



Executive – supporting people EIA

Monday 12 November 2012 at 7.00 pm

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

Membership:

Lead Member Councillors:

Portfolio

Butt (Chair)	Leader/Lead Member for Corporate Strategy & Policy Co-ordination
R Moher (Vice-Chair)	Deputy Leader/Lead Member for Finance and Corporate Resources
Arnold	Lead Member for Children and Families
Beswick	Lead Member for Crime and Public Safety
Crane	Lead Member for Regeneration and Major Projects
Hirani	Lead Member for Adults and Health
Jones	Lead Member for Customers and Citizens
Long	Lead Member for Housing
J Moher	Lead Member for Highways and Transportation
Powney	Lead Member for Environment and Neighbourhoods

For further information contact: Anne Reid, Principal Democratic Services Officer
020 8937 1359, anne.reid@brent.gov.uk

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www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Agenda - appendix

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

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9 Framework Agreement for Supporting People Services	1 - 18

This report requests authority to award a Framework Agreement as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this Framework Agreement and, following the completion of the evaluation of the tenders, recommends providers to be appointed onto the Framework Agreement and the award of five (5) call-off contracts to the proposed Framework Providers. This report further requests authority to renew a number of existing contracts for 5 - 9 weeks to ensure planned implementation for the five call-off contracts referred to in Paragraph 1.1.

Ward Affected:
All Wards

Lead Member: Councillors Hirani and Long
Contact Officer: Alison Elliott, Director of Adult Social Services, Perry Singh, Housing Needs/Private Sector
Tel: 020 8937 4230, Tel: 020 8937 2332
alison.elliott@brent.gov.uk,
perry.singh@brent.gov.uk

Date of the next meeting: Monday 10 December 2012



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
 - Toilets are available on the second floor.
 - Catering facilities can be found on the first floor near The Paul Daisley Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

Framework Agreement for Supporting People Services

Appendix 5

Brent Council Equality Analysis Form

Please contact the Corporate Diversity team before completing this form. The form is to be used for both predictive Equality Analysis and any reviews of existing policies and practices that may be carried out.

Once you have completed this form, please forward to the Corporate Diversity Team for auditing. Make sure you allow sufficient time for this.

1. Roles and Responsibilities: please refer to stage 1 of the guidance	
Directorate: Adult Social Services Service Area: Integrated Commissioning	Person Responsible: Name: Bharti Raval/Chris Pellitier Title: Service Development Officer/ Integrated Commissioner Contact No: 020 8937 4036 Signed:
Name of policy: Supporting People – Effective and Efficient Provision For Housing Related Support Needs	Date analysis started: 14/9/12 Completion date: 3/10/12 Review date: On going
Is the policy: New x Old <input type="checkbox"/>	Auditing Details: Name: Title: Date Contact No: Signed:
Signing Off Manager: responsible for review and monitoring Name: Chris Pellitier Title: Integrated Commissioner Date: 5/10/12 Contact No: 0208 937 4036 Signed:	Decision Maker: Name individual /group/meeting/ committee: Date:

2. Brief description of the policy. Describe the aim and purpose of the policy, what needs or duties is it designed to meet? How does it differ from any existing policy or practice in this area?

Please refer to stage 2 of the guidance.

SP One Council Project

Supporting People (SP) is a national preventative programme delivering housing related support to vulnerable adults via third sector organisations and Housing Associations with the objective of:

- Preventing homelessness
- Supporting vulnerable adults to live independently in the community

The SP programme provides support to over 3,500 people at any time, through 62 separate contracts, held across 38 providers from a budget of £10.7m for 2011-12. SP services were commissioned essentially to deliver housing related support in some circumstances to an exclusive client group with protected characteristics i.e. The service Association of Muslims with Disabilities (AMD)'s remit is to provide support to people primarily from the Muslim background.

What is the project designed to meet

To make *efficient* use of Council resources, savings of £1.5m will need to be delivered against the Council's Supporting People budget over the next two financial years demonstrating clear value for money in the provision of services as part of the SP One Council Project.

The 1.5m savings will be delivered via various activities. One of the activities projected to deliver a substantial proportion of the savings is through procurement of new services.

All the SP contracts associated with the delivery of SP-funded services are set to expire during the life of the project, all of which must be subject to competitive tendering under the EU regulations and will be procured under the SP Framework.

Procurement of new services will deliver a projected 50% (£541k) of the savings, representing the most substantial component of project-related activity, both in terms of the volume of work required and the proportion this element will contribute to the project savings target over the two financial years.

