed variation is for services included within the scope of the original contract.

Tenancy Sustainment Teams and Clearing House

- 2.17 The Clearing House stock comprises over 3,500 homes, provided by housing associations, that are ring-fenced for people who have slept rough in London. Most people in Clearing House accommodation receive support from Tenancy Sustainment Teams (TSTs), of which there are currently two – one in north London, and the other in south London. Since April 2016, they have been provided by St Mungo's and Thames Reach respectively, awarded through an OJEU competitive tender process.
- 2.18 The support that people in Clearing House accommodation receive is not generally available to former rough sleepers who move into the private rented sector (PRS) or some other types of accommodation. There is clearly a gap in this provision – one which has increased in recent years as councils have had to decommission floating support services as a result of budget cuts. To remedy this, in 2019/20 the work of the Tenancy Sustainment Teams was expanded to support former rough sleepers in PRS accommodation. Although these PRS homes are not Clearing House stock, the Clearing House also administers these referrals. The TSTs commenced working with people moving into the PRS in November 2019 and by February 2020, had already supported 91 people.
- 2.19 The original value of the TST north contract (St Mungo's) was £6.03m. To date the contract has been varied as follows:

Contract/Variation	Value
Variation No. 1 – Contract Name Change	Zero
Variation No. 2 – Additional capacity	£103,809
Variation No. 3 – GRPR	Zero
Variation No. 4 Contract extension to 31.03.2020	£1,206,931
Variation No. 5 Contract extension to 31.03.2021	£1,206,931 (awaiting approval of MD2620)
Variation No. 6 Private Rental Sector (PRS) Service extension	£460,712
Variation No. 7 Real Lettings Property Fund 2 (RLPF2)	£175,000
Variation No. 8 Additional support to non-UK nationals 2019/20	£106,000
Variation No. 9 extension of support for non-UK nationals 20/21	£129,000 (awaiting approval, covered in MD2620)

- 2.20 The original value of the TST south contract (Thames Reach) was £6m. To date the contract has been varied as follows:

Contract/ Variation	Value
Variation No. 1 – Contact Name Change	Zero
Variation No. 2 – Additional	£44,796
Variation No. 3 GDPR	Zero
Variation No. 4 Contract extension 01.04.19 – 31.03.2020	£1,199,692
Variation No. 5 Contract extension 31.03.2021	£1,199,692 (awaiting approval of MD2620)
Variation No. 6 Private Rental Sector (PRS) Service extension	£434,630
Variation No. 7 Real Lettings Property Fund 2 (RLPF2)	£175,000

Variation No. 8 Additional support to non-UK nationals	£44,000
Variation No. 9 extension of support for non-UK nationals 20/21	£15,000 (awaiting approval of MD2620)

- 2.21 The original value of the Clearing House contract (St Mungo's) was £1.05m. To date the contract has been varied as follows:

Contract/Variation	Value
Variation No. 1 Contact Name Change	Zero
Variation No. 2 GDPR	Zero
Variation No. 3 Contract extension to 31.03.2020	£209,992
Variation No. 4 Move On Programme 19/20	£154,372
Variation No. 5 PRS TST	£75,655
Variation No. 6 Contract extension to 31.03.2021	£209,992 (awaiting approval MD2620)
Variation No. 7 Move On Programme 20/21	£141,102 (awaiting approval MD2620)

- 2.22 This MD seeks approval of £0.48m extra spending to continue this work for one year, to fund TST support to up to 500 people moving into PRS accommodation for 12 months, with Clearing House administering referrals (£0.48m).

Rapid Response outreach

- 2.23 Until 2019, all outreach teams in London both responded to StreetLink referrals and provided intensive case management. The pressure on resources meant that responding to StreetLink referrals was not always prioritised by teams and response times were variable. As set out in the Mayor's Rough Sleeping Plan of Action, the GLA wished to pilot an outreach response across London to respond to StreetLink referrals in a consistent way. The aim is to ensure that local outreach teams and London Street Rescue can focus on supporting and helping those living on the streets, whilst StreetLink referrals are responded to more quickly by a new team.
- 2.24 A new Rapid Response Team launched in 2019 and is now working in 24 boroughs. Between when the service commenced, in April 2019, and December 2019, the service worked with 1,278 people and supported 682 people into accommodation. Under the initiative, funding was also provided to the remaining nine London boroughs to enhance their existing outreach provision so that it works towards the same principles.
- 2.25 This MD approves extra spending of £0.6m continue this work for one year, through grant funding to Thames Reach.
- 2.26 The Rapid Response team will look for every StreetLink referral at least twice on average. They seek to offer an immediate route off the streets for every person they find sleeping rough, and prioritise people sleeping rough who contact StreetLink directly.

