

GREATER LONDON AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2301

Title: SWEP Fund and coordination 2018-19

Executive Summary:

In November 2018 the GLA issued new guidance to all London local authorities asking them to work to new, enhanced ways of operating Severe Weather Emergency Protocol (SWEP) for people sleeping rough in London.

£600,000 of grant funding has been secured from the Government to enhance the service offer for people sleeping rough in London during winter 2018-19. Receipt of this funding and its use for winter night shelters via Housing Justice was approved by MD2333. Since that decision was made, following dialogue with relevant partners, it is proposed that £150,000 of this funding be re-purposed by allocating £132,000 to set up a London SWEP Fund to support councils to resource local provision this winter and allocating £18,000 to St Mungo's to resource the GLA's pan-London 'overflow' provision via the No Second Night Out service.

Decision:

That the Executive Director of Housing and Land approves:

Expenditure of a total of £150,000 comprising:

1. £132,000 of grant funding in 2018/19 to various London councils for the London SWEP Fund 2018-19 (list of the relevant councils and the corresponding amounts of grant funding is set out in appendix 1 below); and
2. £18,000 for 2018/19 to expand St Mungo's provision of SWEP coordination as part of the NSNO service under its existing contract with the GLA.

AUTHORISING DIRECTOR

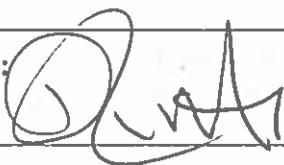
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: David Lunts

Position: Executive Director, Housing and Land

Signature:



Date:

21/12/18

PART I – NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. The Mayor funds and commissions a range of pan-London rough sleeping services and other initiatives. These 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. A budget of £33.8 million for these services was approved (through MD1532) for the period 1 April 2016 to 31 March 2020.
- 1.2. The Mayor recently secured funding of £3.3m from the Government for extensions to current services and additional projects. This included £600,000 for a winter night shelter project, grant-funding Housing Justice to support existing winter night shelter provision, by funding five regional co-ordinator posts and a small grants programme.
- 1.3. The shape and nature of these services and initiatives are underpinned by the pan-London Rough Sleeping Commissioning Framework. This includes priorities ‘to meet the physical and mental health needs of rough sleepers’ and ‘to ensure the availability of appropriate accommodation, including emergency accommodation’. Further, the Framework establishes that the Mayor’s services and initiatives will ‘complement and supplement those provided or commissioned by boroughs’, and that the GLA ‘will seek to ensure greater co-ordination of the work of boroughs’. The Mayor’s Rough Sleeping Plan of Action also commits to resourcing an improvement in the coordination of SWEP across London.
- 1.4. During summer 2018 the GLA undertook a comprehensive review of SWEP services in London. Based on the findings of this review, in autumn 2018 the Mayor issued revised guidance to councils regarding SWEP best practice, including asking them to agree to new ways of working which would improve the service offer made to people during extreme weather.
- 1.5. The SWEP fund, SWEP coordinator role, and the wider work of the GLA to coordinate SWEP, supports meeting these priorities by equipping councils to provide additional SWEP capacity, and ensuring a minimum level of SWEP activation. This will mean that more people are protected from the dangerous effects of sleeping rough during freezing weather, and the efforts of the GLA and all 33 councils are better coordinated.
- 1.6. SWEP is a humanitarian response to rough sleeping. It aims to prevent serious health impacts and deaths that could otherwise result during severe weather conditions, by providing temporary shelter from the elements at short notice. It is an important and high-profile element of the range of services provided for people sleeping rough in London. In recent years SWEP has provided potentially life-saving shelter for hundreds of people, and is also an opportunity to begin longer-term support interventions to resolve a person’s rough sleeping.
- 1.7. SWEP is provided locally by councils, and pan-London ‘overflow’ is provided by the GLA – this is a ‘safety net’ mechanism to ensure that there are always SWEP spaces available, even once council provision is full.
- 1.8. The pan-London aspect of SWEP is provided as part of the GLA’s existing contract with St Mungo’s dated 4 July 2017 (the Contract). The initial value of the Contract was £14,719,983. The Contract was subsequently varied in the financial year 2018/2019 so as to include a further £1,482,014. The

initial contract and the variation were approved by MDs 2031 and 2333 respectively. Given the value of that variation, the GLA is currently in the process of publishing a notice in relation to same in the Official Journal of the European Union as required by the Public Contracts Regulations 2015. The GLA now intends to undertake a further variation of the Contract of a value of £18,000 in order to ensure that the pan-London overflow service is appropriately resourced to coordinate mobilization and referral during the Winter period. The services the subject of the variation amount to further coordination of the SWEP service and accordingly fall within the original scope of the Contract.

