



Brent

Cabinet

Tuesday 12 January 2021 at 10.00 am

This will be held as an online virtual meeting

The link to view the meeting is available by clicking [HERE](#)

Membership:

Lead Member Councillors:

Portfolio

M Butt (Chair)	Leader of the Council
McLennan (Vice-Chair)	Deputy Leader of the Council and Lead Member for Resources
Farah	Lead Member for Adult Social Care
Knight	Lead Member for Community Safety and Engagement
Nerva	Lead Member for Public Health, Culture & Leisure
M Patel	Lead Member for Children's Safeguarding, Early Help and Social Care
Krupa Sheth	Lead Member for Environment
Stephens	Lead Member for Schools, Employment and Skills
Southwood	Lead Member for Housing & Welfare Reform
Tatler	Lead Member for Regeneration, Property & Planning

For further information contact: James Kinsella, Governance Manager, Tel: 020 8937 2063; Email: james.kinsella@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit: democracy.brent.gov.uk

The press and public are welcome to attend this meeting as an online virtual meeting. The link to attend and view the meeting is available [HERE](#)

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

Introductions, if appropriate.

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 - 12
----------	--	--------

To approve the minutes of the previous meeting held on 7th December 2020 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 (if any)	
----------	---	--

There are no items to be considered at this meeting.

Chief Executive's reports

7	Treasury Management Mid-Year Report 2020-21	13 - 24
----------	--	---------

This report provides an update on treasury activities for the first half of the financial year 2020-21.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)

Contact Officer: Amanda Healy, Senior Finance Analyst

Tel: 020 8937 5912

Amanda.Healy@brent.gov.uk

This report sets out the current forecast of income and expenditure against the revenue budget for 2020/21 and other key financial data.

Ward Affected: All Wards
Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Minesh Patel, Director of Finance
 Tel: 020 8937 4043
minesh.patel@brent.gov.uk

9 **Annual Complaint Report 2019/20**

47 - 124

This report outlines the Council's performance in addressing complaints for the period April 2019 to March 2020.

Ward Affected: All Wards
Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Mariza Barros, Complaints and FOI Manager
mariza.barros@brent.gov.uk

Community Well-being reports

10 **Emergency Accommodation for Homeless Households**

125 - 134

This report concerns the need to secure emergency temporary accommodation in Brent, to house homeless households (families and single homeless people) and requests approval to invite tenders in respect of securing this emergency temporary accommodation.

Ward Affected: All Wards
Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: Laurence Coaker, Head of Housing Needs
 Tel: 020 8937 2788
laurence.coaker@brent.gov.uk

11 **Six Month Update on Supply of New Affordable Homes**

135 - 160

This report provides a six month update on the progress made towards delivery of the Council's target for building new affordable homes over the five year period 2019-2024.

Ward Affected: All Wards
Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: John Magness, Head of Housing Partnerships

Regeneration and Environment reports

12 Northwick Park, One Public Estate – CIL Allocation 161 - 182

This report seeks approval to delegate authority to the Strategic Director of Regeneration and Environment to allocate Community Infrastructure Levy (CIL) funding to enable the construction of a new spine road for the Northwick Park One Public Estate development.

Ward Affected:
Northwick Park

Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Nick Ljustina, Director of Property & Assets
Tel: 020 8937 5025
nick.ljustina@brent.gov.uk

13 Authority to Tender for the Design & Build Contract at 1 Morland Gardens, Stonebridge 183 - 190

This report seeks approval to invite tenders for a contract for the design and build of the 1 Morland Gardens development, following a satisfactory completion of the judicial review of the planning process.

Ward Affected:
Stonebridge

Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Neil Martin, Schools Capital Programme Team
Tel: 020 8937 4203
neil.martin@brent.gov.uk

Children and Young People reports

14 Brent Council's School Admission Arrangements for Community Primary Schools 2022/23 191 - 224

This report seeks approval for the school admission arrangements for Brent Community Primary Schools for 2022/23.

Ward Affected:
All Wards

Lead Member: Lead Member for Schools, Employment & Skills (Councillor Thomas Stephens)
Contact Officer: Brian Grady, Operational Director, Safeguarding, Partnerships & Strategy
Tel: 0208 937 4173
Brian.Grady@brent.gov.uk

This report seeks approval to the capital contribution for the establishment of an Onside Youth Zone.

Ward Affected:
All Wards

Lead Member: Lead Member for Children's Safeguarding, Early Help and Social Care (Councillor Mili Patel)

Contact Officer: Nigel Chapman, Operational Director Integration & Improved Outcomes
Tel: 020 8937 4456
nigel.chapman@brent.gov.uk

16 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: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

Item 12 - Appendix 2: North Park, One Public Estate CIL Allocation: HIF Funding

17 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. Any decisions taken urgently under this heading must comply with the provisions outlined in paragraph's 12 and 39 of the Council's Access to Information Rules (part 2 of the Constitution).

Date of the next meeting: Monday 8 February 2021



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET

Held as an online virtual meeting on Monday 7 December 2020 at 10.00 am

PRESENT (In remote attendance): Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Knight, Nerva, M Patel, Krupa Sheth, Stephens, Southwood and Tatler

Also present (In remote attendance): Councillor Fleur Donnelly-Jackson (for agenda item 6.1)

1. **Apologies for Absence**

None.

2. **Declarations of Interest**

None.

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on 9th November 2020 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any) & Request to Speak**

The Leader of the Council, Councillor Muhammed Butt welcomed Dr Pablo Sendra to the meeting who had requested to speak on behalf of the William Dunbar William Saville Tenant & Resident Association (WDWS) regarding the development of a Community Plan relating to the South Kilburn regeneration scheme proposals.

Dr Sendra thanked the Leader for the opportunity to speak. In his role as an architect and urban designer he advised Cabinet that he had been working with the residents from William Dunbar and William Saville Houses in South Kilburn in developing a community plan which incorporated the residents' vision for how their home and environment could be improved. An independent study had guided the development of a social impact assessment and a financial viability study had been carried out to ensure the viability of the proposal and determine the amount of social-rent homes that could be offered. The plan, which would achieve and exceed the key objectives of the Council's South Kilburn SPD 2017, included the refurbishment rather than demolition of 147 existing homes (allowing residents to avoid the social and health impact of relocating), and the provision of 47 new

homes through infill development, 14 of which would be social rent and 19 of which would be family sized. The plan also included proposals for the creation of an additional 366 sq. metres of new community facilities as well as improved green spaces and car parking. In summing up, Dr Sendra asked Cabinet to give consideration to his proposal which he felt to be an excellent opportunity to deliver a socially, economically and environmentally sustainable regeneration scheme.

Councillor Butt thanked Dr Sendra for taking the time to address the meeting and invited Councillor Tatler, as the Lead Member for Regeneration, Property and Planning, to respond.

Councillor Tatler took the opportunity to recognise and thank local residents for their engagement and commitment in driving forward the South Kilburn regeneration scheme. Whilst highlighting the need to ensure the Community Plan was considered within the context of the overall Masterplan for the South Kilburn area, Councillor Tatler advised that she would review the proposals in order to continue working and engaging with the Tenant and Resident Association, supported by the local ward councillors.

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

6.1 Recommendations from Resources & Public Realm Scrutiny Committee - Violence Against Women Task Group

Prior to considering the report, the Leader of the Council, Councillor Butt welcomed Councillor Donnelly-Jackson to the meeting who had requested to address the meeting in her role as Chair of the Violence Against Women Scrutiny Task Group.

Councillor Donnelly Jackson thanked Cabinet for the opportunity to speak, and informed them that the Resources and Public Realm Scrutiny Committee had commissioned a Task Group to investigate the issue of Violence against Women and Girls in March 2020, with the subsequent report and recommendations agreed by the committee in October. The Task Group had made ten key recommendations as detailed for response within Appendix 1 of the report. Amongst the recommendations made, Councillor Donnelly-Jackson felt it was important to highlight the importance of the lived experience from victims and survivors being used to inform policy and service delivery and also to communication being available in accessible formats for disabled women to ensure they were able to access support. In addition, Councillor Donnelly-Jackson took the opportunity to highlight the comprehensive and inclusive approach towards the scrutiny review during the pandemic as well as the series of additional supporting actions identified by the Task Group, designed to support delivery of their main recommendations. In summing up Councillor Donnelly-Jackson thanked the members of the Task Group for their work as well as the community partners and officers who had given evidence and supported the development of the report. She commended the report to the Cabinet and expressed her hope that the recommendations would be adopted.

Councillor Butt thanked Councillor Donnelly-Jackson for addressing the meeting and then invited Councillor Knight, as Lead Member for Community Safety and Engagement, to introduce the report.

Councillor Knight thanked the Members of the Task Group for highlighting the need to tackle the important issue of violence against women and girls, which had also been identified as an important issue during the pandemic given the increasing levels of abuse and the associated risks for those victims. In commending the findings of the group, attention was drawn to the alignment with current safeguarding work, increased training and awareness of the issue, and the need to ensure the necessary levels of support were in place and accessible.

Members fully supported the recommendations and the proposed executive response, praising the timeliness of the work to tackle the issue in light of the increased national attention being given to safeguarding women and girls. Having noted the comments received and overall alignment of the recommendations made by the Task Group with the Council's approach towards contextual safeguarding work it was **RESOLVED** that Cabinet:

- (1) approve the Executive Response to the recommendations made by the Violence against Women and Girls Scrutiny Task Group, as detailed within Appendix 1 of the report.

7. **Draft Budget 2021/22**

The Lead Member for Resources and the Deputy Leader of the Council, Councillor McLennan introduced the report, which set out the Council's budget proposals for 2021/22, alongside a revised Medium Term Financial Strategy (MTFS), taking account of the current estimated financial impact of the Covid-19 pandemic on the Council. Whilst noting the significance of the financial challenges, the report outlined an approach designed to address the current estimated impact of the pandemic, the additional support that would be required for residents, as well as the scale of the loss of income to the Council. It was noted that the Government's Comprehensive Spending Review, which had been announced on 25th November, had not provided any further certainty over the medium term financial outlook due to the short term nature of the funding settlement provided and ongoing uncertainty over the outcome of other significant reforms to local government funding and Brexit.

In outlining the detail of the new proposals, Cabinet were informed that £5.1 million of new budget savings would be required for 21/22 and 22/23, as detailed within Appendices B and C of the report. This would be supported by a 4.99% council tax increase, up from the 3.99% proposed in February, of which a full 3% would be used to fund vital social care services. Consultation would also be undertaken on the level of rents to be charged within the Housing Revenue Account, with a 1.5% increase proposed. The report further noted the borrowing that would be required to fund the capital programme of works until 2026.

Taken together the new proposals and updated budget assumptions, subject to their agreement following consultation, would deliver a balanced budget and ensure that the Council would continue to operate in a financially sustainable and resilient way limiting as far as possible service reductions and the impact on front line services.

In concluding her introduction, Councillor McLennan once again highlighted how challenging and difficult the process had been and thanked the Cabinet Members

and officers for their support and efforts in developing the proposals and meeting the robust challenge which had been required in order to make such difficult financial decisions.

Whilst supporting the proposals contained in the report as deliverable and credible, Cabinet emphasised their disappointment at the uncertainty created as a result of the Governments short-term funding settlements, delays in funding reforms and failure to fulfil a commitment to refund local authorities in full for their Covid-19 related spending. Having recognised the efforts made to reduce the impact on front line services during such challenging times, the impact of the revised proposals were still of concern with members highlighting the effect they would have in a number of areas.

Having noted the current financial context in which the new proposals had been developed it was **RESOLVED** that Cabinet:

- (1) note the overall financial position, as set out within the report.
- (2) consult on the new budget proposals, as set out in Appendices B and C of the report.
- (3) consult on a Council Tax increase of 4.99% in 2021/22.
- (4) endorse the approach to the statutory process of consultation, scrutiny and equalities between December 2020 and February 2021, as set out in Section 6 of the report.
- (5) endorse the changes to the technical budget assumptions underpinning the budget, as set out in Section 4 of the report.
- (6) note the position with regard to the funding for Schools and the Dedicated Schools Grant, as set out in Section 7 of the report.
- (7) consult on a rent increase of 1.5% (CPI + 1%) for the 2021/22 Housing Revenue Account budget, as set out in Section 8 and Appendix D of the report.
- (8) note the position with regard to the Capital programme, as set out in Section 9 of the report.

8. **A Fairer Future Ending Poverty in Brent - Delivery Plans**

The Lead Member for Housing and Welfare Reform, Councillor Southwood, introduced the report, which outlined the action plan developed to progress implementation of the recommendations of the Poverty Commission, first agreed by Cabinet in September 2020. The actions had been subject to consideration by, Full Council, scrutiny and community stakeholders, with the Consultative Group set up to monitor progress on implementation having also conducted their first meeting.

Members heard that the delivery plan would be materially linked to the actions developed from the Climate Emergency Strategy and the Brent Black Community Action Plan. Cabinet also noted the intention to draw on lived experience along

with the knowledge, perspectives resources and experiences of the range of individuals and organisations already active in addressing poverty in order to fully embed the actions within the Council's overall objectives and priorities and as part of the Borough Plan.

In discussing the actions outlined, Cabinet were keen to highlight the focus on actions designed to tackle issues related to housing and the economy with the need to continue lobbying government for support in this area also identified as a key issue.

Members further commended the proposals to develop a community led housing project for single homeless households and support towards the establishment of more sustainable food aid schemes, improving financial inclusion and reducing digital poverty. Support was also expressed for the emphasis on the role of job quality and support, the Council's role as a disability competent employer and the continuing progress towards Brent as a 'living wage place'.

Having noted the Council's commitment towards delivery of the actions identified it was **RESOLVED** that Cabinet:

- (1) note and approve the delivery plans attached as Appendices 1-4 of the report.
- (2) note the proposal that Cabinet would monitor the implementation of the delivery plans by receiving regular updates for each of the workstreams: housing, economy and jobs, financial inclusion and welfare and the overview recommendations.

9. **Corporate Performance – Q2 2020/21 Performance Report**

The Lead Member for Resources and the Deputy Leader of the Council, Councillor McLennan introduced the report, which outlined the Council's performance against key indicators for Q2 of 2020/21. Cabinet were informed that the performance outlined within the report reflected the fact that the reporting period covered the effects being made by services to recover from the pandemic, with many of the targets directly impacted as a result.

Members noted that a review of the current corporate performance metrics and indicators was due to be undertaken as part of the refresh of the Borough Plan in order to reflect the impact of the pandemic and also ensure that indicators were more closely aligned with other key strategies that had recently been adopted, including the Brent Black Community Action Plan, Climate Emergency Strategy and report from the Poverty Commission.

RESOLVED that Cabinet:

- (1) note the performance information contained in the report.
- (2) note the challenge process along with current and future strategic risks associated with the information provided and approve actions being undertaken on strategic risks, as appropriate.

10. **Neighbourhood Community Infrastructure levy (NCIL) +100 K Project Approval**

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report seeking approval for the allocation of Neighbourhood Community Infrastructure Levy (NCIL) to four community programmes. Cabinet noted that applications submitted under the most recent bidding round had been focused on tackling inequality over the long term and the disproportionate impact of the pandemic. As a result four schemes had been shortlisted for consideration involving bids above £100,000 which required approval by Cabinet. In concluding her introduction, Councillor Tatler thanked the team involved in administering the NCIL scheme, which it was noted had allocated over £12million in funding to date for community infrastructure projects.

In supporting the bids identified, Cabinet noted their alignment with the wider priorities of the Council and NCIL regulations. Members further commended how the application round had drawn attention to and promoted the benefits and potential use of NCIL in the wider community.

RESOLVED that Cabinet:

(1) approve the following NCIL allocations:

- **£227,272.30 for** Ultra Education CIC - It Takes a Village – Black Caribbean Boys of Excellence project: Working across families, schools and communities addressing the root cause of the underachievement of Black Caribbean Boys
- **£197,561.95 for** Asian Women's Resource Centre(AWRC) - Revitalise Project: To refurbish the AWRC building in Harlesden so that it was inclusive, accessible, welcoming , safe and comfortable for women, girls and children to access a range of holistic support services offered under one roof.
- **£197,561.95 for** Mobs Ventures Ltd / Slenky Powering Change – Social, Mobile Engagement and Ethical AI Project: Developing and imbedding a digital programme aimed at engaging young people in new skills and employment that development has brought to the borough.
- **£146,698.63 for** EACH Counselling and Support, Strive Project: A mental health support programme for BME people to recover from the impact of Mental Health, Domestic Violence and Substance Misuse. Providing culturally sensitive Education Training Employment and counselling support.

(2) note, following on from (1) above, that the final stage in the process would involve the Grants Manager giving further scrutiny to ensure a deliverable measurable outcome analysis was completed, in conjunction with the organisation/Brent Council. This would form part of a signed funding agreement to be regularly monitored. If the outcomes were not in line with Brent Council priorities and not agreed, the funding offer may be withdrawn.

11. **Asset Management Strategy**

The Lead Member for Housing and Welfare Reform, Councillor Southwood, introduced the report seeking approval for the Housing Integrated Management Strategy 2020-2025. The strategy set out the core commitments and vision for responsive repairs, stock investment, reform and improvement along with performance following a period of consultation with residents. The strategy addressed the need to have a plan for housing improvements and repairs that was both viable and ambitious.

Cabinet noted the emphasis within the strategy on fire safety and in tackling the climate emergency and fuel poverty through energy efficient stock, closely aligning to the council's priorities. At the same time, however, it was recognised that these ambitions needed to be seen in the context of the challenging financial environment in relation to the impact of the pandemic on the Housing Revenue Account.

Members praised the extent of engagement with residents in developing the strategy and the provision of a clear way forward that also reflected the importance of ensuring a high quality housing stock as well financial pressures currently facing the Council.

RESOLVED that Cabinet:

- (1) note the consultation feedback summary attached in Appendix 2 of the report.
- (2) approve the Asset Management Strategy, as detailed within in Appendix 1 of the report.

12. **NAIL Programme Update & Funding**

The Lead Member for Adult Social Care, Councillor Farah, introduced the report seeking approval to a capital investment of £1.5 million for the refurbishment of five existing properties as part of the New Accommodation for Independent Living (NAIL) programme. Cabinet heard that the work would provide high quality accommodation for vulnerable people and support them to lead independent lives, as a viable alternative option to residential care.

RESOLVED that Cabinet:

- (1) approve the capital investment of £1.5m for the refurbishment of 5 existing properties for use as NAIL schemes, and to carry out additional work on existing NAIL properties.
- (2) delegate authority to refurbish 5 properties for the NAIL programme to the Strategic Director Community Wellbeing in consultation with the Lead Member for Adult Social Care.
- (3) approve the Strategic Director Community Wellbeing transferring land at 2 Cranhurst Road, Willesden London NW2 4LN valued at £963,000.00 (Nine Hundred Sixty Three Thousand Pounds) in 2018 from the Housing Revenue

Account to the General Fund (subject to consent from the Secretary of State under section 19 of the Housing Act 1985 being obtained).

- (4) approve the transfer of land at 8 Fairlight Avenue Harlesden NW10 8AN valued at £1,100,000 (One Million, One Hundred Thousand Pounds) in 2017 back from the General Fund to the Housing Revenue Account.

13. **Authority to enter into a contract with Capital Letters**

The Lead Member for Housing and Welfare Reform, Councillor Southwood, introduced the report which was seeking approval to enter into a contract with Capital Letters (London) Limited for the provision of accommodation for homeless households. Cabinet noted that the Council had been working with Capital Letters since October 2019, with the relationship being successful in increasing access to housing in Brent and ensuring residents had first choice of properties. The contract did not stand alone but formed part of a wider programme of measures to tackle the shortage of affordable social housing in the borough, including the Council's housing partnerships with i4b and First Wave Housing Ltd.

Members' attention was drawn to the performance of Capital Letters since Brent had joined, which had included a total of 374 properties being made available to Brent residents as well as the associated financial benefits arising from the subsidy arrangements. In addition, further assurance was provided in relation to the oversight and governance arrangements at both Lead Member and officer level, as detailed in section 4.17 of the report.

Cabinet supported the proposal to formalise the partnership, commending the positive impact on availability of social housing through boroughs working collaboratively and avoiding competing for the same properties.

RESOLVED that Cabinet:

- (1) approve the Council entering into a contract with Capital Letters (London) Limited for the procurement of private rented accommodation for the prevention and relief of homelessness at an average cost of £2,500 per property sourced by the company.

14. **National Non-Domestic Rates – Applications for Discretionary Rate Relief**

The Lead Member for Resources and the Deputy Leader of the Council, Councillor McLennan introduced the report, which detailed new applications received for discretionary National Non-Domestic Rate (NNDR) relief since Cabinet last considered applications in May 2020. Cabinet's attention was drawn to the criteria to be considered in dealing with applications for NNDR relief from charities and on-profit making organisations, as detailed in Appendix 1 of the report. In concluding her introduction Councillor McLennan thanked officers involved in the support of businesses throughout the pandemic with members recognising the valued service provided by both applicant organisations to the community within Brent

RESOLVED that Cabinet:

- (1) approve the applications for discretionary rate relief in respect of National Non-Domestic Rate liability as set out and detailed in Appendix 2 of the report.
- (2) approve the policy amendment removing the end date of 31 March 2020 and that the review commence in October 2021.

15. Authority to award a contract for refurbishment works at Stonebridge Annexe

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report which sought approval to award a contract for the refurbishment works at Stonebridge Annexe, subject to the satisfactory completion of the Judicial Review period..

In considering the recommendations Cabinet noted the information provided in the exempt appendix accompanying the report along with the importance of the overall redevelopment proposals relating to Morland Gardens

RESOLVED that Cabinet:

- (1) approve the award of a contract for the refurbishment works at Stonebridge Annexe to Engie Regeneration UK & Ireland for £1,197,038.48, subject to the satisfactory completion of the Judicial Review of the planning permission decision process in respect of the Morland Gardens re-development.
- (2) note the update on the Morland Gardens redevelopment as detailed within paragraphs 3.12 – 3.14 of the report.

16. Brent Annual Infrastructure Funding Statement

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report which set out the annual Infrastructure Funding Statement, the Council was required to publish under the Community Infrastructure Levy (CIL) Regulations introduced in 2019. The statement outlined the performance on Brent's CIL and Section 106 planning obligations in relation to the previous financial year as well as an indication of future spending priorities on infrastructure in line with the Draft Local Plan and associated Infrastructure Delivery Plan. It was noted that Cabinet had recently approved a governance structure for the allocation of CIL which ensured the process was transparent, fair and reflected the Council's priorities.

In supporting the proposals, Cabinet were keen to highlight the positive outcomes of regeneration including the wider benefit to local communities.

Cabinet also noted the amendment that had been made to Table 8, Appendix 2 since the initial publication of the report.

RESOLVED that Cabinet:

- (1) note the content of the report and Appendix 1 - Brent Infrastructure Funding Statement 2019/20.

- (2) approve the Infrastructure Funding Statement set out in Appendix 1 of the report for publication on the Council's website by 31 December 2020.

17. **Commercial Property Rent**

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report which sought approval to formalise the application process for commercial property rent deferrals. Cabinet noted that the impact of the coronavirus pandemic had highlighted the need to formalise the process, whilst still dealing with applications on a case by case basis and in a consistent and transparent way, helping the Council to act as a responsible landlord in supporting its commercial tenants.

In considering the recommendations of the report Cabinet noted the information presented in the exempt appendices

RESOLVED that Cabinet:

- (1) formalise the application process for full or partial rent deferrals or rent negotiation through an online form. The online form would ensure that tenants provide the necessary evidence to support their application and allow the Council to verify the claim and assess the liquidity and solvency of the business i.e. identify those tenants who were experiencing cash flow issues now but who would likely be in a better position to meet their rental costs in the future. The government was clear that where businesses could pay their rent, they should do so.
- (2) authorise a Panel consisting of officers from Property, Finance and Debt Collection departments to review each case and make recommendations to the Finance Director and the Strategic Director of Regeneration and Environment in accordance with the broad criteria below:
 - Temporary illiquidity of the tenant is a direct consequence of the pandemic;
 - The business is considered to be a micro business or SME;
 - The premises has been closed due to the pandemic, it cannot trade or has suffered a significant reduction in trade;
 - Evidence of illiquidity in the form of cash flow statement, statement of means or financial accounts;
 - Where the tenant is letting multiple premises from various landlords, the Council acts consistently with those other landlords;
 - There is a good prospect of the tenant's business recovering.
- (3) delegate authority to the Finance Director, in consultation with the Strategic Director of Regeneration and Environment, to make full or partial rent deferral and rent negotiation decisions (in exceptional cases this may include lease re-gearing) on commercial tenancies to effect the most appropriate commercial property solution on a case-by-case basis.
- (4) Where businesses have arrears and do not engage in the process for applications for rent deferrals, or do not conform to the agreement made as part of that process, that the Council use the full legal powers to recover rent

now and in the future. This would include:

- i. Use of commercial rent arrears recovery, where allowed by statute (for example, where Brent is owed 276 days or more of unpaid rent);
- ii. Adding interest where tenants have not agreed rent deferrals with the Council (this is generally a standard lease provision);
- iii. Threat of forfeiture of the lease once the moratorium on forfeiture of commercial leases for non-payment of rent is lifted.

- (5) agree that the above measures provide an incentive for tenants to either pay their rent or formally agree an arrangement with the Council.

18. Exclusion of Press and Public

There were no items that required the exclusion of the press or public.


19. Any other urgent business

None.

The meeting ended at 11.08 am

COUNCILLOR MUHAMMED BUTT
Chair

This page is intentionally left blank

	Cabinet 12 th January 2020
	Report from the Director of Finance
Treasury Management Mid-Year Report 2020-21	

Wards Affected:	All
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt:	Open
No. of Appendices:	One: Appendix 1: Treasury Management Indicators
Background Papers:	None
Contact Officer(s):	Amanda Healy Senior Finance Analyst Email: Amanda.healy@brent.gov.uk Tel: 020 8937 5912

1.0 Purpose of the Report

- 1.1 This report updates Members on treasury activities for the first half of the financial year 2020-21.

2.0 Recommendation(s)

- 2.1 Cabinet is asked to note the 2020-21 Mid-Year Treasury report and ask that it be forwarded to Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code).

3.0 Detail

Background

- 3.1 The Council's Treasury Management Strategy is underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.
- 3.2 The Code also recommends that Members be informed of Treasury Management activities at least twice a year. This update report therefore

ensures the Council is embracing best practice in accordance with CIPFA's recommendations.

- 3.3 Treasury Management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."
- 3.4 In addition to reporting on risk management, the Code requires the Council to report on any financial instruments entered into to manage treasury risks.

Economic Background

- 3.5 The spread of the coronavirus pandemic dominated during the period as countries around the world tried to manage the delicate balancing act of containing transmission of the virus while easing lockdown measures and getting their populations and economies working again. At the end of the period, an agreement between the UK and EU on a trade deal was looking difficult and the government came under fire, both at home and abroad, as it tried to pass the Internal Market Bill which could override the agreed Brexit deal, potentially breaking international law.
- 3.6 The Bank of England (BoE) maintained Bank Rate at 0.1% and its Quantitative Easing programme at £745 billion. The potential use of negative interest rates was not ruled in or out by BoE policymakers, but then a comment in the September Monetary Policy Committee meeting minutes that the central bank was having a harder look at its potential impact than was previously suggested took financial markets by surprise.
- 3.7 Government initiatives continued to support the economy, with the furlough (Coronavirus Job Retention) scheme keeping almost 10 million workers in jobs, grants and loans to businesses and 100 million discounted meals being claimed during the 'Eat Out to Help Out' (EOHO) offer.
- 3.8 GDP growth contracted by a massive 19.8% (revised from first estimate - 20.4%) in Q2 2020 (Apr-Jun) according to the Office for National Statistics, pushing the annual growth rate down to -21.5% (first estimate -21.7%). Construction output fell by 35% over the quarter, services output by almost 20% and production by 16%. Recent monthly estimates of GDP have shown growth recovering, with the latest rise of almost 7% in July, but even with the two previous monthly gains, this still only makes up half of the lost output.
- 3.9 The headline rate of UK Consumer Price Inflation (CPI) fell to 0.2% year/year in August, further below the Bank of England's 2% target, with the largest downward contribution coming from restaurants and hotels influenced by the EOHO scheme.
- 3.10 In the three months to July, labour market data showed the unemployment rate increased from 3.9% to 4.1% while wages fell 1% for total pay in nominal terms (0.2% regular pay) and was down 1.8% in real terms (-0.7% regular pay). Despite only a modest rise in unemployment over the period, the rate was

expected to pick up sharply over the coming months with the planned ending of the job retention scheme in October however this has been mitigated by its extension. On the back of this, the BoE has forecast unemployment could hit a peak of between 8% and 9%.

- 3.11 The Federal Reserve maintained the Fed Funds rate at between 0% and 0.25% but announced a change to its inflation-targeting regime. The European Central Bank maintained its base rate at 0% and deposit rate at -0.5%.
- 3.12 Ultra-low interest rates and the flight to quality continued, keeping gilts yields low but volatile over the period with the yield on some short-dated UK government bonds remaining negative. The economic outlook will continue to depend significantly on the road to recovery out of the pandemic and the impact of a second wave and a potential vaccine.
- 3.13 The movement in standard rates at which local authorities can borrow from the Public Works Loans Board (PWLB) on maturity loans is shown in the table below including the highest and lowest rates during the period.

PWLB Rates %

Period	Mar-20	Jun-20	Sep-20	Period Low	Period High
1 year	2.14	1.97	1.96	1.90	2.38
5 year	2.20	1.95	1.96	1.88	2.68
10 year	2.42	2.21	2.26	2.10	2.99
30 year	2.80	2.64	2.75	2.42	3.40

Debt Management

- 3.14 On 9th October 2019 the Public Works Loan Board (PWLB) raised the cost of certainty rate borrowing to 1.8% above UK gilt yields making it relatively expensive. Alternative sources of long term funding to long-dated PWLB borrowing are available and the Council successfully executed the debut private placement transaction in March 2020. Strong investor demand enabled the transaction size to be increased to £80m at a rate of 65bps below the equivalent loan obtained through the PWLB.
- 3.15 The Chancellor's March 2020 Budget statement included significant changes to PWLB policy and launched a wide-ranging consultation on the PWLB's future direction. Announcements included a reduction in the margin on new Housing Revenue Account (HRA) loans to 0.80% above equivalent gilt yields, the value of this discount is 1% below the rate at which the Council usually borrows from the PWLB.
- 3.16 The consultation titled "Future Lending Terms" allows stakeholders to contribute to developing a system whereby PWLB loans can be made available at improved margins to support qualifying projects. It contains proposals to allow authorities that are not involved in "debt for yield" activity to borrow at lower rates as well as stopping local authorities using PWLB loans to buy commercial assets primarily for yield. The consultation also raises the possibility

of slowing, or stopping, individual authorities from borrowing large sums in specific circumstances. The consultation closed on 31st July 2020 with the announcement and implementation of the revised lending terms expected in the latter part of this calendar year or early next year.

- 3.17 The Municipal Bonds Agency (MBA) revised its standard loan terms and framework agreement. Guarantees for the debt of other borrowers are now proportional and limited and a requirement to make contribution loans in the event of a default by a borrower has been introduced. The agency has issued 5-year floating rate and 40-year fixed rate bonds in 2020, in both instances Lancashire County Council is the sole borrower and guarantor.

As can be seen in the table below no new long term loans have been raised so far this year:

	Balance on 01/04/2020 £m	Debt repaid £m	New Borrowing £m	Balance on 30/09/2020 £m
Short Term Borrowing	133.0	118.0	30.0	45.0
Long Term Borrowing	465.8	2.2	0.0	463.7
TOTAL BORROWING	598.8	120.2	30.0	508.7
Average Rate of Borrowing %	3.6%	1.0%	0.3%	4.0%*

** £16m of the PWLB loans are referred to as Equal Instalments of Principal (EIP), whereby the Council pays down the loans in half-yearly equal installments over the lifetime of the loan. The marginal increase in the average interest rate can be attributed to the Council paying back its EIP loans and short-term borrowing. This is because the EIP loans have a much lower average interest rate of 2.62% and the short-term borrowing had an average interest rate of 0.93% compared with the rest of the debt, which is 5.04%.*

- 3.18 The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective.
- 3.19 In keeping with these objectives, new external borrowing was kept to a minimum of £30m to meet cash flow requirements. This strategy enabled the Council to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk. With short-term interest rates remaining much lower than long-term rates and temporary investments earning Bank Rate or lower, the Council considered it more cost effective in the near term to use internal resources and borrowing short-term loans to manage cash flow.
- 3.20 The Council has an increasing Capital Financing Requirement due to the elements of the capital programme funded by borrowing. An estimated borrowing requirement is determined by the liability benchmark, which takes into account the Council's usable reserves, planned capital expenditure and minimum revenue provision. This has shown that further borrowing will be required during 2020/21.

- 3.21 PWLB funding margins have fluctuated quite substantially and there remains a strong argument for diversifying funding sources, particularly if rates can be achieved on alternatives which are below gilt yields plus 0.80%, i.e. the PWLB HRA borrowing rate. The Council will evaluate and pursue these lower cost solutions and opportunities as they arise and will look to take advantage of the low borrowing rates for the HRA to provide certainty for its business plan.
- 3.22 The persistence of low interest rates (see para 3.13) means that it would be uneconomic to reschedule PWLB debt, because early retirement of the loan would incur a heavy penalty, to compensate the PWLB for having to lend the money on at lower rates. The cost of re-financing our loans under the Government's approach means is not economical however, this analysis might change if interest rates returned to historically normal levels.
- 3.23 The Council continues to hold £70.5m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the quarter.

Investment Activity

- 3.24 The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year, the Council's investment balances ranged between £182.4m and £19.5m due to timing differences between income and expenditure. On 1st April 2020, the Council received central government funding to support small and medium businesses during the coronavirus pandemic through grant schemes. £64.4m was temporarily invested in the UK Debt Management Account Deposit Facility. This money had all been disbursed to eligible businesses by the end of September.
- 3.25 Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
- 3.26 The Council's investment position is shown in the table below.

	Balance on 01/04/2020 £m	Investments Repaid £m	Investments Made £m	Balance on 30/09/2020 £m	Average Rate of Return
Debt Management Account Deposit Facility	104.7	3,163.8	3,059.1	0.0	0.1%
Money Market Funds	5.0	250.0	269.1	24.1	0.1%
TOTAL INVESTMENTS	109.7	3,413.8	3,328.2	24.1	0.1%

- 3.27 Throughout the first three months of the pandemic, the Council moved the majority of its investments into highly secure deposits with the UK Debt

Management Account Deposit Facility whilst the impact of financial markets was uncertain. The investments are made for a fixed duration to ensure liquidity. This has led to a high value of investments made and repaid during the first half of the year. The Council also maintained £5m in high quality money market funds to ensure liquidity for urgent payments including procuring Personal Protective Equipment (PPE). As markets stabilised, the Council moved its investment balance back into money market funds.

- 3.28 The return on Money Market Funds net of fees also fell over the six months and for many funds net returns range between 0% and 0.1%. In many instances, the fund management companies have temporarily lowered or waived fees to maintain a positive net return.
- 3.29 On 25th September the overnight, 1- and 2-week deposit rates on Debt Management Account Deposit Facility (DMADF) deposits dropped below zero percent to -0.03%, the rate was 0% for 3-week deposits and 0.01% for longer maturities.
- 3.30 The inter-local authority market has remained above zero throughout the first half of the year but rates have remained extremely low. There is limited availability for investments with local authorities for less than one-month so the Council utilised money market funds to manage these short-term differences between income and expenditure.
- 3.31 There was a £85.6m downward movement in short-term investments as short-term borrowing matured throughout the first half of the year. Investment balances are expected to remain low over the next 6 months as the Council's internal resources have been utilised and new borrowing is required. The Council is reviewing its borrowing options which may include short-term loans, PWLB borrowing and forward borrowing.
- 3.32 Security of capital has been maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2020/21. In accordance with the policy, new investments can be made with the following classes of institutions:
- A- or above rated banks;
 - AAA rated Money Market Funds;
 - Other Local Authorities;
 - Housing Associations;
 - UK Debt Management Office;
 - Corporate Bonds
 - Collective Investment Schemes (Pooled Funds)
 - Real Estate Investment Trusts

A short summary of the investment products available to the Council along with an indication of relative risk is provided below:

- 3.33 The table below shows the different assets classes available to the Council for its investment portfolio together with the major driver of the return and a summary of the key risks for each asset class.

Asset Classes (approx. return)	Cash (0.7%)	Bonds (2.5%)	Equities (4.1%)	Property (4.8%)
Income driven by	Short term interest rates	Medium term interest rates	Dividends / share prices	Rental income / vacancies
Key Risk(s)	Bank defaults	Company defaults	Company performance and perception of future performance	Property prices, least liquid asset class

- 3.34 Detailed consideration of the other asset classes would need to be undertaken by the Council prior to investment in conjunction with its treasury advisors. However, it is fair to say that that Equities and Property classes tend to be considered over a longer time frame, which may not be suitable for the Council given its significant capital spending plans.

Risks

- 3.35 Regardless of the approach taken, the Council will be required to manage significant risks in relation to its treasury investment portfolio. Some key risks are: -

- Liquidity risk – the risk that the Council has funds tied up in long-term investments when it needs to use that money. Increasing the duration of fixed cash deposits increases liquidity risk, however this can be mitigated through good cash flow management.

Mitigation – see Prudential Indicator 2 – Appendix 1

- Credit risk - the risk that a bank or other institution will not be able to pay back the money invested with it. For longer term investments, the Council is more exposed to credit risk. Should a counterparty's credit worthiness change, the Council may not be able to get all their money back or may face heavy penalties if it can do so.

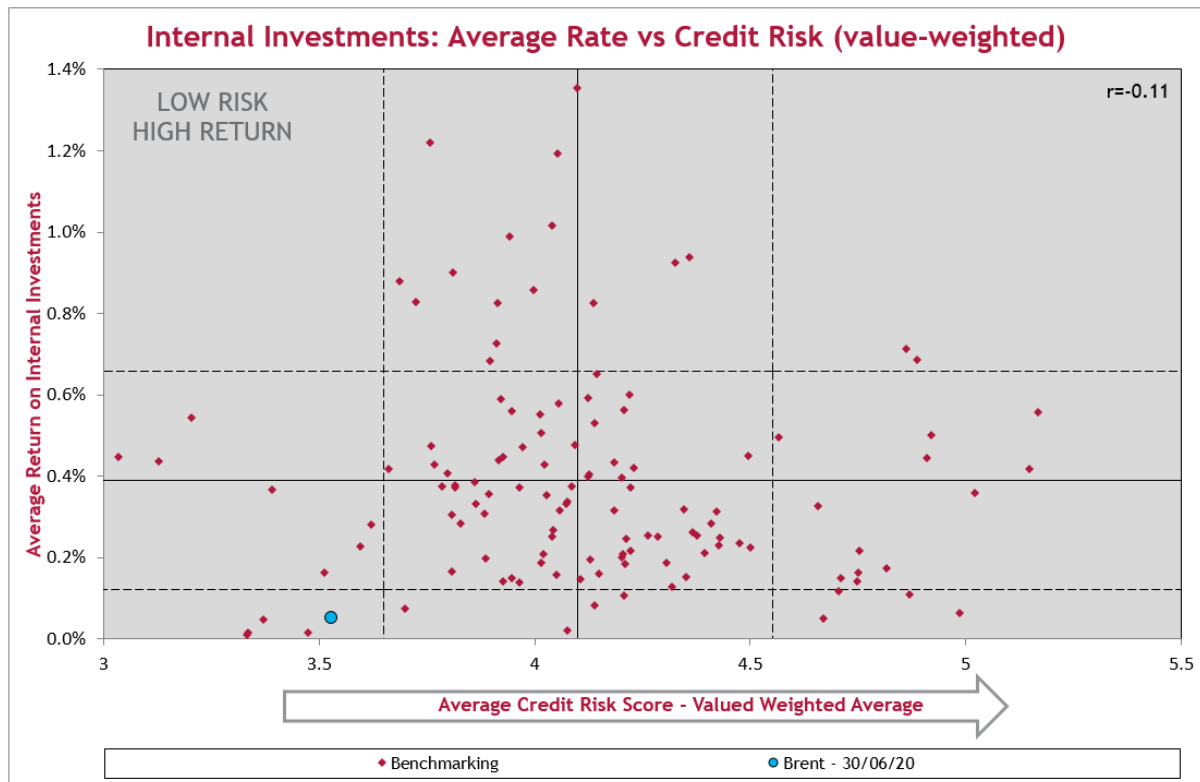
Mitigation – see Prudential Indicator 1 – Appendix 1

- Interest rate risk – the risk of the Council's budget being affected by unforeseen changes in interest rates. Longer term cash deposits increase this risk and will negatively affect the council should interest rates rise. On the other hand, the Council may benefit should interest rates fall.

Mitigation – see prudential Indicator 3 – Appendix 1

Benchmarking to other councils

- 3.36 The graph below shows a comparison between Brent's investment portfolio and that of Arlingclose's (the Council's treasury advisor) other Local Authority clients. Brent's portfolio has a very low risk profile compared with many of the others and has a much shorter dated, which also equates to a lower yield. However, many authorities are to the right of Brent, obtaining similar yields for much higher risk.



Budgeted Income And Outturn

- 3.37 The Council's external interest budget for the year is £23.5m, and for investment income is £7.6m. The average cash balances, representing the Council's reserves and working balances, were £107m during the period to 30 September 2020. The Council expects to receive significantly lower income from its cash and short-dated money market investments than it did in 2019/20 and earlier years due to the low interest rate environment and the immediate cash requirements, which only allow for short-term investments. Dividends and income paid will ultimately depend on many factors including but not limited to the duration of COVID-19 and the extent of its economic impact.

Icelandic Bank Investment Update

- 3.38 A final distribution was made in August 2020 contributing to a total recovery rate of 99% on our initial £10m deposit. Under a cross-party guarantee, the Council has a small claim against LBI ehf as the full amount was not recovered.

However the amount is unlikely to have a significant impact on the recovery rate once concluded.

Compliance

- 3.39 Officers confirm that they have complied with its Treasury Management Indicators for 2020/21, which were set in February 2020 as part of the Council's Treasury Management Strategy Statement (TMSS). Details can be found in Appendix 1.

Summary

- 3.40 In compliance with the requirements of the CIPFA Code of Practice, this report provides Members with a summary report of the treasury management activities during the first half of 2020/21. As indicated in this report, none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

4.0 Financial Implications

- 4.1 These are covered throughout the report.

5.0 Legal Implications

- 5.1 There are no direct legal implications.

6.0 Equality Implications

- 6.1 No direct implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 None.

8.0 Human Resources/Property Implications

- 8.1 No direct implications.

Related documents:

Treasury Management Strategy – Report to Full Council as part of the Budget Report – February 2020.

Report sign off:

Minesh Patel
Director of Finance

This page is intentionally left blank

Appendix 1

Treasury Management Indicators

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

1. Credit risk indicator	Target	Actual
Portfolio average credit rating	A	A+

Liquidity : The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling [three] month period, without additional borrowing.

2. Liquidity risk Indicator	Target	Actual
Total cash available within 3 months	£20.0m	£24.1m

Interest Rate Exposures: This indicator is set to control the Council's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates will be:

3. Interest rate risk indicator	Limit	Actual
Upper limit on one-year revenue impact of a 1% rise in interest rates	£5.0m	£0.5m
Upper limit on one-year revenue impact of a 1% fall in interest rates	£5.0m	£0.5m

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at current rates.

Maturity structure of borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

4. Refinancing rate risk indicator	Upper Limit	Lower Limit	Actual Fixed Rate Borrowing as at 30/09/2020	% Fixed Rate Borrowing as at 30/09/2020	Compliance with Set Limits?
Under 12 months	40%	0%	95	19%	Yes
12 months and within 24 months	40%	0%	2	0%	Yes
24 months and within 5 years	40%	0%	20	4%	Yes
5 years and within 10 years	60%	0%	5	1%	Yes
10 years and within 20 years	75%	0%	31	6%	Yes
20 years and within 30 years	75%	0%	137	27%	Yes
30 years and within 40 years	75%	0%	214	42%	Yes
Over 40 years	75%	0%	5	1%	Yes


Time periods start on the first day of each financial year. LOBOs are classified as maturing on the next call date i.e. the earliest date that the lender can require repayment.

Principal sums invested for periods longer than a year: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments.

The limits on the long-term principal sum invested to final maturities beyond the period end will be:

5. Principal sums invested for periods longer than a year:	Principal invested beyond 20/21 year end	Principal invested beyond 21/22 year end	Principal invested beyond 22/23 year end
Limit	£500m	£500m	£500m
Actual sums invested for longer than a year	£62m*	£62m*	£62m*

**The investment made is the equity element of the investment made in the Council's subsidiary company i4B Holdings Ltd that is also captured within the Council's capital programme.*

 Brent	Cabinet 12 th January 2021
	Report of the Director of Finance
Quarter 3 Financial Report 2020/21	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s):	Minesh Patel, Director of Finance Minesh.patel@brent.gov.uk Tel: 020 8937 4043 Ben Ainsworth, Head of Finance Ben.ainsworth@brent.gov.uk Tel: 020 8937 1731

1. Summary

- 1.1. This report sets out the current forecast of income and expenditure versus the revenue budget for 2020/21 and other key financial data. Total pressures for the year (COVID and non-COVID) amount to £36.9m. This is partially offset by the remaining emergency grant funding tranches 1 - 4 (£25.1m), compensation for lost fees and income totaling (£3.7m) and service COVID-19 underspends (£4.8m) resulting in a net overspend of £8m for the year. The £8m pressure can be attributed to:
 - COVID-19 net pressures (£3.4m),
 - General Fund (£0.6m) and;
 - DSG (£4m).

- 1.2. Approximately £6m out of the £31.3m emergency funding awarded to date was drawn down in 19/20 to fund a bad debt impairment caused by the pandemic outbreak, leaving a balance of £25.1m to be utilised in 20/21.

General Fund / Dedicated Schools Grant / Housing Revenue Account (Excluding COVID-19)

- 1.3. Excluding the impact of COVID-19 the Council is expecting to overspend by £4.6m. £0.6m relates to Children and Young People (CYP) and £4m to the Dedicated Schools Grant (DSG). The Housing Revenue Account (HRA) is forecast to breakeven before the impact of COVID-19 is taken into account.

COVID-19 Related Pressures 2020/21

- 1.4. In addition to the £4.6m noted above, the impact of COVID-19 is predicted to add a further £37.1m of costs and income losses to services in 2020/21 (and £6.2m in 2019/20).

- 1.5. These pressures are shared between the General Fund (£34.2m), DSG (£0.2m) and the HRA (£2.7m). Further details are contained in Table 1 and throughout this report.
- 1.6. The pressures have been partially offset by emergency funding from MHCLG which totals £35.1m to date and compensatory COVID-19 related underspends totaling £4.8m.