Mental health support (EASL)

- 2.27 Half of people seen rough sleeping in London have a recorded mental health support need. However, their circumstances and the uneven distribution of specialist mental health services across London mean that it is often difficult for outreach workers to access appropriate mental health support for the people they work with.
- 2.28 In 2019/20, the GLA used funding secured from the Government to provide mental health support through Enabling Assessment Service London (EASL). The service's experienced mental health practitioners work in conjunction with outreach teams to help people with mental health needs to

access the support, treatment and accommodation which they need. In that year, the service provided assessment, advice and guidance for 437 people sleeping rough in London.

2.29 To continue this project for a further year, this MD approves expenditure of £0.19m to provide one year's grant funding to Enabling Assessment Service London (EASL) for expert multi-disciplinary mental health support.

2.30 This work should result in at least 100 additional people with mental health needs exiting rough sleeping.

Equipping Shelters Project

2.31 Winter night shelters have played a key role in tackling rough sleeping in London. Last year there were at least 39 shelters. The majority are staffed by volunteers, operating only in winter months and generally have limited capacity to carry out daytime case management to resolve the circumstances of an individual rough sleeping.

2.32 In the winters of 2018/9 and 2019/20, a grant-funding programme (the Equipping Shelters Project) was delivered by Housing Justice to develop the capacity and quality of winter night shelters. In 2018/19, 173 additional bed spaces, supporting 363 people, were provided through the Equipping Shelters Project and in 2019/20, the programme provided 71 additional bed spaces and supported 523 people. Towards the end of the winter, when the Covid-19 emergency struck, those in winter night shelters were prioritised for the emergency accommodation procured by the GLA to protect rough sleepers at risk from the virus. Work is underway to determine how to provide safe emergency accommodation for the winter months for rough sleepers in the Covid-19 era.

2.33 This MD approves £0.45m spending to continue the programme in 2020/21. It will grant-fund Housing Justice to administer the Equipping Shelters Project to improve emergency accommodation throughput, provide more sustainable solutions for rough sleepers, and enable more accommodation to be available and to open earlier in the winter.

Staff resource

2.34 In 2019/20 the GLA secured funding from the Government for additional Senior Project Officer role within the Rough Sleeping Team, to lead on the implementation and monitoring of a number of the services in the Mayor's expanded Life Off the Streets Programme.

2.35 This MD approves £0.06m of spending to continue to fund this post in 2020/21.

2.36 The staff member remains in post (approved under HOPS 0311) and the GLA has secured external funding (from Government) for the role again in 2020/21, to continue to oversee the delivery of rough sleeping services and lead on partnership work with boroughs in one of London's housing partnership sub-regions.

Peer led outreach

2.37 Most people who sleep rough in London are not on the streets for a long time. Supported by services like No Second Night Out and the quick response from outreach teams across London, 72 per cent of people who sleep rough in London are only seen sleeping rough once. However, a significant number of people are homeless for much longer than this. In 2018/19, there were almost 2,000 people who were sleeping rough in London for the second consecutive year.

2.38 Many continue to live on the streets for long periods despite offers of help from homelessness services and there are some people with whom outreach team struggle to meaningfully engage. In these instances, those sleeping rough may be reluctant to work with outreach teams due to previous bad experiences with homelessness services, suspicion of professionals or difficulty forming relationships with others.

- 2.39 For this reason, the GLA has secured funding from the Government to expand the work of a peer-led outreach team which currently works only outreach team, to also operate across four other London boroughs.
- 2.40 The team will work to engage long-term rough sleepers who have outreach teams have failed to support off the streets and who often do not engage with other homelessness services. Gradually, through building confidence and trusting relationships, it supports people to consider other options, such as assistance related to any support needs and available offers of accommodation. The service would also offer the opportunity for the peer volunteers, who themselves have slept rough in London, to become paid trainees.
- 2.41 This MD approves £0.21m spending to grant fund Riverside to expand the work of their 'Street Buddies' outreach service to work in an additional four London boroughs for one year.
- 2.42 The initiative will support at least 15 rough sleepers leaving the streets in 2020/21. These will be some of London's longest-term rough sleepers who outreach teams have previously failed to support into accommodation. At least 25 other rough sleepers will be supported to access to other services to improve their chances of an independent, sustainable and healthy life.