How does the practice differ from existing programme:

Through the procurement process savings will be achieved by:

- a) Re-configuring services that are currently duplicated
- b) Reducing the number of overall contracts by amalgamating low value contracts with higher value contracts thus increasing the effectiveness of performance monitoring.

The above activities a) and b) will deliver the target savings through the procurement programme and will differ from the existing programme in that like for like services will be amalgamated (see Diagram 1). Re-configuration and amalgamation of services will continue to provide housing related support to all the vulnerable client groups and no changes will be made in the delivery of this support. The vulnerable client groups who are currently eligible for accessing the SP housing related support

will continue to be able to access the service.

However, we do not anticipate an impact on any of the client groups as a consequence of re-configuring and amalgamation of services.

Through the procurement process and by re-configuring and amalgamating services, the SP programme will achieve a reduction in the numbers of contracts and eliminate duplication of services, creating an effective platform for undertaking performance monitoring in light of the reduced resources. This has been done by reviewing the SP contracts, reviewing service utilisation via the PI returns over four quarters, reviewing vacancies/voids via PI returns over four quarters and identifying like for like services via the contract register. The contracts will be amalgamated (please see SP Contract Rationalisation flowchart).

A reduction in the number of contracts will not necessitate a reduction in the demand management of the delivery of housing related support as services will be procured in line with the actual utilisation of services. Contract hours will only be reduced if the actual utilisation identifies unused capacity via the quarterly PI returns for a period of four quarters. The quality of service will not be reduced for any client group. The service specification for each service ensures that the service provider must maintain quality of the service as this will be monitored annually via performance monitoring visits.

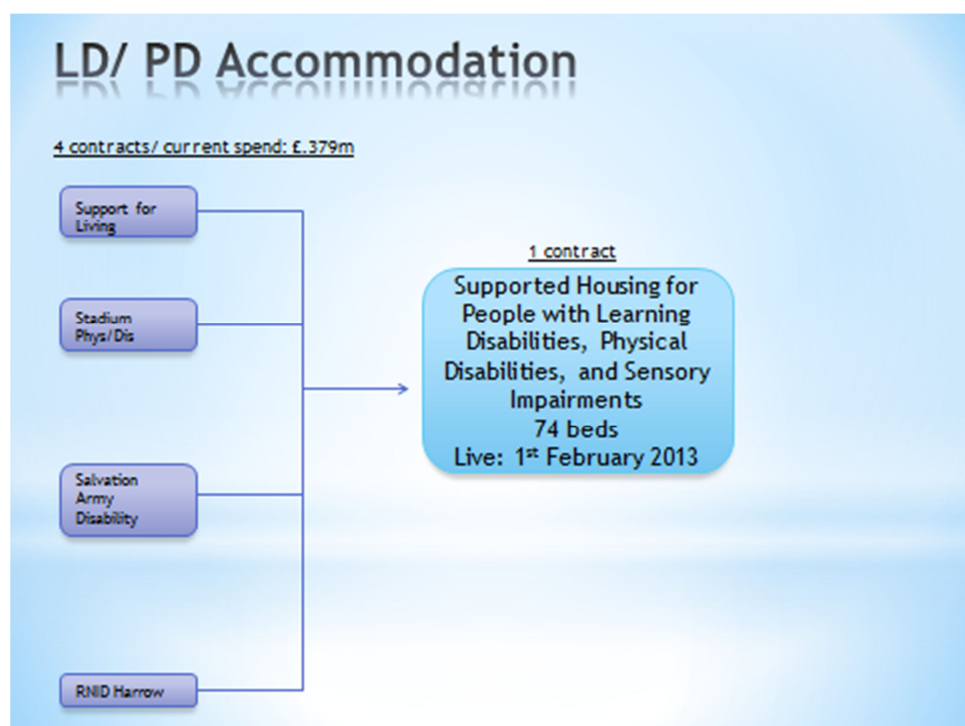
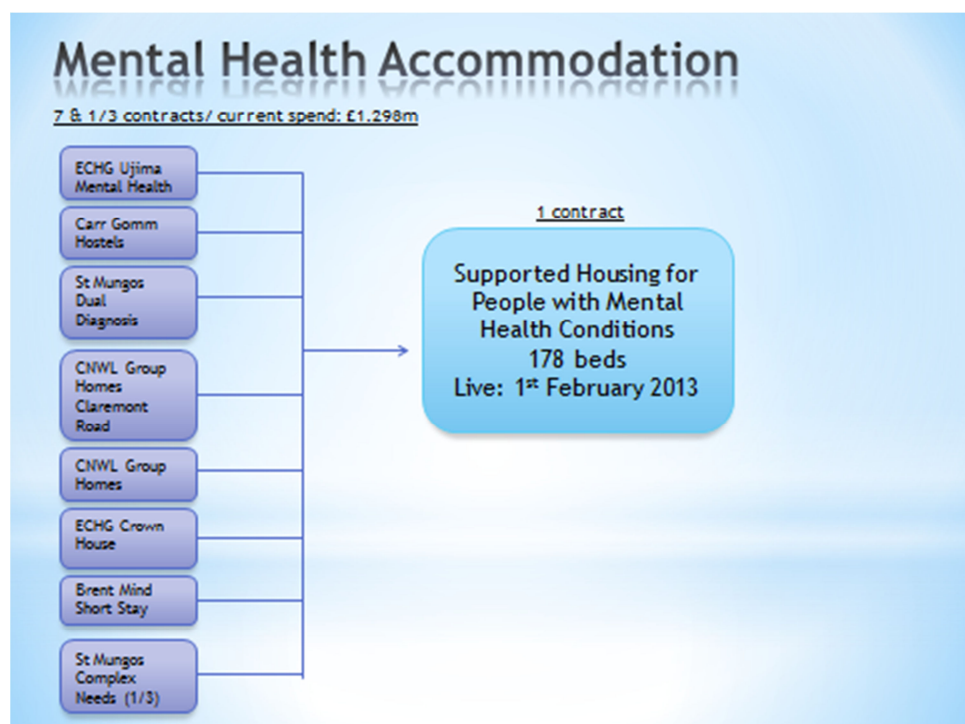
The Service Specifications which have been developed for the new contracts specify the requirement to meet the needs of diverse communities, and the contract Service Order Forms will detail any specialist requirements (i.e. BSL signing, support for Asian women at risk of domestic violence etc) that are required within a given service. Specialist support will not be disregarded and instead the service specifications will ensure that all the providers continue to effectively meet the needs of diverse populations.