COVID-19 Related Pressures 2019/20

- 1.7. In 2019/20 the council impaired £6.2m of debt following the pandemic outbreak. This cost provision has been reported in the council's COVID cost tracker and was funded from the Tranche 1 allocation of £9.3m received on 27th March. Whilst this does not impact in 20/21 it nonetheless counts towards the councils overall position reported periodically to MHCLG. When factoring in this additional cost, overall estimated COVID costs (for 2019/20 and 2020/21) increases from £37.1m to £43.3m.

Table 1	Budget	Forecast Overspend / (Underspend) excluding COVID-19	Additional costs/ loss of income due to COVID-19 and Savings shortfall	COVID-19 Related service underspends	Total Forecast Overspend/ (Underspend)
	£m	£m	£m	£m	£m
Assistant Chief Executive	7.9	0.0	0.9	(0.1)	0.8
Chief Executive Department	16.9	0.0	0.2	(0.3)	(0.1)
Children and Young People	48.2	0.6	4.2	(0.5)	4.3
Community and Well-Being	134.2	0.0	15.6	(2.4)	13.2
Customer & Digital Services	28.5	0.0	4.2	(0.6)	3.6
Regeneration & Environment	40.5	0.0	9.1	(0.9)	8.2
Subtotal Service Area Budgets	276.2	0.6	34.2	(4.8)	30.0
Central items	(276.2)	0.0	0.0	0.0	0.0
Grand-total General Fund Budgets	0.0	0.6	34.2	(4.8)	30.0
DSG Funded Activity	0.0	4.0	0.2	0.0	4.2
Housing Revenue Account (HRA)	0.0	0.0	2.7	0.0	2.7
Position before COVID-19 funding	0.0	4.6	37.1	(4.8)	36.9

Tranche 1 - 4 (see paragraph 1.2) (25.1)

Fees & charges compensation (3.8)

Position after COVID-19 funding **8.0**

- 1.8. These figures are more uncertain than at any similar points in previous years due to uncertainty around the severity of the pandemic during the winter period. This forecast includes updated projections following the announcement of the second national lockdown, but at the time of writing it is unclear what will follow this.

2.0 Recommendation

- 2.1 To note the overall financial position and the actions being taken to manage the issues arising.

3. Revenue Detail

3.1 Assistant Chief Executive (ACE)

Assistant Chief Executive (ACE)	Budget (£m)	Actual Forecast excluding COVID-19 (£m)	Forecast Overspend / (Underspend) excluding COVID-19 (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Chief Executive Office	0.5	0.5	0.0	0.0	0.0	0.0
Communications	0.4	0.4	0.0	0.8	0.0	0.8
Executive and Member Services	3.7	3.7	0.0	0.0	(0.1)	(0.1)
ACE Director	0.4	0.4	0.0	0.0	0.0	0.0
Strategy and Partnership	2.9	2.9	0.0	0.1	0.0	0.1
Total	7.9	7.9	0.0	0.9	(0.1)	0.8

Summary

- 3.1.1. The ACE department is currently forecasting a net overspend of £0.8m for 2020/21 based on current trends and assumptions around COVID-19 implications. This includes a £0.9m financial pressure due to COVID-19, offset by £0.1m COVID-19 related underspends.

Forecast excluding COVID-19

- 3.1.2. The results presented in the table above show a forecast breakeven position (excluding COVID-19) expected at the year end.

Additional costs/loss of income due to COVID-19

- 3.1.3. The department's finances have been significantly impacted by the COVID-19 outbreak and the most significant attributable costs and income losses include:

- Communication - £0.8m loss of income from venue hire at The Drum; film productions not using council sites and parking services; and loss of commercial advertisers on the bridge and banner.
- Strategy & Partnership - £0.1m additional costs from capacity development support to Voluntary Sector Organisations.

- 3.1.4. The impact of COVID-19 was previously estimated at £0.6m in Q2 but this has been revised to £0.9m as COVID-19 restrictions are revised and the impact is further understood. The main change to the financial impact is £0.3m within Communications, caused by further loss of income due to cancellation of events held at The Drum and lower than expected income from film production sites.

COVID-19 Related service underspends

- 3.1.5. The £0.1m COVID-19 related underspend has been identified within the department to contribute to the one-off corporate target. This is predominately as a result of the deferring non-essential procurement, reduced stationery spend across the council and vacant posts being held within the department.

Risks and uncertainties

- 3.1.6. There are a number of risks and uncertainties within the service that may affect the projected outturn and assumptions made. The uncertainties around the income from conferences and events, which is heavily affected by lockdowns, continues to be reviewed as COVID -19 restrictions evolve.

3.2. Chief Executive Department (CE)

Chief Executive Department	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends	Total
Legal, HR and Audit	9.2	9.2	0.0	0.3	(0.2)	0.1
Finance	7.7	7.7	0.0	(0.1)	(0.1)	(0.2)
Total	16.9	16.9	0.0	0.2	(0.3)	(0.1)

Summary

- 3.2.1. The CE department is currently forecasting a net underspend of £0.1m for 2020/21 based on current trends and assumptions around COVID-19 implications. This includes a £0.2m financial pressure due to COVID-19, offset by £0.3 COVID-19 related underspends.

Forecast excluding COVID-19

- 3.2.2. The results presented in the table above show a forecast breakeven position (excluding COVID-19) expected at the year end.

Additional costs/loss of income due to COVID-19

- 3.2.3. The department's finances have been significantly impacted by the COVID-19 outbreak and the largest attributable costs and income losses include:

- Legal, HR and Audit & Investigations- £0.3m consisting of loss of income from services offered to the construction industry and on client debt related matters due to reduced demand. Additional costs expected in providing specialist advice and upgrading of electronic services due to the lockdown of courts. Within HR,

additional costs are expected in providing risk assessments and additional support for specialist counselling in respect of individuals or teams suffering from PTSD.

- Finance - £0.1m reduction in energy costs from council owned buildings.

3.2.4. The impact of COVID-19 remains at £0.2m since the iQ2 forecast

COVID-19 Related service underspends

3.2.5. The £0.3m COVID-19 related underspends have been identified within the department to contribute to the one-off corporate target. This is a result of delayed recruitment to posts where COVID-19 has resulted in a short term reduction in demand, bringing forward savings planned for future years and various other activities related to changes in demand as a consequence of COVID -19 .

Risks and uncertainties

3.2.6. There are a number of risks and uncertainties within the service that may affect the projected outturn and assumptions made. The uncertainties around the income of Legal continues to be reviewed as COVID -19 restrictions evolve.

3.3. Children and Young People (CYP) (General Fund)

CYP Department	Budget (£m)	Forecast (£m)	Forecast Overspend /(Under spend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Central Management	0.7	0.7	0.0	0.0	0.0	0.0
Early Help	4.6	4.6	0.0	1.1	(0.2)	0.9
Inclusion	1.5	1.5	0.0	0.0	(0.1)	(0.1)
Localities	15.4	16.0	0.6	0.4	0.0	1.0
Looked After Children and Permanency	6.3	6.5	0.2	0.1	(0.1)	0.2
Forward Planning, Performance & Partnerships	17.7	17.7	0.0	1.8	0.0	1.8
Safeguarding and Quality Assurance	1.9	1.9	0.0	0.0	0.0	0.0
Setting and School Effectiveness	0.1	(0.1)	(0.2)	0.8	(0.1)	0.5
Total	48.2	48.8	0.6	4.2	(0.5)	4.3

Summary

3.3.1. The department is currently forecasting a net overspend of £4.3m for 2020/21 based on current trends and assumptions around COVID-19 implications. This includes a £0.6m pressure unrelated to COVID-19 and £4.2m financial pressure due to COVID-19. These pressures are offset by £0.5m COVID-19 related underspends.

Forecast excluding COVID-19

3.3.2. The forecast £0.6m projected overspend position (excluding COVID-19), the same as the Qtr. 2's reported position of £0.6m. The forecast overspend consists of:

- £0.6m pressure against the Localities service budget which is a £0.2m reduction from the position reported at Qtr. 2 due to a transfer of unallocated growth held against the central management budget to the service. The overall pressure is mainly due to staffing pressures of £0.4m because of the use of agency staff to cover hard to fill social worker posts at the right levels and £0.2m arising from demand led pressures against the Care at Home and Direct Payment in Children with Disabilities.

There remains ongoing management action to look to reduce the number of agency social workers and fill positions with permanent staff by offering agency social workers the option to move to permanent contracts, a recruitment drive, career progression arrangements and the offer of key worker housing from 2021.

- £0.2m pressure against the Looked after Children and Permanency budget has arisen mainly from the costs of commissioning six adoptive placements with adoption agencies other than Adopt London West (ALW). This is based on a child's best interests, in line with regulatory guidance, that the most suitable adoptive placement should be found for a child, regardless of the type of adoption service provider.

There is currently management action for scrutinising and challenging ALW's performance at board meetings in relation to providing sufficient adopters to meet the needs of the children in the borough. It is expected that more adopters will be approved and numbers of local matches will increase over time.

- (£0.2m) underspend against a non-ring fenced grant within the Setting and School Effectiveness service.

Additional costs/ loss of income due to COVID-19

3.3.3. The forecast includes £4.2m additional costs incurred as a result of the Covid-19 pandemic and these attributable costs and income losses include:

- £1.7m pressures consisting of £0.5m delays in stepdown arrangements from residential placements to foster placements and/or semi-independent placements. £0.3m additional placement costs for care leavers, where the lockdown has caused a delay in bidding for and moving into their own tenancies. £0.3m pressure due to an increase in the number of looked after children cases as a result of the lockdown. £0.4m placement costs as a result of additional costs incurred for placing a child with complex needs moved from hospital due to the lockdown. £0.2m due to an increase in the number of parent and baby assessment placements.
- £0.3m additional payments for short break activities for Children with disabilities; for families with children in need (s17 Children Act 1989) who needed emergency payments for food, utilities or other hardship issues; increased subsistence allowance to care leavers by £20 per week; and providing care leavers with emergency payments at points of crisis e.g. loss of employment since March 2020.

- £0.2m temporary staffing cost pressures to deal with increased capacity needed for caseloads as a result of the pandemic. It is anticipated that this pressure will rise further by the end of Q3 due to increased workload activity for frontline child protection services. There has been a 100% increase in child protection investigations compared to October 2019. This increase in activity will result in more children subject of child protection plans, a projected growth in numbers of looked after children and a rise in caseloads for social workers. The department is closely monitoring these trends to ensure safe practice can be maintained over the medium term and whether additional Covid-19 related resource is required to manage current demand.
- £0.1m cost of keeping children centres open for an additional three months thereby extending existing contracts with the current providers and as a result of the pandemic related delay in the introduction of the Family Wellbeing Centres (FWC).
- £1.0m estimated loss of income in 2020/21 from traded services with schools with the largest losses being the Gordon Brown Centre £0.4m and Brent Music Service £0.3m due to the impact of the lockdown. There is also the loss of £0.1m income from a Council owned Nursery for fee-paying families for whom a childcare place has been discontinued. £0.2m relates to loss of revenue in issuing Education Penalty notices, training income and reduced income from other local authorities utilising the Ade Adepitan Short Break centre in the borough.
- 0.9m pressure arising from slippage in the delivery of 2020/21 savings target. £0.8m is due to the delayed opening of the FWC and £0.1m relates to the developing of a shared fostering service with three other West London Alliance (WLA) boroughs which would result in staffing efficiencies. This is delayed due to an unsuccessful funding bid to the DfE. Alternative funding sources to carry out this work are now being sought with other boroughs.

3.3.4. The Qtr 3 forecast reflects a net £1m increase from the reported Qtr 2 position and the main changes are:

- The removal of the £0.7m potential impact of Transport for London's (TFL) decision to suspend free travel for under 18s as this decision is no longer going ahead. However there is the addition of £1.6m against Looked after Children's placement costs.
- An increase in the estimated loss of income of £0.1m against the Gordon Brown Centre.

COVID-19 Related service underspends

3.3.5. £0.5m COVID-19 related in year underspends have been identified within the department to contribute to the one-off corporate target. These underspends are mainly due to vacant posts identified which can be held vacant for the rest of the financial year; reduced spend against costs of events and conferences; and underspends expected against travel costs and subsistence for staff as a result of fewer face to face visits during the lockdown.

Risks and uncertainties

3.3.6. There are a number of risks and uncertainties within the department that may affect the projected outturn such as:

- The volatility of the placement budgets for Looked after Children and Children with Disabilities as an individual high cost residential or secure placement can cost over £0.3m per annum;
- The forecast assumes a level of Unaccompanied Asylum Seeker Children (UASC) grant income from the Home Office and if there are fewer UASC within the LAC cohort, this will reduce the income expected from the Home Office;
- Caseloads in the Localities and LAC & Permanency service excluding the impact of Covid-19, remain within budgeted levels of circa 2,500 but a significant increase in caseloads will require an increase in the number of social work staff as described in paragraph 3.3.3 above;
- The risk in the Early Help service where a balanced budget is reliant on an increased number of successful claims for the Troubled Families reward payments. Last year, the team successfully achieved 100% of their claims target and the service continues to work towards this.

3.4. Community Well-Being (CWB) (General Fund)

CWB Department	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Housing	8.0	8.0	0.0	5.0	0.0	5.0
Public Health	21.8	21.8	0.0	0.0	0.0	0.0
Culture	5.1	5.1	0.0	1.2	0.0	1.2
Adult Social Care	99.3	99.3	0.0	9.4	(2.4)	7.0
Total	134.2	134.2	0.0	15.6	(2.4)	13.2

Summary

3.4.1. Based on current trends and assumptions around COVID-19 implications, the Community Wellbeing department is forecasting a net overspend of £13.2m for 2020/21. This overspend is fully attributable to COVID-19 and includes a £15.6m financial pressure which is offset by underspends of £2.4m.

Forecast excluding COVID-19

3.4.2. The table above shows an expected break-even position across the department (excluding COVID-19) at year-end.

Additional costs / losses of income due to COVID-19

3.4.3. The department's finances have been significantly impacted by the COVID-19 outbreak and the largest attributable costs and income losses include:

Housing

- £3.0m loss of rental income from Housing Needs tenants. This is based on extrapolating the current drop in rent collection rates (from 95% to 80%) and also takes into account the future impact of a potential prolonged recession increasing the levels of bad debts incurred by the Council further.
- £0.6m additional spend over budget to accommodate the increased demand in temporary accommodation for homeless people through the first lockdown period. The broadening of homelessness criteria has led to an increased number of people being housed, not all of whom were eligible for Housing Benefit. This forecast is net of specific secured government grants and assumed Housing Benefit income. The total cost that would have been incurred by the Council is estimated to be £1.4m, however £0.8m of this relates to expenditure incurred on supporting a cohort with no recourse to public funds (including housing benefits), which will be funded from the homelessness specific government grants received.
- £0.9m potential additional cost for providing temporary accommodation to homeless people through any further lockdowns. Earlier in the year, the Homelessness Duty criteria was relaxed during the first lockdown, leading to a significant increase in the requirement for temporary accommodation. If this was to reoccur to a similar level in Q4, it would result in this additional cost to the Council.
- £0.3m reduction in income from enforcement activities in the Private Housing Services
- £0.2m costs associated with commissioning a homelessness support contract from the charitable sector and additional temporary staffing resource, both of which are necessary to cope with the increased demand

Culture

- £0.6m additional expenditure on operational and mothballing costs for Willesden Sports Centre, Bridge Park and Vale Farm leisure centres
- £0.5m forgone income from leisure services at Bridge Park and Vale Farm
- £0.1m expected loss of libraries income across the full financial year

Adult Social Care

- £3.2m additional cost for procuring Personal Protective Equipment (PPE) and distributing it free of charge to care providers. The Council is better able to source and buy this equipment than many care providers who would struggle given the competitive market. Allocating it out to providers is part of the emergency response, but also prevents further pressure on cost of care as providers may not achieve value for money on their own and would pass on increased costs to the Council. As of the end of October £3m worth of PPE had been bought. The Government announced in September that it would provide PPE at no cost to all care homes for the remainder of this financial year. Therefore, the Council is no longer providing PPE to care homes who are able to source PPE from the Government's PPE portal. However, the Council has a strategic stockpile of PPE available to any providers who are either unable to

source their own PPE, or need additional PPE at short notice which they are unable to source from their regular supply channels.

- For the duration of the Covid-19 pandemic period from March 19th until August 31st Brent CCG commissioned all Residential and Nursing placements. However, from 1st September the Council may need to cover these costs. It is estimated that the CCG have made 56 more Residential and Nursing placements than what the Council would typically make during the same period. Additionally during the pandemic period the placements made by the CCG have typically been 33% more expensive than the usual cost to the council. The Council is still determining with the CCG who is responsible for the cost of these placements. If all of these placements have to be funded by the Council from September onwards this creates a cost pressure of £0.2m per month which equates to £1.4m for this financial year.
- £0.8m of potential additional social care costs arising from increased hospital admissions during the second wave of the Covid-19 pandemic.
- As part of the response to the pandemic the payment rates for all homecare providers was uplifted by 5% to £16 per hour as an interim measure until the Council is able to implement London Living Wage. The above-inflation cost of this measure is £0.4m for this financial year. A further support measure was to pay homecare providers at commissioned levels for homecare packages from April to July, which has an approximate cost of £0.6m. Homecare providers are being paid based on actual delivery of care from August onwards.
- Also in the MTFS, there are some reported risks to savings such as an incomplete saving on Daycare from 2019/20 of £0.3m and a further Daycare saving of £0.3m for this year, but the delivery of these savings is dependent upon how Daycare will be delivered in a post-COVID environment. This is expected to create additional costs of £0.4m in 2020/21; of which £0.3m can be mitigated by additional savings found from COVID-19 related underspends as detailed below.
- The NAIL programme has been delayed because of Covid-19 as it has not been possible to move any clients into NAIL schemes for the duration of the pandemic period. It had previously been agreed that the £2m NAIL savings could be re-profiled from 2020/21 to 2021/22, this creates an overspend of £2m. In addition, due to the delays in moving clients some of these savings may be further delayed.
- There are some other direct costs as a result of COVID-19 such as paying directly for care home agency staff, equipping the Peel Road NAIL scheme as a discharge facility and providing shopping calls for those service users who were self-isolating. These costs total £0.3m. The Council has also procured some agency social workers to help meet additional demands in Safeguarding and Mental Health arising because of Covid-19. These costs total a further £0.3m.

Public Health

- To date, there has been no financial impact on the pre-existing activities of Public Health as a result of the COVID-19 outbreak. A £2m grant has been provided to cover any Test and Trace activities which the Council may be required to provide.

3.4.4. The impact of COVID-19 was previously estimated to be £16.6m in Q2, which has now been re-evaluated as COVID-19 restrictions are revised, government support is being provided and the overall impact is understood further. The main changes to the previously estimated financial impact are:

- £1.8m reduction due to additional government support allocated towards supporting homeless people with no recourse to public funds and revising assumptions around the deliverability of Housing and Public Health savings.
- £0.9m potential additional cost for providing temporary accommodation to homeless people through any further lockdowns.
- £1.2m reduction relating to PPE as the Government announced it would provide PPE at no cost to all care homes for the remainder of the financial year.
- £0.8m potential additional social care costs arising from increased hospital admissions during the second wave of the Covid-19 pandemic.
- £0.3m additional cost from agency social workers in Safeguarding and Mental Health.

COVID-19 Related service underspends

3.4.5. It is expected that Adult Social Care will be able to identify in-year Covid-19 related underspends of £2.4m largely from a reduction in demand from Residential and Nursing placements. Adult Social Care had been set a target of funding £2.1m savings, so the additional saving will be used to offset most of the £0.4m cost of not achieving the Daycare saving.

3.4.6. From March to July there has been a reduction in demand of 64 Residential and Nursing placements because of additional COVID-19 deaths. This equates to an annualised saving of £2m and an in-year saving of £1.5m.

3.4.7. The remainder of the target will be met through the £0.9m funding that the Council is expecting from Brent CCG arising from a pooled budget that has been created between the Council and the CCG to enable the Council to claim back additional costs arising from hospital discharges made during the Covid-19 pandemic.

Risks and uncertainties

3.4.8. There are a number of risks and uncertainties within the service that could affect the assumptions made and the overall forecast outturn. The key risks and uncertainties relate to:

- The time required for the significant fall in rental income collected to reverse. Any improvement to rent collection rates will need to be sustained in order to provide assurance that the upward trend will continue. Further lockdowns or a recession are likely to slow this recovery in collection rates, leading to a greater income shortfall within the Housing service. The current housing forecast assumes that the rent collection rate experienced to date will follow a similar trend for the rest of the year. Collection rates are being closely monitored and there are continuous investigations to better understand the drivers for the movements.

- Any potential future relaxations of the eligibility criteria for accommodation, similar to those which occurred during the first lockdown, are likely to lead to increased costs which may not be covered by Housing Benefit income.
- The impact on leisure centres due to further lockdowns or restrictions on activity. These additional measures could lead to both an impact on income during further closures and a potential increase in costs to support the Council's leisure centre partners where necessary. The Council continues to work closely with its leisure centres in order to minimise their costs and to maximise the opportunities so that the centres can re-open safely and promptly when permitted.
- £0.9m of the Covid-19 related underspend is dependent upon Brent Council agreeing a pooled budget with Brent CCG for Covid-19 hospital discharges. However, until this pooled budget is formally signed off, the Council cannot invoice Brent CCG for these additional costs.

3.5. Customer & Digital Services (CDS)

Operational Directorate	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Customer And Digital Services Director	0.7	0.7	0.0	0.6	(0.0)	0.6
Customer Services	16.6	16.6	0.0	2.5	(0.3)	2.2
Shared ICT Service	0.0	0.0	0.0	0.3	0.0	0.3
ICT Client And Applications Support	6.3	6.3	0.0	0.1	(0.2)	(0.1)
Procurement	1.3	1.3		0.6	0.0	0.6
Transformation	3.6	3.6	0.0	0.1	(0.1)	0.0
Total	28.5	28.5	0.0	4.2	(0.6)	3.6

Summary

3.5.1. The CDS department is currently forecasting a net overspend of £3.6m for 2020/21 based on current trends and assumptions around COVID-19 implications. This includes a £4.2m financial pressure due to COVID-19, offset by £0.6m COVID-19 related underspends.

Forecast excluding COVID-19

3.5.2. The results presented in the table above show a forecast breakeven position (excluding COVID-19) expected at the year end.

Additional costs/loss of income due to COVID-19

3.5.3. The department's finances have been significantly impacted by the COVID-19 outbreak and the largest attributable costs and income losses include:

- £0.6m attributable to the purchasing of food and other supplies for residents being shielded.
- Customer Access - £2.5m mainly due to increased discretionary housing payments (£1.2m), additional staff costs (£0.7m), admin delays in benefit

processing and benefit overpayments (£0.3m) and reduced income from Registration and Nationality (£0.2m).

- SICTS (Digital Services) - £0.3m attributable to additional equipment, additional Mobile data costs and software licenses.
- ICT Client and Applications Support – £0.1m due to the loss of income from IT support services.
- Procurement – £0.6 related to cost of undertaking the purchasing of PPE on behalf of the council for council staff.
- Transformation - £0.1m for Dynamics online form and power BI dashboard development.

3.5.4. The impact of COVID-19 was previously estimated at £3.9m in Q2 but this has been revised to £4.2m, as COVID-19 restrictions are revised and the impact is further understood. The main change to the financial impact is:

- Customer Access –£0.4m increase in staffing costs, £0.1m Discretionary Housing payments to support tenancy arrears and a revised reduction of £0.3m in housing benefit administration cost.

COVID-19 Related service underspends

3.5.5. The £0.6m COVID-19 related underspend has been identified within the department to contribute to the one-off corporate target. This has been achieved through delayed recruitment to posts, holding posts vacant, reduced use of Zip cars, reduced use of resilience contracts and various other activities related to changes in demand as a consequence of COVID-19.

Risks and uncertainties

3.5.6. There are a number of risks and uncertainties within the service that may affect the projected outturn and assumptions made. The uncertainties around the income from the Registration and Nationality department continues to be reviewed as COVID -19 restrictions evolve.

3.6. Regeneration & Environment (R&E)

R&E	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Environmental Services	31.8	31.8	0.0	6.4	0.0	6.4
Regeneration Services	0.1	(0.1)	(0.2)	0.6	0.0	0.4
Property Services	6.0	6.4	0.4	0.4	0.0	0.8
R&E Directorate	2.6	2.4	(0.2)	1.7	(0.9)	0.6
Total	40.5	40.5	0.0	9.1	(0.9)	8.2

Summary

3.6.1. The department is currently forecasting a net overspend of £8.2m for 2020/21 based on current trends and assumptions around COVID-19 implications. This includes a £9.1m financial pressure due to COVID-19, offset by £0.9m underspends.

Forecast excluding COVID-19

3.6.2. The forecast breakeven position (excluding COVID-19) consists of:

- £0.4m overspend within Property & Assets due to higher than expected business rates relating to the Civic Centre (£0.2m), additional staffing costs and an unbudgeted water bill;
- £0.2m underspend in Planning & Development Services due to vacancies within Transportation and higher than forecast pre-app income; and
- £0.2m underspend from the R&E directorate due to small efficiencies across the directorate and releasing money set aside for the projects that are not expected to materialize.

Additional costs/ loss of income due to COVID-19

3.6.3. The department's finances have been significantly impacted by the COVID-19 outbreak. The largest attributable costs and income losses include:

- £3.2m estimated reduction in income for parking due to reduced motoring activity during 2020/21
- £1.3m pressure in Public Realm for acceptance of liability for increased residual tonnage, agreement to pay Veolia agency staffing costs and loss of income from garden waste and bulky waste
- £1.2m relating to costs incurred on overflow mortuary at Marsh Road and additional pan London Mortuary costs
- £1.0m reduction in Highways & Infrastructure fees and charges.

3.6.4. The financial impact of COVID-19 was previously estimated at £10.5m in Q2. Since then it is no longer estimated that there will be additional costs relating to COVID-19 for SEN transport. The impact if social distancing was required on school transport was estimated as £1.6m for 2020/21.

COVID-19 Related service underspends

3.6.5. The £0.9m COVID-19 related underspend has been identified within the department to contribute to the one-off corporate target. This is a result of efficiency savings imposed across the Directorate based on recent outturn figures and subject to a strict budget monitoring regime.

Risks and uncertainties

3.6.6. There are a number of risks and uncertainties within the service that may affect the projected outturn and assumptions made. The uncertainties around SEN transport and Parking have been mentioned above. These continue to be analyzed as Covid-19 restrictions evolve. These uncertainties are exacerbated by the November lockdown. Commercial rental income is likely to suffer as tenants may be unable to pay rent and the introduction of legislation that prevents the Council taking possessions for non-payment is also a factor. The longer-term impact on income anticipated from planning

applications and building control applications is also uncertain due to slow progress on current major projects and a potential reduction in the number of new major projects received.

3.7. Central items - Collection Fund

- 3.7.1. The budgeted net collectible amount for Council Tax (after exemptions, discounts and Council Tax support) is £160.5m. The actual net collectible amount as at October 2020 has reduced to £159.9m, a reduction of £0.6m since May 2020. It is expected that this figure may decrease further during the year if new properties are not completed as expected and additional Council Tax Support granted to residents increases substantially, due to COVID-19, producing a small cumulative council tax deficit on the collection fund of £0.3m. This is the position before accounting estimates are taking into account such as impairment for doubtful debt. However, if this were to transpire, under the new regulations this would be paid off over three years rather than one year under the previous regulations. This is being closely monitored to assess the overall impact over the timeframe of the medium term financial plan. As at the end of October 2020 the amount collected was 61.3%, 3% lower than the revised in-year target. The amount collected in the same period last year was 67.6%.
- 3.7.2. The budgeted net collectible amounts for Business Rates (after exemptions, reliefs and discounts) is £130.5m. The actual net collectible amount as at November 2020 is £76.3m, a decrease of £4.0m since August 2020. This reduction is a direct result of additional reliefs granted to businesses, due to COVID-19, where the council will receive a grant to compensate for the loss of income. The reduction to the overall rateable value will initially leave the collection fund in deficit of around £66m, a timing difference to reflect the difference between the amount of business rates estimated and actually collected. As at the end of October 2020 the amount collected was 49.5%, significantly lower than the amount collected in the same period last year, at 65.19%. This is primarily due to payment deferrals that have been granted to support businesses through the impact of COVID-19. The in-year collection rate for 2020/21 is forecast to be between 80-90% of amounts due by the end of the year, increasing the levels of debt outstanding that will be pursued over time.
- 3.7.3. Movements between the budget and actual collectable amounts affect the overall level of balances held on the Collection Fund at year-end after deducting charges. The income due to the General Fund from the Collection Fund is forecast to exceed the budget by around £20m due to a timing difference between the additional COVID-19 reliefs that it will receive directly from central government (to compensate for NDR discounts) on top of the precept demand (agreed at the beginning of the year). The surplus will be transferred to a reserve at year-end to repay the collection fund, which together with contributions from other preceptors and a new irrecoverable lost income compensation scheme announced by the government, will bring it back into balance over three years, in line with the revised national accounting rules governing the collection fund.

3.8. Central items - Capital financing and other central items

- 3.8.1. It is expected that people and organisations who owe the council money will be slower to pay these debts. In some cases council initiatives, such as payment deferrals and reduced recovery actions, will have a direct impact on debt collection and ultimately fewer debts will be repaid in full. Some of the council's debt has already been impaired to recognise this, but these costs are uncertain and could increase. As a result of the postponement of normal debt recovery action, it is too early to be able to monitor and analyse accordingly as recovery action resumes.

3.8.2. The capital financing budget for 2020/21 is £23.4m and is currently forecast to spend to budget, as set out below.

	£m
Interest Payable	23.5
Interest Receivable	(7.6)
Capital Financing and Minimum Revenue Provision	7.5
Total	23.4

3.9. Dedicated Schools Grant

Funding Blocks	DSG Funding (£m)	Forecast excluding Covid-19 related pressures (£m)	Over/ (Under) spend (£m)	Additional costs/ loss of income due to Covid-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Schools Block	233.8	233.8	0.0	0.0	0.0	0.0
High Needs Block	62.2	66.2	4.0	0.2	0.0	4.2
Early Years Block	22.9	22.9	0.0	0.0	0.0	0.0
Central Block	2.2	2.2	0.0	0.0	0.0	0.0
Total DSG	321.1	325.1	4.0	0.2	0.0	4.2

Summary

3.9.1. The DSG is forecast to overspend by £4.2m against grant funding for 2020/21 based on current trends and includes a £0.2m forecast pressure due to COVID-19 implications.

3.9.2. This will lead to an increase in the DSG deficit from £4.9m to £9.1m by the end of the financial year.

Forecast excluding COVID-19

3.9.3. The £4m pressure has mainly arisen against the High Needs block because of growth in Education Health Care plan (EHCP) numbers which has resulted in forecasted overspends in top-up funding predominantly in out of borough special schools, mainstream schools, independent residential schools and post-16 placements. The growth in EHCPs is a London and national trend whereby the number of children assessed as meeting the threshold for support continues to increase, but High Needs funding has not increased in line with the exponential growth in overall pupil numbers creating financial pressures. There has been a 19% increase in the number of EHCPs, which have risen from 2173 at the end of the financial year 2019/20 to 2680 as at the end of September 2020 and numbers are still rising. The forecast position is due to the following pressures:

- £1.7m forecast pressures against independent, out of borough special schools and top up funding due to increased numbers;

- £1.3m forecast pressure due to growth in the numbers of young people remaining in education in post-16 who have EHCPs and who may have to be supported from the High Needs block until the age of twenty-five;
- £0.6m DSG income reduction and the most significant variance is on the High Needs Block, where a £0.9m recoupment import-export adjustment has been made which accounts for school place funding for Brent pupils in other local authority areas. This is offset by some underspends on forecast Early Years Block income, where income has been increased by £0.1 million relating to a prior year adjustment, and the 2020/21 allocation has been increased by £0.2 million following confirmation of the January 2019 Early Years census.
- £0.4m forecast pressures against SEN support services which include the Speech and Language Therapy service due to spot purchases to accommodate needs of children over and above the budgeted contract value, the Education Psychology services and transport costs are the knock on effects of the increased demand;

3.9.4. The DfE requires Local Authorities to have a management plan agreed by the Schools Forum in place to recover the deficit over a number of years. To recover the deficit, options being reviewed by the task group set up by the Strategic Director of CYP include;

- Looking to establish more SEND provision in the borough as part of the School Place Planning Strategy Refresh including developing new Additionally Resourced Provisions (ARPs);
- Ensuring there is full cost recovery from other local authorities that place pupils in Brent special schools including administration and other specific costs;
- Review of the DSG funded SEN support services currently underway;
- Continued central government lobbying.

Additional costs/ loss of income due to COVID-19

3.9.5. There is an estimated cost against the high needs block of £0.2m incurred to support the vulnerable children and young people during the COVID-19 pandemic lockdown and support post lockdown to fund additional tuition, therapy and specialist equipment costs.

3.10. HRA

HRA	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
HRA	0.0	0.0	0.0	2.7	0.0	2.7

Summary

3.10.1. The budgets for the Housing Management function are contained within the ring-fenced Housing Revenue Account (HRA), which has a balanced budget set for 2020/21.

- 3.10.2. The total budgetary pressure is forecast to be £2.7m and is fully attributable to the effects of the ongoing pandemic. Excluding the financial pressures arising as a result of COVID-19, the HRA is expected to break-even.
- 3.10.3. The HRA operating reserve currently stands at £1.4m and the identified pressures will continue to be closely monitored. Mitigating actions to avoid the HRA going into deficit, such as re-scheduling major works and new build capital investments are being considered. In addition, the COVID-19 support grant received from the government is not ring-fenced against the General Fund and could be used to relieve pressures within the HRA if required.

Forecast excluding COVID-19

- 3.10.4. The forecast break-even position (excluding COVID-19) is the net result of a £0.7m overspend being mitigated through a £0.4m underspend and utilising a £0.3m provision. The individual variances consist of:

- £0.4m overspend arising from settling a backlog of disrepair cases
- £0.1m additional spend over budget to increase borough wide waste bin capacity in response to tenant complaints
- £0.1m additional spend over budget for the implementation of estate parking enforcements on 5 pilot sites
- £0.1m reduction on service charge billing to leaseholders, reflecting reduced volume of responsive communal repairs
- (£0.3m) underspend on external works and communal responsive repairs
- (£0.1m) underspend against staffing budgets due to vacancies
- (£0.3m) anticipated utilisation of disrepairs provision

Additional costs/ losses of income due to COVID-19

- 3.10.5. The HRA finances have been significantly impacted by the COVID-19 outbreak and the recognised and forecast pressures include:
- £2m forecast increase in rent arrears based on extrapolating the decline in rent collection rates experienced to date to forecast the impact for a full year, and accounting for the potential future impact of a second wave of COVID-19 and a possible recession
 - £0.4m (10%) forecast under-recovery of service charges, which is in line with the Bank of England forecasts on consumer credit and debt recovery
 - £0.2m loss of rental income due to delays to new build completions arising from stoppages on site during the first lockdown resulting in delays in letting new properties out to tenants
 - £0.1m additional costs incurred on employing additional temporary staffing resource in estate caretaking services to provide cover for colleagues staying in isolation

3.10.6. The estimated impact of COVID-19 was previously estimated to be £2.9m in Q2, which has now been revised down by £0.2m. The revised impact of delays to new build schemes and slippages on rental income resulted in a £0.1m reduction to the previous forecast. The cost of PPE for estate caretaking services in now accounted for centrally and amounts to £0.1m.

Risks and uncertainties

3.10.7. There are a number of risks and uncertainties within the HRA that could affect the projected outturn and assumptions made. The impact on rental income collection rates and the subsequent increase in arrears due to the ongoing pandemic is uncertain. Scenario analysis has been undertaken in order to evaluate a range of potential options and explore the extent of possible mitigating actions required.

3.10.8. Any further reduction of planned and major works will further reduce the level of service charges collected, which will consequently reduce the HRA's borrowing capacity and the ability to deliver improvements in future years.

3.10.9. Following court rulings in relation to local authorities' water charge agreements with water companies, it was determined that these local authorities, including Brent, have been overcharging social housing tenants for water and sewerage and will therefore need to reimburse them. For Brent, the financial exposure has been estimated to be between £5m and £7m. In 2019/20, Brent set aside a provision of £2.7m for the water case, however additional mitigating actions, such as re-profiling planned works and utilising unreserved capital receipts, may need to be considered in order to fund the full reimbursement.

4. Capital Programme

4.1.1. The table below sets out the capital programme current forecast to revised budget position at 30 September 2020.

4.1.2. As set out in the table below the current revised budget is £226m. This reflects programme slippages, additions and re-profiling of schemes undertaken in year. The budget changes were reported in previous reports to Cabinet for noting and approval.

Capital Programme Monitoring at 30 September 2020

Directorate	Original Budget (Approved Feb20) (£m)	Revised Budget (£m)	Current Forecast (£m)	Over / (Under) Spend to Budget (£m)
Corporate Landlord	22.3	11.2	11.0	(0.2)
Regeneration	18.7	17.9	17.2	(0.7)
St. Raphael's Estate	0.3	0.6	0.6	0.0
Housing Care Investment	191.2	148.5	146.4	(2.1)
Schools	11.6	14.6	12.6	(2.0)
South Kilburn	24.2	8.4	7.6	(0.8)
Public Realm	24.2	24.8	21.6	(3.2)
Total	292.5	226.0	217.0	(9.0)

- 4.1.3. An underspend of £9m is being forecast against the current revised budget. An explanation of the variance of current forecast to the revised budget is provided in the paragraphs below.

Corporate Landlord

- 4.1.4. Reporting £0.2m underspend due primarily to pausing of College of North West London planned spend.

Regeneration

- 4.1.5. Reporting £0.7m underspend comprising of £0.4m on Bridge Park and £0.3m for Liveable Neighbourhoods programme which has been paused indefinitely by TFL but has not been cancelled officially.

St Raphael's

- 4.1.6. Reporting forecast spend come in line with budget.

Housing, Care and Investment

- 4.1.7. Reporting £2.1m underspend due to £1.6m slippage in major works and repair programme (£0.6m on external fabric work, £0.7m on lifts installation and £0.3m on Kilburn Square Tower Block) and New Council Homes Programme (NCHP) which is underspending by £0.5m due to delays in start on sites on some schemes (Anuerin Bevan Court and HRA - Pharamond Fho).

Schools

- 4.1.8. Reporting £2.0m underspend of which £1.3m is projected on the phase 3 Primary Schools projects at Uxendon Manor and Elsley. In addition £0.6m underspend is forecast on the Asset Management Programme (AMP) programme and Ark Elvin project.

South Kilburn

- 4.1.9. Reporting £0.8m underspend due to delays in securing property acquisitions and design works on various schemes. The forecast has been revised down to reflect progress on property acquisitions.

Public Realm

- 4.1.10. Reporting a £3.2m underspend across a number of infrastructure improvement programmes (including parks, sports and culture, landscaping and street lighting) and TfL/LIP funded projects. £2.3m of the underspend relates to the TfL/LIP formula grant allocation for 2020/21 paused by Transport for London (TfL) due to the COVID-19 outbreak. TfL has confirmed that the Council will be reimbursed for its sunk costs and a decision is awaited on future funding allocations including the Mayor's Streetspace programme July bid.

- 4.1.11. The capital programme is continually reviewed to assess the financial and delivery implications of the COVID-19 crisis on programmes and projects planned to be completed during this financial year.

5. Financial Implications

- 5.1. This report is about the Council's financial position in 2020/21, but there are no direct financial implications in agreeing the report.

6. Legal Implications

- 6.1. Managing public money responsibly is key legal duty, but there are no direct legal implications in agreeing the report.


7. Equality Implications

- 7.1. There are no direct equality implications in agreeing the report.

Report sign off:

Minesh Patel
Director of Finance

This page is intentionally left blank

 Brent	Cabinet 12 th January 2021
	Report from the Assistant Chief Executive
Complaints Annual Report 2019 – 2020	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt:	Open
No. of Appendices:	Four: Appendix A: Adult Social Care Complaints Appendix B: Children's Social Care Complaints Appendix C: Complaints Root Cause Summary & Improvement Actions by Department Appendix D: Housing Ombudsman's Code & Self-Assessment
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Katie Smith Head of Executive and Member Services Brent Council 0208 937 1399 Mariza Barros Complaints and FOI Manager Brent Council 0208 937 1381

1.0 Purpose of the Report

- 1.1 This annual report sets out complaints performance in Brent Council for the period April 2019 to March 2020 and focuses on the nature of complaints and the learning they provide to inform Brent's future approach to service improvement.
- 1.2 Complaints concerning Adult Social Care and Children's Social Care come under separate statutory complaint procedures and separate summary reports have been provided in **Appendices A and B** respectively.
- 1.3 A summary of the root causes of all Stage 1 complaints and improvement actions by Council departments in 2019/20 is provided in **Appendix C**.

2.0 Recommendation(s)

- 2.1 Cabinet is asked to note Brent's performance in managing and resolving complaints.
- 2.2 To note the comments in the Council's self-assessment against the Housing Ombudsman's Code in Appendix D.

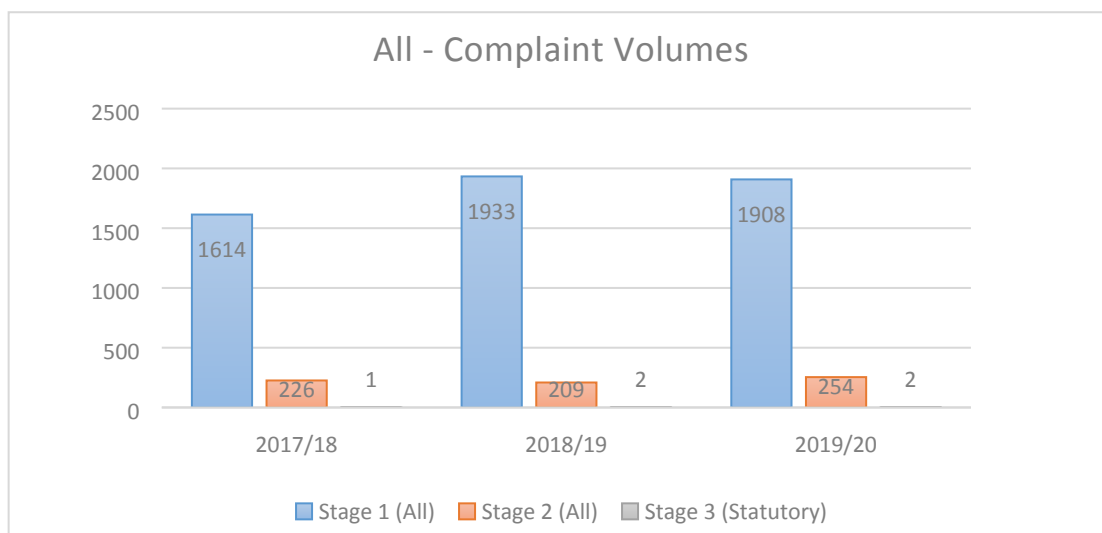
3.0 Summary

- 3.1 The Council has three different processes for managing complaints:
- a two stage corporate complaints process;
 - a two part Adult statutory complaints process; and
 - a three stage Children's statutory complaints process.
- 3.2 The complaints data and information provided in this report is based on information recorded on iCasework and CRM – Microsoft Dynamics. The latter is the Council's new complaints management system, which was introduced in November 2019, and has been replaced by an updated version in November 2020.
- 3.3 Due to the transition between the two systems, it has been difficult to collate and reconcile some of the information.
- 3.4 The key headlines from complaints performance in 2019/20 are as follows:
- The number of Brent Stage 1 complaints (corporate & statutory) have decreased by 1% (25 complaints) (↓)
 - The number of Brent Stage 2 complaints (corporate & statutory) have increased by 22% (45 cases) (↑)
 - There were 19 LGSCO cases upheld against Brent in 2019/20, compared with 23 cases in 2018/19 (↓)
 - The total amount of compensation paid by Brent decreased by 4% in 2019/20 compared with the previous year – c£3k (↓)
 - Stage 1 statutory and corporate performance has dropped in 2019/20 from 3% points for corporate complaints and 6% points for statutory complaints. (91% corporate and 84% statutory responded to on time) (↓).
 - The top three root causes of complaints are: Housing Repairs (11%), Parking (9%), and Council Tax/Recovery (7%).
 - A range of remedial actions have been put in place. These entail specific changes to the way services are delivered, for example:
 - better coordination between the housing repairs service and other required interventions (for example decants, asbestos and tenancy issues);
 - improved parking enforcement plan has introduced more geographically targeted enforcement across the borough;
 - a revised debt recovery policy.

4.0 Detail

Volume of Complaints received

- 4.1 The chart below shows the volume of corporate and statutory complaints received at Stage 1, Stage 2 and Stage 3 over the past 3 years. The key points to note are that:
- In 2019/20 Brent received 1,908 Stage 1 complaints (corporate and statutory). This is a decrease of 25 complaints compared to the previous year.
 - Stage 2 complaints (corporate & statutory) has increased by 22% to 254 cases during 2019/20 compared with the previous year.
 - There were two Stage 3 Review Panels convened during 2019/20, which corresponds with the previous year 2018/19.
- 4.2 The increase in stage 2 complaints were in relation to corporate complaints. Housing Management Services attributed to the majority of the increase. In 2018/19 a total of 48 Housing Management related complaints were received, however this year this doubled to 97 stage 2 complaints received.
- 4.3 The Complaints Team are working with the Housing Management Service to implement some new measures to improve complaints handling within the service as a result of the increase and due to the Housing Ombudsman Code, which comes into effect in January 2021. The new changes include; the introduction of a dedicated complaints lead within the Housing Management Service, a rolling list of actions identified and to be completed following a stage 1 response, and training and behaviour change. Further details on actions to be taken within the Housing Management Service can be found in the self-assessment in appendix D.



Timeliness of Complaints

- 4.4 The table below shows the percentage of complaints closed on time. The overall timeliness of complaints has improved for Stage 2 statutory cases. Stage 2 corporate complaints performance has remained consistent with last year's performance. Stage 1 complaints have dipped by 3% points for corporate complaints and 6% points for statutory complaints. The Complaints Service

team is continuing to work with departments to improve complaints performance and improve the Stage 2 statutory process, which involves appointing an Independent Person and Investigating Officer to carry out an independent investigation.

Year	Brent - % of Cases Closed on Time			
	Stage 1 - Corporate	Stage 1 - Statutory	Stage 2 - Corporate	Stage 2 - Statutory
2017-18	90%	88%	81%	59%
2018-19	94%	90%	87%	47%
2019-20	91%	84%	87%	59%

Complaints Outcomes

- 4.5 The percentage of cases upheld or partly upheld at stage one of the corporate complaints procedure has dropped by 3% points whereas the cases upheld or partly upheld at stage 2 of the corporate complaints procedure has increased by 12% points. The proportion of statutory cases upheld/ partly upheld has increased by 1% at stage 1 and decreased by 1% at stage 2.

