

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2211

Title: London Health Estates Strategy

Executive Summary:

The London Estates Board agreed in February 2018 that a London Health Estates Strategy is required, to inform the development of the capital plan and support future investment. The Strategy will draw together the estates proposals of the emerging five Sustainability and Transformation Partnerships and the work completed to date by the London Estates Delivery Unit and provide an over-arching vision that reflects the aims and outcomes of the London Estates Board.

Decision:

That the Assistant Director of Strategic Projects and Property approves:

1. expenditure of £25,000 on services required to develop a draft London Health Estates Strategy;
2. a related single source exemption from the GLA's Contracts and Funding Code to commission the above services from Deloitte without procuring competitively.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT:

I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Simon Powell

Position: Assistant Director of Strategic Projects and Property

Signature:



Date: 13.3.2018

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1 The London Health and Social Care Devolution Memorandum of Understanding (MOU), which was signed in November 2017, commits the GLA, London Councils, London Clinical Commissioning Groups, national NHS partners, Department of Health and Treasury to work together to deliver health and social care transformation. As part of this the London Estates Board (LEB) has been created to provide a single forum for NHS estate related discussions and to directly solve the challenges involved in securing NHS estates approvals and disposals. As it matures, subject to agreed gateways, the LEB will also provide a forum within which NHS capital investment decision-making, including delegated business case approvals and capital allocation considerations, can be exercised.
- 1.2 A key requirement of the next gateway is the development of a capital plan for London that draws on local and sub-regional (STP) estate strategies. Following a request from national partners, the LEB agreed in February 2018 that a London Estates Strategy is required, to inform the development of the capital plan and support future investment.
- 1.3 The Estates Strategy will draw together the estates proposals of the emerging five Sustainability and Transformation Partnerships and the work completed to date by the London Estates Delivery Unit (LEDU) and provide an over-arching vision that reflects the aims and outcomes of the LEB.
- 1.4 Section 9 of the GLA's Contracts and Funding Code requires, where the expected value of a contract for services is between £10,000 and £150,000 the services required should be procured competitively or called off from an accessible framework. Section 10 provides however, that an exemption from this requirement may be approved where the proposed contractor has had previous involvement in a project or is to continue existing work which cannot be separated from the new project/work.
- 1.5 Deloitte has an ongoing involvement in the work of the LEB and LEDU, by virtue of the fact that LEDU is currently led by a secondee from Deloitte, who has developed a considerable amount of knowledge of STP estate plans and relationships with the relevant partners and has a full understanding of what the LEB and national partners are expecting from the draft Strategy. They will be able to work at pace with relevant experts at Deloitte, in order for this discreet piece of work to be delivered within the timetable set by the LEB.
- 1.6 The rate provided by Deloitte is comparable with similar organisations, having regard to the expertise of the personnel identified and the proposed time allocated, thereby ensuring that value for money is being secured.

2. Objectives and expected outcomes

- 2.1 Development of a draft London Health Estates Strategy as described above.

3. Equality comments

- 3.1 Officers have given due regard to their duty in respect of section 149 of the Equality Act 2010.
- 3.2 As stated above, the draft London estates strategy will draw together the estate strategies of the STPs. The STPs themselves are subject of a review by the King's Fund (see DD2211) which will

assess the impacts of the STPs on those groups with protected characteristics as well as addressing health inequality (which is experienced by Londoners with protected characteristics and other groups of Londoners). As an output of the STP process, the estate strategies, which in turn will form the basis of the London estates strategy will have their equalities impacts addressed.

4. Other considerations

- 4.1 The key risk for this expenditure is that the draft strategy will not be delivered within budget or on time and/or will not deliver expected outcomes. A fixed price will ensure the project is kept to budget. The LEB has requested a draft of the strategy for discussion at its next meeting on 29 March 2018, therefore the specification for the work will identify this timetable with milestones to ensure the project is kept on time. The specification for the work will clearly identify objectives and expected outcomes.

5. Financial comments

- 5.1 This decision requests approval to incur expenditure of £25,000 for development of a draft London Health Estates Strategy as well as seeks single source exemption from the GLA's contracts and Funding Code to commission this service from Deloitte, without procuring competitively.
- 5.2 The above expenditure will be funded from London Devolution budget, within the Health team as follows: £20,000 will be spent in 2017/18 financial year with the remaining (£5,000) incurring in 2018/19 financial year.

6. Legal Comments

- 6.1 The foregoing sections of this report indicate that:

- 6.1.1 The activity in respect of which approval is sought may be considered to be facilitative of and conducive to the exercise of the GLA's powers:

- (a) and discharge of its obligations under part 7A (Housing and Regeneration) of the Greater London Authority Act 1999; and
- (b) under section 30 of the Greater London Authority Act 1999 to undertake such activity as may be considered to promote economic development and wealth creation, social development and the improvement of the environment in Greater London and have complied with the Authority's related statutory duties to:
 - (i) pay due regard to the principle that there should be equality of opportunity for all people;
 - (ii) 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
 - (iii) consult with appropriate bodies.

- 6.2 In taking the decisions requested, the assistant director 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 assistant director should have particular regard to section 3 (above) of this report.

- 6.3 Section 9 of the GLA Contracts and Funding Code (the 'Code') requires the GLA to call off the services required from an accessible framework or conduct a competitive procurement exercise for the same. The assistant director may however, approve an exemption from this requirement under section 10 of the Code upon certain specified grounds. Two of those grounds are that exemptions may be approved where there is an absence of competition and/or the proposed contractor has had previous involvement in a specific current project or the work is continuation of existing work that cannot be separated from the new project/work. Officers have indicated at section 1 of this report that this ground applies, the assistant director may therefore, approve the exemption proposed if satisfied with the supporting content of this report.
- 6.4 Should approval of the proposals set out as decisions be granted officers must ensure that appropriate contract documentation is put in place and executed by the GLA and Deloitte before the commencement of the services.

7. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract	Mar 18
Announcement	Mar 18
Delivery Start Date	Mar 18
Delivery End Date	Mar 18
Project Closure	Mar 18

Appendices and supporting papers:

- a) Single source request form

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) 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 approval or on the defer date.

Part 1 Deferral:

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

Until what date: (a date is required if deferring)

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be 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:**

Justin Carr has drafted this report in accordance with GLA procedures and confirms that the Finance and –if relevant- Legal teams have commented on this proposal as required, and this decision reflects their comments.

Corporate Investment Board:

The Corporate Investment Board reviewed this proposal on 12 March 2018.

HEAD OF FINANCE AND GOVERNANCE:

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

Signature:



Date:

13.03.18

