

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2559

Title: 'Life off the Streets' – services to support a sustainable route off the streets for non-UK national rough sleepers

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. The Mayor has been expanding these services since taking office, and he is expanding them further this year. This Mayoral Decision seeks approval for expenditure of £4.674m of funding secured from the Government on a range of services and initiatives to support non-UK national rough sleepers in London.

Decision:

That the Mayor:

1. approves the receipt of £4.674m secured from the Ministry of Housing, Communities and Local Government;
2. approves expenditure of the above-mentioned £4.674m as follows:
 - a. £0.99m to expand the existing Routes Home service (by contract variation between the Greater London Authority (GLA) and St Mungo's);
 - b. £0.15m to expand the two existing Tenancy Sustainment Team (TST) services to provide support for non-UK nationals in Clearing House properties (by contract variation between the GLA and St Mungo's and the GLA and Thames Reach);
 - c. £0.06m to develop the CHAIN database and service to support the other elements of this decision (by contract variation between the GLA and St Mungo's);
 - d. £1.156m to expand the No Second Night Out (NSNO) service to include additional rent deposits for non-UK national rough sleepers;
 - e. £1.90m budget for additional specialist services for non-UK national rough sleepers, including those arising from priorities to be set by a new governance group;
 - f. £0.19m for new posts;
 - g. £0.05m to expand the London Street Rescue (LSR) service, for personalised budgets for people sleeping rough in boroughs covered by LSR (by contract variation to Thames Reach);
 - h. £0.035m for independent immigration advice and casework for non-UK nationals sleeping rough in London (by grant to The Connection at St Martin in the Fields); and
 - i. £0.143m for enhanced hospital discharge and winter provision (by grant to Pathway, Single Homelessness Project, Homeless Health CIC and Imperial College Healthcare Trust);
3. approves an exemption from the requirements of the Contracts and Funding Code in relation to GLA's proposed variations of its existing contracts as per decisions 2 a, b, c and d above;
4. delegates authority to the Executive Director – Housing and Land, in consultation with the Deputy Mayor for Housing and Residential Development, to approve allocation of additional specialist projects proposed by the new governance group (as per point e. above).

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:

10/3/20

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 streets, 51 per cent were non-UK nationals, and 31 per cent were from Central and Eastern European (CEE) countries. Around three-quarters had one or more support needs, with 50 per cent having a need related to mental health, 42 per cent to alcohol, and 41 per cent to drugs.
- 1.2 Since 2016, the Mayor has coordinated efforts 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 2018, 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 Rough Sleeping 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 people with experience, or at risk, of sleeping rough, 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 £4.674m spending for which approval is sought will further expand the Mayor's Life Off the Streets programme to provide additional services and initiatives for non-UK national rough sleepers in London. £3.32m of the funding has been secured from MHCLG's Controlling Migration Fund (CMF) and £1.354 from MHCLG's Cold Weather Fund (CWF).
- 1.5 Due to their immigration status, the Government's hostile environment policies and the changes to welfare entitlements for EEA nationals that came into force in 2014, the options open to non-UK national rough sleepers are limited. The Mayor opposes the hostile environment, which threatens social integration and leaves vulnerable people without access to essential services and has called for the policies to be scrapped. In addition, the Mayor believes that enforcement is not a solution to rough sleeping and therefore GLA-commissioned services do not incorporate this practice. To optimise the benefits of the programme outlined in this Mayoral Decision (MD), its development and delivery and wider work in this area will be overseen by a new governance group, including representatives from the migrant support sector.
- 1.6 It is proposed that the £3.32m CMF funding will be spent as follows:
 - £0.99m for an 18-month expansion to the Mayor's Routes Home service – a project which provides support for migrant rough sleepers in the capital. £0.84m is for 13 additional beds spaces and associated support for those with support needs. £0.15m is for the expansion of the Metro model, which provides additional assistance to people who choose to reconnect to their home country by connecting them with appropriate services;
 - £0.15m to expand the Mayor's Tenancy Sustainment Teams (TSTs) to provide additional support to people in Clearing House properties for 18 months;
 - £0.06m to expand the Mayor's CHAIN database to create and update relevant data fields on the system and provide enhanced analysis and interpretation of data;
 - £0.03m to expand the Mayor's NSNO service to source private rental sector properties for non-UK national rough sleepers assisted by NSNO;
 - £1.90m for additional services to be developed in consultation with the newly-created governance group. These may include specialist outreach, hostel accommodation, sourcing of private rented

sector properties and support for people who are work-ready to move on to independent living; and

