



Brent

Cabinet

Monday 15 April 2019 at 4.00 pm

Boardrooms 3 - 5 - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Lead Member Councillors:

Portfolio

M Butt (Chair)

McLennan (Vice-Chair)

Agha

Farah

Hirani

Miller

M Patel

Krupa Sheth

Southwood

Tatler

Leader of the Council

Deputy Leader of the Council and Lead Member for
Resources

Lead Member for Schools, Employment and Skills

Lead Member for Adult Social Care

Lead Member for Public Health, Culture & Leisure

Lead Member for Community Safety

Lead Member for Children's Safeguarding, Early Help
and Social Care

Lead Member for Environment

Lead Member for Housing & Welfare Reform

Lead Member for Regeneration, Highways & Planning

For further information contact: Thomas Cattermole, Head of Executive and
Member Services Tel:020 8937 5446; Email: thomas.cattermole@brent.gov.uk

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minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Item	Page
1 Apologies for Absence	
2 Declarations of Interest	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Minutes of the Previous Meeting	1 - 8
To approve the minutes of the previous meeting held on 11 March 2019 as a correct record.	
4 Matters Arising (if any)	
To consider any matters arising from the minutes of the previous meeting.	
5 Petitions (if any)	
To discuss any petitions from members of the public, in accordance with Standing Order 66.	
6 Reference of item considered by Scrutiny Committees	
6.1 Carlton & Granville Centres site – South Kilburn: Call-In	To Follow
To consider a report detailing the outcome of a call-in considered by the Resources & Public Realm Scrutiny Committee on 3 April 2019. The call-in related to the decision taken by Cabinet on 11 March 2019 in respect of the Carlton and Granville Centres Sites – South Kilburn.	
Chief Executive's reports	
7 Review of Voluntary and Community Sector Needs	9 - 48
The report sets out the findings from phases 1 & 2 of the review of Brent's voluntary & community sector (VCS) needs as well as proposals for a new model for working with and supporting the voluntary and community sector.	
Ward Affected: All Wards	Lead Member: Lead Member for Public Health, Culture & Leisure (Councillor Krupesh Hirani) Contact Officer: Pascoe Sawyers, Head of

Children and Young People reports

8 Adopt London - West Regional Adoption Agency 49 - 114

The report seeks approval to go forward with the Council's plan to join the Adopt London West Regional Adoption Agency in response to the Education and Adoption Act (2016).

Ward Affected:
All Wards

Lead Member: Lead Member for Children's Safeguarding, Early Help & Social Care (Councillor Mili Patel)
Contact Officer: Nigel Chapman, Operational Director Integration & Improved Outcomes
Tel: 020 8937 4456
Email:nigel.chapman@brent.gov.uk

9 Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre 115 - 140

The purpose of this report is to seek Cabinet approval to follow the Free School Presumption process to establish an Alternative Provision Free School with an integrated youth offer on the site of Roundwood Youth Centre.

Ward Affected:
All Wards

Lead Member: Lead Member for Children's Safeguarding, Early Help & Social Care (Councillor Mili Patel)
Contact Officer: Nigel Chapman, Operational Director Integration & Improved Outcomes
Tel: 020 8937 4456
Email:nigel.chapman@brent.gov.uk

Regeneration and Environment reports

10 Highways Capital Scheme Programme 2019-20 141 - 162

The report seeks approval of the Highways Capital Scheme Programme 2019-20 and the invitation of tenders in respect of Footway Maintenance as required by Contract Standing Orders 88 and 89.

Ward Affected:
All Wards

Lead Member: Lead Member for Regeneration, Highways & Planning (Councillor Shama Tatler)
Contact Officer: Tony Kennedy, Head of Highways and Infrastructure
Tel: 020 8937 5151
Email:tony.kennedy@brent.gov.uk

Resources reports

11 Expansion of Elsley Primary School - Termination of Design and Build Contract 163 - 170

The report provides Cabinet with an update on the contractual position on the design and build contract for the expansion of Elsley Primary School and seeks authority to terminate the existing design and build contract.

Ward Affected:
Wembley
Central

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Cheryl Andani, Programme Manager, Inward Investment and Capital Delivery
Tel: 020 8937 3227
Email: cheryl.andani@brent.gov.uk

12 Exclusion of Press and Public

The following items are not for publication as they relate to the following category of exempt information as specified under Part 1, Schedule 12A of the Local Government Act 1972, namely:

Item 11: Appendix 1 – Expansion of Elsley Primary School – Termination of Design & Build Contract

13 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Monday 20 May 2019



- Please remember to set your mobile phone to silent during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 11 March 2019 at 4.00 pm

PRESENT: Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Agha, Farah, Hirani, Miller, M Patel, Krupa Sheth, Southwood and Tatler

Also present: Councillors Abdi, Johnson and Long

1. **Apologies for Absence**

None

2. **Declarations of Interest**

There were no declarations of interest.

3. **Minutes of the Previous Meeting**

RESOLVED:-

that the minutes of the previous meeting held on 11 February 2019 be approved as an accurate record of the meeting, subject a change at paragraph 4 on page 4 to read *Anju Bhatt*.

4. **Matters Arising (if any)**

There were no matters arising.

5. **Petitions (if any)**

None

6. **Reference of item considered by Scrutiny Committees (if any)**

None.

7. **Informal consultation on the school organisation arrangements of Roe Green Infant School**

Councillor Muhammed Butt, Leader of the Council, informed the meeting that he had received a request to speak on this item from Mrs N Lobo, Executive Headteacher of Roe Green Strathcona School. Councillor Butt welcomed Mrs Lobo to the meeting.

Mrs Lobo thanked Councillor Butt for the opportunity to address the meeting on behalf of the School. Mrs Lobo reminded Members of the Cabinet the school opened in March 2014. She stated that initial contact with the School had been as long ago as 2012 and then again in December 2013. Mrs Lobo stated that this is of particular relevance, as all the other local schools listed at 4.7 in the report, were approved for expansion after Strathcona had opened.

Mrs Lobo stated that Strathcona had been an established part of the Council's school place planning strategy.

Mrs Lobo informed Cabinet that the school had been rated by Ofsted as 'Good' in November 2017. She stated that this inspection was triggered by the existence of Strathcona. Mrs Lobo informed Cabinet that the lead inspector referred to the School as being 'unique', and commented that the School would have continued as 'Outstanding' if we had not opened Strathcona.

Mrs Lobo stated that the School had its first Year 6 in 2017/18 and is extremely proud of those pupils, who made excellent progress during their time at Strathcona.

Mrs Lobo stated that as Strathcona and Roe Green operate as one school, any redundancies will have an impact across both sites. Mrs Lobo stressed that the Cabinet proposals will impact across the school community on both sites. Mrs Lobo reiterated that the School has worked with the Council, responding to requests in a highly professional manner.

Councillor Agha, Cabinet Member for Schools, Employment and Skills, thanked Mrs Lobo for her intervention on behalf of the School.

Councillor Agha informed Cabinet that the purpose of this report is to inform Cabinet of the intention to informally consult on a change in the age-range of Roe Green Infant School and the closure of primary provision on the Roe Green Strathcona site from September 2020.

He stated that the 2019-23 School Place Planning Strategy, approved by Cabinet in November 2018, identifies reducing demand for primary places and increasing spare places across the borough. Within this context, officers propose to undertake initial informal consultation on a proposal to cease primary provision on the Roe Green Strathcona site.

Councillor Agha stated that, subject to the outcomes of this consultation, Cabinet approval would be sought to consult formally, through publication of a statutory notice, on a change in the age range of Roe Green Infant School from 4-11 to 4-7, a reduction in the school's Published Admission Number (PAN) from 150 to 120 and a phased closure of provision on the Roe Green Strathcona site.

Councillor Agha stated that the Informal consultation phase provides the local Community with an opportunity for discussion with staff, parents, and local residents about the issues that need to be considered before the decision is taken to publish a statutory proposal.

Gail Tolley, Strategic Director, Children and Young People, reminded Cabinet Members that the Brent School Place Planning Strategy 2014-18 approved by

Cabinet in October 2014, had identified an increasing demand for primary school places and the need for additional places across the borough. Ms Tolley stated that, as set out in the Brent School Place Planning Strategy 2019-23, agreed by Cabinet in November 2018, the January 2018 Greater London Authority (GLA) projections for Reception for the 2018/19 academic year are 12% lower than they were in January 2014, when the Strathcona site provision opened. Ms Tolley stated that this is partly due to revised ONS population and migration data, but also due to falling birth rates across London.

RESOLVED that :

- i) Cabinet noted that initial informal consultation would be undertaken with stakeholders that could lead to subsequent statutory consultation on proposals to:
 - change the age-range of Roe Green Infant School from 4-11 to 4-7
 - reduce the school's Published Admission Number (PAN) from 150 to 120 for September 2020
 - implement a phased closure of provision on the Roe Green Strathcona site.

8. Carlton & Granville Centres Site - South Kilburn

Councillor Muhammed Butt, Leader of the Council, informed the meeting that he had received five requests to speak on this item.

Councillor Butt invited Mr Pete Firmin to address the meeting. Mr Firmin, speaking on behalf of a local tenants' association expressed concern at the proposals to deliver 23 units under the recommended design option (3). Mr Firmin stated that the Granville Centre is a secular community building. He expressed concern at the role of the South Kilburn Trust, stating that the trust doesn't appear to represent local residents and was not truly independent of the Council. He stated that the South Kilburn Trust had not tried to engage with local residents.

Councillor Butt invited David Kaye to address the meeting. Mr Kaye expressed concern at the implications of the planned project at the Carlton and Granville Site on local communities. He stated that the South Kilburn Trust does not appear to work in collaboration with local community groups and organisations. He stated that, were the Council to proceed with the proposed number of units, the impact would be negative on the local community and local services.

Councillor Butt invited Leslie Barson to address the meeting. Ms Barson spoke of the loss of community space in the area. She stated that since redevelopments had begun, 779 square metres of community space had been lost. She stated that new blocks of housing do not have community space. She pleaded to Cabinet to agree option 4 which would deliver no housing but would require refurbishment of the existing buildings for community and enterprise use.

Councillor Butt invited Lesley J M Benson, Headteacher Granville Plus Nursery School, to address the meeting. Ms Benson stated that she is a member of the Key Stakeholder Group regarding the Carlton and Granville Centres Site. She welcomed that Brent Council had established a stakeholder group. She stated that she had never seen an initiative engagement approached such as the one adopted

by the Council for this scheme. She stated that the design team had responded to the robust challenge from the Group.

Councillor Butt invited Ms Ros Dunn, Independent Chair of South Kilburn Trust, to address the meeting. Ms Dunn stated that she wished to express support for Option 3 - 23 units provided all of one tenure. She welcomed the collaborative approach the Council had adopted on this project, and thanked the design team for their collaborative approach. She stated that the proposals, under option 3, if approved, would ensure a well-designed high quality space.

Councillor Butt thanked the speakers for their contributions.

Councillor Harbi Farah, Cabinet Member for Adult Social Care, stated that the South Kilburn Trust was a key partner for the Council and stated that all interested parties should work to make sure the relationship between the Trust, residents and groups improved.

Councillor Tom Miller, Cabinet Member for Community Safety, referred to one of the Council's main priorities – to deliver housing targets. The Council had a priority to move as many people as possible currently in temporary accommodation in to permanent housing. He stated that schemes which delivered affordable and social housing were in line with the Mayor of London's priorities and Brent Labour's manifesto.

Councillor Eleanor Southwood, Cabinet Member for Housing and Welfare Reform, welcomed the report and option 3. She reminded Cabinet Members that Brent currently has 2,350 families in temporary accommodation. She stated that the need to develop social housing in Brent was critical to address the housing crisis.

Councillor Shama Tatler, Cabinet Member for Regeneration, Highways & Planning, thanked the speakers and Members of the Cabinet for their interventions. She stated that the purpose of this paper updates Members on the current position of two phases of the project at the Carlton and Granville Site in South Kilburn and seeks approval to take forward the next phase of the project.

Councillor Tatler stated that, since November 2016, there have been regular meetings with key stakeholders. These meetings have included existing users of the buildings as well as Kilburn ward members.

Councillor Margaret McLennan, Deputy Leader of the Council, welcomed the report and expressed support for option 3 - approximately 23 units.

Councillor Muhammed Butt thanked the speakers and Cabinet Members for their interventions. He reminded the meeting about the central government cuts to Brent's budget since 2010 and the subsequent impact on local services.

He stated that option 3 proposes a less dense scheme whilst still achieving the benefits housing provides on a site, specifically community safety with 24 hours passive surveillance of the outdoor spaces below.

He stated that the reduction in housing responds to the community concerns about the scale of development and residential impact on this community site.

RESOLVED that:

- i) Cabinet approved the continuation of Phase 2 of the project at the Carlton and Granville Site in South Kilburn to planning submission on the basis of design Option 3 presented in the report;
- ii) Cabinet agreed to engage with South Kilburn Trust regarding possible future management arrangements of the Carlton/Granville Centres;
- iii) Cabinet noted that Property Services will immediately engage with ULFA as set out in the report and to trigger the break clause as set out in the lease;
- iv) Cabinet agreed in principle that funding will come from different sources as set out in Appendix 2 of the report with the intention to seek Cabinet approval to enter into any necessary agreements with the Greater London Authority or South Kilburn Trust in due course.

9. Brent Neighbourhood Community Infrastructure Levy (NCIL) – Projects Requiring Cabinet Approval

Councillor Shama Tatler, Cabinet Member for Regeneration, Highways & Planning, introduced the report reminding Members that the Community Infrastructure Levy (CIL) is a charge applied to eligible developments to help fund strategic (borough-wide) and neighbourhood infrastructure related to development. She stated that Brent's CIL was formally introduced on 1 July 2013.

Councillor Tatler stated that the report requests Cabinet to approve the allocation of Neighbourhood CIL (NCIL) funds to three community projects from round two of the 2018/19 NCIL programme.

Councillor McLennan, Hirani, Miller, Patel and Butt spoke in support of the projects reminded Cabinet members how the three organisations would benefit from the funding.

RESOLVED that:

- i) Cabinet approved the NCIL allocation of:
 - £248,000 to support the refurbishment of Citizens Advice Brent, Willesden
 - £133,958 to support the creation of community facilities in Harlesden for residents and those affected by Sickle Cell Disorder
 - £150,000 to support the creation of new community facilities at St Catherine's Hall, Neasden

10. Performance Report, Q3 (Oct–Dec) 2018/19

Councillor Muhammed Butt, Leader of the Council, presented the report and the performance scorecard setting out the position on the Council's performance in the third quarter of 2018/19.

Councillor Butt encouraged Cabinet Members to monitor Departmental performance closely with the relevant Chief Officers.

RESOLVED that:

- i) Cabinet noted the performance information contained in the report.
- ii) Cabinet considered the current and future strategic risks associated with the information provided and agreed remedial actions on strategic risks as appropriate.
- iii) Cabinet challenged the progress with responsible officers as necessary.

11. Preparations for the UK leaving the European Union (EU) - Update

Councillor Muhammed Butt, Leader of the Council, presented the report stating that as part of the Council's preparations for Brexit, the possibility of leaving the EU without a deal is being considered.

Councillor Butt stated that there are risks across different areas of the council if we leave the EU without a deal, and these are outlined in the risk assessment document for Members to note along with the mitigating actions.

Peter Gadsdon, Director, Performance Policy and Partnerships, stated that the risk assessment is a dynamic document and is updated weekly. He stated that it will be published on the council's Brexit web pages.

Councillor Tom Miller, Cabinet Member for Community Safety, stated that the Council is holding an information evening about the EU settlement to be held on 27 March 2019 giving residents the opportunity to ask questions about the scheme.

Councillor Krupesh Hirani, Cabinet Member for Public Health, Culture & Leisure, welcomed the report and risk assessment stating that the Council will also promote awareness of the information evening and staff support scheme amongst the Council's contractors.

RESOLVED that:

- i) Cabinet noted the contents of the Risk Assessment set out in Appendix 1 of the report
- ii) Cabinet noted the details of the EU settlement scheme campaign as set out in the report.

12. Exclusion of Press and Public

There were no exclusions of Press and Public


13. Any other urgent business

None.

The meeting ended at 5.07 pm

COUNCILLOR MUHAMMED BUTT
Chair

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	Cabinet 15 April 2019
	Report from the Director Performance, Policy, and Partnerships
Review of Voluntary & Community Sector Needs: Report Findings and Recommendations for a new model	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Three: Appendix 1 CVS Key Performance Table Appendix 2 Equality Analysis Appendix 3 Needs Assessment Report
Background Papers	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Pascoe Sawyers, Head of Strategic Partnerships 0208 937 1045 pascoe.sawyers@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report sets out the findings from phases 1 & 2 of the review of Brent's voluntary & community sector (VCS) needs. Reference is made to the Council's Borough Plan (2019-23) – 'Building a Better Brent', voluntary and community sector research, and the community hubs network development programme. Additionally, this report sets out proposals for a new model for working with and supporting the voluntary and community sector as informed by the review of needs 2018 and the recent budget reductions agreed at Full Council for the 2019/20 and 2020/21 budgets.

2.0 Recommendations for Cabinet

- 2.1 Cabinet to approve the development of a new bespoke voluntary & community sector model as part of the overall strategy of Building a Better Brent
- 2.2 Cabinet to approve conducting an options appraisal to identify the most suitable framework to deliver the VCS model to include:
- 2.2.1 Continue the current arrangement – Further extend the existing conditional grant with CVS Brent or enter into a similar contract with another VCS

- 2.2.2 Commissioned Partnership – Commission a consortium of organisations – similar to the Brent Advice Partnership (BAP) arrangement
- 2.2.3 Cooperative model – Increased collaboration between the council and the VCS including greater involvement of the VCS in strategic decision making and commissioning
- 2.2.4 Community Interest Company (CIC) - Establish a CIC to provide infrastructure support and deliver the VSIF and quality assurance programme
- 2.3 Cabinet to approve an extension of up to one-year year to the Voluntary Sector Initiative Fund (VSIF) Infrastructure Grant to CVS Brent in the sum of £120K (pro-rata) for up to 12 months from 22 April 2019-31 March 2020 to provide services during the options appraisal and the transfer of responsibility to the new framework

3.0 Background

- 3.1 Brent's voluntary & community sector offers a comprehensive range of services and activities that both contribute significantly to the wellbeing of Brent's residents, and complement local statutory services. The Council acknowledges the pivotal role played by the voluntary & community sector and recognises the significant challenges currently confronting these organisations.
- 3.2 A review of voluntary & community sector needs was conducted to guide the Council's approach in utilising its resources to strengthen VCOs capacity and resilience. This report sets out the main findings from phases 1 & 2 of the review.

4.0 Context and Current Position

- 4.1 The impact of government austerity measures is well documented. Welfare reform, reduced budgets, changing demographics and a growing demand for statutory services have resulted the Council acknowledging that it needed to,

*'...find ways of working that improve best value by making services seamless, reducing duplication, commissioning services that improve value for money and meet residents' needs, and providing a genuine focus on the needs of local people.'*¹

A different approach is needed to meet growing demand for council services whilst managing pressure on budgets. Increasing employment opportunities for local residents and raising income to support core services such as youth services, advice, older and vulnerable residents are also vital.

- 4.2 To achieve these changes, the Council has taken a transformational approach that is set out within the Borough Plan (2019-23) 'Building a Better Brent'. The transformation of community-led services is currently being put into effect through varying work streams, including Outcome Based Review (OBR) outcomes; the development and expansion of community hubs; stronger communities' strategy and community engagement.

¹LB Brent Borough Plan 2019-23 'Building a Better Brent'

The Building a Better Brent vision for 2023 is to make Brent a borough of culture, empathy and shared prosperity. In order to achieve this, we are concentrating on 5 strategic themes:

- Every opportunity to success
- A future built for everyone, an economy fit for all
- A cleaner, more considerate Brent
- A borough where we can all feel safe, secure, happy and healthy
- Strong foundations

- 4.3 To help achieve its aims, the Council has made a clear reference to an enhanced role for all partners who are able to provide Best Value services; this includes the voluntary & community sector. The Council recognises its role in supporting the voluntary sector, however traditional ways of support are no longer easy to deliver. The Council's budgets are reducing and its ability to give grants to the voluntary sector are reducing too. The Council does however support the voluntary sector in many ways, for example, the Council's volunteering scheme permits each employee three days paid to volunteer with a Brent voluntary or community group. Table 1 below sets out the broad range of funding the Council's commissions with the voluntary sector annually.
- 4.4 CVS Brent currently deliver Brent's infrastructure provision which includes: training, governance advice, funding and governance support and assistance, this is enhanced by the Council's in-house infrastructure advice and assistance service. There are also various funding streams available to the voluntary & community sector covering: voluntary & community sector infrastructure support and capacity building; core and project costs associated with key services and activities that meet specific council strategic objectives; borough-wide legal and welfare benefits advice services; health-based projects; and smaller scale community activities. Grant awards are administered in line with the criteria set against each funding stream and Brent's constitution.
- 4.5 The current Brent CVS infrastructure provision has been in place since 2016 and has been supported by an infrastructure grant of £160K per annum. However, over the last 18 months the organisation has undergone a number of changes in personnel, with the ex- chief executive and other key staff delivering the Brent service leaving the organisation. This has had an impact on service delivery with two of the key indicators performing below target (see Appendix 1). In addition, as part of the Council's 2019/20 and 2010/21 budget proposals, Full Council agreed to reduce the infrastructure grant over the period by £80K. The table below refers.
- 4.6 In line with the reduction in the infrastructure grant it is proposed that Cabinet approve an extension of up to one year to Brent CVS, this will provide stability to the infrastructure support for the voluntary sector whilst options are considered to deliver infrastructure services in line with the reduced grant. The budget for 2019/20 will be £120K and officers will agree a set of outcomes and targets in line with the grant conditions, placing particular emphasis on supporting smaller organisations.
- 4.7 The table below outlines the current and future grant provision and savings 2019-2021 as agreed by Full Council when agreeing the Council's 2-year budget for 2019 to 2021 on the 25th February 2019.

Voluntary and Community Sector Funding 2018-2021			
Grant Programme	Budget 2018/19	Budget 2019/20	Budget 20/21
Voluntary Sector Initiative Fund Local Grant Programme	£232k	£232k	£232k
Love Where You Live	£50k	£50k	£50k
Brent Advice Fund	£242k	£120k	£120k
Voluntary Sector Initiative Fund – Infrastructure Support for Voluntary Sector (currently delivered by CVS Brent)	£160k	£120k	£80k
Voluntary Sector Initiative Fund- Advice and Guidance Contracts (delivered by CAB and subcontractors)	£544K	£513K	£485K
Edward Harvist Trust Fund- Funded by Harrow Council on behalf of Edward Harvist Trust	Approx. £80k (Contributions are 28% of the income from the Trust)	Approx. £80k (Contributions are 28% of the income from the Trust)	Approx. £80k (Contributions are 28% of the income from Trust)
Total	£1.309M	£1.115M	£1.049M

- 4.8 VCS organisations have access to bid for CIL funding and also deliver a number of the Council's commissioned services, detailed in the table below.

Other Voluntary and Community Sector Funding (Annual)	
Programme	Funding
60 voluntary sector projects	£2.7M (CIL)
Service Contracts (e.g. Single homelessness, children's centres, carers support, healthwatch, PowHer etc.)	£2.4M (Barnados) Management of Brent Children's Centres £900k – (Crisis, Thames Reach & Ashford Place) Single Homeless Prevention Service £474k (Elders Voice) delivery of Older persons floating support and handy persons' service £270k – (London Councils) providing support services across London including domestic abuse and homelessness £200k – (DVIP) – Offender Management Programme £195k – (St.Giles Trust) - Offender Management Programme £160k – Air Network) – Offender Management Programme £160k - (Barnados) Management of the Freeman Family Centre £150k – Healthwatch local consumer champion on health & social care services £145k - (Barnados) Provides crèche services £142k – CAB – provides information, advice and guidance to families based in Children's Centres £90k – (Change, Growth, Live)- providing support to exiting sex worker programme £75k - (EACH) Alcohol and substance misuse, advice, guidance and counselling support service for families known to the young offenders' service

	<p>£70k – PowHer – provides support to make a complaint about your NHS care or treatment</p> <p>£54k (DVIP) – Design and implementation of a children's play therapy service</p> <p>£20k – (Potential Mentoring) Mentoring support for vulnerable children and young people</p> <p>£20k (D'OR) Counselling support service</p> <p>£15k (Brent Carers Centre) – Young carers support service</p> <p>£10k (Father Figure) – Providing support to fathers</p> <p>£5k (Family Friends) – Befriending service for families</p>
Total	£8.25M

5.0 Consultation

- 5.1 The review's consultation process included input from: 372 voluntary and community sector organisations: charities, residents' associations, community organisations and individuals. It was delivered in two phases, Phase 1 – identified the needs of the sector and Phase 2 – consulted on a future model based on the outcomes of Phase 1. Consultation methodology comprised: surveys, telephone interviews and community based workshops.

6.0 Review Findings

6.1 Voluntary and Community Sector: Benefits, challenges and aspirations

6.2 Benefits

The voluntary & community sector offer provides significant benefits to local communities whilst complementing the Council's strategic priorities. The VCOs:

- Encourage civic duty (harnessing volunteers equivalent to £20ph), tackle inequality and promote community cohesion;
- Alleviate demand upon all public services by addressing residents issues at the point of contact and obtaining additional resources to do so;
- Are independent and can therefore respond swiftly and rapidly to changing environments cutting through bureaucratic process;
- Can draw upon external resources that are otherwise unavailable to private and statutory organisations, and in some cases are grant givers;
- Deliver ethical services built upon trust in communities and beneficiaries (particularly where residents face complexities in accessing services);
- Provide in-depth local knowledge, strong community links, reach, and expertise that enables VCOs to better understand challenges at micro and macro level;
- Are well positioned to adapt quickly to change and develop innovative, tailored and preventative responses;
- Fill gaps where cuts to statutory services have impacted (e.g. food-banks, outreach, community events, etc.);
- Could become Brent's official corporate social responsibility offer and work with the council to facilitate its own staff team's involvement in community volunteering

6.3 Challenges

The sector is undergoing a number of external challenges, which is providing a number of new opportunities to collaborate, adapt and change, build resilience and sustainability to mitigate the impact. The main challenges identified within Phase 1 of the review were:

- A lack of long term funding (directly impacting upon resource leverage, longer-term planning and organisation development);
- Rapidly growing demands for services delivered in many cases without full cost recovery (approximately 20% rise in demand in 2017/18);
- Impact of austerity and continuous change to central and local government policy (welfare reform, universal credit and significant cuts to non-statutory services such as youth provision);
- A lack of strong collaboration and partnership working with the Council and between the VCOs themselves
- Difficulty in obtaining an overview of duplicate services being delivered for example: local advice, ESOL, benefits, youth provision, (plus the impact of GDPR on data-sharing protocols).
- Stronger voluntary & community sector leadership, strategic direction and vision within Brent
- Focused, localised and more specialist organisational and development capacity building and support (pro-bono, mentoring, back office services)

6.4 Aspirations

The VCOs are keen to work more productively and in a joint capacity with Council teams and departments. The review found that VCOs welcomed:

- Partnerships and collaboration with the council's wider departments;
- The BPET's support in publicising the VCOs knowledge and capacity amongst council departments to encourage more integrated working;
- Working with the council to better utilise the VCOs non-profit status to lever in wider charitable funds;
- A partnership based upon trust, transparency and commonality which VCOs deemed as crucial particularly where resources are limited. This would assist the VCOs in better collaboration and communication and alleviating difficulties sometimes experienced in partnerships that are 'cobbled together';
- Maintaining a strong and independent sector voice;
- Clarity as to which organisations should play a lead role in the following capacity building areas:
 - Leadership / Governance and Innovation
 - Bespoke, localised and focused capacity building
 - Thematic / issues-based policy and research
 - Advance specialist advice (e.g. HR, legal, finance, etc.)
 - Voluntary & community sector policy and strategy
 - Networking and promotion
 - Enabling 21st century working (shared assets, satellite services and hot desking)
 - Monitoring / evaluation guidance
 - Resource development

It was also noted that although there are communication tensions that exist between the VCOs and the Council, the VCOs welcomed the more recent changes made by some

areas within the council. *(The council's BPET, employment and drug and alcohol teams were flagged as examples of listening and good practice in joint working)*

7.0 Future Funding Arrangements

- 7.1 The Council administers various grants that fund the voluntary & community sector initiatives comprising: The Voluntary Sector Initiative Fund, Edward Harvist, Love Where You Live and the Brent Advice Fund). A number of services are contracted to voluntary sector organisation including: Information, advice and guidance, Social Isolation in Brent Initiative (SIBI), the Accident Prevention Handyperson service for the elderly and the Single Housing Pathway provision to support single young people.
- 7.2 The Council provides the following support and assistance to the VCS to access funding:
- Funding training and workshops
 - Open4Communities, a free online grant-finder, free to all Brent residents and organisations
 - SpaceHive – a free crowdfunding online tool, (match-funding available)
 - Borough of Culture grant funding with support and assistance for applicants
 - Community Infrastructure Levy (CIL) funding to support local capital and community projects
 - Funder fairs – to provide grant information and meet funders

8.0 Quality Assurance

- 8.1 The review identified a need for a more equitable and accessible process that enables VCOs to grow their capacity, access grant funds within and beyond Brent Council, and meet growing demands on their services. The new model should allow any Brent VCO to register for the Quality Standard and by meeting the criteria that indicates its capacity to deliver activities, manage public funds (where awarded), partner with other VCOs and identify the level of capacity building it might require.
- 8.2 The new (draft) 'Level 1, Level 2, and Level 3' quality standards are recommended. This will achieve the following outcomes:
- Provide a consistent criterion that gives an indication of the capacity of VCOs
 - Determines how and/or what support a VCO may need to meet the standard;
 - Identifies where capacity building may be required enabling more targeted and focused infrastructure support;
 - Provides equity in grant allocations enabling wider access for smaller organisations
 - Determines whether some VCOs are able to access and deliver wider council contracts;
 - Reduces administration costs associated with obtaining the standard as it builds upon governance and structures that many VCOs would already have in place
 - Builds upon information that VCOs should already have available as part of their governance and delivery structures – reducing administrative requirements for the Quality Standard.
 - Provides a good indication of the quality of service provided by the VCOs and ability to manage resources; and work in partnerships;

8.3 The wider consultation feedback supported the quality standard as a good way to help build a partnership approach, but with the following caveats:

- Should not be used as a barrier to VCOs setting up partnerships
- Should not be used to bar VCOs from applying for grants;
- More detail is needed for VCOs to understand the standard beforehand

8.4 The new standard supports stronger partnerships and targets capacity building rather than creating barriers for VCOs: Implementing the new standard as part of the model is aimed at achieving the following:

- Serves as a search facility for all VCOs and the Council to quickly locate other potential delivery partners that are already quality checked to a specific standard. *(This was an aspiration of the VCOs to help give some certainties when identifying new voluntary & community sector partners, and when creating and testing new partnerships);*
- Enables VCOs to identify and obtain appropriate support/capacity building required to move between the standards;
- Allows those that meet the standard to publicly state that they have achieved a required Quality Standard *(this provides certainty to other funders who consider VCOs that partner with larger public bodies as an indication of quality assurance. It further addresses the VCOs need to use grants as a lever for additional external resources).*
- Enables the Council to ascertain the capacity of VCOs and use this to formulate ways of widening access to local services; and

Subject to the Mayor's approval, organisations could be recommended to the Mayor's choices for the Mayor's charity.