Whilst the procurement process may result in the Council no longer *directly* contracting with small-medium size 3rd sector organisations for housing-related support services due to the relative value of the new contracts, such providers will continue to have business opportunity through subcontracting/ consortia. The following small-medium size organisations are listed as either sub-contractors or consortium members in successful bids:

- Brent Mind
- Care UK
- ASRA
- Innisfree
- Apna Ghar
- I-Serve
- Lift
- Brent Mencap
- EACH

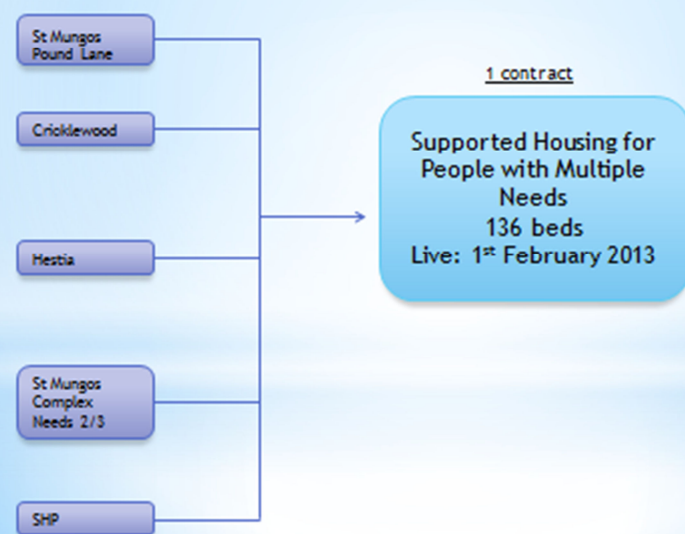
In addition the SP Procurement process has included quality questions in the PQQ and ITT stage to ensure quality will be maintained by service providers i.e. "Please give details of the procedures that are in place for recording and monitoring performance targets and detail how your organisation would ensure quality assurance monitoring, giving examples of how you have achieved this".