Year	Brent - % of Cases Upheld or Partly Upheld			
	Stage 1 - Corporate	Stage 1 - Statutory	Stage 2 - Corporate	Stage 2 - Statutory
2017-18	50%	39%	40%	48%
2018-19	47%	46%	39%	60%
2019-20	44%	47%	51%	59%

Compensation

- 4.6 The table below shows the total amount of compensation paid in Brent at all stages of the corporate and statutory process, including Ombudsmen cases. In 2019/20, the total amount of compensation paid by Brent decreased by 4% on last year and a 21% decrease compared to 2017/18. However, the total number of cases awarded compensation has increased year on year, with a 25% increase in cases this year compared with 2018/19.
- 4.7 Compensation has remained broadly consistent, however the Council has offered compensation in more cases this year. Compensation can be awarded due to time and trouble, distress, as goodwill or in the form of a refund, reimbursement, or the offset/waving of arrears. The case increase shows that the Council is proactively offering remedies including compensation where it is warranted. Offering remedies earlier on in the process prevents the need to offer more compensation at a later stage. There is no specific correlation between the amount of compensation awarded one year compared to compensation awarded in another as each complaint is unique.

Year	All Brent		
	Cases	Total Comp.	Avg / Case

2017-18	135	£73,794	£547
2018-19	141	£61,257	£434
2019-20	176	£58,553	£333

Root Cause and Improvements Resulting from Complaint Investigations

- 4.8 Departmental analysis of the root causes of complaints and service-specific improvements resulting from the learning from complaints have been highlighted in Appendix C.
- 4.9 Overall, the top 3 specific root causes of complaints in Brent concerned:
- Housing Repairs (11%),
 - Parking (9%),
 - Council Tax/Recovery (7%)

Housing Repairs

- Housing Management Property Services receive a large number of complaints due to the nature and volume of work the service provides.
- In 2019/20 the majority of complaints received were in regards to delays in repairs works being carried out. The complexity of repairs and determining the cause can delay in resolving the problem. Weather conditions and other mitigating circumstances are also contributing factors.
- The service have used a number of complaints to review their processes and systems so that they can track and effectively manage repairs. They now have a number of case trackers which are reviewed on a weekly basis to ensure cases are progressed in a timely manner and residents updated in advance, where delays are identified.
- The team have worked closely with IT service to build in tracking / referral flags where support is required from colleagues in other teams to progress repairs, for example decants, asbestos and tenancy issues.
- The service also hold complaint reviews, which include their main contractor Wates, as part of a lessons learnt process and to enable them to identify where the blockages are. For example, there were a large number of complaints received which related to leaks and the inability to gain access to undertake the necessary repair, so the service worked with Wates and the Customer Experience Team to develop a no access procedure to address this issue, and as a result, complaints of this nature have reduced.
- In order to improve complaints handling a new role is to be included in the structure to monitor the quality of responses to stage one complaints in line with the new housing ombudsman requirements. This role will also support regular audits and address live issues / breakdown in communication between Property Services and Housing and Neighbourhoods.
- The amount of Housing Management – Property Services complaints have decreased from 262 in 2018/19 to 224 complaints in 2019/20, so there is an improvement within the service. The focus is now on the escalations, which is attributable to a number of factors outlined above as well as ensuring contractors are held accountable and made aware of their expectations in terms of complaints handling. Weekly meetings are taking place with contractors to highlight key issues of complaints and confirm remedial actions going forward.

Parking

- Parking complaints usually arise as a result of Penalty Charge Notices (PCN) being issued to motorists. Although there is a statutory appeal process, motorists tend to raise further complaints if they do not receive their desired outcome when challenging or appealing a PCN.
- There were a number of complaints received due to a lack of enforcement, where residents would like enforcement action taken in a particular location. As a result, the Parking service regularly review the Parking enforcement plan and target enforcement activity to address hotspots.
- Complaints received at stage 1 also involved issues with the online permit application system, as a result, changes have been made to the system.
- Other parking related issues escalated to stage 2 involved a complaint regarding an enforcement agent acting on the Council's behalf to recover a debt owed not honouring a commitment to await for further evidence before removing a vehicle, and the attitude of a civil enforcement officer whilst issuing PCNs from a CCTV vehicle.
- There were however, 74 fewer complaints about Parking services than in 2018/19, 119 parking related complaints in 2019/20 compared to 193 stage 1 complaints in 2018/19. Although the number of stage 1 complaints received were quite high, there were only nine complaints escalated to stage 2 in the same period. This shows there is an improvement within the service but it still remains one of the key topics of complaint due to the nature of the service provided.

Council Tax/Recovery

- Complaints about debt collection services generate complaints as they often relate to the work done to collect historic debts that may include tracking customers who have previously absconded or assumed a debt had been forgotten.
- The rise in stage 1 complaints from 77 stage 1 complaints in 2018/19 to 139 stage 1 complaints in 2019/20 in relation to Council tax and recovery was mainly attributed to an issue in July 2019, where historical debt was sent to enforcement agents without any prior notification to customers. There has been a change in management and a new process has since been put in place, which has reduced the number of complaints regarding this matter.
- Complaints escalated to stage 2 related to the administration of a Council Tax account and the lack of consideration for the individual debtor's circumstances. As a result, the service will be reviewing the current Debt Recovery Policy, in line with the guidance as set out in the LGSCO's Focus Report, and any other applicable legislation.
- Other complaints related to correspondence and communication with customers and adhering to promises made to put enforcement action on hold.
- Moving into 2020/21 the service has put more emphasis on ethical and empathetic collection combined with better accuracy to enhance the customer experience while still seeking to maintain collection.

Local Government & Social Care Ombudsman (LGSCO) Decisions and Learning Points

LGSCO Volumes & Outcomes

- 4.10 There were 126 enquiries and complaints referred to the Ombudsman in 2019/20. The LGSCO made decisions on all 126 cases received, however only 28 cases required a detailed investigation, 19 cases of which were upheld and 9 cases not upheld.
- 4.11 Categories of cases not taken up for investigation include: 'advice given', 'referred back for local resolution'; 'incomplete or invalid'; and 'closed after initial enquiries'.
- 4.12 The overall number of complaints referred to the Ombudsman has decreased year on year, as have the number of upheld cases by the Ombudsman. The number of upheld cases is four lower than 2018-2019, however still slightly higher than 2017-2018. The table below shows a 3-year comparison of LGSCO outcomes of Brent Council cases:

Year	LGSCO Outcomes						Total
	Not upheld	Upheld	Advice given	Referred back for local resolution	Invalid or incomplete	Closed after initial enquiries	
2017 - 2018	12	21	5	77	6	41	162
2018 - 2019	6	23	8	53	7	37	134
2019 - 2020	9	19	6	55	5	44	126

- 4.13 Brent in 2019/20 compared to the other 33 London boroughs:
- 15th highest in number of referrals to the LGSCO
 - 19th highest in number of detailed investigations undertaken
 - 19th highest in number of LGO upheld cases
 - 21st highest LGSCO uphold rate (68%) in 2019/20, which is 11% points lower than last year.

LGSCO Upheld Cases

- 4.14 There were 19 cases upheld against Brent in 2019/20 in the following services:
- Housing - 7
 - Adult Care Services – 4 (including Blue Badge, Freedom Pass)
 - Education & Children Services – 3
 - Highways and Transport – 2
 - Planning and Development – 2
 - Benefits and Tax – 1
- 4.15 Brent came top of all London councils for upheld cases where a satisfactory remedy had already been provided before the complaint reached the Ombudsman. Of the 19 cases which were upheld for 2019-2020, the Council had already offered a satisfactory resolution to the complaint before it reached the Ombudsman on 8 occasions. This equates to 42% of the total upheld cases and is significantly above the London average of 15%. This suggests that when issues are identified through the complaints process, corrective actions are effectively carried out to rectify issues or compensate where necessary. For

these eight cases, the Ombudsman confirmed no further action was required. The Complaints Service Team are working to improve decision making in accordance with the Local Government and Social care Remedies guidance. In some cases, there were only minor amendments to decisions that the Council had made.

- 4.16 A brief summary of the cases upheld by the LGSCO for each area has been provided below. The Council categorises complaints about Parking and Lighting, and complaints regarding Highways as two separate services within the Regeneration and Environment department. Blue Badge and Freedom Pass complaints are categorised under Brent Customer Services rather than the Adult Social Care department. For the purposes of this report, the categorisation of complaints by the LGSCO has been followed.

Adult Care Services (including Blue Badge, Freedom Pass)

- 4.17 Two of the complaints upheld within the LGSCO's category of Adult Care Services related to applications for a disabled badge, which falls within the Council's Customer and Digital service. In both cases, the Council failed to fully show how it made its decision and how it considered any medical evidence provided. Of the other two cases, one case involved delays in reviewing the care needs of the customer, and the other regarding the actions of a care home, which is commissioned by the Council.

Housing

- 4.18 Since most housing matters are referred to the Housing Ombudsman, the majority of the upheld complaints to the LGSCO focused on issues with Housing Needs. Most cases related to how the Council handled homelessness applications. The other complaints upheld covered bidding for housing, a transfer request and a delay in the Council requesting a landlord to carry out repair works. The Ombudsman awarded a total of £2,125 compensation across the seven cases.

Highways and Transport

- 4.19 Both cases reported under "Highways and Transport" concerned parking related issues. A historic case from 2015 was raised with the Ombudsman as a result of confusion about the remedy that was agreed at the time. The other case concerned an administrative error, which was rectified as soon as it was identified and no investigation or further action was required.

Education and Children's

4.20 There were three complaints upheld by the Ombudsman:

- The first complaint related to the handling of a safeguarding investigation. The complaint had been investigated through the statutory three stage process and the Ombudsman was satisfied that there was no fault in how the investigation was undertaken, and the remedies identified through the process were judged to be sufficient.
- The second complaint concerned a foster carer who was approved to foster older children, had agreed to foster younger children, but was not provided with all the necessary equipment to care for the young children.
- The last complaint related to the Special Guardianship Allowance, which had not been paid by the Council between 2015 and 2017. The Council backdated the allowance and paid £3,300 at Stage 2 of the complaint process in acknowledgment of the injustice caused.

Planning and Development

4.21 The complaints upheld related to the lack of enforcement action taken by the Council at a site, and an extension that was permitted by the Council but which failed to consider the neighbours' comments on the impact it would have on their property. The Council had already provided a suitable remedy in regards to the extension by means of compensation, however in regards to the enforcement action the Ombudsman felt that the Council should have explained its decision in regards to not taking action during working hours.

Benefits and Tax

4.22 The only complaint upheld for Benefits and Tax related to housing benefit entitlement and recovery of overpayments. The Council delayed dealing with the complainant's requests, however the Council had paid several sums in recognition of the fault.

LGSCO Compensation

4.23 In 2019-2020 the Ombudsman asked the Council to pay an additional £3,325 in compensation. The compensation was spread across six cases, five of which related to Housing Needs and the other a Parking complaint. This is slightly higher than last year 2018-2019, where £3,150 was awarded from five cases.

Housing Ombudsman (HO) Decision & Learning Points

4.24 The Housing Ombudsman does not provide annual reports and data in the same way the Local Government and Social Care Ombudsman (LGSCO) does. The data provided in the table below on HO cases is taken from the information recorded on Brent's complaints system.

Year	Total Cases Decided	Upheld	Not Upheld	Uphold Rate
2017 - 2018	20	6	14	30%
2018 - 2019	13	6	7	46%
2019 - 2020	9	3	6	33%

- 4.25 The Housing Ombudsman decided on nine cases, of these, three cases were upheld in 2019/20, an uphold rate of 33%. Although there were less cases decided in 2019/20 the uphold rate on the cases decided is relatively better compared to the previous year. The Council has in fact had a 31% reduction in the number of cases decided by the Housing Ombudsman. A short description of the three 'Upheld' cases has been provided below:

Complaint 1

- 4.26 The Housing Ombudsman upheld a Housing Management complaint which had previously been investigated under the Council's complaints procedure and upheld. The Council's final review complaint decision, concluded in October 2018, accepted that there had been some minor lapses in communication regarding a roof repair and awarded £25 compensation.
- 4.27 The Ombudsman decided that £300 compensation was appropriate for failings in the repairs service and complaints handling.

Complaint 2

- 4.28 The Housing Ombudsman upheld a Housing Management complaint which had previously been investigated under the Council's complaints procedure and upheld.
- 4.29 The Council's final review complaint response, concluded in October 2018, accepted that there had been delay in addressing damp in the complainant's home and awarded £300 compensation.
- 4.30 The Ombudsman decided that the £300 compensation was appropriate for the period up to October 2018, but noted that there were further delays after the final review complaint response, up to the date of its decision in July 2019, partly because commitments made in the final review complaint response were not met. The Ombudsman therefore ordered an additional £700 compensation to be paid on this basis.

Complaint 3

- 4.31 The Housing Ombudsman upheld a Housing Management complaint which had previously been investigated under the Council's complaints procedure and upheld.
- 4.32 The Council's final review complaint response, concluded in October 2018, accepted that there had been delay in addressing damp in the complainant's home and awarded £250 compensation. The property is a First Wave property where the Council does not own the freehold. The final review complaint response also said that the Housing Management Service should provide the complainant with clarity on whether a decant would be offered.
- 4.33 The Ombudsman ordered that a further £750 compensation should be paid. This was primarily for further delay, after the final review complaint response, in addressing the damp and providing clarity on the decant issue.

- 4.34 The complainant was eventually rehoused in September 2019.

Housing Ombudsman Code: Review

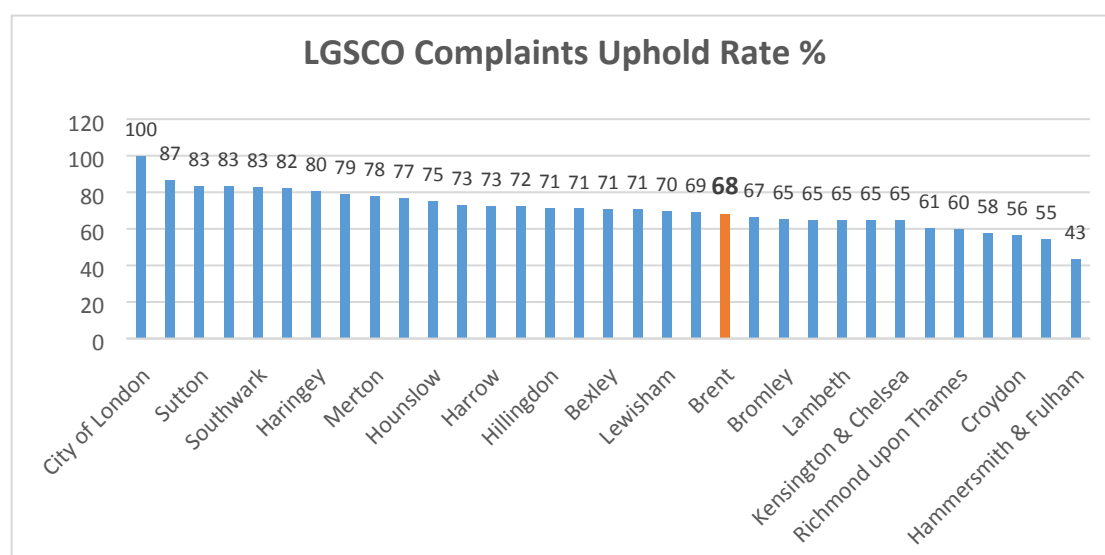
- 4.35 The Housing Ombudsman published a new, more stringent complaint handling code in July 2020, which comes into operation on 1 January 2021. The Code will affect complaints received for Housing Management and does not cover complaints in relation to Housing Needs, Private Housing Service and Housing Supply & Partnerships. Complaints concerning these services fall within the remit of the Local Government and Social Care Ombudsman.
- 4.36 A copy of the Housing Ombudsman's Code has been provided in Appendix D along with the Housing Management Service's self-assessment against the Code.

Compliments

- 4.37 There were 85 compliments recorded on the Council's case management system in 2019/20. This is a drop of 10 compliments compared with 95 compliments logged in 2018/19. Managers and staff have been encouraged to log their compliments on iCasework so it is reflective of all the compliments that are received.

Benchmarking

- 4.38 Due to the current pandemic and competing priorities, it has been difficult to gather statistics from other London boroughs. However, benchmarking data has been provided by the Local Government and Social Care Ombudsman. Of the detailed investigations undertaken, the percentage of complaints which were upheld (68%) compares favourably with other London boroughs.



5.0 Financial Implications

- 5.1 The details provided on compensation payments in section 4.4 and throughout this report reflects the monetary impact of not getting things right the first time as an organisation and the need to improve the customer experience thus minimising the financial penalties incurred by the Council.
- 5.2 The data shows that whilst the total number of cases awarded compensation has increased year on year the total amount of compensation paid at all stages of the corporate and statutory process has fallen.
- 5.3 In 2019/20, the total amount of compensation paid by Brent was £58k. This reflects a 4% decrease compared to 2018/19 and 21% when compared to 2017/18. This is despite the fact that the total number of cases awarded compensation has increased year on year, with a 25% increase in 2019/20 when compared with 2018/19. This change is reflected in the average cost per case, which has fallen by 39% from an average cost of £547 in per case in 17/18 to £333 per case in 19/20.

Year	All Brent		
	Cases	Total Comp.	Avg / Case
2017-18	135	£73,794	£547
2018-19	141	£61,257	£434
2019-20	176	£58,553	£333

6.0 Legal Implications

- 6.1 Complaints concerning Adult Social Care and Children's Social Care come under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these are included in appendices A and B with reference to the statutory frameworks for the management of these statutory complaints.

7.0 Equality Implications

- 7.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need:
- (a) to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
 - (b) advance equality of opportunity; and
 - (c) foster good relations between those who share a "protected characteristic" and those who do not.
- 7.2 This is 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.
- 7.3 Although there have been no equality implications identified as a result of this report, the Council are improving the complaints system so that equalities data

is captured and data analysis can be used to identify issues that may disproportionately affect different equality groups.

8.0 Consultation with Ward Members and Stakeholders

8.1 None

9.0 Human Resources/Property Implications (if appropriate)

9.1 None

Report sign off:

Shazia Hussain
Assistant Chief Executive

This page is intentionally left blank

Complaints Annual Report 2019 – 2020

Appendix A – Adult Social Care Statutory Complaints

1. Summary

- 1.1 This report provides an overview of complaints made about Adult Social Care (ASC) during 2019–2020, as required under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, the Health and Social Care Community Health & Standards Act 2003 and the Local Authority Social Services Complaints (England) Regulations 2006.

2. Statutory Complaints Process

- 2.1 The Department of Health defines a complaint as, *“an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a Council’s adult social care provision which requires a response”*.
- 2.2 Anyone who has received a service, is currently receiving a service or is seeking a service from the Council can make a complaint. This includes anyone affected by decisions the Council make about social care, including a service provided by an external provider acting on behalf of the Council. In such a case they can complain directly to the provider or to the Council. External providers are required to have their own complaints procedures and must comply with them. They are also required to share information on complaints and outcomes with the Council.
- 2.3 There is only one stage in this statutory process which the Council has interpreted as a provisional response and a final decision. All complaints made to the Council are logged and acknowledged. The Council will try to resolve the provisional complaint as soon as possible, and within 25 working days. If delays are anticipated, the complainant is consulted and informed appropriately. All responses, whether or not a timescale has been agreed with the complainant, must be completed within six months of receiving the complaint.
- 2.4 All complaints are signed off by the Head of Service and complainants are given the opportunity to have their complaint reviewed by the Strategic Director, Community Wellbeing or the Operational Director, Adult Social Care. In some cases, some complaints may need to be passed on to the Safeguarding leads as appropriate, where the complaints process may be suspended in order to allow the safeguarding process to be completed. In cases where the complaint is across several organisations, one organisation will act as the lead and co-ordinate a joint response to the complainant. The final complaint response must set out the Council’s standard paragraph advising of their right to approach the Local Government & Social Care Ombudsman (LGSCO) should the complainant remain dissatisfied.

3. Headlines

3.1 The main headlines from ASC complaints performance are:

- 81 complaints received at the initial stage in 2019/20 a decrease of 20% on 2018/19.
- Highest volume service areas for first stage complaints – Complex Care 26%, Urgent Care 26%, Commissions, Contracting and Market Management 21%
- 45% of Stage 1 cases were upheld or partly upheld
- 50% of stage 2 cases were upheld or partially upheld
- 92% of Stage 1 complaints were responded to on time.

4. ASC Service Users

4.1 In order to provide some context in relation to complaints submitted, ASC received 2702 contacts from individuals including contacts made through Brent Customer Services (BCS) and the Duty Team in 2019/20. ASC assessed 1,145 service users for homecare services and 168 were assessed for residential / nursing services. There were 3,213 individuals who received section 5 hospital discharge assessments. This means that 1.1% of ASC service users or someone acting on their behalf raised a complaint about a service that they had received in 2019-20.

5. Complaints Received

5.1 ASC received 81 (101 in 2018/19) Statutory Complaints in 2019/20. This figure has reverted back to similar figures the Council had received in preceding years, following a spike in complaints received in the period 2018/19.

5.2 There have been a number of changes in the team structures in ASC during the year which has not been replicated in both complaint management systems currently used and therefore may not be reflected in this report.

5.3 A new complaint system went live on the 25 November 2019, and as a result statistics in this report have been collected from the two complaint management systems, the legacy system iCasework, and the new implemented system CRM Dynamics. Unfortunately, the matrix of the two complaint systems do not match and consequently there has been considerable difficulty in reconciling the complaints data from the systems. The current system has been replaced by an updated version in November 2020.

5.4 Statutory complaints centre on the Care Act and largely relate to a service users' care needs assessment or the provision of social care needs either through, homecare services or residential care. Anyone can approach the Council and are entitled to receive a care needs assessment. There has been a decrease in complaints received by the Complex Care team and the Urgent Care teams, although this has been offset by an increase in complaints in the Commissioning, Contracting and Market Management team.

- **Complex Care:** received 26% of all statutory complaints made to ASC which is 13% down compared to last year. This team handles the more complex support cases as well as annual reviews and are expected to manage the realistic expectations of the families and service users in regards to the package of care

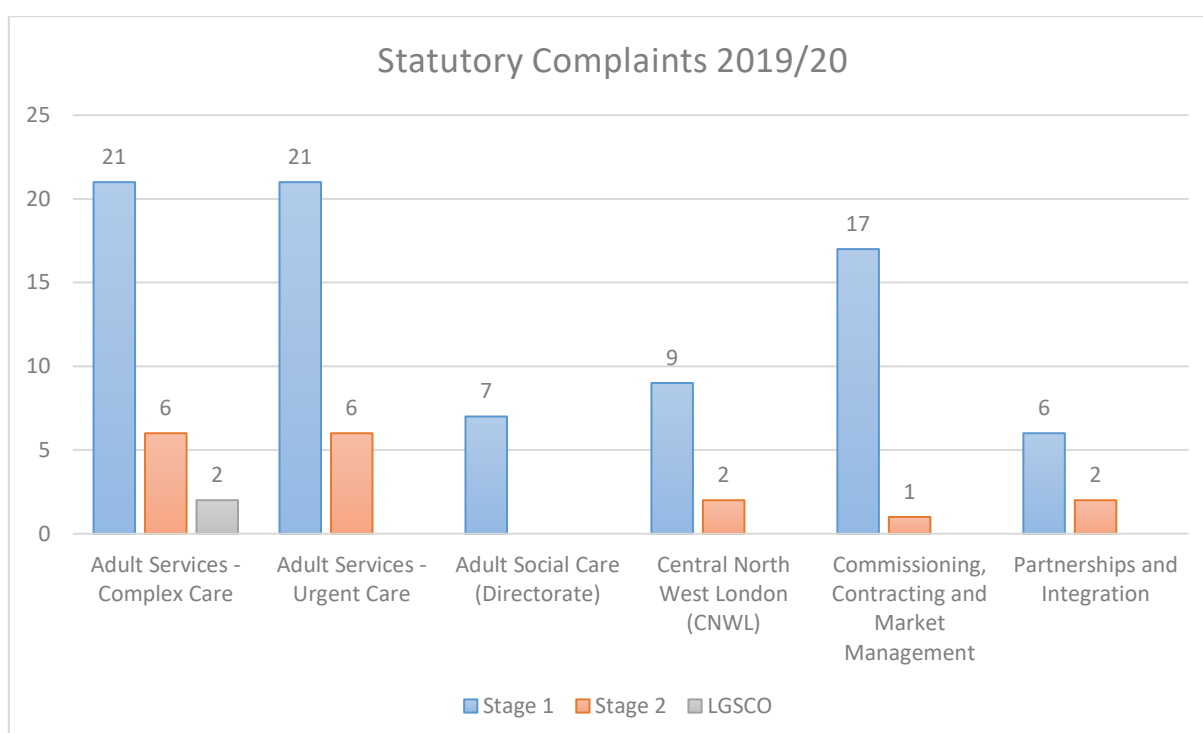
they are entitled to. The total of 21 complaints received for the year reflects on the work completed by the team. This compares to an active case load of approximately 600 cases. The complaints that are received by the team relate to disagreements with the decisions around care packages / assessments, delays in receiving an assessment or Occupational Therapy assessments and complaints concerning communication from social workers. The service users and their families often have a higher expectation of the services the Council is actually able to provide. The Council has to consider value for money, as well as the needs of the service user when it is providing services. These are complex and sensitive matters and can lead to disputes between the parties. There has been a concerted effort to improve case and complaint handling in the team and a willingness to work with the Complaint Service team to reduce the number of complaints. There have been a number of complaints from some families which have bordered on vexatious and need to be managed.

- **Commissioning Contracting and Market Management:** this team manages the services / contracts for residential nursing homes, homecare providers direct payments and supported living. They accounted for 21% of all complaints received by ASC, which is an increase of 14% on the preceding year. In reality the complaints have increased from 7 to 17 complaints, which is minimal in context to the areas that the team cover. There is a perception that the Council receives a lot of complaints about its home care providers, however, this is not borne out in the statistics. There were 7 cases received in 2019/20, about homecare providers which accounts for 8.5% of the overall complaints received in relation to ASC. This is similar to the preceding year. The Council does a lot of work with its home care providers in order to resolve problems at the first point of contact. The majority of concerns received are reported directly to the home care provider and resolved by them. Concerns can also be raised directly with the commissioning team who will resolve such matters with the provider, but service users are also made aware of the Council's complaints process if they wish for their concerns to be investigated by the Council. Other areas of complaints concern placements in a residential setting and supported living.
- **Urgent Care:** includes the Duty team and Hospital Discharge teams and accounted for 26% of all complaints received by ASC. This is a 14% decrease on the preceding year 2018/19. There has been an improvement through the year on reducing the waiting list and ensuring that care assessments are completed. In the preceding year, there had been 19 complaints around this issue. However, although there is improvement in this area, there is concern in the relationship between Brent Customer Services and the Duty Team in relation to the triaging of requests for assessments. The nature of complaints is around communication / feedback, disagreement / delays in packages of care being put in place (home care) and delays in being assessed for the home or placing patients in a residential setting, and co-ordination with the NHS.
- **Partnerships & Integration:** This team manages our Direct Services such as the John Billam Resource Centre and the Council's partnerships with the NHS Reablement team. This team accounted for 7% of the complaints received for ASC which is a decrease of 4% on 2018/19.

5.5 There is a general trend in all areas around communication, whether it be regarding communicating a decision made or explaining the position at that point in time.

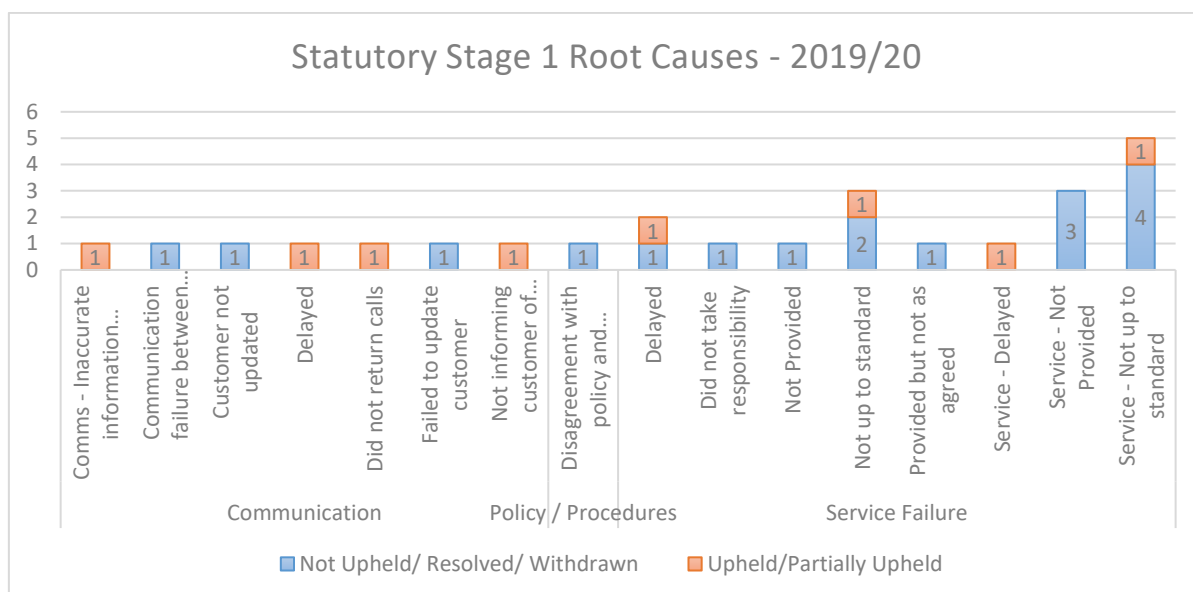
5.6 When complaints are received they are directed to the Complaint Service team for triaging. Of the complaints received, the team received 43% by email, 39% by self-service on line, 11% by telephone and 5% by letter. The ASC Complaint Legislation is explicit that the Council must receive complaints by any means, and in discussions with various disability groups, they have highlighted that access to the ASC complaints process should be easy for all and that not everyone has or is capable of accessing the complaint form on the web-site. The team have provided a telephone number on the web site especially for ASC clients.

5.7 The chart below shows the number of ASC statutory complaints received in 2019/20. Of the 81 statutory complaints received, 17 were escalated to the final review stage and 2 complaints were escalated to the LGSCO. With a reduction in complaints being received at the provisional review stage, this has therefore increased the escalation rate. Simpler complaints are being resolved at the early stage and the more complex cases which strand different teams are the cases that tend to escalate.



5.8 The escalation rate for statutory complaints is 21% compared to 18% in 2018/19. This is an escalation increase of 3% and reflects on the complex nature of the complaints being received. Outcomes from these cases are discussed later in the report. ASC actively try to resolve problems or concerns; however, the more complex cases do escalate, hence the reason the majority of the stage 2 requests came from Urgent and Complex Care teams. The Complaints Service team continues to work with the ASC Operational Director and their management team to ensure complaints are proactively responded to. The Complaints Service team held two complaint training sessions for ASC managers and staff throughout the year and also attended team meetings to explain the complaint process and present complaint data and feedback.

6. Nature / Reasons for Complaints

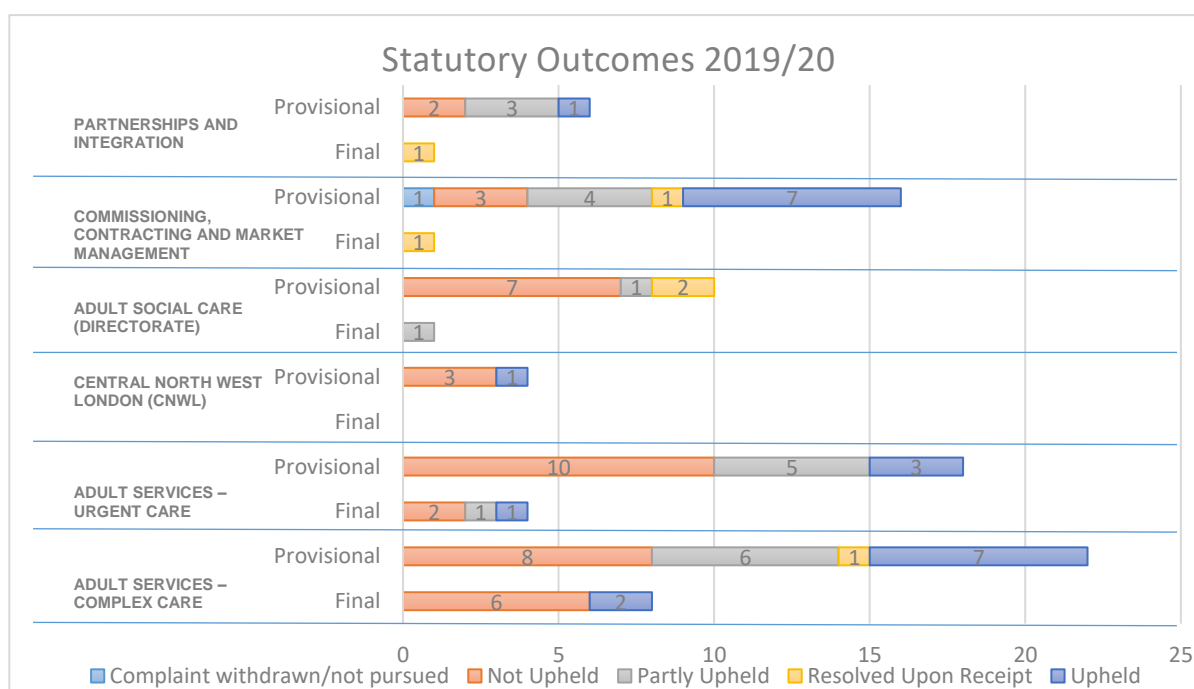


6.1 The recording of root causes has been poor 24 out of 81 cases. This was mainly due to a technical issue with the complaints system that allowed officers to close down complaints without providing a root cause. Complaints about service failure accounted for 67% of those complaints of which fault was found in 19% of cases (3 out of 16). The other main area was Communication accounting for 29% in which fault was found in 57% of cases

6.2 Where some fault was found, these concerned explaining the process and how decisions have been reached.

7. Complaint Outcomes

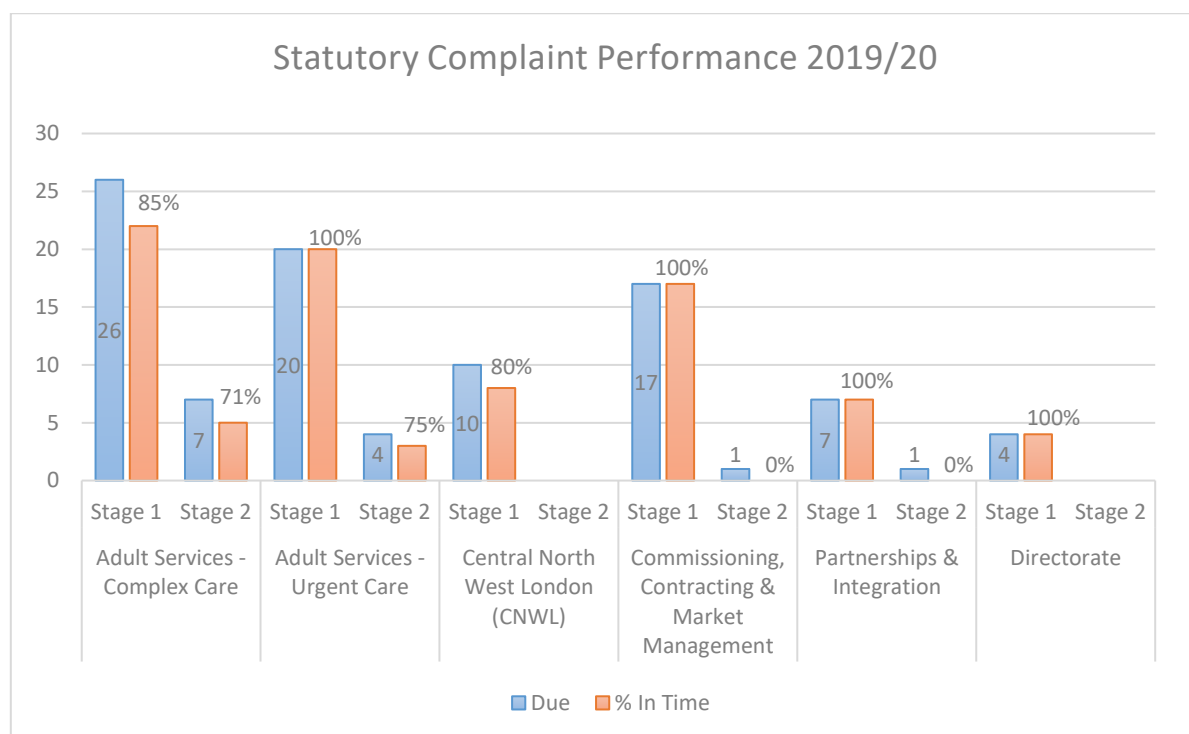
7.1 The chart below shows the outcome of statutory complaints at Stage 1 and final review stage:



- 7.2 Complaints received at the first / provisional stage shows that some fault (upheld or partly upheld) by the Council was found in 38% of cases; this compares to 45% in 2018/19. The Council welcomes complaints from service users about the services we provide, and outcomes from complaints feed into service improvement and the transformation of services.
- 7.3 At the final review stage some fault was found in 50% of cases, which is up from 38% in the previous year 2018/19. The number of final review complaints increased from 13 in 2018/19 to 16 in 2019/20. The reason why there has been an increase in cases where fault has been found at final review is due to the complexity of the cases being escalated to the final review stage.
- 7.4 The complaint escalation rate has increased despite fewer cases received in 2019/20 in comparison to the previous year.
- 7.5 Where complaints are complex and involve a number of teams, they tend to escalate to the final review stage. The complaint service team continues to work with ASC to review the accuracy and quality of the stage 1 responses, where they have escalated to the final stage, and will be reporting the findings to the ASC management team in order to implement strategies to reduce the number of escalations.
- 7.6 Although ASC has introduced an appeal service, numbers show that the appeal process is rarely used. This indicates that service users are still using the complaint process in order to argue their case to retain or improve their care package and protect their services. Service users should be encouraged to appeal decisions made.
- 7.7 The Complaints Service team continues to work with managers in ASC to ensure the quality of complaint investigation and responses provided to the complainant address all issues raised. The Complaint Service team are also working to ensure that the different teams within ASC work together when dealing with complaints about services that crossover the various teams. The very nature of some of the complaints are complex and service users and their families will take their complaint through to the final stage.
- 7.8 Some service improvements identified at the Final Review stage have been included in point 14 - Learning from Complaints.

8. Timeliness of Responses

- 8.1 The chart below shows Stage 1 complaint response times across the various ASC service areas in 2019/20:



8.2 ASC responded to 92% of all complaints within timescales, this is a slight decrease on the same period for the preceding year. In effect out of 85 complaints replied to, only 7 were slightly overdue and considering the complexity of some of the cases investigated, in which some cases required consultation with our external partners, i.e. the Patient Advice and Liaison Service (PALS), the Clinical Commissioning Group (CCG), and homecare companies, the performance is as expected. Although this figure is below the Council's target of 100%, there has been considerable improvement in performance in recent years. The commencement of the Corona virus pandemic did affect performance in March 2020. ASC have a continued focus to ensure that they achieve the Council's target of 100%.

9. Compensation

ASC	Total	
	No of Cases	Amount
Stage 1 / Provisional	0	£0
Stage 2 / Final	3	£800
Ombudsman	0	£0
£ per Case	£267	£800

9.1 ASC paid a total of £800 in compensation for the year 2019/20, which comprised of three cases and is £300 down on the preceding year. In all three cases compensation was paid at stage 2 of the complaints process and ASC have not been requested to pay any compensation by the Local Government and Social care Ombudsman. In two cases compensation was paid due to the delay in providing a service and the third case was due to the lack of communication when reducing a care package. The total amount paid compares favourably when you reflect on the numerous services being provided. The Council follows the guidelines that are published by the Local Government and Social Care Ombudsman when considering compensation.

10. Local Government and Social Care Ombudsman Decisions in 2019/20

10.1 The Local Government & Social Care Ombudsman received 16 complaints and enquiries regarding Adult Social Care. This is a decrease of 48% compared to last year 2018/19, where 31 complaints and enquiries were received. In 2019/20 the LGSCO made decisions on 21 ASC cases. Of the decisions made, 11 cases were referred back to the Council for local resolution as they had not completed the Council's complaints process. One case was closed by the Ombudsman after initial enquiries with no further action to be taken, and two cases were closed as invalid/incomplete due to insufficient information provided. Of the remaining 7 cases, 3 cases were 'not upheld' and 4 cases were 'upheld'. This is a significant decrease of the 6 upheld cases (60%) in 2018/19. Two of the four cases upheld concerned blue badge decisions. In both these cases the complaints were referred directly to the Ombudsman without the Council being given the opportunity to address them through the complaints procedure. The Council agreed in both cases to reconsider the decisions and the Ombudsman was satisfied that the remedy had been completed. The LGSCO classify complaints regarding blue badges under Adult Social Care, but in Brent these are reported under Customer and Digital Services and categorised differently, therefore these have not been included in this report. The remaining two cases which were upheld are detailed as follows:

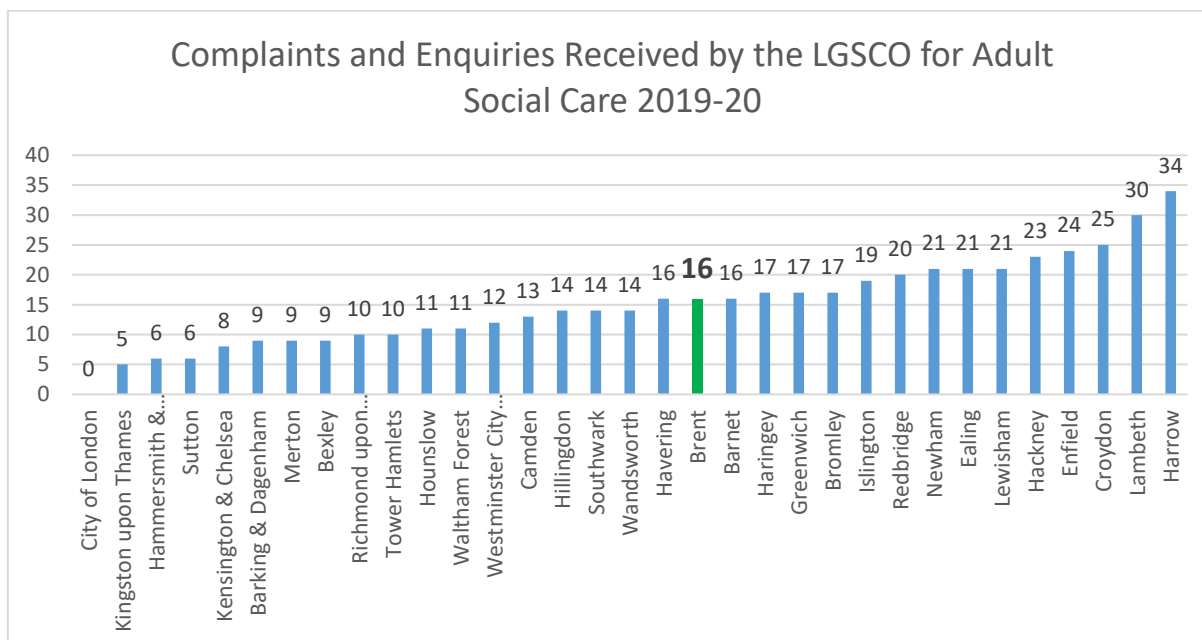
- **Case 1:** The LGSCO upheld the complaint, which had previously been investigated under the Council's complaints procedure. The complainant complained that the Council delayed in reviewing their needs and responding to their requests for more help. There was some delay on the part of the Council in reviewing the complainant's needs but no evidence that caused them significant injustice as a result. The Council put in place an additional allocation of time for socialisation and referred them for floating support to help them with paperwork. The Council also reminded all officers of the customer promise service standards in relation to correspondence and communication with customers.
- **Case 2:** The LGSCO upheld the complaint which had previously been investigated under the Council's complaints procedure. The complainant complained that the Council failed to let the service user return to the family home and did not help attending church. There were serious safeguarding concerns in this case. The Ombudsman decided there was no fault with the Council's handling of our service user decision to remain living at the care home. The Council had assessed their mental capacity to make a decision to where they live and had provided an Independent advocate. However, although in his care plan, the council could not evidence that the care home was assisting the service user to attend Church. The Council have asked its contractors to clearly follow care plans and record actions they take including when services are refused.

11. Benchmarking Data

11.1 Brent Council belongs to the North West London Social Care Complaint managers group. Unfortunately, due to the current pandemic it has been difficult to gather benchmarking data. Many Councils have not yet completed their Complaints Annual Report and therefore the data is not available. Data from the Local Government and Social Care Ombudsman has been provided in regards to complaints in relation to

Adult Social Care services. The number of complaints will include corporate and statutory complaints for the department and complaints concerning Blue Badges.

- 11.2 Brent Council is joint 19th lowest with Havering and Barnet Councils for complaints that were escalated to the Local Government and Social Care Ombudsman. This is over 50% less than the borough with the highest amount of complaints received by the LGSCO, Harrow with 34 Adult Social Care complaints received.



12. Customer Feedback and Engagement

- 12.1 The majority of customer contact with the Complaints Service team is reactive in that the team responds to direct contact from customers and their representatives when they report a problem with a service. Through the initial contact, the team has managed with ASC managers, to resolve a number of complaints at the first point of contact e.g. delayed OT assessments / care assessments. Finding early resolutions to invoicing / billing queries that could have turned into more formal complaints. The team has conducted presentations to Disability Forum and have also attended meetings to introduce the ASC complaints procedure and provide advice on the ASC complaint processes.

13. Compliments

- 13.1 Customers and their representatives are encouraged to tell the Council if they are satisfied with their care or to highlight good service. People can send feedback to the Complaints Service team or ASC directly. In 2019/20, ASC and the Complaints Service team received 33 compliments about ASC. The Complaints Service team is working with ASC to ensure they capture all the compliments received by the service. Below are examples of compliments that staff in ASC have received:

- *Hospital Discharge Team*

Firstly, I must say it is so nice to work with you! You are so efficient and a fabulous communicator, and an excellent Social Worker.

Secondly, thanks for the update! Amazing that the carpet has been replaced already. I will get in touch with her then about when she thinks it will all be done by, so we can get equipment delivered. If they've already done the carpet and started on the furniture then we might be able to discharge from here shortly."

- *Commissioning - Supported Living including NAIL programme*

"I wanted to send you this email to convey how much my family and I have appreciated the social worker's help during the transition in care homes. Despite my father being his primary concern, I feel the SW has gone the extra mile in order to ensure the family have been fully involved and informed of my father's move. He has gotten involved and has been far more hands on with my father's move than he has had to be - and this shows the passion and dedication he has for his job. I received updates every step of the way and he ensured the family were comfortable and answered as many questions as he could. The SW often saw things that needed to be addressed far earlier than I could and this also helped considerably."