8.5 The quality standard will therefore contribute towards: creating stronger partnerships; degrees of certainty to VCOs that meet the standard; ascertaining and identifying VCOs capacity and development needs; creating fairer and wider access to grant funds; opening new opportunities for the Council to explore wider services in different localities; and benefitting from public recognition as a named VCOs on the partnership framework

9.0 Future VCS Infrastructure Support and assistance Requirements

9.1 To deliver the new model, a future infrastructure support and assistance programme will be based on the needs of the sector identified in the review and will include;

- 1) A decentralised, locality-based bespoke service supporting the needs of local organisations and based in the hubs and other venues as required
- 2) To work closely in partnership with the Council and the Partnership and Engagement team to deliver infrastructure support and assistance
- 3) To build a good and knowledgeable relationship with the sector, developing networks and partnerships with and for the sector
- 4) Provide a service tailored to the requirements of the different levels / Tiers of VCS organisations
- 5) To design and deliver training tailored to the needs of the sector
- 6) To support and advise organisations to income generate individually and in partnership/consortia focusing on external funding

- 7) To support the delivery of the quality assurance model, build capacity, business planning and good governance
- 8) To coordinate and deliver regular 'good practice' and strategic forums

10.0 The Way Forward

10.1 The approach set out below offers a model that will build upon the VCOs strengths and aspirations, address its challenges, provides a partnership approach to working with the Council and therefore builds more robustness into the voluntary and community sector. The model aims to:

- Develop a long term, sustainable partnership between the council and voluntary & community sector;
- Strengthen voluntary & community sector infrastructure support and provide capacity building to up-skill the sector
- Widen access to services required by Brent's residents; and ultimately obtain better services for Brent's residents that can be accessed locally via community hubs and other venues
- Align objectives as VCS organisations are in many cases the residents' first point of contact especially as both the sector and the Council are trying to achieve the same goal - which is good services for Brent's residents.

Enable robust communication – this approach is evident from the work of this review, as part of the Community Hubs approach, and through Brent Connects.

10.2 The proposal consulted on with the VSOs during the review recommends a bespoke model created specifically for Brent. It would address the aspirations, needs and challenges expressed by the voluntary & community sector by drawing upon industry research and good practice by:

- Building up the resilience of voluntary sector organisations
- Providing bespoke, localised infrastructure support and assistance
- Actively including partner organisations, community groups and individuals
- Developing a Quality Assurance framework guided by a Level 1, Level 2, Level 3 quality standard

10.3 This report sets out a recommended approach to strengthening Brent's voluntary & community sector. It will deliver a bespoke model that aims to build sustainability and resilience into Brent's VCOs and develop a stronger and more robust working partnership between the sector and the council. It is therefore recommended that an options appraisal is conducted to identify the most suitable and viable model and bring back the recommendations in Autumn 2019 in order that they can be implemented in line with the 2020 financial year.

10.4 Options to Deliver the Model

- Continue the current arrangements – Further extend the existing conditional grant with CVS Brent or enter into a similar contract with another VCS and support the VCS through the VSIF.

- Commissioned Partnership – Commission a consortium of organisations – similar to the Brent Advice Partnership (BAP) arrangement to deliver infrastructure services and a grant programme
- Cooperative model – Increased collaboration between the Council and the VCS including greater involvement of the VCS in strategic decision making and commissioning, Infrastructure services, VSIF and quality assurance programme.
- Community Interest Company (CIC) – Establish a CIC to provide infrastructure support and deliver the VSIF and quality assurance programme. CIC's are limited companies set up to provide community benefits. A CIC has been considered as a potential model for the Community Hub network and provides independent governance whilst retaining the Council's coordination and support role.

10.5 During this period extend the existing CVS Brent's conditional grant for up to 12 Months to deliver the infrastructure support and assistance programme based on future grant funding of £120k in 2019/20.

11.0 Equality Implications

11.1 A Pre-Equality Analysis was conducted (Appendix 2) and assessed the benefits as positive across all categories. The proposed new model will enable the Council to provide a more enhanced and sustainable support to the community and Voluntary Sector across all areas of infrastructure support and assistance. Providing the sector with the governance support and tools to respond more strategically to the changing needs of local communities and foster community cohesion.

11.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

11.3 The Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not

11.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Council, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

11.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance

also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010/equality-act-guidance-codes-practice-and-technical-guidance#cop>

11.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

11.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty/guidance>

11.8 A grant condition requirement will be that all staff funded through the grant are paid at least the London Living Wage will help the Council to meet its duties under the Equality and Social Value legislation

12.0 Legal Implications

12.1 Under S1 of the Localism Act 2011 the Council has a general power of competence to do anything which an individual may do unless it is expressly prohibited.

12.2 The giving of grants to voluntary organisations is a discretionary power which must be exercised reasonably taking into account all relevant considerations and ignoring irrelevant considerations. The Council's discretion must not be fettered by previous commitments they may have given and it should make its decision in the light of present circumstances.

12.3 Cabinet authority is required for the award of the proposed grant given its value. Further Cabinet must approve the grant criteria to be used to select the organisation to receive the grant. The recommendations however seek delegated authority to the Director of Performance, Policy and Partnerships to approve grant criteria.

12.4 Under section 3(1) of the Local Government Act 1999, Brent Council, as a "best value authority" is under general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Under the duty of best

value, the Council should consider overall value, including environmental and social value, when reviewing service provision

12.5 Before deciding how to fulfil their best value duty, local authorities are required to consult a wide range of local persons, including voluntary and community sector organisations and businesses as set out in section 3(2) of the Local Government Act 1999.

12.6 In March 2015, the Government circulated revised Best Value Statutory Guidance. According to that Guidance, local authorities should be sensitive to the benefits and needs of voluntary and community sector organisations and should seek to avoid passing on disproportionate cuts. The Guidance also advises that where appropriate, local authorities should make provision for an affected organisation or wider community to put forward options on how to reshape the service or project and local authorities should assist this by making available all appropriate information. The full guidance is available here:

<https://www.gov.uk/government/publications/revised-best-value-statutory-guidance>

12.7 Paragraph 12.8 indicates a wish to ensure that staff working in the CVS infrastructure support and assistance service are paid at least the London Living Wage. As it is proposed to fund the service by way of a conditional grant, it is possible to include a condition in the grant requiring the provider pay all staff more than the London Living Wage.

13.0 Financial Implications

13.1 The Voluntary Sector Initiative Fund budget has been agreed for 2019/20 and the budget for infrastructure assistance is £120,000. The conditional grant awarded will be met from the VSIF agreed at Cabinet on 11 February and full Council on 25 February 2019. This option presents no risk for the council in fulfilling the grant funding commitments.

13.2 To cover the period of the 1 April to 22 April 2019, the Director of Performance, Policy & Partnership will approve a small grant of £5000 to CVS Brent to deliver a reduced infrastructure assistance service to the VCS. This amount will be deducted from the VSIF grant of £120k if approved by Cabinet on 15 April 2019.

13.3 The grant will include the provision that all posts funded through the grant will need to be paid at least the London Living Wage.

14.0 Consultation with Ward Members and Stakeholders

14.1 Extensive consultation was conducted throughout the review process and the Lead Member for the Community and Voluntary sector, Councillor Krupesh Hirani has been consulted throughout the process.

Report sign off:

PETER GADSDON

Director of Performance, Policy and
Partnerships

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Appendix 1 - CVS Brent Key Performance Indicators

April 2016 - December 2018

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Commentary and Actions
PAR 01 - Income to benefit the borough secured by local voluntary groups, with CVS support	£1,509,639	£567,412	£622,875	£210,000	£404,712	£1,804,999	£640k	Contextual	G	Demand Management	A significant amount of external funding has been generated and exceeded against the target of £640k per annum.
PAR 04 - Number of local voluntary sector groups receiving 1-2-1 advice and guidance from CVS	314	63	52	50	55	220	-	Contextual	R	Demand Management	
Performance Indicator	16 /17 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Commentary and Actions
PAR 01 - Income to benefit the borough secured by local voluntary groups, with CVS support	£1,804,999	£180,000	£195,000	£0	£0	£375,000	£640K	Contextual	R	Demand Management	Target has not been meet in Q3 & 4 due to a number of reasons; recruitment of key staff was completed in November 2018 and applications for funding in Q4 may not have a decision until 2018/19 Q1. An action plan will be discussed and developed following the Q4 monitoring meeting in April 2018.
PAR 04 - Number of local voluntary sector groups receiving 1-2-1 advice and guidance from CVS	220	48	28	41	29	146	220	Contextual	R	Demand Management	Target has not been met 2017/18 due to a number of reasons; recruitment of key staff was completed in November 2018 and new team were

											bedding in and developing relationships with organisations and the local residents. An action plan will be discussed and developed at the monitoring meeting in April 2018.
Performance Indicator	17/18 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Commentary and Actions
<div>Page 24</div> PAR 01 - Income to benefit the borough secured by local voluntary groups, with CVS support	£375K	£40,000	£86,225	£128,000	n/a	£254,225	£640k	Contextual	R	Demand Management	Q3 has seen an increase in income generated although below the quarterly target £160k. A new part-time development manager was recruited in mid-November 2018. CVS has been supporting smaller organisations this quarter and external grant applications have been for smaller amounts of funds.
PAR 04 - Number of local voluntary sector groups receiving 1-2-1 advice and guidance from CVS	146	61	41	47	n/a	149	220	Contextual	R	Demand Management	Q3 figure whilst showing an increase from Q2 is below the annual target this mainly due to the seasonal decrease of enquiries during December 2018.

Appendix 2 - EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Voluntary Sector Needs Review
DEPARTMENT:	Performance, Policy and Partnerships
TEAM:	Strategy and Partnerships
LEAD OFFICER:	Pascoe Sawyers
DATE:	8 January 2019

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

This Impact Assessment considers the proposals of a new model for working with and supporting the voluntary and community sector as informed by the review of needs 2018.

The proposal reasserts the underlying principles for supporting Voluntary Sector as referenced to the council's Borough Plan (2019-23) 'Building a Better Brent' priorities, voluntary and community sector research and good practice from other London local authorities.

The review recommends creating a new partnership framework that incorporates enables stronger joint working based upon seven principles;

- Joint working,
- quality services,
- trust & honesty
- fairness,
- shared goals & values,
- openness and a strong and equal voice

2. Who may be affected by this policy or proposal?

The recommended model is intended to provide support to the Brent's voluntary & community sector.

The sector offers a comprehensive range of services and activities that both contribute significantly to the wellbeing of Brent's residents, and compliment local statutory services. The council acknowledges the pivotal role played by the voluntary & community sector and recognises the significant challenges currently confronting these organisations.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Yes. The approach set out in the proposal offers a model that will build upon the VCOs strengths and aspirations, addresses its challenges, provides a partnership approach to working with the council and therefore builds more robustness into the voluntary and community sector.

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	x		
Sex	x		
Race	x		
Disability	x		
Sexual orientation	x		
Gender reassignment	x		
Religion or belief	x		
Pregnancy or maternity	x		
Marriage	x		

5. Please complete **each row** of the checklist with an “X”.

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?		x
Does the policy or proposal relate to an area with known inequalities?		x
Would the policy or proposal change or remove services used by vulnerable groups of people?		x
Has the potential for negative or positive equality impacts been identified with this policy or proposal?		x
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.
2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	
DISABILITY	
Details of impacts identified	
RACE	
Details of impacts identified	
SEX	
Details of impacts identified	
SEXUAL ORIENTATION	
Details of impacts identified	
PREGANCY AND MATERNITY	

Details of impacts identified	
RELIGION OR BELIEF	
Details of impacts identified	
GENDER REASSIGNMENT	
Details of impacts identified	
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?
4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?
5. Please detail any areas identified as requiring further data or detailed analysis.
6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	
REVIEWING OFFICER:	
HEAD OF SERVICE:	



LONDON BOROUGH
OF BRENT COUNCIL

A review of the needs within
Brent's voluntary and
community sector
organisations

HR Consulting
December 2018

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Abbreviations

BPET – LB Brent Council Voluntary Sector Partnership and Engagement Team

LBBr – London Borough of Brent Council

VCOs – Voluntary and Community Organisations

- Tier 1 VCOs – organisations commissioned by BPET
- Tier 2 VCOs – in receipt of larger grant funds from the BPET
- Tier 3 VCOs – in receipt of smaller grant funds from the BPET

VSIO – Voluntary Sector Infrastructure Organisation

VSIF – Voluntary Sector Initiative Fund

VCOs Activities:

- AIG – Advice, Information and Guidance
- ALS – Arts, Leisure and Sport
- CYP – Children and Young People
- ETV – Employment, Training and Volunteering

1. Introduction

The London Borough of Brent Council has taken the decision to review the needs of the voluntary and community sector organisations that offer local services to Brent's communities. Phase 1 focused on identifying the needs of the sector and Phase 2 focussed on consulting with sector organisations about the recommendations from phase 1. The consultation explored the following: a quality assurance model, realigning the grant allocation, prioritising the partnership between the sector and the Council and developing a set of partnership principles. The consultation also explored the needs of the sector to feed into future infrastructure support provided by Brent Council. The current model detailed herein is within the current budget not proposed budget.

2. Executive Summary

This report sets out the findings from phases 1 & 2 of the review of Brent's voluntary & community sector needs. Reference is made to the Council's Borough Plan- Building a Better Brent 2019-2023, voluntary and community sector research, and good practice from other London local authorities. Additionally, this report sets out proposals of a new model for working with and supporting the voluntary and community sector as informed by the review of needs 2018.

3. Background

Brent's voluntary & community sector offers a comprehensive range of services and activities that both contribute significantly to the wellbeing of Brent's residents, and complement local statutory services. The council acknowledges the pivotal role played by the voluntary & community sector and recognises the significant challenges currently confronting these organisations.

A review of voluntary & community sector needs was conducted to guide the council's approach in utilising its resources to strengthen VCOs capacity and resilience. This report sets out the findings from phases 1 & 2 of the review.

4. Context and current position

Achieving our vision will require innovation, continued and deeper partnership, and careful planning based on sound evidence. It requires us to shift from focusing on single services addressing specific issues, to a more joined-up approach based around localities. We must continue to explore and innovate, using our resources in the most effective way and securing the services that people need. This means working closely with partners, ensuring the best use is made of all our means. We will build resilient communities through our community hub model – a prime example of how we want to address the needs of our residents earlier. We will do this in a joined-up way, grounded in the neighbourhoods where people live. We will support local voluntary sector organisations and obtain best value from grant funding provided to them.

A different approach is needed to meet growing demand for council services whilst managing pressure on budgets. Increasing employment opportunities for local residents and raising income to support core services such as youth services, advice, older persons and disability are also vital.

To achieve these changes, the Council has taken a transformational approach that is set out within the 'Build a Better Brent' strategy. The transformation of community-led

services is currently being put into effect through varying work streams, including Outcome Based Review (OBR) outcomes; development and expansion of community hubs; 'Forward Together', stronger communities and community engagement. To help achieve its aims, the council will use its spending power to help support local communities, setting out clear expectations and with more of a focus on volunteering and community support.

Brent Council's Partnership and Engagement Team (BPET) currently provides infrastructure support and assistance and coordinates the current CVS Brent infrastructure service to the sector. Additionally, it administers various funding streams accessible to the voluntary & community sector. These currently fund: voluntary & community sector infrastructure support and capacity building; core and project costs associated with key services and activities that meet specific council strategic objectives; borough-wide legal and welfare benefits advice services; health-based projects; and smaller scale community activities. Grant awards are administered in line with the criteria set against each funding stream and Brent's constitution.

Brent's voluntary & community sector has a vibrant and wide-ranging local offer that both complements and alleviates pressure upon the Council's services. Brent's residents and the Council can and do benefit greatly from the uniqueness and strength of this offer that seamlessly aligns itself with the Council's strategic priorities as set out within the Borough Plan 2019-23 'Building a Better Brent'. The voluntary & community sector is keen to engage with the Council to deliver local services and activities effectively. The VCO service offer, its aspirations and challenges are set out below.

5. Consultation

The review's consultation process included input from approximately 372 organisations and individuals, residents' associations, community and voluntary sector organisations and charities. It was delivered in two phases, with the consultation methodology comprising of: surveys, telephone interviews and community-based workshops. Details are set out in tables 1 & 2 below.

Consultation Methodology

Table 1: Phase 1 - Review of Needs Consultation: June – November 2017

Components	Date(s)	Outcomes
Surveys - Tier 1	July - October	15 surveys returned
1-1 telephone interviews – Tier 1	July – October	15 interviews completed
Survey – Tier 2 & 3	July - October	30 surveys returned
Face to face interviews Tier 2 & 3	June - July	5 interviews completed
Total Surveys:	45	Overall
Total Interviews: 20	Total: 65	

Table 2: Phase 2 - Wider VCO consultation: June – October 2018

Components	Date(s)	Outcomes

Surveys	July - October	172 respondents
Workshops x 3x Wembley 1x Willesden 1x Kilburn	June - August	83 attendees
2x Brent Community Advice Network	September	52 attendees
Total: 372		

6. Voluntary and Community Sector: Challenges and aspirations

The voluntary & community sector offer provides significant benefits to local communities whilst complementing the Council's strategic priorities. The VCOs:

- Encourage civic duty (harnessing volunteers equivalent to £20ph), tackle inequality and promote community cohesion;
- Alleviate demand upon all public services by addressing residents' issues at the point of contact and obtaining additional resources to do so;
- Are independent and can therefore respond swiftly and rapidly to changing environments cutting through bureaucratic process;
- Can draw upon external resources that are otherwise unavailable to private and statutory organisations, and in some cases are grant givers;
- Enhance Best Value and attract resources through their non-profit status;
- Deliver ethical services built upon trust in communities and beneficiaries (particularly where residents face complexities in accessing services);
- Contributing towards improvements in community wellbeing (economic, social, physical, and mental);
- Provide in-depth local knowledge, strong community links, reach, and expertise that enables VCOs to better understand challenges at micro and macro level;
- Are well position to adapt quickly to change and develop innovative, tailored and preventative responses;
- Work ethically with passion, drive, commitment and a sense of social justice; underpinning voluntary sector values that contribute towards equality, inclusiveness and the sector's longevity;
- Fill gaps where cuts to statutory services have impacted (e.g. foodbanks, outreach, community events, etc.);
- Can become Brent's official CSR offer and can work with the Council to facilitate its own staff team's involvement in community volunteering.

Challenges

The current challenges faced by the voluntary & community sector mean that without more resilience and sustainability, there is a real threat to, and potentially a loss of vital services and activities in local communities. The main challenges identified within Phase 1 of the review were:

- A lack of long-term funding (directly impacting upon resource leverage, longer-term planning and organisation development);

- Rapidly growing demands for services delivered in many cases without full cost recovery (approximately 20% rise in demand in 2017/18);
- Impact of austerity and continuous change to central and local government policy (welfare reform, universal credit and significant cuts to non-statutory services such as youth provision);
- A lack of strong collaboration and partnership working with the council and between the VCOs themselves (requesting a need for a partnership framework);
- Difficulty in obtaining an overview of duplicate services (plus the impact of GDPR on data-sharing protocols). (*Note: Duplication was more complex to ascertain where wraparound services were provided*);
- Stronger voluntary & community sector leadership, strategic direction and vision within Brent
- VCOs needed to better demonstrate their value and be able to show how they provide not only best value but also wider social and community value. Discussion about how VCOs knew that they offered better value.
- Focused and more specialist organisational and development capacity building and support (pro-bono, mentoring, back office services);

Aspirations

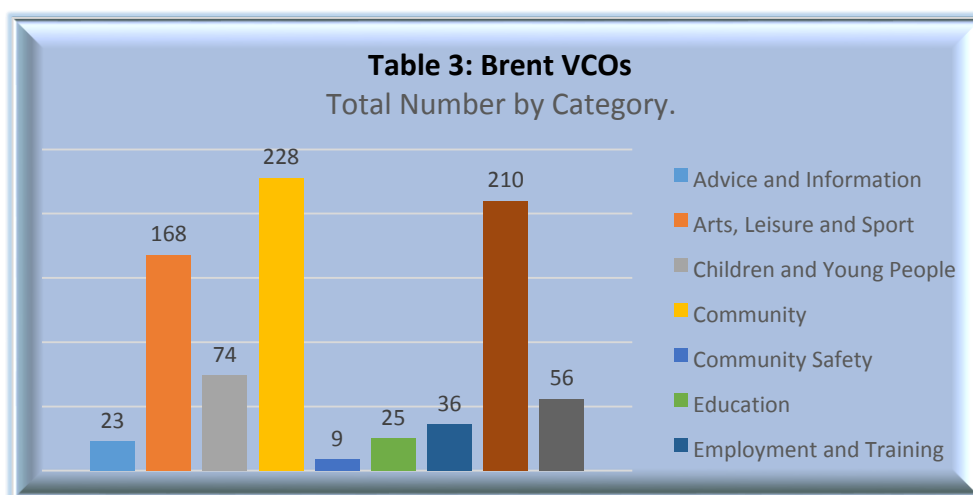
The VCOs were keen to work more productively and in a joint capacity with Council teams and departments. The review found that VCOs welcomed:

- Better communication with the Council – including visits from Council officers and councillors to the VCOs.
- It was noted that although there are communication tensions that exist between the VCOs and the Council, the VCOs welcomed the more recent changes made by some areas within the Council. (*The council's BPET, employment and Drug and Alcohol teams were flagged as examples of listening and good practice in joint working*).
- Partnerships and collaboration with the Council's wider departments;
- The BPET's support in publicising the VCOs knowledge and capacity amongst Council departments to encourage more integrated working;
- Working with the Council to better utilise the VCOs non-profit status to lever in wider charitable funds;
- The receipt of Council funds. Many VCOs rely upon these funds as external funders view council funds as a marker of a VCO's quality and capacity. Furthermore, grants are a reliable and consistent resource that attracts wider revenues.
- A partnership framework based upon trust, transparency and commonality which VCOs deemed as crucial particularly where resources are limited. The framework would assist the VCOs in better collaboration and communication and alleviating difficulties sometimes experienced in partnerships that are 'cobbled together';
- Maintaining a strong and independent sector voice;
- Support available from the infrastructure organisations.
- Clarity as to which organisations should play a lead role in the following capacity building areas:
 - Leadership / Governance and Innovation
 - Bespoke and focused capacity building
 - Thematic / issues-based policy and research
 - Advance specialist advice (e.g. HR, legal, finance, etc.)
 - Voluntary & community sector policy and strategy
 - Networking and promotion
 - Enabling 21st century working (shared assets, satellite services and hot desking)
 - Monitoring / evaluation guidance
 - Resource development

7 VCO Service Area Mapping

To gain a better understanding a mapping exercise explored the Council' voluntary & community sector databased that holds details for 829 VCOs. These were separated into 9 service headers as set out in table 3 below.

Using the descriptors of services and activities within the database, the VCOs were further arranged under 6 headers linked directly to the Council's strategic priorities. The headers are: poverty, employment/training/volunteering, young people/children, older people, vulnerability and emerging communities. The exploration identified 294 VCOs whose activities directly met these categories.



Poverty Relief – 26 VCOs provide foodbanks, community kitchens, food growing, welfare benefits advice, fuel poverty solutions, fair trade, community development and grant giving.

Employment/Training/Volunteering – 53 VCOs offer support for business start-ups/enterprise, tailored employment support, work with ex-offenders, employment support for homeless residents, employability courses and volunteering for young refugees, employment legal advice, employability for disabled people, tutoring, radio and media training, mentoring and flexible volunteering.

Young People/Children – 82 VCOs provide activities ranging from youth clubs, to scouts/guides/brownies/cadets, sport, performing arts, leisure, youth centres, health advice, business and enterprise, community safety, information, advice and guidance, training and employability support.

Older People – 40 VCOs offer services and activities that include homecare, social and luncheon clubs, music, benefits advice and guidance, services for refugees and migrants, empowerment, services for disabled older people, learning and education, and employment support.

Vulnerability – 67 VCOs offer services in areas of vulnerability (although this figure is likely to be higher due to the nature of voluntary & community sector services). Services and activities include homelessness support, welfare benefits advice, mental health services, disability services, carers support, substance misuse, children and parenting support, counselling, rehabilitation and victim support.

Emerging Communities – 26 VCOs work with emerging communities however the majority identified were primarily Somali communities with 4 serving Portuguese, and Romanian communities.

Recommendation - Work with the Brent Multi-Faith Forum to further explore the 210 faith-based organisations noted within the database to ascertain the local support and activities they offer to residents. Very few of these organisations are in receipt of funds from the Council (174 are churches). Wider research undertaken within Phase 1 suggested that their social activities mirror those of the voluntary & community sector. The Council could consider how it might work with these organisations in future.

8. The Way forward: 'Building a Better Brent' Partnership Framework

Overview

The partnership framework is a bespoke model created specifically for Brent. It addresses the aspirations, needs and challenges expressed by the voluntary & community sector by drawing upon industry research and good practice.

The new model needs to combine various components to create an agreed framework between the Council and voluntary & community sector predicated upon a set of defined principles. The framework will encompass a 'golden thread' link to the Council's current and future strategic aspirations as set out with 'Building a Better Brent'.

The components are:

- **A framework document** defined by the seven principles that incorporates longer term funding, a new Compact agreement, data sharing protocols, and transition arrangements into commissioning for some VCOs (as guided by quality assurance);
- Supplemented by a **Funding model** whereby the Council enables the VCS to access funding via grants, crowdfunding and contracts;
- **Quality Assurance** of the framework members guided by a Level 1, Level 2 and Level 3 quality standard
- Local and flexible outcomes for voluntary & community sector infrastructure support as guided by the views of the VCOs.

The Phase 2 wider consultation asked VCOs for comments in relation to this new approach. The feedback and survey findings re set out in the sections below.

9. A Partnership Framework

The review recommends creating a new partnership framework that incorporates and enables stronger joint working based upon the principles set out in diagram 1 below. The principles were consulted on with the voluntary & community sector to define and work up each one.

- Quality services
- Trust and honesty
- Fairness
- Shared goals and values
- Openness
- Strong and equal voice
- Joint working

Diagram 1: Partnership Principles



Partnership Principles Consultation Feedback

Feedback from the wider consultation showed that the VCOs were in favour of the principles but with the following caveats:

- Harder and defined definitions/meanings are required for each principle
- Cannot be rhetoric: other such approaches have not been delivered before
- Transparency and guarantees need to accompany a partnership approach
- Joint working should be collaborative and resonate through the whole of the Council not just one or two departments. The Council recognises that VCOs already provide quality services and therefore should be the baseline from which to build a partnership;
- Trust and honesty need to be evident from the outset – this requires further building between the Council and the voluntary & community sector;
- The voluntary & community sector should be a critical friend to the Council and both sides should be open to praise and constructive criticism;
- Fairness should be reflected within the challenges related to resources (i.e. grants distribution & full cost recovery, capacity building, support, partnerships, and a strong voice);
- Shared goals and values require clear statements of meaning and need to be demonstrated in practice;
- Openness should focus on true and honest communication without threat to funding, encourage creative thinking and being heard and listened to;
- Equality of voice and in decision making is vital within the partnership alongside the Council being open to fair challenge whilst maintaining the voluntary & community sector's independence;
- A discussion is necessary around use of community spaces, responsibilities for them and shared facilities;

Good Practice Comparisons

The review also explored good practice approaches amongst London councils and best practice recommended by Compact Voice and National Association for Voluntary and Community Action National Council for Voluntary Organisations. The approach below also complements practice that was evident within the Council's previous and /or current approach to grant giving.

- **A compact agreement:** based upon the principles above and setting out those for funding, data sharing, and solving disagreements;
- **Explicit links between overarching priorities and grant funds** – this is already evident in the Council's current grants process
- **Providing capacity building to up-skill the sector** – this is evident in grant funding allocated for infrastructure support (VSIF)
- **In-kind support** – use of free space, shared IT, access to meeting rooms, etc. – this is evident in community spaces provide with peppercorn/low rents for some VCOs..
- **Enabling robust communication** – this approach is evident from the work of this review, as part of the Community Hubs approach, and through Brent Connects.

Table 4 below outlines other local authority partnership models. The review recommends further exploration of the approaches in Tower Hamlets, Ealing, Camden and Islington councils to ascertain whether the best elements of these models can be utilised suitably to help create the new VCS model.

Table 4: Local Authority Comparatives

London Borough	Inner/ Outer London	Demographic (similar to Brent - project population over 300-350,000)/ Diversity (<10% tolerance)	Best Practice Voluntary Sector Framework			
			Compact	Voluntary Sector Strategy	Funding Strategy or equivalent	Fund VSIO
Brent	Outer	332,100 population / 54% diversity	Original compact 2003. Not renewed.	No	Voluntary Sector Initiative Fund. (£1.3 million annually). 2016-2018	Yes
Newham	Outer	Yes population (342,900) / Yes diversity (54%)	Yes. Created in 2006 and renewed in 2012	No	No	No
Tower Hamlets	Inner	Yes population (304,000) / No diversity (39%)	Yes. Now its VC strategy	Yes (2016-19)	Yes, within its VSC Strategy	Yes
Ealing	Outer	Yes population (351,600) / Yes diversity (47%)	Yes. Created in 2010 and undergoing renewal	Some detail within other documents but currently under consultation	Community Grants budget commissioning 2015 – 2019 being replaced with new commissioning £2.24m annually (2019-23)	Yes
Camden	Inner	No population (252,100) / Yes diversity (42%)	Yes.	Yes, linked to VCS Investment Programme and renewed in 2016	Camden Council VCS Investment Programme 2017 – 2024 (£5.1 million annually)	Yes
Islington	Inner	No population (231,500) / No diversity (37%)	Yes.	Yes	VCS Partnership Grants Programme 2016 – 2020, (£2.7 million annually.)	Yes
Hillingdon	Outer	Yes population (301,000) / No diversity (32%)	Yes. Created in 2010	No	Corporate voluntary sector Grant programme, (£1.7 million 2017/2018)	No

11. Funding Model

The Council administers various grants that fund the voluntary & community sector initiatives comprising: The Voluntary Sector Initiative Fund, Edward Harvist, Love Where You Live and the Brent Advice Fund). A number of services are contracted to voluntary sector organisations including: Information, advice and guidance, Social Isolation in Brent Initiative (SIBI), the Accident Prevention Handyperson service for the elderly and the Single Housing Pathway provision to support single young people.

The Council provides the following support and assistance to the VCS to access funding:

- Bespoke funding training and workshops to provide the knowledge and practical skills across a range of organisations attract longer term funding from external funders
- Open4Communities, a free online grant-finder, free to all Brent residents and organisations
- Build relationships with London-wide and national organisations supporting the VCS to provide good practice information, build networks and access to key funders to both small and large organisations
 - Funder fairs – to provide grant information and meet funders
 - SpaceHive – a free crowdfunding online tool, (match-funding available)
 - Borough of Culture grant funding with support and assistance for applicants
 - Community Infrastructure Levy (CIL) funding to support local capital and community projects

12. Quality Assurance Model

The review identified a need for a more equitable and accessible process that enables the VCOs to grow their capacity, access grant funds within and beyond Brent Council, and meet growing demands on their services. The new model will allow any Brent VCO to join the partnership framework by meeting criteria that indicates its capacity to deliver activities, manage public funds (where awarded), partner with other VCOs and identify the level of capacity building it might require.

The new (draft) Level 1, Level 2 and Level 3 standards will achieve the following outcomes:

- Provides a consistent criterion that gives an indication of the capacity of VCOs who join the partnership framework;
- Determines how and/or what support a VCO may need to meet the standard;
- Identifies where capacity building may be required enabling more targeted and focused infrastructure support;
- Provides equity in grant allocations enabling wider access for smaller organisations
- Determines whether some VCOs are able to access and deliver wider council contracts;
- Reduces administration costs associated with obtaining the standard as it builds upon governance and structures that many VCOs would already have in place
- Builds upon information that VCOs should already have available as part of their governance and delivery structures – reducing administrative requirements associated with joining the partnership framework.
- Provides a good indication of the quality of service provided by the VCOs and ability to manage resources; and work in partnerships;
- Reduces the need for annual grant application submissions from VCOs who deliver their expected outcomes.