- 1.9. Pan-London overflow SWEP has been heavily used in recent years and will continue to be provided this year (2018-19). However, by supporting councils to expand and enhance local provision it is expected that people sleeping rough will receive a better service and the increase in demand for pan-London overflow spaces will be minimised. Delivering a SWEP coordination role through expansion of the NSNO service will improve coordination between councils and outreach services.
- 1.10. It has been agreed both with MHCLG (which has provided the funding) and with Housing Justice (the original intended recipient) that of the initial allocation of £600,000 only £450,000 was required to meet the objectives of the Housing Justice project, and that up to £150,000 could therefore acceptably be reallocated to support SWEP initiatives.
- 1.11. It is therefore proposed that £150,000 be repurposed as follows:
- to provide a SWEP Fund to support the provision of enhanced SWEP services by London councils (£132,000 in 2018/9) - see Appendix 1
 - to expand the Mayor's current No Second Night Out service (NSNO), provided by St Mungo's, to coordinate SWEP across London (£18,000 in 2018/19).

2. Objectives and expected outcomes

- 2.1. The overarching objective of the SWEP fund is to support local authorities to provide expanded and enhanced SWEP services in line with GLA SWEP review recommendations.

Area	Detail	Expected outcome
Local authority participation	Local authorities are supported to work jointly with the GLA in this new way of providing SWEP	All London boroughs sign up to the new guidance
Overflow SWEP	Local SWEP provision will be expanded and enhanced, leading to less demand for pan-London SWEP	Decreased demand for pan-London overflow places
SWEP availability	The SWEP fund will provide resources to increase the total number of SWEP spaces available	More SWEP spaces available
Access to SWEP	By enhancing local provision, rather than pan-London overflow, spaces will be closer to rough sleepers' networks, meaning that they are more likely to accept the SWEP offer and access shelter	Fewer people reject SWEP offer due to reasons of distance from local area
Outcomes from SWEP	By resourcing local authorities to apply the 'In for Good' principle, the fund will ensure that more people accessing SWEP are offered assessments and support to end their rough sleeping.	More people exit rough sleeping as a result of accessing SWEP services

- 2.2. The objectives of varying St Mungo's existing contract with the GLA is to expand the scope of the No Second Night Out service to take on a coordination function with outreach teams and local authorities across London. This will take the form of a part-time SWEF coordinator role, and is expected to improve the flow of information between services and the efficiency of SWEF provision.

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 2016/17:
- 53 per cent were non-UK nationals
 - 47 per cent had a mental health need
 - 15 per cent were women
 - most of those seen rough sleeping (56 per cent) were in the 26-45 age group
 - nine per cent were under 26 years old
 - 11 per cent were over 55
 - four people were under 18.
- 3.3. As rough sleepers are over-represented among those with the protected characteristics of race and disability, the proposals in this paper are likely to have positive impacts on these groups.

4. Other considerations

4.1. Key risks and issues

Risk description	Rating	Mitigating action	Rating
Councils decline to take up the GLA grant through the SWEF Fund.	A	GLA officers will liaise closely with local authority officers to ensure that the grants are expected and desired. In the event that an individual council declines their allocation, a process will be in place to reallocate that amount between the remaining councils.	G
Due to mild weather, SWEF is not activated or only activated for a few short periods, meaning that the total funding is not used.	A	GLA will agree plans with local councils to utilise funding to make non-SWEF winter shelter available towards the end of the season if SWEF is not needed.	G
Administration and monitoring of 33 small grants exceeds capacity of the GLA rough sleeping team.	R	Short-form grant agreements will be used. Due to the size and nature of the grants being made, monitoring will be light-touch.	A

Due to the nature of SWEP services – ad hoc and reliant on voluntary arrangements – monitoring of spend and reporting of outcomes could be less accurate than expected for commissioned services.	A	Monitoring expectations and reporting processes will be agreed in advance of payment.	G
St Mungo's is unable to recruit to the coordinator role within the necessary timescale.	G	Suitable internal candidates have already been identified. The provider is a large organisation, employing a significant pool of potential applicants, and with a well-resourced recruitment team.	G

4.2 Links to Mayoral strategies and priorities

The objectives of the proposals are in line with the pan-London Rough Sleeping Commissioning Framework priority 8 and priority 9, as well as the Mayor's draft London Housing Strategy which includes a commitment to *'fund and commission a range of pan-London services and other initiatives. These will focus on identifying rough sleepers and intervening rapidly to support them off the streets, providing specialist support for particular groups, and helping rough sleepers stay off the streets.'*

4.3 Impact assessments and consultations

The pan-Rough Sleeping Commissioning Framework was made available for consultation with key stakeholders and partners and was subject to a full equalities impact assessment. The draft London Housing Strategy has been subject to a full-integrated impact assessment and statutory consultation with the public was recently undertaken.

5 Financial comments

5.1 This decision requests approval for revenue expenditure of up to £150,000;

- a) £132,000 to set up a London SWEP Fund to support London councils to resource local provision (see Appendix 1 for detailed listing), and
- b) £18,000 award to St Mungo's to pay for a coordinator to manage the expanded No Second Night Out (NSNO) SWEP service, GLA's pan-London 'overflow' provision. This funding is in addition to existing NSNO service provided by St Mungo's with approved expenditure of £16.2m through MD2031 and MD2333 from 1 April 2017 to 31 March 2021.