- *Community & Preventative – Commissioning*

"Thank you so much for your help in locating a residential home placement for my mother. I would like to express to you that I appreciate everything you have done to assist, especially when sometimes I became somewhat indecisive. Thank you for your time, patience and extra effort you spent explaining the process involved, in great detail. You certainly know your job. I am happy with the decision I eventually made. I am pleased to say that without delay, my mother has now moved into her new care home and is adjusting. I believe that she will settle in her new home very well. To you I am so grateful."

- *Complex Care Team*

The service user had a privately funded placement in a care home and had now extinguished there funds and were looking for assistance from ASC.

"Well what can I say except here is an angel of a person who has come to assist us and without a shadow of doubt they have been absolutely terrific. Me and my family heard so much about how stretched social services are and how difficult it is to work with Social workers and how one keeps chasing and chasing and seldom gets a quick response.

Well to tell you the truth what we have experienced is complete opposite. The have been attentive, caring, and displays tremendous patience and empathy and above all is punctual and responds to things effectively and quickly. We could not have asked for anything more and there is without no negative or adverse things we have to say about them. Had it not been for them and their approach to their job and desire to truly help people I am not sure we would have got where we did in speed with which things happened. They have worked close with me and my

family though out and also helped us deal with the NHS.

It's been an absolute pleasure to deal with the SW and they have displayed and provided significate care and support to me and my family and all there work has been of high quality and well beyond our expectations."

14. Learning from Complaints

- 14.1 Learning from complaints provides opportunities for services to be improved and shaped by customer experience.
- 14.2 Improvement in services, in which complaints feed into have been led with the employment of a Principal Social Worker. As part of this work ASC have introduced the practice of only a monthly basis of reflecting on their work. There has also been the implementation of a skills academy for staff and pathway Training. In conjunction to this there has been a drive to use less agency staff and employ more permanent staff which has improved the skills level and responsibility to our service users.
- 14.3 ASC managers are encouraged not only to respond to complaints fully but to identify learning points that can help improve services. Here are some examples of how complaints have changed and improved service delivery:

Customer Feedback - 'You Said'	Service Area Changes - 'We Did'
<ul style="list-style-type: none"> You told us that you had requested a care assessment and attached documents. Our computer system had quarantined the email and no notifications were sent out. 	<ul style="list-style-type: none"> Brent council's IT department have installed new software to prevent this happening again.
<ul style="list-style-type: none"> You have complained that you were offered incorrect advice 	<ul style="list-style-type: none"> ASC have reminded all managers and staff about providing the correct information to service users.
<ul style="list-style-type: none"> You told us you had been advised that you had been referred for a Level Access Shower. Due to delays this took 12 months to approve. 	<ul style="list-style-type: none"> ASC have reminded staff to ensure all actions are followed through. There is presently a difficulty in employing and retaining Occupational Therapists and ASC are continually reviewing their recruitment practice.
<ul style="list-style-type: none"> You felt that in a case where someone is suffering from dementia that a face to face care assessment should have taken place and that a telephone assessment is not suitable as the service user just agrees 	<ul style="list-style-type: none"> ASC has reminded all staff that although we do telephone assessments they must consider the health of a person and if required should arrange face to face care assessments.
<ul style="list-style-type: none"> The LGSCO upheld a case where ASC had commissioned a care home for a service user. The Home had not assisted our service user to either attend Church or record that they had declined to attend 	<ul style="list-style-type: none"> ASC have reminded Care homes to ensure they follow Care Plans and keep appropriate records

This page is intentionally left blank

Complaints Annual Report 2019 – 2020

Appendix B – Children’s Social Care Statutory Complaints

1. Purpose of report

- 1.1 This report provides an overview of complaints made about Brent Council Children’s Social Care Services (CYP) during 2019/20 as required under The Children Act 1989 Representation Procedure (England) Regulations 2006.

This report provides information about all statutory complaints made during the twelve months between 1 April 2019 and 31 March 2020 under the complaints and representations procedures.

2. Statutory Complaints Process

- 2.1 The purpose of the Children’s Act 1989 Representation Procedure (England) Regulations 2006 is to ensure local authorities have a formal complaints handling procedure in place for children and young people who wish to make a representation or complaint about social care.
- 2.2 It is helpful to be clear on what constitutes a complaint. The guidance “Getting the best from Complaints” produced by the Department for Education and Skills (DfES) provides advice for local authorities on implementing the Children Act 1989 complaints procedure for children and young people. It defines a complaint as: ***‘A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.’***
- 2.3 Complaints concerning Child Protection Conferences are dealt with under a separate complaint procedure
- 2.4 ***Who Can Make a Complaint?***

Section 26(3) and section 24D of the Children Act, 1989 and section 3(1) of the Adoption and Children Act, 2002 require Councils to consider complaints made by:

- any child or young person (or their parent or someone who has parental responsibility for them) who is being looked after by the local authority or is not looked after by them but is in need
- any local authority foster carer (including those caring for children placed through independent fostering agencies)
- children leaving care
- special guardians
- a child or young person (or parent of his) to whom a Special Guardian order is in force
- any person who has applied for an assessment under section 14F (3) or (4)
- any child or young person who may be adopted, their parents and guardians
- persons wishing to adopt a child

- any other person whom arrangements for the provision of adoption services extend
- adopted persons, their parents, natural parents and former guardians
- such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant his representations being considered by them.

2.5 The Council will accept complaints in any format, through contact with the Complaint Service Team, phone, on line complaint form, or in person.

2.6 The regulations set out three stages:

- **Stage 1: Local Resolution** – this is the most important stage of the complaint procedure. The department and external contractors provide services on behalf of the Council and are expected to resolve as many complaints as possible at this initial stage. The statutory social care complaints procedure requires complaints to be responded to within 10 working days; however, heads of service can apply to the Complaint Service Team for an extension of a further 10 working days where a complaint is considered complex or requires a number of external organisations to be consulted with.
- **Stage 2: Independent Investigation** – this stage is triggered when the complainant is unsatisfied with the findings at Stage 1. As a first step, the Complaint Service Team will consider mediation to resolve ongoing concerns at the end of the Stage 1 process, and before commencing the Stage 2 process. If a complaint does progress to Stage 2, this requires an investigation by an "Independent Officer", a person external to the service and usually independent of the Council. In addition, the Council is also required to appoint an "Independent Person" who is independent of the Council and not related to any member or officer of the Council. The purpose of the 'Independent Person' is to represent the complainant in the process. The Stage 2 investigation report is then considered by the Operational Director and an adjudication letter is provided to the complainant to confirm whether they agree with the report and the steps to be taken to address any recommendations. Stage 2 complaints falling within the statutory process must be dealt with in 25 working days. Where it is not possible to complete the investigation within 25 working days it can be extended to a maximum of 65 working days.
- **Stage 3: Review Panel** – where complainants are unsatisfied with the result of a Stage 2 investigation and wish to continue with their complaint about statutory social service functions, the Council is required to establish a Complaint Review Panel. The Panel consists of three Independent Panellists who have no connection to the Council. The Chair is appointed by the Complaint Service Team and is also separate from the council. The Chair consults with the Complaint Service Team on the selection of the other two panel members. The Panel undertakes an investigation and makes recommendations through a panel report. This will then be adjudicated by the Strategic Director for CYP who makes the final decision on the complaint.

3. Headlines

3.1 The main headlines from Children's Social Care performance are:

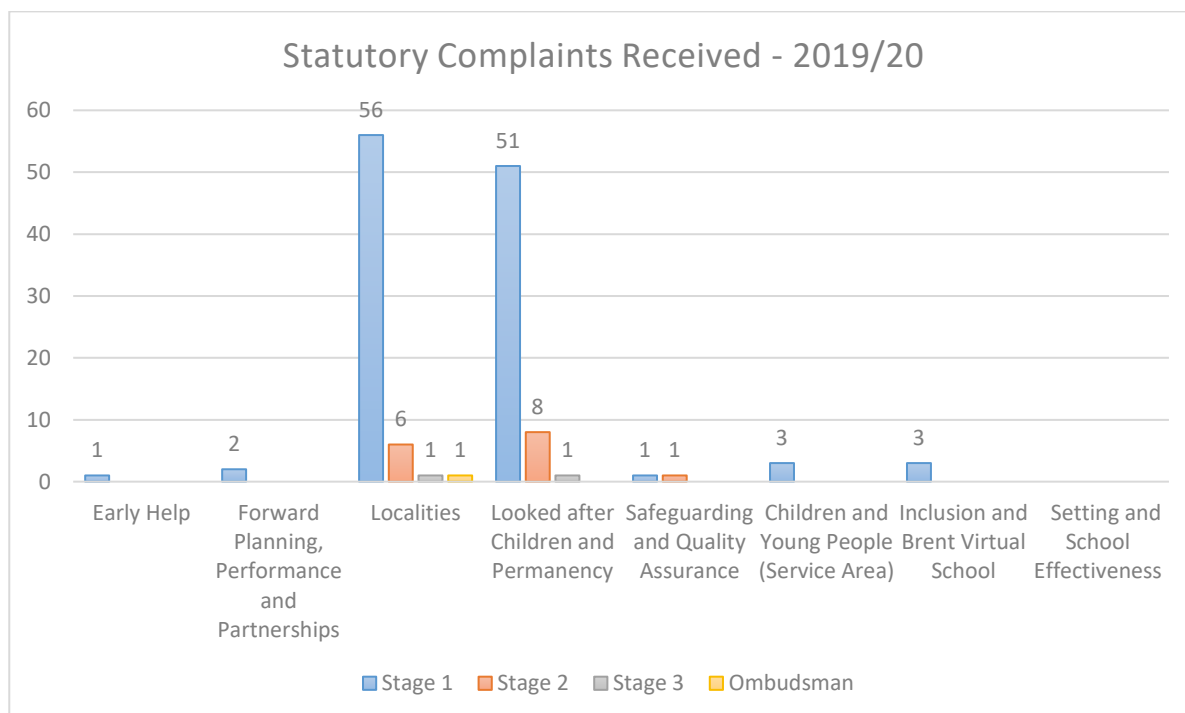
- Stage 1 statutory complaint numbers increased by 56% in 2019-20, (there is increasing awareness among young people of their eligibility and entitlement to services)
- the service received 117 statutory stage 1 complaints in 2019/20
- there is a 13% escalation rate to stage 2 for statutory complaints. This is consistent with the previous year, but slightly higher than the years before
- 77% of stage 1 statutory complaints were responded to within target in 2019/20 (compared with 87% on time in 2018/19)
- £4,170 was paid in compensation for the period 2019/20 on seven cases, down from £13,368 paid in the previous year.

4. Children's Social Care Service Users

4.1 To put some context to the volume of complaints received in 2019/2020, Children's Social Care received 3,993 referrals and completed 3,660 Child & Family Assessments. As of 31 March 2020, the Council had 2401 open children in need cases and 254 children were the subject of a child protection plan. There were 299 looked after children and the Council had 359 care leavers aged 17-25 in receipt of services.

5. Complaints Received

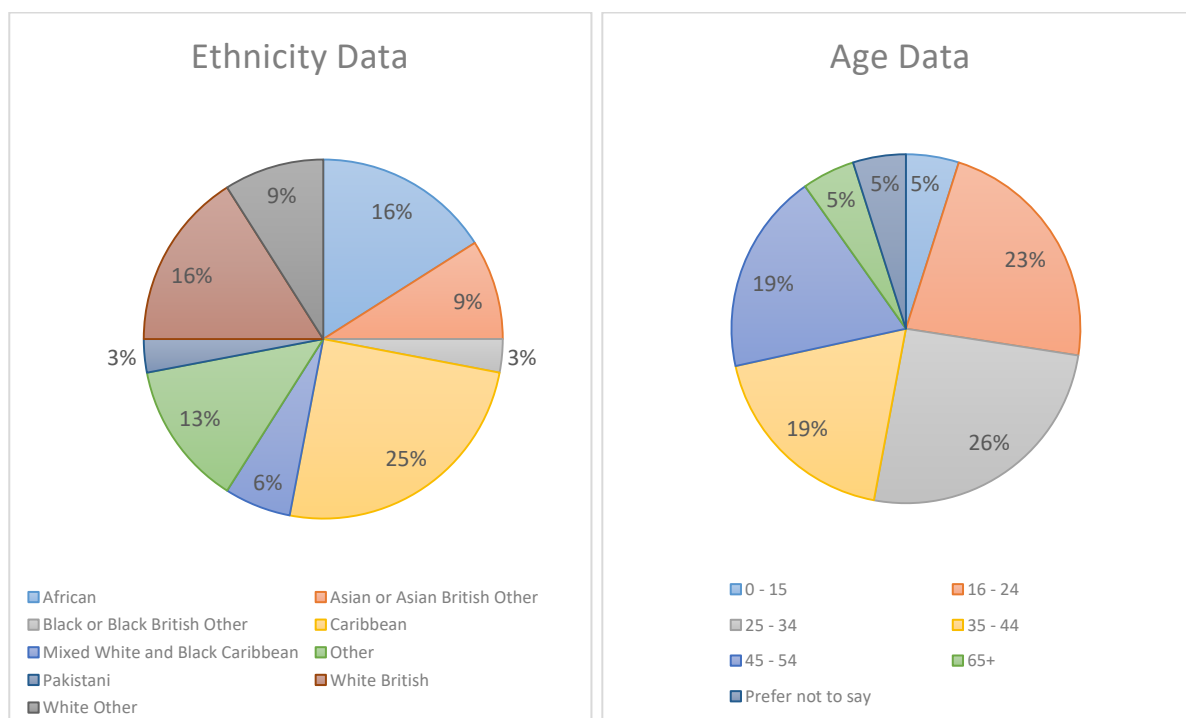
5.1 Brent Council CYP received a total of 117 stage 1 complaints in 2019/20. There were 13 stage 2 requests received and two stage 3 panels convened. There was one case where a detailed investigation was undertaken by the LGSCO.



- 5.2 Looking at the complaints received at stage 1, Looked after Children and Permanency have had an increase of 104% (19 complaints) and Localities have an increase of 51% (26 complaints). The rest of Children's services accounted for 10 complaints in total.
- 5.3 Localities accounted for 56 complaints, 48% of the total number of stage 1 complaints received. These are split between East Localities, West Localities, Disabled Children's services and Mash/Family Front door/NRPF. These complaints concerned incorrect child and family assessments, complaints about the bias of social workers, care packages for disabled children and care assessments. Complaints are split evenly between East and West localities who are involved with child protection cases and dealing with families where there is often parental conflict in private law proceedings and where one parent can be unhappy with decisions made by a social work team.
- 5.4 Looked after Children accounted for 51 complaints, 44% of the total number of stage 1 complaints received. These are split between Care Planning, Young People in Care, Fostering and Adoption and Kinship. Most of the complaints concerned children leaving care and the majority of these complaints were made by young people. In these cases the complaint service team will offer and provide an advocate to the complainant. Although there has been an increase in complaints, there is a better awareness of the complaint process and this does need to be considered in context of the work carried out by the team. There has been improved communication to care leavers about their rights and entitlements, supported by initiatives such as the introduction of a "Whatsapp" group for care leavers which has meant that there is greater discussion and sharing of information. Improved communication has led to some carers to questioning and complaining about their rights and entitlements.
- 5.5 The Council have been encouraging young people to get in contact if they are unhappy with the service they have received. It is good to see that care leavers are sharing experiences, advice and information and are willing and have the knowledge to raise concerns with the Council. This can also be seen in the age statistics below.
- 5.6 The Council received 15 Stage 2 requests in 2019/20, compared to 10 in 2018/19. This is an increase of 50% on the previous year. However, the escalation rate to stage 2 in 2019/20 is 13%, this is consistent with the amount of cases escalated when compared to the previous year and within our expectations.
- 5.7 Under the Children's statutory procedure, a complainant has a right for their complaint to be heard by an Independent Review Panel at Stage 3. In 2019/20 the Council received two requests for Stage 3 panels, one concerned the perceived lack of support from the Council given to a care leaver. The other concerned delays in taking appropriate action to a safeguarding concern and delays in reviewing evidence. For these failings, the distress and time and trouble expended the Council agreed to pay £2,000 compensation.

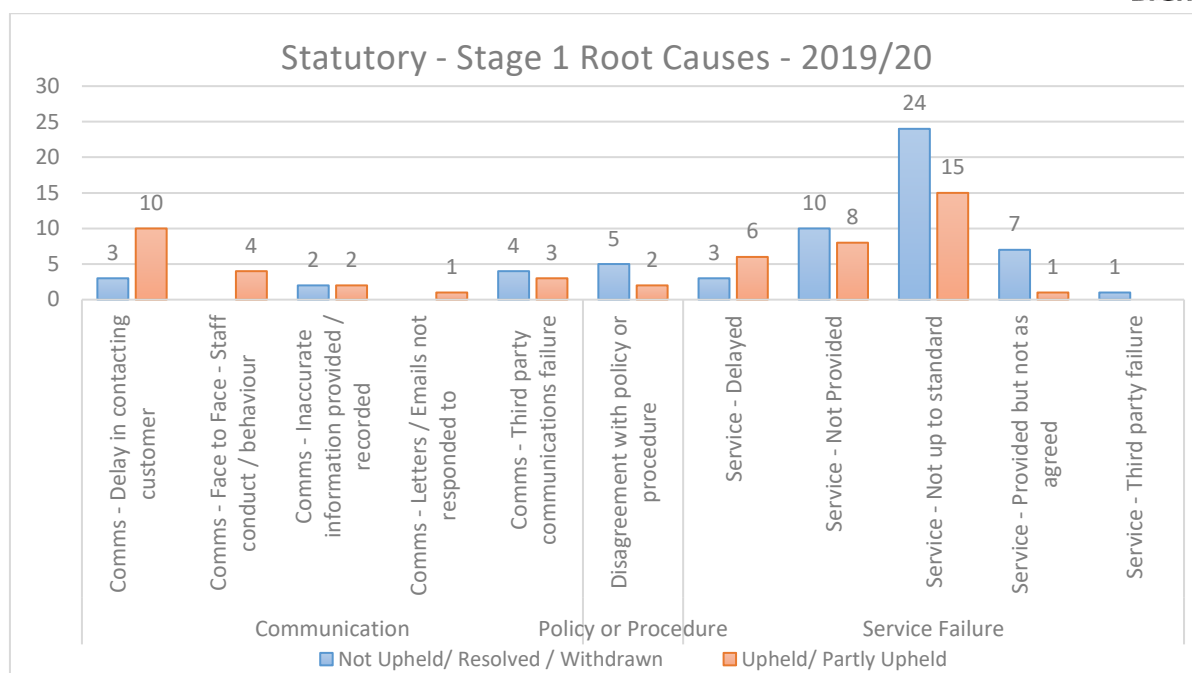
6. Profile of complainants and method of contact

- 6.1 When complaints are received they are directed to the Complaint Service team for triaging. Of the all the statutory children's complaints received, the team received 48% by email, 42% by self- service on line, 6% in person, 2% by telephone and 1% by letter. The CYP complaint legislation is explicit that the Council must receive complaints by any means. The varied methods of contact shows that this is happening. The team have also provided a telephone number on the web site especially for children's social care complaints.
- 6.2 The Council has limited information about the ages of complainants. Of the 117 statutory complaints received, age information is contained on 37% of cases, of which 2 complaints were received from the age range of 0-15, 10 complaints were received from the age range of 16-24, and 11 complaints received from the age range 25-34.
- 6.3 Information regarding gender was captured in 64 cases, of these 77% were female and 23% were male. In 32 cases where ethnicity was record, 25% were of Caribbean origin. The Complaint Service Team will to continue to record equalities information where available.



7. Nature / Reasons for Complaints

- 7.1 The main reasons for complaints received in 2019/20 were: a) service not up to standard; and b) failure to provide a service.

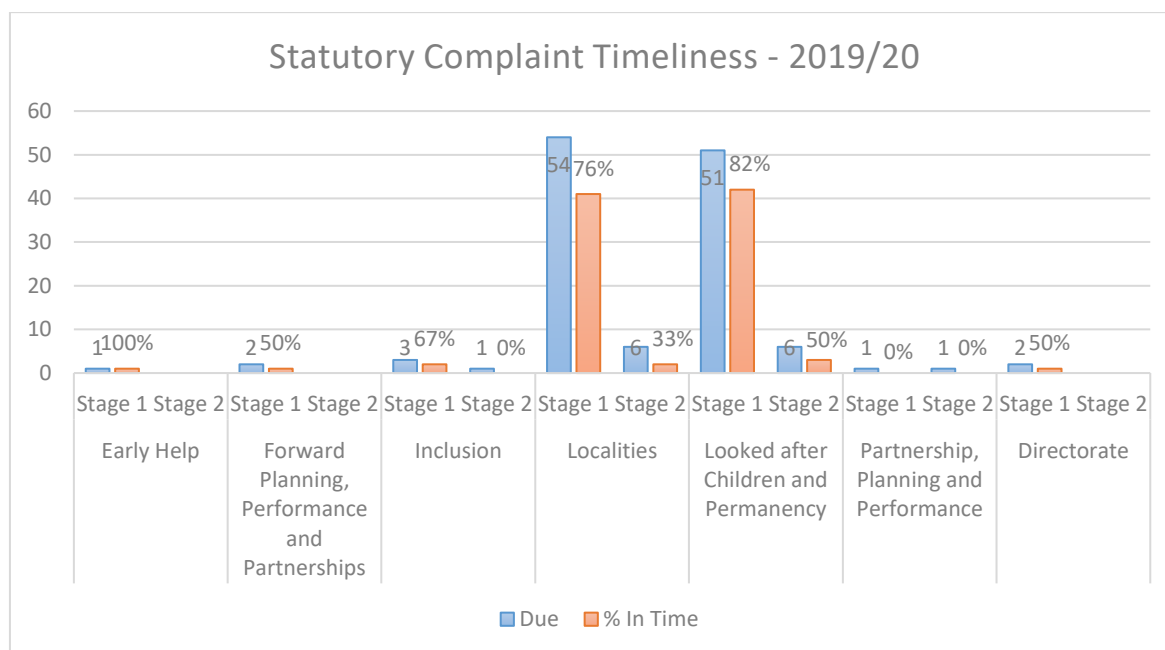


- 7.2 Children's Social Care has a statutory duty to support and intervene in the best interests of the child, however families will not always agree with the action that the Council has taken. As a result, they may choose to complain, and this is often focused on individual social workers who often need to navigate a challenging path between parents in dispute. The most common reasons for complaints against staff members are therefore where parents disagree with a decision that has been made, and/or then allege general poor service.
- 7.3 There has been an increasing number of complaints received from a parent in a separated family relationship. Most often this has been where the partners disagree about the care the child or children are receiving by the other parent. Some feel that the Child and Family Assessment has not been completed in an impartial way and that the social worker had not communicated with them early enough.
- 7.4 The majority of complaints where communication has been classified as a root cause, have been upheld. This confirms that improvement needs to be made when dealing with customers to ensure they are kept updated and informed of any delays. Many of the Stage 1 complaints reflect the unhappiness of parents and carers about some of the decisions made by staff including a perceived bias in the reports in favour of their partners.
- 7.5 Examples of the types of root causes of complaints that arise are listed below: -
- ***Alleged poor staff attitude*** - much of the work of Localities staff involves them taking actions in connection with highly sensitive child protection or child in need issues, which parents or carers disagree with. This has for example led to complaints concerning the alleged partiality of assessments.
 - ***Poor communication*** - on completion of a Child and Family Assessment, Social Care had not kept all the interested parties up to date with the completed assessment.

- **Care Leavers** - the main area of complaints related to leaving care and in particular care leavers' entitlements and the support they had requested. This suggests growing awareness of what care leavers are eligible for, and a greater willingness to challenge decisions.

8. Timeliness of Responses

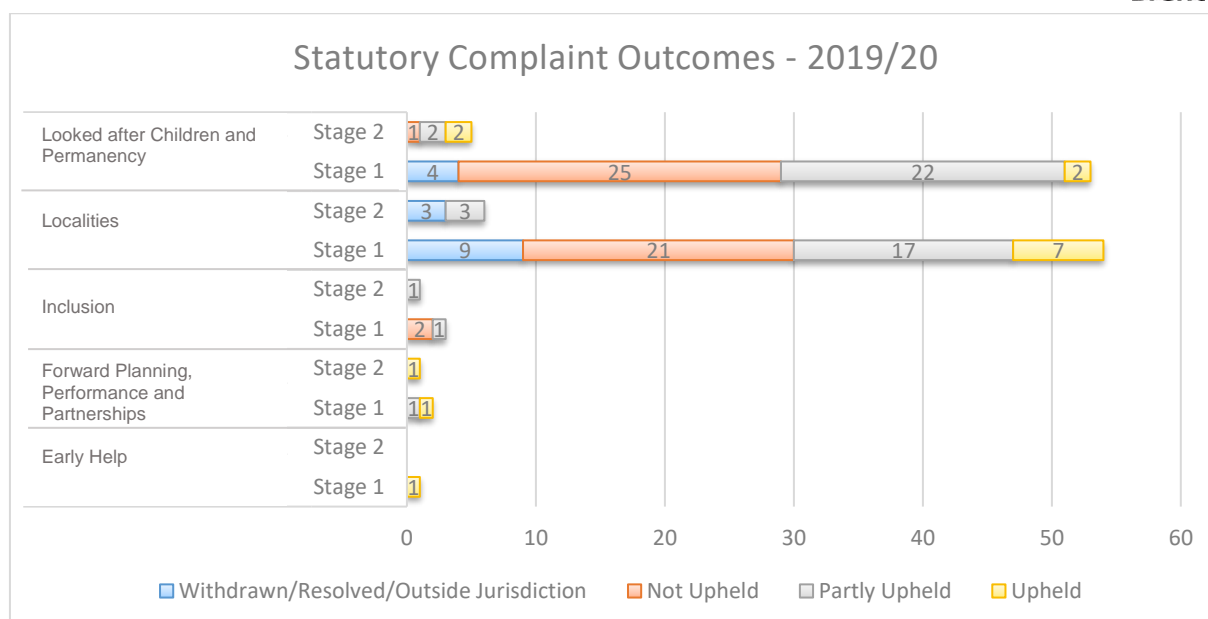
- 8.1 The Council responded to 73% of all children's statutory complaints within the appropriate timescales. This is a fall of 11 percentage points compared to the previous year, and is below the Council's target of 100%.



- 8.2 One of the reasons for this apparent fall in responsiveness was moving to a new complaints database in November 2019. This resulted in staff having difficulty in logging and recording responses.
- 8.3 It is important to note that the statutory children's complaint legislation allows the Complaint Service Team to extend the target deadline by 10 working days in complex cases.
- 8.4 There was notably strong performance in Looked after Children and Permanency where 42 out of 51 complaints were responded to on time.

9. Complaint Outcomes

- 9.1 There are four possible outcomes for complaints: withdrawn/resolved/Outside jurisdiction, not upheld, partly upheld and upheld. The chart below shows the outcomes of statutory complaints at Stage 1 and Stage 2 in 2019/20.



9.2 The key findings are:

- 113 cases were decided at stage 1 during the year, and in nearly half (46%) of these complaints, the Council found some merit in the complaint, a 3 percentage point decrease on the previous year's rate. Service areas continue to show a willingness to admit errors or mistakes and to remedy concerns raised.
- There were 16 cases which were either withdrawn, fell outside of the Council's jurisdiction or were resolved at the first point of contact. Service area managers and the Complaint Service Team work together to try to resolve complaints as soon as they are received.
- The Council closed 13 stage 2 statutory complaints during 2019/20. Three of the complaints were withdrawn, outside of jurisdiction or resolved at first point of contact. Of the remaining 10 statutory stage 2 complaints investigated, some fault was found in 90% of cases (up from 86% previous year) and 10% of cases were not upheld. The Complaint service is working with CYP to ensure that there are improvements in the stage 1 investigations in order to resolve complaints where the service is at fault.

Stage 2 Complaint Analysis

9.3 Detailed below are cases where fault was found at Stage 2 and the learning points / service improvements that were identified. The Council wishes to learn from its complaints and improve the service it provides.

- In a number of cases, the complaint concerned the way the Council had completed the Child & Family Assessment and the inconsistencies of the social workers when completing the assessment. These cases concluded that the child and family assessments were incomplete and that clear notes should include details of information recorded on the assessments. The investigations also concluded that there were delays in sending assessments to the families

and that communication could be clearer. Staff have been reminded of the importance of ensuring assessments are provided in a timely manner.

- A complaint concerned a financial support package for a young care leaver who had turned 18. The carer had a staying put agreement which had been stopped and the young person who had learning disabilities was not being provided with any support towards their living costs. The investigation concluded that the allowance should be reinstated and that records of decisions made at placement panels should be detailed on how decisions are reached.
- There has been a consistent comment concerning adherence to the statutory complaint process from the Independent stage 2 investigations. This has highlighted the need for further training on complaint handling especially at stage 1. The Complaint Service Team has attended a number of management team meetings to discuss complaint handling and is arranging a number of training courses which has been delayed due to the pandemic.

Stage 3 Complaint Analysis

9.4 Of the cases in which fault was identified at Stage 2, there were 2 cases decided at Stage 3:

- Complaint one: The Panel reviewed the investigating officer's report and recommended that the decision on two of the complaints, be changed from not upheld to upheld. However, the adjudicating officer considering all the facts decided to partially uphold and uphold the two complaints. It was agreed that the child and family assessment be amended and £2,000 compensation was paid.
- Complaint two: The Panel recommended that the Council should review the case closure procedure, resulting in decisions to close cases involving care leavers so that they are monitored effectively. The Panel also determined that the stage one response should have been more centred on the complainants needs. The Complaint Service team have a programme of training sessions with managers and staff and addressing stage one complaints will be part of the training provided.

10. Compensation

10.1 Children's Social Care paid out £4,170 in compensation in 2019/20 on seven cases. This is a significant decrease of £9,198 from 2018/19. This breaks down as follows:

- A total of £310 was offered at stage 1 of the statutory complaint procedure.
- There was a total of £1,860 paid out at Stage 2:
 - one payment of £1,560 to a complainant for the delay and mismanagement by the Council that had impacted upon their financial position. The compensation payment covered time and trouble, distress and any interest accrual during the period mentioned in the complaint.
 - one of £50 for the delay in dealing with the stage 2 complaint
 - another was for £250 for the lack of clarity and due to the length of time in resolving the issues identified.

- The award of £2,000 compensation at Stage 3 consisted of £500 in recognition of time and trouble and £1500 in respect of impact and distress caused.

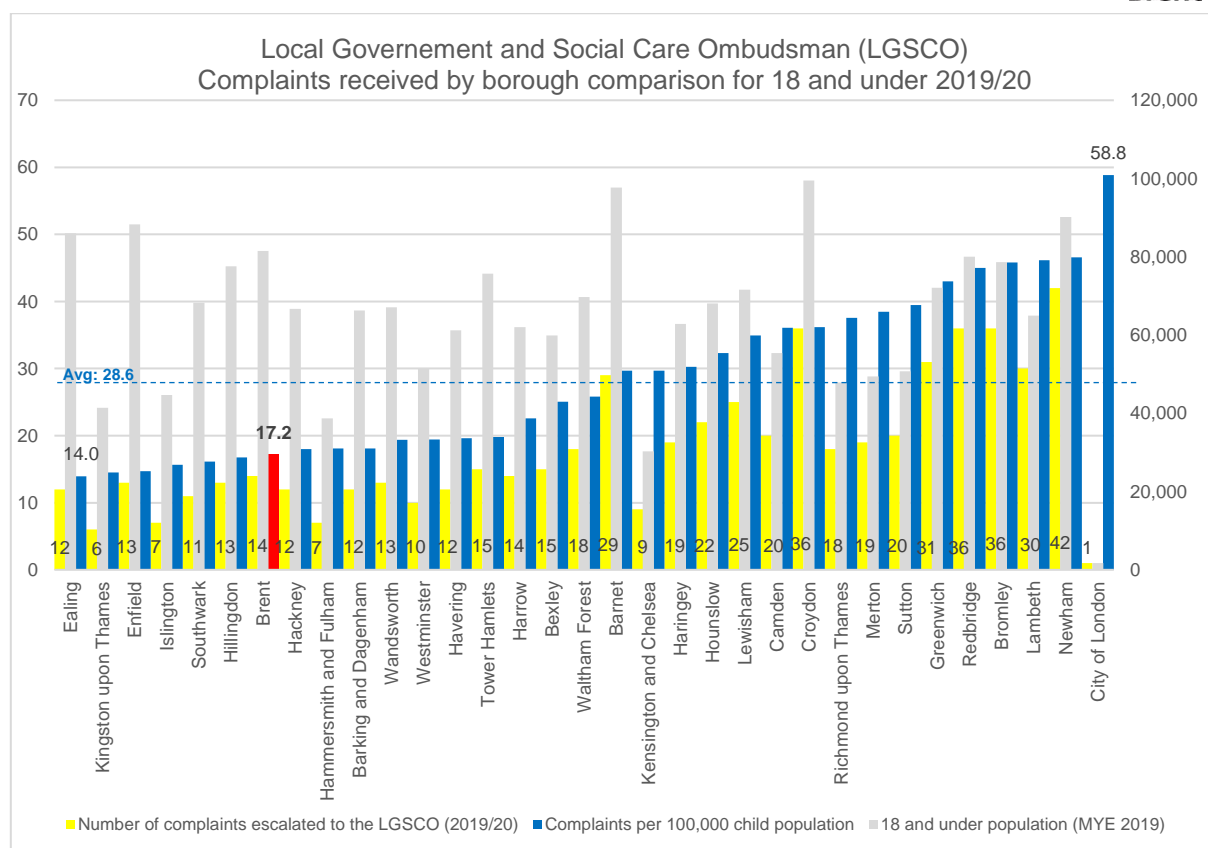
Children's Social Care	Total	
	No of Cases	Amount
Stage 1	3	£310
Stage 2	3	£1,860
Stage 3	1	£2,000
Ombudsman	0	£0
£ per Case	£695	

11. Local Government and Social Care Ombudsman (LGSCO)

- 11.1 One statutory complaint was upheld by the Local Government and Social Care Ombudsman in 2019/20:
- 11.2 The complaint related to the handling of a safeguarding investigation. The complaint had been investigated through the statutory three stage process and the Council followed the findings and recommendations outlined by the process. The Ombudsman did not reinvestigate the issues the complainant complained about and was satisfied that there was no fault in how the investigation was undertaken, and the remedies identified through the process were judged to be sufficient. The Council took some learning points from the complaint listed below:
- The Council should investigate the possibility of a reciprocal arrangement with another Council around Stage 1 investigations where staff members are involved.
 - Staff training and guidance will arranged around identifying and recording family strengths in reports to give a more rounded view.

12. Benchmarking

- 12.1 Brent Council belongs to the North West London Social Care Complaint managers group. As a result of the Covid-19 pandemic, it has been difficult to gather benchmarking data. Instead data has been gathered from a number of different sources including the Local Government and Social Care Ombudsman and the Office of National Statistics. The graph below illustrates the number of complaints received against size of population of children within each borough. The average for all London Councils is 28.6 per 100,000 population whereas Brent is at 17.2.
- 12.2 This means that Brent Council is 7th lowest for complaints received by the LGSCO when compared to its projected population in 2019 of children 18 and under. There were 14 complaints escalated to the LGSCO in relation to Education and Children's Services. The estimated population for children 18 and under within Brent for mid-year 2019 was 81,500. When factoring complaints received per 100,000 children population this is relatively good and lower than other boroughs.



13. Compliments

13.1 The service learns from both complaints and positive feedback. Children's Social Care logged 11 compliments on the Council's complaints and compliments database. Managers are encouraged to log any compliments they receive. Below are examples of some of the compliments received in 2019/20.

- **Localities (Children with disabilities)**

"I would like to thank you both for your all your help, responsiveness and hard work done on behalf of xxxx.

Hopefully his progress will be onward and upwards from here on in and in due course we will see him attending his health appointments and in education."

- **Localities (Children with disabilities)**

"I would like to compliment how xxxx has worked with us and taken the time to listen to our needs. We want the very best for our son in life and would like him to access community life as much as he can.

xxxx has answered all our queries and has come back to us quickly with any questions we have.

We do hope we can continue to work collaboratively to ensure the best for our son."

- **Safeguarding and Quality Assurance (Child Protection)**

"I want to thank you for all the work that you've done. I've worked with 3 different social workers including yourself, in two different boroughs and I can truly say I felt really supported whilst dealing with you.....You've always made xxxx feel comfortable, and have always interacted well with him. To the point where he gets excited every time we go to the office. I also want to thank xxx, she has also been very supportive, always been straight up with me and has given me good advice. Last but not least, a big thanks to xxxx who has been there from the start. She's seen how xxxx has grown from a baby to the boy that he's is now and it has been a pleasure working with her."

- **Localities (Children with disabilities)**

"I should like to thank you for all your support in ensuring a smooth and successful transition for xxxx.

As you very much aware this was highly complex and challenging and we felt very frustrated with the lack of progress until your intervention when everything was dealt with promptly and professionally.

I am confident that xxxx is in a placement that will help him to develop as a young man and can only express my sincere gratitude for your full cooperation and support."

14. Learning from Complaints

14.1 Lessons learnt from complaints can help shape and improve services and the customer experience. There is a commitment in CYP for managers and staff to use this learning to improve outcomes for service users.

14.2 Examples of how the learning points from complaints helped to improve services are provided below:

Learning From Complaints	Service Improvements
The Council should review the case closure procedure, resulting in decisions to close cases involving care leavers so that they are monitored effectively.	The Head of Service was asked to review the current procedures and changes were implemented.
Responses should acknowledge the difficulties and show an understanding of how complainants are affected by the issues and that with any young person the Council should be looking at how we can resolve the complaint.	Complaint Service team have a programme of training sessions with managers and staff and addressing stage one complaints will be part of the training provided.

Learning From Complaints	Service Improvements
<p>The Council to ensure young people are correctly supported to find suitable accommodation which meet their presenting needs and takes account of known risk factors in regard to location.</p>	<p>The Local Authority has recently updated its 'Sufficiency Strategy', a document that sets out how appropriate accommodation for children in care and care leavers is sourced and quality assured to ensure that, wherever possible, accommodation and placements meet all of the needs of the young person. A recent initiative with Barnardo's has established a quality assurance project that will work with semi-independent placement providers to help them improve the quality of their work with young people.</p>
<p>The Council to ensure it has a clear published policy as to how young people in Staying Put Arrangements will contribute to their accommodation and living costs within their foster home.</p>	<p>An updated policy that sets out more clearly the expectations of care leavers and former foster carers will be published on the Brent website by the end of 2020 and produced jointly with Care Leavers in Action, the organisation run for and by care leavers to promote their rights and views to the Council.</p>
<p>Managers to ensure they respond to Stage 1 complaints within the required timescale and actions stated they will undertake are delivered.</p>	<p>The Operational Director receives a weekly update from the Complaints' Service regarding open cases and works directly with the relevant Head of Service to ensure that timescales are met. The Head of Service now also reviews the actions that his managers commit to in their responses to ensure there is effective follow up.</p>
<p>Problems with identifying placements for children</p>	<p>The placement team are using the WLA DPV to search for residential placements. Commissioning officers are building relationships with a small number of providers so that they will support the LA when emergency placements are required.</p>

This page is intentionally left blank

Appendix C – 2019/20 Complaints Root Cause Summary & Improvement Actions by Department

Data caveat – The summary below is based on cause of complaints as recorded on iCasework and CRM for corporate and statutory cases closed in 19/20 with the root cause identified on the system. Each case can have multiple root causes (instances). The table below captures instances by Service.

Community Wellbeing Department - Housing Directorate (780 instances)

Root Cause	Actions
<p>Repairs – 200 instances; 139 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Delayed – 71 • Service no up to standard/ as agreed – 51 • Service not provided – 42 • Poor communication - 27 • Policy or procedure – 6 • Other – 2 • Third party failure - 1 <p>Customer Care– 106 instances; 61 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service failure – 45 • Poor communication – 28 • Delay in repair/inspection – 14 • Other- 6 • Policy or Procedure – 8 • Attitude - 2 • Appointment policy- 2 • Quality of work- 1 <p>Tenancy – 62 instances; 35 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service failure – 29 • Poor Communication– 18 • Policy or procedure – 15 	<p>Housing Management Services</p> <p>The Housing Management Service is split over two core functions, Housing Management Customer Service and Housing Management Property Service. Both service areas manage high volumes of operational activities generated by customers and as part of the Council general landlord function. The Council is dependent on a number of contractors to fulfil its landlord obligations and has established partnership arrangements in place to ensure core service standards are delivered. There are a number of improvement initiatives underway as part of the large-scale improvement programme across the service.</p> <p>HMS – Property Services</p> <p>HMS - Property Services carries out over 30,000 repairs a year.</p> <p>The service have used a number of complaints to review their processes and systems so that they can track and effectively manage repairs. They now have a number of case trackers which are reviewed on a weekly basis to ensure cases are progressed efficiently and residents updated in advance where delays are identified:</p> <ul style="list-style-type: none"> • Complex case tracker • Working at heights tracker • Disrepair <p>The team have worked closely with IT to build in tracking / referral flags where support is required from colleagues in other teams to progress repairs. For example decants, asbestos and tenancy issues.</p>

Root Cause	Actions
<p>Accommodation Services – 62 instances; 12 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure - 40 • Communication - 12 • Policy or procedure – 10 <p>Public Realm – 51 instances; 27 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service not provided/provided but not as agreed- 16 • Service Delayed- 14 • Service not up to standard- 9 • Policy or Procedure- 5 • Poor Communication- 5 • Third party failure- 2 <p>Property Services – 35 instances; 20 upheld/partly upheld</p> <ul style="list-style-type: none"> • Delay in Repair –20 • Communication- 9 • Delay in inspection- 2 • Attitude- 2 • Appointment Policy- 1 • Service Failure- 1 <p>Planned Maintenance – 34 instances; 12 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service failure - 26 • Poor Communication- 7 • Policy or Procedure – 1 <p>Housing Options – 32 instances; 3 upheld/partly upheld</p> <ul style="list-style-type: none"> • Policy and Procedure- 16 • Poor Communication- 8 • Service not provided – 3 • Service not up to standard- 3 • Service delayed – 2 	<p>The service also hold complaint reviews which include their main contractor Wates, as part of a lessons learnt process and to enable them to identify where the blockages are. For example, the service were receiving a large number of complaints which related to leaks and the inability to gain access to undertake the necessary repair, so they have worked with Wates and the Customer Experience Team to develop a no access procedure to address this issue, as a result complaints of this nature have reduced.</p> <p>The aim is, particularly with complex cases, to track these at a much earlier stage so as to reduce the number that fall into disrepair. This combined with proactive monitoring of the forced entry leaks process, means they now follow up with inspections on all these job types and so, over time, will also reduce the number of complaints around follow up works that so plagued the service previously.</p> <p>The service has also introduced the following measures to help improve service delivery:</p> <ul style="list-style-type: none"> - Integrated Assessment Management Contact Improvement plan focused on rectifying service issues identified in customer satisfaction surveys; - No-access policy covering access to council and leaseholder properties to fix leaks and other repairs; - Scaffolding protocol for all scaffolding contracts and weekly management of scaffolding arrangements - Focus on complex and lengthy repairs and maintaining communications with residents during these works - New IT installed on CRM and Wates systems - Making 400 appointments for routine repairs a week - 100% of routine repairs attended to within four days of a call - 80% of routine repairs fixed first time - Repairs satisfaction has increased to 90%

Root Cause	Actions
<p>Leasehold Services – 29 instances; 8 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service failure- 19 • Policy or Procedure- 5 • Section 20 notice – 3 • Poor Communication- 2 <p>Single Homelessness Team – 28 instances; 14 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 14 • Communication- 10 • Policy or procedure – 4 <p>Rent Income – 24 instances; 4 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service failure – 11 • Policy or procedure - 8 • Poor communication- 5 <p>Mechanical & Electrical – 21 instances; 12 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure –15 • Poor communication- 6 <p>Anti-Social Behaviour – 20 instances; 5 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Service failure- 13 • Poor Communication- 5 • Policy or Procedure- 2 <p>Home Ownership – 14 instances; 7 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure –10 • Communication- 3 • Policy or Procedure- 1 	<p>HMS - Customer Service (Housing and Neighbourhoods)</p> <p>HMS – is responsible for managing 12,000 tenants and leaseholders.</p> <p><i>Service improvements include:</i></p> <ul style="list-style-type: none"> - Transfer of the estate caretaking in-house meaning we are able to address concerns about fly tipping and waste collection as well as cleaning standards in a more timely and efficient way. - Introduction of a secondary monitoring system for estate services and contracts. - Reverted to a patch-based system for housing officers to address complaints of ‘no single and clear point of contact’ and ‘lack of ownership’. - An agreed programme with Performance, Insight and Improvement team to formalise all processes within the service so they are visible and accessible to officers in addition to CRM. - New role to be included in the structure to monitor the quality of responses to stage one complaints in line with the new housing ombudsman requirements. This role will also support regular audits and address live issues / breakdown in communication between Property Services and Housing and Neighbourhoods.

Root Cause	Actions
<p>Private Housing and PHS Grants– 14 instances; 4 upheld/partly upheld</p> <ul style="list-style-type: none"> • PHS Grants – 10 • Poor Communication- 2 • Service Failure- 2 <p>Housing needs – 13 instances; 6 upheld/partly upheld</p> <ul style="list-style-type: none"> • Communication –9 • Service Failure- 3 • Attitude- 1 <p>Enforcement – 11 instances; 6 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service failure – 5 • Policy or procedure - 4 • Communication – 2 <p>Housing Partnerships – 9 instances; 6 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 7 • Communication- 2 <p>Lettings – 7 instances; 2 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Third Party Failure – 2 • Service not provided/up to standard- 2 • Service delayed- 1 • Policy or Procedure- 1 • Poor communication- 1 <p>Compliance and Risk- 5 instances; 4 upheld/partly upheld</p> <p>Landlord License- 1 instance; 0 upheld</p> <p>Resident Involvement- 1 instance; 1 upheld</p> <p>Support and Improvement- 1 instance; 1 upheld</p>	<p>Housing Needs</p> <p>The Housing Needs Service is responsible for the prevention and relief of homelessness, as well as the allocation of suitable accommodation, both in the private rented sector and social housing. Since the implementation of the Homelessness Reduction Act, there has been an increase in demand from single homeless people.</p> <p><i>Service improvements include:</i></p> <ul style="list-style-type: none"> - Following the implementation of the Homelessness and Rough Sleeping Strategy, a customer satisfaction survey has been produced, which will be used to measure customer service, and identify areas for improvement. - The specialist Domestic Abuse Team in Housing Options has achieved accreditation status from the Domestic Abuse Housing Alliance's (DAHA) for the positive work carried out with households affected by domestic abuse. <p>Private Housing Services (PHS)</p> <p>PHS predominantly has two key functions, one being regulating and enforcing standards within the private rented sector (PRS) and the other assisting disabled and vulnerable residents by facilitating and providing aids, adaptations and repairs in their homes. In the past year, PHS has received in the region of 4,500 PRS property licence applications, over 800 request for service from PRS tenants who believe they need repairs to their homes and in the region of 1,000 referrals or requests for service for aids, adaptations and/or repairs. In many cases, and in particular with regards to aids and adaptations, the issues that customers have are of a very complex nature and these are very often borne out in their complaints.</p> <p><i>Service improvements include:</i></p> <ul style="list-style-type: none"> - Feedback from customer satisfaction surveys is used to improve service delivery. - The service has ISO 9001:2015 quality system accreditation and complaints are discussed regularly with individuals and at team meetings.