Quality Assurance Model Consultation Feedback

The wider consultation feedback supported the quality standard as a good way to help build a partnership approach, but with the following caveats:

- Should not be used as a barrier to VCOs joining the partnership framework;
- Should not be used to bar VCOs from applying for grants;
- More detail is needed for VCOs to understand the standard beforehand
- Was another standard necessary - several VCOs have already obtained recognised quality marks (e.g. phase 1 of the review found 12 VCOs used 15 quality marks).
- How will the accreditation system work? for example who makes the decisions, will it be independent? As this is especially relevant for smaller orgs
- Quality assurance that will be recognised and agreed by all Brent Council departments and Health partners.

The new quality standard supports stronger partnerships and targets capacity building rather than creating barriers for VCOs: Implementing the new standard as part of the model is aimed at achieving the following:

- Serves as a search facility for all VCOs and the council to quickly locate other potential delivery partners that are already quality checked to a specific standard. *(This was an aspiration of the VCOs to help give some certainties when identifying new voluntary & community sector partners, and when creating and testing new partnerships);*
- Enables VCOs to identify and obtain appropriate support/capacity building required to move between the standards;
- Allows those that meet the standard to publicly state that they are member organisations on the council's partnership framework. *(This provides certainty to other funders who consider VCOs that partner with larger public bodies as an indication of quality assurance. It further addresses the VCOs need to use grants as a lever for additional resources).*
- Enables the council to ascertain the capacity of VCOs and use this to formulate ways of widening access to local services; and
- Subject to the Mayor's approval, can recommended to the Mayor's choices for the Mayor's charity.

The quality standard will therefore contribute towards creating stronger partnerships; degrees of certainty to VCOs that meet the standard; ascertaining and identifying VCOs capacity and development needs; creating fairer and wider access to grant funds; opening new opportunities for the Council to explore wider services in different localities; and benefitting from public recognition as a named VCOs on the partnership framework.

Overtime, the 'Model of Excellence' components should result in strong and measured evidence of Best Value and social impacts, quality services, equitable resourcing and more trust and openness through shared goals and values. The impact overtime should ultimately result in a more robust and sustainable voluntary & community sector.

13. Voluntary & Community Sector Development

The review findings identified a need for more robust infrastructure development in areas of voluntary & community sector leadership, organisational development and strategic vision. These development areas were requested of both the voluntary & community sector infrastructure organisation and the BPET. More clarity was required as to where responsibility should sit for the different development aspects. The areas identified are listed below and are (for the purpose of this report) grouped under three headings, namely; Strategy and Vision; Organisational Development; and Resource Development.

Strategy and Vision

- A strong and strategic independent sector voice with capacity as the representative of the voluntary & community sector, that communicates effectively with and for the sector, and sets its strategic vision and direction;
- Leadership development providing space for VCO leaders to meet, discuss topics of interest, engage in strategic planning and give mutual support. This would strengthen the voluntary & community sector voice, build upon joint working, and enable better engagement in wider policy and thematic debate;
- Coordination of voluntary & community sector communication enabling all VCOs to address and debate sectoral issues and challenges, network, critique and influence agendas, and to celebrate and publicise success; and
- Championing the voluntary & community sector both within and beyond Brent borough.

Organisational Development

- Develop a tiered and specialist approach to capacity building; tailored to size of individual organisations and focused on: specific needs; the breadth and depth of VCOs services; and the level of support required;
- Accessible and regular pro-bono and expertise support in specialist areas;
- Development of a policy / research library including templates, case studies and useable guides to grow and enhance VCO development;
- A single point of contact for all information pertaining to the voluntary & community sector;
- Accessible drop-in surgeries;
- Facilitating access to, and use of community spaces to accommodate 21st century working practices;

Resource Development

- Support to compete for council tenders and contracts;
- Advice, guidance and feedback on small to complex funding applications;
- Regular dissemination of resource information in appropriate and accessible formats;
- Partnerships database – revamped and widened to accommodate a better voluntary & community sector search facility;
- Set up of wider strategic networks for all VCOs to engage in.

Overall, addressing these infrastructure areas noted above accompanied by the new model should effectively strengthen Brent's VCOs.

14. Communication & Consultation Feedback

The question asked was, '*When communicating with VCOs, what does the Council do well and what can be improved?*' The responses were:

The Council's website is good (e.g. Browse Aloud) but needed to be kept up to date. The VCOs stated that communication was plentiful (e.g. website, Brent Magazine, and some consultation), and that some teams communicated really well (3 of which were named as the Drug and Alcohol commissioning team, the BPET and the employment teams). Some VCOs stated that they enjoyed attending the review workshops and more of these should happen regularly and particularly with the small organisations.

The VCOs felt improvements could be made through regular and focused mailshots with headlines that grab attention and information outlining details of events and opportunities. These could be short with links to other websites so that it supports targeting information.

A single point of contact for VCOs was requested (potentially named officers). This would hold an updated VCO database (that would also be a partnership search engine), and information about officers / councillors who work with, are involved with, and/or are interested in working with the VCOs. More visits from staff and councillors to local VCOs was a consistent message.

Ensuring that information and the history of current work with the council is not lost when officers move on. It was felt that by not keeping histories when starting new dialogues affected decision, wasted council and VCO time and added unnecessary tensions when previous agreements are changed.

The VCOs request a less bureaucratic, small grants process and quicker announcement of grant decisions.

Listening to the VCOs was a very clear message. Many felt that this would help with decision about services, use of spaces, consultations, funding, etc. but would also help remove some of the tension that could create a lack of trust or 'them and us' situation.

VCO Future Consultation Feedback

A second questions asked, *'Going forward, what should the Council consider when it is consulting with VCOs?'* Responses were:

Feedback from consultation and genuinely using participants' views and input was welcomed so as not to be perceived as a tick box exercise. The VCOs welcomed regular and ongoing dialogue and again requested that officers and councillors take time to meet VCOs in the communities where they work.

The VCOs (particularly those run by volunteers) requested that council officers understand their resource limitations when asking for monitoring, arranging meetings/events (not all during office hours) or requiring responses.

The VCOs wanted to ensure that consultation was inclusive (capturing the silent voice). Listening and drawing upon their knowledge about communities was considered important in terms of how best to achieve wider consultation involvement.

15. Equalities

A further question asked, *'What should the new approach (model) take into account to ensure that it is inclusive for all VCOs?'* The main responses were:

The equality principle must mean openness and inclusiveness. This required different and more creative communication methods to ensure better inclusivity (e.g. deaf community, older people, mental health, young people, non-English speakers, etc.).

Aligning objectives was raised by the VCOs who felt that in many cases they are the residents' first point of contact. VCOs felt that they and the council are trying to achieve the same goal - which is good services for Brent's residents.

Better use of, more accessibility to council venues that smaller VCOs without funds can use for free to run community activities was requested. This would enable more access without cost barriers to residents.

16. Future VCS Infrastructure Support and assistance

A future infrastructure support and assistance programme will be based on the needs of the sector identified in the review and will include;

- To work closely in partnership with the Council and the Partnership and Engagement team to deliver infrastructure support and assistance
- To build a good and knowledgeable relationship with the sector, developing networks and partnerships with and for the sector
- To deliver services both centrally and in localities
- Provide a service tailored to the requirements of the different levels / Tiers of VCS organisations
- To design and deliver training tailored to the needs of the sector
- To support and advise organisations to income generate individually and in partnership/consortia focusing on external funding
- To support the delivery of the quality assurance model, build capacity, business planning and good governance
- To coordinate and deliver regular 'good practice' and strategic forums

17. Recommendations

This report sets out a recommended approach to strengthening Brent's voluntary & community sector delivering a bespoke model that aims to build sustainability and resilience into Brent's VCOs and develop a stronger and more robust working partnership between the sector and the council.

The recommendations are to conduct a detailed options appraisal to identify the most appropriate and viable framework that provides the best model for delivering the review outcomes including:

- a partnership framework based on shared principles set out in Section 8
- a structure that supports the needs of Tier 1, 2 and 3 organisations (Level 1, and 3 quality standard)
- a model, to provide infrastructure support and assistance to include; capacity building, training, developing business and fundraising plans, accessing external funding, volunteering requirements, developing partnerships and networks for Brent's voluntary and community sector based on the requirements identified in the review

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	Cabinet 15 April 2019
	Report from the Strategic Director of Children and Young People
Adopt London – West Regional Adoption Agency	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two: <ul style="list-style-type: none"> Appendix 1 - Business Case with Financial Analysis Appendix 2 – Equalities Analysis Assessment
Background Papers:	
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Nigel Chapman, Operational Director, Integration and Improved Outcomes Nigel.Chapman@brent.gov.uk 020 8937 4456 Onder Beter, Head of Service, Looked After Children and Permanency Onder.Beter@brent.gov.uk 020 8937 1228

1.0 Purpose of Report

- 1.1 This report seeks approval to go forward with the Council's plan to create a new West London Regional Adoption Agency, *Adopt London West*, within a wider 'Adopt London' agency by combining the resources of the adoption services of the following four West London Boroughs: Brent, Ealing, Hounslow and Hammersmith and Fulham. The aim is for the current four services to become one single shared adoption service in response to the Education and

Adoption Act (2016), requiring local authorities to combine their adoption services into Regional Adoption Agencies, or be directed to do so if they do not choose to do this on a voluntary basis. 'Adopt London', within which Adopt London West will operate, brings together the collective adoption resources of 23 London local authorities.

1.2 This report seeks approval for Brent Council to:

- (a) Join the Regional Adoption Agency that will consist of the London Boroughs of Ealing, Hounslow and Hammersmith and Fulham for the provision of Adoption services and Special Guardianship support.
- (b) Delegate authority to the Strategic Director, Children and Young People in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care to agree and enter into a Partnership Agreement with participating boroughs.

2.0 Recommendations

It is recommended that Cabinet:

- 2.1 Agrees that Brent enter into regional adoption arrangements as part of Adopt London West with the London Boroughs of Ealing, Hounslow and Hammersmith and Fulham, with special guardianship support included in this arrangement from the outset.
- 2.2 Notes the intention for the London Borough of Ealing to host Adopt London West.
- 2.3 Approves the delegation to the London Borough of Ealing of the adoption arrangements and special guardianship support as set out in paragraph 6.4.
- 2.4 Delegates authority to the Strategic Director, Children and Young People in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care, the Chief Finance Officer and the Director of Legal and HR Services to make more detailed decisions around the implementation of this proposal including agreeing and signing off the Partnership Agreement between Brent and the other boroughs involved in Adopt London West and the finalisation of governance arrangements.
- 2.5 Approves the creation of a partnership board to manage Adopt London West with senior representatives from all participating councils to be appointed to the partnership board, with Brent Council represented by the Strategic Director of Children and Young People.
- 2.6 Delegates authority to the Strategic Director, Children and Young People in consultation with the Lead Member for Children's Safeguarding, Early Help

and Social Care to agree the admission of up to 2 additional boroughs into the Adopt London West Regional Adoption Agency.

3.0 Reason for Decision and Options Considered

- 3.1 In March 2016, the government announced intended changes to the delivery of adoption services, setting a clear direction that all local authorities' adoption services must be delivered on a regional basis no later than 2020. This followed a range of national policy changes since 2012, including the 2015 'Regionalising Adoption' paper by the Department for Education (DfE) that sought improvements in adoption performance. Following the general election in June 2017, the Minister of State for Children and Families reaffirmed commitment to this policy, through provisions made in the Education and Adoption Act 2016.
- 3.2 In March 2018, the DfE commenced implementation of that legislation, allowing them to direct a local authority into a Regional Adoption Agency (RAA) where no progress is being made by the authority in becoming part of a RAA. The regionalisation programme is founded on the belief that it will:
- increase the number of children adopted;
 - reduce the length of time children wait to be adopted;
 - improve post-adoption support services to families who have adopted children from care; and
 - reduce the number of agencies that provide adoption services thereby improving efficiency and effectiveness.
- 3.3 There will be four RAAs across London: Adopt London South; Adopt London East; Adopt London West; and Adopt London North. RAAs are tasked with the recruitment of adopters, family finding, matching and delivering adoption support.
- 3.4 Adopt London West is committed to delivering shared Special Guardianship Support services from the outset. As many more Brent children are made subject of SGOs than adoption (at least a 2:1 ratio) and the arrangements tend to be more fragile, requiring more support, this is an area that needs to be in the model to prevent placement breakdown.
- 3.5 The West London RAA will be known as Adopt London West. Adopt London West will build upon the previous positive practice established within the West London Adoption and Permanence Consortium. Currently all boroughs are progressing approval processes to become part of Adopt London West:

- Brent
- Ealing (The London Borough of Ealing will act as the host authority)
- Hounslow
- Hammersmith and Fulham

3.6 Each borough wishes to build on the success of their existing services and seeks to improve performance further in relation to children whose needs will be best met through adoption by bringing together the best practice from each authority within the RAA. Establishing a single agency will allow the Adopt London West authorities to provide a more coordinated and cohesive service, alongside more efficient and effective use of resources and development.

3.7 The report outlines the scope of this work and the issues for consideration. It is expected that 22.5 FTE staff will make up the West London RAA. The purpose is to drive up the recruitment of adopters, ensure that all children requiring adoption get matched quickly and access a placement, successfully match children and families and provide support to those affected by adoption and Special Guardianship.

3.8 Options that have been considered and the reasons they have or have not been recommended are as follows:

Options	Details	Comments
Option 1	No change to current arrangements	This is not advisable as these arrangements are not compliant with DfE's guidance.
Option 2	Pan London RAA	Not advisable due to scale of operations, local knowledge and decision making. In May 2018 it was agreed to develop a pan London hub for services that benefit from being delivered at scale (yet to be determined, it is intended this will form Phase 2 of implementation).
Option 3	Set up a shared service hosted arrangement	This is the preferred option. Benefits to this are a unified approach to targeted recruitment

		of adopters; collective leverage over adoption/SGO support services provider market, better use of officer time in operation, financial benefits to all participating boroughs, and high attractiveness to the market which will motivate providers to apply.
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4.0 The Brent position

- 4.1 The Corporate Parenting Committee of the Council has scrutiny of adoption activity on a six-monthly basis. The service was rated as 'outstanding' in the latest Ofsted Inspection of Local Authority Children Services in June 2018.
- 4.2 On 12th December 2016, authorisation was sought from Cabinet to agree that the Council could work collaboratively with other London boroughs to continue to develop the London Regional Adoption Agency with the intention of joining the agency, when it becomes operational. Cabinet made the following decisions:
- (i) The Council would, in principle, join a London Regional Adoption Agency, subject to detailed financial analysis and business case;
 - (ii) The Strategic Director of Children's Services be authorised, in consultation, with the Lead Member for Children's Services, to progress arrangements relating to the development and implementation of the London Regional Adoption Agency model; and
 - (iii) Cabinet agreed to progress with Option 1 - a Local Authority trading company delivery model with a strategic VAA partnership operating in a hub and spoke structure.
- 4.3 Since Cabinet's decision in 2016, the Council has been fully involved in discussions with all relevant London boroughs at various levels including the Lead Member for Children and Young People and Strategic Director for Children and Young People. Additionally, officers in the Council have attended workshops, meetings and various forums to influence and shape the proposed model of delivery for the West London RAA.

5.0 The London wide RAA Approach

5.1 The decision to pursue four RAAs in London was agreed by the Association of London Directors of Children's Services (ALDCS), with endorsement given in May 2018 for this approach by the DfE. ALDCS delegated decision making to the Adopt London Executive Board to oversee the development of these four London Regional Adoption Agencies. The executive set out a number of key principles that will shape the formation of regional adoption for London. These have been endorsed by the DfE.

5.2 The principles are:

- (i) Local authorities involved in Adopt London and each of the four RAAs are committed to collaborating on adoption arrangements so that the best interests of children and their adoptive families are secured and kept at the forefront of all decision-making;
- (ii) Adopt London will provide an overarching framework for enabling effective coordination, coherence and partnership working across London;
- (iii) Adopt London authorities and the four RAAs will make sure that there is consistency of approach in relation to key strategic and operational decisions. Staffing issues, including how transfers of staff from authorities will be appropriately managed within relevant employment legislation and the design and deliver of operating models that suit each of London RAA's needs is an example of this approach.

5.3 By remaining within the 'Adopt London' grouping, Brent's children have immediate access to potential adopters from 23 authorities at a lower cost to Brent than if they were purchased through other RAAs, reducing delays in linking/matching children with prospective adoptive families and increasing the pool of potential adopters.

5.4 Adopt London authorities are committed to working effectively together with Voluntary Adoption Agencies (VAAs), making sure that their unique and important contribution is maximised and that VAAs are involved in the development of the RAAs and Adopt London.

6.0 Adopt London West: Moving Forward

6.1 Subject to appropriate approvals by each of the prospective participating councils, development of Adopt London West RAA will be undertaken during 2019 with a fully operational service being up and running by no later than April 2020, the DfE deadline.

- 6.2 Various work streams will be taken forward by officers within Brent working in close collaboration with officers in the other prospective participating authorities. The work streams will include areas such as transferring of staff to form the new service from across the prospective participating authorities in line with relevant employment legislation; this will include consultation with recognised Trades Unions. The physical location of the new service will be based in Ealing, however touch down spaces in each of the participating Boroughs and mobile working underpin the service delivery model.
- 6.3 The RAA will be created as a new shared service with one Borough (Ealing) becoming the host authority. Governance of the RAA will be provided through a partnership board comprising Brent's Strategic Director of Children and Young People's Services and senior representatives from all participating councils with representation from stakeholders as appropriate. Participating boroughs will hold executive voting powers, with non-executive advisory representation from Voluntary Adoption Agencies (VAAs), adopters and adoptees. Each local authority will retain their corporate parenting responsibilities for their Looked After Children. The RAA will provide annual reports to each participating borough's Corporate Parenting Committee. In addition, the Executive Board that comprises of the four host boroughs will continue to provide governance and support to the RAAs to oversee developments across the Adopt London authorities, ensuring the 23 participating boroughs maximise collaborative opportunities.
- 6.4 There is capacity within the proposed Adopt London West RAA to admit up to 2 additional boroughs if considered to be in the RAA's interests to do so. This would need to be agreed at the partnership board with authority delegated to Brent's Strategic Director, Children and Young People, in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care.
- 6.5 Adopt London West will deliver the following main services across West London:
- *Recruitment and Assessment*: this will provide prospective adopters;
 - *Permanence Planning*: ensuring that children identified as requiring adoption achieve a placement;
 - *Matching and Placement*: matching prospective adopters with children in need of adoption;
 - *Adoption Support*: helping all affected by adoption; and
 - *Special guardianship support*: helping all affected by special guardianship issues to build resilience.

7.0 Policy Implications

- 7.1 The decision to join Adopt London West is consistent with the Council's existing policies and strategic objectives as set out within the Borough Plan, to ensure services are responsive to needs and demands, looking at different ways of working whilst retaining the capacity to be responsive, flexible and effective.
- 7.2 The decision to join Adopt London West RAA will also enable the Council to comply with national policy objectives announced by the DfE in March 2016, that require adoption services to be delivered on a regional basis by April 2020.

8.0 Resource implications

- 8.1 There are implications for those staff in participating authorities that currently undertake work which will be the responsibility of the RAA. These staffing implications will be managed within the context of appropriate employment legislation, including appropriate consultation with recognised Trades Unions.
- 8.2 The current budget for the Adoption and Post Permanency Team is £432k funded from the general fund. This budget was reduced down from £540k by £108k in 2015/16 (reference CYP14) in anticipation of savings based upon a shared service model. The regionalisation proposal contained in this report now realises this saving.
- 8.3 The costed proposal is to provide £379k from Brent's budget of £432k to the new regional team, and retain the remaining £53k for post-permanency work.
- 8.4 The Council will retain the financial risk related to any interagency income or fees in the initial term. This risk is part mitigated by regionalisation due to the anticipated larger pool of adopters.
- 8.5 There is no financial risk for Brent in relation to the Adoption Support Fund. The budget is currently net nil – i.e. all income from the fund is spent on therapy for young people or returned to the fund.
- 8.6 Ealing, Brent, Hounslow and Hammersmith and Fulham have accessed the greatest share of the government's Adoption Support Fund (ASF) in London over the last 3 years and are well placed to continue to bring in this funding.
- 8.7 It is Officers intention to be the lead authority in developing a shared fostering service with up to two other West London authorities within the proposed RAA, using the economy of scale the RAA would provide. This is one of CYP's

budget savings actions for 2020/21. The likelihood of this initiative progressing would be impacted if Brent joined an alternative RAA arrangement.

9.0 Equality Implications

- 9.1 An Equalities Analysis Assessment (EAA) has been undertaken in respect of the RAA Service. In summary this EAA reveals that, overall, regionalisation of adoption will have a positive impact on the lives of children. The changes will entail, inter alia, more targeted recruitment and support and more timely placements for children and particularly for older children, sibling groups and children of BAME background. A copy of the relevant EAA is attached at appendix 2.
- 9.2 There will be an impact on residents who possess one or more of the protected characteristics as defined by the Equality Act 2010. Adopt London West will exercise of all its functions, and will have due regard (section 149 Equality Act 2010) to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. Brent will give due consideration to the Public Sector Equality Duty (PSED) as a positive duty to consider the promotion of equality throughout the work of the RAA.
- 9.3 An Equalities Impact Assessment within Brent in relation to staff will be completed following the requisite consultation.

10.0 Legal Implications

- 10.1 This report seeks the approval of Cabinet for the recommendations referenced in paragraphs 2.1-2.6 of this report regarding the proposed establishment of the Adopt London West, Regional Adoption Agency.
- 10.2 Local Authorities' principal functions in relation to adoption services are set out in the Adoption and Children Act 2002 (ACA 2002). Section 2 of the ACA 2002 sets out details of the relevant adoption service which each relevant local authority is required to maintain under section 3 of the ACA 2002. Section 3 of the ACA 2002 together with regulation 5(1) (a) of the Adoption Support Services Regulations 2005 permit relevant local authorities to provide any of the requisite facilities by securing their provisions by (among others) another local authority. Section 15 of the Education and Adoption Act 2016 inserts section 3ZA to the Adoption and Children Act 2002 (ACA 2002) which gives

provision for the Secretary of State to give directions requiring one or more local authorities in England to make arrangements for all or any of their functions as set out in section 3ZA(3) of the ACA 2002 Act to be carried out on their behalf by (a) one of those authorities, or (b) one or more other adoption agencies.

- 10.3 In entering into these arrangements, Cabinet needs to be satisfied that it will be complying with its own statutory duty to maintain the requisite adoption services.
- 10.4 Under the Local Government Act 1972 and Local Government Act 2000, a local authority can arrange for the discharge of any of its functions by another local authority. For the West London RAA, Ealing will be the host authority with these executive functions once Brent and the other authorities have delegated their functions in accordance with Regulation 45 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Ealing will need to formally accept the delegation once all the other local authorities have themselves delegated their functions, with the delegation to take effect on a date to be agreed between the authorities.
- 10.5 Although these functions will be delegated to Ealing, like other local authorities, Brent will retain its overall statutory duty to maintain within their area an adoption service as defined in the ACA 2002.
- 10.6 In proceeding with the implementation of the RAA, the RAA will be overseen by a board including representatives from each of the relevant local authorities and be subject to a Partnership Agreement which will set out the terms of the arrangement. The finalised Partnership Agreement should set out for the purposes of certainty the scope and specification of what is delegated and may include indicators, not for the purpose of applying a deduction regime, but to provide information to include but not limited to the worth of the arrangements, insurance and indemnities, governance, staffing and TUPE, pensions, assets, funding and to provide a basis for termination if the arrangements are not delivering benefits intended. Cabinet is asked to note that the draft Partnership Agreement has yet to be finalised but the council will need to protect its position with regards to exit arrangements and will ensure that appropriate wording to achieve this is included in the finalised version.
- 10.7 Where the arrangement involves the transfer of power to perform a public task from one public entity to another public entity, the European Courts have held that those arrangements do not involve the award of a public contract and are therefore not subject to the procurement rules. This means that the proposal to delegate the functions to Ealing will not amount to an award of public services contracts and is therefore not subject to procurement rules.

- 10.8 There is no specific statutory duty to carry out any public consultation in relation to the proposals. Cabinet is referred to paragraphs 4 to 7 which set out the engagement that has taken place. Cabinet should take into account the outcome of that engagement when considering the recommendations in this report. Once agreement is granted by the cabinets of each of the specified authorities, a staff consultation will commence.
- 10.9 Cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, the duty also applies to marriage and civil partnership but only in relation to (a). Cabinet is specifically referred to the equalities implications at section 9, setting out the consideration that has been given to equalities issues which should be considered when considering the proposals in this report, at each stage of the process and to the equality impact assessment that has been completed.
- 10.10 As Ealing will be the host authority for the RAA, the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), as amended, will apply to transfer to Ealing council the employment of those employees of the other participating authorities and or of organisations that currently undertake those authorities' relevant adoption and special guardianship support services (Transferor Organisations), and who are permanently assigned to the services being transferred. Employees transferring to the employ of Ealing Council will be able to access the Local Government Pension Scheme administered by Ealing with comparable benefits to that administered by Brent. The implications to the Brent LGPS of individuals transferring will be assessed, and where necessary, taken into account in the production of the Partnership Agreement.
- 10.11 Consideration will need to be given to the applicable trade union recognition arrangements and agreement reached on what the consultation requirements will be before and after the commencement of the RAA.
- 10.12 As TUPE applies, the relevant legislative requirements, policies and procedures will need to be complied with to mitigate against any potential claims in the Employment Tribunal.

11.0 Risk Management

- 11.1 Statutory risks – The proposed arrangements will reduce the risk of the Council being unable to meet its statutory duties towards Adoption and the provision of suitable adoption placements and SGO support.
- 11.2 Financial risks – Children and Young People’s Services will aim to mitigate the impact of these pressures.
- 11.3 Quality risks – These will be managed by ongoing performance monitoring and reporting and evaluation to an Executive Board set out in the governance arrangements.
- 11.4 Contract risks – Contracts with external providers will be managed through adherence to Contract Procedure Rules, management of procurement timetables, and agreed performance and contract monitoring.

12.0 Staffing/Workforce and Accommodation implications

- 12.1 Agreement to join Adopt London West as outlined in this paper will have implications in employment terms for existing Council staff. Appropriate consultation will need to be undertaken with recognised Trades Unions and the affected staff group. Any resulting reorganisation of staff within CYP to accommodate service changes will be undertaken in accordance with the Council’s management of change policies and procedures.

13.0 Property and Assets

- 13.1 As stated in paragraph 6.2 above ‘touchdown’ spaces will be required in each of the participating boroughs to assist the process of joint working. As these spaces will be within Brent Council buildings then a licence or lease in respect of the spaces provided will be required in order to allow Ealing staff to enter and work from the spaces.

14.0 Any other implications:

None

15.0 Consultation

- 15.1 There is a wide-ranging set of engagement, consultation and co-design mechanisms in place to ensure that stakeholders are being involved in shaping the proposed Adopt London West approach. These have included:
 - establishing project organisation and project governance arrangements including establishment of a Project Board and operational work stream groups;

- frequent practice workshops have been held, and task and finish groups set up to engage a wide range of staff and stakeholders in the practice approaches to be applied in Adopt London West;
- conferences for staff affected in October 2018, February 2019 and planned for April 2019.
- elected members and portfolio holders have been consulted in all local authorities on a regular basis from inception of programme. The Council's Lead Member for Children's Safeguarding, Early Help and Social Care attended a London-wide Elected Members briefing event in October 2018.
- London VAAs and London-wide unions have been engaged at a pan London level through the Adopt London executive board;
- continued stakeholder engagement through staff newsletters and face-to-face events including detailed engagement work with adopters and adoptees; and
- options appraisal and evaluation of delivery model options, including obtaining independent external legal advice on the options available.

16.0 Timetable for Implementation

16.1 Adoption regionalisation in West London is a large and complex project involving 4 councils. As such the implementation approach will be flexible in order to ensure we achieve the best possible regional adoption service in line with the statutory deadline of 2020. It is therefore proposed that detailed decision making is delegated to the Strategic Director of Children and Young People in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care, the Chief Finance Officer and the Director of Legal and HR Services.

16.2 The broad outline for implementation is:

Development and endorsement of the delivery model by prospective participating authorities	April 2019
A draft operational structure for Adopt London West RAA will be subject to formal Trade Union and staff consultation under relevant employment legislation	May – July 2019
Implementation phase (once the consultation processes concludes)	July 2019

Operational Start date of the service	Financial year (2019-20).
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Report sign off:

GAIL TOLLEY

Strategic Director for Children and
Young People

Adopt London West Regional Adoption Agency



Business Case

Final Version 2.2

20 February 2019

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1. EXECUTIVE SUMMARY

The creation of Regional Adoption Agencies is part of the national agenda to improve the recruitment and assessment of prospective adopters and speed up the matching and placement of children for adoption.

In June 2015, the Department for Education (DfE) published a paper, 'Regionalising Adoption' setting out the proposals for the establishment of Regional Adoption Agencies (RAAs). Funding has been made available from the Department for Education (DfE) to fund the project management costs to develop and implement RAAs as part of a national Regional Adoption Agency Programme. The Education and Adoption Act 2016 requires local authorities to combine their adoption services into Regional Adoption Agencies by April 2020 or be directed to do so if they do not choose to do so on a voluntary basis.

The premise of regionalisation is to:

- Increase the number of children adopted
- Reduce the length of time children wait to be adopted
- Improve post-adoption support services to families who have adopted children from care
- Reduce the number of agencies that provide adoption services thereby improving efficiency & effectiveness

It is recommended that a new West London Regional Adoption Agency is created by combining the resources of the adoption services of the following six West London Boroughs: Brent, Ealing, Hounslow, Hammersmith and Fulham, Royal Borough of Kensington and Chelsea and The City of Westminster. The latter three currently operate a shared fostering and adoption service. The current four services will become one single shared adoption service.

This document describes how establishing a single agency will facilitate the six Boroughs to provide a more cohesive, efficient and effective use of resources and develop practice to the benefit of children, adopters and others who access adoption and special guardianship support services.

Outline Proposal for West London

This proposal forms part of an overarching programme to develop four RAAs across London with a common approach. Project Managers across London have worked together to ensure consistency of approach, share information and avoid duplication.

The chosen model is a shared service hosted by the London Borough of Ealing. The intention is for the new shared service to become operational by July 2019.

It is proposed that there will be one base for the service which will be in Ealing. This is to allow for closer working relationships within the new team, the development of a

new shared team culture and for the provision of effective management oversight. The new model will create a mobile and agile workforce, supported by technology who will have access to touchdown bases in all six Boroughs. This is critical to support and maintain the relationships with children's social workers and other key stakeholders.

The West London RAA, currently known as Adopt London West, builds on a strong legacy of collaborative working with both the West London Adoption and Permanence Consortium and the West London Alliance (WLA) Children's Programme which have a proven track record for delivering effective services. (Harrow, which is part of both the WLA and the consortium, has joined another RAA "Ambitious for Adoption" with other Local Authorities hosted by CORAM, a voluntary sector provider, Hillingdon has also applied to join this RAA arrangement).

By establishing a West London RAA, the boroughs aim to build on the success of their existing services to improve performance in meeting the needs of those children who require permanence through adoption and bring together best practice from each authority within the RAA and learning nationally. The West London project has the benefit of being able to access previous learning from those RAAs who are fully mobilised to share lessons learnt.

Adopt London West also propose to include Special Guardianship support from the outset in the new shared service. This is an area where there is increased demand and a robust focus is required to support family members or connected people to continue to care for children and young people who otherwise would be looked after in the care system.