- £0.19m for two new posts, the creation of which has been approved through a Head of Paid Service Decision CO100. The staff appointed will oversee this project and lead on the creation and co-ordination of the new governance group focusing on migrant rough sleeping.

1.7 It is proposed that the £1.354m CWF funding will be spent as follows:

- £1.126m to enhance the floating hubs and No Second Night Out (NSNO) services;
- £0.05m to spot-purchase emergency accommodation;
- £0.035m for an immigration caseworker; and
- £0.143m for enhanced hospital discharge and winter step-down and step-up provision.

1.8 The detail of the services and initiatives in the above two paragraphs is set out in section 2.

1.9 When the Mayor came to office, the GLA was spending £8.45m per annum on its rough sleeping services. This year the total GLA budget for rough sleeping services will have more than doubled to over £19m, not including the funding outlined in this MD.

1.10 Variations to the GLA's contracts with St Mungo's (NSNO, Routes Home, TST North and CHAIN) and Thames Reach (TST South) will be required to incorporate the increased spend outlined above, which requires an exemption under Paragraph 10 of the Contracts and Funding Code on the grounds of previous involvement in a specific current project or continuation of existing work that cannot be separated from the new project/work. The other services will be provided on a grant-funded basis or competitively procured.

2 Objectives and expected outcomes

2.1 The aim of these new services is to expand the Mayor's Life off the Streets programme, to help achieve his vision for everyone sleeping rough in London to have a route away from the streets.

2.2 The £4.674m approved by this MD will support the expansion of current and delivery of new services and initiatives, as set out in paragraphs 1.5 and 1.6.

Routes Home

2.3 Routes Home assists non-UK rough sleepers with support needs to find a route away from the streets. It helps them to access necessary advice (such as immigration advice), establish their status and entitlements, and access accommodation and work in the UK. If, following advice and support, the individual decides voluntarily to return to their home country, they are supported in accessing accommodation and support there. The service provides 16 bed spaces as part of its core contract, with a further three beds provided through additional funding from MHCLG secured in 2019 (approved by MD2481).

2.4 This MD seeks approval for £0.99m (from CMF) of additional spending to expand this work:

- £0.85m for 13 additional bed spaces and appropriate support (for 18 months); and
- £0.14m for an expansion of the Metro model into at least three new countries (Romania, Portugal and one other to be agreed subject to analysis of demographic trends). This will develop partnerships with services outside of the UK and provide support for migrants in their home country. It will ensure that there are effective services available in someone's home country, where they choose to go home (for 18 months).

2.5 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 £3m over five years (£0.6m a year). This contract was subsequently varied by approval of an additional £0.13m under MD2333 and £0.22m under MD2481. The changes above will result in a variation of contract to capture additional investment of £0.99m. The proposed variation is for services included within the scope of the original contract.

- 2.6 This MD proposes an exemption from the GLA contracts and funding code as the proposed work represents a continuation of the existing Routes Home contract and would be unviable if procured on a standalone basis.

Tenancy Sustainment Teams (TSTs)