SP Contract Rationalisation - Flowchart



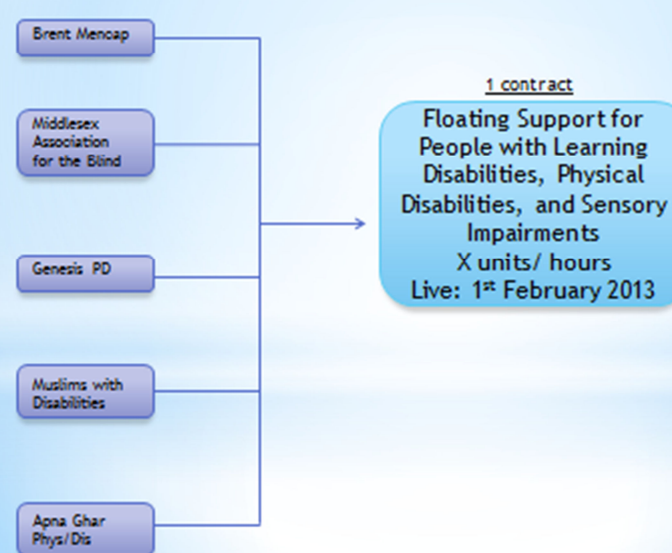
Multiple Needs Accommodation (Homeless Adults, Offenders, Substance Misuse)

4 & 2/3 contracts/ current spend: £1.193m



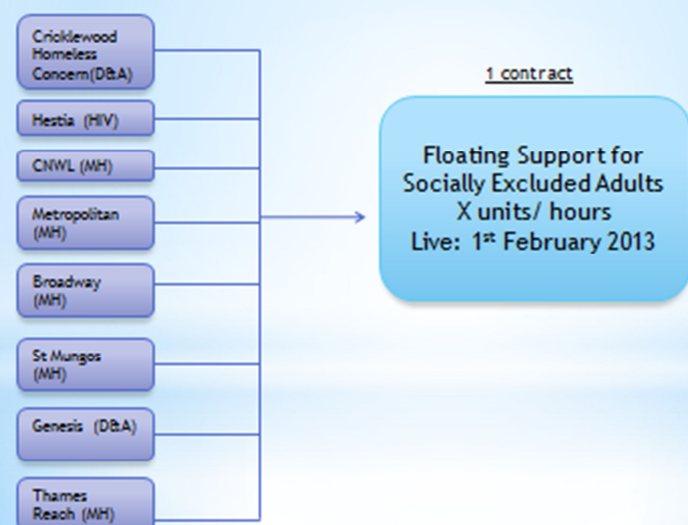
LD and PD Floating Support

5 contracts/ current spend: £.669m



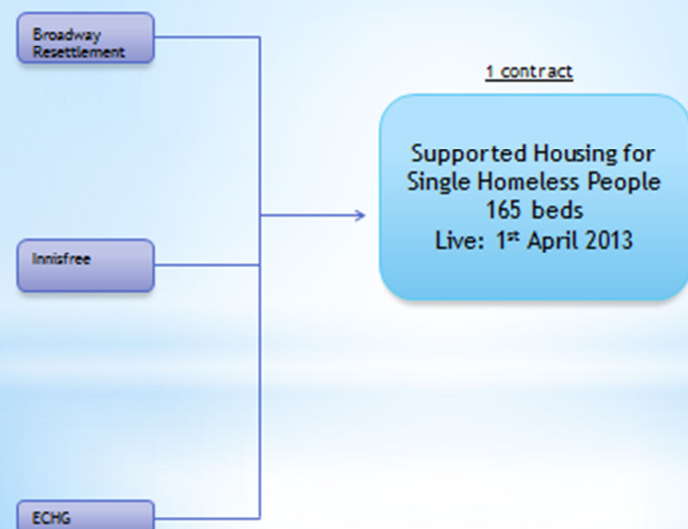
Socially Excluded Adults Floating Support (MH, D&A, HIV, & Offenders)