Community Wellbeing Department – Adult Social Care Directorate (60 instances)

Root Cause	Actions
<p>Commissioning, Contracting and Market Management – 13 instances; 10 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Service failure – 9 • Policy/Procedure – 2 • Poor communication – 2 <p>Adult Services - Complex Care – 15 instances; 5 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Correspondence issue - 8 • Service failure – 4 • Other- 2 • Policy or Procedure – 1 <p>Adult Services - Urgent Care – 11 instances; 2 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Correspondence issues – 5 • Service failure- 4 • Other- 2 <p>Partnerships & Integration – 4 instances; 3 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Correspondence Issue – 2 • Service not provided - 1 • Other- 1 <p>Central North West London (CNWL) – 8 instances; 2 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Correspondence issues – 6 • Service failure- 2 <p>Safeguarding- 1 instance; 0 upheld/partly upheld</p> <p>Hospital discharge team- 3 instances; 2 upheld/partly upheld</p>	<p>Adult Social Care</p> <p>ASC received 2702 adult contacts, which were passed from BCS to the Duty team. ASC assessed 1145 new homecare and 168 new residential and nursing services. There were 3213 service users who received section 5 hospital discharge assessments.</p> <p>Service improvements include:</p> <ul style="list-style-type: none"> - Feedback/learning from complaints is discussed with individual staff members, at team meetings and management meetings to help improve service delivery. Identify and act on underlying performance issues. - Engagement by Heads of Service and Team Managers to achieve early resolution by identifying and responding to potential areas of complaints. Example : Early contact achieved in some cases to resolve immediate issues ahead of formal complaint response - ASC Transformation Process to positively impact and support customers journey 2021. This will be achieved by increased responsiveness, reduction in care hand offs between teams. - Responding to key findings in complaints linked to reported communication issues: Service improvements achieved/reduction of locum roles and further being sought both with increase in permanent staff and investment in retaining workforce. - Carers Board consultation to identify 'gaps' in service response and closer links to Gateway to assist resolution for Brent residents. - Use of Virtual Meetings (Zoom, Teams, Facetime) to assist with carrying out assessments rather than solely phone contact or email. - Recognition that work is required with other departments of the council to ensure complaints with multiple service strands receive cohesive response. - Reviewing cases waiting in OT- responding to change in need as key task in Management of waiting list

Prevention and community team- 4 instances; 2 upheld Residential team- 1 instance; 0 upheld	<ul style="list-style-type: none"> - The introduction of the ASC Skills Academy in April 2020, which provides consistent training for all staff across the department. This includes five new development pathways with the aim to broaden the skills across the department - All staff have completed, or are in the process of completing, strengths based practice training with SCIE to support good practice throughout the customer journey - A practice framework and recording guidance has been developed with staff and implemented to support our overall practice goal of promoting residents' wellbeing
--	---

Community Wellbeing Department - Culture Directorate (36 instances)

Root Cause	Actions
Libraries – 32 instances; 12 upheld/partly upheld <ul style="list-style-type: none"> • Service Failure – 17 • Face to face staff communication - 9 • Policy or Procedure – 6 Public Health adults- 3 instances; 2 upheld/partly upheld <ul style="list-style-type: none"> • Staff conduct- 3 Sports facilities – 1 instance; 1 upheld/partly upheld <ul style="list-style-type: none"> • Service provided but not as agreed - 1 	Libraries The library service had over 35,500 active borrowers and over 2,500,000 visits. <i>Service improvements include:</i> <ul style="list-style-type: none"> - Regular discussion of complaint issues with individual staff, teams and management teams - Policy reviews and clarifications in relation to customer access - Changes and improvements to the library management system Sports Facilities <i>Service improvements include</i> <ul style="list-style-type: none"> - Regular team meetings and 1-1's for staff at Bridge Park - Staff inductions, training and performance management - Improved communications to staff at Bridge Park, enabling employees to have more opportunity to input into decisions on activity at the centre - Service improvements resulting from complaints are discussed with managers and raised at team meetings - Discuss complaint with contractor and agree on course of action – usually staff training, maintenance or amendment to service provision

Root Cause	Actions
<p>Parking & Lighting– 162 instances; 58 upheld/partly upheld</p> <ul style="list-style-type: none"> • Parking Enforcement- 75 • Parking Permits - 25 • Parking and Lighting Other – 22 • Parking Bays – 6 • Enforcement action– 3 • Bay Suspension- 2 • Projects- 2 • Car Parks – 1 <p><i>Trees and Lighting - 26 instances</i></p> <ul style="list-style-type: none"> • Trees – 14 • Lighting – 12 <p>Neighbourhood Management– 85 instances; 25 upheld/partly upheld</p> <ul style="list-style-type: none"> • Member/General Enquiry- 24 • Public Realm Contract- 19 • Bin Collections- 15 • Refuse and Waste- 12 • Con- Veolia- 8 • Littering and Fly Tipping- 2 • Damage to property- 2 • Housing management- 1 • Cemeteries- 1 • Other- 1 	<p>Parking & Lighting</p> <p>During the year the Parking & Lighting Service issued approximately 200,000 Penalty Charge Notices (PCNs), processed 40,000 parking permits and administered 240,000 visitor parking bookings</p> <p><i>Service area improvements include:</i></p> <ul style="list-style-type: none"> - There were 70 fewer complaints about Parking services than in 2018/19 - The service regularly review the Parking Enforcement plan and target enforcement activity to address hotspots; - parking contractor is given a clear timetable of parking suspensions and signage required; - permit complaints addressed by system changes and/or customer advice; - tree maintenance requests are considered against the planned schedule of tree maintenance across the borough and budget considerations <p>Neighbourhood Management and Public Realm</p> <p>Neighbourhood Management including the Neighbourhood Managers and Environmental Enforcement is the lead service for responding to customer contact and response for concerns over missed collections, street cleaning or waste crime such as dumping or littering. This includes the Public Realm contract with Veolia providing street cleansing and refuse and recycling collections for 120,000 households in the borough.</p> <p><i>Service area improvements include:</i></p> <ul style="list-style-type: none"> - Improving the alignment of Public Realm contract complaints with the Neighbourhood Managers to give a local focus to the council response. This has helped to identify underlying issues and improved links with internal and external teams to resolve the logged issue and associated problems.

Root Cause	Actions
<p>Environmental Improvement and Public Realm – 55 instances; 28 upheld/partly upheld</p> <ul style="list-style-type: none"> • Public Realm Contract – 28 • Member/General Enquiry – 10 • Parks and Open Spaces – 6 • Service Failure- 4 • Waste- 3 • Staffing- 2 • Allotments – 2 <p>Highways and Infrastructure – 52 instances; 20 upheld/partly upheld</p> <ul style="list-style-type: none"> • Highways- 33 • Kerbs and pavements- 4 • Projects- 4 • Cycling/Cycle parking – 2 • Traffic Management- 2 • Other- 2 • Pavement defects- 1 • Blocked drains, leaks and floods - 1 • Member/General inquiry- 1 • Service- 1 • Signage and Information-1 <p>Customer Care – 39 instances; 14 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 20 • Policy or Procedure – 14 • Communication- 5 	<ul style="list-style-type: none"> - Having dedicated Veolia managers for problem areas. For example, a single environmental manager is now responsible for garden waste collections across the borough which has created a renewed focus and reduced complaints. - Introducing and managing a new HRRC booking service in house through customer services. This has eliminated post-lockdown queues at the site, while providing a high level of assistance to residents who struggle to book online slots. <p>Environmental Improvement</p> <p>The Environmental Improvement service responsibilities include Council parks, open spaces and cemeteries; and management of refuse and recycling services for approximately 120,000 households in the borough.</p> <p>Service area improvements include:</p> <ul style="list-style-type: none"> - Parks Services reviewing their processes for information relating to changes in services - Parks Services reviewing the allotments service processes <p>Highways and Infrastructure</p> <p>The Highways & Infrastructure service is responsible for roads and pavements in Brent.</p> <ul style="list-style-type: none"> - Complaints related to highways defects is always contentious as not all reported defects are programmed for repair. This is dependent on intervention levels and priority. - Expectation for addressing illegal vehicle crossings has increased with the establishment of an Environmental Enforcement team. - Further work is required to improve performance on efficient processing and programming of vehicle crossings. A restructure of the service will address this issue. - The use of asphalt for planned footway maintenance has generated a lot of complaints from some areas who would prefer paving slabs.

Root Cause	Actions
<p>Planning, Transport and Licensing– 30 instances; 3 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service not up to Standard - 8 • Service Delayed – 6 • Service not provided – 5 • Communication – 5 • Policy or procedure - 4 • Planning Application- 1 • Quality of work - 1 <p>Community Safety, Protection and ASB– 19 instances; 1 upheld/partly upheld</p> <ul style="list-style-type: none"> • Nuisance- 13 • ASB- 4 • Community Safety- 1 • Member/General Enquiry- 1 <p>Employment, Skills and Enterprise – 5 instances; 4 upheld/partly upheld</p> <p>Commercial Services and Property- 9 instances; 2 upheld/partly upheld</p> <p>Building Control – 5 instances; 0 upheld</p> <p>Cemeteries- 5 instances; 3 upheld/partly upheld</p> <p>Facilities Management- 6 instances; 2 upheld/partly upheld</p> <p>Directorate- 2 instances; 1 upheld/partly upheld</p>	<p>Planning, Transport and Licensing</p> <p>The Planning service processed over 4,300 planning applications during 2019/20.</p> <ul style="list-style-type: none"> - The main causes of complaints were planning applications, decisions, or enforcement. - It is recognised that planning decisions can be unpopular or controversial at times and complaints about planning decisions are managed through a separate appeals process. Service errors in the administration of planning applications are discussed at an individual and team level to help improve service delivery standards. - The service need to ensure that documents in relation to applications remain viewable online and can be accessed.

Root Cause	Actions
<p>Council tax/recovery - 120 instances; 48 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 70 • Communication – 33 • Policy or Procedure – 17 <p>Customer Care – 71 instances; 18 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 32 • Policy or Procedure – 18 • Communication – 16 • Attitude- 2 • Other – 2 • Quality of work- 1 <p>Benefits– 47 instances; 24 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 37 • Communication – 8 • Policy or Procedure – 1 • Other – 1 <p>Revenue and Debt- 28 instances; 7 upheld/partly upheld</p> <ul style="list-style-type: none"> • Council Tax Payments and Enforcement- 12 • Service Failure – 6 • Communication – 6 • Attitude- 2 • Delay in payment- 1 • Policy or Procedures- 1 <p>Overpayment Recovery– 11 instances; 8 partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 5 • Policy or Procedure- 3 • Communication- 3 	<p>Brent Customer Service (BCS)</p> <ul style="list-style-type: none"> - BCS includes the Customer Contact Centre, Customer Service Centre, Revenues & Benefits service, Registration & Nationality service, Client Affairs Team, Debt Recovery and Concessionary Travel teams. The scale of BCS operations during 2019/20 included: 158,000 Contact Centre calls answered; 48,000 responses to Contact Centre emails/web chat/tweets; over 121,000 live council tax accounts; over 25,000 live Council Tax Support claims and over 6,000 new Housing Benefit claims with more than 110,000 changes in circumstances in the year; 3,200 social care financial assessments; over 5,400 Blue Badge/Taxi Cards/Freedom pass applications. <p>Benefits</p> <ul style="list-style-type: none"> - As per previous years, the root cause for a sizable proportion of Housing Benefit complaints is benefit calculations and appeals that are investigated by an independent statutory process. - In order to remedy this situation, the service are working in conjunction with the Policy Team putting an emphasis on frequent, targeted quality checks and training for all HB Assessors. They are also aiming to utilise the new ICMS system, to gather precise analysis of complaints so that improvements in work quality and service delivery can be introduced. They are focusing intensely on Corrective and Preventative Actions Plans established through their analysis of Complaints data. - The service still receive a small amount of complaints received regarding Universal Credit. Although the Council are not directly responsible for UC claims. <p>Registration and Nationality</p> <ul style="list-style-type: none"> - It is very rare for the Registration Service to receive complaints. The complaints received in 2019/20 related to documentation required for civil marriage and id checks for the EU settlement scheme. The service will continue to ensure information is clearly and accurately advertised.

Root Cause	Actions
<p>Concessionary Travel – 5 instances; 3 upheld/partly upheld</p> <ul style="list-style-type: none"> Blue badge service – 5 <p>Client Affairs – 5 instances; 4 upheld/partly upheld</p> <ul style="list-style-type: none"> Service Delayed- 4 Communication- 1 <p>Registration and Nationality – 4 instances; 3 upheld/ partly upheld</p> <ul style="list-style-type: none"> Communication – 2 Policy or Procedure – 1 Service Failure- 1 <p>Local Welfare Assistance- 3 instances; 1 upheld/partly upheld</p> <ul style="list-style-type: none"> Policy or Procedure- 2 Service Failure – 1 <p>DPA- 6 instances; 0 upheld Procurement- 1 instance; 0 upheld Transformation – 1 instance; 1 upheld</p>	<p>Blue Badges, Taxi card, Freedom Passes Discretionary Housing Payment</p> <ul style="list-style-type: none"> Since the introduction of Hidden Disabilities in August 2019 falling within the assessment of Blue Badges, the service have seen a significant increase in complaints around this area. Unfortunately, the way the media advertised this criteria to be included as being able to apply for a Blue Badge, most customers believed they would automatically be entitled to receive a Blue Badge if they fell within this group. We require medical documentation from a medical Practitioner who would explain and justify the Blue Badge is required to access goods and services. The service also received a complaint regarding Local Welfare Assistance where a payment card was sent to the service user's address but they were unaware. The service have since changed and updated notification letters to state customers are required to contact the service within 5 working days of receiving the card and purchase goods within one month. There has been an increase in complaints about decisions in regards to Discretionary Housing Payments where an award has been declined. Most of the time this is due to payments requested not relating to rent liabilities or customers not providing all the required documentation to support their application. Letters have recently been updated to state customers are able to request a revision of the decision and provide the required supporting documentary evidence. <p>Council Tax/Business rates/Care debt/Hb overpayments/sundry debt</p> <ul style="list-style-type: none"> Customers who take the time to raise an issue and complain to the Council's debt services are in fact offering up gifts. These provide the service with opportunities to learn from these complaints about how future service provision can be improved. To some extent, it is not unexpected that complaints about debt collection services generate complaints as they often relate to the work done to collect historic debts that may include tracking customers who have previously absconded or assumed a debt had been forgotten. However, the fact that 40% (63/159) were upheld or partly upheld is a concern and something from which the service will learn. Moving into 2020/21 the service has put more emphasis on ethical and empathetic collection combined with accuracy to improve the customer experience while still seeking to maintain collection.

Root Cause	Actions
	<p>Contact Centre</p> <ul style="list-style-type: none"> - The majority of complaints related to service failure, policy and procedure and communications. The following actions have been taken to address these causes: - Formalised SLA's with service areas clearly defining our remit and support arrangements - -4-6 weekly service area liaison meetings with service areas to facilitate strong joint working and communication - Regular team huddles and briefings to keep our team up to date on service changes and provide regular refresher sessions - More robust quality auditing and improved reporting <p>Client Affairs Team</p> <ul style="list-style-type: none"> - The content and purpose of the Financial Assessment correspondence sent to residents has been reviewed to make this clearer and easier to understand. Quality auditing will be transferring to the same platform as the Contact Centre to identify generic metrics along with more specific indicators relating to the Client Affairs Team. This will improve the quality auditing process and reporting. Regular liaison meetings with key stakeholders is taking place to ensure effective joined up working and problem resolution.

Root Cause	Actions
<p>Localities – 34 instances; 13 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 17 • Social Workers- 6 • Communication – 6 • Policy or Procedure – 2 • Other- 2 • Attitude- 1 <p>LAC and Permanency – 22 instances; 11 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 11 • Communication – 10 • Data Protection- 1 <p>Planning, Performance and Partnerships – 19 instances; 9 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Service failure – 10 • Policy or procedure – 4 • Communication – 3 • School Admissions- 2 <p>Inclusion – 15 instances; 6 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 8 • Policy or Procedure – 5 • Communication- 2 <p>Early Help – 6 instances; 1 upheld/partly upheld</p> <ul style="list-style-type: none"> • Children’s Centres- 2 • Communication- 2 • Policy and Procedures- 2 <p>Safeguarding and Quality Assurance- 4 instances; 4 upheld/partly upheld</p>	<p>CYP</p> <ul style="list-style-type: none"> ▪ To put some context to the volume of complaints received in 2019/2020, Children Social Care received 3993 referrals and completed 3660 Child & Family Assessments. As of 31 March 2020, the Council had 2401 open children in need cases and 254 children were the subject of a child protection plan. There were 299 looked after children and the Council had 359 care leavers aged 17-25 in receipt of services. <p><i>Service improvements include:</i></p> <ul style="list-style-type: none"> ▪ Learning points from complaints are discussed with individual staff and in team meetings and there is ongoing work with managers to improve service delivery.

Root Cause	Actions
<p>HR and Legal – 10 instances; 5 upheld/partly upheld</p> <ul style="list-style-type: none"> • Communication – 5 • Service Failure- 2 • Policy or Procedure- 2 • Attitude- 1 <p>Electoral Services – 9 instances; 3 upheld/partly upheld</p> <ul style="list-style-type: none"> • Service Failure - 5 • Communication – 3 • Policy or Procedure- 1 <p>Finance – 8 instances; 4 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Service Failure – 5 • Communication – 2 • Policy or Procedure- 1 <p>Insurance - 6 instances; 3 upheld/ partly upheld</p> <ul style="list-style-type: none"> • Communication – 4 • Policy or Procedure- 2 <p>Executive and Member Services – 5 instances; 0 upheld/partly upheld</p> <ul style="list-style-type: none"> • Communication – 3 • Planned Works – 1 • Other- 1 <p>Audit and Investigations – 1 instance; 0 upheld Democratic Services- 1 instance; 1 partly upheld Chief Executive Support- 1 instance; 0 upheld</p>	<p>Chief Executive's Service</p> <p><i>Service improvements include:</i></p> <ul style="list-style-type: none"> • Service improvements resulting from complaints are discussed with managers and raised at team meetings. Complaints are seen as an important part of learning and help to improve the quality of service that is provided. • Complaints that are received directly in the Chief Executive's Office are captured and reported monthly along with telephone performance statistics for departments within the Council. Emerging trends are monitored and raised with Directors / Service Heads.

**The Housing
Ombudsman's
Complaint Handling Code**

Published July 2020

Contents

Part A:

1. Introduction
2. The purpose of the Code

Part B: The Code

1. Definition of a complaint
2. Accessibility and awareness
3. Complaint team, procedure, timeliness and responsiveness
4. Fairness in complaint handling
5. Putting things right
6. Continuous learning and improvement

Part C:

1. Compliance
2. Self-assessment

Part A

1. Introduction

Complaint handling performs an important strategic role for an organisation, providing vital intelligence on its health, performance and reputation. Data on complaint handling should be considered alongside other management information to provide assurance and assess risks.

The Ombudsman's Complaint Handling Code promotes the progressive use of complaints, providing a high-level framework to support effective handling and prevention alongside learning and development. The Code ensures complaint handling data is being used consistently across landlord members, promotes engagement at different levels within a landlord and sets out expectations for boards or equivalent governance, senior executives and frontline staff.

For boards or equivalent governance, the Code supports culture setting and intelligence for assurance exercises, using complaint data alongside other management information on stock, services and customer feedback to provide insight into their organisation. It is important for governance to understand the complaints their organisations are receiving and the impact of their complaint handling on residents.

For chief executives and senior managers, the Code supports learning from complaints and promotes the open and transparent use of information to assess performance and risks.

For operational staff, the Code supports excellent complaint handling and engagement with the Ombudsman. If the requirements of the Code cannot be delivered this should prompt discussion about what needs to change.

Information on complaints can provide essential insight for governance and should include, although not necessarily be limited to:

- Regular updates on the volume, category and outcome of complaints, alongside complaint handling performance including timely compliance with the Ombudsman's orders
- Review, at least once a year, of issues and trends arising from complaint handling, including discussion of the Ombudsman's yearly landlord performance report and the inclusion of any organisational learning in the landlord's Annual Report
- Consideration of individual complaint outcomes where necessary, including findings of severe maladministration of the Ombudsman or any referrals by it to regulatory bodies, including scrutiny of any subsequent procedural or organisational changes
- Confirmation that the Complaint Handling Code is being applied.

Compliance with the Code forms part of the membership obligations set out in the Housing Ombudsman Scheme. Landlords should comply with the requirements of the Code. The Code should be read in conjunction with the Scheme.

Landlords are encouraged to promote the Code and to share the outcome of their self-assessment with residents.

2. Purpose

The purpose of the Code is to enable landlords to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and residents.

Some landlords see complaints as a form of negative feedback. In fact, there are many benefits to be gained from having an effective, efficient complaints process:

- Complaints allow an issue to be resolved before it becomes worse. Those not resolved quickly can take significant resource and time to remedy
- Involvement in complaint resolution develops staff decision-making and engagement
- Complaints provide senior staff with a window into day-to-day operations allowing them to assess effectiveness
- Good complaint handling promotes a positive landlord and resident relationship.

The Ombudsman's Complaint Handling Code sets out requirements for member landlords that will allow them to respond to complaints effectively and fairly.

While member landlords must comply with some elements of the Code, the Ombudsman recognises that each landlord will need to adapt its complaints policy and processes to meet the needs of its residents. Consequently, there are some areas where a landlord can use its discretion. The Code seeks to be prescriptive only where the Ombudsman believes clear and consistent practice by all landlords is essential. Landlords will be asked to self-assess against the Code on a comply and explain basis. Non-compliance could result in the Ombudsman issuing complaint handling failure orders. Separate guidance on these orders has been published by the Ombudsman.

The Code will act as a guide for residents setting out what they can and should expect from their landlord when they complain. The requirements in the Code also provide residents with information about how to make a complaint and how to progress it through the landlord's internal complaints procedure.

The Code supports the regulatory approach to complaints ensuring that a landlord's approach to complaints is clear simple and accessible and ensures that complaints are resolved promptly, politely and fairly.

Part B

The Code

1. Definition of a complaint
2. Accessibility and awareness
3. Complaint team, procedure, timeliness and responsiveness
4. Fairness in complaint handling
5. Putting things right
6. Continuous learning and improvement

1. Definition of a complaint

- 1.1. Effective complaint handling should be a resident friendly process that enables residents to be heard and understood. The starting point for this is a mutual understanding of what constitutes a complaint.
- 1.2. A complaint shall be defined as *an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.*
- 1.3. The resident does not have to use the word complaint in order for it to be treated as such. Landlords should recognise the difference between a service request (pre-complaint), survey feedback and a formal complaint and take appropriate steps to resolve the issue for residents as early as possible.

Exclusions

- 1.4. A landlord shall accept a complaint unless there is a valid reason not to do so.
- 1.5. A complaints policy shall clearly set out the circumstances in which a matter will not be considered and these circumstances should be fair and reasonable to residents. For example:
 - The issue giving rise to the complaint occurred over six months ago. Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident. (N.B. it may not be appropriate to rely on this exclusion where complaints concern safeguarding or health and safety issues.)
 - Legal proceedings have been started. Landlords should take steps to ensure that residents are not left without a response for lengthy periods of time, for example, where a letter before action has been received or issued but no court proceedings are started or settlement agreement reached.

- Matters that have already been considered under the complaints policy.
- 1.6. If a landlord decides not to accept a complaint a detailed explanation should be provided to the resident setting out the reasons why the matter is not suitable for the complaints process.
 - 1.7. A resident has the right to challenge this decision by bringing their complaint to the Ombudsman. Where appropriate the Ombudsman will instruct the landlord to take on the complaint.

2. Accessibility and awareness

- 2.1. Landlords shall make it easy for residents to complain, by providing different channels through which residents can make a complaint.
- 2.2. Where a landlord has set up channels to communicate with its residents via social media, such as Facebook and Twitter, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.
- 2.3. Landlords shall make their complaint policy available in a clear and accessible format for residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.
- 2.4. Landlords shall comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords shall have a reasonable adjustments policy in place to address this.
- 2.5. Landlord websites shall include information on how to raise a complaint. The complaints policy and process shall be easily found and downloadable.
- 2.6. The complaints policy and process should be publicised in leaflets newsletters, online and as part of regular correspondence with residents. A copy should be provided when requested.
- 2.7. Landlords shall provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.
- 2.8. Landlords shall provide early advice to residents regarding their right to access the Housing Ombudsman Service, not only at the point they have exhausted the landlord's complaints process. The Housing Ombudsman Service can assist residents throughout the life of a complaint. This affords the resident the opportunity to engage with the Ombudsman's dispute support advisors.

3. Complaint team, procedure, timeliness and responsiveness

Complaint team

- 3.1 Landlords should have a person or team assigned to take responsibility for complaint handling. This Code will refer to that person or team as the “complaints officer”. For some organisations, particularly smaller landlords, we recognise that this role may not be dedicated to complaint handling.
- 3.2 Complaints officers are one of the most important factors in ensuring that the complaints handling works well. Complaints officers should:
- be able to act sensitively and fairly
 - be trained to receive complaints and deal with distressed and upset residents
 - have access to staff at all levels to facilitate quick resolution of complaints
 - have the authority and autonomy to act to resolve disputes quickly and fairly.

Residents are more likely to be satisfied with complaint handling if the person dealing with their complaint is competent, empathetic and efficient.

Complaints procedure

- 3.3 When a complaint is made to the landlord it shall be acknowledged and logged at stage one of the complaints procedure.
- 3.4 Landlords should confirm their understanding of the complaint and the outcomes being sought with the resident. Clarification should be sought if the complaint is not clear.
- 3.5 If the complaint is not resolved to the resident’s satisfaction it shall be progressed to the next stage in accordance with the landlord’s procedure and the timescales set out in this Code.
- 3.6 A landlord’s complaints procedure shall comprise of two stages. This ensures that a resident has the opportunity to challenge any decision by correcting errors or sharing concerns via an appeal process.
- 3.7 The Ombudsman welcomes involvement by residents or senior executives outside the complaints team as part of the review process.
- 3.8 The Ombudsman does not believe a third stage is necessary as part of a complaints process but if a landlord believes strongly it requires one, it should set out its reasons as part of the self-assessment. A process with more than three stages is not acceptable under any circumstances in the Ombudsman’s view.

- 3.9 In the final decision the landlord's policy shall include the right to refer the complaint to the Housing Ombudsman Service. This should be through a designated person within eight weeks of the final decision or directly by the resident after eight weeks.
- 3.10 A full record shall be kept of the complaint, any review and the outcomes at each stage. This should include the original complaint and the date received; all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.

Timeframe for responses

- 3.11 A landlord's complaints procedure shall include the following maximum timescales for response:
- Logging and acknowledgement of complaint – five working days
 - Stage one decision – 10 working days from receipt of complaint – if this is not possible, an explanation and a date by when the stage one response should be received. This should not exceed a further 10 days without good reason
 - Stage two response – 20 working days from request to escalate – if this is not possible an explanation and a date when the stage two response will be received. This should not exceed a further 10 working days without good reason
 - Stage three response – where a landlord believes this stage is absolutely necessary a response should be sent within 20 working days from request to escalate. Any additional time will only be justified if related to convening a panel. An explanation and a date when the stage three response will be achieved should be provided to the resident.
- 3.12 A landlord may choose to set shorter response times for each stage of the complaints procedure but response times must not exceed those set out above.

Communication with residents

- 3.13 When communicating with residents, landlords shall use plain language that is appropriate to the resident.
- 3.14 Landlords shall address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- 3.15 At the completion of each stage of the complaints process the landlord should write to the resident advising them of the following:

- the complaint stage
- the outcome of the complaint
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter if dissatisfied.

3.16 As part of the complaint policy the resident shall be given a fair opportunity to:

- set out their position
- comment on any adverse findings before a final decision is made.

3.17 Communication with the resident should not generally identify individual members of staff or contractors as their actions are undertaken on behalf of the landlord.

3.18 Landlords should adhere to any arrangements agreed with residents in terms of frequency and method of communication.

3.19 Landlords should keep residents regularly updated and informed even where there is no new information to provide.

Duty to cooperate with the Ombudsman

3.20 When the resident remains dissatisfied at the end of the landlord's complaints process, they may bring their complaint to the Ombudsman. Landlords shall cooperate with the Ombudsman's requests for evidence and provide this within 15 working days. If a response cannot be provided within this timeframe, the landlord shall provide the Ombudsman with an explanation for the delay. If the explanation is reasonable, the Ombudsman will agree a revised date with the landlord.

3.21 Failure to provide evidence to the Ombudsman in a timely manner may result in the Ombudsman issuing a complaint handling failure order.

4. Fairness in complaint handling

4.1. Landlords shall operate a resident-focused complaints process ensuring they are given the opportunity to explain their point of view and the outcome they are seeking before a decision is reached.

4.2. Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.

4.3. Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented and/or accompanied at any meeting with the landlord where this has been requested or offered and where this is reasonable.

- 4.4. Where a key issue of a complaint relates to the parties' legal obligations the landlord should clearly set out its understanding of the obligations of both parties and seek clarification before doing so where this is not initially clear.
- 4.5. A complaint investigation shall be conducted in an impartial manner, seeking sufficient reliable information from both parties so that fair and appropriate findings and recommendations can be made.
- 4.6. Any complaint investigation shall be fair. To ensure fairness, processes and procedures shall require the complaints officer to:
- deal with complaints on their merits
 - act independently and have an open mind
 - take measures to address any actual or perceived conflict of interest
 - consider all information and evidence carefully
 - keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
- 4.7. The landlord's assessment of the issue should include:
- what the complaint is about
 - what evidence is needed to fully consider the issues
 - what risks the complaint raises for the landlord
 - what outcome would resolve the matter for the resident
 - any urgent action that it needs to take.
- 4.8. A complaint should be resolved at the earliest possible opportunity.
- 4.9. The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:
- set out their position
 - comment on any adverse findings before a final decision is made.
- 4.10. Complaint policies and processes should set out the circumstances in which a landlord can exercise discretion in how to respond to a complaint and who has the power to exercise that discretion. Landlords should exercise discretion appropriately and provide clear explanations to residents when doing so.
- 4.11. Landlords should not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action.

4.12. When a resident seeks to escalate a complaint the landlord should consider:

- what the escalation review will be about i.e. why the resident remains dissatisfied, and whether any part of the complaint been resolved
- who will undertake the review
- who needs to be kept informed
- what evidence needs to be gathered i.e. comments from those involved, relevant policies and contemporaneous records, inspections etc
- how long the review will take and when it will be completed.

4.13. Where a landlord decides not to escalate a complaint it should provide an explanation to the resident. It should make clear that its previous response was its final response to the complaint and provide information on referral to the Housing Ombudsman.

4.14. Landlords should have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

4.15. Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.

5. Putting things right

5.1. Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord should acknowledge this and set out the actions it has already taken, or intends to take, to put things right. Examples of where action to put things right may be required are:

- there was an unreasonable delay
- inaccurate or inadequate advice, explanation or information was provided to the resident
- the landlord's policy or procedure was not followed correctly without good reason
- there was a factual or legal error that impacted on the outcome for the resident
- there was unprofessional behaviour by staff.

5.2. Landlords should acknowledge and apologise for any failure identified, give an explanation and, where possible, inform the resident of the changes made or actions taken to prevent the issue from happening again.

5.3. Landlords should recognise that putting things right is the first step to repairing and rebuilding the landlord and resident relationship.

- 5.4. When considering what action will put things right landlords should carefully manage the expectations of residents. Landlords should not promise anything that cannot be delivered or would cause unfairness to other residents.

Appropriate remedy

- 5.5. Complaints can be resolved in a number of ways. A landlord's policy shall require that any remedy offered reflects the extent of any and all service failures, and the level of detriment caused to the resident as a result. These shall include:
- acknowledging where things have gone wrong
 - providing an explanation, assistance or reasons
 - apologising
 - taking action if there has been a delay
 - reconsidering or changing a decision
 - amending a record
 - providing a financial remedy
 - changing policies, procedures or practices.
- 5.6. Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result.
- 5.7. Factors to consider in formulating a remedy can include, but are not limited to the:
- length of time that a situation has been ongoing
 - frequency with which something has occurred
 - severity of any service failure or omission
 - number of different failures
 - cumulative impact on the resident
 - a resident's particular circumstances or vulnerabilities.
- 5.8. When offering a remedy, landlords should clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.
- 5.9. In awarding compensation, landlords shall consider whether any statutory payments are due, if any quantifiable losses have been incurred as well as the time and trouble a resident has been put to as well as any distress and inconvenience caused.

Concerns about legal liability

- 5.10. In some cases a resident may have a legal entitlement to redress. There may be concerns about legal liability in this situation. If so, the landlord should still offer a resolution where possible, as that may remove the need for the resident to pursue legal remedies.

- 5.11. Landlords have a duty to rectify problems for which they are responsible. However, where necessary a resolution can be offered with an explicit statement that there is no admission of liability. In such a case, legal advice as to how any offer of resolution should be worded should be obtained.

For further information on remedies please see <https://www.housing-ombudsman.org.uk/about-us/corporate-information/policies/dispute-resolution/policy-on-remedies/>

6. Continuous learning and improvement

- 6.1. A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes, the quality of the service provided, the ability to learn and improve, and the relationship with their residents.
- 6.2. Accountability and transparency should be embedded in a positive complaint handling culture, with landlords providing feedback to residents on failures in complaint handling and the actions taken to learn and improve from this.
- 6.3. Creating and embedding a culture that values complaints and gives them the appropriate level of priority requires strong leadership and management.
- 6.4. A good culture should also recognise the importance of resident involvement, through the formation of resident panels, consulting with residents on the formulation of complaints policies and procedures and through including them in panel hearings as part of the dispute resolution process, where appropriate.
- 6.5. Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.
- 6.6. An effective complaints process enables a landlord to learn from the issues that arise for residents and to take steps to improve the services it provides and its internal processes. Landlords should have a system in place to look at the complaints received, their outcome and proposed changes as part of its reporting and planning process.
- 6.7. Any themes or trends should be assessed by senior management to identify any systemic issues, serious risks or areas for improvement for appropriate action.
- 6.8. Landlords should proactively use learning from complaints to revise policies and procedures, to train staff and contractors and to improve communication and record-keeping.

- 6.9. Landlord's should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process including the learning that can be gained.
- 6.10. Landlords shall report back on wider learning and improvements from complaints to their residents, managers and staff. Feedback shall be regularly provided to relevant scrutiny panels, committees and boards and be discussed, alongside scrutiny of the Ombudsman's annual landlord performance report.
- 6.11. Learning and improvement from complaints should be included in the landlord's Annual Report.

Part C

1. Compliance

- 1.1. Under the Housing Ombudsman Scheme a member landlord must:
- agree to be bound by the terms of the Scheme
 - establish and maintain a complaints procedure in accordance with any good practice recommended by the Ombudsman
 - as part of that procedure, inform residents of their right to bring complaints to the Ombudsman under the Scheme
 - publish its complaints procedure and make information about this easily accessible to those entitled to complain on its website and in correspondence with residents
 - manage complaints from residents in accordance with its published procedure or, where this is not possible, within a reasonable timescale.
 - respond promptly to information requests made by the Housing Ombudsman Service as part of the ongoing investigation into complaints from residents.
- 1.2. Failure to comply with the conditions of membership may result in an Ombudsman's determination of complaint handling failure and an order to rectify within a given timescale (paragraphs 13 and 73 of the Housing Ombudsman Scheme).
- 1.3. Failures under the Scheme and Code which would result in a complaint handling failure order include, but are not limited to:
- non-compliance with the Complaint Handling Code

- failure to accept a formal complaint in a timely manner or to exclude a complaint from the complaints process without good reason
 - inaccessible complaints process and procedure or unreasonable restrictions as to how a complaint can be made
 - not managing complaints from residents in accordance with the complaints policy
 - failure to progress a complaint through the complaints procedure
 - failure to respond to a complaint within the set timescales without good reason
 - failure to keep the resident informed and updated
 - failure to notify the resident of the right to refer the complaint to the Ombudsman
 - failure to provide evidence to support investigation by the Ombudsman.
- 1.4. Where a complaint is still within a landlord's complaints procedure or the Ombudsman has requested evidence for investigation the landlord will be informed of any complaint handling failure. Details of the failure will be provided along with any action required to rectify it. Where no action is taken the Ombudsman will issue a complaint handling failure order.
- 1.5. Each quarter the Ombudsman will publish the total number of complaint handling failure orders issued, the names of the landlords and reasons for the orders and will share this information with the Regulator of Social Housing. The number of complaint handling failure orders issued against a landlord will form part of the Ombudsman's annual landlord performance reports and will be available on the Ombudsman's website.
- 1.6. In addition, from time to time the Ombudsman may wish to publish a report detailing the specifics of a complaint handling failure case where this would help highlight the impact of the failure on the resolution of the dispute and delays and/or distress caused to residents.
- 1.7. When carrying out an investigation the Ombudsman will consider whether the landlord dealt with the complaint fairly and will assess this against the requirements of the Code. Any failure identified could result in a finding of service failure or maladministration.
- 1.8. The Ombudsman will specifically refer to the Code in its findings. Orders and recommendations will be made to put matters right and ensure compliance with the Code.
- 1.9. The Ombudsman may request evidence of a landlord's self-assessment in order to confirm satisfactory compliance with the Code. Where there have been failures to comply with the Code or in operating an effective complaints procedure, the Ombudsman may issue a complaint handling failure order and ask the landlord to complete the self-assessment as part of the rectification action and to report back to the Ombudsman on its outcome.

- 1.10. Where there are significant concerns regarding a landlord's compliance with the Code the Ombudsman may escalate these to the landlord's board or equivalent, and may refer the matter to the appropriate regulatory body including the Regulator of Social Housing.

2. Self-assessment

- 2.1 The Ombudsman expects landlords to carry out regular self-assessment against the Code and take appropriate action to ensure their complaint handling is in line with the Code. This assessment should be completed by 31 December 2020.
- 2.2. The Ombudsman expects landlords to report the outcome of their self-assessment to their board members. In the case of local authorities, self-assessment outcomes should be reported to elected members.
- 2.3. The Ombudsman expects landlords to publish the outcome of their assessments. The Ombudsman may request sight of the assessment and evidence in support. The Ombudsman may require landlords to periodically repeat the self-assessment, for example following any amendments to the Code or significant change to the landlord organisational structure.

Self-assessment form

Compliance with the Complaint Handling Code				
1	Definition of a complaint	Yes	No	Comments
	<p>Does the complaints process use the following definition of a complaint?</p> <p><i>An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.</i></p>		X	<p>Brent's Complaints Policy does not currently use the definition of a complaint provided by the Housing Ombudsman. However, it will adopt the definition with a minor change to the reference of residents to "individual or a group of individuals" as the definition only refers to residents, however the Council's Complaints Policy relates to all customers that use Council services not just residents. The current definition is below:</p> <p>"a complaint is defined as an expression of dissatisfaction, not resolved immediately to the customer's satisfaction, about the level, quality or nature of a service which the customer feels should have been provided. This includes services provided by people or organisations acting on the council's behalf."</p>
Page 117	Does the policy have exclusions where a complaint will not be considered?	X		<p>The Policy contains exclusions which include:</p> <ul style="list-style-type: none"> ○ Complaints made on behalf of individuals without their explicit consent ○ Complaints where the customer or the council has started legal proceedings or court action (but not where a customer has only threatened to do so). ○ Matters that have their own appeals or statutory procedure ○ Complaints where the complainant has delayed raising the complaint with the Council by more than 12 months.
	Are these exclusions reasonable and fair to residents? Evidence relied upon	X		Exclusions are reasonable and in line with the exclusions outlined by both the Housing Ombudsman and the Local Government and Social Care Ombudsman.

2	Accessibility			
	Are multiple accessibility routes available for residents to make a complaint?	X		Complaints can be raised via email, in person, by telephone or using the online form or portal. They can also be submitted via a Councillor or directly to officers if the resident asks for an issue to be processed through the complaints process. We accept all forms including verbal, written or online.
	Is the complaints policy and procedure available online?	X		The Complaints Policy is available on the Council's website.
	Do we have a reasonable adjustments policy?	X		Brent Council has an Equality Policy that covers reasonable adjustments and fits with our Customer Promise. The Council will explore having one overarching policy.
	Do we regularly advise residents about our complaints process?	X		Yes, if a resident expresses any form of dissatisfaction the service advocates the use of the complaints process and signposts them to how this process can be activated.
3	Complaints team and process			
Page 118	Is there a complaint officer or equivalent in post?	X		<p>The Housing Support team triage all stage one complaints and there is a dedicated complaints officer for all repairs complaints. All stage one complaints are investigated by service managers.</p> <p>The service plans to introduce a new structure for January 2021 which appoints a team leader on behalf of the service to be responsible for complaints overall.</p> <p>The Complaints Service investigate all complaints independently of the service at stage 2 of the complaints process.</p>
	Does the complaint officer have autonomy to resolve complaints?	X		Service Managers have the autonomy of resolving complaints at stage 1 of the process. The Complaints Officers within the Corporate Complaints team also have some autonomy of resolving complaints but only with the assistance of senior management.
	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	X		Complaints officers will often liaise with other teams to ensure a holistic response is agreed. The repairs team have worked closely with the IT service to build in tracking / referral flags where support is required from colleagues in other teams to progress repairs, for example decants, asbestos and tenancy issues.

	If there is a third stage to the complaints procedure are residents involved in the decision making?		X	There is no third stage in the Council's complaint process. The Housing Management Service is reviewing its resident engagement framework and this will include a role for residents in the complaints review process.
	Is any third stage optional for residents?		X	N/A
	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	X		If a resident is unhappy with the response at stage 2 they are given rights within their response to escalate to the Housing Ombudsman Service.
	Do we keep a record of complaint correspondence including correspondence from the resident?	X		All complaint correspondence is uploaded to the Complaints Management System, this includes correspondence from residents.
	At what stage are most complaints resolved?			There were 454 (HMS only) complaints received in 2019/20, and 97 (HMS only) complaints received at Stage 2 for the same period. This shows that the majority of complaints are resolved at stage 1, with 21% escalated to stage 2.
4	Communication			
Page 119	Are residents kept informed and updated during the complaints process?	X		For the majority of complaints residents are contacted on receipt of a complaint to establish and agree a resolution. On some occasions, there is already an ongoing conversation about issues and the officer has suggested it be handled through the complaints process. Officers update customers where remedies are being provided during the investigation. There are however examples where this has not been consistently practiced. More work needs to be done to ensure all residents are kept updated throughout the complaint process and after if works are still to be completed.
	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?		X	Where residents are engaged throughout the process then they are able to shape the outcome and the solution as officers will make contact following the receipt of the complaint and state what they can do to resolve the issue. This however is not consistently applied by service officers. The Corporate Complaints Officers are in contact with residents during the final stage of the corporate complaints process and are able to negotiate a mutual resolution with residents.
	Are all complaints acknowledged and logged within five days?	X		The majority of complaints are acknowledged and logged within five working days. However, we have identified this is an area for improvement.
	Are residents advised of how to escalate at the end of each stage?	X		Residents are advised on how to escalate at the end of each stage of the complaints process.


	What proportion of complaints are resolved at stage one?			79% of complaints are resolved at stage 1, with 21% of stage 1 complaints escalated to stage 2 last year 2019/20.
	What proportion of complaints are resolved at stage two?			Of all the stage 2 complaints received in 2019/20 (97 complaints), there were 9 complaints that were escalated and detailed investigations undertaken by the Housing Ombudsman. This is a 9% escalation rate, meaning that the majority of complaints are resolved at Stage 2.
	What proportion of complaint responses are sent within Code timescales? <ul style="list-style-type: none"> Stage one Stage one (with extension) Stage two Stage two (with extension) 			The Council currently has a different timescale to the one proposed by the Housing Ombudsman. The majority of complaints were responded to within 20 working days for Stage 1 and 30 working days for Stage 2. In 2019/20, there were 88% of Stage 1 complaints (532 out of 605 HMS complaints) closed on time (according to our 20 working days timescale) and 91% of Stage 2 complaints (81 out of 89 HMS complaints) closed on time (according to our 30 working days timescale).
	Where timescales have been extended did we have good reason?			N/A
	Where timescales have been extended did we keep the resident informed?			N/A
Page 120	What proportion of complaints do we resolve to residents' satisfaction			In terms of complaints resolved to the satisfaction of the resident, escalations to the Ombudsman has been used to measure this. There were 23 escalations to the Ombudsman, nine of which detailed investigations were undertaken. For repairs that are borne from a complaint, the service carry out post inspections to ensure all issues in the complaint have been resolved.
5	Cooperation with Housing Ombudsman Service			
	Were all requests for evidence responded to within 15 days?		X	The service does seek to comply with the 15 day target but there are incidences where this date has not been met due to other competing priorities. The service through its new structure is placing resource into monitoring and coordinating the handling of complaints, corrective actions and evidence gathering to improve the overall experience.
	Where the timescale was extended did we keep the Ombudsman informed?	X		The Ombudsman is kept up to date when there is a delay.
6	Fairness in complaint handling			
	Are residents able to complain via a representative throughout?	X		All residents are able to complain via a representative throughout the process as long as the necessary consent has been provided from the resident.

	If advice was given, was this accurate and easy to understand?	X		The Council tries to provide clear and precise information to residents and signpost where necessary. Officers are encouraged to write using plain English and through the new structure there will be an officer proactively checking the quality and style of responses going out.
	How many cases did we refuse to escalate? What was the reason for the refusal?			There were 7 escalations that were refused, the majority of which were due to the complaint being raised/escalated after a 12 month period. There was also one complaint that was refused because it was outside the Council's remit.
	Did we explain our decision to the resident?	X		The decision was explained to the resident and in the case which fell outside the Council's remit, the resident was signposted to an alternative route for resolving their concerns.
7	Outcomes and remedies			
Page 121	Where something has gone wrong are we taking appropriate steps to put things right?	X		Yes the service always seeks to take the appropriate steps to put things right and monitors implementation of these actions through a system which records corrective actions from all complaints. Timescales are set against each action and a dedicated officer is currently monitoring those to ensure they are acted upon. More work needs to be done at stage 1 to ensure actions are tracked and to avoid escalations.