- 2.7 The Clearing House housing 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 TSTs, of which there are currently two – one in north London, and the other in south London.
- 2.8 There are 208 non-UK European Economic Area (EEA) nationals and 342 non-EEA nationals currently living in the Clearing House properties, supported by the GLA-commissioned TSTs. These groups require specialist support over and above that generally provided to other Clearing House residents, particularly in relation to language skills, access to advice, securing and understanding entitlements, and sourcing documentation.
- 2.9 This MD seeks approval for £0.15m of additional spending (£0.106 to TST North and £0.044 to TST South) to fund additional support for eighteen months to non-UK nationals in Clearing House properties.
- 2.10 Since April 2016, the TSTs have been provided by St Mungo's (TST North) and Thames Reach (TST South). The current providers have the technical expertise to provide this support. If this additional provision was commissioned by competitive tender, there would be significant delay to these projects, as well as duplication of costs with two contractors working with the same client group in the same boroughs at the same time.
- 2.11 The TST contracts were entered following an OJEU competitive tender process and commenced on 1 April 2016. For TST North, the initial contract value was £6.05m over five years (£1.21m a year) and for TST South £6m over five years (£1.2m a year). These two contracts were subsequently varied twice, first by an additional £0.15m (£0.1m TST North and £0.05m TST South) (approved by MD2297) and, second, by £0.35m (£0.175m TST North and £0.175m TST South) (approved by MD2515).

Expansions to CHAIN

- 2.12 The CHAIN database¹ collects and contains limited data on non-UK national rough sleepers. Further development of recording features and improvements in analytical capacity would improve the quality of information and its interpretation, helping to inform policy and service development. Furthermore, the additional rough sleeping services proposed in the MD will place additional support and maintenance requirements on the CHAIN service.
- 2.13 This MD seeks approval to spend £0.06m on enhancements to the CHAIN database and service. These enhancements will not result in any change to current practices regarding data sharing and no data will be shared with government agencies without a client's explicit and informed consent unless legally required to do so.
- 2.14 The Authority's CHAIN contract with St Mungo's was entered following an OJEU procurement process and commenced on 1 April 2016. The initial contract value was £1.1m over five years (£0.21m a year). 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,

¹ The CHAIN (Combined Homelessness Information Network) is a database that holds information about rough sleepers, provided by rough sleeping services across London.

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.

- 2.15 This MD proposes an exemption from the GLA Contracts and Funding Code as the proposed work represents a continuation of the existing CHAIN contract and would be unviable if procured on a standalone basis.

Expansion to No Second Night Out (NSNO)

- 2.16 NSNO supports people who are seen sleeping rough for the first time. They are supported to access the service by outreach teams. 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, as well as supporting them to take up that offer. For those migrant rough sleepers with low support needs who are working or close to work who access the service, the current options available for these group are extremely limited.
- 2.17 This MD seeks approval to spend £0.03m to source private rental sector properties for non-UK national rough sleepers assisted by NSNO through the CMF.
- 2.18 It also seeks approval to spend £1.126m to enhance the Mayor's floating hubs and NSNO services to have greater focus on EEA nationals through the CWF. This will include access to bed and breakfasts (B&B) and staging-post bed spaces, alongside additional Employment, Training and Education (ETE) workers, delivered by St Mungo's;
- 2.19 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 the following additional amounts: £1.54m (approved by MD2333), £2m (approved by MD2481) and £1.97m (approved by MD2515). A variation to the NSNO contract is required to ensure that the additional investment of £1.156m is captured. This variation is not substantial and does not alter the scope of the originally procured service, nor does it introduce new conditions or materially alter the project. Moreover, the proposed variation to the contract does not alter the economic balance of the contract in St Mungo's favour in a manner that was not provided for in the initial contract. To that end, the rates will be the same as those in the original contract and all aspects, including the reporting and recording of information are in line with the mechanisms in the original contract.
- 2.20 This MD proposes an exemption from the GLA Contracts and Funding Code due to the proposed work being a continuation of the existing NSNO contract and that this cannot be separated from this additional work.

Additional services

- 2.21 A key part of this work outlined in this MD is the development and ongoing coordination of a governance group to oversee rough sleeping services and initiatives for non-UK national rough sleepers and further support the Mayor's vision that everyone has an immediate and sustainable route off the streets.
- 2.22 This MD seeks approval to spend £1.90m on as yet unspecified additional services and initiatives which will support the Mayor's rough sleeping priorities. These will be grant funded or commissioned.
- 2.23 This MD also seeks approval for a delegation of authority to the Executive Director of the Housing and Land Directorate, in consultation with the relevant Deputy Mayor, to approve funding allocations for these additional specialist services and initiatives, up to a total of £1.90m.