8 contracts/ current spend: £.712m



Single Homeless Accommodation

3 contracts/ current spend: £1.040m



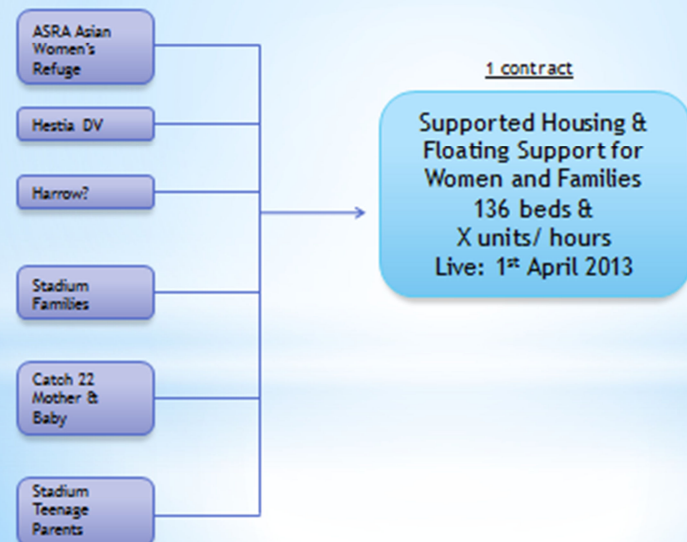
Single Homeless Floating Support

3 contracts/ current spend: £1.260m



Women and Families Accommodation & Floating Support (DV, Teenage Pregnancy, & Families)

6 contracts/ current spend: £.574m



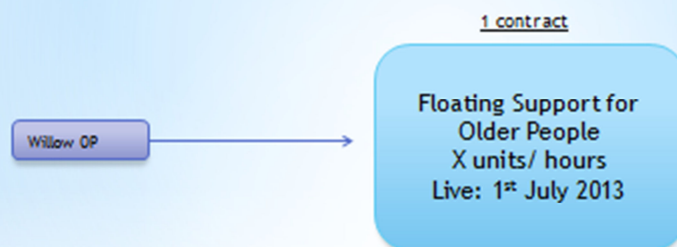
Older People Accommodation

6 contracts/ current spend: £.678m



Older People Floating Support

1 contract/ current spend: £.434m



A predictive Equality Impact Assessment will be conducted as part of project delivery in line with Brent Council policy to ensure that the tender process as part of the SP One Council Project does not have an adverse impact on the service users.

**3. Describe how the policy will impact on all of the protected groups.
What evidence have you relied on to reach these conclusions?**

The project is not likely to have an impact on any protected groups as all appropriate opportunities to advance equality and foster good relations between groups has been undertaken via the PQQ and ITT stage to ensure all groups with protected characteristics will continue to be able to access appropriate housing related support procured through the SP Framework. As part of the SP procurement process questions relating to ensuring all groups with protected characteristics are not discriminated against have been included in the PQQ (Pre-Qualifying Questionnaire) and ITT (Invitation To Tender) stage i.e. "How does your organisation identify and respond to service users support preferences and requirements related to who they are – their gender, culture, language, disability, age, and sexual orientation? Please describe what you do".

We do not foresee any impacts as a result of carrying out this project as measures to ensure discrimination does not take place have been taken. Data on ethnicity of client groups is collected but data on religion, belief and other protected characteristics is not currently collected. Gaps exist in information gathering for gender reassignment and marriage and civil partnership. The information which is not being collected currently may be explored for its benefits if collected and addressed when the software is upgraded

The information which is not being collected currently may be explored ill be mitigated by monitoring the services robustly via performance indicators returns on a quarterly basis and via conducting holistic monitoring which will include service user consultations, staff consultations, surveys as part of service reviews and site visits annually.

Evidence used to reach these conclusions:

In accordance with the Council's policy to ensure that practices and services including services delivered by third parties meet the needs of the range of communities we serve are administered fairly, a comprehensive data collection of the service users receiving support by SP providers is in place.