The implementation of the new RAA follows substantial project work currently being undertaken. Funding has been provided by the DfE to fund the project to develop proposals through to implementation. Activity has included undertaking an analysis of the current position in terms of performance, demand trends and future need considerations; and identifying staffing and financial resources for each Borough to contribute to the RAA. A range of workstreams continue to work through the operational detail for the future service design these include: stakeholder engagement; finance, performance and demand modelling; HR and workforce implications; IT and property logistics and staff engagement in the service redesign.

Pan London Working

Each RAA will focus on the specific needs in their region. However, a range of opportunities are being considered on a pan London basis where there is evidence that further collaboration across the regions makes sense.

Work is underway on a pan London basis to consider options for a London-wide commissioning framework. This should create a mechanism for improved longer term, outcome focussed and cost effective commissioning.

Staffing implications

There are the equivalent of circa 31.67 full time equivalent (FTE) posts affected within these proposals. The new proposed model has 26.5 FTE posts. There are a range of vacancies within each borough across a range of service areas. Work is underway to map opportunities for existing staff. There are also a range of new posts to be established in the new model.

For the boroughs of Brent, Ealing and Hounslow, it is proposed that staff affected will transfer to the host authority (retaining their existing terms and conditions) under the Transfer of Undertakings (Protection of Employment) (TUPE) regulations (as applicable). Within the Tri Borough service, it has been advised that TUPE does not apply (due to the integrated nature of the existing Adoption and Fostering service). An internal review is underway to determine options for staff. This may result in vacancies/budget transferring rather than current post holders.

Any applicable restructuring activities and/or redundancy costs will be both managed and underwritten by the currently employing LAs. These will not be funded by the DfE or Ealing as the host Borough.

It is proposed that currently employing LAs also underwrite liability for employment issues for a period of two years post-TUPE transfer.

Statutory responsibilities of individual councils participating

Agency Decision Making responsibilities and all legal responsibilities for looked after children will remain with each local authority.

Section 5.4 below details the functions, roles and responsibilities that will transfer to the RAA and those which will remain in each local authority.

Resourcing

Based on current activity and demand across the West, which could fluctuate over time, it is estimated that 40 children annually will be placed by the RAA (some in sibling groups). Currently only an average of 26 adopter households are recruited annually. There is a significant sufficiency shortage of adopters across London including the West region. The establishment of the RAAs seek to address this over time by having a concentrated combined focus on recruitment and a post adoption support offer.

A thorough analysis of each Borough's financial spend on adoption services has been undertaken, including peer challenge reviews. Boroughs have not been asked to contribute sums over and above their confirmed relevant budget for adoption for 2018-2019. However, the need to purchase interagency placements from other providers to address the lack of sufficiency currently will require contributions from each Local Authority to provide for their children which require an external adoption placement.

Total confirmed contributions will fund the proposed new model, including staff and non-staff costs (excluding items detailed in the Partnership Agreement) and overheads attributed to the hosting of the agency.

Key principles

The principles which this business case follows have been agreed by the London RAA Executive Board which comprise each of the four Host Authority Directors (Ealing, Havering, Islington and Southwark).

- Local authorities involved in Adopt London and each of the four RAAs are committed to collaborating adoption arrangements so that the best interests of children and their adoptive families are secured and kept at the forefront of decision making.
- Adopt London will provide an overarching framework for enabling effective coordination, coherence and partnership working across London.
- Adopt London authorities, and the four RAAs, will make sure that there is consistency of approach in relation to key strategic and operational decisions, e.g. about whether staff are transferred under TUPE arrangements or seconded. Project teams in the four RAAs and RAA governance arrangements should reflect the ambition to promote such consistency of approach.
- The remit of some RAAs (provisionally) should include Special Guardianship Order (SGO) support. Further work on the implications for this is to be undertaken across the other three London RAAs. West London is committed to including SGO support within the West RAA from the outset. Financial responsibility for Adopters and Special Guardians' allowances will be retained by participating Authorities.
- Adopt London is committed to working effectively together with Voluntary Adoption Agencies (VAAs) making sure that their unique and important contribution is maximised and that VAAs are involved in the development of the RAAs and Adopt London.
- The focus of work over the coming months will be on establishing the four separate RAAs. The Adopt London Executive Board will continue to provide London-wide governance and oversee the options for developing joint commissioning opportunities across London; maintaining common design principles for the RAAs and exploring opportunities for further development of a Pan London Hub in phase 2. This is likely to include commissioning arrangements and other collaborative arrangements, it is not intended to need a separate infrastructure.

2. INTRODUCTION

2.1 PURPOSE OF THIS DOCUMENT

This document sets out the case for creating a new Regional Adoption Agency (RAA) currently named '*Adopt London West*' through combining the adoption services for the local authority areas: Brent, Ealing, Hounslow, Hammersmith and Fulham, Royal Borough of Kensington and Chelsea and The City of Westminster. It describes how establishing a single agency will allow the six authorities to provide a more cohesive, efficient and effective use of resources and promote the development of practice to the benefit of children, adopters and others who gain from adoption services. It proposes that London Borough of Ealing will host the new adoption agency, the development costs are funded by the Department for Education. This document also sets out how Adopt London West will work with other RAAs across London to develop a Regional Hub for the provision of some services yet to be determined.

2.2 SCOPE & VISION OF THE NEW RAA

The proposed Regional Adoption Agency will incorporate six boroughs in West London. Based on current demand (which will fluctuate over time) it is estimated that approximately 40 children annually will be placed by the RAA (some in sibling groups). Currently only approximately 26 adopter households are recruited annually¹. There is a significant sufficiency shortage of adopters across London including the West region. The establishment of the RAAs seeks to address this by having a concentrated combined focus on recruitment. The development of a specialist post adoption support service and SGO support service will strengthen the west London offer. While support services will transfer the RAA, financial allowances to Adopters and Special Guardians will continue to be retained by the participating Authority.

In May 2018 it was agreed by Association of London Directors of Children's Services in consultation with the DfE to develop a pan London hub for services that benefit from being delivered at scale (yet to be determined, it is intended this will form Phase 2 of implementation). This is likely to include commissioning arrangements and other collaborative arrangements, it is not intended to need a separate infrastructure.

The vision of the new RAA is to achieve excellent outcomes for children and adults affected by adoption and special guardianship through:

- Working closely with the Local Authorities and partners to ensure that children's best interests are at the heart of placement decisions which will fully meet their needs

¹ <https://www.gov.uk/government/publications/adoption-scorecards>

- Targeting recruitment and establishing a wider and more diverse pool of prospective adopters
- Embedding early permanence principles and matching so that children are placed without delay in secure, loving families
- Providing and commissioning outstanding and good value adoption and special guardianship support services
- Investing in the workforce to ensure they have the right skills and capacity to deliver excellent services
- Continually seeking to apply best practice and innovation to our ways of working

- Actively listening to and learning from children, adults and staff to develop and improve the services provided

2.3 DELIVERY MODEL OPTIONS CONSIDERED AND RECOMMENDATION

Whilst a number of options were considered early on including the creation of a new single entity to deliver adoption services across London, the preferred option is the development of four London RAAs with an option of developing a London wide hub to provide some shared functions, yet to be determined. The four RAAs – North, South, East and West are broadly based on the current permanence consortia arrangements.

In the West this entails pooling the resources of the six London Boroughs of Brent, Ealing, Hounslow, Hammersmith and Fulham, Royal Borough of Kensington and Chelsea and The City of Westminster and creating a new shared service with one Borough becoming the Host authority.

Governance of the RAA will be provided through a board comprising of senior representatives from all participating councils with representation from stakeholders as appropriate. **(See Appendix 1 proposed governance model)**

The RAA will continue to be accountable to Local Authorities including reporting on performance to Corporate Parenting Panels and scrutiny bodies as required.

The preferred option for West London addresses these requirements and proposes to work collaboratively with three other hosted RAAs across London namely:

Adopt London North – Islington
 Adopt London South – Southwark
 Adopt London East – Havering

2.4 STATUTORY REQUIREMENTS – THE ‘MUSTS’

The operating model for the RAA must address the following DfE minimum expectations of a Regional Adoption Agency:

- 1) **Single line of accountability** – *The new body must be in a position to act as a single entity on behalf of the individual authorities.*
- 2) **Core functions are transferred to the RAA** – *As set out in the policy paper ‘Regionalising Adoption’, we want RAAs to be responsible for recruitment, matching and support.*
- 3) **Pan regional approach** – *The new body should have a regional reach as far as its key functions are concerned, particularly on family finding and matching.*
- 4) **Recruitment, support and matching** – *It is essential that RAAs drive forward the recruitment of new adopters utilising a wider geographical base audience to increase the scope for more matching and ultimately increasing placement opportunities. We believe this will be particularly helpful in assessing adopters for harder to place children.*
- 5) *Each RAA to appoint a **Head of Service** with line management responsibility for staff in the RAA.*
- 6) **Pooled funding** – *We want LAs to pool their adoption funding into one RAA funding pot that is managed by the RAA.*
- 7) **Partnership with the voluntary sector** – *VAAAs have an important role to play in the provision of adoption services. We want RAAs to involve them in the design and implementation of RAAs and to consider their role in the delivery of services.*

2.5 STAKEHOLDERS CONSULTED

Consultation with stakeholders is an integral part of the Regional Adoption Agency project.

A range of workshops and task groups with practitioners and managers across West London are ongoing. These have been designed to ensure current staff and managers views, experience and ideas inform the practice development of the service.

Views ascertained in the Adopter Voice West London consultation report (in early 2018) have been taken into account when developing the service specification and have informed agenda items at task and finish groups. Engagement to seek views of birth families, children and young people, adopters and Special Guardians is planned during Spring 2019.

On a London-wide basis, regular meetings with voluntary sector providers along with the London wide Executive Board take place to discuss their offer and to seek views on future opportunities to work collaboratively and to consider how a longer-term commissioning approach could improve outcomes, efficiency and effectiveness. Across the four RAAs work has been commissioned to develop a joint commissioning framework.

VAAAs attend the West London Consortium, the Practice Lead will engage VAA and other partners going forward on the specific practice development work stream.

3. THE CASE FOR CHANGE

In June 2015, the Department for Education (DfE) published a paper, 'Regionalising Adoption' setting out the proposals for the establishment of Regional Adoption Agencies (RAAs). Funding has been made available from the Department for Education (DfE) to fund the project management costs to develop and implement RAAs as part of a national Regional Adoption Agency Programme. The Education and Adoption Act 2016 requires local authorities to combine their adoption services into Regional Adoption Agencies by April 2020 or be directed to do so if they do not choose to do so on a voluntary basis.

The premise of regionalisation is to:

- Increase the number of children adopted
- Reduce the length of time children wait to be adopted
- Improve post-adoption support services to families who have adopted children from care.
- Reduce the number of agencies that provide adoption services thereby improving efficiency & effectiveness.

3.1 WHAT RESEARCH AND BEST PRACTICE TELLS US

Research identifies several factors which contribute to timely, successful family finding and matching outcomes for children with a plan of adoption.

The University of Bristol (June 2010) and Oxford University (Feb 2015) identified within research briefs, key factors seen to enhance the adoption journey for both children and their prospective adopters.

- **Quality of information** – all information at all parts of the process must be of high quality, factual and comprehensive. Poor quality information is identified as a direct correlation to disruption.
- Local authorities with access to a **wider pool of prospective adopters experienced less delay** in their family finding and matching processes.
- Family finding done at the **point of ADM decision** (rather than at the granting of the placement order) resulted in children experiencing less delay.
- Delay was reduced when **case responsibility for children transferred to adoption service** at point of placement order.
- Delay was also reduced when **early family finding strategies** were agreed for individual children deemed to have complex needs.
- **Tracking of children** throughout their journey is critical and adoption workers involved in this can drive and empower the process.
- **Timely joint decision making** re whether to pursue ethnic matches or sibling separation also reduced delay for children.

- **Post placement support** (in a variety of formats) is particularly valued by adopters, contributes to positive transitions and reduces the risk of disruptions.

Proposals contained within this report have taken account of these key factors alongside the need for quality and efficiency.

3.2 INEFFICIENCIES

There is a highly-fragmented system nationally with around 180 agencies recruiting and matching adopters for only 5,000 children per year (this number has subsequently decreased to 4,350 in 2017 according to DfE published statistics). The majority of agencies are operating on a small scale with over half recruiting fewer than 20 adopters.

Subsequently in 2017/18 the six boroughs in West London approved 26 adopter households in total for 42 children adopted. This is not an effective and efficient scale to be operating at and is likely to mean that costs are higher because management overheads and fixed costs are shared over a smaller base. Having a system that is fragmented in this way reduces the scope for broader, strategic planning, as well as specialisation, innovation and investment. Large numbers of small agencies render the system unable to make the best use of the national supply of potential adopters, more vulnerable to peaks and troughs in the flow of children, and less cost effective.

3.3 MATCHING

The system needs to match children with families far more quickly. Nationally, the Adoption Leadership Board (ALB) data shows that, as at 31st March 2017, there were 2,470 children with a placement order waiting to be matched.

In West London participating Boroughs, at the end of December 2018, there were 42 children waiting for adoption. The average timescale for children between becoming looked after and being placed with an adoptive family nationally in 2017 was 520 days. The average in West London was 519 days. The DfE Adoption Scorecard Key Performance Indicator threshold is 436 days. Although the West performs in line with the national average, there is scope for further improvement. The costs of delay, both to children and to the system, are high. It is vital that children are given the best and earliest possible chance of finding a family, irrespective of authority boundaries and lack of trust of other agencies' adopters. It is unacceptable that children are left waiting in the system when families can be found. Successful matching relies on being able to access a wide range of potential adopters from the beginning and operating at a greater scale would allow social workers to do this, thus reducing delay in the system. It could also reduce the number of children who have their adoption decisions reversed. Furthermore, the opportunity for practice innovation created by moving to a new delivery model also has real potential to improve matching.

3.4 RECRUITMENT

Nationally there are currently 1064 children on the register and only 377 adopters². Recruiting from a wider geographical pool as part of a regional recruitment strategy will go some way to addressing the shortage in adopters. However, being bigger won't necessarily lead to being better. Strong leadership and clear focus are needed along with incentives better aligned with post adoption support to recruit the right kind of adopters given the characteristics of the children waiting. Recruitment from a wider geographical base than an individual local authority, that takes account of the needs of children across those local authorities in a regional recruitment strategy and uses specialist techniques for recruiting adopters for hard to place children, would potentially lead to fewer children waiting.

3.5 ADOPTION & SPECIAL GUARDIANSHIP SUPPORT

Currently adoption support services are provided by a mix of local authority provision, the NHS and independent providers (voluntary adoption agencies, adoption support agencies and small independent providers). There is a risk that the public and independent sectors are unlikely to be able to grow sufficiently to meet increased demand for adoption support. There are regional gaps in the types of services on offer and little evidence of spare capacity. The sector is currently dominated by spot purchasing and sole providers. This is not an efficient way to deliver these services.

For providers to expand and therefore operate at a more efficient scale, services need to be commissioned on bigger and longer-term contracts. RAAs should enable this to be done. It is envisaged that the Hub will act as a conduit to the wider voluntary sector, providing economies of scale and opportunities for innovation.

The new combined service provides the opportunity for the provision of a service of excellence for adoption and special guardianship support. This will be a multi-disciplinary service in partnership with colleagues from health and education and providing comprehensive and high level targeted support for children, adoptive parents, special guardians, adopted adults and birth family members.

3.6 THE LOCAL PERSPECTIVE

There is already a great deal of joint working between the adoption agencies in the West as part of the West London Consortium to provide parts of the current service. Joining the six local authority services together within Adopt London West should enable efficiencies to be achieved and improvements to services for all those affected by adoption. Whilst robust working relationships are already established, the lack of a mandate has led to some initiatives being slow to progress or be sustained.

² <https://adoptionmatch.org.uk/statistics/>

Combining the services should ensure that management overheads and fixed costs will be reduced over time. The new service will allow for the more efficient use of staff time, for example prospective adoptive parents are provided with training as part of the assessment process. Adopt London West will continue to deliver training courses across the whole area resulting in less duplication and more timely access to the training courses for prospective adopters. There will also be the opportunity building on examples of existing good practice (e.g. the use of experienced adoptive parents as trainers and mentors).

Benefits will be delivered through adopting the “best practice” from the six contributing boroughs. This will be of particular value in delivering benefits from the areas of ‘Early Permanence’ (i.e. ‘concurrency planning’ and ‘fostering to adopt’), improved adoption and special guardianship support, making optimal use of colleagues in health and education as well as those in the boroughs such as those registered as social workers and those with a range of other relevant knowledge, skills and experience.

In terms of recruiting adoptive parents all the agencies are currently competing with each other. There is a duplication of effort and associated costs with the risk that people wanting to be considered as adoptive parents are confused about where and how to proceed with their enquiry. Adopt London West will have a single point of contact for prospective adopters, reducing the current fragmentation of services.

Similarly, a single point of entry to the adoption service locally will improve access to adoption support services for adoptive families, and also for adopted adults and birth family members, who have a statutory entitlement to receive a service. Recruitment will be targeted for those children waiting in West London in order to ensure the service is delivering for those Boroughs contributing financially.

3.7 MATCHING CHILDREN TO ADOPTERS

Adopt London West will aim to reduce the proportion of children whose plans are changed from adoption because an adoption placement cannot be found as well as the number of adoption placement disruptions. The RAA will bring the existing local expertise among managers and social workers together in respect of what makes a good match and will be looking at a high proportion of children being referred to the RAA prior to the point of Placement Order.

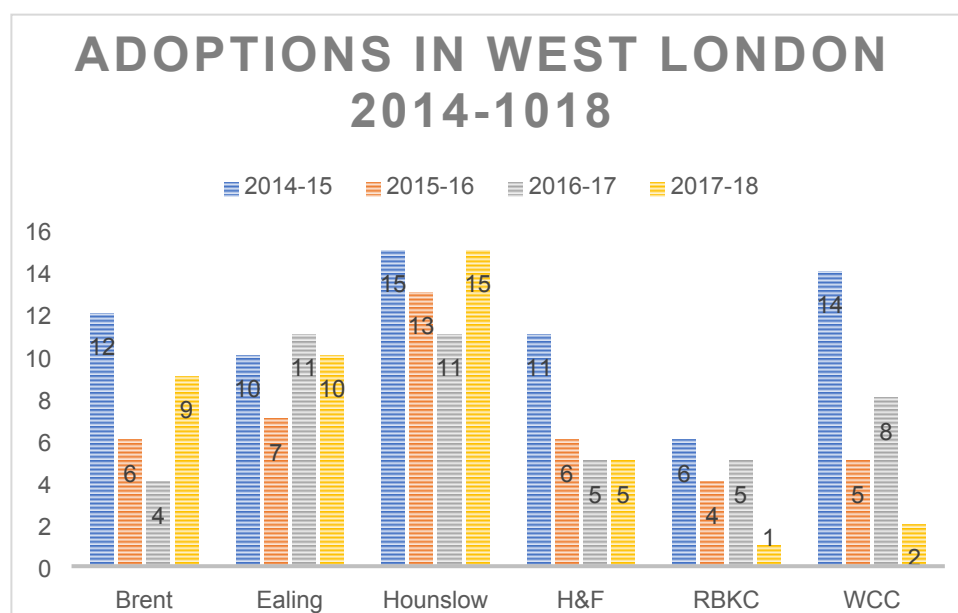
Consultant Practitioners in the RAA will work closely with those who have a permanence lead function in each of the boroughs to identify children with likely adoption plans, and liaison with the child’s social worker during the court proceedings will enable fuller and more accurate assessments of an individual child’s needs to inform matching and prepare the child. Being more strategic in terms of recruitment will also widen choice of potential adoptive families for children, which again should lead to better and more sustainable matching.

4. PERFORMANCE

Nationally, 3,820 children were adopted in 2017/18. This is a decrease of 13% on the previous year and down from a peak of 5,360 in 2015. The Children Looked After population continues to rise to 75,420 on the 31st March 2018. This is a rise of 4% from the previous year³.

Between April 2017 and March 2018, 42 children were adopted in the Adopt West London region. London Local Authorities place fewer children from care than national averages. It is likely that Adopt London West authorities will continue to place fewer children due to local demographics and effective permanency options, including the use of SGO and kinship care with extended families.

The Department of Education Adoption Scorecard data (April 2014 - March 2017) shows that during this period, across the six West London local authorities there were 190 children adopted from care. The numbers of West London adoptions over the last four years are in the graph below:



Source: DfE Adoption scorecards 2014 – 2017; Adoption Leadership Board: 2017-18.

4.1 CURRENT DEMAND FOR ADOPTION PLACEMENTS IN WEST LONDON

In December 2018, 42 children in West London required adoptive families. Of these children, 13 are on a Placement Order (PO) and not yet matched to a family and 8 have an Adoption Decision but no PO. A further 21 children are likely to have a Plan for Adoption Decision made⁴.

³ <https://www.gov.uk/government/publications/adoption-scorecards>

⁴ Source: Adopt London West Team Managers

4.2 WAITING TIMES FOR CHILDREN IN WEST LONDON

The average timescale for children waiting in the West for an adoptive family placement was 519 days. The national average is 520 and DfE threshold is 436 days⁵.

Waiting times are affected by the suitability of adoptive families available for children who are deemed to be 'harder to place'. A number of children that typically wait longer are older (over 2 years), from ethnic minority backgrounds; and part of a sibling group. Children with disabilities and those with parents with a history of substance misuse and mental health difficulties tend to wait longer. There is more work to do with prospective adopters to prepare them for these cohorts.

4.3 RECRUITING ADOPTERS FOR WEST LONDON'S 'HARDER TO PLACE' CHILDREN

Although joint targeted recruitment is underway by Adopt London West authorities, there is an urgent need to increase the number of adopters. This mirrors a shortage nationally and across London. Last financial year (March 2017 – 2018), West London Adoption Authorities approved 26 adoptive families according to ALB published data.

Combined analysis of the needs of children in the west is underway to inform a targeted recruitment approach to identify families to meet the needs of west London's children.

The following table shows the profile of children and adoptive families in West London at December 2018:

WEST LONDON CHILDREN WAITING	%	WEST LONDON ADOPTERS	%
Children aged 2-5 years	24%	Willing to adopt a child aged between 2 and 5 years old	71%
Children 6 years and older.	9%	Willing to adopt a child aged over 5 years old	0
Black/Black British, Asian or Asian British, dual Ethnic Minority heritage or other ethnic background	87%	Black/Black British, Asian or Asian British, dual Ethnic Minority heritage or other ethnic background	91%
Children who are part of a sibling group.	12%	Would consider a sibling group of two or more.	9%

⁵ <https://www.gov.uk/government/publications/adoption-scorecards>

4.4 CURRENT SUFFICIENCY OF ADOPTERS

In December 2018, West London Team Managers reported 20 families are in the adopter pipeline with 12 families approved and ready to adopt, and 8 families under assessment. Nationally, there were 377 families on the National Adoption Register and 1064 children. Insufficient adopters result in delays for children waiting to be adopted. When reviewing adopter sufficiency in London in 2018, the London Adoption Board in 2018 stressed the need for a minimum of three adoptive families per child waiting to provide appropriate choice.

There is some evidence to suggest that those RAAs which have gone live earlier are now starting to reap the benefits of targeted recruitment work. For example, One Adoption West Yorkshire increased numbers of approved adopters by 20% in Quarter 1 of this year compared to the same quarter the previous year. Timescales for children have also improved with the average number of days from a child becoming looked after to being placed with adopters reducing from 439 days to 315 days.

It is anticipated that a Performance Framework already in use within up and running RAAs will be utilised to ensure accurate performance reporting and sufficiency predictions. A quarterly performance report will be provided to the future Governance Board for Adopt London West RAA.

5. OVERVIEW OF RAA OPERATING MODEL

From a local perspective, the six boroughs have a long history of working together and West London has a clear identity. The West London Consortium has focussed on developing joint services for Fostering, Adoption and Special Guardianship. Robust working relationships are already established. However, the lack of a comprehensive mandate has led to some initiatives being slow to progress or be sustained.

Adoption and permanence services in West London have worked co-operatively in sharing practice and training opportunities. This has enabled constructive working together in developing the target operating model and ongoing practice development.

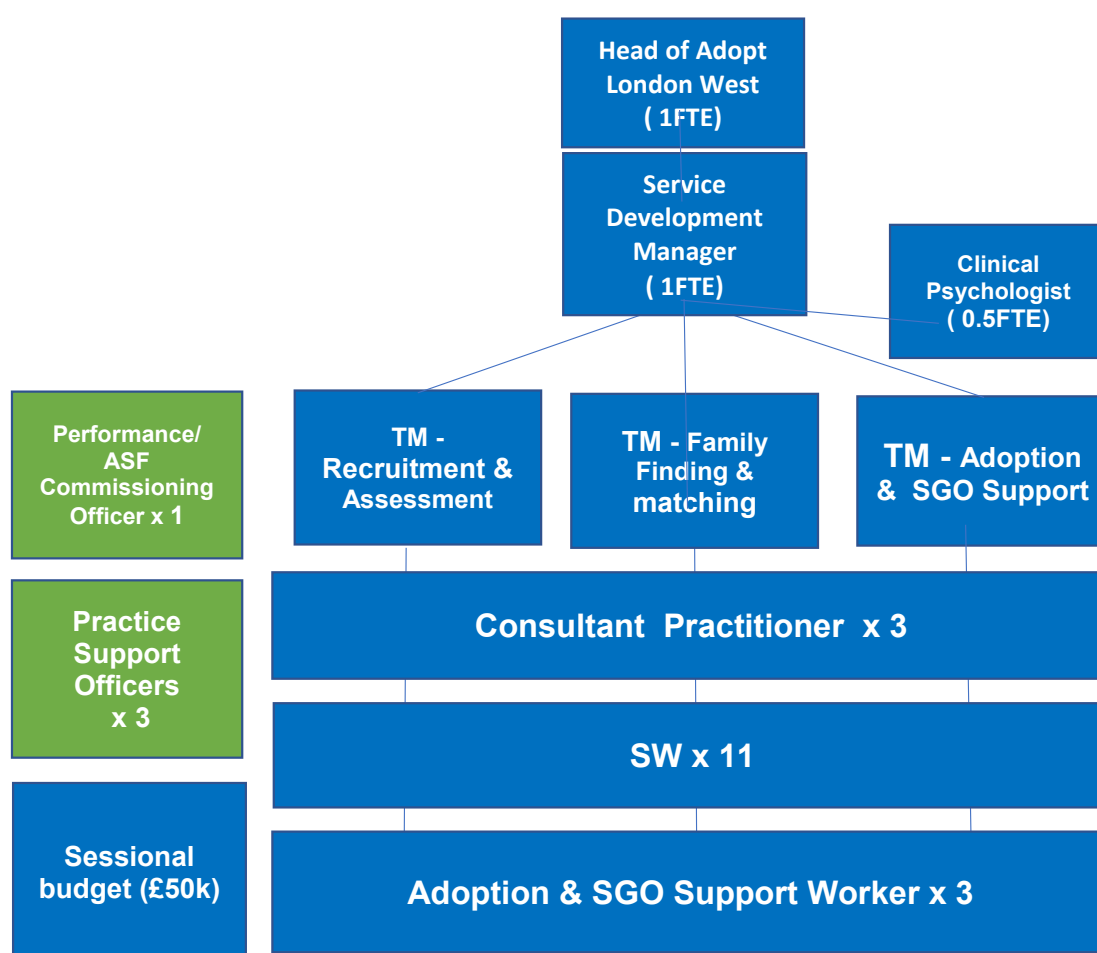
Adopt London West will therefore bring together best practice from these LAs while providing the opportunity to create clear practice improvements and enable a viable future market for recruitment. Approximately 31.67 FTE LA staff, many of whom work part time, are expected to become part of the new organisation to deliver the following main services across West London:

- **Recruitment and Assessment** – to provide the prospective adopters

- **Matching and Placement** – to match prospective adopters with children in need of adoption
- **Adoption Support** – to help all affected by adoption
- **Special Guardianship Support** – to support families and connected persons.

5.1 ORGANISATIONAL MODEL

The proposed model is based on Ealing grades and has been costed at the top of the pay scales for calculations in all cases. The proposed staffing structure for the LA hosted option comprises 26.5 FTE posts, with a total staffing budget of £1.6m.



5.2 RAA ROLES

New roles created in the establishment of the new organisation include:

- 1 FTE Head of Service
- 1 FTE Service Manager this is a temporary 2yr post to support service development and provide additional capacity in the transitional phase)
- 0.5 Clinical Psychologist
- 1 FTE Performance and Commissioning Officer

Summary of Roles

The **Head of Service** will provide leadership and vision for the continuous development of the Adopt London West, leading the strategic planning, development and management of all aspects of the Agency to ensure the delivery of high quality, effective and legally compliant Adoption and SGO support services. They will manage the relationships with Local Authority partners through interaction at Senior Management level. Transformational leadership skills will be essential as part of this role to drive the practice improvement and cultural change required. This role will also be crucial in influencing both the local and national adoption agenda working with the other RAA leaders across the country. They will be the Agency Decision Maker (ADM).

The **Service Manager** will be responsible for the operational management of the service, supporting staff, developing, monitoring and driving performance standards and innovative practice. They will deputise for the Head of Service when necessary.

The **Clinical Psychologist** will lead on embedding a therapeutically informed model of practice and provide consultation and guidance on individual cases in relation to ASF applications and the most appropriate therapeutic intervention.

Team Managers in addition to line management and operational responsibilities will share the role of **Agency Advisers**. They will be centrally located and will work closely with child care social workers throughout the permanence and adoption process. They will provide quality assurance and advice to the Agency Decision Maker (ADM) and act as Agency Adviser to the Adoption Panel.

Consultant Practitioners will have lead responsibility for development of practice areas and also be responsible for some line management duties. These roles will also hold cases. Practice areas covered by this role include: permanence coordination with LAs practice development work (e.g. developing the SGO support offer, providing 'bite size' training for LA SWs).

Social Workers - will be responsible for preparing and assessing prospective adopters, undertaking post order assessments of support needs for adopters and special guardians, Permanency Planning Meetings; working with CSW when child on referral to RAA; sibling assessments if commissioned; family finding activity including profiling; Shortlisting families; family visits; Child Appreciation Day coordination; preparing support plans, matching panel preparation/follow up. A Duty Rota system will operate.

Adoption and SGO Support Workers - will undertake non-statutory duties, including: 'Stage One' processes; preparation group co-ordination; organisation of 'Activity Days' and 'Profiling Events'; family finding for adopters; 'Child Appreciation Day' co-ordination; coordinating adopter/SG training and social events; coordinate Buddy scheme for adopters and SGs; Life Story Work; letterbox contact; support plan review co-ordination; facilitating support groups.

Performance and Commissioning Officer - will be responsible for developing and maintaining performance management systems and all associated data requirements, including tracking of activity to inform future activity-based modelling. This role will also be responsible for coordination of ASF applications, reviews and any grant applications. In addition, the coordination of RAA commissioning and contract reviews.

Practice Support Officers is a service focused and enhanced business support role. Duties will include: panel co-ordination; undertaking statutory checks and references; invoices and sales; raising purchase orders and tracking interagency fees; room bookings; minuting Panel meetings/'Child Appreciation Days'; file searches and retrieval and a range of other duties that support service delivery.

The **Marketing and Recruitment** budget will be managed by Ealing's fostering and adoption recruitment team, building on existing knowledge and ensuring that resources are used flexibly and recruitment is targeted for children who are waiting.

The organisational structure has been designed building on the shared knowledge of key stakeholders with experience of working in adoption and permanence services across the region. The operational staff numbers have been determined to meet the anticipated demands of the service, within the available financial envelope to ensure the ability to deliver and sustain practice improvement to the benefit of children, adopters and others who benefit from adoption and special guardianship support services.

More detailed work on mapping existing staff to the teams in the new staffing structure will form part of the HR Work Stream activities during consultation pre implementation.