8	Continuous learning and improvement			
Page 122	What improvements have we made as a result of learning from complaints?			<p>There have been several improvements as a result of learning from complaints. Some of these include:</p> <ul style="list-style-type: none"> • Integrated Assessment Management Contact Improvement plan focused on rectifying service issues identified in customer satisfaction surveys; • Access policy covering access to council and leaseholder properties to fix leaks and other repairs; • Scaffolding protocol for all scaffolding contracts and weekly management of scaffolding arrangements (Wates ceased using two scaffolding sub-contractors because of poor performance); • Review of operational interface between Brent Housing Management and the Community Protection Team (CPT) completed. This has improved the responsiveness of ASB cases referred to the CPT together with improving collaboration and communication between both teams; • Introduction of case huddles which are being used to manage complex cases across the housing department. This has enabled rapid resolution to complex and cross-departmental work; • Customer friendly writing course rolled out across the Housing Department. This has equipped staff to provide more accessible written communication to residents; • Clear customer service performance standards incorporated in annual appraisals, including a range of quantitative outputs and a set of behavioural standards. • Post inspections of all repairs complaints, conducted over the telephone or via a site visit. • Weekly Repairs, Gas and Voids meeting where feedback is reviewed and contractors are challenged. Satisfaction and performance rates are also discussed during the meetings. • An upgraded CRM repairs management system, which now gives flags at key stages where there are multiple teams involved. Referrals are sent from the system and highlighted to officers which can be tracked through reporting to determine how many have been received and actioned.

	<p>How do we share these lessons with:</p> <ul style="list-style-type: none"> a) residents? b) the board/governing body? c) In the Annual Report? 			<p>The service has a Customer Experience Panel where high level performance figures are presented but through the new resident engagement framework intends to involve residents more in defining the lessons that need to be learnt within the service.</p> <p>A quarterly report is produced to CMT and the Chief Executive. Lessons learnt are also included in the Annual Report which is published on the Council's website.</p> <p>Corrective actions and recommendations resulting from a complaint are used as learning for service areas. Complaint action plans and reports are reviewed on a weekly basis as part of continuous learning and also highlighted to contractors as part of the standard weekly agenda.</p>
	Has the Code made a difference to how we respond to complaints?			N/A
	What changes have we made?			N/A

This page is intentionally left blank

 Brent	Cabinet 12 th January 2021
	Report from the Strategic Director of Community Wellbeing
Authority To Tender Contract For Emergency Temporary Accommodation For Homeless Households	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s):	Laurence Coaker Head of Housing Needs Laurence.coaker@brent.gov.uk Tel: 020 8937 2788

1.0 Purpose of the Report

- 1.1 This report concerns the need to secure emergency temporary accommodation in Brent, to house homeless households (families and single homeless people), while enquires into their homelessness application are made. If the main rehousing duty is accepted, settled accommodation is then secured. This report requests approval to invite tenders in respect of securing emergency temporary accommodation for this cohort, as required by Contract Standing Orders 88 and 89.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Approve inviting tenders for 200 self-contained rooms, (with bathroom, toilet and kitchen facilities) in Brent, to use as emergency temporary accommodation for homeless households on the basis of the pre - tender considerations set out in paragraph 3.16 of the report.
- 2.2 Approve Officers evaluating the tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 3.16 of the report.
- 2.3 Delegate authority to the Strategic Director of Community Wellbeing in consultation with the Lead Member for Housing and Welfare Reform to award

the contract for the provision of 200 self-contained rooms, in Brent to use as emergency temporary accommodation for homeless households for a term of 18 Months (with a 12 month break clause).

3.0 Detail

- 3.1 Under section 188 of the Housing Act 1996 part 7, (the Act), the local authority has a statutory duty to secure suitable interim accommodation if the authority have reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, as defined by the Act.
- 3.2 This type of accommodation is emergency temporary accommodation, and is used to provide emergency housing for homeless households, while enquiries into their homelessness application are completed. Once enquiries have been completed, a decision will be made about what rehousing duties are owed, to secure more settled, suitable accommodation, to resolve their housing needs.
- 3.3 Historically, the local authority has relied on rooms in privately owned bed and breakfast accommodation, where rooms are procured on a spot purchase basis. Wherever possible rooms are secured in Brent, and are self-contained, with a bathroom, toilet and kitchen facilities. However, due to the demand for these rooms outstripping the supply, coupled with competition from other local authorities, households are often placed in rooms which are outside of Brent (predominately other London Boroughs, but also High Wycombe) and/or in rooms which are not self-contained.
- 3.4 This causes significant additional stress to households, who are already experiencing the trauma of being homeless, as they are required to share kitchen and bathroom facilities with other homeless households, as well as the disruption and anxiety of moving away from schools and support networks in Brent.
- 3.5 With the implementation of the Homelessness Reduction Act 2017, and the more recent application of the “Everyone In” policy, under the Covid lockdown, there has been a significant increase in the use of this type of emergency temporary accommodation for single homeless people.
- 3.6 During the Covid lockdown the local authority accommodated 350 single homeless people. The majority of these people have now been moved on into more settled accommodation, primarily in the private rented sector. However, there is a cohort of approximately 50 people from the EEA and another 10 people from outside of the EEA, who are not eligible under homelessness legislation due to their immigration status, who are still being accommodated in emergency temporary accommodation.
- 3.7 There are also an additional 40 single homeless people, who are living in emergency temporary accommodation, pending enquires, who are not part of the Covid cohort. The total number of single people currently being

accommodated, either because of their immigration status, or due to pending enquiries is therefore 100.

- 3.8 There are a further 118 single homeless people who are also living in emergency temporary accommodation, to whom the local authority have accepted the main rehousing duty. This cohort can be moved on into appropriate settled accommodation; however, there are often barriers around support needs and affordability issues, which causes delays, as the appropriate and suitable accommodation needs to be secured.
- 3.9 The number of families with children who are currently being accommodated in emergency temporary accommodation, pending enquiries is currently 32. There are a further 61 families to whom the main duty has been accepted, making a total of 93 families currently living in emergency temporary accommodation. The majority of these families are living in self contained rooms, and some in nightly paid annexe accommodation, however 17 are currently living in accommodation with shared facilities.
- 3.10 Therefore, the total number of homeless households currently living in emergency temporary accommodation is 311, broken down in table 1 below;

Table 1 breakdown of households living in emergency temporary accommodation

Single People			Families with Children		Total
Not Eligible	Pending Enquiries	Pending Move on	Pending Enquiries	Pending Move on	
60	40	118	32	61	311

- 3.11 As well as the barriers around affordability and support needs, the reason that there are so many single people pending a move on to settled accommodation, is due to the impact of securing settled accommodation for a large number of people during the Covid lockdown. Now that this Covid cohort have been secured settled accommodation, officers focus will be on the 118 single people currently waiting to move on.
- 3.12 However, there will still be significant demand for emergency accommodation, and therefore the Housing Needs Service is requesting authority to tender to enter into a contract with a provider to secure 200, self contained rooms in Brent for this purpose. All the accommodation should be within the London borough of Brent, to be compliant with homelessness legislation and the associated Homelessness Code of Guidance, which states that so far as reasonably practicable, the Council should seek to accommodate homeless households in their own area. This will also minimise the disruption to service user lives and maximise our ability to support service users. This provision will also support people to self isolate and provide additional protection for people who might be particularly vulnerable if exposed to Covid through sharing facilities.
- 3.13 In so doing the local authority will be able to largely eliminate the use of non self contained rooms, and the use of accommodation which is outside of the borough. Both of which will vastly improve the quality of emergency temporary

accommodation provided, and so alleviate some of the additional pressures and stress for homeless households.

- 3.14 The contract will also achieve a competitive price for securing this accommodation, rather than relying on the current spot purchase of rooms, some of which are more expensive than the rates which are normally paid.
- 3.15 The contract needs to be in place as there is likely to be an ongoing need to continue to accommodate the 50 non eligible people from the EEA, while they are supported to secure their settled status in the UK. The reason the term of the contract should be 18 months, is that the Council are currently developing its own temporary emergency accommodation scheme, at Knowles House, in Harlesden. The anticipated delivery of this scheme is December 2021, however there may be slippage in this deliver date.
- 3.16 A 12 month break clause will be added to the contract, to allow the Council to end the contract, in case there is no slippage on the delivery date of Knowles House, or if demand for emergency temporary accommodation reduces. However, a drop in demand is unlikely due to the anticipated spike in homelessness applications, as a result of the COVID related economic downturn.
- 3.17 The provision of the 200 rooms from one provider does not necessarily mean that all the rooms will be in one building. Some providers will have scattered stock across the borough, and so the households would be dispersed. However, it is anticipated that bids will be received from providers who own some large hotels in Brent, which have formally been used for tourism.
- 3.18 If all 200 rooms are in the same building, officers will ensure that the property is well managed to prevent any anti social behaviour from occurring. The cohort who will be accommodated will be a mixture of families and single people, and there have been recent examples of large numbers of homeless people being accommodated together, with no management issues. Notably the Holiday Inn in Wembley, currently being used by the Home Office to accommodate 350 asylum seekers, and the Best Western Plus, Wembley, currently being used to accommodate 50 single homeless people.
- 3.19 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet.

Ref.	Requirement	Response
(i)	The nature of the services	200 self contained (own kitchen, bathroom and toilet facilities), in Brent
(ii)	The estimated value.	£4,092,500.00
(iii)	The contract term.	18 months

Ref.	Requirement	Response	
(iv)	The tender procedure to be adopted.	Open Procedure tender process	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed/Invite to tender	19 th January 2021
		Deadline for tender submissions	19 th February 2021
		Panel evaluation and shortlist for interview	w/c 22 nd February 2021
		contract decision	w/c 1 st March 2021
		Report recommending Contract award circulated internally for comment	w/c 8 th March 2021
		Approval to award	16 ^h March 2021
		Minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers	17 th to 29 th March 2021
		Contract Mobilisation	April 2021
		Contract start date	1 st May 2021
(vi)	The evaluation criteria and process.	An open tendering process will be used for the procurement, but organisations will be required to complete a selection questionnaire which officers will review to ensure organisations meet the Council's financial standing requirements, technical capacity and technical expertise. Organisations who fail any questions in this section will have their tender disregarded. Organisations that pass will be subject to a number of scored questions to further assess their technical ability. Organisations who do not meet the required threshold may have their tender disregarded and not be evaluated for stage 2	

Ref.	Requirement	Response
		<p>The most economically advantageous tender calculation will be based on: 40% of the points being awarded for Quality/Technical assessment, 50% of the points being awarded for Commercial assessment and 10% on Social Value.</p> <p>At tender evaluation stage, the panel will evaluate the tenders against the following Quality/Technical criteria:</p> <ul style="list-style-type: none"> • The Tenderer's proposal to meet the requirements and outcomes as stated in the service specification • Tenderer's ability to meet essential health and safety standards <p>The Tenderer's proposed approach to Social Value delivered through this contract (weighted at 10% of the total evaluation criteria)</p>
(vii)	Any business risks associated with entering the contract.	There are limited business risks are considered to be associated with entering into the proposed contract. The successful provider will engage with vulnerable people as part of the delivery of its services and therefore will be asked to provide safeguarding, risk assessment and health and safety policies, as part of the due diligence process. Providers will also be asked to outline how they will address risks associated with implementing a safe environment in the context of COVID-19 guidance and regulations
(viii)	The Council's Best Value duties.	The adoption of an open tendering process will enable the council to achieve best value for money
(ix)	Consideration of Public Services (Social Value) Act 2012	The service specification will ask providers to address how they intend to meet Social Value requirements as part of tender process. It will count for 10% of the overall score.
(x)	Any staffing implications, including TUPE and pensions.	there are no TUPE implications
(xi)	The relevant financial, legal and other considerations.	See sections 4.0 and 5.0 below.

- 3.20 Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

4.0 Financial Implications

- 4.1 The estimated value of this services contract is £4,092,500, based on accommodation for 200 individuals for 546 days (18 months) at £35/night. Plus security at £10K per month for 18 months = £180K

Plus food for destitute EEA Nationals at £10.00 per day for up to 50 people – for 6 months = 10 x 50 x 183 days = £94,500

- 4.2 It is anticipated that the cost of this contract will be funded from within the existing Housing General Fund budget and grant income. The primary grant is the Flexible Homelessness Support Grant from MHCLG, which was £5.2m in 2020/21.
- 4.3 There are also broader benefits arising from avoiding spot purchasing of accommodation, including streamlined invoicing, payment processing and more accurate financial forecasting of the related costs.
- 4.4 Where eligible, individuals will also receive Housing Benefit towards these housing costs. This will provide additional income towards the housing costs for a proportion of these individuals.

5.0 Legal Implications

- 5.1 The service to be procured as set out in this report, fall within Schedule 3 of the Public Contracts Regulations 2015 ('the EU Regulations) and based on the estimated value of the contract, which is over the EU threshold of £663,540 for Schedule 3 services. The procurement is therefore subject to the requirements of the EU Regulations in respect of Schedule 3 services, in that the Council is required to publish a contract notice in the Official Journal of the European Union (OJEU) and undertake some form of competitive process in accordance with the EU Treaty principles of equal treatment, non-discrimination, fairness and transparency, before awarding the contract. The procurement process to be undertaken prior to award of the contract as set out in paragraph 3.16 is in line with the EU Regulations.
- 5.2 Based on the value of the services to be procured over their lifetime, the contracts will be classed as High Value Contracts under the Council's Contracts Standing Orders and Financial Regulations. As such, Cabinet approval of the pre-tender considerations set out in paragraph 3.16 above (Standing Order 89) and the inviting of tenders (Standing Order 88) is required.
- 5.3 Once the tendering process is undertaken Officers would generally report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award. However, delegated authority is sought from Cabinet to the Strategic Director of Community and Wellbeing in consultation with the Lead Member for Housing

and Welfare Reform, to award the contracts on completion of the procurement process.

- 5.4 Officers will observe the requirements of the 10 calendar standstill period under the EU Regulations before the contracts 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. 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 and officers believe that there are no equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The lead member for Housing and Welfare Reform has been fully consulted

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 This service is currently provided by external providers and there are no implications for Council staff arising from tendering the contract

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. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.
- 9.2 It is the intention within this tender that 10% of the total evaluation criteria will be reserved for social value considerations
- 9.3 Brent Council Social Value and Ethical Procurement Policy was agreed by Cabinet on April 2020 and applies to all tenders over £100,000 equally. This policy requires all bidders in Brent to outline how they will add social value initiatives and deliverables which align with the Strategic Themes of the Council's Brent Borough Plan 2019-2023.


Bidders will be asked to provide a social value action plan and method statement which then be measured for impact and delivery over the life of the contract through the Contract Management function.

This contract we will ask providers to provide initiatives with Social Value and impact equivalent to a monetary value of 10% of the contract value.

Report sign off:

Phil Porter
Strategic Director of Community
Wellbeing

This page is intentionally left blank

	Cabinet 12 th January 2021
	Report from Strategic Director, Community Wellbeing
Six month update on supply of new Affordable Homes	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt:	Open
No. of Appendices:	Four: Appendix 1: Projects by Ward Appendix 2: Watling – Existing and Proposed Appendix 3: Windmill – Existing and Proposed Appendix 4: Kilburn Square
Background Papers:	None
Contact Officer(s):	John Magness Head of Housing Supply & Partnerships john.magness@brent.gov.uk Tel: 02089373272 Akin Adenubi Development Manager akin.adenubi@brent.gov.uk Tel: 020 8937 2518

1.0 Purpose of the Report

- 1.1 This report provides an update on progress towards delivering against the Council's housing target of 5,000 new affordable homes over the five-year period (2019 – 2024), at least 1,000 of which will be through the Council's own New Council Homes Programme.
- 1.2 In December 2019, it was agreed that Cabinet would receive six monthly reports updating progress since the previous meeting and outlining key decisions required enabling the programme to continue until the next meeting six months hence. This report provides information on the progress since the last Cabinet Report in July 2020.
- 1.3 This report also provides a summary of the additional developments being assessed and progressed, with an indication of key issues, practical

considerations and steps being taken moving forward. The Council remains ambitious in its plans to address not only inequalities in housing but also the issues that arise due to the lack of adequate housing relating to health and education and also those factors that have been brought into stark relief by the recent Covid crisis. The GLA has recently announced a new funding programme to cover the period April 2021 to March 2026 and the Council's intention is to submit another ambitious bid on a similar scale to the existing programme to continue the excellent progress made so far.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Note the contents of this report and progress to date on delivering both the New Council Homes Programme (NCHP) and other programmes and projects in place to deliver 5,000 new affordable homes in the borough by 2024.
- 2.2 Note the proposals regarding the Church End development site scheduled to be brought forward as set out in paragraph 5.5 and 9.2-9.8
- 2.3 Delegate authority to the Strategic Director, Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to agree pre-tender considerations, invite tenders, evaluate tenders and thereafter award development / construction contracts with developers / contractors in respect of the Church End site referred to in Recommendation 2.2 using the procurement approach set out within section 9.2 of this report.
- 2.4 For the reasons detailed in paragraph 14.17, delegate authority to the Strategic Director, Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, agree pre-tender considerations, invite tenders, evaluate tenders and thereafter to award development / construction contracts with developers / contractors in respect of any sites listed in Section 6, should these be classified as High Value Contracts.
- 2.5 Delegate authority to the Strategic Director for Regeneration & Environment in consultation with the Lead Member for Regeneration, Property & Planning for the purposes of entering revised leases with the Brent Indian Community Centre and the West Indian Association, that would allow the Council to progress the next phase of both projects.

3.0 Background

- 3.1 Delivering 5,000 genuinely affordable homes within a five year period (2019-24) is an ambitious target. The Council is currently delivering its own programme, which will deliver at least 1000 new Council homes. All relevant departments and teams within the Council's structure, such as Property, Procurement, Planning, Legal, Finance, along with Housing, are working together to achieve the target. The Council also recognises the role of Registered Providers (RPs) and works closely with a range of other key organisations in the Borough to maximise delivery.

- 3.2 The Council's Housing Supply and Partnerships (HSP) team is responsible for facilitating the supply of new affordable housing across the entire Borough with the Regeneration team focussing on affordable housing when delivering new housing in areas such as South Kilburn. HSP consider potential opportunities by working with colleagues in Housing Needs to identify current and future housing demand, and to match the anticipated demand. Left to its own devices the market would concentrate on delivering 1 and 2 bedroomed homes. Every effort is made to increase the number of larger homes delivered by;
- Identifying new development opportunities on existing Council owned land and new sites and ensuring these are designed to meet the above demand whilst remaining financially viable.
 - Working with colleagues in Property to identify and acquire new homes and land.
 - Advising partner Registered Providers of gaps in supply and the most beneficial development and property sizes to meet this demand.
 - Assisting Registered Providers to maximise the amount of affordable housing they are able to provide on each of their developments.
 - Being aware of new private developments and the proposals for Affordable Housing and working with Planning colleagues to maximise the amount.
 - Working with the GLA to identify potential opportunities and funding streams to facilitate the increased delivery of Affordable Housing in the Borough.
- 3.3 There are several mechanisms through which the Council will deliver this target including, but not limited to:
- Building new Council homes directly utilising infill sites, acquisition of s106 designated affordable housing from developers and new mixed developments on land procured specifically for this purpose.
 - Working with Registered Providers (RPs) to encourage development funded by GLA grant and cross-subsidy.
 - Utilising planning policy and process to specify the development of affordable housing through Section 106 obligations.
 - Providing new homes through major developments led by i4B, the Council's Wholly Owned Investment Company and First Wave Housing (FWH), a Council owned Registered Provider, limited by guarantee.
 - Exploring opportunities to redevelop and regenerate existing housing stock and public realm, to provide new housing, with partners where necessary such as in South Kilburn.
 - Acquisition of property and land from the open market and the re-provision of affordable housing through investment in capital improvement works.
- 3.4 The table below (Table 1) sets out the projected number of new homes including all of those included in the NCHP based on known development sites and opportunities identified to date as at November 2020. It breaks delivery down by the different types of accommodation:
- TA: Temporary Accommodation
 - S106: Homes delivered due to a s106 obligation
 - DLP: Developer Led Project
 - SSU: Supported Specialised Units
 - NAIL: New Accommodation for Independent Living

- 3.5 It should be noted that this is a forecast and the forecast becomes more accurate as time progresses. In 2022/23, for example it is highly unlikely that there will be no s106 homes delivered, however, at this time it is not possible to estimate accurately. The table is based upon data provided by the GLA outside as well as the Council's own information.

Table 1:

*Developer Lead Property

3.6

4.0

4.1

Financial Year	Affordable Rent	Shared Ownership	Temporary Accommodation	s106	*DLP	**SS	NAIL	Total
2018/19	259	388	0	0	0	25	11	683
2019/20	76	104	0	0	0	12	27	209
2020/21	501	489	0	104	0	157	11	1262
2021/22	694	317	92	119	12	126	70	1430
2022/23	993	701	0	0	0	80	61	1835
2023/24	412	297	0	0	0	50	115	874
Total	2,935	2296	92	302	12	438	280	6355

- Sites with building underway (on-site)
- Sites with planning permission awaiting start on site
- Sites deemed feasible submitted for Planning Permission
- Sites currently being assessed for feasibility and financial viability.

- 4.2 The current position in terms of delivery of the NCHP can be summarised as follows:

- 231 new homes have been built and let
- 610 homes are currently on site and being built
- 332 homes have been given planning consent and are now going through procurement to identify a building contractor.
- 566 homes currently being assessed for feasibility. 177 of these are detailed in 6.6 below and the others will be firmed up by the next Cabinet update in six months.

- 4.3 This, and the other sites which are currently being assessed, can be broken down as follows to show what types of accommodation the Council will be delivering:

Table 3

Financial Year	General Needs Rent	Shared Ownership	NAIL	TA	Total

19/20	15	0	19	0	34
20/21	116	0	0	0	116
21/22	275	0	57	92	424
22/23	224	23	74	0	321
23/24	265	0	105	0	370
Total	880	23	236	92	1,265

- 4.4 In addition, officers continue to explore new sites to be added to the pipeline for future delivery. An indication of the current feasibility pipeline is given in section 6.6. It should be noted that this is a dynamic programme and only becomes fixed when the build starts on site.

5.0 Progress on Large Development Sites

Gloucester & Durham (South Kilburn)

- 5.1 In 2019 Cabinet agreed the acquisition of the entire site at Gloucester and Durham for the delivery of 235 homes at social housing target rents (formula rents). The development phases are currently anticipated to be:

- 59 properties due for handover by Christmas 2020 and the remaining 24 by end of Jan 2021
- 152 to be handed over between April – June 2021 (at this stage no impact for delays caused by Lockdown have been notified)

Grand Union

- 5.2 Cabinet agreed the acquisition of 114 new homes being delivered by St Georges Ltd (Berkeley Group) at the Grand Union site in Alperton as part of their s106 planning obligation. A further property has been identified as being suitable for Shared Ownership bringing the total to be purchased to 115.

The handover phases are projected to be:

- 92 Rented – Handover – 11/2021
- 22 Shared Ownership – Handover – 09/2022
- 1 Shared Ownership – Handover - 05/2023

The Council will be using Right to Buy (RtB) Receipts to part fund the purchase enabling the rented homes to be let at London Affordable Rent.

Dudden Hill Community Centre (BIC)

- 5.3 This site has planning consent to deliver 29 affordable new homes and a new community centre. Delegated authority is being sought from Cabinet to enter into a new lease agreement with the Brent Indian Community Centre (current tenant) so that the Council (as landlord) can secure vacant possession of the site. In parallel with the above, the Council is also progressing the appointment of Wilmott Dixon via the SCAPE Framework to build out this scheme. Subject to securing vacant possession, it is currently anticipated that enabling works will commence on site in March 2021.

Honeypot Lane

- 5.4 The scheme involves the demolition of an existing property to provide 61 NAIL one bedroom self-contained flats with an element of extra care. The project is now on site and held a ground-breaking event on the 18th August. Demolition of the current structure is 80% complete. Site clearance and erection of the site

office will commence straight after demolition works have been completed. Practical Completion is currently forecast to take place in June 2022. The GLA Grant allocated to the site totalling £6.5m, has been drawn down.

London Road

- 5.5 This scheme has now been removed from the programme due to prolonged S77 issues (the protection of playing fields owned by Local Authorities for schools and academies) and the Council's recently proposed allocation of the site to deliver the construction of a new Special Education Needs (SEN) School, as requested by the Department of Education. Officers across various departments are currently working on the SEN School proposals with a view to presenting them to the DfE for approval. In the event that the school development does not proceed then a residential development will be reconsidered. The grant originally allocated for this site has been provisionally re-allocated to the 99 homes to be developed at Church End (see 9.2) (subject to GLA approval).

Learie Constantine

- 5.6 This site has planning consent to deliver 26 affordable new homes and a new community centre. Delegated authority is sought from Cabinet to enter into a new lease agreement with the Learie Constantine West Indian Association (current tenant) so that the Council (as landlord) can secure vacant possession of the site. In parallel with the above, the Council is also progressing the appointment of Wilmott Dixon via the SCAPE Framework to build out this scheme. Subject to securing vacant possession, it is currently anticipated that enabling works will commence on site in March 2021.

Stonebridge – Milton, Hillside and Twybridge

- 5.7 The Milton and Hillside site has planning permission to deliver 73 properties. The Build Contract for the site was signed by the appointed Contractor, Higgins Construction, on the 3rd of September 2020. Works were programmed to take place during the school half term to ensure the works could be carried out safely. Practical Completion is currently anticipated to be October 2022.
- 5.8 The Twybridge site continues to be delayed by Section 77 consent from the Secretary of State (Education). Officers across various departments are working on responding to questions raised by the Department of Education in order to proceed. Whilst the S77 issues are being resolved the site will be used as a decant facility for the Education facilities currently located at Moreland Gardens.

6.0 Progress on other development sites for information

- 6.1 The Council is developing a number of sites that did not/do not require formal Cabinet approval and the progress is summarised below. The summary sets out the following development sites due to be brought forward using delegated powers given the estimated value of the contracts is under £5,000,000. Further information on the approach to Procurement is provided in Section 8.

Preston Road Annex

- 6.2 This site has planning permission to deliver 12 affordable homes and a new library. The scheme is currently on hold as a local resident challenged the planning permission through the Judicial Review process. The Council is currently awaiting a decision from the Judicial Review hearing, which took place

in October 2020. Subject to the outcome from the hearing, the Council will then be able to evaluate the development potential/options for the site.

Clock Cottage

- 6.3 Revised planning permission for the 13 self-contained assisted living flatted scheme has now been granted and the process of appointing a suitable contractor to build out the site has started. Officers continue to provide the adjoining Hospice with regular updates ahead of starting construction works.

Frontenac & Gloucester Close,

- 6.4 Initially Frontenac and Gloucester Close were intended to be part of one package with Mason Ct, Kings Drive and Hindhurst. However, they have been separated into two packages for financial efficiency purposes. The scheme include five new houses and a new block with four units. The Contract was awarded to Jerram Falkus Construction Ltd in May 2020. The contractor is on site and work is progressing.

Other Miscellaneous Sites

- 6.5 The Council has a number of smaller sites delivering 10 homes or less. Sites at Mason Court, Kings Drive, Hindhurst, Pharamond, Longley Avenue, Aneurin Bevan Court and Sycamore Drive will deliver an estimated 41 new homes consisting of a mix of apartments, bungalows and houses.

Sites Currently Undergoing Feasibility Assessment

- 6.6 The Council's programme is dynamic and new opportunities are constantly being assessed and the sites outlined below have the potential to deliver 177 new Homes. HSP in collaboration with colleagues in Property, Finance and Planning are constantly reviewing new opportunities and undertaking feasibility assessments before formal consultation with members and residents commences. The following is a list of current sites being considered. However, it should be noted that this list changes as new sites are identified or sites are assessed not to be feasible. The Borough map at Appendix 1 shows the distribution of sites.

Development	New Homes Predicted
Clement Close –	15
Broadview Garages –	3
Greenhill Park –	11
Yates Crt –	3
Westcroft Crt –	16
Newland Court -	7
Moot Court –	8
Fairfield Crt –	3
Essoldo Way –	9
Eskdale Close –	3
Gauntlett Crt –	5
Ecclestone Place –	4
Brentfield Garages –	9
Hargood Close –	2
Minterne Rd –	1
Chalfont House –	10
Sutherland Crt –	1

Townsend Lane –	1
Comber Close –	48
Rokesby Place –	5
Gladstone Pk Ph2 –	13

Modular Build

- 6.7 The Council is keen to progress some of the schemes that have come through the feasibility stage using modern methods of construction. The suitability of sites for modular build would require early supplier involvement from the Modular Build suppliers. The procurement approach for the Modular Build projects would be a Turnkey Solution where the suppliers are involved at an early stage to review the suitability of the site, develop the design and support in seeking planning permission. This approach is different to the standard construction where the Council seeks a design team to take it to planning and then source a contractor. For the modular build approach, the design and contractor appointment needs to be the one supplier. There are a number of modular build frameworks in the market and these will be reviewed further for the appropriate scheme that is going to be taken forward. The GLA has indicated that it will be seeking to encourage up to 25% of the next Approved Development Programme pipeline as Modular developed homes

7.0 St Raphael's Estate

- 7.1 The master planning process at St Raphael's has been tenant led with reference to the Estate Regeneration National Strategy and the GLA requirements, and has involved a series of resident events and workshops through which the Design Team have co designed the masterplans with the community.
- 7.2 In line with the original mandate from Cabinet, two masterplans have been developed; one for infill and one for redevelopment. These designs have been developed through the conversations and feedback from all previous events and a series of co design workshops with the community.
- 7.3 The redevelopment masterplan delivers 2065 new homes, the rehousing of 504 tenants with the option to provide new homes for existing leaseholders/freeholders and up to 550 additional affordable rented homes.
- 7.4 The infill masterplan consists of clusters of new homes in the north and south of the site and it delivers 370 new homes, 334 flats and 36 houses, providing the opportunity to rehouse St Raphael's tenants who are over-crowded plus the provision of net additional c300 affordable homes.
- 7.5 A ballot will be held with eligible residents and the outcome will determine which Masterplan will be recommended subject to both options remaining financially viable.

8.0 South Kilburn Regeneration

- 8.1 Approval was received from Cabinet in August 2020 to assess the potential for social housing delivered in future developments to remain in the ownership of the Council and that delivery routes are assessed on a scheme-by-scheme basis

with this in mind. The next three schemes where this will come into effect are at Neville & Winterleys, Hereford & Exeter and Carlton & Granville, which are currently in the latter stages of development.

- 8.2 Officers continue to explore opportunities in South Kilburn to deliver an increased number of Council homes while still ensuring a sensible balance between different housing tenures, as required in the Master Plan.
- 8.3 Officers are currently attempting to identify opportunities to decant a number of blocks more quickly. This has arisen due to the desire to avoid long-term maintenance works, which will create unnecessary expense, both for the Council and Leaseholders. This can be achieved by a variety of means including identifying more decant opportunities for residents and accelerating the building programme.

9.0 Collaboration Arrangement with Network Homes to deliver new homes

- 9.1 The Council's development programme is one of the largest Local Authority pipelines in London and it was recognised at an early stage that there were insufficient staffing resources internally to deliver this efficiently and at the pace required. Cabinet therefore approved a Collaboration with Network Homes (NH) to provide, amongst other things, development services in respect of a number of sites.

Church End

- 9.2 Recommendation 2.2 and 2.3 seeks approval from Cabinet to seek tenders for the delivery of a site in Church End, which will deliver 99 new homes and a new market consisting of 44 pitches. Approval is required because this development exceeds the delegated authority limit of £5 million.
- 9.3 This site consists of two parcels of land assembled by the Council. It was initially envisaged that this site(s) would be delivered by Network Homes. However, it transpired that Network were unable to access the same level of capital grant thus enabling affordable rents to be charged across the whole site. Therefore, it is proposed that the Council retain ownership of the land and become the developer of the site with Network being retained under the terms of the Collaboration agreement as development agents.
- 9.4 The proposals for the redevelopment of the site include the formation of a new mixed-use development site adjacent to a new market square providing a high quality pedestrianised through route from High Rd to Church Rd.
- 9.5 Site 1 requires demolition of 205 Church Road and proposal of new market square to replace Eric Road. Demolition of a 3-storey building to the rear of 203 Church Road and proposal of 34 residential dwellings and ground floor non-residential.
- 9.6 Site 2 requires demolition of buildings within 205 and 235 Church Road, and redevelopment of section of Church End car park site to the rear of 207-233(odds inc.) Church Road to erect a part 2,3,4,5 and 6-storey building containing 65 residential units, retail floor space, together with seven car parking spaces and associated works.

- 9.7 The Council intend to promote the commercial units for uses that support enterprise in the local area. The development will support the provision of a new market square providing 44 pitches for market traders, storage and WC facilities.
- 9.8 Overall, the development as envisaged will deliver a new market and 99 new homes let at London Affordable Rent consisting of 26 x 1 Beds, 71 x 2 beds and 2 x 3 bed units (which includes one house). The site is constrained which prevents the delivery of more 3 bed homes and above.
- Watling Gardens, Windmill Court and Kilburn Sq.***
- 9.9 An opportunity to develop 370 new Affordable rented homes on existing estates at Watling Gardens (Appendix 2), Windmill Court (Appendix 3) and Kilburn Square (Appendix 4) has been identified.
- 9.10 As part of these proposals, two extra care facilities, comprising 104 properties can be built at Watling Gardens and Kilburn Square. The design teams for all three schemes are currently working up designs to RIBA stage 2 in preparation for planning submissions in 2021. The current proposals will deliver close to 388 homes. Start on site for all three sites is currently anticipated as late 2021. Authority will be required from Cabinet in respect of a number of matters in order to progress further and we anticipate bringing this to Cabinet imminently.
- 9.11 Officers have already commenced consultation with residents regarding the potential demolition and wider proposals. Several virtual and on site pop up events (in line with appropriate Covid safe arrangements) took place in August focusing on the landlord offer and needs assessment design.
- 9.12 Formal consultation on the proposed demolition commenced in February 2020 on 1-2-1 basis. It will initially affect 12 residents in Watling Gardens and of these, 10 residents have been offered brand new homes in Kilburn Sq. and the remaining 2, homes in the new Gloucester & Durham blocks in South Kilburn. These offers have been provisionally accepted. There will be a further 17 residents affected in phase 2 and consultation with them commenced in November 2020.
- 9.13 Mapesbury Residents Association has expressed some concern during the initial stages of consultation. Concerns for Watling and Windmill currently relate to height, number of residents and parking. There is also some on site resident objection at Windmill Ct and this mainly centres on refurbishment works to the main tower. Discussions are underway internally with a view to how it might be addressed in line with the Council's commitment to undertake programmed works alongside the New Build programme.
- 9.14 It should be noted that at present the Council only has a partial grant allocation for these units. The balance will be funded from transfer from abortive schemes elsewhere in the programme. Any shortfall will be included in the Council's next Approved Development Programme bid round (see Section 13.0 Greater London Authority). The affected blocks are shown in Table 4 below.

Table 4

Block

1-18 Claire Court
19-21 Claire Court
22-30 Claire Court
1-11 Watling Gardens
1-18 Windmill Court

- 9.15 Discussions are also taking place with Asset management to bring forward internal kitchen and bathroom upgrades at Windmill to coincide with the start on side of the new build programme.

10.0 Engagement

- 10.1 The previous Cabinet paper in July 2020 outlined the approach to engagement with Members and residents, and the six Stage process (see below). This is only a framework and each consultation will be tailored to the specific needs of the development and the residents. A Member Learning & Development session was held on the 7th October 2020 providing the opportunity for members to gain greater information on the wider programme and advise how improvements might be made. The session was well received and demonstrated that the collaborative approach between Members and Officers on these issues has worked well so far. The intention is to continue to provide information at a high level with a clear overview of the programme across the Borough ensuring that Members have advance warning of developments planned in their Wards.

10.2 The Six Stages of Engagement

Stage 1: Initial Engagement with Members – Cabinet Members will be provided with an overview of sites planned in the NCHP. Ward Members will be introduced to sites in their individual ward and provided with the opportunity to give their feedback.

Stage 2: Inform Residents – Residents whose homes will be impacted by a site will be written to and provided information on what the Council intends to build and how they can get involved.

Stage 3: Design Phase – Residents and Members will be invited to a face-to-face consultation event. This event will showcase designs for the site and provide more information on the homes being built. Residents will be asked for their feedback on the designs and any concerns they have which can be considered. This includes opportunities for wider community investment.

Stage 4: Statutory Planning Consultation – Officers' aim is to respond to residents' concerns throughout the design phase. Once detailed design and consultation is completed, the site will be submitted for planning consent. Planning will then start their statutory consultation. Residents will be written to and site notices will be displayed. This will include the statutory process for submitting any objections to the development.

Stage 5: Building Phase – Residents and Members will have the opportunity to meet the appointed contractor. Throughout this stage, any complaints or comments can be reported to the dedicated email address

newcouncilhomes@brent.gov.uk mailbox or by calling 020 8937 3355. Complaints can be directed to staff when they are on site periodically.

Stage 6: Community Investment and Aftercare – Once the homes have been completed, any opportunities for community investment, that were agreed in the design phase will be completed.

- 10.3 Statutory Planning policy and consultation requirements will continue in respect of each site (in parallel with the Engagement plan) and will provide additional opportunities for members and residents to comment on aspects of design and location.

11.0 Other Sources of Supply - I4B (Holdings Ltd)

- 11.1 i4B Holdings Ltd (i4B) was established in 2016 to reduce homelessness by providing affordable, good quality homes and invest to deliver regeneration and financial benefits for its sole shareholder, Brent Council. It is a wholly owned subsidiary of the Council.
- 11.2 I4B's initial activity provided PRS homes to support the Council's Temporary Accommodation Reform Plan. As of December 2020, i4B has purchased 301 private sector homes and switched the tenure to an affordable PRS product. All properties have been refurbished to a high standard and let to families nominated by the Council.
- 11.3 I4B continues to expand its portfolio and will be completing the acquisition of 153 homes in January 2021, which will be let to Key Workers as determined by the Council's Key Worker Policy. I4B continues to investigate new opportunities to deliver Affordable Housing and providing a service offering wider than the Council's primary focus of Affordable Rent products.

12.0 Other Sources of Supply - Registered Providers (RPs)

- 12.1 Registered Providers continue to play a significant role in the delivery of new affordable homes in the Borough. Table 5 shows the new homes that are anticipated to be delivered over the next two financial years from RPs funded by the GLA.

Table 5

Developer	Financial Year 20/21	Financial Year 21/22
Notting Hill Genesis	165	40
Catalyst	66	66
Network Homes	6	501
Origin	0	24
Octavia	28	103
Home Group	178	0
Clarion	135	121
Metropolitan TV	33	0
Hyde	179	0
Innisfree	25	0
PA Housing	0	80

Peabody	198	0
Riverside	7	0
St Mungo's Community	6	0
Total	1026	935

There has been a drop in numbers reported previously mainly from Clarion & NHG, which could be due to delays from Covid-19. However, Officers are currently trying to understand the reason for these reductions. On initial review, NHG commented that part of the Brent house site was completed at the end of the last financial year amounting to 51 homes and there may have been a duplication of numbers, which is being investigated.

13.0 Greater London Authority (GLA)

- 13.1 The Mayor of London published his 'Building Council Homes for Londoners' funding prospectus in May 2018, encouraging London Councils to bid for grant funding to build new council homes for social rent. A special grant rate was introduced and support to help Councils invest their own resources, including Right to Buy (RTB) receipts. The Council submitted an ambitious bid to the GLA that in September 2018, resulted in the allocation of £65,600,000 to subsidise the delivery of 817 new homes during the next 3 years (2019/20 – 2021/2022). The allocation has since been increased through negotiation to £100m.
- 13.2 The Council continues to work closely with the GLA despite the limitations of the Pandemic. The Council continues to meet the deadlines set by GLA for starts on site and the number of homes required to be delivered. The programme period is routinely 3 years however this has been extended by a further year to the end of 2022/23, which provides an additional year for the final starts on site allowing for any slippage caused by the pandemic.
- 13.3 The new prospectus Homes for Londoners: Affordable Homes Programme 2021-2026 was published on the 24th November 2020 and introduces some changes from the previous Approved Development Programme.
- A move away from the previous fixed rates of grant and a proposal to align grant allocations on a scheme-by-scheme basis. This presents the opportunity to obtain higher rates of grant to deliver more expensive and difficult to deliver sites.
 - New rented homes developed to be let at Social (Formula) rents rather than London Affordable Rent which essentially sees a real reduction in rents at today's prices of approximately 9%
- 13.4 The timetable for bids is likely to open towards the end of January 2021.

14.0 Procurement Approach

- 14.1 Developments with estimated values over £5,000,000. Each of the development sites listed in sections 5 above have been reviewed to confirm the most appropriate method for procuring an experienced contractor to deliver the works.
- 14.2 For large value procurements, suppliers need to spend a significant amount of time and money in preparing their bids and therefore would only participate if

the number of bidders were restricted (normally between 3 – 5 suppliers). Due to the size, scale and value of the larger development sites, the procurement options available for sourcing a contractor are either by (i) carrying out an OJEU procurement where the opportunity would be advertised to the market or (ii) via a mini competition from a framework.

- 14.3 Advertising the opportunity via OJEU means all suppliers in the market have an opportunity to bid for the contract. All suppliers would need to be checked for compliance. This process can take significant amount of time versus procuring from a framework. A framework has a list of pre-approved suppliers where compliance checks have already been undertaken. The frameworks allow for mini-competitions to be undertaken to appoint a contractor and tend to be a much quicker process.

- 14.4 It is proposed to use the following approach for each of the development sites:

Church End

- 14.5 Subject to approval from this report – the proposed procurement approach is to carry out a mini competition from Network Homes contractor's framework. Planning permission has been preserved for this scheme and therefore procurement to commence over the coming months.

As use of a contractor's framework is proposed, the details of the procurement will be confirmed by way of a recordable decision to procure report, using delegated powers, which is expected to be completed over the coming months subject to the Recommendations within this report being accepted.

Developments with estimated values under £5,000,000

- 14.6 Projects with a contract value less than £5,000,000 can be authorised using delegated powers. The procurement approach is listed here for information purposes.
- 14.7 For the smaller developments (infill) sites, interest from suppliers in the market tend to be from the smaller/SME contractors. Programmes of this nature can be difficult to manage in terms of finding suitably skilled small to medium sized contractors who are experienced in delivering high-quality projects on small sites.
- 14.8 There are some frameworks available with contractors for contract values less than £5,000,000. Where it is deemed suitable with sufficient interest from the suppliers on the framework a mini competition will be undertaken.
- 14.9 For the majority of the small sites developments (infills), the best platform for sourcing and appointing qualified contractors is through the open tender procurement approach.
- 14.10 An open tender is where the opportunity is widely advertised to all contractors in the market allowing them to submit a proposal.
- 14.11 The open tender approach could have the following benefits for the Council:
- It will afford the Council an opportunity to engage with local suppliers and businesses who could benefit from the Council's Development Programme

and this could help ease unemployment and bring revenue into the Borough.

- Provide the Council with a wider selection of small to medium sized contractors who are more suited to the Infill Programme.
- Small to medium sized contractors are thought to be more competitive and will seek to offer value for money in terms of quality and costs.
- It gives the Council better scope to seek the best supplier for the works as tenders are carefully evaluated for cost and quality. There will also be a wider selection of suppliers to choose from.
- Open tendering also offers ease of entry into the market for smaller suppliers, and this can help new experienced firms to get a foothold in the market or industry, which will help lower the traditional barriers faced by many small but very experienced contractors.

- 14.12 The Council is progressing with the procurement of a contractor for the following projects:

Pharamond & Longley

- 14.13 These two sites have been merged together for the purpose of sourcing a contractor from the open tender process to build out the scheme. The procurement opportunity was issued in November 2020 with a contract award expected March/April 2021.

Anuerin Bevan Court & Sycamore

- 14.14 These two sites have been merged together for the purpose of sourcing a contractor from the open tender process to build out the scheme. The procurement opportunity was issued in November 2020 with a contract award expected March/April 2021.

Clock Cottage

- 14.15 This scheme is for Support Living Accommodation for vulnerable Brent residents. On review of the requirements for the scheme, it was deemed appropriate to progress with the procurement approach via a framework where there are contractors that are specialist for this type of work.

The Council is currently carrying out an Expression of Interest under the London Consortium Framework with the intention of issuing the tender in December 2020.

Preston Road Annex

- 14.16 The procurement approach for this project uses the SCAPE Minor Works Framework agreement for which the contractor is Kier. This framework allowed for early contractor engagement and enabled the Council to utilise the contractor's knowledge of cost, programme and buildability while developing the design through to planning. The Council is currently awaiting a decision from the Judicial Review hearing, which was heard in October 2020. Subject to the outcome from the hearing, the Council will then be able to evaluate the development potential/options for the site.

- 14.17 Whilst the estimated value of all of the above contracts is under £5,000,000 and therefore procurement and award would be authorised using delegated powers, there is a possibility, particularly with the uncertainties surrounding raw material

and labour costs cost due to Brexit and the Covid crisis, that bids exceed this sum. Should this occur, Cabinet authority would be required to award. In order to avoid the delay in the award of the contract, Officers would recommend that authority is given to the Strategic Director, Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to award development / construction contracts with developers / contractors in respect of the sites listed in this Section 5.

15.0 Social Value

- 15.1 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.
- 15.2 The procurement of contractors will follow Brent Council’s Social Value Policy. 10% of the overall evaluation will be used for social value commitments. It is envisaged that the successful contractors will be able to offer local employment, apprenticeships and work experience to residents in Brent as part of their bid. It would be expected that the successful contractors would also offer other community benefits to the residents in Brent
- 15.3 Examples of the Social Value driven by the Council’s development activity;
- Knowles House - 133 people have benefited from employment and training initiatives on this project, with 59 people being from the local area, in other words 456 training and employment weeks created with 272 being created for the local area. There have been 5 apprentices employed on the project so far, and over 20% of the site team are based locally with some months achieving nearly 30% of the workforce as local labour. Additional support has been provided to the Freemans Centre in Longstone Avenue and the Roundwood School.
 - Honeypot Lane – the contractor has appointed 3 apprentices to work on the development

16.0 Financial Implications

- 16.1 A financial summary of Church End (scheme exceeding £5m) is provided below in Table 7

Table 7 Estimated Financial Breakdown

Scheme	Total Project Cost	GLA Grant	Council Investment
Church End	£29.55	£9.9m	£19.65m

16.2 Officers will be reviewing the current programme and pipeline schemes to ensure that development sites originally identified, timescales, number of build units, massing and forecast costs remain realistic and current.

16.3 It is therefore envisaged that certain schemes may need to be re-profiled and/or added to in order to better reflect the anticipated capital expenditure required during the remainder of the delivery programme. This can be incorporated to the normal revenue and capital budget setting process in early 2020.