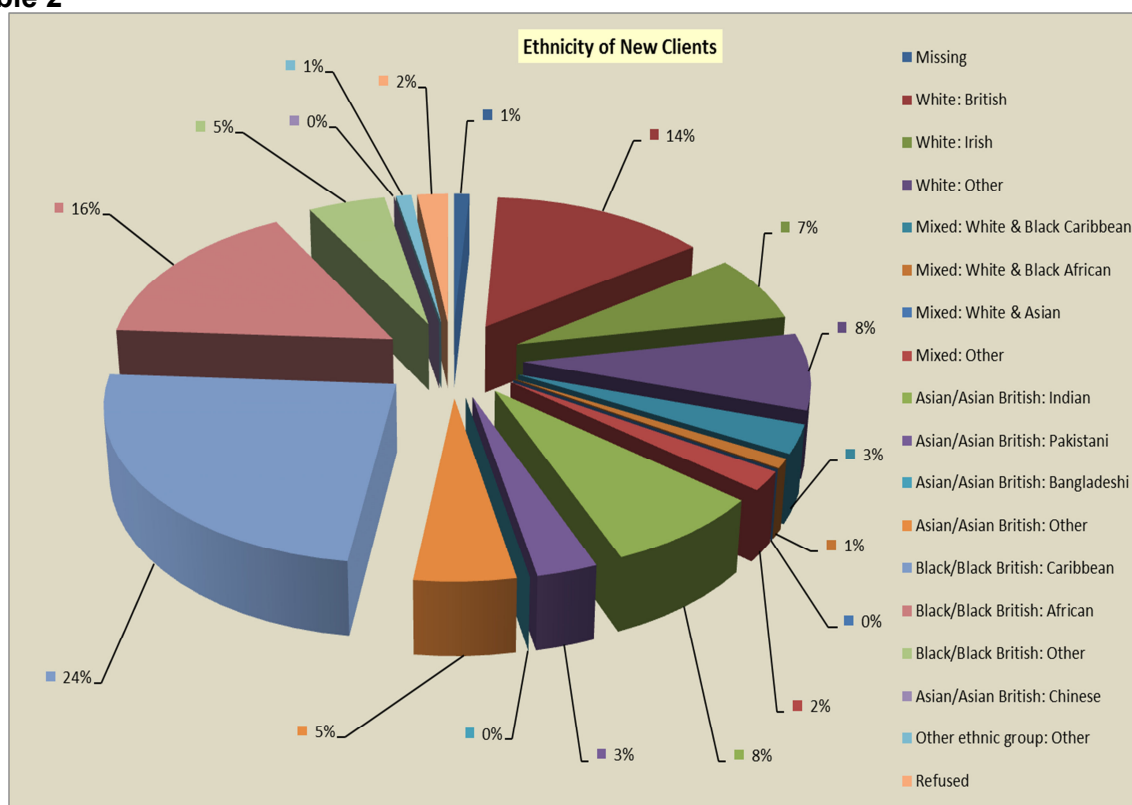
- Since the inception of the SP programme in 2003, Performance Indicators continue to be collected quarterly, evidencing that there is no potential for direct or indirect discrimination.
- It is evident from Table 1 and Table 2 which represents the client groups supported in 2011/12 by the SP programme is accessed by a range of vulnerable client groups with and without protected characteristics.
- The numbers of users for some protected client category is low i.e. Physical and Sensory disability when compared to the client category of mental health. This is because the capacity is procured in line with level of demand and is not representative of discrimination.
- It is evident from the two tables that vigorous data collection is in place to ensure any form of discrimination is identified through performance monitoring.
-

Please give details of the evidence you have used:

Table 1

Client Category	No of Users
Mental Health	218
Learning Disability	48
Physical & Sensory Disability	20
Older People (includes Extra Care and Mental Health in Older People)	449
Single Homeless, Refugees, Offenders, Substance Misuse, Complex Needs	609
Young People	85
Domestic Violence, Homeless Families, Teenage Parents	279
Floating Support for Disability Groups (LD & PD)	285
Floating Support for Socially Excluded Groups (includes Generic)	1,421
Floating Support for Older People	342

Table 2



Data on ethnicity of client groups is collected but data on religion, belief and other protected characteristics is not currently collected. Gaps exist in information gathering for gender reassignment and marriage and civil partnership. We will ensure via award of new SP contracts that the current gaps which exist in the collection of data for religion, belief and other protected characteristics will be collected in the future and incorporated into any

system upgrades.

The SP programme also uses client record systems (developed by CLG - Communities and Local Government) to monitor fair access to services for those who are eligible, and to examine whether the range of support needs in their local area is being met.

An e.g. of the type of information collected as part of client record forms is:

- A total of 374 client record forms were validated for the first half of this financial year representing 4.08% of the new clients logged in London for the same period.
- A high number of clients within the 18-24 age groups (17%) and 25-31 age group (16.3%) access the SP housing related support services.
- The highest proportion of new clients accessing the SP services is older people 19.5% (73).

The demand for housing related support will continue to be met for each of the client group irrespective of the reduced number of contracts being procured and services will continue to be monitored following current practices.

4. Describe how the policy will impact on the Council's duty to have due regard to the need to:

(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;

No impact is likely

(b) Advance equality of opportunity;

The policy will not have an impact on the Council's duty to have due regard to the need to eliminate discrimination.

No impact is likely

(c) Foster good relations

The policy will not have an impact on the Council's duty to have due regard to the need to eliminate discrimination.

No impact is likely

5. What engagement activity did you carry out as part of your assessment? Who did you engage with? What methods did you use? What did you find out?

How have you used the information gathered? How has it affected your policy?

Please refer to stage 3 of the guidance.