5.3 PROCESS

The target operating model for the new RAA focuses on delivering the following core functions:

- **Recruitment and Assessment** – to provide the prospective adopters;
- **Matching and Placement** – to match prospective adopters with children in need of adoption;
- **Pre and Post Placement Support** – to help all affected by adoption
- **Special Guardianship Order support** – to promote resilience

5.4 FUNCTIONAL ROLES AND RESPONSIBILITIES

The table below sets out how the RAA and LAs will work together, summarising roles and responsibilities for each.

FUNCTION	Regional Adoption Agency	Local Authority
RECRUITMENT AND ASSESSMENT		
Marketing and Recruitment Strategy	✓	
Adopter Recruitment and Enquiries	✓	
Assessment of Prospective Adopters – all Stage One and Stage Two functions	✓	
Completion of Prospective Adopter Report	✓	
Agency Decision Maker for approval of adopters	✓	
Post approval training	✓	
Matching	✓	
Post Placement training for Prospective Adopters	✓	
PERMANENCE PLANNING		
Early identification of a child possibly requiring adoption		✓
Tracking and monitoring the child possibly requiring adoption	✓	✓
Support and advice to child care social worker on the adoption process	✓	✓
Sibling or other specialist assessments if commissioned by LA	✓	✓
Direct work to prepare child prior to placement	✓	✓
Preparation of the Child Permanence Report		✓
Agency Decision Maker for “Should be placed for Adoption” decisions		✓
Case management for the child		✓
MATCHING AND PLACEMENT		
Family finding	✓	
Looked After Child reviews	✓	✓
Shortlist potential families	✓	
Visit potential families	✓	✓
Organising child appreciation day	✓	

FUNCTION	Regional Adoption Agency	Local Authority
Ongoing direct work to prepare child prior to placement	✓	✓
Adoption Panel administration and management	✓	
Agency adviser role	✓	
Agency Decision Maker for Matching prospective adopters and child		✓
Placement Planning meeting administration and management of introductions	✓	
Support to family post placement and planning and delivery of adoption support	✓	
Ongoing life story work and preparation of Life story book		✓
Independent Review Officer monitoring of quality of child's care and care plan		✓
Support prospective adopters in preparation and submission of application for Adoption Order – including attending at court	✓	
Preparation of later life letter	✓	✓
ADOPTION AND SPECIAL GUARDIANSHIP SUPPORT		
Assessment for adoption and special guardianship support	✓	✓
Developing and delivering adoption/special guardianship support plans	✓	✓
Agree and administer financial support to adoptive and special guardianship support families pre and post Order		✓
Adoption and special guardianship support delivery including: <ul style="list-style-type: none"> • Support groups • Social events • Post adoption/special guardianship training • Independent Birth Relative services • Support with ongoing birth relative contact • Adoption/special guardian counselling/training 	✓	
Financial support to adopters including adoption allowances		✓
Access to birth records		✓
NON-AGENCY ADOPTIONS		
Step parent/partner adoption assessments	✓	
Inter-country adoption assessments and post approval and post order support	✓	

As part of pre implementation, project managers across London are exploring potential areas for the VAA and other providers sectors work with the other London RAAs to support service delivery including consideration of the following areas:

- Targeted recruitment activity focusing on Early Permanence and targeted assessments for priority children
- Specialist adoption support training
- Specialist practical or therapeutic support services for children and families post placement and post order
- Adoption counselling and services to adopted adults
- Continued provision of VAA families

Practice improvements will be delivered through the implementation of new ways of working. Adopt London West will work jointly with the other RAAs and the Hub (once developed) in London to seek to explore further sources of funding to work jointly with the VAA/Provider sector, for example, in the areas of Early Permanence and adoption support to design and deliver practice improvements.

6. HR IMPLICATIONS AND ACTIVITIES

Staff will transfer from the partner boroughs to the London Borough of Ealing under the provisions of TUPE where this applies. Formal consultation will form part of the HR Work Stream project plan.

The project plan for implementation in order to complete the TUPE transfer will be subject to the following:

- Cabinet approvals in mid-March 2019.
- Once cabinet approval is secured, formal consultation with staff affected and recognised trades unions will commence in late March 2019.
- Recruitment to the post of Head of Service will be finalised.
- The staffing structure for the new service will be finalised (subject to consultation with affected staff and trade unions) to be effective from July 2019.
- Staff will transfer to London Borough of Ealing on their existing terms and conditions unless, through consultation, it is agreed they will transfer on London Borough of Ealing terms and conditions.
- Any remaining vacant posts within the new structure will be subject to LB Ealing's recruitment and selection procedures and successful applicants will be appointed on LB Ealing terms and conditions.
- HR processes will be put in place to formalise the process and populate the RAA staffing structure.
- HR/Payroll administration process to be undertaken.
- Training and support for new ways of working in a single agency.
- Establishing plans for on-going professional development.

7. FINANCE

A thorough analysis of each Borough's spending on adoption and SGO support services has been undertaken, including peer challenge reviews. Boroughs have not been asked to contribute sums over and above their confirmed relevant budget for adoption for 2018-2019. However, the need to purchase interagency placements from other providers to address the lack of sufficiency currently will require contributions from each Local Authority.

Total confirmed contributions will fund the proposed new service, including staff and non-staffing (excluding items detailed in the Partnership Agreement) and overheads attributed to the hosting of the agency.

To meet current demand, the six local authorities' budget for 2018/19 is £1.9 million for adoption services and special guardianship support services. This figure includes staffing, non-staffing costs and adoption and SGO support costs.

Adjustment for any interagency income or fees, the agreement for Adopt London West is for current 2018/19 budgets to transfer as indicated in the table below.

Transferring Budgets (revised)		
Authority	Budget	Proportions %
Brent	378,647	19%
Ealing	656,913	33%
Hounslow	404,264	20%
Hammersmith & Fulham	198,797	10%
Royal Borough of Kensington & Chelsea	152,869	8%
City of Westminster	201,519	10%
TOTAL	1,993,009	100%

The financial modelling of Adopt London West has been developed with the LA hosted option. Non-staffing is based on current budgeted spending and adoption and SGO support costs.

These budgets have been developed from examining the current Adoption and SGO support service budgets and then making an assessment about resources which are currently used to fund activities which will now be the responsibility of the new RAA.

Total RAA Costs vs transferring budget (excluding Hosting Cost)	RAA cost
Staffing total	£1,600,679
Non-staffing budget	£213,500
Adoption/SG Support costs	£64,172
Total Cost (excluding Hosting)	£1,878,351
LA transferring budget	£1,993,009
Variance	£114,658

The overall cost of the RAA will be determined by total host cost that is to be applied. An overhead of £6k per FTE worker transferring to the RAA is proposed. Thus the total host cost is dependent on the proportion of Ealing staff retained in the RAA and how many staff from participating boroughs transfer in. The table below sets out worst (1) best (2) and mid-range (3) scenarios from a purely financial basis.

Scenarios based on Ealing staff	Hosting	Hosting cost	Total Cost of RAA	Variance from transferring budget
Scenario 1	Host Cost @ £6k per FTE - 0 Ealing staff	£159,000	£2,037,351	-£44,342
Scenario 2	Host Cost @ £6k per non-Ealing FTE (assume 13 transfer)	£81,000	£1,959,351	£33,658
Scenario 3	Host Cost @ £6k per non-Ealing FTE (assume 8 transfer)	£111,000	£1,989,351	£3,658

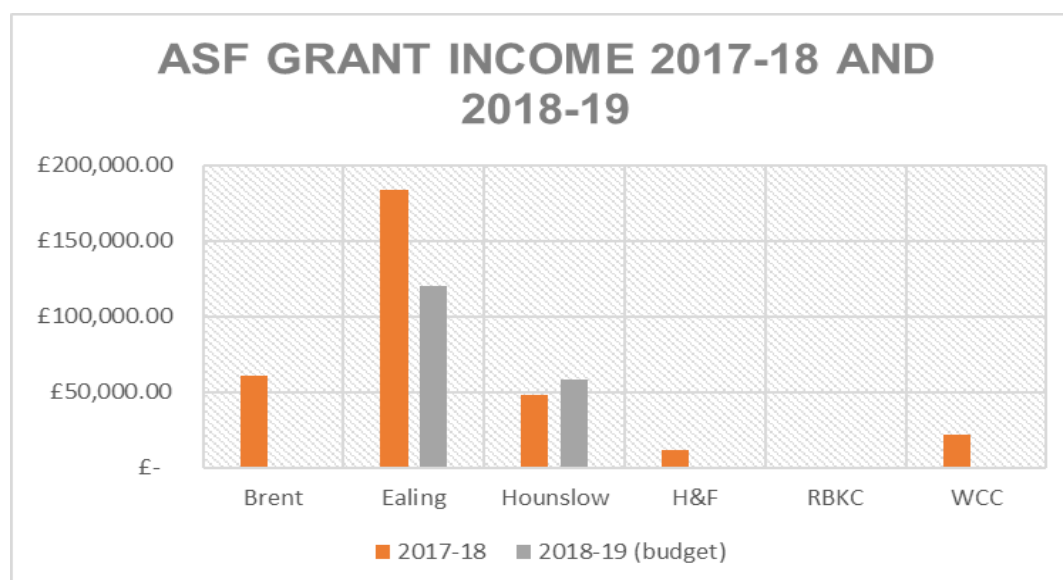
7.1 POST ADOPTION AND SGO SUPPORT AND ADOPTION SUPPORT FUND

The DfE created the Adoption Support Fund in 2015 to provide targeted support for individual children affected by special guardianship and adoption. In 2017-18, West London received £325,000 ASF; 56% of this by was claimed by Ealing. Since the ASF grant began, Ealing has been awarded the highest funding across London (£880,000). Two LAs have budgeted for ASF funding 2018-19 totalling £178,000. The table below indicates the proportional ASF grant allocations per west London borough in 2017/18.

In West London in December 2018, a reported figure of 229 families were supported at pre and post adoption stage across the boroughs, with significant variance in the

numbers per borough. Team managers also reported support activity for 89 families with a Special Guardianship Order.

A total of 26 Special Guardianship Orders were granted in west London in 2017-18 and according to trends and Adopt London West strategic leads, this number is expected to rise.



Source: LA finance leads September 2018

Currently ASF is based on individual need and claimed through the grant nationally. The current grant is due to end in April 2020. The Government is yet to announce the plans for future allocations or approach. It is possible that grants will be devolved to RAAs to spend more flexibly. This could provide an opportunity for more creative and strategic commissioning of support. However, there is also a risk that any allocations could be based on current usage, which does not necessarily reflect current or future need, given the variations in usage to date or indeed the total amount being reduced.

8. RISKS

8.1 STRATEGIC RISKS

There is a risk to any Local Authority that fails to join a regional agency. This would include central government directing how its services would be delivered.

Major reorganisation of adoption services in the region may have an impact on service delivery to children and adoptive families in the short term. To mitigate these risks, performance measures aligned with the revised operating model and regular monitoring arrangements will be established between the host and non-host authorities.

Separation of functions could cause delay through ineffective communication. The service delivery model promotes co-location and local delivery in all Local Authority areas. Effective information sharing agreements and close working relationships between children's and adoption social workers will mitigate against this risk.

Any future difference in opinion across the LAs as to the role and scope of Adopt London West and future governance arrangements could delay implementation.

The organisational staffing levels proposed in this business case have been based on actual demand experienced over the past three years, however because of the current difficulties in predicting the levels of activity (e.g., numbers of children with adoption plans) there is a risk that suggested staffing levels might not be consistent with future demand.

There is risk, even regionally, of not being able to recruit adopters able to meet the needs of the children waiting, leading to more interagency placements and financial viability issues. More coordinated and targeted recruitment activity is expected to address this. Scope for enhanced recruitment and assessment has been built into the delivery model. However, this is likely to take up to at least 3 years to reach sufficiency requirements.

Major change will mean a potentially worrying time for staff and proposed changes to ways of working could lead to a risk that the RAA may find it challenging to retain its existing experienced and qualified adoption team workforce. The engagement of staff directly involved in the delivery of adoption services, and the involvement of current service users will be essential mitigation alongside keeping colleagues in partner organisations informed. The project team have been engaging with staff to ensure they are informed and involved opportunities and developments of a joint agency.

8.2 FINANCIAL RISKS

The primary risk is that the agency is underfunded and therefore unable to deliver adequately for the children of West London. This will also impact on timescales for children waiting and influence Ofsted judgements about the service provided to Children in Care.

Failure to provide high quality adoption support services may result in placement disruptions meaning children will return to care. The detrimental impact of this in respect of the child's wellbeing (and adopter) cannot be underestimated.

It is well evidenced that satisfied adopters are a critical factor in recruiting new applicants. Adopters who are dissatisfied with their experience during any part of their journey may negatively influence recruitment success.

Financial risks can be mitigated by the inclusion of a detailed Schedule in the Partnership Agreement that details all financial risks, including the treatment of any

over (and under) spends. This reduces the risk to the host but would not affect the overall financial pressure.

There is a risk that spend against non-staffing structure costs may exceed current budget allocations, economies of scale may take longer to achieve.

The aspiration is that the model will become activity based in the future, the ability to increase sufficiency of adopters, have consistent and reliable performance data and base lines set will inform when and how this can be achieved. Given the significant shortage of adopters, it is anticipated this will take at least 3 years to achieve.

8.3 INTER-AGENCY ADOPTION

The potential to increase the scope for trading with other Local Authorities and other RAAs is uncertain given the reshaping of the adoption landscape by regionalisation. Four of the local authorities that comprise Adopt London West are net beneficiaries of inter-agency fees and have consistently been net beneficiaries for the last three years.

However, it has been assumed that the net beneficiary position may be affected as the boroughs transition to the RAA over year one. Therefore, if there is a net income or deficit as a result of interagency fees it will be managed through the process outlined below and further detailed in the Partnership agreement.

8.3.1 MEETING CURRENT DEMAND

Based on December 2018 data, there are 42 children waiting and 20 families in the pipeline (8 under assessment and 12 approved and in the matching process). While targeted recruitment activity prior to going live is underway, there will be a requirement to purchase inter-agency placements in year one of operation of Adopt London West.

Currently there is significant variation between West London LAs in relation to spending on fees, and on income from trading adoptive families. The table below shows the inter-agency transfer position (per the financial returns) from each LA.

8.3.2 INTER-AGENCY INCOME IN WEST LONDON

The table below also shows that five Partner Authorities expected to be net beneficiaries when setting 2018-19 budgets. These income targets are within their overall cash limits for Children's and Families budgets. Activity assessment shows the RAA would need to be a net beneficiary of 16 placements (assuming £27,000 per place which is the non-London rate for one child). Slow recruitment across the sub region means this is highly unlikely to be realised.

	Activity	WL total	Brent	Ealing	Hounslow	H&F	RBKC	WCC
Interagency income target 18/19	27	-754,550	-50,000	-263,000	-75,000	156,000	-80,550	130,000
Interagency expenditure	11	297,984	0	142,047	121,937	32,000	0	2,000
Net interagency costs	-16	-1,052,534	-50,000	-405,047	-196,937	188,000	-80,550	132,000

Interagency budgeted net costs as at September 2018

8.3.3 INTER-AGENCY BUDGET TRANSFER APPROACH

To manage this pressure for Adopt London West, LAs have agreed an approach to interagency income and expenditure by undertaking an upfront analysis of interagency activity which will ensure that fairness and proportionality. The principles of this funding approach are:

- Based on actual adopter/child pipeline data (currently being updated). Adopters approved prior to an agreed cut-off date will form the basis for the inter-agency income 'target' that is included in the transferring inter-agency budget.
- Children on placement orders at the agreed cut-off date are matched with Non RAA adopters will form the basis for the inter-agency fee budget which is transferred to the RAA.
- Children on placement orders from each LA not matched/linked will form the basis of the inter-agency fee to transfer over.

Detailed forecasting analysis to the funding for purchasing of placements has been undertaken by Ealing Finance and will form a schedule of the Partnership Agreement subject to agreement by all Finance Leads and the Project Board in February 2019.

9. BENEFITS

Benefits expected to be realised include:

- Improved timescales for adopter assessments
- Higher conversion rate from enquiry to approval of prospective adopters
- Early identification of children with potential adoption plans and more children placed on an Early Permanence (Fostering to Adopt or concurrency) basis
- Reduction in the number of children for whom the permanence plan has changed away from adoption
- Increase in the percentage of children adopted for care
- More timely matching of approved adopters
- Improved timescales for placing children with their adoptive families
- Fewer prospective adopter approvals rescinded as approved adopters are not matched with a child
- Fewer adoption placement disruptions pre and post adoption order

- Improved performance measurement and management across the service

Baselines need to be developed as part of the practice workstream and agreed with all partners so effectiveness can be monitored as the RAA develops.

10. IMPLEMENTATION

10.1 PROPERTY AND IT IMPLICATIONS

The proposed base for staff will be at Perceval House, Ealing. The model proposes flexible and mobile working, including access to touchdown spaces in all boroughs. This will facilitate the sustainment and development of positive working relationships with Children's social workers and local accessibility to adopters.

IT solutions that will deliver an effective efficient service to the RAA and its stakeholders are currently being explored. Both operational and technical staff are involved. There is no additional funding to implement new IT systems, however the DfE project grant can support piloting new ways of working as the transition into the RAA progresses. A workstream is underway to develop the IT solution and will draw on advice from other RAAs that have delivered a cost neutral approach.

10.2 DATA AND INFORMATION

Data and Information will be required for the day to day operation and management of the RAA. Management Information will be generated automatically from core systems where possible. Information needs to be presented to the RAA Management team, Ofsted, Local Authorities including senior management teams and elected members, the Adoption Leadership Board, the Department for Education and other partners.

The way in which data will be shared and exchanged is detailed in an information sharing agreement. A draft Information Sharing Agreement is in development.

10.3 GOVERNANCE AND PARTNERSHIP AGREEMENT

A partnership agreement setting out the agreement of the 6 Boroughs to the establishment of the Adopt London West Regional Adoption Agency has been drafted and will be reviewed and signed off by Finance, Legal and RAA Board members in each Borough. The agreement will need to be signed off prior to implementation.

The agreement contains the aims of the RAA, the operational basis and the functions which are delegated to the Host.

The agreement also details the intended service delivery model, requirements for an annual plan, financial contributions, over and underspend arrangements and the

premises to be provided for the purposes of the RAA. The information sharing agreement will also be incorporated into this document.

10.4 PRACTICE

A number of workstreams with task and finish groups are underway with staff teams and the key stakeholder groups to underpin and develop the practice model for the West RAA. These are led by the practice lead who is an experienced adoption manager, seconded full time, funded by the DfE grant to focus on practice and policy development.

10.5 IMPLEMENTATION TIMELINE

The business case is scheduled for sign off at Borough Cabinets in March 2019. Once sign off in all Boroughs is obtained, the consultation process for staff can commence with an anticipated Go Live date for the new service of July 2019.

Governance Arrangements

The governance structure and arrangements will be comprised of the following forums:

1) Adopt London West Partnership Board

Status of the Board

The Adopt London West Partnership Board is fully accountable to: the London Boroughs of Brent, Ealing, Hounslow, Hammersmith & Fulham, the Royal Borough of Kensington & Chelsea and the City of Westminster.

The Adopt London West Partnership Board will be supported by the Adopt London Executive Board and will co-operatively engage with and work alongside the North, South and East Regional Adoption Governance Boards on matters of pan London interests.

The Board will commission activity that is required for a range of forums, including the London Adoption Board and ALDCS.

Purpose of the Board

The Adopt London West Partnership Board will be responsible for providing effective oversight of the partnership agreement and the hosting of adoption services by London Borough of Ealing.

The Board will present the Annual Report of the Adopt London West Partnership Board to the local authority partner Cabinets, with the support of the Chair and the Vice-Chair of the Adopt London West Partnership Board.

The Board will also enable effective overview and support for the collaborative working arrangements between the Voluntary Adoption Agencies (VAA's), Adopters and partner local authorities.

The Board will set and review the strategic objectives of Adopt London West and monitor service delivery of the key priorities of the partnership, that is to:

- Place more children in a timelier way;

- Recruit more of the right families for the children waiting, preparing them consistently and well;
- Improve the range, accessibility and quality of post adoption and special guardianship support; and
- Improve the outcomes for children and families.

Roles and responsibilities of the Adopt London West Partnership Board

Ealing Council will provide the Adopt London West Partnership Board with a report on a quarterly basis detailing summary management information as part of the performance monitoring agreement that will include:

- Service delivery performance
- Financial performance
- Audit and assurance activities

Partner Councils will individually provide the Adopt London West Partnership Board with a report on a quarterly basis detailing their Council's performance of the co-dependencies that will include:

- Key performance indicators relating to safeguarding pressures and overall children's services demand; and
- Pre-court proceedings activities and performance

Partner Councils will produce a joint update on:

- Joint working arrangements
- Inspection readiness

The Adopt London West Partnership Board will also:

- Provide a forum to discuss and agree strategic issues relating to the delivery of adoption services
- Provide a forum to discuss and agree future budget setting
- To provide constructive support and challenge of the adoption system within the West London region, with reference to national best practice / emergent practice, to provide an opportunity for sharing, learning and continuous improvement
- To engage with national adoption services providers, voluntary adoption agencies and broader stakeholders, to inform regional service development
- Review and consider reports presented by the Adopt London West RAA
- Authorise the commissioning and initiation of new business cases and assess opportunities for future service development

- Confirm appropriate adjustments to the contract baseline regarding target performance levels so that they are aligned with the updated statistical neighbour data
- Consider any changes to the services that arise out of proposals and ensure that they are dealt with as a variation in accordance with the Partnership Agreement

Decision Making

Made by consensus between the Director of Children's Services London Borough of Ealing and the five Directors of Children's Services from Brent, Hounslow, Hammersmith & Fulham, the Royal Borough of Kensington & Chelsea and the City of Westminster.

This cohort are primary funding partners and have shared responsibility for performance of adoption services as measured in published statutory performance information and in Ofsted inspection. They therefore form the voting members of the group.

In the event of a continuing dispute, the Board will refer to the formal dispute resolution process detailed within the Joint Partnership Agreement.

Chair

The Board will be chaired by the Director of Children's Services Ealing as host authority.

Membership

Director of Children's Services - Brent
 Director of Children's Services – Ealing
 Director of Children's Services – Hounslow
 Director of Children's Services – Hammersmith & Fulham
 Director of Children's Services – RBKC
 Director of Children's Services – Westminster City Council

Advisory Representatives:

Head of Service – Adopt London West RAA
 Director of Finance – Ealing
 Head of Finance - Ealing

Head of Performance and Business Intelligence - Ealing
VAA /Provider representative

Frequency

The Partnership Board will meet bi - monthly for the first 6 months following implementation, the frequency will then be reviewed.

2) Quality Assurance Group

Purpose of the Group

The Quality Assurance Group will be responsible for monitoring performance and identifying performance issues at an early stage so that potential issues can be resolved in an efficient and effective manner.

The Quality Assurance Group will be responsible for holding all partners to account in respect of performance outcomes for children and adopters and financial management.

The purpose of the group is:

- Ensure that all work undertaken is compliant with national standards, legislation and inter authority partnership agreements
- To ensure that all work undertaken is carried out with the best interests of the child/young person at its core
- To secure and promote good working relationships amongst Adopt London West, partners and stakeholders
- To ensure effective efficient delivery of the objectives as agreed at the Adopt London West Partnership Board
- To support joint working practices across the Adopt London West to improve timeliness and outcomes for children and adopters
- To compare, contrast and report on the work of other RAAs across the region and nationally
- To ensure all work is underpinned by best practice recommendations and research findings
- To ensure discussions/decisions align with those reflected within the London RAA's
- To ensure an annual health check for adoptive families is undertaken

Roles and responsibilities of the Adopt London West Quality Assurance Group

- Ensure appropriate preparation for the Adopt London West Partnership Board to enable comprehensive oversight of the delivery of adoption services across West London
- Receive and review the monthly performance reports from across the partner agencies on matters such as issues relating to the delivery of services and performance against service standards (including possible future developments)
- Review and consider benchmark reports
- Review the implications of any recently issued national policy and or guidance
- Review the general inspection readiness of the Adopt London West, and monitor progress of actions to address areas of concern
- Receive and review the Adopt London West service delivery risk management matrix, together with identified mitigating actions
- Report to the Adopt London West Partnership Board any future service specific requirements or other significant issues requiring discussion and decision by the Adopt London West Partnership Board
- Scrutinise service quality via:
 1. Anonymised case audits
 2. Findings from service led case audits and staff file audits
 3. Customer feedback (including complaints, concerns and compliments)
 4. Stakeholder feedback including health, schools, courts etc.
 5. Panel recommendations, panel schedules and panel chairs' appraisals
 6. Findings from LA and VAA case reviews
 7. Ofsted inspection outcomes and action plans from other agencies.

Chair

The Quality Assurance Group will be chaired by Head of the Adopt London West RAA.

Membership

Members of the quality assurance group to include:

- RAA Service Manager & staff representatives
- RAA Performance Lead
- Panel Chairs
- LA officers (e.g. IROs, principal managers etc.)
- Virtual head teacher representatives
- Health partners
- VAA /Provider representatives
- Service user representatives

Frequency

The Board will meet monthly for the first 6 months following implementation, the frequency will then be reviewed.

3) Annual Review Meeting

Purpose of the Review Meeting

The Annual Review Meeting will be an expansion of the Adopt London West Partnership Board meeting that will include other stakeholders as required. This meeting will act as the primary vehicle to discuss, further develop and agree the strategic and specific objectives for the year ahead.

The Annual Review meeting will be held in accordance with the terms detailed within the Joint Partnership Agreement. Past performance will be reported, with summary of the highlights and lowlights of the year, but the focus will be on supporting the continued development of adoption services within the West London region, whilst ensuring alignment with partner organisations aims, objectives, and budgetary capacity.

Aims of the Annual Review Meeting

- Assess whether the Partnership Agreement is operating in the most satisfactory manner
- Assess whether the services are being delivered to the Partnership Agreement standard
- Review the RAAs performance of adoption services in the previous contract year against the performance indicators set
- Review performance against the annual budget for the previous year, together with a review of the proposed budget for the following contract year
- Review the Councils' performance of the co-dependencies that affect the overall performance of adoption services within the West London region
- Consider any proposals from partner Councils relating to possible contract variations, and note any variations agreed at the quarterly Adopt London West Partnership Board meetings
- Agree any proposed changes to the Services Specification, the Financial Mechanism, and the Performance Indicators for the following Contract Year
- Confirm the Contract Sum payable by the respective Councils to the Adopt London West for the next contract year
- Provide an annual report to each Boroughs Corporate Parenting Forum

Ways of Working

- The Annual Review Meeting of the Adopt London West Board will be held no later than one full calendar month following the expiry of twelve (12) months from the Services Commencement Date
- Members of the Board will receive papers two weeks before the Annual Review Board meeting

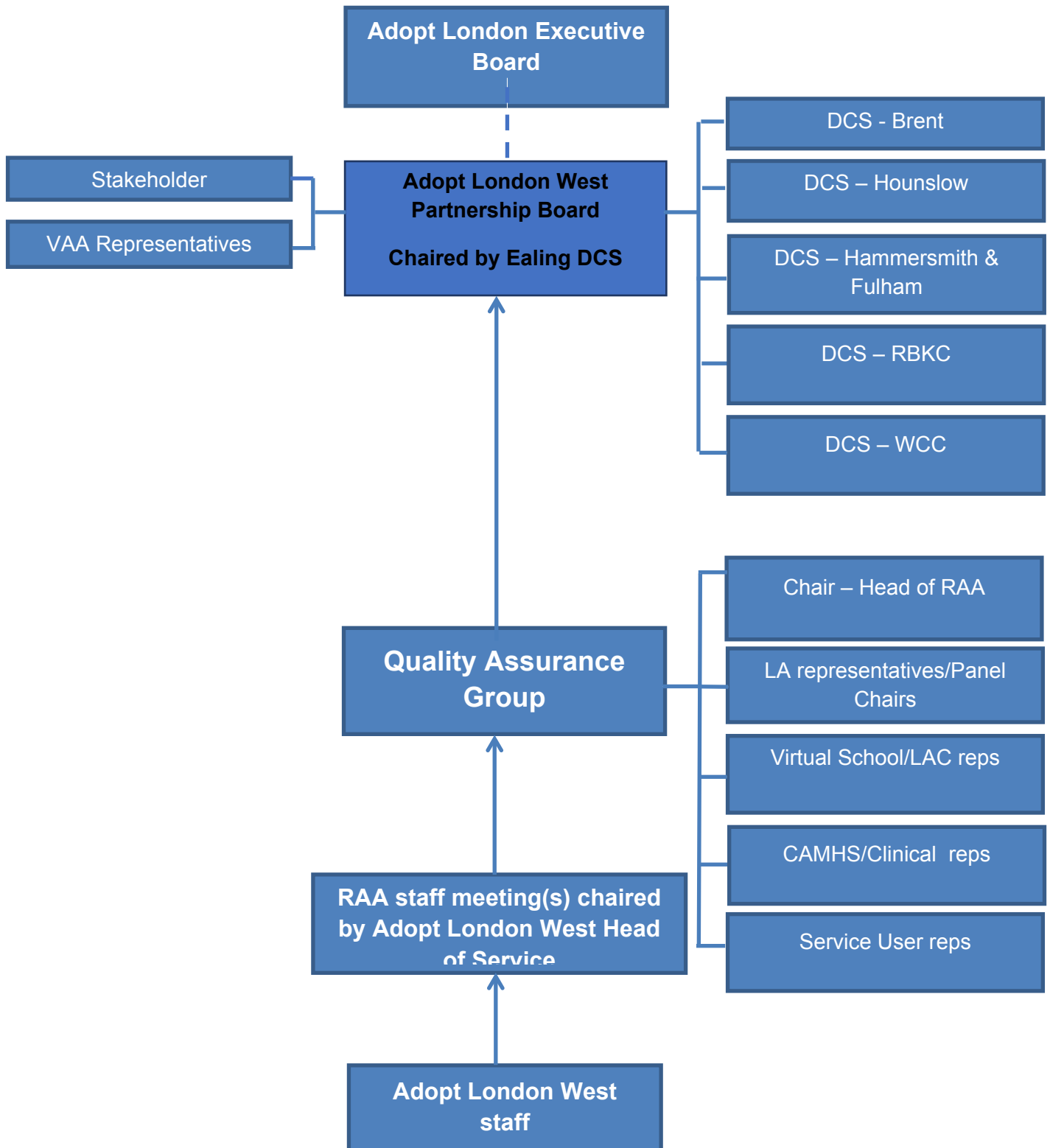
Chair

The Annual Review Meeting of the Adopt London West Partnership Board will be chaired by the Director of Children's Services Ealing as host authority.

4) RAA staff meetings

There will a number of internal staff meetings within the RAA that will feed into all aspects of the strategic and quality assurance governance. Exact details of these meetings including, memberships, frequency, purpose and standing agendas, will be co-designed and agreed with staff by the new Head of the RAA.