Supported housing service

- 2.43 Finding accommodation options for people sleeping rough or those in services such as No Second Night Out is often a challenge, especially so for people with support needs such as mental health issues or drug or alcohol support. The GLA has very little access to accommodation, which has both onsite support and length of stays of longer than one month.
- 2.44 The GLA has secured funding to source a number of small supported housing sites, in order to increase supply of affordable, supported accommodation for people moving out of pan-London services and directly from the streets.
- 2.45 People in the properties will be accommodated in these sites for six to nine months, providing time to help them to address any support needs, enabling them to then move on into longer-term accommodation.
- 2.46 This MD approves £0.75m spending to grant fund charitable organisations to deliver up to three new supported housing sites for one year.
- 2.47 This service will support at least 40 people over the course of the year.
- 2.48 Delegated authority to the Executive Director – Housing and Land, in consultation with the Deputy Mayor for Housing and Residential Development, is also requested to approve allocation of grant funding based on the recommendations by GLA officers in the Rough Sleeping team. This will be approved through a paper to Housing and Land Directorate Management Team Meeting (DMT).

3 Equality comments

- 3.1 Under section 149 of the Equality Act 2010, as public authorities, the Mayor and GLA are subject to a public-sector equality duty and must have 'due regard' to the need to: (i) eliminate unlawful discrimination, harassment and victimisation; (ii) advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and (iii) foster good relations between people who share a relevant protected characteristic and those who do not. Protected characteristics under section 149 of the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (all except the last being "relevant" protected characteristics).

3.2 Of those seen rough sleeping in 2018/19:

- 51 per cent were non-UK nationals;
- 50 per cent had a mental health need;
- 16 per cent were women;
- most of those seen rough sleeping (56 per cent) were in the 26-45 age group;
- eight per cent were under 26 years old;
- 12 per cent were over 55; and
- five people were under 18.

3.3 Those with protected characteristics of race and disability are over-represented among rough sleepers, as the client group for these services is people with a history of sleeping rough the proposals in this paper are likely to have positive impacts on these groups. Further it is likely to foster good relations between people who share a characteristic and those who don't via the new workforce.

4 Other considerations

a) Key risks and issues

Risk description	Impact	Likelihood	Mitigating action
Insufficient staff resources within the GLA to develop, deliver and monitor the new services and projects will reduce the effectiveness of current services and mean that new services are not developed and delivered effectively. There is a potential risk to the safety of clients if services are poorly designed and delivered, or providers are not effectively monitored.	High	Low	There are dedicated GLA leads for each new service and this funding allows for the retention of an additional member to the team recruited in 19/20. The providers are sending weekly updates to the rough sleeping lead and the rough sleeping team manager.
The providers may perform poorly, negatively impacting on the achievement of key Mayoral objectives and more detailed service-specific KPIs.	Medium	Low	Robust contract and rigorous contract monitoring by the GLA of service providers will ensure that poor performance is identified and rectified quickly and appropriately.
The number of rough sleepers may reduce to the point where the services are no longer required, or required at the levels envisaged, or the nature of rough sleeping may change, making the services and projects less relevant.	High	Low	The GLA Rough Sleeping Team constantly monitors the rough sleeping landscape, through detailed quarterly CHAIN report and through strategic and operational interactions with key stakeholders from boroughs, service providers, central government and others (including through the Mayor's No Nights Sleeping Rough Taskforce). The funding is only

			for eight months so any changes necessary can be made during this time.
Covid-19 will necessitate changes in the approach to delivering services to rough sleepers that could make the services outlined above more expensive or challenging to deliver.	High	Low	The GLA Rough Sleeping Team is working closely with the sector to determine how to deliver services safely and appropriately in the Covid-19 era. All funded services will be assessed and, where necessary, adapted to ensure that this is the case.

b) Links to Mayoral strategies and priorities

4.1 See paragraph 1.2 above.

c) Impact assessments and consultations

4.2 The bids for the proposed new services and project were developed in partnership with the Mayor's 'Life Off the Streets' taskforce and were informed by in-depth consultation with stakeholders from London boroughs, voluntary sector providers and the wider homelessness sector.

4.3 There are no interests to declare of any of the reviewers of this approval.

5 Financial comments

5.1 This decision requests an approval for the receipt of £6.6m from MHCLG.

5.2 This decision requests approval for expenditure of £5.17m on programmes listed in paragraph 1.5 and detailed in section 2. The expenditure will be incurred in 2020/21 from Housing and Land rough sleeping RSI funding.