London Street Rescue (LSR)

- 2.24 Thames Reach currently provides ongoing case work to those on the streets through the Mayor's London Street Rescue service.
- 2.25 LSR is an outreach service helping people sleeping on the streets in London boroughs that do not commission their own outreach service. LSR outreach workers typically go out at night alongside

volunteers to make contact with people sleeping rough and carry out casework and advocacy during the day.

- 2.26 This MD seeks approval for £0.05m of funding for LSR to spot-purchase emergency accommodation, largely B&Bs and hostel beds. This will enable people to come off the streets rapidly and LSR to work better and more efficiently with them through ongoing casework to find long-term options. This additional, time-limited package of support will enable a minimum of 20 additional people to access accommodation.
- 2.27 The Authority's LSR contract with Thames Reach was entered following an OJEU procurement exercise to identify a provider. Its original value was £3.194m over 5 years. This contract was subsequently varied by the following amounts: £0.3m (approved by MD2166), £0.95m (approved by MD2333). This variation is not substantial and does not alter the scope of the originally procured service, nor does it introduce new conditions or materially alters the project. Moreover, the proposed variation to the contract does not alter the economic balance of the contract in Thames Reach's favour in a manner that was not provided for in the initial contract. To that end, the rates will be the same as those in the original contract and all aspects, including the reporting and recording of information are in line with the mechanisms in the original contract.
- 2.28 This MD proposes an exemption from the GLA Contracts and Funding Code as the proposed work represents a continuation of the existing LSR contract and would be unviable if procured on a standalone basis.

Funding of the Connection at St Martin in the Field (CSTM)

- 2.29 CSTM currently supports non-commissioned services, including faith-based and community groups, by deploying an immigration caseworker to hold a caseload. This will help support people to secure their immigration status, to overcome the barrier to resolving someone's rough sleeping. They will also provide training to wider rough sleeping services, such as day centres.
- 2.30 CSTM, was previously grant-funded to undertake this work through the second round of the Mayor's Rough Sleeping Innovation Fund (RSIF), but the service is now closed to new referrals. This MD seeks approval for £0.035m of spending to reopen it to new referrals, resulting in:
- advice for 40 additional clients and to casework for at least 10 of those clients, and
 - intensive support and mentoring on supporting homeless non-UK nationals to four non-commissioned organisations.
- 2.31 The current provider is currently grant-funded, has the technical expertise and is the only provider that could mobilise immediately to adhere to MHCLG's requirements.

Hospital Discharge and Winter Step-down and Step-up provision

- 2.32 There is currently limited enhanced hospital discharge for rough sleepers in Westminster (the area with the highest rough sleepers in London), with no formal step-down provision from those leaving St Mary's and Guy's and St Thomas's hospitals. There is also a lack of 'step-up' preventative beds for those with No Recourse to Public Funds, resulting in higher use of acute services by this cohort.
- 2.33 Pathway currently operate enhanced hospital discharge in Guy's and St Thomas's, this proposal is to extend the Pathway model into St Marys (£0.013m).
- 2.34 SHP have set aside 9 beds (7 step-down and 2 step-up beds) in King George's Hostel, this provision is open to those rough sleepers with a Westminster connection (£0.07m).
- 2.35 Homeless Health CIC is providing additional GP and nursing input to the hostel beds and the enhanced model in St Mary's (£0.042m).
- 2.36 Imperial College Healthcare Trust is providing 0.8FTE of a Band 7 nurse post (£0.018m).
- 2.37 The current providers have the technical expertise and are the only providers that could mobilise immediately to adhere to MHCLG's requirements.

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 BAME Londoners and those with disabilities. Further, enabling access to employment opportunities will improve outcomes for those who have been previously excluded, the workplace is a setting in which people from different backgrounds can meet and form relationships furthering opportunities for social integration and career progression.