Governance Structure



Partnership working and risk sharing

The RAA governance will be underpinned by clear partnership and risk sharing agreements. The formation of these agreements will be agreed through the project board prior to implementation. The suggested content for the document will be made up of but not limited to the following sections:

- 1 Definition and Interpretation
- 2 Commencement and Duration
- 3 Extending the Initial Term
- 4 Adopt London West Arrangements
- 5 Delegation of Functions
- 6 Services
- 7 Annual Adopt London West Plan
- 8 Financial Contributions
- 9 Overspends and Underspends
- 10 Intellectual Property Rights
- 11 Premises
- 12 Assets
- 13 Staffing and Pensions
- 14 Adopt London West Management Governance
- 15 Host Support
- 16 Management Board Quarterly Review and Reporting
- 17 Annual Review
- 18 Variations
- 19 Standards
- 20 Health and Safety
- 21 Equality Duties
- 22 Freedom of Information
- 23 Data Protection and Information Sharing
- 24 Confidentiality
- 25 Audit
- 26 Insurance
- 27 Not Used
- 28 Liabilities
- 29 Complaints and Investigations
- 30 Dispute Resolution and Exit Arrangements
- 31 Termination and Review
- 32 Consequences of Expiry And Termination
- 33 Publicity

- 34 No Partnership
- 35 Third Party Rights
- 36 Notices
- 37 Severability
- 38 Child Practice Reviews or Multi Agency Professional Forums
- 39 Entire Agreement
- 40 Counterparts
- 41 Governing Law
- 42 Records Management
- 43 Third Sector Partners

A Focus on Risk Sharing

The partnership agreement will also have a strong focus on risk sharing and financial equitability. It is crucial that no authority stands to benefit or lose out significantly as a result of the new model. The detail of the agreement will include but not be limited to the following:

- Budget setting and review
- How targets are affecting financial contributions
- Financial equitability (at the outset and over time)
- Savings reviews
- How surpluses/savings/efficiencies will be managed, drawn down and reinvested in the model

A Focus on Information Sharing

The IT and governance work stream will establish a clear information sharing agreement alongside the IT transition plan. With all RAA staff moving to Ealing's IT system, the agreement will focus on how data flows will be managed in the new system to ensure timely and accurate information continues to inform the RAA performance and outcomes framework.

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Equalities Analysis Assessment

(NB: this EAA is covers the RAA Service. Staffing EAA to be completed post consultation)

1. Proposal Summary Information

EAA Title	Adopt London West Regionalised Adoption Agency
Please describe your proposal?	Project
Is it HR Related?	Yes. An Equality Analysis Assessment for staff will be completed in a separate document.
Corporate Purpose	Cabinet Decision

1. What is the Project looking to achieve? Who will be affected?

In June 2015, the Department for Education published a paper 'Regionalising Adoption' which set out proposals for the establishment of Regional Adoption Agencies (RAAs). The Education and Adoption Act 2016 re-enforced these proposals and if Local Authority Adoption Agencies have not planned to become part of a Regionalised Adoption Agency by 2020 they can be directed to do so by the Government. At December 2018 in England there were 11 'live' Regionalised Adoption Agencies covering 53 local authorities with work continuing across the country to develop Regionalised services.

London will be formed of four local authority Adopt London Regions. These are Adopt London North hosted by Islington, Adopt London South hosted by Southwark, Adopt London East hosted by Havering and Adopt London West hosted by Ealing. It is intended that some functions such as Commissioning will be carried out at a Pan London level to ensure best value for money.

In the Adopt London West Region in 2017 – 2018 26 families were approved to adopt; 40 children were adopted, and 300 families received post order support services.

As a result of these changes, the Government expects to see improved timeliness in the matching and placement of children for adoption, increased sufficiency in adopters and higher quality support to adoptive families. In the west region it has been agreed that Special Guardianship support services will also be included in the Adopt London West service. Therefore, those affected by these changes are:

- Children in need of or likely to need adoptive families.
- Adopted children.
- Adults who have been adopted.
- Families wishing to adopt.
- Adoptive families.
- Birth families whose child has been adopted.
- Special Guardians and children subject to Special Guardianship Orders.

2. What will the impact of your proposal be?

It is proposed that the London boroughs of Brent, Ealing, Hounslow, Hammersmith and Fulham, the Royal Borough of Kensington and Chelsea and the City of Westminster will form a Regional Adoption Agency known as 'Adopt London West', with Ealing acting as host Local Authority. To comply with their statutory duties under the Adoption and Children Act 2002, Brent, Ealing and Hounslow each currently offer an adoption service. The adoption services for Hammersmith and Fulham, Kensington and Chelsea and Westminster are joined and offered through the Triborough Shared Service. Therefore, four services in west London currently undertake similar work to recruit adopters, family find for children and offer support to families.

The West London local authorities have high performing adoption services which are relatively small. Across the five west London services 40 children were adopted in the year 2017 – 2018 which represents an average of eleven children per service. During 2017 - 2018 26 families were approved to adopt, and adoption and special guardianship support was offered to approximately 300 families. There is currently a national shortage of families who are approved to adopt and an imbalance in the number of children waiting and families for them.

A Practice Audit of 'live' RAAs (DfE September 2018) found that there are some 'green shoots' emerging which can be attributed to regionalisation. There is evidence of a larger pool of adopters being available to children and a greater focus on earlier identification of children who may need adoptive families and early placement.

It is proposed that by offering one adoption and special guardianship support service instead of the four services currently in place families who wish to adopt will receive a more consistent response and children in need of adoption will be placed more speedily with in house families. By pooling the expertise in adoption and special guardianship support work the quality of services offered to adoptive and special guardianship families will be improved.

2. Impact on Groups having a Protected Characteristic

AGE: *A person of a particular age or being within an age group.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

Children - positive

In the Adopt London West London region, adoption is generally considered for children in care between the ages of 0 and 8 years old. Family finding tends to take longer for children over five years old and for larger sibling groups (DfE Practice Audit September 2018). On the National Adoption Register on 03.12.2018 there were 1070 children waiting for adoption and only 370 families and there is currently a serious shortage of families coming forward to adopt.

'Early permanence' is considered for all children with a Plan for Adoption but particularly for unborn babies and very young children. Early permanence means that children are placed for adoption as soon as possible which promotes the development of secure attachments for children who have already had adverse pre-birth experiences.

By establishing one shared adoption service a wider pool of adopters will be available for all children waiting for adoption. Drawing on shared adoption expertise will lead to more effective family finding campaigns for the children who tend to wait longer will be implemented.

It is also envisaged that Adopt London West will work closely with the other Adopt London Agencies so that the learning from work undertaken can be shared. The Practice Audit of existing RAAs has shown some evidence of more effective work in this area. Children would therefore benefit from timelier placement for adoption.

Adopters – neutral

People wishing to adopt must be over 21 years of age. Although prospective adopters must be physically and mentally fit to meet the needs of adopted children there is no upper age limit, and this will not change as a result of the Adopt London West RAA project.

Birth family members and adopted adults – neutral Moving to the Adopt London West model will have no impact on birth family members, adopted adults or special guardians.
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
There is no negative impact envisaged because of age.

DISABILITY: <i>A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities¹.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<p>Children - positive</p> <p>Children placed for adoption will have adverse background experiences such as parental mental ill health or exposure to drug or alcohol misuse which can impact on their longer-term health and development. Children with disabilities are placed for adoption but they tend to be amongst the group of children who wait longest to be placed.</p> <p>A regional adoption agency will widen the pool of adopters available to children with additional needs and disabilities. Rather than each local authority undertaking work to recruit adopters, shared expertise in adoption work will be drawn on to plan targeted marketing and recruitment activity and to encourage more families to come forward. One regional agency will facilitate a clear offer to adoptive families across West London which encourages families to come forward to adopt children who wait longest and provide targeted support to those who commit to adopting children with a disability or additional needs.</p> <p>Adopters – Neutral</p> <p>Having a disability does not mean that families cannot adopt a child. Prospective adopters would need to demonstrate that their disability would not prevent them from parenting a child throughout their minority.</p> <p>Birth family members and adopted adults - positive</p> <p>By pooling adoption and special guardianship support services it is envisaged that a more consistent approach to support for both groups when disability is a factor.</p>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
It is not envisaged that there will be a negative impact due to disability. Additional services may need to be considered on a case by case basis, initially, but a more strategic response can be developed as due to the benefit of scale if applicable. A consistent approach will be offered across west London.

GENDER REASSIGNMENT: <i>This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
There is no accurate data on the extent of the trans population in the UK due to the absence of consistent monitoring. The absence of research means that we do not know how many trans people have been approved to adopt or have been adopted. It is therefore not currently possible to comment on this area.

¹ Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
None as this stage due to lack of data. The regional adoption agency will comply with its duties under the Equality Act 2010 and will promote non-discriminatory practice with all the parties affected by adoption and in need of special guardianship support.

RACE: <i>A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<p>Children – positive</p> <p>Children who are of BME background tend to wait longer to be placed for adoption. At 3rd December 2018 the Adoption Register recorded that nationally 71% of the children on the register are white UK children and 29% BME. These figures are reversed in London with 26% WUK and 74% BME children being on the register. In West London at December 2018 57% of the children were of BME descent and 33% of WUK descent with the remaining 10% being of other ethnicities.</p> <p>Across west London considerable efforts have been made to recruit more BME adoptive families. Instead of four services duplicating work and competing for a small number of families targeted recruitment campaigns could be undertaken. A consistent approach to preparation and support will be offered to BME families and families who are able to adopt a child from a different ethnic background to their own.</p> <p>Adopters – positive</p> <p>Efforts would be made to recruit more families of BME background. Families should not be discriminated against on the grounds of race or ethnicity and there should be no negative impact. The Adoption Service in West London would offer a consistent adoption support services which is likely to encourage families to come forward to adopt (Cousins 2008) In West London access to a support group for BME families has been offered and work will be done to continue this in the new service</p> <p>Birth family members and adopted adults – neutral</p> <p>There should be no negative impact on these groups.</p>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
None – moving towards a Regional Adoption Agency will not have any actual or potential negative impact because of race. Work will however be needed to ensure access to support groups for these families.

RELIGION & BELIEF: <i>Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<p>Children - positive</p> <p>Profiling of children waiting across the Adopt London West region, including religious beliefs, to enable more targeted recruitment of families who reflect children's religious background or who are able to promote this.</p>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
None – moving towards a Regional Adoption Agency will not have any actual or potential negative impact because of religion or belief. More focussed data collection will take place which will include religion and recruitment work

undertaken as a result of any identified need.

SEX: *Someone being a man or a woman.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

Children – neutral

The National Adoption Register indicates that there are slightly more boys waiting for adoption than girls at 56% vs 44%. In the west London area at December 2018 there were slightly more girls (53%) than boys waiting.

Adopters - positive

Across the Adopt London West region applications are accepted regardless of sex from both female and male single and two parent households. Consultation with adopters across London has indicated that families can receive inconsistent information about eligibility criteria. By pooling resources, a consistent response will be offered regarding criteria and support for families.

Birth family members, special guardians and adopted adults – neutral

No negative impact has been identified on these groups because of the formation of the Adopt London West region.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

None – moving towards a Regional Adoption Agency will not have any actual or potential negative impact because of sex.

SEXUAL ORIENTATION: *A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

Adopters – neutral

Applications to adopt are accepted from same sex families and this is reflected in the profile of families who are approved and waiting. In the Adopt London West Region, a number of agencies have worked with We Are Family which is an organisation that supports same sex adopters and foster carers. Agencies have also specifically campaigned to encourage more applications from this group. This work would continue a wider basis in a regional service and a consistent approach to adoption support offered.

Birth family members, special guardians and adopted adults – neutral

No negative impact on these groups has been identified as a result of the formation of the Adopt London West region.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

None – moving towards a Regional Adoption Agency will not have any actual or potential negative impact because of sexual orientation.

PREGNANCY & MATERNITY: *Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

Birth family members – positive

Birth parents who relinquish their child for adoption or whose child is placed for adoption following care proceedings will receive a more consistent approach to counselling and support and help with contact arrangements. Instead of individual boroughs providing this service, a shared service and commissioning support services across the London region will mean that additional support could be provided to this group.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

None – moving towards a Regional Adoption Agency will not have any actual or potential negative impact because of pregnancy or maternity.

MARRIAGE & CIVIL PARTNERSHIP: *Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage*

Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

Adopters – neutral

Applications to adopt are accepted from heterosexual and same sex married couples and civil partners and this would continue to be the case in a regional adoption agency.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

None – there would be no negative impact because of marriage or civil partnership as a result of moving towards a Regional Adoption Agency.

3. Human Rights²

4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?

Yes ☐ No ☒

4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?

Yes ☐ No ☒

4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?

Yes ☐ No ☒

(If yes, please describe the effect and any mitigating action you have considered.)

² For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).

4. Conclusion

Overall Regionalisation will have a positive impact on the lives of children through providing a unified service offer, pooling resources and access to shared expertise and reduced duplication of work. The impact of this will be more targeted recruitment and support and more timely placements for children and particularly for older children, sibling groups and children of BME background.

For adoptive families' consistent information will be available about the adoption process and support services. By pooling resources commissioning of support services can take place on a larger scale and offer consistency.

Special Guardians undertake a crucial task but are often a group who do not receive the support that they need. The west London regional adoption agency will include Special Guardianship support which will provide an opportunity of offer improved services to this group.

Birth family members will have access to support services that are offered in a consistent way regardless of which west London local authority placed their child for adoption. There will be opportunities to consider additional groups and services based on larger numbers across the west London local authority area.

4a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

Relevant legislation includes:

the Children Act 1989, Children Act 2004, the Adoption and Children Act 2002 and associated regulations.

Data sources and intelligence include:

Adoption Match – National Adoption Register - <https://www.adoptionmatch.org.uk/statistics/>

RAA Practice and Early Permanence Audit –Government Advisor on Adoption and Permanency (September 2018)

Finding Families (2008) Jennifer Cousins BAAF

5. Action Planning: *(What are the next steps for the proposal please list i.e. what it comes into effect, when migrating actions³ will take place, how you will measure impact etc.)*

Action	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Contact Details)
Review the Equalities Impact Assessment	That all relevant areas have be sufficiently assessed and any mitigating action put in place.	No change in predicted outcomes or changes made in response to identified issues.	During and post implementation	Head of Service
There is currently an imbalance in the number of children waiting for adoption and approved adopters. There is an urgent need to recruit adopters in	Focussed marketing activity to encourage adopters to come forward and particularly adopters for older children, sibling groups and BME children.	The pool of approved adopters will be widened, and more families recruited for the children who wait longest.	During and post implementation	Head of Service

³ Linked to the protected characteristics above

general but specifically for children who tend to wait longer for adoption.				
Ensure systematic collection of data on the needs of children waiting in the Adopt London West Region.	Marketing and recruitment activity will be based on clear information about the needs of children waiting and particularly the needs of children who tend to wait longest to be adopted.	The number of adopters approved will be increased and the time that children wait for adoption reduced.	During and post implementation.	Head of Service
Ensure more systematic data collection on the support needs of Special Guardians.	Targeted support services will be put in place for this group.	Children and their special guardians will be supported.	During and post implementation.	Head of Service
Review position where data is lacking e.g. Gender Reassignment	Where data becomes available the service will be able to consider the equalities impact for specific groups.	The needs of all protected groups will be considered.	During and post implementation	Head of Service
Additional Comments: None				

6. Sign off: *(All EAA's must be signed off once completed)*


Completing Officer Sign Off:	Service Director Sign Off:	HR related proposal <i>(Signed off by directorate HR officer)</i>
Signed:	Signed:	Signed:
Name (Block Capitals):	Name (Block Capitals):	Name (Block Capitals):
Date:	Date:	Date:

For EA's relating to Cabinet decisions: received by Committee Section for publication by (date):

Appendix 1: *Legal obligations under Section 149 of the Equality Act 2010:*

- As a public authority we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.

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 Brent	Cabinet 15 April 2019
	Report from the Strategic Director of Children and Young People
Approval to establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two: <ul style="list-style-type: none"> Appendix 1: Summary specification and assessment criteria Appendix 2: Equality Analysis
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Sarah Miller, Head of Inclusion and the Virtual School for Looked After Children 0208 937 3804 sarah.miller@brent.gov.uk Shirley Parks, Head of Forward Planning, Performance and Partnerships 0208 937 4529 shirley.parks@brent.gov.uk Nigel Chapman, Operational Director, Integration & Improved Outcomes 0208 937 4456 nigel.chapman@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The purpose of this report is to seek Cabinet approval to follow the Free School Presumption process to establish an Alternative Provision Free School with an integrated youth offer on the site of Roundwood Youth Centre.
- 1.2 The 2019-23 School Place Planning Strategy, approved by Cabinet in November 2018, identifies the need for additional Alternative Provision in the

borough at secondary level that would offer a bespoke curriculum for pupils whose social, emotional and mental health needs cannot be met within mainstream schools. Subject to the presumption process, the intention is that the new Alternative Provision Free School opens in January 2020.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Confirms approval of the establishment of an Alternative Provision Free School with integrated youth provision on the site of Roundwood Youth Centre as set out in sections 4 and 5 of the report.
- 2.2 Approves use of the Free School Presumption process to establish the school, as set out in paragraph 5.2, noting that the final decision on the selected provider will be taken by the Secretary of State for Education.
- 2.3 Delegates authority to the Strategic Director of Children and Young People, in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care, to identify the Council's preferred provider of the Alternative Provision Free School with integrated youth provision.

3.0 Detail

- 3.1 Local Authorities have a responsibility under section 507b of the Education Act 1996 (as amended by Education and Inspections Act 2006) to secure, so far as reasonably practicable, sufficient educational and recreational activities which are for the improvement of young people's well-being, personal and social development, and sufficient facilities for such activities for young people aged 13 – 19, (or up to 25 for young people with additional needs).
- 3.2 In the context of a reduced budget for non-statutory services and increasing demand within statutory children's services, Brent Council has been reshaping its Youth Service since 2015. This has included how the Roundwood Youth Centre, which was opened using MyPlace funding from the Department for Education in 2012, is used to support young people. Currently the Centre is used to provide evening and weekend activities for young people delivered by the council and the voluntary sector. Young people can also access mentoring support and services commissioned by the council to provide information, advice and guidance regarding their education, employment and training options at the Roundwood site.
- 3.3 Brent Council approved a saving of £0.25M from the Youth Service budget (savings reference number CYP005) as part of the 2019/20 budget at Full Council on 25th February 2019. This approved the transformation of the Roundwood site to an educational setting with voluntary and community sector led activities to enhance the current offer for vulnerable adolescents while saving on premises costs.
- 3.4 The Roundwood Youth Centre also hosts a provision called Right Track that is commissioned by secondary schools to provide education for children who are subject to fixed term exclusions.

- 3.5 The current delivery model has been successful at supporting a range of vulnerable children and young people through offering positive diversionary activities via the youth offer, engaging them with EET opportunities, and use of the 'Right Track' exclusion provision, where necessary. However, the Centre has the potential to be used more effectively to support young people in Brent. By focusing upon building additional services that will support a cohort of young people most at risk of permanent school exclusion during the day, when the Centre is under-utilised, it will make a significant contribution to the borough priorities of keeping young people safe and improving educational outcomes for all.
- 3.6 The council also has a statutory duty to provide an appropriate full-time education for pupils who have been permanently excluded from school or who are otherwise without a mainstream school place. Through co-ordinated and focused activity between the local authority and Brent schools there has been a declining recent trend in the number of permanent exclusions at secondary level and performance in the 2016-17 academic year was better than the national average. However, there is still an average 35 Brent pupils of secondary age placed in Alternative Provision settings each academic year who are subject to fixed-term exclusions. Many are placed out of borough because there is insufficient local, high quality provision to meet their needs. Consultation with secondary headteachers has identified a need to develop local Alternative Provision that schools can commission for young people subject to permanent/fixed term exclusions, or for those with social, emotional or mental health difficulties, whose needs cannot be met in mainstream, either for respite or for longer-term places (at Key Stage 4).
- 3.7 The council has gained a greater understanding in recent years of contextual safeguarding approaches to supporting young people and the links between deprivation, school exclusion, undiagnosed learning difficulties and serious youth violence. The multi-agency Vulnerable Adolescents' Panel has identified connections and concerning patterns of behaviour in some young people that lead to negative outcomes. This learning has informed the need to develop services that are able to provide a co-ordinated, community-based response.
- 3.8 The council is committed to providing services that respond to the challenges faced by a rise in serious youth violence within the borough, particularly the continued high number of knife crime victims, which in 2018 was the second highest amongst statistical neighbour London authorities. The vast majority of both victims and perpetrators of serious youth violence are more likely to be young (under 25), male, live in the south of the borough and are of Black African or Black Caribbean heritage.
- 3.9 Responding to the impact of gang-related activity is also a council priority. The council's Integrated Offender Management Programme has demonstrated that the profile of people within the programme is closely aligned to those who are most likely to be a victim or perpetrator of serious youth violence. Education training and employment is the most prominent need/pathway within the cohort and an issue for approximately 60% of the offenders on the programme.
- 3.10 To support the response to the issues of school exclusion, to promote positive educational outcomes, to reduce the risks of serious youth violence and to provide more local activities for young people it is proposed that an Alternative Provision Free School with integrated youth provision is established on the

Roundwood site, within existing buildings. The proposal is for the provider to deliver an integrated youth offer to secure access to an exciting, supportive and expanded youth offer in the afternoons, evenings, weekends and school holidays from the same site.

- 3.11 The wraparound youth and community offer at Roundwood Youth Centre would form part of the borough's early intervention strategy as set out in the 2019-23 Borough Plan - to better connect vulnerable young people with support services and improve access to community-led provision outside of traditional working hours. The offer will support a contextual safeguarding approach that considers family, school and neighbourhood/social contexts, including a rapid multi-agency response, thereby improving outcomes for young people and their families through earlier intervention. The intention is that the Alternative Provision school will be a key component in the borough's response to helping young people - keeping them safe and improving their outcomes for adult life.

4.0 The Proposal

- 4.1 The Alternative Provision School and wraparound youth offer would be based within the community of south Brent. The intention is that the local community is involved in ensuring services meet need through local organisations running services from the site and voluntary sector representation prominent within the governance of the school. It is envisaged that the Young Brent Foundation would work closely with the successful bidder to enhance the current youth offer from the Roundwood site with the intention that there would be a doubling of the number of hours of universal services currently on offer from the site.
- 4.2 The Alternative Provision School would operate a full school timetable and meet need within borough for pupils at risk of exclusion, thereby ending the need to place young people out of borough in maintained and independent alternative provisions. The wrap-around youth provision would also provide a "soft start" to the school day and afternoon enrichment activity, offering a wider, more supportive pastoral package than currently available either in or out of borough. An information, advice and guidance offer would complement the provision, providing a longer term range of options and pathways and supported transitions for those vulnerable Brent secondary pupils who are placed in the Alternative Provision.
- 4.3 This Alternative Provision School would be an integral part of the wider Brent community of schools and educational settings. Secondary schools, alongside the council, would commission places and there is confirmed support from secondary headteachers in Brent for this approach. Places would be accessible to vulnerable students who schools feel would benefit from short-term respite (at Key Stage 3), as well as longer-term engagement modules. It is envisaged that at KS3 the Alternative Provision School would offer the opportunity to re-engage vulnerable young people at risk of exclusion through a 12-week assessment and therapy module. At Key Stage 4 the school would provide full-time education for some permanently excluded students for whom, because of specific needs or peer network concerns (e.g. social/gang interactions), the local Pupil Referral Unit (Brent River College) is not an appropriate provider.
- 4.4 The curriculum offer would include access to core academic subjects to ensure pupils with academic potential leave with the required qualifications to apply to

further or higher education, alongside a wider vocational offer. The vision is to offer a true alternative to mainstream secondary, within a very different context, in order to re-engage and re-enthuse disengaged students. The anticipated maximum number of young people on roll at the new Alternative Provision School would total 30 - 40 secondary aged pupils.

- 4.5 Currently a small youth service team deliver activities for young people 3 nights a week from the Roundwood Youth Centre and the intention is that the new offer significantly enhances these arrangements to bring in a greater range of other providers who currently operate from the centre. At the present time a variety of activities are delivered by both the local authority youth team and the Voluntary Sector including cookery, martial arts, music production, table tennis, Wii sport, craft activities and a steel band, as well as mentoring by the local authority youth workers. Providers from the voluntary sector deliver a service on the remaining weekday nights.
- 4.6 More use would be made of the site for youth activities than is currently the case and an expectation of the successful provider would at least double the amount of hours of universal youth offer services to the wider local 11-19 population (or 25 for young people with SEND). There is an opportunity to provide activities before school and to make more use of the site at the weekends and school holidays than is currently the case.
- 4.7 It is envisaged that a number of smaller voluntary and community sector organisations, supported by the Young Brent Foundation, would deliver activities, before and after the school day, at weekends and during school holidays. The Roundwood site currently has outdoor grounds for sports and facilities inside for a wide range of activities, including kitchen/quiet areas, gym/showers, dance/music studios, and break out areas for small group work or 1:1 mentoring. This could be enhanced to allow for significant enrichment, positive role-modelling and personal and social development. This integrated youth offer would be universal, open to all young people across Brent, whether they attend the day-time Alternative Provision School or not.
- 4.8 The Council's recently launched online youth offer, 'Brent Youth Zone', developed in collaboration with young people across the borough including Brent Youth Parliament and users of Roundwood Youth Centre would help drive up awareness of the new services and encourage take-up of the offer.
- 4.9 The Roundwood site would also remain as a key access point for the re-commissioned Targeted Service to Promote Education, Employment and Training for Young People that delivers the authority's statutory duties in relation to information, advice and guidance for 16-19 year olds and young people up to the age of 25 for those with SEND.
- 4.10 The anticipated outcomes contributed to by the combined, wraparound service at Roundwood Youth Centre for vulnerable groups would be:
 - A reduction in the proportion of 16-18 year olds, who are not in education, employment or training (NEET);
 - A reduction in the numbers of first time entrants into the Youth Justice System aged 10-17;
 - A reduction in the number of young people vulnerable to CSE;

- Mitigation against the future risk of young people becoming gang affected;
- A reduction in the under 18 conception rate;
- A reduction in the number of 16-18 year olds presenting as homeless;
- Mitigation against the risk of school exclusion, and;
- An increase in the percentage of young people (aged 14-16) actively engaging with and participating in learning.

5.0 Submission of proposals

5.1 It is not possible for the council to open new community schools (Education Act 2011). There are two routes to establishing new schools once the council has identified need:

- The Free School presumption route whereby the council would advertise a proposal to establish a new school and invite DfE approved academy sponsors to apply to run the school. The council is responsible for providing a site and buildings.
- The Free School application process run by DfE, which would provide capital investment for approved projects.

5.2 As there is not currently a Free School application window open for Alternative Provision proposals and given that the council already has a site and building available at the Roundwood Youth Centre, it is proposed that the Local Authority triggers the Free School Presumption process for an Alternative Provision Free School. This involves notifying the Department for Education of the intention to invite proposals for the development of an Alternative Provision Free School with an integrated youth offer and working with the DfE via the presumption process to identify a suitable provider. Through the presumption process, the Local Authority evaluates proposals and identifies a preferred provider that is notified to the Secretary of State for approval. The Regional Schools Commissioner acts on behalf of the Secretary of State in this regard. It is proposed that delegated authority is given to the Strategic Director for Children and Young People, in consultation with the Statutory Lead Member for Children's Safeguarding, Early Help and Social Care and the Cabinet Member for Schools, Employment and Skills to identify the Local Authority's preferred provider.

5.3 As the proposed site used central government MyPlace funding that has a number of conditions attached in terms of providing a youth offer, the Council has sought approval, in principle, from the Department of Culture, Media and Sport (DCMS) for the extended use of the Roundwood site. Indicative support for the proposal from DCMS, ultimately subject to DfE approval, was received on 12th March 2019.

5.4 In accordance with the Department for Education's guidance for Local Authorities regarding new school proposals, as updated in May 2018, an indicative timeline for the presumption process is outlined below:

Action	Date
Report to Cabinet triggering Free School presumption process	15/04/19
Publish the specification for the school on the local authority's website, and provide a copy to the DfE for publication	Week beginning 23/04/19
Competition period (minimum of 6 weeks)	April to June 2019
Assessment of proposals, including due diligence (DfE requirement: at least 4 weeks) and preferred provider identified by the local authority	By mid-July 2019
Regional Schools Commissioner approval (decision on behalf of Secretary of State)	By mid-September 2019
Pre-opening phase, including statutory 6 weeks consultation by provider	September - December 2019
Alternative Provision School opens, with youth offer in place for out of school hours.	January 2020

- 5.5 The Local Authority is required to develop a specification and criteria for applicants to follow in making a bid to run the provision. The specification includes detail on the School, Vision, Education Plan, Capacity and Capability, Funding and Costs and Equalities Assessments. A summary of the specification and assessment criteria is attached at Appendix 1.
- 5.6 The expectation is that the services would be delivered through a partnership approach to ensure that the provider has appropriate expertise and networks within the wider community to broaden the reach of the Centre's impact. To deliver the youth offer, it is envisaged that a voluntary sector organisation would partner with the Alternative Provision School provider. The final form of governance would need to be shaped by bidders, but the local authority would expect to be involved potentially with a senior officer acting as a Trustee (which is possible so long as this does not constitute more than 19.9% of trustees). This would help to ensure that the Local Authority continued to support the offer and retained influence to ensure that the MyPlace grant conditions continue to be met.
- 5.7 The intention is for one single overall provider working with relevant partners to deliver the Alternative Provision School combined with the integrated youth/community offer. The Council would retain the freehold for Roundwood Youth Centre but the deed of designation would transfer to the new provider, who would take on responsibility for maintenance of the building.

6.0 Financial implications

- 6.1 The budget for the Roundwood centre and the associated MyPlace budget totalled £360k before a reduction of £250k is applied, as per the youth service saving (ref no. CYP005) approved as part of the 2019/20 budget setting process in February 2019. The saving to the General Fund is to be achieved by ending Council run and directly funded youth services from the site creating savings on premises costs, and creating a different model of community and voluntary provision. This model would come into effect when the Alternative Provision School plans to open in January 2020, so the running costs of the Roundwood centre and cost of any operational activity up until this date would need to be

contained within the residual £110k budget, or alternative in-year savings would need to be found across the Inclusion service.

- 6.2 The Local Authority would be responsible for the pre-opening and post-opening revenue costs of the provision. Once open the council would commission places from the Alternative Provision School, funded from the High Needs block of the Dedicated Schools Grant (DSG). Currently, the council commissions alternative provision places from within the borough at Brent River College and from external providers. The Alternative Provision School would allow an increased proportion of pupils to be placed in Brent. The procurement process should therefore consider the rates the provider would charge the council and secondary schools for commissioning places, as this will have an impact on the DSG, and there is potential to achieve better value for money for High Needs Block.

7.0 Legal implications

- 7.1 Section 6A of the Education and Inspections Act 2006 (the 'free school presumption') requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish a free school.
- 7.2 The Department for Education (DfE) has issued guidance regarding the free school presumption stating that under the presumption route the local authority is responsible for providing the site for the new school, with the DfE's expectation that the site be made available free or on a peppercorn basis by the local authority to the trust. The local authority is also responsible for meeting the associated capital and pre/post-opening revenue costs.
- 7.3 It is proposed that the Alternative Provision School would be based at the Roundwood Centre. As mentioned in paragraph 5.1, the Roundwood Centre is subject to a Big Lottery Fund MyPlace grant agreement which is protected by a restriction on the council title at the Land Registry and therefore the form of lease would be subject to the approval of the Education and Skills Funding Agency and the Department for Culture, Media and Sport.

8.0 Equality implications

- 8.1 Under Section 149 of the Equality Act 2010, the council has a duty when exercising its public functions to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act; advance equality of opportunity, and foster good relations between those who share a "protected characteristic" and those who do not. This duty is known as the public sector equality duty (PSED). The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. All providers that are commissioned to deliver public services on behalf of or in partnership with Brent Council are required to comply with the PSED and the council's Equality and Diversity policies.
- 8.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by

persons who share a protected characteristic that are connected to that characteristic.

- 8.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 8.4 The service seeks to provide an in-borough Alternative Provision Free School to support vulnerable young people that have been, or are at risk of being, permanently excluded whilst creating an integrated youth and IAG offer. It is anticipated therefore, that there would be positive impact in terms of PSED, due to the increased and wider range of targeted provision. An Equalities Assessment has been conducted and is included at Appendix 2.