5.3 As set out elsewhere in this report, a further Mayoral Decision will be sought which will set out the overall financial position on rough sleeping in 2020-21, which will bring together the commitments made against the funding sources available.

6 Legal comments

Powers to undertake the requested actions

6.1 The foregoing sections of this report indicate that the decisions requested of the Mayor fall within the statutory powers of the Authority to promote and/or to do anything which is facilitative of or conducive or incidental to the promotion of social development in Greater London and in formulating the proposals in respect of which a decision is sought officers have complied with the Authority's related statutory duties to:

- (a) pay due regard to the principle that there should be equality of opportunity for all people;
- (b) consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
- (c) consult with appropriate bodies.

- 6.2 In taking the decisions requested of him, the Mayor must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010, and to advance equality of opportunity between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Mayor should have particular regard to section 3 (above) of this report.

Variation of existing contracts

- 6.3 This decision form seeks approval of variations of the Authority's contracts with St Mungo's in relation to the No Second Night Out, Routes Home, Tenancy Sustainment and Clearing House projects. The decision form also seeks approval for a variation of Thames Reach's contract in relation to the Tenancy Sustainment project.
- 6.4 The Public Contracts Regulations 2015 (the "Regulations") allows for a variation of a contract for additional services by the original contractor that have become necessary and that were not included in the original procurement, where a change of contractor cannot be made for economic or technical reasons and which would cause significant inconvenience or substantial duplication of costs for the Authority, provided that the variation does not amount to more than 50% of the original contract value.
- 6.5 In the case of each of the variations of the contracts listed in paragraph 6.3 above, the variation amounts to less than 50% of the contract. Furthermore, officers have set out at paragraphs 2.2 to 2.22 above the economic and technical reasons why a change of contractor cannot be made.
- 6.6 The officers should note that in accordance with Regulations, the Authority is required to publish a notice in the Official Journal of the European Union in relation to the variation of each agreement. Officers should liaise with TfL's procurement team as regards the said notices and the appropriate documentation, which is required to record the agreement of the parties as to the variations.
- 6.7 The decision form also seeks an exemption from the requirements of the Authority's Contracts and Funding Code (the "Code") in relation to each exemption. To that end, an exemption may be approved, where the service provider has previous involvement in a specific current project or there is a need for the continuation of existing work that cannot be separated from the new project. The officers have set out at the said paragraphs how the requirements for each exemption have been met.

Provision of grant funding

- 6.8 Decisions 2d; e; f; h and i of this decision form seek approval for grants from the Authority to various recipients. Officers are reminded of the need to comply with section 12 of the Code when distributing the said grant funding and of the need to ensure that an appropriate funding agreement be put in place between the Authority and the recipients prior to the payment of any part of the funding.

Services for non-UK nationals

- 6.9 Decision 2b of this decision form requests approval for a variation of the Authority's contract with St Mungo's in relation to the Routes Home project. That variation includes the provision of additional support services to non-UK nationals. Officers should take note of the UK government's derogation from Article 24(2) of the Free Movement Directive as regards the need to provide equal treatment between UK and EEA citizens during the first three months following EEA citizens' arrival in the UK (the "Derogation"). Furthermore, as noted at paragraph 2.13 above, the Derogation is currently suspended until 31 December 2020. The provision of such support by the Authority beyond that date will first require a further extension of the suspension period.

Delegation

- 6.10 Any function exercisable by the Mayor on behalf of the Authority may also be exercised by a member of staff of the Authority albeit subject to any conditions, which the Mayor sees fit to impose. To this end, the Mayor may make the requested delegation to the Executive Director – Housing and Land, in consultation with the Deputy Mayor for Housing and Residential Development, if he so chooses.

7. Planned delivery approach and next steps

Milestones	Indicative date*
Mayoral approval secured	August 2020
RSI services funded in 2019/20 to continue for one year	RSI funded projects 1 April (providers running at their risk)
RSI services funded for the first time in 2020/21 to commence	July 2020
Quarterly contract monitoring meeting and reporting	August 2020 onwards

**indicative dates, subject to change*

Appendices and supporting papers:

Appendix A: Confirmed funding totals

Appendix B: Memorandum of Understanding

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

David Orton has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Rickardo Hyatt has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Tom Copley has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

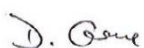
Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 3 August 2020.

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature



Date

4 August 2020

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature



Date

4 August 2020