17.0 Legal Implications

17.1 As High Value Contracts under the Council's Standing Orders, approval of pre-tender considerations, inviting tenders, evaluating tenders and thereafter awarding of development / construction contracts for sites with a value over £5,000,000 require Cabinet approval pursuant to Standing Order 88 and 89. In order to ensure an efficient delivery programme as detailed at paragraph 10.2 previously agreed Cabinet will be provided with full details of each proposed contract on six monthly basis and requested to delegated authority to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, is sought for to award such contracts.

17.2 Development or construction contracts with an estimated value of less than £5,000,000 do not require a Cabinet approval because they are classed as Medium Value contracts under the Standing Orders and procurement and award of such contracts is delegated to the Strategic Director/Operational Director. In these cases, Members will receive information via the six monthly update.

17.3 Significant grant funding has been secured from the GLA. The Council has entered into grant agreements with the GLA governing the award of such funding to include the requirement to deliver specified numbers of new homes. Failure to observe grant conditions or achieve specified delivery numbers may lead to a requirement to repay grant funding and therefore efficient and timely delivery approaches are essential to mitigate the risk.

18.0 Equality Implications

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

- (a) eliminate discrimination, harassment and victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

Pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

18.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 18.3 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.
- 18.4 Equality Impact Assessments (EIAs) have been / will be completed as part of the planning application process to demonstrate that the Council has considered the quality impacts of its decisions in relation to design and development. EIAs / screening assessments will be available prior to the exercise of any delegated decision to award and will be taken into account in making any decision to award in relation to the key projects brought forward.

19.0 Human Resources / Property Implications

- 19.1 The Council's Development Team manages the contracts that are established and is supported by technical consultants as required. The Council has also ensured that it has access to additional capacity to deliver the programme by entering into the collaboration agreement with Network Homes.
- 19.2 The Council's Housing Supply and Partnerships Team will continue to facilitate and bring forward development sites in conjunction with a wide range of stakeholders, including acting as 'responsible client' for ensuring the NCHP is delivered in line with cost, quality and time expectations.
- 19.3 Support from a variety of Council teams in delivering the NCHP remains critical, covering specialisms such as planning, legal, communications, finance etc. A Design and Delivery Board provides the co-ordination required internally, whilst remaining accountable to the Housing and Care Investment Board that provides oversight and strategic direction.
- 19.4 To maximise the number of affordable homes being delivered and ensure rents can be set at London Affordable Rent levels, the Council is utilising Council owned land, which is under developed or unused. This means a number of sites are located within the grounds of existing Council developments.
- 19.5 Existing properties which are being used by local community groups and residents will continue to need proactive engagement, prior to and during transition into new facilities on site. Landowners adjacent to the development sites (i.e. NHS at Honeypot Lane) are also proactively engaged.

Related Documents:

Cabinet Paper - New Council Homes Programme December 2019

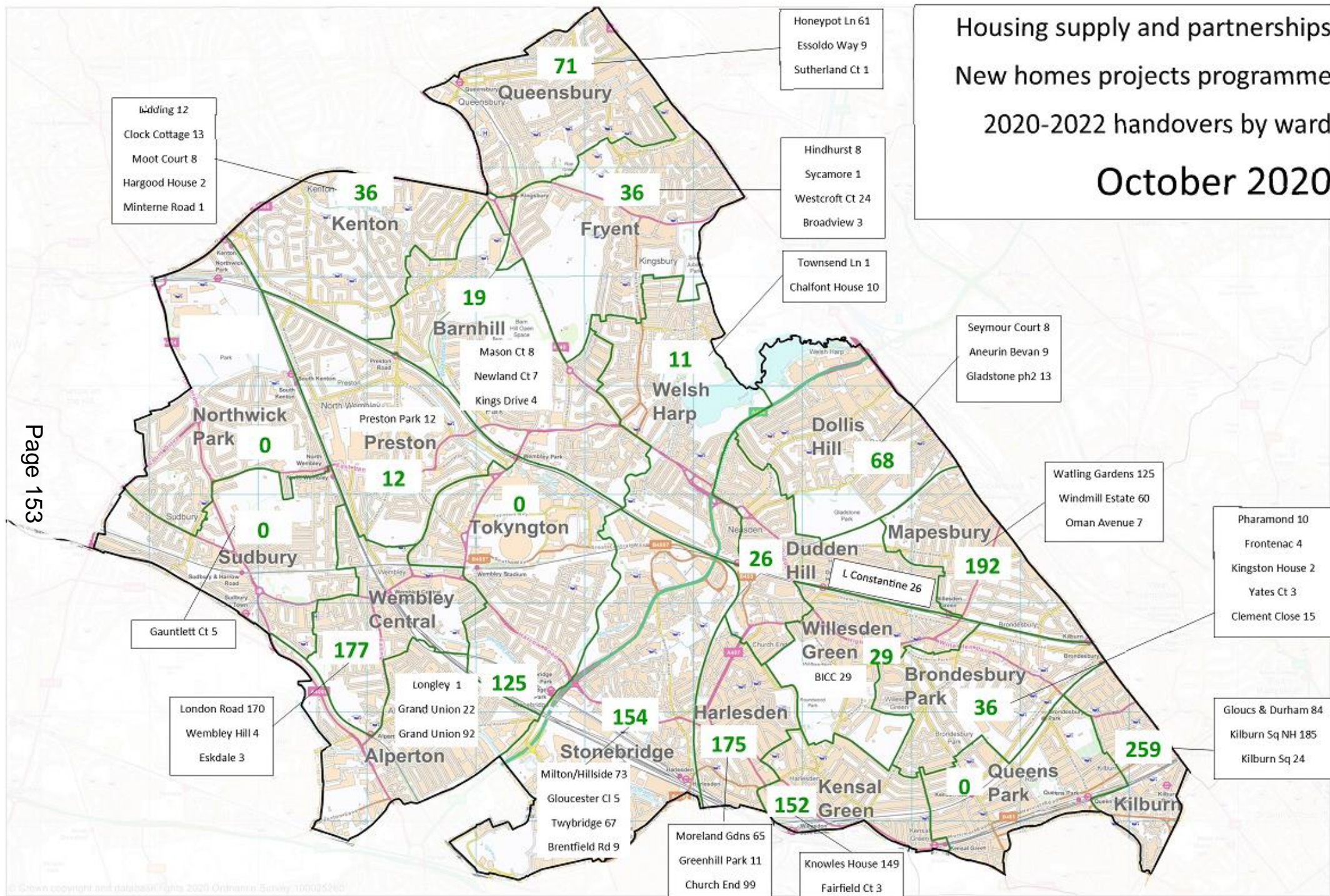
Cabinet Paper – New Council Homes Programme July 2020

Report sign off:

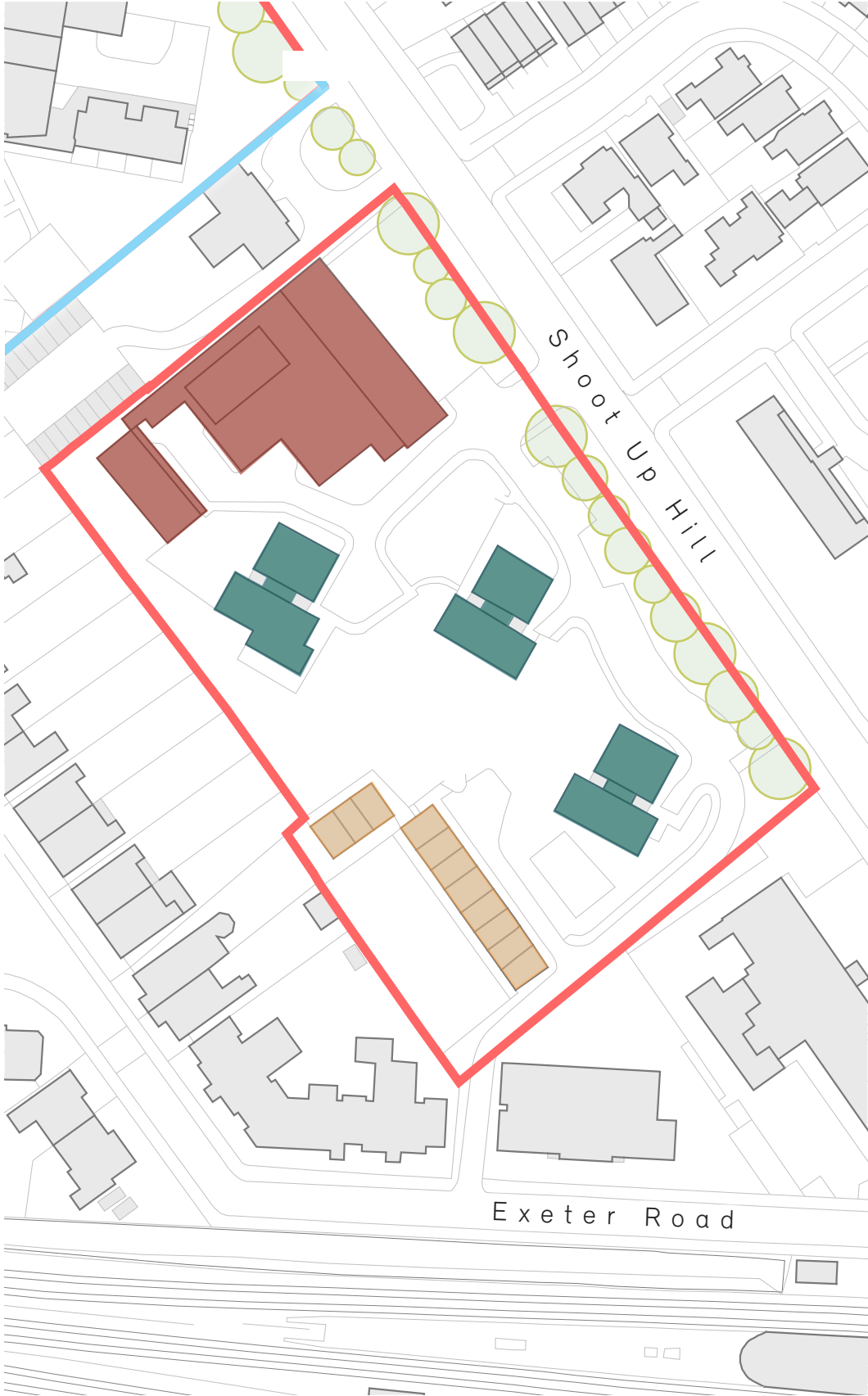
Phil Porter

Strategic Director for Community Wellbeing

Housing supply and partnerships
New homes projects programme
2020-2022 handovers by ward
October 2020



This page is intentionally left blank



- Key
- 1-30 Claire Court to be demolished
 - 1-12 Watling Gardens to be demolished
 - Existing Towers to be retained





29.10.2020
19-007
Watling Gardens
Proposed Estate

Pollard Thomas Edwards



Key

- 1-18 Windmill Court to be demolished
- Car park and community room to be demolished.
- Community room to be retained in situ or re-provided on site as part of proposals
- 19-138 Windmill Court to be retained



2



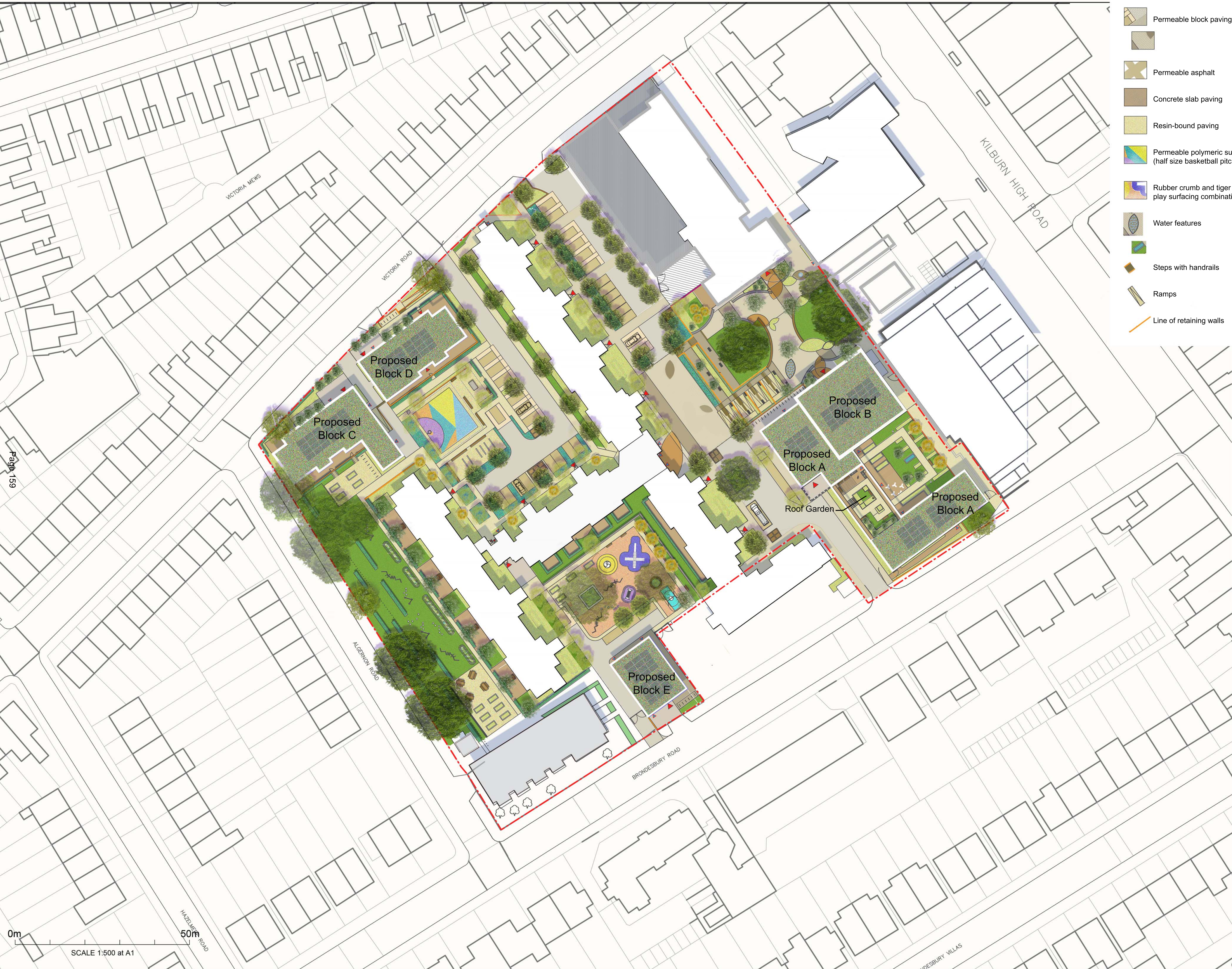
29.10.2020
19-007
Windmill Court
Existing Estate

Pollard Thomas Edwards



29.10.2020
19-007
Windmill Court
Proposed Estate

Pollard Thomas Edwards




- Permeable block pavings
- Permeable asphalt
- Concrete slab paving
- Resin-bound paving
- Permeable polymeric surfacing (half size basketball pitch)
- Rubber crumb and tiger mulch play surfacing combination
- Water features
- Steps with handrails
- Ramps
- Line of retaining walls
- Amenity grass
- Ornamental planting
- Hedge planting
- SuDs (bio-retention) planting bed
- Swale planting
- Green roof
- Proposed large specimen / street trees
- Proposed small / multi-stem trees
- Proposed medium to large shrub / small trees
- Existing trees
- Overhead canopy
- Public seating
- Bin store
- Cycle store
- Cycle hoops
- Play equipment items
- Adult gym equipment items

Page 159

0m 50m
SCALE 1:500 at A1

D	Parking C/D amended	PR	SC		16-11-2020
C	Key and red line amended	PR	SC		04-11-2020
B	Layout updates	PR	SC		27-10-2020
Rev	Description	Drawn	Check	Appr	Date
Groundwork London 12 Baron Street London N1 9LL Tel: 020 7239 1280 Fax: 020 7278 1515 www.groundwork.org.uk/london					
Project:		Kilburn Square			
Client		LB Brent & Network Homes			
Drawing Title		Landscape Masterplan			
Drawn:	Check:	Appr:	Date:		Scale at A1:
SC	JE	JE	30/07/2020		1:500
Status:		Information			
Drawing No:					Revision:
GW-BR033-KIL SQ-P-001					D

This page is intentionally left blank

 Brent	Cabinet 12 th January 2021
	Report from the Strategic Director of Regeneration & Environment
Northwick Park, One Public Estate –Spine/Access Road CIL Allocation	

Wards Affected:	Northwick Park
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Part Exempt – Appendix 2 is exempt 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:	Two: Appendix 1: Plan of the proposed road Appendix 2 (exempt): Updated Northwick Park HIF Cashflow
Background Papers:	None
Contact Officer(s):	Stacey Hislop Project Manager Stacey.hislop@brent.gov.uk Tel: 02089373360 Nick Ljustina Operational Director – Property & Assets nick.ljustina@Brent.gov.uk Tel: 020 8937 5025

1.0 Purpose of the Report

- 1.1 The purpose of this report is to seek approval for the allocation of £10m in Community Infrastructure Levy (CIL) funding for the Northwick Park OPE Spine/Access road construction. This will firstly cash-flow and secondly underwrite the Housing Infrastructure Fund (HIF) grant secured for the project.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Delegate authority to the Strategic Director of Regeneration & Environment in consultation with the Lead Member for Environment, the Lead Member for Planning, Property and Regeneration and the Director of Finance to allocate £10m of Community Infrastructure Levy funding to allow the construction of the new OPE Spine/Access road at Northwick Park.

3.0 Detail

- 3.1 Brent received grant funding from the One Public Estate Office (OPE), to lead a consortium of land owning public sector partners in examining the potential regeneration of adjacent landholdings at Northwick Park. The other partners are London Northwest NHS Health Authority (LNWNHS), The University of Westminster and Network Homes Ltd.
- 3.2 The partners have dissolved boundaries of individual ownership and worked collaboratively to produce proposals with a far greater vision than could be achieved individually. Supported by development and planning consultants, the partners prepared a feasibility/capacity study which led to the submission of three planning applications in 2020. These being;
- Masterplan for the OPE redline area – submitted by all OPE partners
 - Detailed application for the new spine / access road – submitted by all OPE partners
 - Detailed application for phase 1 of the housing proposals – submitted by Network Homes
- 3.3 The four partners executed a Memorandum of Understanding (MoU) in August 2017. This outlines common and individual objectives for the project, principles of collaboration, governance and partnership values. Now that Housing Infrastructure Fund (HIF) grant funding of £10m has been secured, an infrastructure collaboration agreement is in progress to satisfy the conditions of the grant and to give a legal framework for partners to progress the proposals. This will include, but not be limited to; details of permissions of works to be carried out, land ownership and rights requirements, funding arrangements and all other responsibilities.
- 3.4 In order to deliver the road project for which the grant funding was received, a professional team has been assembled. Cost analysis has been carried out and detailed design work has started. The four partners having discussed the road project with Transport for London, (TfL) have decided that they would like the Brent highways team to deliver the works and it will need to be tendered and procured.
- 3.5 To ensure timely progression of the road design, procurement, delivery and completion it is proposed that £10m of CIL – equalling the amount securing by the HIF grant - is allocated to the project to cash flow it through to completion. The CIL would be replenished by the HIF grant during the project programme period to a net effect of £0.

However, if difficulties were encountered meeting the HIF conditionality, which includes but is not limited to; timing, planning and restrictions on title, then it is proposed that this CIL allocation would also underwrite the delivery of project

to ensure its completion and the delivery of the wider programme goals it unlocks.

- 3.6 A plan of the proposed road within the masterplan area is included at Appendix 1.

4.0 Financial Implications

- 4.1 The Housing infrastructure Fund (HIF) grant agreement was executed in December 2019. £10m will be made available to Brent through drawdowns from the GLA against a programme of activities (Appendix 2). It is envisaged that costs for the road works project will be met by this grant.
- 4.2 The Infrastructure collaboration agreement allows, that in the event of overrun of cost that exceeds the £10m grant allocation, for the first additional £1m to be met by Network Homes, University of Westminster and London Northwest NHS Health Authority split equally between the parties.
- 4.3 If the £1m of additional funding capacity is reached, Brent will be required to commit £0.5m to fund the additional overrun generated by the project from a separate SCIL allocation. However, It is anticipated that the total project cost will be contained within the HIF grant amount.
- 4.4 The terms of the HIF funding award stipulates that the grant is “claim based”, meaning that the council will be required to incur infrastructure costs in advance of grant income being received. This will create timing differences between the HIF grant draw down and the programme cost milestones meaning the project will need to be temporarily cash flowed.
- 4.5 For the duration of the project, any balance of grant not yet reimbursed to the council as at the end of the financial year will need to be accrued in the balance sheet and held as a HIF debtor balance until paid. Based on the cash flow in appendix 2 the peak cash flow requirement for Brent is estimated to be £3.3m in Sep 2021 lasting for approx. 1 month.
- 4.6 Furthermore, it is also proposed that a £10m SCIL allocation is earmarked to underwrite the project if the terms of the HIF cannot be met.
- 4.7 The HIF grant was conditionality given to Brent based on conditions that were agreed pre-COVID 19. It is anticipated that the conditions will still be met, and those that are need updating can be varied with permission from the GLA and MCHLG. However, it is proposed that in the event the HIF grant falls away, this SCIL allocation would underwrite the delivery of project to ensure its completion and the delivery of the wider programme goals it unlocks.
- 4.8 The wider development set out in the submitted masterplan is expected to generate new CIL receipts in the order of £19M.

5.0 Legal Implications

- 5.1 CIL is to be raised for the purpose of “supporting development by funding the provision, improvement, replacement, operation or maintenance of

infrastructure". The operation and maintenance of infrastructure can be funded from this CIL as a revenue source and it is not a pre-condition that the provision of such infrastructure should have been funded by CIL receipts. It is, therefore, possible to apply CIL receipts in funding a very wide range of facilities.

- 5.2 Section 216(2) of the Planning Act 2008 provides that the CIL receipts can be applied towards (amongst other things) the construction of roads. Local authorities must spend the levy on infrastructure needed to support the development of their area, and it is up to the authority what infrastructure is needed.

6.0 Equality Implications

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

- (a) eliminate discrimination, harassment and victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

- 6.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.
- 6.4 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Officers from Brent, Network, the University of Westminster and London Northwest Health Authority held a series of public consultations - to discuss the planning applications and general work the OPE project has been doing. These were on 25, 26, 27 and 29 June 2019 for the first consultation and 8, 9, 10, and 12 October 2019 for the second consultation,
- 7.2 Ward councillors were met with and consulted on the following dates

22 November 2018

21 June 2019

8 October 2019 (Councillor McClennan did not attend)

28 November 2019 (Councillor McClennan only)

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 Brent's Highways team will be commissioned by the OPE partners to manage the road delivery project, from design, through procurement and to construction completion.

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 will have had regard to considerations contained in the Social Value Act in relation to the procurement of the works contract for the access road.

Related Documents:

- HIF Grant Agreement Cabinet paper - 13 August 2018
- Northwick Park, One Public Estate – Update, Infrastructure Collaboration Agreement and Spine/Access Road Construction Cabinet paper - 6 November 2020

Report sign off:

Alan Lunt

Strategic Director of Regeneration &
Environment

This page is intentionally left blank

This page is intentionally left blank

Appendix 2

NOT FOR PUBLICATION

This part of this report 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)"¹

¹ Reason restricted justification:


This Appendix contains commercially sensitive information which relates to an on-going agreement and contains commercially sensitive information. The public interest in maintaining the exemption outweighs the public interest in disclosing the information because if this information is disclosed at this time it would, or would be likely to, prejudice the commercial interests of the council and in turn prejudice this agreement.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

	Cabinet 12th January 2021
	Report from Strategic Director, Regeneration & Environment
Authority to Tender for the Design & Build Contract at 1 Morland Gardens, Stonebridge	

Wards Affected:	Stonebridge
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s):	<p>Joy Ogbechi, Capital Project Manager Property & Assets, Regeneration & Environment Email: joy.ogbechi@brent.gov.uk Tel: 020 8937 3386</p> <p>Neil Martin, Interim Capital Programme Manager Property & Assets, Regeneration & Environment Email: neil.martin@brent.gov.uk Tel: 020 8937 4203</p>

1.0 Purpose of the Report

- 1.1 This report concerns the redevelopment at 1 Morland Gardens, Stonebridge to deliver a new education centre, new council homes, affordable workspace, a public facing café, and public realm improvements. This report requests approval to invite tenders by way of a mini competition under the Notting Hill Genesis Contractor Framework and approve the pre tender considerations as required by Contract Standing Orders 88 and 89.

2.0 Recommendation(s)

Cabinet is requested to:

- 2.1 Approve the inviting tenders via a mini-competition under the Notting Hill Genesis Contractor Framework agreement for a contractor on the basis of the pre-tender considerations set out in paragraph 3.5 of the report.
- 2.2 Approve to delegate authority to award the contract for the Morland Gardens Redevelopment Design and Build Contract following the successful outcome of the tender exercise to the Strategic Director, Regeneration and Environment, in

consultation with the Cabinet Members for Regeneration, Property and Planning and Schools, Employment and Skills.

- 2.3 If the procurement exercise described in paragraph 3.5 does not elicit sufficient bids in order for officers to propose the awarding of the contract, Cabinet is requested to delegate authority to approve inviting tenders using an alternative procurement method and any resultant pre-tender considerations to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Members for Regeneration, Property and Planning and Schools, Employment and Skills.

3.0 Background

- 3.1 On 14 January 2020, Cabinet approved a number of recommendations relating to the Morland Gardens redevelopment. Cabinet approved to support the proposal to invest up to £43m to deliver a state of the art adult education centre, 65 new affordable homes, 675 sq. metres affordable workspace for start-up businesses from the local community, and a public facing cafe. This cost also includes the cost of the 2 year service decant and encompasses £6.5m of the GLA affordable housing grant.
- 3.2 Since then, the Council's appointed design team has worked up the development and submitted a planning application for the proposed development. On 12 August 2020, Brent's Planning Committee approved the Morland Gardens redevelopment, subject to Greater London Authority (GLA) approval. The GLA approved the application on 26 October 2020. Planning permission was then granted on 30 October 2020. A Judicial Review of this decision can be made six weeks after the decision is enacted and this period will run from 02 November 2020 until 14 December 2020.
- 3.3 During this time, the Council's appointed technical consultants have been working to finalise the Employer's Requirements and tender documentation. The works require the demolition of the existing building, the design and build of a new adult education centre, 65 new council homes, a public facing café, and public realm improvements under a single stage JCT Design & Build Contract (2016).
- 3.4 The estimated contract value of the procurement is £34m and due to the complexity of the scheme, it is considered that the Notting Hill Genesis Contractor Framework (which has 23 panel members) offers the most appropriate mechanism to procure an appropriately qualified and experienced contractor to deliver the scheme. Approval was obtained from the Director of Legal, HR, Audit and Investigations on 11th June 2020 that it was legally permissible for the Council to participate in Notting Hill Genesis Contractor Framework.
- 3.5 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of Cabinet.

Ref.	Requirement	Response
------	-------------	----------

Ref.	Requirement	Response		
(i)	The nature of the works	Demolition of the existing building, the design and build of a new adult education centre, 65 new council homes, a public facing café, and public realm improvements		
(ii)	The estimated value.	£34,000,000 (thirty four million pounds)		
(iii)	The contract term.	Estimated two years plus 24 months defects liability period		
(iv)	The tender procedure to be adopted.	Mini competition from Notting Hill Genesis Contractor Framework		
v)	The procurement timetable.	Indicative dates are:		
		Invite to tender	25.01.2021	
		Deadline for return of tenders	26.03.2021	
		Evaluation	05.04.2021	
		Interviews	12.04.2021	
		Governance	28.05.2021	
		Contract Award	07.06.2021	
		Start on site	11.10.2021	
(vi)	The evaluation criteria and process.	1. The Notting Hill Genesis Contractor Framework does not recommend a selection stage and therefore a Sifting Brief exercise need not be undertaken.		
		2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria:		
		Technical / Quality	Area weighting	Overall weighting
		Delivery Statement	35%	40%
		Programme	35%	
		Resources	20%	
		Resident Engagement & Communications	5%	
		Public Realm	5%	
		Total for Quality/Technical	100%	
		Social Value	Area weighting	Overall weighting
		Strong Foundations	2%	10%
		Every Opportunity to Succeed	2%	
		A borough where we can all feel safe, secure and happy	2%	

Ref.	Requirement	Response		
		A future built for everyone, an economy fit for all	2%	
		A cleaner, more considerate Brent	2%	
		Commercial – Cost	Area weighting	Overall weighting
		Commercial (Price)	100%	50%
		Total		100%
(vii)	Any business risks associated with entering the contract.	The delivery of the contract caused by current economic environment; availability of resources; increased costs to estimated contract value.		
(viii)	The Council's Best Value duties.	Mini competition undertaken from an approved framework so that competitive submission can be sought to support the Council's Best Value duties		
(ix)	Consideration of Public Services (Social Value) Act 2012	10% of the evaluation is included for Social Value – see Section 9 below.		
(x)	Any staffing implications, including TUPE and pensions.	See Section 7 below		
(xi)	The relevant financial, legal and other considerations.	See sections below.		

- 3.6 Cabinet are requested to approve the delegation of authority to award the contract to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Members for Regeneration, Property and Planning and Schools, Employment and Skills.
- 3.7 As part of the redevelopment of Morland Gardens, a temporary home for Brent Start is required. As per 14 January 2020 Cabinet report, the former Stonebridge School Annexe building on Twybridge Way will be used as the temporary home whilst Morland Gardens is redeveloped. At the time of drafting this report, officers are recommending Cabinet award the contract to refurbish the Annexe in December 2020 subject to the satisfactory completion of the Judicial Review of the planning permission decision process in respect of the Morland Gardens redevelopment.
- 3.8 Bat Surveys will be required at Morland Gardens before the works commence on site in order to ensure no construction activity disturbs any potential bat activity on site. Surveys will be completed in line with industry guidance (Bat Conservation Trust “Bat Surveys for Professional Ecologists”). Any bat activity identified will require construction related activities to be carefully managed and licences in place before works can commence. These surveys are part of the planning conditions that will have to be satisfactorily released before works on site can commence between the roosting season of May to September. The appointed contractor will lead on this process, including the commissioning of

the surveys, submission of reports to release the planning conditions and management of any actions that may arise.

4.0 Financial Implications

- 4.1 The Morland Gardens project budget was approved by Cabinet on 14 January 2020. The total project budget is £43m of which £41.5m was assigned for the redevelopment of the Morland Gardens site and £1.5m for the decant costs for Brent Start.
- 4.2 The pre-tender estimate for the redevelopment works of £34m is within this budget.

5.0 Legal Implications

EU Regulations

- 5.1 The Contract falls within the definition of a 'works contract' under the Public Contracts Regulations 2015 ('EU Regulations'), the estimated value of the Contract is above the EU procurement threshold for works (currently £4,551,413), and therefore the full rules of the EU Regulations will apply to the award of the Contract. Officers are also required to observe the rules set out in the Council's Contract Standing Orders (CSO).

Council CSOs

- 5.2 The contract is classed as a High Value Contract under the Council's Contract Standing Orders (CSO) and Financial Regulations. Officers have determined that it would be most effective to procure the contract by way of a Framework Agreement (Framework) complying with EU Regulations that has been set up by another authority (paragraph 3.4). As this procurement will proceed as a mini competition from a Framework agreement set up by another public authority, the CSO requires the Director of Legal, HR, Audit and Investigations to confirm that it is legally permissible to participate in the identified Framework; this confirmation was given on 11 June 2020.

Authority to Tender

- 5.3 The CSO at paragraph 89 (i) to (xi), empowers the Cabinet to approve the pre-tender considerations and invite tenders for High Value Contracts. The Cabinet is also to confirm that there is sufficient budgetary provision for the Contract (CSO 86(e)(ii). Subject to the approval being sought from the Cabinet, it is legally permissible for the Cabinet to approve the pre-tender considerations set out in paragraph 3.5 and to invite tenders for the contract.
- 5.4 On completion of the tendering process, Cabinet is requested to delegate authority to the Strategic Director, Regeneration and Environment. Officers will report to the Strategic Director, explaining the process undertaken in tendering the contracts and recommending an award.

Contract Terms & Conditions

- 5.5 As required by the Framework, the Council will follow the rules for tendering under the Framework including the use of call off contracts allowed therein. The Council has identified the JCT Design & Build Contract (2016) as a suitable contract allowed under the Framework.

6.0 Equality Implications

- 6.1 Members are referred to the Equalities Implications described and appended Equality Impact Assessment from the Morland Gardens Cabinet Report from January 2020.
- 6.2 Specific to the contract award for the refurbishment works at Stonebridge Annexe and tender for the redevelopment of Morland Gardens, Brent Start learners will need clear notice of the changes to the venue of the provision along with significant advance notice.

7.0 Staffing/Accommodation Implications

- 7.1 Clear and ongoing communication with staff will be required to ensure they understand the interim arrangements during Brent Start's time at the Annexe whilst the delivery of the new building takes place. For example, staff will need to adjust their travel to work plans.

8.0 Consultation with Ward Members and Stakeholders

- 8.1 The Lead Members for Regeneration, Property and Planning and Schools, Employment and Skills have been consulted as part of the drafting of this report.
- 8.2 Ward members were advised of the Morland Gardens project progress and planning committee decision in September 2020. Further consultation will take place following the satisfactory completion of the Judicial Review of the planning permission decision process as well as being kept up to date with progress on the tender process.

9.0 Social Value

- 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.
- 9.2 Ten percent of the overall evaluation criteria is allocated to Social Value and will be in line with the Council's Social Value and Ethical Policy approved by Cabinet in April 2020. It is envisaged that the successful contractor should be able to offer local employment, apprenticeships and work experience to residents in Brent. It would be expected that the successful contractor would offer other community benefits to the residents in Brent. Bidders are required to

identify a monetary value (or cash value) for each element of the Social Value that they offer. The monetary value should be 10% of the contract value. If suppliers do not deliver on the social value commitments, the Council will look at claiming back the monetary value.


Related Documents: Morland Gardens Cabinet Report 14 January 2020

Report sign off:

ALAN LUNT

Strategic Director, Regeneration
and Environment

This page is intentionally left blank

	Cabinet 12 th January 2021
	Report from the Strategic Director of Children and Young People
Brent Council's School Admission Arrangements for 2022/23	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	Three: Appendix 1: List of Primary Community Schools in Brent Appendix 2: Proposed Admissions Arrangements 2022/23 Appendix 3: Scheme of Coordination for 2022/23
Background Papers:	None
Contact Officer(s):	Brian Grady Operational Director, Safeguarding, Partnerships and Strategy Brian.grady@brent.gov.uk 020 8937 4713

1.0 Purpose of the Report

- 1.1 This reports seeks Cabinet agreement to the proposed admission arrangements for Brent community schools for 2022/23 in accordance with statutory requirements. There have been no changes to the admission arrangements since those determined by Cabinet in January 2020 for the academic year 2021/22. Admission authorities are required to determine their admission arrangements by 28 February in the determination year.

2.0 Recommendations

That Cabinet:

- 2.1 Agrees the proposed admission arrangements for Brent community schools (Appendix 2).
- 2.2 Notes the scheme of co-ordination for maintained schools in Brent for the 2022/2023 academic year (Appendix 3).

3.0 Detail

- 3.1 This report relates to the admission arrangements and oversubscription criteria of Brent community primary schools only. Brent Council is the admission authority for 30 community primary schools in the Borough (Appendix 1). Voluntary Aided (VA) and foundation schools, academies and free schools are their own admission authority and determine their own admission arrangements and oversubscription criteria.
- 3.2 The School Admissions Code issued under Section 84 of the School Standards and Framework Act is the legal framework for school admissions matters. The Admissions Code requires that admission authorities have a mechanism to rank applications in order of priority. All schools and admission authorities must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements for Brent community schools are determined by the Council as the admission authority.
- 3.3 There are no proposed changes to the admissions arrangements for community schools for 2022/23 (Appendix 2).
- 3.4 The Schemes of Co-ordination (Appendix 3) are based on a standard template provided to all London local authorities by the London Grid for Learning. The Schemes have been updated with relevant dates for the 2022/23 offer year. These are required to be published by 31 December 2020 and will be included with the Admission Arrangements once they are determined.
- 3.5 In summer 2020, the Department for Education (DfE) undertook a consultation to update the School Admissions Code 2014 with a view to publishing a new Code in winter 2020. The anticipated new code is referenced in paragraphs 48 and 47 in the respective secondary and primary sections of the Schemes of Co-ordination.
- 3.6 If, when the new Code is published, there is a legal requirement to amend any aspect of the admission arrangements which have been determined, Regulation 19 of the School Admissions Regulations 2012 allows admission authorities to revise, without consultation, their admission arrangements for a particular year to give effect to a mandatory requirement of the Code.
- 3.7 This could apply to one criterion in the proposed Brent Admission Arrangements. As part of the consultation, the DfE has consulted to give children adopted from state care abroad the same priority as other previously looked after children. In the Brent Admission Arrangements these are two separate criteria. If the new School Admissions Code gives these children the same priority, the local authority will be required to merge the first two admissions criteria in the determined arrangements.

4.0 Financial Implications

- 4.1 There are no specific financial implications arising from this report.

5.0 Legal Implications

- 5.1 Admission authorities must act in accordance with the mandatory requirements of the School Admissions Code 2014 and have due regard to the discretionary elements of the Code. They must also act in accordance with other laws relating to admissions and relevant human rights and equalities legislation
- 5.2 Oversubscription criteria must be reasonable, clear, objective and comply with all relevant legislation, including equalities legislation. Highest priority in the oversubscription criteria must be given to looked after children and previously looked after children (Regulation 7, Admission Arrangements Regulations 2012). Subject to these requirements it is for the admission authority to decide which criteria would be suitable according to the local circumstances.
- 5.3 The local authority must determine admission arrangements for 2022/23 by 28 February 2021.

6.0 Equality Implications

- 6.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.2 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.
- 6.3 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. The Admissions Criteria ensure fair access to school places. Cabinet is referred to the contents of this report for further information, in particular section 4.0.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 This report affects all wards.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 There are no human resources or property implications.

Report sign off:

Gail Tolley


Strategic Director, Children and Young People

This page is intentionally left blank

Appendix 1 – List of Primary Community Schools in Brent

Anson Primary School	Kingsbury Green Primary School	Oliver Goldsmith Primary School
Barham Primary School	Leopold Primary School	Park Lane Primary School
Brentfield Primary School	Lyon Park Primary School	Preston Park Primary School
Byron Court Primary School	Malorees Infant School	Roe Green Infant School
Carlton Vale Infant School	Mitchell Brook Primary School	Roe Green Junior School
Chalkhill Primary School	Mora Primary School	Salusbury Primary School
Donnington Primary School	Mount Stewart Infant School	The Stonebridge School
Elsley Primary School	Mount Stewart Junior School	Uxendon Manor Primary School
Fryent Primary School	Newfield Primary School	Wembley Primary School
Harlesden Primary School	Northview Primary School	Wykeham Primary School

This page is intentionally left blank

	ADMISSION ARRANGEMENTS FOR BRENT COMMUNITY SCHOOLS FOR 2022/2023
	To be determined by Cabinet

Contents

Brent Community Primary School Planned Admission Numbers and Grid Reference Measuring Points for Admission to Reception and Junior in September 2022	2
Oversubscription Criteria for Brent Community Schools in 2022/2023	3
'Tie-break' Distance Measurement	5
Catchment Area	5
Home Address	5
Twins, Triplets and other children of multiple births	6
Split residence	6
Multiple applications	6
Applications from overseas	7
Children of UK Service Personnel (UK Armed Forces) and Crown Servants	7
How places will be allocated at Brent community schools for September 2022 in Reception (Primary and Infant schools) and Year 3 (Junior Schools)	7
Equal preferences	7
Deferred Entry	8
Applications for children outside the normal age group	8
Late Applications and changes after the closing date	9
Changes of Address after the closing date	9
Waiting Lists	9
Appeals	10
Admission to community school nurseries	10
In-Year Applications	10

**Brent Community Primary School Published Admission Numbers and
Grid Reference Measuring Points for Admission in 2022/2023**

Name of School	Published Admission Number	Grid Reference Measuring Point	
		Easting	Northing
Anson Primary School	52	523552	185345
Barham Primary School	120	517506	184655
Brentfield Primary School	90	520541	184537
Byron Court Primary School	150	517133	186955
Carlton Vale Infant School	60	524938	182956
Chalkhill Primary School	60	520005	186210
Donnington Primary School	30	522577	184004
Elsley Primary School	120	518869	184738
Fryent Primary School	120	520385	187897
Harlesden Primary School	60	521141	183461
Kingsbury Green Primary School	90	520010	188549
Leopold Primary School	120	521640	184310
- Gwenneth Rickus Site		520810	184490
Lyon Park Primary School	120	518820	184115
Malorees Infant School	60	523952	184011
Mitchell Brook Primary School	90	521010	184768
Mora Primary School	60	523141	185939
Mount Stewart Infant School	90	517785	187999
Mount Stewart Junior School	90	517785	187999
Newfield Primary School	60	521890	184050
Northview Primary School	30	521580	185500
Oliver Goldsmith Primary School	60	520809	188559
Park Lane Primary School	60	518380	185490
Preston Park Primary School	120	517930	187200
Roe Green Infant School	120	519772	189316
Roe Green Junior School	120	519772	189316
Salusbury Primary School	90	524528	183518
The Stonebridge School	90	520512	183844
Uxendon Manor Primary School	90	518023	188541
Wembley Primary School	120	518365	186130
Wykeham Primary School	60	521087	186286

Oversubscription Criteria for Brent Community Schools in 2022/2023

The criteria set out below apply to the 30 Brent community schools listed on page 2.

Voluntary aided or religious faith schools, foundation schools, free schools and academies have their own admission policies. Parents should visit the website of these schools for a copy of their admission arrangements or visit www.brent.gov.uk/admissions

Applications for children with an Education, Health and Care Plan (EHCP) are made by Local Authority SEN teams. The placement of such children is made after a process of consultation between parents, the school and the Local Authority. Children with an EHCP receive priority over others for admission to the school named on their EHCP. An EHCP is a plan made by the Local Authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

Schools should not admit more than 30 pupils in each class for Reception, Year 1 and Year 2. This is to enable the Local Authority to meet its statutory duty of having no more than 30 pupils in each class at Key Stage 1. Three-year-old children should not be admitted to Reception classes.

The following criteria are clear, fair and objective. It is illegal for schools to discriminate against a pupil on the basis of his/her ethnicity.

Whenever and wherever possible, children are offered a school of their parents' preference and in practice the majority of children go to the school which their parents select for them.

Sometimes, however, there are more applications for a particular school than there are places available. This is described as oversubscription. Whenever this happens, pupils are offered places in the following order of priority:

1. Looked After Children or previously Looked After Children

A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order.

- The highest priority must be given to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted, or became subject to a child arrangements order, or special guardianship order immediately following having been looked after.

2. Children adopted from state care outside of England

Children who appear to Brent Council to have been in state care outside of England and ceased to be in state care as a result of being adopted.

- A child is regarded as having been in state care in a place outside of England if they were accommodated by a public authority, a religious organisation or any other provider of care whose sole purpose is to benefit society.

3. Linked infant school

Children attending an infant school on the same site as a junior school.

- This criterion only applies to Year 3 applications to Mount Stewart Junior School (for children attending Mount Stewart Infant School) and Roe Green Junior School (for children attending Roe Green Infant School).

4. Medical or Social needs

Exceptional circumstances to do with significant medical needs and or social needs which necessitate a child's placement at one particular school.

This criterion relates to the child's medical and/or social needs. The application must be supported by written evidence (see below) that sets out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The recommendation for this specific school should demonstrate knowledge of the school in terms of location, resources and organisation which deems it essential that the named pupil be admitted to the specific school. The Council will not give higher priority to children under this criterion if the required documents have not been submitted. Decisions on whether to allow the criterion will be made by an admission panel, based on all the evidence available, and will be consistent.

- **Medical Needs**

Applications made on the child's medical grounds must be accompanied by compelling medical evidence from a GP/hospital consultant at the time of application. The letter from the GP/hospital consultant must provide information about the child's medical condition, the effects of this condition and why, in view of this, the child needs to attend the parent's preferred school.

If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties that may exist if the child had to attend another school. Medical claims will only be considered for one school and this should be named by the GP/hospital consultant. In assessing these applications, advice will be sought from relevant professionals as required.

- **Social Needs**

Applications made on the child's social grounds must be accompanied by compelling evidence at the time of application. Social needs claims will be considered where there is involvement from a social worker, or other professional and where it can be demonstrated that the child has exceptional social needs that cannot be met at any other school than the named school. Parents' circumstances can have an impact on a child's social needs and evidence of this will be considered. In assessing these applications, advice will be sought from relevant professionals as required.

5. Siblings in catchment area

Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, *living in the catchment area of the school* and who will continue to do so on the date of admission.

- This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins. Siblings attending the same school should have priority over those attending a separate school on the same site.

6. Children of staff

Children whose parent is a member of staff who has been employed at the school for two or more years at the time of application or has been recruited to fill a vacancy for which there is a demonstrable skill shortage.

7. In catchment area

Children living within the school's catchment area.

8. Siblings outside catchment area

Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.

- This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins. Siblings attending the same school should have priority over those attending a separate school on the same site.

9. All other applicants.

‘Tie-break’ Distance Measurement

Where pupils meet the same criteria, places will be offered in order of the distance from home to school which will be measured by straight-line, from the address point in the property to the address point in the school, as determined by LLPG (Local Land Property Gazetteer) data. Those living nearer the school will have the higher priority. The measuring system is an integral part of the admission software produced by Servelec Synergy Ltd, uses Ordnance Survey maps and LLPG data and is accurate to 1 centimetre.

Where two or more children, sharing the same priority, live equidistant from a community school and only one place remains, the local authority will use a computerised random allocation to determine which child should be given priority.

Catchment Area

The catchment area is the defined neighbourhood in which the school is sited. It is generally bounded by major roads and/or railway/tube. The catchment area is defined by the Local Authority and is designed to ensure that each address in the borough falls into the catchment area of one school. Information on which streets make up a catchment area can be obtained from the Local Authority, the school, the Local Authority’s website and the Local Authority’s composite prospectus.

Home Address

The address used must be the child’s permanent home address on the closing date for on-time applications or at the time of application for late or in-year applications.

This cannot be a business address, childminder’s or relative’s address, or any address other than child’s permanent home address. Only in circumstances where the relative or carer has legal guardianship, and is the main carer, will a different address be considered as the main residence. Evidence will be requested to support this arrangement.

Proof of address is not required to be sent with an application. The council tax reference number should be supplied on the application if the applicant is responsible for paying it. Brent Council will check internal council databases in order to verify the address. Where it is not possible to verify the address or the applicant has recently moved, the Council will write to the applicant to ask for two proofs of address.

Any offer of a place on the basis of address is conditional upon the child living at the appropriate address on the relevant date. Applicants have a responsibility to notify the local authority of any change of address.