9.0 Consultation with Ward Members and Stakeholders

- 9.1 The council has consulted with young people at Roundwood Youth Centre (including young people with Special Educational Needs and Disabilities), council staff and other stakeholders on the proposed Alternative Provision schools and Youth Offer. See time-line below:

- Youth Offer consultation with Brent Youth Parliament, January 2018;
- Youth Offer consultation with Youth Offending Service, February 2018;
- Design of the Youth Offer site (Hackathon), March 2018;
- Consultation with Roundwood Youth Centre (RYC) staff about budget proposals and changes to delivery at RYC, October 2018;
- Feedback on Youth Offer final design, October 2018;
- Children's Commissioner takeover day (re Youth Offer), November 2018.
- Consultation with RYC service users, January 2019;
- Consultation with RYC service providers, January 2019;

Young people's views have been sought from the Roundwood Youth Centre as well as from Brent Youth Parliament, Care in Action / Care Leavers in Action and other young people's focus groups (as above). Young people were also previously consulted as part of the Council's Outcome Based Reviews related to Gangs and Children on the Edge of Care, which have fed into proposals.

- 9.2 Budget proposals with respect to Youth services were considered at the Community Wellbeing Scrutiny Committee in November 2018 and separately at the Budget Scrutiny Committee in December 2018. Public consultation took place as part of the budget proposals.
- 9.3 The Council has consulted with schools and voluntary sector organisations in the borough about proposed plans for an in-borough alternative provision and wraparound youth offer. Through this engagement it is clear there is support for the proposal from professionals in these sectors.
- 9.4 Young people will be involved as part of the evaluation process of the proposals for the new provision.
- 9.5 In accordance with the Department for Education, the chosen provider will also conduct a statutory 6-week consultation period in the pre-opening phase, as described in section 5.4 of this report.

10.0 Human Resources/Property Implications

- 10.1 The council currently employs a full-time youth-work team leader, a full time facilities manager and 3-part time youth workers. Any proposed staffing changes will comply with the council's management of change procedures and staff consultation. Whether TUPE or redundancy applies in relation to the 3 youth workers, appropriate staff consultation process would take place over any proposed measures. With new partnership arrangements and a potential new service offer, there may be a change in the direct delivery of youth provision.
- 10.2 It is intended that the council would retain the freehold of Roundwood Youth Centre but the deed of designation would transfer to the provider, who would then take on responsibility for maintenance of the building.
- 10.3 As the proposed site was built through MyPlace funding the council has sought and received approval, in principle, from DCMS. Any requirements that have been placed on the council due to MyPlace funding would be upheld in arrangements made with the new provider.

11.0 Public Services (Social Value) Act 2012

- 11.1 The council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act with a view to securing that improvement; and whether the council should undertake consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement. (See 4. above).
- 11.2 The services under the proposed contract have as their primary aim the improvement of the social wellbeing/educational attainment of vulnerable young people in Brent as set out in section 4.

Report sign off:

GAIL TOLLEY

Strategic Director of Children and
Young People

Appendix 1: Summary of specification and assessment criteria for Roundwood Centre Alternative Provision Free School and Integrated Youth Offer

1.0 Overview

- 1.1 Brent is seeking proposals from appropriate sponsors to open a new Alternative Provision Free School, with integrated wraparound youth provision. The school will work in partnership with the voluntary sector to deliver positive diversionary activities and the youth offer.
- 1.2 It is envisaged that the pupil capacity for the school would be 30 – 40, growing to 50 pupil places, if there is local demand. Places would be open to boys and girls from year 7 (age 11) to year 11 (age 16).
- 1.3 The specification will require sponsors to submit against the following 3 key headings: Vision, Education Plan, and Capacity and Capability (of the Sponsor team). Overall, the quality of all responses will be judged on the basis of their equality and impact.

2.0 Vision

- 2.1 The specification will request that proposers share their overarching vision of the Alternative Provision School and how it will transform opportunities for the young people who attend, both in terms of social and emotional outcomes, academic attainment and employment or training as appropriate. Each young person should be enabled to achieve their full potential by accessing a broad curriculum which is based on raising aspiration, improving achievement, alongside enrichment and co-curricular activities - both within and outside of the school day.
- 2.2 A key part of the proposal will be the Integrated Youth Offer that will be open to all young people across Brent, as well as the young people attending the Alternative Provision School. Proposers will need to demonstrate how they will deliver educational opportunities, enrichment and youth services delivered by the right mix of practitioners, whether teachers or youth workers, working with and alongside young people to improve their life chances.
- 2.3 Specifically – proposers will be asked explain how the provision will:
 - Provide a place where all young people, but especially disadvantaged groups, can have open access to information, advice and guidance relevant to their needs.
 - Support successful transition into post 16 education, employment and training.
 - Provide continuity in mentoring and other support during school time and after hours to enable the development of trusted relationships.
 - Provide a safe space hub for young people living in difficult circumstances.
 - Provide excellent support facilities to meet the needs of all children, including looked after children, those with Special Educational Needs, and other vulnerable cohorts such as young carers or young parents.
 - Ensure appropriate engagement with the local community and parents during the pre-opening period, and on-going engagement.

3.0 Education Plan

- 3.1 Proposers will be asked to highlight how they will offer an ambitious, broad and balanced curriculum plan that is consistent with the vision and pupil intake. Specifically, proposers will be asked to consider:
- How the curriculum will be inclusive but enable each learner to achieve their potential, within a context of high expectations.
 - How the curriculum will diminish the difference for students that enter the school with low levels of attainment in relation to their chronological age and reading age.
 - Details on the length of the school day, including enrichment opportunities, breaks and lunch times, alongside allocated slots for breakfast or other clubs, therapeutic sessions, 1:1 intervention and coaching or mentoring sessions.
 - A compelling work experience and Careers Education Information, Advice and Guidance offer to all students.
 - Appropriate behaviour and attendance policies that will bring about impact and quantifiable results, in the context of potentially disengaged young people.
 - A broad and balanced curriculum incorporating a relevant spiritual, moral, social and cultural curriculum, PSHE (personal, social and health education), British values, pastoral care and aspiration such that students develop character and resilience, achieving and sustaining successful outcomes.

4.0 Capacity and Capability

- 4.1 Proposers will be asked to detail their planned staffing arrangements, their proposed governance, the partnership model and the format of that arrangement. They will also be asked to outline financial capability, and track record.

5.0 Assessment process

- 5.1 Proposals will be assessed by a panel against the published assessment criteria. As such, proposals will be scored and evaluated on the basis of the written proposal submitted. Proposals that meet the required threshold will be invited to an interview with into Brent Council to discuss their bid.
- 5.2 Scoring will be conducted on the basis of the model assessment criteria for Free School proposals, produced by the DfE as Annex C of the Free School Presumption guidance.
- 5.3 Scoring criteria:
Each of the 3 areas (Vision, Education Plan & Capacity and Capability) will be scored using the following four-point scale with each given equal weighting:
- 1 = The evidence and argument contained in the application is 'inadequate'.
 - 2 = The evidence and argument contained in the application is 'adequate'.
 - 3 = The evidence and argument contained in the application is 'good'.
 - 4 = The evidence and argument contained in the application is 'excellent'

- 5.4 The Regional School Commissioner (RSC) on behalf of the Secretary of State, will consider the local authority assessment and proposer recommendation before deciding which proposer is in the best position to take forward the new Free School. The RSC will inform the local authority and the successful proposer of its decision, and the local authority will inform any unsuccessful proposers.

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Appendix 2 - EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre.
DEPARTMENT:	Children and Young People
TEAM:	Inclusion
LEAD OFFICER:	Bhavna Bilimoria
DATE:	29/03/2019

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary of its objectives and the intended results.

This Equalities Assessment is in respect of the changes planned to the Youth Offer currently delivered by the Local Authority. In order to meet the needs of children at risk of permanent exclusion from school the council intends to create more local provision by commissioning the creation of a new alternative provision school from the Roundwood Youth Centre site, enhancing the existing arrangements that are in place. Alongside this will be a greater youth and community offer from the site by enabling more use of the centre in the evenings, at weekends and school holidays.

The change of focus will be that an education provider, in partnership with the voluntary sector (including the Young Brent Foundation), will ensure new and enhanced services are offered to Brent's young people. The local authority will provide a co-ordinating function, making better use of its asset in the shape of the Roundwood site to meet the needs of children and young people who will benefit most from additional support outside the home.

The local authority has a responsibility under section 507b of the Education Act 1996 (as amended by Education and Inspections Act 2006) to secure, so far as reasonably practicable, sufficient educational and recreational activities which are for the improvement of young people's well-being, personal and social development, and sufficient facilities for such activities for young people aged 13 – 19, (or up to 25 for young people with additional needs).

The council also has a statutory responsibility to publish a Youth Offer – a directory listing all provision across Brent. There is no requirement on the local authority to directly fund or deliver services to a particular level (or at all). Current local authority funded youth work programmes will end under the proposal.

Current Delivery Model:

1) Youth work activities. Following service reductions in 2016 the Council continued to directly provide youth work activities from the Roundwood Centre site. A team leader and a small part-time team of youth workers deliver activities for young people on 3 nights a week from the Roundwood site. A variety of activities are delivered on those 3 evenings including cookery, music production, table tennis, Wii sport, craft activities - as well as positive mentoring by local authority youth workers. Providers from the voluntary sector deliver services on the remaining weekday evenings. Providers include: Sport at the Heart; The SAAFI Project; Zest of Mind; St. Michael and All Angels Church Steel band; Middlesex Cricket Club; The Challenge Project; QPR Community Trust.

2) 'Right Track'. Also operating during the day within term-time is a project called 'Right Track' which provides classroom based activities for a small number of young people who have received fixed-term school exclusions. The project is funded by Brent secondary schools and has demonstrated an effective model of intervention for children. 'Right Track' operates independently of the youth work provision from the site.

3) 16+ Education, Employment and Training Advice (Connexions). A Brent Council funded offer to provide advice and guidance to young people regarding their education, employment and training options is also based from the Roundwood site. This successful project has helped Brent to be in the top 20% of Local Authority's nationally in terms of the number of young people who are in education, employment and training. The project operates independently of the youth work provision from the site.

Proposed Delivery Model:

The plan is to transition the Roundwood Youth Centre site to a new provider, enhancing the current youth offer whilst connecting up the needs of young people at risk of school exclusion to positive activities outside of the school day. The needs of all Brent's young people who have been excluded cannot currently be met within the borough. Establishing a new site for alternative education provision will increase the numbers of young people who will receive their schooling closer to home, rather than out of the borough which is currently the case.

It is planned that the 16+ education, employment and training advice (Connexions) offer would continue to operate from the site with clearer links established to the new alternative education provision and wraparound youth activities so there is co-ordination of the various services on offer, based around the needs of individual young people.

The intended governance arrangements would bring the voluntary sector, potentially through the Young Brent Foundation and the school provider into a partnership that

will ensure a co-ordinated approach to all services as well as the ability to access a wider network of grant funding.

The council has a statutory responsibility to publish a Youth Offer – a directory listing all provision across Brent. In the proposed new delivery model the Local Authority will continue to publish a Youth Offer. Work has been undertaken in the Local Authority to develop the online Youth Offer, 'Brent Youth Zone'. Council officers will continue to gauge feedback to improve the site to make it accessible to young people. The council is also looking into the potential development of an App. to go alongside 'Brent Youth Zone'.

The expected outcomes of the new alternative provision and enhanced youth offer will be:

- To improve the educational outcomes of young people at risk of exclusion or who have been excluded from mainstream secondary school.
- To provide alternative, structured pathways into education, employment and training for the 16-19 age group, reducing still further the numbers of 'NEET' young people in the borough.
- To provide a comprehensive, up to date and all-encompassing Youth Offer that will include positive diversionary activities for the universal cohort of young people, contributing towards overall Council objectives that will:
 - give every child the opportunity to succeed;
 - create a borough where all can feel safe, secure, happy and healthy.

2. Who may be affected by this policy or proposal?

Changes to the Youth Offer will affect young people aged 13 to 19 (and up to 25 for young people with Special Educational Need and Disability (SEND)). Further detail is included in section B. Some Brent Council officers will also be affected as the proposals will affect the direct work currently delivered by youth workers at Roundwood Youth Centre.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

There is a relevance to the public sector equality duty in relation to fostering good relations within the community.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	X	X	
Sex		X	
Race	X	X	
Disability		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an “X”.

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?	X	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	
<p>If you have answered YES to ANY of the above, then proceed to section B.</p> <p>If you have answered NO to ALL of the above, then proceed straight to section D.</p>		

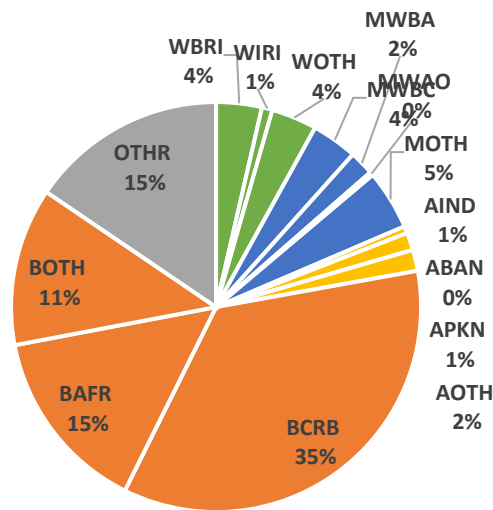
SECTION B – IMPACT ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

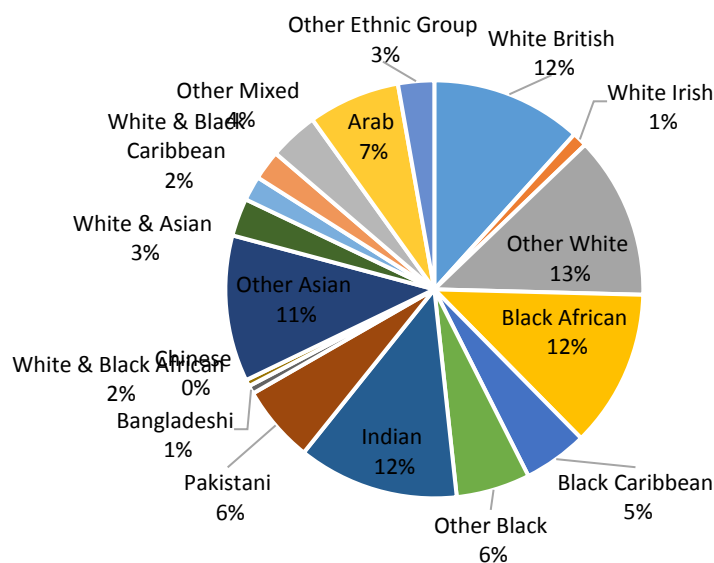
The GLA 2016-based Housing-led Ethnic Group Population Projections have been used to compare the ethnicities of the borough wide 0-17 cohort and the cohort that attend Roundwood Youth Centre. The figures taken from Roundwood Youth Centre are based on number of individual contacts.

In 17/18 361 young people aged 13-19 attended Roundwood Youth Centre. The ethnicity of the majority of young people in attendance was Black Caribbean, followed by Black African and Black Other. The proportion of Black Caribbean attendees is significantly higher than the proportion of Black Caribbean young people across Brent.

Roundwood YC Ethnicity Breakdown, Aged 13-19 (Annual)



0-17 population in Brent by ethnicity



Enhancing the youth offer will have a beneficial impact upon young people, particularly from black ethnic backgrounds as these groups have the highest attendance at current youth provision.

More than 80% (as at January 2019) of young people who require alternative education provision attend a setting out of the borough. Improving the number of places within the local area will ensure young people can be educated closer to home, reducing travelling time and potential safeguarding risks for some young people.

Further information is required to determine the overall impact of a new alternative provision educational setting for young people of secondary school age. Initial judgements are based on professional opinion within the Inclusion Service and focus group discussions with local secondary school Head teachers, as well as the voluntary sector including the Young Brent Foundation.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	<p>The proposed delivery model will continue to provide an open access youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND). The proposed changes will see the local authority end their role in direct delivery of universal youth services by co-ordinating the alternative provision and voluntary sector offer. The potential positive impact will be the creation of more joined up, wraparound services being available to connect daytime educational provision with evening youth activities. This will also apply to the education, employment and training project. A potential negative impact for young people may be seen in any change to providers and individuals delivering services to them and some disruption to the continuity of service.</p> <p>The Council has a statutory responsibility to publish a Youth Offer – a directory listing all provision across Brent. In the proposed new delivery model this will continue and so there is no anticipated negative impact.</p>

DISABILITY	
Details of impacts identified	<p>The proposed delivery model aims to continue to provide a universal youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND). There will be a positive impact for any young people with additional needs through the creation of alternative educational provision as the services will be available locally and can be connected to extra-curricular youth activities. This will enable any relevant young people with an education, health and care plan to receive services co-ordinated from the same venue.</p> <p>A potential negative impact for young people may be seen in any change to providers and individuals delivering services to them and some disruption to the continuity of service.</p> <p>The council publishes information for children and young people with special educational needs and disabilities (and their parents/carers) via the Local Offer. The Local Offer signposts organisations and groups that are accessible to children and young people with special educational needs and disabilities (and their parents/carers) and this service will not be affected by the proposed changes.</p>
RACE	
Details of impacts identified	<p>Enhancing the youth offer will have a beneficial impact upon young from black ethnic backgrounds as these groups have the highest attendance at current youth provision.</p> <p>As young people from black ethnic backgrounds are the largest group attending current provision at the Roundwood site a potential negative impact may be seen in any change to providers and individuals delivering services and possible disruption to the continuity of service during a handover period.</p>
SEX	
Details of impacts identified	<p>Further investigation is required to understand the impact of the proposed changes on sex, however the proposed delivery model will aim to continue to offer a universal youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND). Roundwood Youth Centre is accessed by young men and women (with a female only</p>

	session run on a Thursday). Further detail will be gathered on the female only session to determine any impacts that a change in service and/or provider would have.
SEXUAL ORIENTATION	
Details of impacts identified	There are no anticipated impacts for sexual orientation.
PREGANCY AND MATERNITY	
Details of impacts identified	There are no anticipated impacts for pregnancy and/or maternity.
RELIGION OR BELIEF	
Details of impacts identified	There are no anticipated impacts for religion or belief.
GENDER REASSIGNMENT	
Details of impacts identified	The proposed delivery model will aim to continue to offer a universal youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND) and any service provider would have to ensure they did not discriminate based on gender reassignment.
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	There are no anticipated impacts for marriage and civil partnership.

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Over the past few years the local authority has consulted with young people, Roundwood Youth Centre users, council staff and other stakeholders on the Youth Offer. Young people's views were gained from users of the Roundwood Youth Centre as well as Brent Youth Parliament, Care in Action / Care Leavers in Action and other focus groups. Young people were also consulted with as part of the Outcome Based Reviews related to Gangs and children on the edge of care.

The Brent Youth Zone website has been developed in collaboration with young people across the borough including Brent Youth Parliament and users of Roundwood Youth Centre. A questionnaire was distributed with around 40 responses giving feedback on what they would like from the website.

There has been ongoing consultation with education providers and the voluntary sector around the proposed Alternative Provision and how it could work within Brent.

Young people will be involved as part of the evaluation process of the proposals for the new provision.

5. Please detail any areas identified as requiring further data or detailed analysis.

Further investigation is required to understand the impact of the proposed changes on sex.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

The specification for the proposed Alternative Provision will clearly state the need for the inclusion of employment, advice and guidance services alongside an expanded youth and community offer aimed at young people after school, at weekends and during school holidays. The local authority also intends to be represented within the governance arrangements for the new provision in order to ensure wider council objectives are realised. These approaches will mitigate any potential negative impact of the proposed changes. The local authority will signpost affected individuals to other services available including those within the Council's Early Help services or through the proposed Family Hubs.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

- Through data monitoring of school exclusion data and overall outcome measures for children attending the alternative provision.

- An annual survey of young people using the new out of school hours open access provision.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The proposed policy to transform the Roundwood centre to an alternative educational setting with community youth activities will continue to provide positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND) within Brent. It is more likely to enhance and improve the current offer to young people within the borough than through current service provision – primarily through the greater connectedness of services that will provide a more connected approach based around the needs of individual young people.

The potential for negative impact as described above in section B can be mitigated through effective and clear local authority partnership expectations with the voluntary sector and alternative education provider alongside robust governance arrangements. Some further investigation into the impact of the proposed changes on grounds of gender is required.

The proposed Alternative Provision will also support young people at risk of exclusion through offering alternative pathways into education, employment and training. This element of the proposal will have a positive impact on Brent young people.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.


Action	Expected outcome	Officer	Completion Date
Identify the sex (gender) of Roundwood Youth Centre users	Identify any impacts that may arise from information	Sarah Miller	By April 2019
Consultation with current staff employed in Roundwood Youth Centre about the new service delivery model	Local Authority to inform and gain the views of the staff employed in Roundwood Youth Centre on the proposed changes	Sarah Miller	June 2019
To involve young people as part of the evaluation process of the proposals for the new provision.	Young people's voice is heard within the decision-making process to select the service provider.	Sarah Miller	July 2019
Monitoring the impact of the Alternative Provision and community activities offered at Roundwood.	New provider to meet service specification such that community/youth offer is delivered	Sarah Miller	Ongoing

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Bhavna Bilimoria
REVIEWING OFFICER:	Bhavna Bilimoria
HEAD OF SERVICE:	Sarah Miller, March 29 th 2019

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	Cabinet 15 April 2019
	Report from the Strategic Director of Regeneration and Environment
Highways Capital Scheme Programme 2019-20	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Three: Appendix A Brent Highways Infrastructure Works Appendix B Proposed Highways Maintenance Programme 2019/20 Appendix C Ward Abbreviations
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Jonathan Westell, Highways Contracts & Delivery Manager jonathan.Westell@brent.gov.uk 020 8937 3660 Tony Kennedy, Head of Service, Highways & Infrastructure tony.kennedy@brent.gov.uk 020 8937 5151 Chris Whyte Operational Director, Environmental Services, Regeneration and Environment chris.whyte@brent.gov.uk 020 8937 5342

1.0 Purpose of the Report

- 1.1 To approve the Highways Capital Scheme Programme 2019-20. This report also requests approval to invite tenders in respect of a contract/framework for footway maintenance as required by Contract Standing Orders 88 and 89.

2.0 Recommendations

- 2.1 That Cabinet approves the proposed highways maintenance programme for 2019/20 as detailed in Appendix B.
- 2.2 That Cabinet notes a variation to the current policy for the specification of footway materials for short sections work.
- 2.3 That Cabinet gives approval for Officers to invite tenders for a framework / contract primarily to provide for the £20m investment in footways, over the three years (2019/20, 2020/21 and 2021/22).
- 2.4 That Cabinet delegate to the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Regeneration & Environment authority to agree relevant pre-tender considerations for the procurement of a suitable contractor(s) and thereafter evaluate tenders on the basis of such pre-tender considerations.
- 2.5 That Cabinet delegate to the Strategic Director for Regeneration & Environment, in consultation with the Lead Member for Regeneration & Environment authority to select contractor(s) and enter into agreement(s) with the contractor(s).

3.0 Detail

3.1 Summary

- 3.1.1 In 2018/19 approximately £4.161m has been spent improving the condition of Brent's highways, including resurfacing of around 4.2 miles of road and reconstructing about 3.9 miles of pavement. This equates to about 1.3 % of the road network and 0.7% of the pavements.
- 3.1.2 The £4.161m was made up of £3.5m Brent Capital and a £0.661m DfT grant. In October 2018, the Chancellor announced £420 million for local highways maintenance with priority given to addressing potholes. This additional resource was allocated using the highways maintenance funding formula and £0.661m was Brent's Allocation.
- 3.1.3 Condition surveys of the borough's highways indicate that there is still an imbalance between the roads and the pavements, with the pavements being in a worse condition. Accordingly the Council is minded to implement a major investment in the boroughs footways over the following three years (2019/20, 2020/21 and 2021/22) to improve the condition. Allowing for arrangements to be put in place for the delivery of the programme, it is estimated that Officers will be able to deliver £2m of this by the end of 2019/20 with the balance being delivered in 2020/21 and 2021/22.
- 3.1.4 Asphalt is the default material for footways. However, like for like replacement is still used for short sections of footway renewal to marry the relatively small areas in with the surrounding materials. This approach will be reviewed as it

has been acknowledged that some small locations can be renewed with asphalt without being in conflict with the surrounding environment. The appropriate material for short sections will be determined by the Head of Highways & Infrastructure and considered on a scheme by scheme basis.

- 3.1.5 The £3.5m annual Brent Capital is used for the maintenance of carriageways, footways and structures. Priorities are identified over the previous year in preparation of the programme and for the past two years approx. £4m in total has been allocated for footways. During 2019/20 it is proposed to allocate the whole of the base £3.5m Brent highways capital to maintain carriageways and structures. A total of £500k will be allocated to Structures, an increase of £300k on previous years, to deliver a specific project with the remaining budget allocated to carriageways. This will have the additional benefit of increasing the amount of planned carriageway repairs whilst delivering planned footway works through the major investment programme.
- 3.1.6 Normally for 2019/20, in addition to £3.5m of Brent capital, TfL would add funding for Principal Road (A-road) improvements. However, in November 2017 TfL published details of their new five-year Business Plan and between 2018/19 and 2019/20 investment in proactive planned renewals on both the Borough Principal Road Network (BPRN) and TfL Road Network (TLRN) has been “paused”, with only very limited funding available across London. As for 2018/19, the LIP’s BPRN Roads funding for Boroughs in 2019/20 is still at the minimal level. TfL have now confirmed that Brent can submit applications by 22nd March for up to 2 schemes for 2019/20. Officers are not currently aware when the council will be notified of the results of the applications and there is no guarantee either scheme will be selected. We received no funding in 2018/19 representing a budget reduction of circa. £900,000 for resurfacing PRN routes.
- 3.1.7 This report sets out recommendations for how Brent’s base £3.5m capital budget plus £2m of footways investment programme should be allocated during 2019/20 through prioritised programmes of:
- Major and minor pavement reconstruction;
 - Major Road resurfacing;
 - Preventative maintenance
 - Carriageway Injection patching
 - Improvements to Highway Structures
 - Improvements to the public realm, and
 - Renewal of Road Markings
- 3.1.8 This programme will be delivered using Brent’s Highway Asset Management Planning (HAMP) approach, which provides a systematic long term methodology for maintaining the borough’s highways. The HAMP approach, which was started in 2014/15, delivers better value for money through adoption of a sensible and forward thinking maintenance plan. Additional preventative maintenance programming is being proposed, using injection patching on roads, and is being considered in the form of thin surfacing for existing asphalt pavements.

- 3.1.9 Major footway investment will be focused to prioritise prominent locations of high footfall so improving their condition, look and feel. Locations will include local shopping parades, outside schools, places of worship, medical centres etc. and where possible we will accommodate members' nominations.

3.2 *Last Year's Highways Maintenance Investment 2018/19*

- 3.2.1 In 2018/19 Brent's annual highways maintenance investment programme consisted of Brent capital funding and a DfT grant, which is used to fund a roads maintenance programme for local roads.
- 3.2.2 By 31st March 2019, approximately £4.161m will have been spent on maintaining Brent's highway infrastructure funded Brent capital. Appendix A provides details of the works delivered, which will result in (amongst other things) around 4.2 miles of roads being resurfaced and about 3.9 miles of footways being reconstructed.
- 3.2.3 Members will recall that at the May 2016 Cabinet, it was resolved that the default surfacing material for footway reconstruction is now asphalt rather than slab paving, with concrete block paving used at vehicle crossings and street corners. By using asphalt, the council is able to make its limited resources stretch further, meaning more pavements can be repaired, making the borough a safer, more accessible place to live.

3.3 *Managing Highways Assets*

- 3.3.1 Highway infrastructure is the most visible, well-used and valuable physical asset owned by the Council. Brent's highways assets include:
- 505 km (315 miles) of roads;
 - 847 km (529 miles) of pavements;
 - 90 bridges and structures;
 - 20700 road gullies;
 - 10,000 street trees; and
 - 22,848 street lights and other illuminated street furniture.

The value of this asset is estimated at around £3.8 billion

- 3.3.2 The table below sets out the condition of Brent's roads by indicating the percentage of each length of road type where maintenance should be considered.

Year	% of roads where maintenance should be considered		
	A class roads	B and C class roads	Unclassified roads
2008/2009	8%	9%	23%
2009/2010	11%	9%	23%
2010/2011	9%	7%	27%
2011/2012	9%	6%	26%
2012/2013	8%	9%	20%
2013/2014	13%	11%	21%
2014/2015	16%	16%	21%
2015/2016	6%	10%	21%
2016/2017	6%	5%	24%
2017/2018	22%	7%	21%
2018/2019	6%	7%	18%

- 3.3.3 Unclassified roads make up 80% of all borough roads and currently 18 % of Brent's unclassified roads are in need of substantial maintenance. Classified roads were in the same condition at 7%. The latest A-Road survey shows an apparent significant improvement in condition from 22%, though the 6 % figure is more in line with the previous two years' results, so perhaps it is more representative of the true figure. Latest condition surveys also indicate 47 % of the all pavements are in need of substantial maintenance, a slight improvement on last year's 50%.
- 3.3.4 As time goes on roads that are currently in good condition will deteriorate, just like any physical asset such as a house or a vehicle. To keep on top of the deterioration of our asset the council must invest continually in maintenance.
- 3.3.5 To improve the way the council maintains its highways, the council adopted the Highway Asset Management Plan (HAMP) in February 2014. The HAMP sets out a strategy based on the need to repair our assets on a regular basis, before they fail, so as to extend their lifespans and reduce higher long term repair costs, and provide the best value for money to local people.
- 3.3.6 The strategy initially involves introducing a programme of major resurfacing works along with preventative maintenance, which will take the form of thin surface treatment to seal roads against water ingress and improve their anti-skid properties.
- 3.3.7 During 2018/19 Officers have assessed the network to determine the current condition both for roads and pavements. Officers have then taken account of a range of factors to define relative priorities for maintenance. Officers have used a scoring system to identify roads and pavements suitable for various maintenance treatments that assessed the following:
- Network Condition - condition-based on outcomes of annual condition surveys and inspection programmes;
 - Network hierarchy and traffic usage, including proximity of local schools / colleges;
 - Risk - Level of risk in terms of numbers of accident claims, historic pothole repair records and/or collision history; and

- Value for Money - The cost effectiveness of preserving roads that have not yet fully deteriorated and fixing those which have.

3.3.8 Preventative maintenance is appropriate where the deterioration in the surface (as measured highway condition survey data) by has not yet resulted in a problems with the underlying structure of the road. Similarly, major resurfacing is required when deterioration has progressed further and so more extensive (and more expensive) repairs are necessary

3.3.9 Officers continued to take account of councillor nominations for road maintenance and, where a number of schemes attract the same or similar scores, Officers prioritise councillor nominated schemes earlier in our proposed maintenance programmes. Officers may also deviate from priority order where, for instance, a section of road in relatively good condition may be resurfaced if it is on a street where the rest of the road needs maintenance and it would be illogical, or impractical, not to resurface the whole street.

3.3.10 Part of the £2m additional funding approved at the May 2016 Cabinet was to procure a highway asset management (AM) tool. Increased level of investment to maintain the highway network is one step forward in delivering an asset management approach; and the next step is being more efficient in how and where the investment is spent. This requires ability to analyse our information, including budget vs condition level modelling scenarios.

3.3.11 The AM tool uses the Council's Survey data to produce scenario-based asset management programmes both on an annual basis and for the long term (5, 10, 15 etc. year programmes) It can:

1. Calculate Asset Condition vs Budget scenario-based programmes taking into account the deterioration of the asset
2. Calculate road and footway condition at the end of a projected term.
3. Calculate the budget required to achieve a given target of road and footway condition at the end of a projected term, taking into account the deterioration of the asset

It can also produce annual road and footway maintenance programmes, including suggested treatments, for defined budgets to give optimum condition, taking into account deterioration of asset. Officers have used this function of the AM tool to draw up the flowing programme elements.