In continuing to deliver efficiency savings and demonstrate clear value for money in the provision of services systematic collection and analysis of equalities information is already collected and will continue to be collected.

The SP services undergo quantitative and qualitative monitoring. The qualitative monitoring is validated by using a tool which monitors a provider's performance against 5 objectives. The tool used by some service providers is "Outcome Star". Two of the objectives pertain to ensuring that the practices of providers are carried out with due regard to the need to eliminate discrimination; advance equality of opportunity between persons who share a relevant protected characteristic 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.

The qualitative monitoring is validated annually or sooner if concerns are highlighted via the quarterly PI returns or via the client record forms:

- Site visits, conducting consultations with service users, front line staff and management staff. Consultations with service users give them an opportunity to express concerns/ask questions about the service to commissioners in confidence. As part of the qualitative monitoring process carried out annually during site visits, policies and procedures are sampled. Clients' handbook is also sampled to ensure the service provider has included in the handbook the process for making a complaint + who/how to contact the Council officer if they wish to raise any concerns with the Council officer.

The quantitative monitoring is conducted via:

- Analysis of Performance Indicators every quarter and analysis of client record forms

During the tender process, service users (peer consultants) are involved in the evaluations of the ITT (Invitation To Tender) submissions for the procurement of SP services.

Service users and peer consultants are involved in various SP tasks i.e:

- Performance Monitoring
- Strategic Reviews
- Service Reviews
- Tender Process

The officers of the Council facilitate the consultations with the help of peer consultants (service users of SP services). Consultations with service users are carried out in the form of focus groups, one to one interviews, surveys and questionnaires.

The peer consultants evaluated questions relating to creating a positive environment e.g. Explain how you will ensure that all service users are treated with dignity and respect and how the service will effectively meet the cultural, ethnic, gender, language, disability, sexuality and age-specific needs of a diverse population.

What did you find out? How have you used the information gathered? How has it affected your policy?**The Findings:**

Any adverse impact as a result of re-configuring and amalgamating services will be

managed by continuing to use the process already in place i.e. monitoring services by using a combination of monitoring tools.

How has the information been used:

The information gathered has been used to ensure that via the stipulations made under contractual agreements and in the service specifications that each new commissioned service will require the provider to demonstrate that employment practices reflect the needs of the service users by having a diverse work force e.g:

- The service specifications stipulates that where the delivery of housing related support is for people with a sensory impairment e.g. deaf/hard of hearing, the provider should ensure the requirement for staff skill mix to consist of e.g. minimum level BSL or for the provider to make arrangements to access specialist provision/BSL to support clients with sensory impairment

How has it affected your policy

The information gathered will not affect the project/policy because the various methods of performance monitoring will continue to be carried out in order to ensure the procedures:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act
- Advance equality of opportunity between people from different protected groups
- Foster good relations between people from different protected groups

One of the fundamental remits of the SP programme via commissioning is to specify through the contractual agreements with support providers to:

- a) Remove or minimise disadvantages
- b) Take steps to meet the needs of people with protected characteristics
- c) Encourage people with protected characteristics to participate in public life.

The responsibilities a) to c) will form part of a personalised approach to support planning and the outcomes whether achieved or not will be measured when undertaking performance monitoring.

6. Have you have identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including consideration of any alternative proposals, to lessen or negate this impact.

Please refer to stage 2, 3 & 4 of the guidance.

No negative impact on any protected group has been identified.

Please give details of the evidence you have used:

No impact on any protected group has been identified.

Performance Indicators, client record forms, QAF (Quality Assurance Framework) validations, have been used as evidence.

7. Analysis summary

Please tick boxes to summarise the findings of your analysis.

Protected Group	Positive impact	Adverse impact	Neutral
Age			√
Disability			√
Gender re-assignment			Data not collected
Marriage and civil partnership			Data not collected
Pregnancy and maternity			√
Race			√
Religion or belief			√
Sex			√
Sexual orientation			Data not collected

8. The Findings of your Analysis

Please complete whichever of the following sections is appropriate (one only).

Please refer to stage 4 of the guidance.

No major change

Your analysis demonstrates that:

- The policy is lawful
- The evidence shows no potential for direct or indirect discrimination
- You have taken all appropriate opportunities to advance equality and foster good relations between groups.