4. Other considerations

a) Key risks and issues

Risk description	Impact	Likelihood	Mitigating action
Insufficient staff resources within the GLA to develop the appropriate policy and strategic direction to the new services. 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	Two additional GLA staff posts will be created, jointly managed by the GLA's Rough Sleeping and Social Integration teams. A governance group will be established to oversee the GLA work on migrant rough sleeping. The Rough Sleeping team will provide dedicated leads for each new service and ensure these are robustly monitored.
The new services and initiatives outlined in this MD could result in enforcement action being taken by the Home Office.	High	Low	The GLA will make clear to boroughs participating in these services and initiatives that the Mayor is strongly opposed to the hostile environment and

			that enforcement is not a solution to rough sleeping. These services and initiatives will not result in any change to current practices regarding data sharing and no data will be shared with government agencies without a client's explicit and informed consent (unless legal required to do so). New governance will ensure the migrant sector have a voice to inform GLA work for non-UK national rough sleepers.
The providers may not be able to recruit staff for all the additional work being required.	Medium	Medium	The GLA is working with providers, boroughs and MHCLG to ensure enough lead-in time to allow for recruitment and wider HR processes. However, given the relatively small size of the sector, and the recent rapid growth in services, some providers may struggle to recruit.

b) Links to Mayoral strategies and priorities

4.1 See paragraph 1.2 above.

c) Impact assessments and consultations

- 4.2 The GLA's bid to MHCLG for the proposed new services and initiatives were developed in partnership with the Mayor's Life off the Streets taskforce and in consultation with the Migrant and Refugee Advisory Panel and informed by in-depth consultation with stakeholders from London boroughs, voluntary sector providers and the wider homelessness sector.
- 4.3 There are no known conflicts of interests to declare for the officers involved in the drafting or clearance of this decision.

5. Financial comments

- 5.1 This decision requests an approval for the receipt of £4.674m from MHCLG.
- 5.2. This decision requests approval for expenditure of £4.674m on programmes listed in paragraphs 1.6 and 1.7 above and detailed in section 2. The expenditure will be incurred over the three years from 2019/2020 to 2021/2022 from Housing and Land rough sleeping CMF funding and for 2019/2020 Housing and Land rough sleeping CWF funding.

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 report seeks approval of the variation of the Authority's existing contracts with:

- 6.3.1 St Mungo's in relation to the Routes Home service (decision 2a);
- 6.3.2 St Mungo's in relation to the Tenancy Sustainment Team (TST) North services (decision 2b);
- 6.3.3 Thames Reach in relation to the Tenancy Sustainment Team (TST) South services (decision 2b);
- 6.3.4 St Mungo's in relation to the CHAIN database and services (decision 2c);
- 6.3.5 St Mungo's in relation to the No Second Night Out (NSNO) service (decision 2d); and
- 6.3.6 Thames Reach in relation to the London Street Rescue project (decision 2g).

6.4 The variation of St Mungo's contract in relation to the Routes Home service (decision 2(a)) amounts to less than 50 per cent of the original contract value. Accordingly, the Authority may vary the said contract, if a change of contractor (a) cannot be made for economic or technical reasons; and (b) would cause significant inconvenience or substantial duplication of costs for the Authority. The officers have set out at paragraphs 2.3 to 2.5 above how those two criteria have been met.

6.5 Furthermore, in accordance with Public Contracts Regulations 2015 (the "PCR"), the Authority is required to publish a notice in the Official Journal of the European Union ("OJEU") in relation to the variation of the contract. The officers should liaise with TfL's commercial team as regards the said notices and the appropriate documentation, which is required to record the agreement of the parties as to the variations.

6.6 Each of the variations of the contracts with St Mungo's and Thames Reach in relation to the TST North and South services and the CHAIN database and services set out in decisions 2(b) and (c) amounts to less than ten per cent of the initial contract value and the relevant OJEU threshold. To that end, in accordance with the Public Contracts Regulations 2015, the GLA may make the proposed variation.

6.7 The initial value of St Mungo's NSNO contract was £14.72m. On this occasion, the proposed variation of the said contract is valued at £1.156m. To that end, it may be made without the need to publish an OJEU notice, so long as the variation is not considered substantial for the purposes of the PCR. The officers have set out at paragraphs 2.14 to 2.16 above how this requirement has been met.