5.2 The above expenditure will be funded from within the £600,000 receipts for winter night shelters approved in MD2333 (total receipt of grant funding of £3.3m from the Ministry of Housing, Communities and Local Government (MHCLG) for rough sleeping services and projects) and the expenditure will be incurred in the 2018/2019 financial year.

6 Legal comments

6.1 The foregoing sections of this report indicate that the decisions requested of the director fall within the statutory powers of the Authority to promote and/or to do anything which is facilitative of or conducive or incidental to social development within 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 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 director should have particular regard to section 3 (above) of this report.

6.3 The proposed grant funding of various London-based councils (as broken down in appendix 1) relates to the enhancement of their existing provision of SWEP assistance to the rough sleepers in their respective boroughs. To that end, the expenditure may be viewed as funding rather than a contract for services. The officers must ensure that funding agreements be put in place between the Authority and the councils, before any funding is transferred to those councils.

6.4 The original value of St Mungo's contract with the Authority was £14,719,983. However, the contract was subsequently increased by £1,482,014; making a total current value of £16,201,997. In compliance with the Public Contracts Regulations 2015, the Authority is currently in the process of publishing a notice in the Official Journal of the European Union regarding that variation in the value of the contract.

6.5 The officers now propose to vary the contract a second time by a value of £18,000. This amount is less than 10% of the both the original contract value and of the revised contract value including the variation. Furthermore, as set out in paragraph 1.8 above, the services the subject of the variation fall within the original scope of the contract. To this end, the proposed variation is permitted by the Public Contracts Regulations 2015. The officers should ensure that the variation be agreed in writing and signed by both the Authority and St Mungo's prior to the commencement of the additional services.

7 Planned delivery approach and next steps

7.1 The SWEP Fund will be allocated to London councils, and outcomes monitored, by the GLA's Rough Sleeping Team.

7.2 The SWEP co-ordination role will be delivered by St Mungo's, as part of the NSNO contract.

7.3 Outcomes will be reported to the Rough Sleeping Internal Governance Group convened by the Deputy Mayor for Housing and Residential Development.

7.4 Timeline:

Activity	Timeline
Notification to London councils The GLA will contact all London councils to formally notify them of the SWEP Fund and their proposed maximum allocation (see Appendix 1). They will be asked to review the suggested process and grant agreements, and confirm or suggest amendments.	14/12/18
Bidding period for London councils They will then be invited to submit bids up to the maximum allocated amount	14/12/18 to 07/01/19
Notification to provider	14/12/18
Provider recruitment	14/12/18 to 01/01/19

Coordinator appointed	02/01/19
Deadline for council bids	07/01/19
Consideration and award of bids Bids will be considered by the GLA rough sleeping team and awards made.	07/01/19 to 09/01/19
Grant agreements finalised and signed	
Delivery start	01/12/18
Delivery end	31/03/19
Invoicing and payment – Invoices will be accepted from until 14/04/19 for spend incurred, payments will not exceed the maximum set out in the grant agreement.	14/01/19 to 14/04/19

Appendices and supporting papers:

Appendix 1: Maximum allocations of the SWEP Fund

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

If YES, for what reason:

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:

Luke Oates has drafted this report in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service:

Jamie Ratcliff has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Financial and Legal advice:

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on the 17 December 2018.

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

17.12.18

Appendix 1 Maximum allocations of the SWEP Fund

Borough	Amount
Camden	£ 10,000
Westminster	£ 10,000
Newham	£ 6,000
Tower Hamlets	£ 6,000
City of London	£ 5,000
Ealing	£ 5,000
Southwark	£ 5,000
Brent	£ 4,000
Croydon	£ 4,000
Hammersmith & Fulham	£ 4,000
Haringey	£ 4,000
Kensington & Chelsea	£ 4,000
Lambeth	£ 4,000
Redbridge	£ 4,000
Barking & Dagenham	£ 3,000
Barnet	£ 3,000
Bexley	£ 3,000
Bromley	£ 3,000
Enfield	£ 3,000
Greenwich	£ 3,000
Hackney	£ 3,000
Harrow	£ 3,000
Havering	£ 3,000
Hillingdon	£ 3,000
Hounslow	£ 3,000
Islington	£ 3,000
Kingston upon Thames	£ 3,000
Lewisham	£ 3,000
Merton	£ 3,000
Richmond	£ 3,000
Sutton	£ 3,000
Waltham Forest	£ 3,000
Wandsworth	£ 3,000

These allocations have been calculated based on the number of people seen sleeping rough in 2017/18 and recorded on the CHAIN system.

A per-council maximum of £10,000, and minimum of £3,000 have been applied.