Contract hours will only be reduced if the actual utilisation rates identifies unused capacity via the quarterly PI returns for a period of four quarters. The quality of service will not be reduced for any client group. The service specifications for each service ensures that the service provider must maintain quality of the service as this will be monitored annually via performance monitoring visits. In addition the SP Procurement process has included quality questions in the PQQ and ITT stage to ensure quality will be maintained by service providers i.e. "Please give details of the procedures that are in place for recording and monitoring performance targets and detail how your organisation would ensure quality assurance monitoring, giving examples of how you have achieved this".

The budget cuts are not likely to affect any client groups as none of the service provision will be reduced. Any vulnerable client group assessed as needing one of the SP services will continue to be able to access the service.

Please document below the reasons for your conclusion and the information that you used to make this decision.

The reasons for reaching the conclusion that the policy is lawful are:

We already have access to a wide variety of information on performance i.e. quarterly PI returns, client record forms, site visits, validations on QAF scores, service user questionnaires, surveys and service user consultations i.e. focus groups and satisfaction surveys. This process will continue and the evidence shows no potential for direct or indirect discrimination.

Gaps exist in information gathering for gender reassignment and marriage and civil partnerships. The information which is not being collected currently may be explored for its benefits if collected and addressed when the software is upgraded
To advance equality and foster good relations between groups, service users are informed during the consultations that feed back directly to commissioners about the support/service they receive is welcomed although complaints should be made following the providers' complaints procedures.

Adjust the policy

This may involve making changes to the policy to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential adverse effect on a particular protected group(s).

Remember that it is lawful under the Equality Act to treat people differently in some circumstances, where there is a need for it. It is both lawful and a requirement of the public sector equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.

If you have identified mitigating measures that would remove a negative impact, please detail those measures below.

Please document below the reasons for your conclusion, the information that you used to make this decision and how you plan to adjust the policy.

Continue the policy

This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not amount to unlawfully discrimination, either direct or indirect discrimination.

In cases where you believe discrimination is not unlawful because it is objectively justified, it is particularly important that you record what the objective justification is for continuing the policy, and how you reached this decision.

Explain the countervailing factors that outweigh any adverse effects on equality as set out above:

Please document below the reasons for your conclusion and the information that you used to make this decision:

It has been identified via the quarterly PI returns and client record forms that SP currently does not collect gender reassignment and marriage and civil partnerships, religion and beliefs. The information which is not being collected currently may be explored for its benefits if collected and addressed when the software is upgraded in order to advance equality.

The policy will continue as information on ethnicity, gender, age, disability, is already collected via performance i.e. quarterly PI returns, client record forms, site visits, validations on QAF scores, service user questionnaires, surveys and service user consultations i.e. focus groups and satisfaction surveys. The current process used for collecting the protected characteristics data will continue and the gaps that exist will be addressed.

Stop and remove the policy

If there are adverse effects that are not justified and cannot be mitigated, and if the policy is not justified by countervailing factors, you should consider stopping the policy altogether. If a policy shows unlawful discrimination it *must* be removed or changed.

Please document below the reasons for your conclusion and the information that you used to make this decision.

9. Monitoring and review

Please provide details of how you intend to monitor the policy in the future. Please refer to stage 7 of the guidance.

The policy/programme will continue to be monitored as it is currently. There is a policy in place to gain the commitment, trust and understanding of employees and service users encouraging high levels of participation via the West London Alliance service user/peer consultants training programme. The programme is highly publicised to the providers and is dependent on the providers encouraging service users to uptake the accredited training programme.

The peer consultants who pass the training programme will be recruited to conduct various service user and staff consultations as part of performance monitoring and service reviews which will be facilitated and supported by the commissioners. The data security and confidentiality will be maintained in line with the Council's Data Security policy.

Data Collection

Client data will continue to be collected by ensuring all steps are taken not to identify individuals directly from sensitive monitoring information.

10. Action plan and outcomes

At Brent, we want to make sure that our equality monitoring and analysis results in positive outcomes for our colleagues and customers.

Use the table below to record any actions we plan to take to address inequality, barriers or opportunities identified in this analysis.

Action	By when	Lead officer	Desired outcome	Date completed	Actual outcome
Performance monitoring	On going	Performance Improvement Officers	Analyse PI returns	On going	Address inequalities, barriers or opportunities identified in this analysis.

Contract Management	On going	Contracts and Provider Management Team	Review services holistically	On going	Address inequalities, barriers or opportunities identified in this analysis.
Client Record Forms	On going	Performance Improvement Officers	Review outcomes for clients	On going	Address inequalities, barriers or opportunities identified in this analysis