- 6.8 The initial value of Thames Reach's contract in relation to the London Street Rescue contract was £3.194m. Following two subsequent variations, the value of the contract is now £4.444m. On this occasion, the proposed variation amounts to £0.05m. To that end, it may be made without the need to publish an OJEU notice, so long as the variation is not considered substantial for the purposes of the PCR. The officers have set out at paragraphs 2.25 and 2.26 above how this requirement has been met.

Exemptions from the Contracts and Funding Code

- 6.9 Decision 3 of this report asks for an attendant exemption from the requirements of the Contracts and Funding Code ("Code") for each of the variations listed at paragraph 6.3 above. Section 10.1 of the Code provides that a procurement may be exempted from the requirement to run a competitive procurement process where it involves a contractor, which has previous involvement in a specific current project or the continuation of existing work that cannot be separated from the new work. In the case of each of the said variations, the contractors have previous involvement in the projects the subject of the variations. The officers have set out in section 2 above more detail in relation to the requested exemptions.

Budgetary provision for services relating to non-UK rough sleepers

- 6.10 Decision 2(e) of this report requests approval for a budget of £1.90m for additional specialist services for non-UK rough sleepers. In the formulation of any projects aimed at assisting this group of rough sleepers, the 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, the officers should have regard to the fact that the Derogation is currently suspended until 31 March 2020. If the Authority wishes to use the funds to provide rough sleeper support services for newly-arrived EEA citizens after 31 March, 2020, the GLA must first obtain written confirmation from the Secretary of State for Housing, Communities and Local Government that the suspension of the derogation will continue in force for the duration of the GLA's EEA-citizen-related rough sleeping project.

Budgetary provision for new posts

- 6.11 Under the Greater London Authority Act 1999 (as amended), the Head of Paid Service (the "HoPS") may, after consultation with the Mayor and the Assembly and having regard to the resources available and priorities of the Authority:
- appoint such staff as the HoPS considers necessary for the proper discharge of the functions of the Authority (section 67(2)); and
 - make such appointments on such terms and conditions as the HoPS thinks fit (section 70(2)).

- 6.12 Paragraph 1.6 above confirms that the Head of Paid Service has already approved the creation of the required posts.

Provision of funding to projects supporting rough sleepers

- 6.13 Decision 2 of this report request the approval for a grant of £0.035m to The Connection at St Martin in the Fields ("CSTM") for independent immigration advice and casework for non-UK nationals sleeping rough. The officers have set out at paragraphs 2.28 to 2.30 above the reasons why the proposed grant amounts to funding rather than contracts for services. Furthermore, the officers are reminded to ensure that funding agreements be put in place between the Authority and CSTM, before any of the funding be transferred to the recipient.
- 6.14 Finally, the comments at paragraph 6.10 above apply equally to the services to be provided by Thames Reach under its London Street Rescue contract and the activities to be undertaken by CSTM under its funding agreement with the Authority.

Delegation of power

- 6.15 Any function exercisable by the Mayor on behalf of the Authority may also be exercised by any member of the Authority's staff 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 & Land if he so chooses.

7. Planned delivery approach and next steps

- 7.1 The project will be led by the GLA's Rough Sleeping team, in partnership with the GLA's Social Integration team, including two new dedicated officers, approved through a Head of Paid Service decision (CO100).
- 7.2 A new governance group will be established to oversee the identification, development and delivery of new services and initiatives for migrant rough sleepers, as well as wider work in this area.

Milestones	Indicative date
Mayoral approval secured	9 March 2020
Routes Home, CHAIN and TST contract variations in place	16 March 2020
GLA additional staff in post	March 2020
Governance Group established	April 2020
Governance Group recommendations for additional services and initiatives	May 2020
Additional services in place	July 2020
End of funding period	March 2022

Appendices and supporting papers:
MHCLG confirmation of funding

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

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

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 Eastwood 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:

Jules Pipe 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 9 March 2020.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

M. D. Allen

Date

9.3.20

CHIEF OF STAFF:

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

Signature

D. Bellamy

Date

9/3/2020.