- Major resurfacing of B, C and unclassified roads;
- Preventative maintenance of unclassified roads
- Draft priorities for the major footway investment programme.

3.3.12 Investment was aimed to address the following; achieving greater equality in condition between footways and carriageways; accommodating members' requests for regenerating High Streets and other areas of high footfall by giving them greater priority, so improving their look and feel; and replacing slabs with asphalt when doing full footway renewals.

3.4 Highways Investment during 2019/20

3.4.1 Carriageway Resurfacing

- a) The 2019/20 carriageway maintenance programme is shown in Appendix B. Roads have been prioritised from the results of an independent network condition survey, with input from local engineering staff, who assess the road against the wide range of factors noted above.
- b) In summary the proposed carriageway resurfacing programme of £3.0m includes:

BRENT BASE CAPITAL – 2019/2020	
Major resurfacing of B, C & unclassified roads; Preventative maintenance unclassified roads	2120
Injection patching	500
Injection Patching Traffic Management	25
Improvements to the public realm	125
Condition Surveys	30
Renewal of Road Markings	50
Carriageway Short Sections	150

(With £0.5m for highway structures making up the £3.5m)

- c) Normally in addition to £3.5m of Brent capital in 2018/19, TfL would add funding for Principal Road (A-road) improvements. However, in November 2017 TfL published details of their new five-year Business Plan. Between 2018/19 and 2019/20 investment in proactive planned renewals on both the Borough Principal Road Network (BPRN) and TfL Road Network (TLRN) had been revisited. An allocation of circa £3m per annum for the next two years has been retained for the BPRN to continue condition surveys and deal with high priority sites. TfL, working with the boroughs through the London Technical Advisors Group (LoTAG), will agree how this allocation will be targeted to the highest priority sections of road. For the whole of London this programme allocation is anticipated to be £11m. TfL have now confirmed that Brent can submit applications by 22nd March for up to 2 schemes for 2019/20. Officers are not currently aware when the council will be notified of the results of the applications.
- d) The following information was taken from TfL's Business Plan 2019/20 to 2022/23 (2018 Business Plan). The following table outlines the principal road renewal and bridge strengthening and assessment for London. This funding is allocated on a needs basis following condition surveys being completed. The 2018 business plan shows the second year pause on non-safety critical renewal as approved from the 2017 plan. The increase from 2021/22 is in recognition of the backlog in works. Further information on how this fund will be proportioned across eligible boroughs has not been announced. Assuming that criteria does not change and in light of the figures proposed Brent should receive an allocation for 2020/21. The exact allocation is not published yet, however, but it

is likely to be lower than the previous allocation level of £882,000. For 2021/22 it is assumed the council will receive more than £882,000 previously received.

Funding Programme	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m	2022/23 £m	5 year totals £m
2017 Business Plan	11	11	27	50	51	150
2018 Business Plan	11	11	27	50	52	151
Percentage Change	0%	0%	0%	-28.9	+2%	+1%

- e) In summer 2018, a successful programme of injection patch repairs was carried out on unclassified roads (side roads). With this process, a large number of potholes can be treated quickly. A pothole repair can be done in about two minutes – the normal time it usually takes a conventional repair gang to do the job would be 10-15 minutes. The programme went very well, with a large number of defects being fixed across the borough in a short space of time, with minimal disruption and with only one relatively minor complaint.
- f) With the £100,000 budget and 2759 repairs done, this works out at an average of £36 per defect. The 2018 Alarm Survey found that the average cost of filling a pothole on a reactive basis in London is £89 (in the rest of England, £74). For filling a pothole on a planned basis the figures become £56 and £49 respectively. Though it should be pointed out that the process does not claim to provide repairs as long-lasting as traditional patch repairs, there is no doubt that injection patching is a useful addition to our palette of repair types.
- g) Given this success, it is proposed to allocate £500,000 to deliver a borough wide programme of injection patching pothole repairs through our 2019/20 Highways Capital Maintenance Programme. This is requiring a procurement exercise to award the work.
- h) During the summer 2018 programme streets were identified that due to their narrowness or the incidence of parked cars would need road closures in order for the injection patching machine to gain access for the repairs. An allowance of £25,000 has therefore been made for the Traffic Management needed to facilitate the road closures.
- i) It is proposed to utilise up to £30,000 of Brent capital funding to undertake asset condition surveys during 2019/20. These surveys will assist to prepare a long term asset management programme and confirm future year's capital programmes.

3.4.2 Footway Repairs

- a) The latest survey of the condition of the borough pavements indicates that overall 47% are in need of maintenance.
- b) Accordingly the Council is minded to implement a major investment in the boroughs footways over the following three years (2019/20, 2020/21 and 2021/22) to improve the condition. There will be four scheme types as follows; the budget split between the scheme types will be governed by overall priorities.
 - i. **Thin Surfacing on Existing Asphalt Footways – i.e.** Preventative maintenance in line with good asset management practice; officers are looking into widening the palette of treatments we use on footways by considering the implementation of the appropriate use of thin surface treatments on existing asphalt footways
 - ii. **Major Footway Resurfacing** - as per normal highway capital maintenance programme. This and the above scheme type would consider footways with high volumes of footfall e.g. in the vicinity of schools or places of worship etc.
 - iii. **Refurbishment of Local Shopping Parades** – a “light touch” design, to solve obvious problems such as damage due to overrunning vehicles, and to take the opportunity to de-clutter, to minimise future demands on maintenance.
 - iv. **Major Town Centre Refurbishments** – expected to be only one over the three years; using standard materials wherever possible to create, cost effectively, an enhanced environment but one which can be effectively maintained in the future.
- c) The work to implement this major investment in footways will be the subject of a procurement exercise to test the market for this type of work and implement a procurement framework/contract which will provide some resilience in delivering these footway schemes and such other miscellaneous works as may be required. In order to get the best market engagement for this procurement exercise, a “Market Warming Event” was held on the 28th February 2019. This event was useful in helping to inform the procurement. Further consideration needs to be given into how best to procure and whether this should be by way of establishing a framework or letting individual contracts. As this procurement design process is ongoing, and in view of the need to commence the procurement before the following Cabinet meeting, authority is sought to delegate to the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Regeneration & Environment authority to agree relevant pre-tender considerations for the procurement of a suitable contractor(s). This will enable the procurement to commence immediately a conclusion has been reached as to the best means of procurement.
- d) As the procurement will take some months to deliver, and will stretch into the start of the first year 2019/20, the Year 1 footway programme will be smaller than Years 2 & 3 making up the balance of the £20m investment.

- e) In addition to the procedure outlined above in section 3.3, members have not only been asked for nominations for road and pavement resurfacing but will also have had a chance to provide further input into the major footway investment programme particularly, via a Members' Workshop.
- f) Residents can benefit if they apply to have a vehicle crossing construction or an extension done as part of footway reconstruction scheme, which is then charged at a reduced rate to reflect the smaller amount of work involved. This sometimes can hold the work up when applications are not submitted in a timely manner. Given the huge programme the council will need to deliver in 2019/20 and the following two years, it will need to minimise hold-ups; as residents will be notified at the start of the financial year and will have plenty of notice, if they have not paid for a crossover by the time construction starts in their road, at Officers' discretion they will not be able to take advantage of the reduced rate and the crossover will not be carried out as part of the footway works.
- g) Whilst the contract / framework is primarily to deliver footway schemes, the intention would be to establish a contract / framework that could also be used for other miscellaneous highways works if required.

3.4.3 Reducing the risk of flooding in Brent

- a) Gully cleaning is prioritised to prevent local flooding, with both scheduled and reactive gully cleansing activities taking place. There are approximately 20718 road gullies in the borough. These are cleaned as part of a cyclic maintenance programme procured through the London Highways Alliance Contract (LoHAC). The cleaning cycle includes:
 - High-priority (regularly blocking) gullies cleaned every six months;
 - 1,300 medium-priority gullies cleaned each year; and
 - 14,688 gullies cleaned every twelve months as part of a rolling programme.
 - 18,874 gullies cleaned every eighteen months as part of a rolling programme
- b) The cleansing frequencies depend on the likelihood of gullies filling up with silt. Monitoring of the contractor's performance continues and the contractor has remained on programme. On-site monitoring of cleansing indicates that last year's improvement in the quality of cleansing has been maintained with monitoring scores of 100% (i.e. all gullies are being cleaned well). Hard to reach gullies (i.e. where there are parked cars over them, or on busy corners) are subject to repeat attendance until cleaned; if necessary other measures (e.g. suspending parking bays) will be considered where necessary.
- c) Gullies are also cleaned on a reactive basis in response to reports from members of the public or Councillors of blocked gullies.
- d) Small scale schemes are implemented to address localised flooding problems such as broken gullies or gully pipes, or localised gully capacity problems. Larger scale capacity problems are within the remit of Thames Water who are

responsible for the main drainage system. Whilst maintenance helps, rainfall which is more intense than the capacity of the network can cope with will still result in localised flooding, which will nevertheless dissipate away down the drains given time

- e) Officers are anticipating similar funding from Defra for flood risk management as was received in 2018/19 which translates into a revenue budget of £127k. This will be used for alleviating flooding in the borough and for improvements/upgrades to existing highway drainage as per the following proposed works programme:

Flood Management Scheme	Proposed works	Cost Estimate
Various locations in highway	Installation of Land Drainage	£20K
Silk Stream (Barnet agreement)	Trash screen cleaning at A5 Hendon	£15K
Tramway Ditch, Stag Lane, NW 9	Inspect and clear watercourses	£2K
Northwick Park, Kenton		£10K
Various location	Installation of new gullies to prevent flooding	£30K
Reactive gully cleaning and various works undertaken through maintenance programme	Clean and repair gullies, replace missing covers, CCTV survey	£49K
LoDEG	Drainage Engineering Group Subscription	£1k
Total		£127K

3.4.4 Investing in Public Realm

This year it is proposed that the Public Realm programme will continue with an allocation of £0.125m. The works will be to strengthen and protect footways and soft verges, particularly at junctions, to mitigate the effects of vehicle overrun.

3.4.5 Improving Brent's bridges and structures

- a) The Council are responsible for 90 highway structures, including 60 bridges, 13 retaining walls and 17 culverts. The majority of bridges are small structures spanning brooks. Funding for bridge maintenance is normally allocated by Transport for London on a regional priority basis.
- b) The £0.500m Brent capital will be used for the following in 2019/20:
- Princess Frederica School Retaining Wall Strengthening - £350k

- Ealing Road over Grand Union Canal Assessment & Feasibility Study - £30k
 - Harp Island Close Bridge Assessment - £20k
 - Forty Avenue Bridge over Wealdstone Brook Assessment - £10k
 - Kenton Road/Woodcock Hill Culvert Assessment - £10k
 - Edgware Road Bridge Special Inspection - £20k
 - Neasden Lane Bridge over River Brent Assessment - £10k
 - Twybridge Way N & S (B49 & B50) Bridge Feasibility Study - £10k
 - Hillside Culvert over Canal Feeder (C03) Assessment - £20k
 - Further load assessments depending on results of 18/19 Principal Inspection (PI) results
- c) The Council's £76k revenue budget will be distributed across numerous structures for routine cyclic maintenance as well as the 2019/20 Principal Inspection programme. The Council's £500k capital budget will be distributed across numerous ongoing structural investigation and improvement schemes which include:
- 2019/20 Principal Inspections
 - 2019/20 LB Brent Secondments (includes General Inspections)
 - 2019/20 Reactive Maintenance & Interim Measures
 - Mead Platt over Mitchell Brook Culvert Special Inspection
 - Grange Museum Footbridge VRS upgrade

3.4.6 Renewal of Road markings

- a) In recent years up until 2015/16 there was no funding allocated for the systematic renewal of road markings. However, following on from the practice started in 2015/16 officers recommend the continuation of a £50,000 annual renewal programme. This programme will continue to concentrate on the renewal of those markings most in need of attention (e.g. on main roads and at junctions) before in subsequent years establishing a borough-wide schedule of road marking restoration.
- b) Renewal of those road markings which are required for enforcement are managed by the Parking & Lighting Service.

4.0 Financial Implications

- 4.1 The table below summarises the actual and proposed allocation of Brent capital funding for highways maintenance during the years 2017/18 - 2021/22:

Schemes	2017/18 (£ 000's)	2018/19 (£ 000's)	2019/20 (£ 000's)	2020/21 (£ 000's)	2021/22 (£ 000's)
BRENT BASE CAPITAL ALLOCATION					
Major resurfacing of B, C & unclassified roads; Preventative maintenance unclassified roads	1,100	920	2,120	ALLOCATION TBC	ALLOCATION TBC
Injection patching		100	500		
Injection Patching Traffic Management			25		
Highway Structures	200	200	500		
Improvements to the public realm	125	125	125		
Condition Surveys			30		
Crossover conversion	50				
Renewal of Road Markings	50	50	50		
Carriageway Short Sections	150	150	150		
Major Footway Works	1,825	1,955	0		
Sub-total Base Brent Capital 2018/19	3,500	3,500	3,500	3,500	3,500

BRENT CAPITAL – Capital Pipeline - Major Footway Investment	2017/18 (£ 000's)	2018/19 (£ 000's)	2019/20 (£ 000's)	2020/21 (£ 000's)	2021/22 (£ 000's)
Thin Surfacing on Existing Asphalt Footways, Major Footway Resurfacing, Refurbishment of Local Shopping Parades, Major Town Centre Refurbishments	0	0	2,000	9,000	9,000
Sub-total Major Footway Investment	0	0	2,000	9,000	9,000
<i>TfL Funding for Principal Roads**</i>	886	0	0	0	0
TOTAL HIGHWAY MAINTENANCE PROGRAMME	4,386	3,500	5,500	12,500	12,500

***value could increase if TfL allocate Brent any emergency funding.*

- 4.2 As noted in para 3.1.5 the £3.5m annual Brent Capital is used for the maintenance of carriageways, footways and structures. Priorities are identified over time in preparation of the future programme of works. For the past two years (17/18 and 18/19) c£2m a year has been allocated to footways. *For 2019/20 it is proposed to allocate the whole of the base £3.5m Brent highways capital to maintain carriageways and structures.*
- 4.3 It is proposed to utilise up to £30k of the £3.5m Brent Base Capital to undertake condition surveys during 2019/20. These surveys will assist preparation of a long term asset management programme.

- 4.4 Flood risk management expenditure is within the Environmental Service revenue budget and as such is not reflected in the capital programme of works. All required expenditure will be contained within budget.

5.0 Legal Implications

- 5.1 The Highways Act 1980 places a duty on the council to maintain the public highway under section 41. Breach of this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain it. There is also a general power under section 62 to improve highways.
- 5.2 Recommendation 2.3 seeks approval to invite tenders for a framework/contract(s) ("Contract") to improve footways. The nature and value of the Contract is such that it will be subject to the Public Contracts Regulations 2015 (the EU Regulations) in full. Further, the value of the Contract is such that it is classed as a High Value Contract under the Council's Contract Standing Orders and Financial Regulations.
- 5.3 For High Value Contracts, the Cabinet must approve the pre-tender considerations (Standing Order 89) and the inviting of tenders (Standing Order 88). For the reasons detailed in paragraph 3.4.2(c), delegated authority is sought to the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Regeneration & Environment to agree relevant pre-tender considerations for the procurement of a suitable contractor(s).
- 5.4 In order to avoid any delay in the award of contracts following the procurement, delegated authority to the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Regeneration & Environment to award contracts is also sought.
- 5.5 As this procurement is subject to the full application of the EU Regulations, the Council must observe the requirements of the mandatory minimum 10 calendar standstill period imposed by the EU Regulations before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

6.0 Equality Implications

- 6.1 The proposals in this report have been subject to screening there are considered to be no equalities implications that require full assessment. The works proposed under the highways main programme do not have different outcomes for people in terms of race, gender, age, sexuality or belief.

- 6.2 In addition, the design criteria used in all highway work does take note of the special requirements of various disabilities. These will take the form of levels and grades associated with wheelchair users, for example road crossing points, and for partially sighted / blind persons at crossing facilities. The highway standards employed are nationally recognised by such bodies as the Department for Transport. This programme of works continues the upgrade of disabled crossing facilities at junctions which were not constructed to modern day standards. All new junctions are designed to be compliant at the time of construction.
- 6.3 Strengthened areas of footway are far less susceptible to damage and will therefore aid the movement of pedestrians that may find it difficult to walk on uneven pavements.
- 6.4 Officers will make sure accessibility ramps are provided to aid wheelchair users and those with prams. Officer will make sure high visibility barriers and tapping rails are provided to allow those with visual impairments to negotiate the works as they are in progress
- 6.5 Officers will make sure of the visibility of the required signage, also where temporary work is being carried out.
- 6.6 Officers will monitor of the quality of the work to ensure that the finished surface is to specification and does not form a mobility hindrance; and that signage and road markings are correctly provided as aid to movement.

7.0 Consultation with Ward Members and Stakeholders

Officers will continue to take account of councillor nominations for road maintenance and, where a number of schemes attract the same or similar scores, Officers will prioritise councillor nominated schemes earlier in our proposed maintenance programmes (see section 3.3.10)

8.0 Human Resources/Property Implications (if appropriate)

The major footway investment will require extra resources to implement. There are no direct implications for council staff arising from the tender.

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. This duty does not strictly apply to the proposed contract as it is not a services contract. Nevertheless, Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.

Report sign off:

AMAR DAVE

Strategic Director of Regeneration and
Environment

APPENDIX A

Highways Maintenance Programme Completed in 2018/19

Non-Principal B&C, Unclassified Borough Roads - Major and Preventative Maintenance Completed in 2018-19

Resurfacing Programme	Length (m)	Ward
Ellesmere Road (Cullingworth Road to Park Avenue North)	353	DNL
Cumberland Avenue	525	STN
Torbay Road	312	KIL
Clifford Gardens	427	QPK
Cornwall Gardens	100	WLG
Kendal Road	621	DNL
Robson Avenue	351	WLG
Claremont Road (Kilburn Lane to number 19)	110	QPK
Pasture Close	143	NPK
The Mall	970	KEN/BAR
Rucklidge Avenue	449	KGN
Fairfields Crescent	263	FRY
Uxendon Crescent	288	BAR
Oakington Manor Drive (91 to 135)	268	TOK
Radcliff Avenue	139	KGN
Total km	5.32	
Miles	3.32	
Total Area m2	43,749	

Short Sections Resurfaced during 2018/19

Short Sections of Carriageway Resurfacing	Length (m)	Ward
Kilburn Park Road (177 to borough boundary)	220	KIL
Tanfield Avenue (35 to 79)	170	DNL
Total km	0.39	
Miles	0.24	
Total Area m2	4,018	

Principal (A Road) Resurfaced during 2018/19 Funded by Brent

Principal (A Road) Maintenance Programme	Length (m)	Ward
Wembley High Road (Wembley Hill Road to Park Lane)	370	WEM
Kilburn High Road (Willesden Lane to Christchurch Avenue)	710	KIL/BPK
Total km	1.08	
Miles	0.68	
Total Area m2	12,951	

Major Footway Reconstruction completed in 2018/19

Major Footway Reconstruction	Length (m)	Ward
High Road Willesden (Strode Road to Colin Road)	954	WGN
Harvist Road (Kingswood Avenue to Peploe Road)	912	QPK
Pasture Close	296	NPK
Evelyn Avenue	740	QBY
Ashcombe Park	480	DNL
Grendon Gardens	740	BAR
Brookfield Crescent	382	KEN
Cairnfield Avenue (Neasden Lane to Ashcombe Park)	396	DNL
Valley Drive (Fryent Way to Waltham Avenue)	830	FRY
High Street Harlesden (Jubilee clock to Tavistock Road)	155	HAR
Total km	5.89	
Miles	3.68	
Total Area m2	14,926	

Short Sections of Footway Resurfacing completed in 2018/19

Footway Short-section Improvements	Length (m)	Ward
Aylestone Avenue (junction Christchurch Avenue/The Avenue)	84	BPK
Doyle Gardens (junction with All Souls Avenue/College Road)	55	KGN
Beverley Gardens (junction with The Avenue)	34	BAR
Mulgrave Road (Section near Gladstone Park entrance)	98	DHL
Brampton Grove (28 to 46)	68	BAR
East Hill (junction with Barn Way)	31	BAR
Windermere Grove (opp pub)	21	PRE
Total km	0.39	
Miles	0.24	
Total Area m2	957	

APPENDIX B

Highways Maintenance Programme 2019/20

Principal A Road, Non-Principal B&C, Unclassified Borough Roads - Major and Preventative Maintenance Programmes 2019-20

Resurfacing Programme	Length (m)	Estimated Cost (£k)	Treatment	Ward
Lindsey Drive (Chapman Crescent to Roundabout Included)	279	46	Major	KEN
Uphill Drive	268	37	Major	FRY
Yewfield Road	239	42	Major	DNL
Chaplin Road (width restriction to Ealing Road)	604	114	Major	WEM
Mount Pleasant (Beresford Avenue to Woodstock Road)	312	54	Preventative	ALP
Princes Avenue (North Way to Stag Lane)	502	80	Preventative	QBY
East Lane (Harrowdene Road to Oldborough Road)	466	91	Major	NPK
Wyld Way (Harrow Road to Oakington Manor Drive)	530	71	Major	TOK
Harrowdene Road	976	125	Preventative	SUD
Dollis Hill Lane (A5 to The Crescent)	465	118	Major	DOL
Ashburnham Road	286	57	Preventative	KGN
Sandringham Road	397	56	Preventative	WLG
Hoveden Road	162	28	Major	MAP
Clarendon Gardens (Pembroke Road to Castleton Avenue)	340	41	Major	PRE
Brondesbury Road	810	139	Major	QPK/KIL
Church Lane (Lavender Avenue to Fryent School)	455	117	Major	FRY/WHP
Chamberlayne Road (Clifford Gardens to Harvist Road)	368	98	Major	QPK
Empire Way	391	99	Major	TOK
Crest Road (Randall Avenue to Heather Road)	523	122	Major	DOL
Bridge Road	675	166	Major	TOK/BAR
Chambers Lane (Grange Road to Sidmouth Road)	472	109	Major	BPK
Coronation Road	531	103	Major	STN
Burns Road	363	57	Preventative	HAR
Fleetwood Road (Hamilton Road to Park Avenue North)	556	107	Preventative	DNL
Manor Farm Road (Brigewater Road to Clifford Road)	190	43	Major	ALP
Total km	11.16	2120		
Miles	6.98			
Total Area m2	89,503			
Reserve Schemes	Length (m)	Estimated Cost (£k)	Treatment	Ward
Eton Avenue (Charterhouse Avenue to Harrow Road)	256	33	Major	SUD
Sedgecombe Avenue	318	38	Major	KEN
Bacon Lane	336	67	Major	QBY
Goldsmith Lane	351	42	Major	QBY
Preston Road (Logan Road to no 77)	382	86	Major	PRE

<i>The Paddocks</i>	<i>518</i>	<i>85</i>	<i>Preventative</i>	<i>BAR</i>
Total km	2.16	351		
Miles	1.35			
Total Area m2	15,122			

Major resurfacing of short sections 2019/20

Short Sections of Carriageway Resurfacing	Length (m)	Estimated Cost (£k)	Treatment	Ward
Sites to be prioritised in-year	tbc	150		-

Renewal of Road Markings 2019-20

Renewal of Road Markings	Length (m)	Estimated Cost (£k)	Treatment	Ward
Sites to be prioritised in-year	tbc	50		-

Public Realm improvements 2019/20

Public Realm Improvements	Length (m)	Estimated Cost (£k)	Treatment	Ward
Sites to be prioritised in-year	tbc	125		-

Injection Patching 2019/20

Injection Patching (Incl Traffic Management)	Length (m)	Estimated Cost (£k)	Treatment	Ward
Sites to be prioritised in-year	tbc	525		-

Condition Surveys 2019/20


Condition surveys	Length (m)	Estimated Cost (£k)	Treatment	Ward
Structural Highways Condition surveys	tbc	30		-

APPENDIX C

WARD ABBREVIATIONS

WARD	ABBREVIATION
- ALPERTON	ALP
- BARNHILL	BAR
- BRONDESBURY PARK	BPK
- DOLLIS HILL	DOL
- DUDDEN HILL	DNL
- FRYENT	FRY
- HARLESDEN	HAR
- KENSAL GREEN	KGN
- KENTON	KEN
- KILBURN	KIL
- MAPESBURY	MAP
- NORTHWICK PARK	NPK
- PRESTON	PRE
- QUEENS PARK	QPK
- QUEENSBURY	QBY
- STONEBRIDGE	STN
- SUDBURY	SUD
- TOKYNGTON	TOK
- WEMBLEY CENTRAL	WEM
- WELSH HARP	WHP
WILLESDEN GREEN	WLG

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 Brent	Cabinet 15 April 2019
	Report from the Strategic Director of Resources
Expansion of Elsley Primary School – Termination of Design and Build Contract	

Wards Affected:	Wembley Central
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt - Appendix 1 is not for publication as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information).”
No. of Appendices:	Appendix 1 – Exempt
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Cheryl Andani, Capital Programme Manager Email: Cheryl.andani@brent.gov.uk Tel: 020 8937 3227 Nick Ljustina, Operational Director Property and Assets Email: nick.ljustina@brent.gov.uk Tel: 0208 937 5025

1.0 Purpose of the Report

- 1.1 This report provides Cabinet with an update on the contractual position on the design and build contract for the expansion of Elsley Primary School and seeks authority to terminate the existing design and build contract.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Note the current status and contractual position with Lakehouse Contracts Limited on the design and build contract for Elsley Primary School as set out in paragraphs 3.1 – 3.5 of the report.

- 2.2 Approve the termination of the High Value Works Contract with Lakehouse Contracts Limited for expansion of Elsley Primary School.
- 2.3 Note that subject to Recommendation 2.2 above, the Strategic Director of Resources would approve the award of one or more Low and/or Medium Value Works Contracts to enable outstanding works to be completed using powers delegated under the Constitution.
- 2.4 Note that the school is and will continue to be operational whilst the steps outlined in Recommendation 2.2 and 2.3 are taken.
- 2.5 Note that Officers will review options for the recovery of any wasted or additional costs against Lakehouse Contracts Limited as described in Appendix 1.

3.0 **Detail**

Current status and contractual position

- 3.1 The Council entered into a design and build contract with Lakehouse Contracts Limited ("Lakehouse") for works at Elsley Primary School on 20 May 2016. The contract was subsequently executed on 15 January 2018 at a value of £7,204,089.
- 3.2 Practical completion (PC) of the construction works was certified in early July 2018, subject to the contractor completing a limited scope of outstanding works during the Summer holidays 2018. The majority of these works were not carried out as planned. The contractor cited financial issues as the reason it was unable to complete the works. These works are still outstanding. As PC was certified, no Liquidated and Ascertained Damages (LADs) could be imposed. At PC, some fees were withheld against a schedule of the incomplete works in addition to the retention monies being held by the Council.
- 3.3 Verbally on 20 January and in writing on 23 January 2019 the contractor advised that it was their intention to complete the outstanding works and to provide a programme during that week. Some scheduling information was provided and the work was expected to be completed in February around the half term holiday. Some minor works were completed however the majority remains outstanding.
- 3.4 On the 11 March 2019, there was a hearing at the High Court to determine an application by Lakehouse for administration. Judge Mullen made an administration order in respect of Lakehouse. An administrator for the company, Lane Gary Bednash of CMB Partners UK Limited has been appointed.
- 3.5 The Council is therefore able to terminate the Contract on the basis that Lakehouse is now Insolvent, as defined within the Contract, as it has entered into administration and an administrative receiver has been appointed to manage the company's property. Cabinet is asked to note the current status and contractual position.

Termination of the high value works contract

- 3.6 The contract is classified as a “High Value Works Contract” under the Council’s Contract Standing Orders and therefore, in accordance with Contract Standing Orders, Cabinet approval is required to terminate. This applies regardless of the amount of work that has already been completed against it or the reason why termination is sought. Cabinet is asked to approve the termination of this High Value Works Contract for Elsley Primary School.

Completion of the outstanding works

- 3.7 The works that were listed as outstanding at practical completion must be completely finished to the satisfaction of the council’s technical advisers. In addition, any defects which have occurred since practical completion must also be rectified. In the context of this being a high value works contract, the remaining portion of works is relatively very small. Further financial detail is provided in Appendix 1.
- 3.8 In February 2019, in anticipation of a scenario where officers had to appoint an alternative contractor whilst the contract remained in place, Cabinet approved waiving Contract Standing Orders to permit a quote process (or a direct award) to select an alternative contractor should other procurement options not permit works to be completed by September 2019. Officers have been working with the project design team to work through the technical, legal and commercial matters associated with this.
- 3.9 The Council will need to enter into one or more “Low and/or Medium Value Works Contracts” to complete the works. Cabinet is asked to note that in accordance with the delegations within Part 3 of the Constitution, the Director of Resources would approve these awards.

Impact on the school

- 3.10 Whilst frustrating for the school that outstanding works have not been completed yet, it is not having an impact on the provision of school places or a significant impact on the day to day running of the school.
- 3.11 As the required works are within an operational school, as opposed to in a segregated construction site, it is necessary to work closely with the school to schedule the outstanding work so it does not negatively impact learning. In practice, this is likely to mean that the majority if not all works will need to take place in school holiday periods.

4.0 Financial Implications

- 4.1 The Council has withheld funds that were scheduled to be released on completion of the outstanding works in addition to the retention figure. These sums are therefore available to use to cover the costs of an alternative contractor completing the works and all other associated works.
- 4.2 The Council also has the benefit of a performance bond on this contract which can be called upon to meet any costs that exceed sums currently retained within the contract.

4.3 Further detail is provided in Appendix 1.

5.0 Legal Implications

5.1 The JCT 2011 Design and Build Contract offers the Council the opportunity to terminate the Elsley Primary School Contract under clause 8.5.1 of Contract, on the basis that Lakehouse is now Insolvent as defined in the Contract, as it has entered into administration within the meaning of Schedule B1 to the Insolvency Act 1986; and an administrative receiver has been appointed to manage the company's property.

5.2 In order to terminate the Contract, the Council must serve a notice on the Contractor. The termination of the Contract takes immediate effect and the Council is free to appoint another Contractor to carry out and complete the works.

5.3 In accordance with Contract Standing Order 113 and Part 3 of the Constitution, Cabinet must authorise termination of High Value Contracts i.e. works contracts worth more than £5 million. The construction contract in respect of Elsley Primary School is classified as a High Value Works Contract.

5.4 Part 3 of the Constitution details that the Strategic Director is authorised to approve the award of Low and Medium Value Works Contracts.

5.5 The Design and Build Contract places a responsibility upon the contractor to address defects that occur in design or workmanship in future years. Lakehouse will be unable to fulfil this obligation. The Council has the benefit of collateral warranties from a number of sub-contractors which can be called upon but it will not have the benefit of an overarching warranty to cover latent defects. As there is no Parent Company Guarantee, this position will not be covered by others. Officers are currently exploring insurance cover for defects liability; a cost which the council will seek to recover under the performance bond.

5.6 Further detail is provided in Appendix 1.

6.0 Equality Implications

6.1 Members are referred to the Equalities Impact Assessment from previous Cabinet reports as outlined below:

School	Cabinet Meeting date	Item	Appendix
Elsley Primary School	24 August 2015	5	13
Uxendon Manor Primary School	24 August 2015	5	4

6.2 The proposals in this report have been subject to screening and officers believe that there are no equality implications arising directly out of the proposals.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The school is a key stakeholder and has been kept regularly informed of the situation.
- 7.2 Ward members have been advised of the contractual position and that this report setting out the action being and to be undertaken would be presented to Cabinet.

Related Documents

Expansion of Uxendon Manor Primary School and Elsley Primary School – Update and Decisions regarding Design and Build Contracts (Cabinet Report – February 2019)

Report sign off:

ALTHEA LODERICK
Strategic Director of Resources

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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