Any applications received containing fraudulent or misleading information, or any offers made based on fraudulent or misleading information may be withdrawn where other applicants have been disadvantaged.

Twins, Triplets and other children of multiple births

In the event that the school has one place to offer and the next child on the waiting list is one of twins, triplets or other children of multiple births, the Local Authority will offer both twins, all triplets or children of multiple birth a place even if this means temporarily going over the published admission number.

In the event that one child from a multiple birth has an Education, Health and Care Plan which names a particular community school, all other children from the same multiple birth will be considered under the fourth criteria for the same school – medical or social needs – unless a higher criteria should be applied.

Split residence

Where a child lives with parents/carers with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. If a child's residence is split equally between both parents, then parents will be asked to determine which residential address should be used for the purpose of admission to school. If the residence is not split equally between both parents, then the address used will be the address where the child spends the majority of the school week.

If it is not possible to determine which residential address should be used through a joint declaration, then the address of the parent who is in receipt of child benefit will be used for the purpose of the application. In cases where parents are not eligible for child benefit the address will be that of the parent where the child is registered with the doctor. In cases that still cannot be determined, or are open to dispute by parents/carers, an admission panel will determine how to proceed with the application in accordance with these arrangements, the Admissions Code and any other relevant legislation or guidance. This will not impact on parents'/carers' right to appeal against any decision not to offer a preference school.

Multiple applications

Only one application can be processed for each child. In the event that the local authority receives more than one application for the same child, whether from the same parent/carer or not, the most recently received application will be processed. This includes applications that have been submitted online and by post.

Parents/carers are responsible for ensuring that only one application is received. If multiple applications are received and it is not possible to obtain a joint declaration from both parents/carers (or those with parental responsibility) regarding which schools should be included as preferences, an admission panel will determine how to proceed with the application in accordance with these arrangements, the Admissions Code and any other relevant legislation or guidance. This will not impact on parents'/carers' right to appeal against any decision not to offer a preference school.

Applications from overseas

Applications with an overseas address will not be accepted for processing by the local authority unless there is evidence of a link to an address in the area and evidence that a child will be living in the area on or before the date of admission.

Where an application is accepted, the address used on the application will be the overseas address until such time as there is evidence of the child's return to the linked address prior to the closing date (or the date for accepting applications as late for good reason). Such evidence received after the closing dates will be considered on the application after National Offer Day.

The local authority is only responsible for making offers for children currently living in the area. If it is not possible to make a preference offer prior to a child's arrival on the relevant offer days, an alternative offer will not be made.

Applications will not be accepted from overseas addresses for in-year applications with the exception of applications for Children of UK Service Personnel (UK Armed Forces) and Crown Servants.

Children of UK Service Personnel (UK Armed Forces) and Crown Servants

Families of service personnel with a confirmed posting to the area, or crown servants returning from overseas to live in the area, can apply to the local authority in advance of their arrival provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address.

The address used on the application will be the postal address or quartering area address provided.

Offers will be made in advance of a child's arrival for in-year applications and on the relevant offer date for normal round applications.

How places will be allocated at Brent community schools for September 2022 in Reception (Primary and Infant schools) and Year 3 (Junior Schools)

There is **no** automatic transfer from nursery to Reception class. Parents wanting to apply for a place at Reception **must** complete an application which is available on line or a paper Common Application Form (CAF).

If more applications are received than there are places available, places are offered up to a school's planned admission number to applicants whose application is received by the closing date in accordance with the oversubscription criteria listed on page 3 using an equal preference system (see below).

Equal preferences

Each preference is treated as a separate application. Then using the oversubscription criteria each application is considered and ordered in a list based on how well it meets the oversubscription criteria (page 3).

If applicants qualify for a place at more than one school, a place is offered at the school given the highest ranking by the applicant.

Application forms will be available from September 2021 and the closing date for applications will be 15 January 2022. Offer letters and e-mails will be sent out on 19 April 2022.

Deferred Entry

Parents can request that the date their child is admitted to school is deferred until later in the year for which they apply or until the term in which the child reaches statutory school age. Statutory school age begins the first day of the term after a child's fifth birthday.

Parents wishing to defer entry must contact the school to advise them of this after a place has been offered.

Parents can also request that their child attends part-time until their child reaches statutory school age.

Applications for children outside the normal age group

The Council's policy is for children to be educated within their correct chronological year group, with the curriculum differentiated as necessary to meet the needs of individual children. This is in line with the Department for Education's (DfE) most recent "Advice on the Admission of Summer Born Children", published in December 2014, which states that, "in general, children should be educated in their normal age group, with the curriculum differentiated as appropriate, and that they should only be educated out of their normal age group in very limited circumstances".

If parents/carers believe their child should be educated in a different year group they should submit an application for the 'normal' Reception round for their child, and provide supporting evidence from relevant professionals working with the child and family stating why it is in the child's best interest to be placed outside their normal age appropriate cohort. DfE guidance makes clear that "it is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case".

For community schools, the Council as the admission authority will decide whether the application will be accepted on the basis of the information submitted. Decisions will be based on the individual circumstances of each case including the view of parents, the relevant head teacher(s), the child's social, academic and emotional development and whether the child has been previously educated out of year group.

There is no guarantee that an application will be accepted on this basis. If the application is not accepted this does not constitute a refusal of a place and there is no right to an independent statutory appeal. Similarly, there is no right of appeal for a place in a specific year group at a school. The internal management and organisation of a school, including the placement of pupils in classes, is a matter for the head teacher and senior leadership of individual schools.

Late Applications and changes after the closing date

Application forms must be received by Brent Council by the closing date of 15 January 2022.

Applications received after the closing date will be considered as late applications and will be processed after places have been allocated to applicants who applied on-time. However, in very exceptional circumstances applications received after the closing date may be considered as on time.

Applicants who consider they have exceptional circumstances that prevented them from applying between applications opening in September 2021 and the closing date of 15 January 2022 should provide independent written evidence explaining why the application was late no later than 5pm on Thursday 3 February 2022.

Additionally, any changes to the application (e.g. order of school preference or change of preferences) received after the closing date will be treated in the same way as late applications.

Changes of Address after the closing date

Changes of address will only be considered after applicants are resident at the new address and evidence to demonstrate this has been supplied. Applications will not be processed from an intended future address except in the case of Crown servants and UK service personnel.

Evidence must be received by 5pm on Thursday 3 February 2022 for the new address to be used when processing the application and calculating home to school distances. Any change of address evidenced after 5pm on Thursday 3 February 2022 will not be included until after National Offer Day 19 April 2022.

Waiting Lists

If the school place allocated is not the first preference, the child's name will automatically be placed on the waiting list for schools which have been ranked higher than the offer made. Community school waiting lists will then be maintained by the Council whilst voluntary aided, foundation and academy schools' waiting lists will be maintained by the relevant schools.

Waiting lists are not maintained on a 'first come - first served' basis. Waiting lists are kept in the priority order as explained in the oversubscription criteria.

Places are offered from the waiting list throughout the year. When a place becomes available, it is offered to the first child on the list and, if it is accepted, all other children will move up the list. Children may also move down the waiting list if another family, with a higher priority under the oversubscription criteria, ask for their child's name to be added to the list.

Applicants, who ask for their child's name to be placed on the waiting list for another school after a school place has been allocated, are indicating they prefer this school to the other school already allocated. If at a later date a place is offered from the waiting list, this new offer will supersede any previous offer, which will then be withdrawn.

Looked after children and previously looked after children, and those allocated a place at the school in accordance with Brent's Fair Access Protocol, will take precedence over those on a waiting list.

Lists will be maintained throughout the school year. A child's position on the waiting list does not depend upon the time they have been on the list but will be determined by how they meet the oversubscription criteria.

This means that a child's position on the list can go down as well as up, depending upon the child's circumstances and those of other applicants.

The waiting list will be closed each year and will not roll over. A new application will have to be made for a new academic year.

Appeals

Parents can appeal against any decision made by Brent Council about the school where they would like their child to be educated.

When an appeal form is requested, the child's name is automatically placed on the waiting list for that school, if it is not already included.

A child admitted to a school as a result of a successful appeal will be admitted in precedence to those on the waiting list.

There is no right of appeal against any decision not to offer a place in a nursery.

Admission to community school nurseries

The timeline and oversubscription criteria for a place in a nursery class in a community school are the same as for a Reception place. The council does not co-ordinate applications for nursery places. Applications for a nursery place in a community school must be made directly to the school by 15th January 2022. Offers will be made on 19th April 2022 by the school. If the nursery is oversubscribed the Community Schools Oversubscription Criteria will be applied.

In-Year Applications

Applications received outside the normal admission round will be considered in line with the oversubscription criteria.

A place will be offered at the school requested provided there is a vacancy in the appropriate year group. Where the year group is full and it is not possible to meet the parental preference, a place will be offered at the nearest primary school with a vacancy in the year group.

The address used to process the application will be the address where the parent and child normally live and they must be living there at the time of application.

Admission of one child to a primary school does not give a right of admission for brothers or sisters, if places are not available for all at the same time.

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Brent LA Schemes for Co-ordination of Admissions to Year 7/Year 10 and Reception/Junior in Maintained Schools and Academies in 2022/23

Contents

Page 2: Definitions used in this document

Page 4: Scheme for co-ordination of admissions to Year 7 in September 2022

Page 10: Scheme for co-ordination of admissions to Reception in September 2022

Page 15: Content of Common Application Form -Year 7 and Reception Schemes (Schedule 1)

Page 16: Template outcome letter -Year 7 and Reception Schemes (Schedule 2)

Page 17: Timetable for Year 7 Scheme (Schedule 3A)

Page 18: Timetable for Reception Scheme (Schedule 3B)

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Brent LA Schemes for Co-ordination of Admissions to Year 7/Year 10 and Reception/Junior in 2022/23

Definitions used in the schemes

“the Application Year”	the academic year in which the parent makes an application (i.e. in relation to the academic year of entry, the academic year preceding it).
“the Board”	the Pan-London Admissions Executive Board, which is responsible for the Scheme
“the Business User Guide (BUG)”	the document issued annually to participating LAs setting out the operational procedures of the Scheme
“the Common Application Form”	this is the form that each authority must have under the Regulations for parents to use to express their preferences, set out in rank order
“the Equal Preference System”	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is eligible to be offered a place at more than one school within an LA, or across more than one participating LA, the rankings are used to determine the single offer by selecting the school ranked highest of those which can offer a place
“the Highly Recommended Elements”	the elements of the Template Scheme that are not mandatory but to which subscription is strongly recommended in order to maximise co-ordination and thereby simplify the application process as far as possible
“the Home LA”	the Local Authority in which the applicant/parent/carer is resident
“the LIAAG Address Protocol”	the document containing the address verification policy agreed by LIAAG and the policy of each participating LA
“the Local Admission System (LAS)”	the IT module for administering admissions in each LA and for determining the highest offer both within and between participating LAs

“the London E-Admissions Portal”	the common online application system used by the 33 London LAs and Surrey County Council
“the Maintaining LA”	the Local Authority which maintains a school, or within whose area an academy is situated, for which a preference has been expressed
“the Mandatory Elements”	those elements of the Template Scheme to which authorities must subscribe in order to be considered as ‘Participating Authorities’ and to benefit from use of the Pan-London Register
“the Notification Letter”	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary or secondary school, which is attached as Schedule 2
“the Prescribed Day”	the day on which outcome letters are posted to parents/carers. 1 March (secondary) and 16 April (primary) in the year following the relevant determination year except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.
“the Pan-London Register (PLR)”	the database which will sort and transmit application and outcome data between the LAS of each participating LA
“the Pan-London Timetable”	the framework for processing of application and outcome data, which is attached as Schedule 3
“the Participating LA”	any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Template LA Scheme presented here.
“the Qualifying Scheme”	the scheme which each LA is required to formulate in accordance with The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012, for co-ordinating arrangements for the admission of children to maintained primary and secondary schools and academies.

PAN LONDON CO-ORDINATED ADMISSIONS SYSTEM**Scheme for Co-ordination of Admissions to Year 7/Year 10 in 2022/23****Applications**

1. Brent LA will advise home LAs of their resident pupils on the roll of Brent LA's maintained primary schools and academies who are eligible to transfer to secondary school in the forthcoming academic year.
2. Applications from residents of Brent LA will be made on Brent LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Brent LA to enable the admission authorities in the LA area to apply their published oversubscription criteria.
3. Brent LA will take all reasonable steps to ensure that every parent/carers who is resident in Brent LA and has a child in their last year of primary education within a maintained school or academy, either in Brent LA or any other maintaining LA, is informed how they can access Brent LA's composite prospectus and apply online. Parents/carers who do not live in Brent LA will have access to Brent LA's composite prospectus, which will advise parents/carers to contact their home LA if they are unable to apply online.
4. The admission authorities within Brent LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Brent LA, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2014.
5. Where supplementary information forms are used by admission authorities in Brent LA, they will be available on Brent LA's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. Brent LA's composite prospectus and website will indicate which schools in Brent LA require supplementary forms to be completed and where they can be obtained.
6. Where an admission authority in Brent LA receives a supplementary information form, Brent LA will not consider it to be a valid application unless the parent/carers has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2014.

7. Applicants will be able to express a preference for six maintained secondary schools or Academies within and/or outside the Home LA.
8. The order of preference given on the Common Application Form will not be revealed to a school within the area of Brent LA. This is to comply with paragraph 1.9 of the School Admissions Code 2014 which states that admission authorities must not give extra priority to children whose parents rank preferred schools in a particular order, including 'first preference first' arrangements . However, where a parent resident in Brent LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.
9. Brent LA undertakes to carry out the address verification process as set out in its entry in the LIAAG Address Protocol. This will in all cases include validation of resident applicants against Brent LA's primary school data and the further investigation of any discrepancy. Where Brent LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **10 December 2021**.
10. Brent LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is currently or previously a 'Child Looked After' and will provide any additional evidence on receipt of a reasonable request by the maintaining LA in respect of a preference for a school in its area by **12 November 2021**.
11. Brent LA will advise a maintaining LA of the reason for any application which is made in respect of a child resident in the area of Brent LA to be admitted outside of their correct age cohort, and will forward any supporting documentation to the maintaining LA by **12 November 2021**.

Processing

12. Applicants resident within Brent LA must return the Common Application Form, which will be available and able to be submitted on-line, to Brent LA by **31 October 2021**.
13. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Brent LA's scheme, will be up-loaded to the PLR by **12 November 2021**. Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.
14. Brent LA shall, in consultation with the admission authorities within Brent LA's area and within the framework of the Pan-London timetable in Schedule 3A, determine and make available the Brent Co-ordination Timeline for the processing of preference data and the application of published oversubscription criteria.

15. Brent LA will accept late applications only if they are late for a good reason, deciding each case on its own merits.
16. Where such applications contain preferences for schools in other LAs, Brent LA will forward the details to maintaining LAs via the PLR as they are received. Brent LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.
17. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **10 December 2021**.
18. Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **9 December 2021**, on the basis that an on-time application already exists within the Pan-London system.
19. Brent LA will participate in the application data checking exercise scheduled between **13 December 2021 and 4 January 2022** in the Pan-London timetable in Schedule 3A.
20. All preferences for schools within Brent LA will be considered by the relevant admission authorities without reference to rank order to comply with paragraph 1.9 of the School Admissions Code 2014. When the admission authorities within Brent LA have provided a list of applicants in criteria order to Brent LA, Brent LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. [This is the 'Equal Preference System'.]
21. Brent LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS for all maintained schools and academies in Brent LA's area before uploading data to the PLR.
22. Brent LA will upload the highest potential offer available to an applicant for a maintained school or academy in Brent LA to the PLR by **31 January 2022**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
23. The LAS of Brent LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **11 February 2022** if this is sooner.

24. Brent LA will not make an additional offer between the end of the iterative process and **1 March 2022** which may impact on an offer being made by another participating LA.
25. Notwithstanding paragraph 24, if an error is identified within the allocation of places at a maintained school or academy in Brent LA, Brent LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Brent LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, Brent LA will accept that the applicant(s) affected might receive a multiple offer.
26. Brent LA will participate in the offer data checking exercise scheduled between **14 and 22 February 2022** in the Pan-London timetable in Schedule 3A.
27. Brent LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **23 February 2022**.

Offers

28. Brent LA will ensure that, if there are places available, each resident applicant who cannot be offered a preference expressed on the Common Application Form receives the offer of an alternative school place in accordance with paragraph 2.11 of the School Admissions Code 2014. [The LA should state here how it will determine the school to be offered].
29. Brent LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.
30. Brent LA's outcome letter will include the information set out in Schedule 2.
31. On **1 March 2022**, Brent LA will send by first class post or e-mail notification of the outcome to resident applicants.
32. Brent LA will provide primary schools with destination data of its resident applicants by the end of the Summer term **2022**.

Post Offer

33. Brent LA will request that resident applicants accept or decline the offer of a place by **15 March 2022**, or within two weeks of the date of any subsequent offer.
34. Where an applicant resident in Brent LA accepts or declines a place in a school within the area of another LA by **15 March 2022**, Brent LA will forward the information to the maintaining LA by **22 March 2022**. Where such information is received from applicants after **15 March 2022**, Brent LA will pass it to the maintaining LA as it is received.
35. Where a place becomes available in an oversubscribed maintained school or academy in Brent LA's area, it will be offered from a waiting list ordered in accordance with paragraph 2.14 of the School Admissions Code 2014.
36. When acting as a maintaining LA, Brent LA will place an applicant resident in the area of another LA on a waiting list of any higher preference school in Brent LA's area. (Where this process is not automatic, it will be done immediately following a request from the home LA).
37. Where a waiting list is maintained by an admission authority of a maintained school or academy in Brent LA's area, the admission authority will inform Brent LA of a potential offer, in order that the offer may be made by the home LA.
38. When acting as a maintaining LA, Brent LA will inform the home LA, where different, of an offer for a maintained school or Academy in Brent LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
39. When acting as a maintaining LA, Brent LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
40. When acting as a home LA, Brent LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.
41. When acting as a home LA, when Brent LA is informed by a maintaining LA of an offer which can be made to an applicant resident in Brent LA's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
42. When acting as a home LA, when Brent LA has agreed to a change of preferences or preference order, it will inform any maintaining LA affected by the change. In such cases, paragraphs 40 and 41 shall apply to the revised order of preferences.

43. When acting as a maintaining LA, Brent LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
44. When acting as a maintaining LA, Brent LA will accept a change of preferences or preference order (including reinstated or additional preferences) from home LAs for maintained schools and academies in its area.
45. Brent LA, when acting as a maintaining LA, will maintain waiting lists and allocate places, as they become available, in accordance with each admission authority's published admission and oversubscription criteria.
46. Brent LA, when acting as a home LA, will carry out the initial offer of places which become available after National Offer Day by the week ending **25 March 2022**.
47. Brent LA, when acting as a home LA, after preferences expressed in accordance with paragraph 7 above have been determined, will allow applicants to express additional preferences before the start of the school term. The order of preferences expressed will supersede any existing preferences without an offer.
48. Any reference in this scheme to a paragraph of the School Admissions Code 2014 shall refer to an equivalent paragraph of any subsequent School Admissions Code published after the date of publication of this scheme. In the event that a subsequent School Admissions Code does not have an equivalent paragraph, a note will be added to this scheme against the reference.

PAN- LONDON CO-ORDINATED ADMISSIONS SYSTEM**Brent LA Scheme for Co-ordination of Admissions to Reception/Junior
in 2022/23****Applications**

1. Applications from residents of Brent LA will be made on Brent LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Brent LA to enable the admission authorities in the LA area to apply their published oversubscription criteria.
2. Brent LA will take all reasonable steps to ensure that every parent/carer who is resident in Brent LA and has a child in a nursery class within a maintained school or academy, either in Brent LA or any other maintaining LA, is informed how they can access Brent LA's composite prospectus and apply online. Parents/carers who do not live in Brent LA will have access to Brent LA's composite prospectus, which will advise parents/carers to contact their home LA if they are unable to apply online.
3. The admission authorities within Brent LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Brent LA, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2014.
4. Where supplementary information forms are used by admission authorities in Brent LA, they will be available on Brent LA's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. Brent LA's composite prospectus and website will indicate which schools in Brent LA require supplementary forms to be completed and where they can be obtained.
5. Where a school in Brent LA receives a supplementary information form, Brent LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2014.
6. Applicants will be able to express a preference for up to six maintained primary schools or academies within and/or outside the Home LA.
7. The order of preference given on the Common Application Form will not be revealed to a school within the area of Brent LA to comply with paragraph 1.9 of the School Admissions Code 2014. However, where a parent resident in

Brent LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.

8. Brent LA undertakes to carry out the address verification process set out in its entry in the LIAAG Address Protocol. This will in all cases include validation of resident applicants against Brent LA's maintained nursery and primary school data and the further investigation of any discrepancy. Where Brent LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **11 February 2022**.
9. Brent LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is currently or previously a 'Child Looked After' and will provide any additional evidence on receipt of a reasonable request by the maintaining LA in respect of a preference for a school in its area by **4 February 2022**.
10. Brent LA will advise a maintaining LA of the reason for any application which is made in respect of a child resident in the area of Brent LA to be admitted outside of their correct age cohort, and will forward any supporting documentation to the maintaining LA by **4 February 2022**.

Processing

11. Applicants resident within Brent LA must return the Common Application Form, which will be available and able to be submitted online, to Brent LA by **15 January 2022**.
12. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Brent LA's scheme, will be up-loaded to the PLR by **4 February 2022**. Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.
13. [Brent LA shall, in consultation with the admission authorities within Brent LA's area and within the framework of the Pan-London timetable in Schedule 3B, determine and make available the Brent Co-ordination Timeline for the processing of preference data and the application of published oversubscription criteria.
14. Brent LA will accept late applications only if they are late for a good reason, deciding each case on its own merits.
15. Where such applications contain preferences for schools in other LAs, Brent LA will forward the details to maintaining LAs via the PLR as they are received. Brent LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.

16. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **11 February 2022**.
17. Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **10 February 2022**, on the basis that an on-time application already exists within the Pan-London system.
18. Brent LA will participate in the application data checking exercise scheduled between **14 and 18 February 2022** in the Pan-London timetable in Schedule 3B.
19. All preferences for schools within Brent LA will be considered by the relevant admission authorities without reference to rank order to comply with paragraph 1.9 of the School Admissions Code 2014. When the admission authorities within Brent LA have provided a list of applicants in criteria order to Brent LA, Brent LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. [This is the 'Equal Preference System'.]
20. Brent LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS for all maintained schools and academies in Brent LA's area before uploading data to the PLR.
21. Brent LA will upload the highest potential offer available to an applicant for a maintained school or academy in Brent LA to the PLR by **17 March 2022**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
22. The LAS of Brent LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **24 March 2022** if this is sooner.
23. Brent LA will not make an additional offer between the end of the iterative process and the **19 April 2022** which may impact on an offer being made by another participating LA.
24. Notwithstanding paragraph 23, if an error is identified within the allocation of places at a maintained school or academy in Brent LA, Brent LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Brent LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the

impact is too far reaching, Brent LA will accept that the applicant(s) affected might receive a multiple offer.

25. Brent LA will participate in the offer data checking exercise scheduled between **25 March and 6 April 2022** in the Pan-London timetable in Schedule 3B.
26. Brent LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **11 April 2022**.

Offers

27. Brent LA will ensure that, if there are places available, each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place in accordance with paragraph 2.11 of the Schools Admissions Code 2014. [The LA should state here how it will determine the school to be offered].
28. Brent LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.
29. Brent LA's outcome letter will include the information set out in Schedule 2.
30. Brent LA will, on **19 April 2022**, send by first class post or by e-mail notification of the outcome to resident applicants.
31. Brent LA will provide nursery and primary schools with destination data of its resident applicants by the end of the Summer term **2022**.

Post Offer

32. Brent LA will request that resident applicants accept or decline the offer of a place by **4 May 2022**, or within two weeks of the date of any subsequent offer.
33. Where an applicant resident in Brent LA accepts or declines a place in a school maintained by another LA by **4 May 2022**, Brent LA will forward the information to the maintaining LA by **11 May 2022**. Where such information is received from applicants after **4 May 2022**, Brent LA will pass it to the maintaining LA as it is received.
34. Where a place becomes available in an oversubscribed maintained school or academy in Brent LA's area, it will be offered from a waiting list ordered in accordance with paragraph 2.14 of the School Admissions Code 2014.
35. When acting as a maintaining LA, Brent LA will place an applicant resident in the area of another LA on a waiting list of any higher preference school. Where this is not done automatically, it will be done immediately following a request from the home LA.

36. Where a waiting list is maintained by an admission authority of a maintained school or academy in Brent LA's area, the admission authority will inform Brent LA of a potential offer, in order that the offer may be made by the home LA.
37. When acting as a maintaining LA, Brent LA will inform the home LA, where different, of an offer for a maintained school or Academy in Brent LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
38. When acting as a maintaining LA, Brent LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
39. When acting as a home LA, Brent LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.
40. When acting as a home LA, when Brent LA is informed by a maintaining LA of an offer which can be made to an applicant resident in Brent LA's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
41. When acting as a home LA, when Brent LA has agreed to a change of preferences or preference order, it will inform any maintaining LA affected by the change. In such cases, paragraphs 39 and 40 shall apply to the revised order of preferences.
42. When acting as a maintaining LA, Brent LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
43. When acting as a maintaining LA, Brent LA will accept a change of preferences or preference order (including reinstated or additional preferences) from home LAs for maintained schools and academies in its area.
44. Brent LA, when acting as a maintaining LA, will maintain waiting lists and allocate places, as they become available, in accordance with each admission authority's published admission and oversubscription criteria.
45. Brent LA, when acting as a home LA, will carry out the initial offer of places which become available after National Offer Day by the week ending 13th May 2022.
46. Brent LA, when acting as a home LA, after preferences expressed in accordance with paragraph 7 above have been determined, will allow applicants to express additional preferences before the start of the school term. The order of preferences expressed will supersede any existing preferences without an offer.
47. Any reference in this scheme to a paragraph of the School Admissions Code 2014 shall refer to an equivalent paragraph of any subsequent School Admissions Code published after the date of publication of this scheme. In the event that a subsequent School Admissions Code does not have an equivalent paragraph, a note will be added to this scheme against the reference.

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 1**

**Minimum Content of Common Application Form for Admissions to
Year 7/Year 10 and Reception/Junior in 2022/23**

Child's details:

Surname
Forename(s)
Middle name(s)
Date of Birth
Gender
Home address
Name of current school
Address of current school (if outside home LA)

Parent's details:

Title
Surname
Forename
Address (if different to child's address)
Telephone Number (Home, Daytime, Mobile)
Email address
Relationship to child

Preference details (x 6 recommended):

Name of school
Address of school
Preference ranking
Local authority in which the school is based

Additional information:

Reasons for Preferences (including any medical or social reasons)
Does the child have an Education, Health and Care Plan Y/N*
Is the child a 'Child Looked After (CLA)'? Y/N
Is the child formerly CLA but now adopted or subject of a 'Child Arrangements Order or 'Special Guardianship Order'? Y/N
If yes, name of responsible local authority
Surname of sibling
Forename of sibling
DOB of sibling
Gender of sibling
Name of school sibling attends

Other:

Signature of parent or guardian
Date of signature

*Where an LA decides not to request this information on the CAF, it must guarantee that no details of a child with an Education, Health and Care Plan will be sent via the PLR.

SCHEDULE 2

Template Outcome Letter for Admissions to Year 7/Year 10 and Reception/Junior in 2022/23

From: Home LA

Date: **1 March 2022 (sec)****19 April 2022 (prim)**

Dear Parent/Carer,

Application for a Secondary / Primary School

I am writing to let you know the outcome of your application for a secondary/primary school. Your child has been offered a place at X School. The school will write to you with further details.

I am sorry that it was not possible for your child to be offered a place at any of the schools which you listed as a higher preference on your application form. For each of these schools there were more applications than places, and other applicants has a higher priority than your child under the school's published admission criteria.

Offers which could have been made for any schools which you placed lower in your preference list, were automatically withdrawn under the co-ordinated admission arrangements, as a higher preference has been offered.

If you would like more information about the reason that your child was not offered a place at any higher preference school, you should contact the admission authority that is responsible for admissions to the school within the next few days. Details of the different admission authorities for schools in the borough of X are attached to this letter. If the school is outside the borough of X, the admission authority will either be the borough in which the school is situated, or the school itself.

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any of the schools for which you have applied. If you wish to appeal, you must contact the admission authority for the school within the next few days to obtain the procedure and the date by which an appeal must be received by them.

Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.

You must contact this office if you wish to apply for any other school, either in this borough or elsewhere.

[You can also request that your child's name is placed on the waiting list for a school which was a higher preference on your application form than the school you have been offered. Please use the enclosed reply slip and return it to this office]. OR

{Your child's name has been placed on the waiting list for any school which was a higher preference on your application form than the school you have been offered. If you need to find out your child's position on the waiting list please contact the admission authority or the borough in which the school is situated}.

(One of the above bracketed paragraphs should be used depending on whether the LA automatically places children on a waiting list for higher preference schools).

*Please return the reply slip to me by **15 March 2022 (sec)** / **4 May 2022 (prim)**. If you have any questions about this letter, please contact me on _____.*

Yours sincerely

(First preference offer letters should include the paragraphs in italics only)

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 3A**


Timetable for Admissions to Year 7/Year 10 in 2022/23

Date	Process	Paragraph
Sun 31 Oct 2021	Statutory deadline for receipt of applications	12
Fri 12 Nov 2021	Deadline for the transfer of application information by the Home LA to the PLR (ADT file).	10, 11, 13
Fri 10 Dec 2021	Deadline for the upload of late applications to the PLR.	9, 17
Tues 14 Dec 2021	Checking of application data	19
Mon 20 Dec 2021	Ranking applications	19, 20, 21
Mon 31 Jan 2022	Deadline for the transfer of potential offer information from Maintaining LAs to the PLR (ALT file)	22
Fri 11 Feb 2022	Final ALT file to PLR	23
Mon 14 – Tues 22 Feb 2022	Checking of offer data	26
Wed 23 Feb 2022	Deadline for on-line ALT file to portal	27
Tues 1 Mar 2022	Offer letters posted/e-mailed	24, 31
Tues 15 Mar 2022	Deadline for return of acceptances	33, 34
Tues 22 Mar 2022	Deadline for transfer of acceptances to maintaining LAs	34

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 3B**

Timetable for Admissions to Reception/Junior in 2022/23

Date	Process	Paragraph
Sat 15 Jan 2022	Statutory deadline for receipt of applications	11
Fri 4 Feb 2022	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)	9, 10, 12
Fri 11 Feb 2022	Deadline for the upload of late applications to the PLR.	8, 16
Mon 14 Feb 2022	Checking of application data	18
Mon 18 Feb 2022	Ranking applications	19, 20,
Thurs 17 Mar 2022	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR (ALT file).	21
Thurs 24 Mar 2022	Final ALT file to PLR	22
Fri 25 Mar – Wed 6 Apr 2022	Checking of offer data	25
Mon 11 Apr 2022	Deadline for on-line ALT file to portal	26
Tues 19 Apr 2022	Offer letters posted/e-mailed	23, 30
Wed 4 May 2022	Deadline for receipt of acceptances	32, 33
Wed 11 May 2022	Deadline for transfer of acceptances to maintaining LAs	33

 Brent	Cabinet 12 th January 2021
	Report from the Strategic Director of Children and Young People
Establishing an Onside Youth Zone in Brent	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	One: Appendix 1: Onside Youth Zones: Project Services
Background Papers:	None
Contact Officer(s):	Nigel Chapman Operational Director Integration and Improved Outcomes, CYP nigel.chapman@brent.gov.uk Tel: 020 8937 4456

1.0 Purpose of the Report

- 1.1 To provide details regarding the potential to support the development of an Onside Youth Zone (OYZ) in the borough.
- 1.2 To set out the background work that has been completed to date, including the latest position in securing a suitable site for an OYZ.
- 1.3 The report is set within the context of a proposed bid to the Department of Culture Media and Sport's (DCMS) Youth Investment Fund (YIF) by Onside Youth Zones that, if successful, would fund approximately half of the capital costs of building an OYZ in the borough.
- 1.4 The estimated capital costs of building an OYZ are £8.6m. Should there be a successful YIF bid the Local Authority's capital contribution would be £2.15m, OYZ would provide £2.15m with the balance met through the YIF. The OYZ request to the Local Authority regarding annual revenue contributions would be c£400k pa over a minimum 3-year period. Opportunities for the capital and revenue funding methods available to the Local Authority to fund an OYZ are set out in section 5 below.

2.0 Recommendation(s)

- 2.1 That Cabinet confirms agreement to the proposed financial solution to enable the establishment of an OYZ in the borough, as set out in section 5.4 of this report.
- 2.2 Should 2.1 (above) be agreed, that Cabinet gives permission for officers to progress with a YIF bid, via Onside Youth Zones, setting out the Local Authority's agreement in principle to the establishment of an OYZ, subject to finding a suitable site in the borough.

3.0 Detail

3.1 About Onside Youth Zones

The Council has been working with national charity OnSide to explore opportunities to develop a Youth Zone in Brent since initial discussions were held in early 2018. Youth Zones provide “somewhere to go, something to do and someone to talk to” and aim to be safe, supportive and affordable places where young people can spend their free time constructively. Targeting young people aged 8-19, and up to 25 with additional needs, Youth Zones provide large-scale multi-activity facilities which typically include multi-use 3G pitches, indoor sports hall, climbing wall, gym, music, dance and performing arts facilities and café, along with flexible spaces that can respond to young people's changing needs and preferences. Local young people are involved in the naming, branding and interior design of each new Youth Zone. Appendix 1 provides further detail of the offer and how an OYZ could be established.

- 3.2 OnSide work in partnership with local authorities, charitable trusts and local businesses to provide both capital and revenue funding for each facility. Founded initially in the North West, OnSide now operates a national network of Youth Zones with fourteen in operation and a number of others in the development pipeline. Three centres were opened in London in 2019 (Barnet, Barking and Dagenham and Croydon) with a further site due to open in Hammersmith and Fulham in 2022.
- 3.3 Several existing Youth Zones have more than 3,500 members. An external evaluation commissioned by OnSide in 2015 indicated that every £1 invested in Youth Zones by local authorities achieved a social return on investment of £6.66. The evaluation identified benefits for young people including health and wellbeing improvements, improved school attendance and reductions in crime and anti-social behaviour by Youth Zone members. More recent research has identified the reduction rate of ASB in areas surrounding Youth Zones as being between 50-70%. The centres also provide opportunities to enhance local skills of young people to support them in becoming more work-ready through employability programmes, and offer volunteering and training opportunities for the wider community too. The provision of a Youth Zone aims to inspire young people to lead healthier and more positive lives, raising their aspirations so they grow up to become happy, caring and responsible citizens. Young people aged between 8-19 (or 25 with additional needs) must contribute 50p per session in order to access the activities. They open weekday evenings, all through the weekend and all day every school holiday.

- 3.4 Each Youth Zone is established as an independent local charity and company limited by guarantee with a local Board of Directors and an independent Chair. The Council would be invited to nominate one Board Director. Each Youth Zone is also a member of the national OnSide network which brings benefits including operational support, funding, training, development and progression opportunities, and national recognition.
- 3.5 Onside's established revenue funding model estimates annual revenue costs, once fully operational, in the region of £1.3m. This is met through fundraising via OnSide's founder patron scheme, specifically targeting corporate support through the local business community (£800,000 p.a.); membership fees (£100,000 p.a.) with the balance made up of the Local Authority contribution.
- 3.6 Covid-19 has adjusted the funding landscape available to Onside Youth Zones to some extent. They have reported that, due to economic circumstances, a small number of small to medium sized business owners (Patrons of Youth Zones across the Network) have had to pause their funding for part of the current year, and in rare instances have been unable to fulfil their pledged support. However, the vast majority of Patron support has continued unaffected. Indeed, many businesses/individuals have either increased their wealth during lockdown or hold the view that now is the time that their philanthropy is needed more than ever. Onside Youth Zones report that these donors have either increased their regular giving; made additional donations (including >£100k gifts); or brought forward the payments of their gifts to support their Youth Zones.
- 3.7 The Local Authority's Borough Plan highlights the need for this type of multi-agency partnership response for our most vulnerable adolescents, to ensure early identification of concerns and to help provide the right interventions at the right time. Services such as those proposed through an OYZ would help realise the outcomes within this corporate strategic priority. They would support targeted action for priority groups who are disproportionately impacted by health inequalities, improve access to emotional health and wellbeing support as well as enable young people to fulfil their ambitions and aspirations
- 3.8 The Brent Poverty Commission made a recommendation (number 36), *'that the Council brings together a statutory-led "Youth and Community Strategy for Young People" in Brent and develops an outreach model with the voluntary and community sector to engage with young people in addressing the impacts of poverty and social exclusion'*.
- 3.9 Youth Investment Funding (YIF)**
The Chancellor announced a £500m Youth Investment Fund in September 2019. This investment is intended to help build 60 new youth centres across the country, refurbish around 360 existing youth facilities and provide 100 mobile facilities for harder to reach areas. The fund will also support the provision and coordination of high-quality services for young people, and an investment in the youth workforce. The YIF is open only to bids from the voluntary and community sectors.
- 3.10 The announcement from central government of the opening of the funding window was expected in August 2020 but has been delayed. OYZ was a signatory, amongst more than 100 organisations and individuals, to an open

letter to government on 17th November 2020, calling for the immediate release of the YIF, drawing attention to the concern that youth services are being denied the promised valuable resource at a time when it is most needed.

- 3.11 OnSide is currently lining up those projects they anticipate applying for YIF funding. Given the delayed announcement it is not clear how much funding will be allocated to capital projects in the first round.
- 3.12 Although the precise bidding criteria for the YIF have not been published, OnSide's aim for every Youth Zone project is that they are sufficiently advanced, with relevant political approval. If the bid was successful, it is expected that the Council's capital contribution would reduce to £2.15m and it would also reduce the capital fundraising target for OnSide to £2.15m.
- 3.13 The total capital project cost will also allow full cost recovery for OnSide through a project fee of £1.1m. OnSide's strategy to date (as the overall umbrella charity which works to create each new Youth Zone and set them up for the future) has been to rely on donations from their supporter base, to off-set the majority of development and set-up costs. YIF provides an opportunity to both reduce the capital funding requirement for OnSide and the Council, and also provide a full contribution towards OnSide's own costs to ensure their organisational sustainability.
- 3.14 Onside have stated that the likelihood of securing capital funding via the YIF is contingent upon Cabinet approval to proceed, ideally with a site identified or subject to a suitable site being secured.
- 3.15 Site Implications**
Onside Youth Zones have carried out their own independent assessment of site suitability across the borough over the last two years. Few options have been pursued due to challenges in meeting the location criteria set by Onside Youth Zones as well as the difficulties in the general availability of suitable land.
- 3.16 A site option on open space in Blackbird Hill was initially considered suitable but was later discounted due to surveyor reports and flooding risks.
- 3.17 The option currently considered as most viable by OYZ is the York House site in Wembley. This is in the ownership of the Department for Education (DfE), who purchased the site from Quintain to build a 2FE primary free school. Due to falling demand for primary places, the DfE has now cancelled the project. The DfE has been considering alternative priority use of the site with officers, such as for children with Special Educational Needs and Disabilities. DfE have considered the site inappropriate for this use. According to Quintain, the DfE is restricted to using the site for the first 25 years for the provision of educational services and recreational purposes ancillary to educational use. After 25 years, the DfE may alter use with the consent of Chesterfield (a wholly owned company of Quintain).

In relation to securing the site, the following considerations would need to be determined:

- If access to the site would require it to be purchased or leased with those related costs
- If the proposed use would fall within current permitted use of the site.

- 3.18 Decisions regarding the York House site are further contingent on decisions by the DfE regarding two other sites in Wembley identified for development; land to the East of Cecil Avenue and London Road, linked to the need for special school provision.
- 3.19 It has been confirmed to the DfE that the Council has identified potential options for the use of York House car park as a youth provision for positive educational activities. The DfE confirmed on 19th November that as the York House car park site is no longer required for a primary school in the next four years, the DfE will ask Quintain to vary the Section 106 agreement to withdraw this obligation. They would then seek to dispose of the site (either on the open market or direct to LB Brent) for alternative use.

4.0 **Alternative Options Considered**

- 4.1 The current development of the Roundwood Alternative Provision Free School with wraparound youth offer is due to be completed and open in January 2021 and will provide young people, primarily in the south of the borough, with access to a wide range of youth activities from the site, building on the existing model.
- 4.2 Ongoing partnership work with the Young Brent Foundation seeks to identify funding streams through which local voluntary and community sector organisations, with Council support, can increase activities across the borough.

5.0 **Financial Implications**

- 5.1 Following a series of discussions with representatives from the Council and OnSide Youth Zones, officers are now in a position to propose funding arrangements for the establishment of a new OYZ in the borough.

The capital and revenue implications are as follows:

Capital

- 5.2 The construction of a new Youth Zone is estimated to cost £8.6m in total, with 50% of the costs split equally between Brent Council and sums raised by OnSide and its partners. The remaining 50% is to be match funded from a Youth Investment Fund capital grant.

TABLE 1

Share of capital costs	£M	% build cost
Brent council capital contribution	2.15	50%
OnSide and partners	2.15	
Youth Investment Fund (TBC)*	4.30	50%
Total	8.60	100%

Revenue

- 5.3 The funding required to meet annual running costs includes a contribution from young people (in the form of a small entry fee for each visit) alongside funding from the Council of £0.4m over 3 years, with the remainder raised from local businesses and philanthropic donations.

The total committed capital will be £2.15m and revenue contributions from reserves of £0.6m and MTFS growth contribution over 4 years of £0.1m per annum. This is shown in table 2 below.

Brent financial support to onside youth zone

TABLE 2

Years	Capital (SCIL) £m	Reserves	Cumulative MTFS Growth £m	Total £m	Funding Source
		£m			
2021-22	2.15	-		2.15	CIL
2022-23	-	0.3	0.1	0.4	Reserves & Growth
2023-24	-	0.2	0.2	0.4	Reserves & Growth
2024-25	-	0.1	0.3	0.4	Reserves & Growth
2025-26	-	-	0.4	0.4	Recurring MTFS Growth at the end of Year 4
Total	2.15	0.6			

- 5.4 In summary, it is recommended:

- That the Brent capital contribution of £2.15m is added to the capital pipeline and promoted to the main programme once all outstanding conditions are met.
- That the £2.15m Council capital contribution is funded from strategic CIL.
- Cabinet approval is sought to fund the annual revenue contribution by drawing down £0.6m spread over 3 years from corporate earmarked reserves as reflected in Table 2.
- Note that an additional line item will be incorporated into the Medium Term Financial Strategy (MTFS) to include an additional growth element for “youth provision” of £0.1m in order to incrementally build up a c£0.4m revenue budget over a period of 4 years
- Note that the proposals above are subject to satisfactory resolution of the outstanding conditions set out below:

5.5 Conditions

- a) Securing permission from DfE to utilise the York House site for youth provision.

- b) That the York House site is released for use as youth provision without the need for significant additional capital outlay.
- c) That grant funding is obtained from the Department of Culture Media and Sport's (DCMS) Youth Investment Fund (YIF) of £4.3m capital match funding for the project.

6.0 Legal Implications

- 6.1 The Recommendation is that Cabinet approval is sought to submit a YIF bid via OYZ. Inherent to such recommendation is agreement to waive Contract Standing Orders in the selection of OYZ.
- 6.2 Should YIF funding be secured and a suitable property identified, the Council will need to enter into agreement with OYZ to develop and fund the Youth Zone. Suitable terms of the agreement with OYZ will need to be agreed. Section 1 of the Localism Act 2011 provides a very broad based power that allows local authorities to do anything that an individual may do and would provide a statutory basis for entry into such agreement.
- 6.3 Where the Council is providing funding to a third party, such funding must comply with State Aid rules. Funding under any proposed arrangement with OYZ is likely to fall under the General Block Exemption Regulation on the basis of the proposed provision of sport and multifunctional recreational infrastructures.

7.0 Equality Implications

- 7.1 As described in paragraphs 3.7 and 3.8 above, this project would support the Council's objectives of reducing inequalities by providing greater access to youth opportunities, particularly disadvantaged groups. Further detailed work on the equality implications will be considered should funding be obtained and the project progresses.

8.0 Consultation with Ward Members and Stakeholders

- 8.1 The Lead Member for Children's Safeguarding, Early Help and Social Care has been consulted regarding these developments. Should a site be identified the relevant Ward Members will be consulted. Children and young people through established participation channels will be involved in the design and implementation of this project as part of its development. This is the model of practice established in other areas that have set up youth zones.

9.0 Human Resources/Property Implications (if appropriate)

- 9.1 These will be considered in detail should funding be obtained and the project progresses.

Report sign off:

Gail Tolley

Strategic Director, Children and Young People.

This page is intentionally left blank



**ONSIDE YOUTH ZONES:
PROJECT SERVICES**





WHO IS **ON**SIDE?

OnSide Youth Zones exist to provide all young people, and particularly those living in poverty, with an equal opportunity to build their confidence and develop their passions and interests, enabling them to positively transition to adulthood and live fulfilling lives. Our network of 21st century, sustainable youth centres, known as Youth Zones, provide young people with safe, affordable and inspiring places to spend their time away from home and school.

50,000 young members, from some of the country's most disadvantaged communities, make over 600,000 visits to OnSide's network of 13 Youth Zones every year. And, the impact of Youth Zones are well established, from reductions in anti-social behaviour of up to 77%, improved self confidence in 77% young people, 78% young people said staff/volunteers at Youth Zones help them prepare for the future and 91% of local businesses feeling a Youth Zone has improved the local environment.



WHAT IS A YOUTH ZONE?

All Youth Zones are independent, local charities, set up exclusively for the benefit of young people. They provide state-of-the-art facilities for those aged 8 – 19 (or up to 25 for those with additional needs), 7 days a week, throughout the year, for 50p entry and £5 annual membership.

Each Youth Zone has thousands of members, with 100-250 attending every night. Located in prominent, accessible and neutral locations, each Youth Zone is easily reached from some of the country's most disadvantaged communities.

Youth Zones include social, sporting and artistic spaces, including a 3G all weather pitch, large sports hall, climbing wall, dance studio, music and multimedia suites, employability and enterprise rooms and a large recreation area and café. Young people can access these amazing facilities plus the support of trusted and caring staff and volunteers over 40 hours a week.



WHAT'S DIFFERENT ABOUT ONSIDE'S APPROACH?

OnSide's approach is unique in the youth sector:

- A design blueprint that sets the bar in terms of state of the art facilities and high quality equipment
- Strong multi-sector boards made up of influential and committed trustees from the community, local government and private sectors
- Partnerships with local community stakeholders
- A sustainable, mixed-income funding model that enables this level of youth provision
- Solid experience of delivering high quality, universal access youth work, with activities and support available over 40 hours a week to thousands of young people

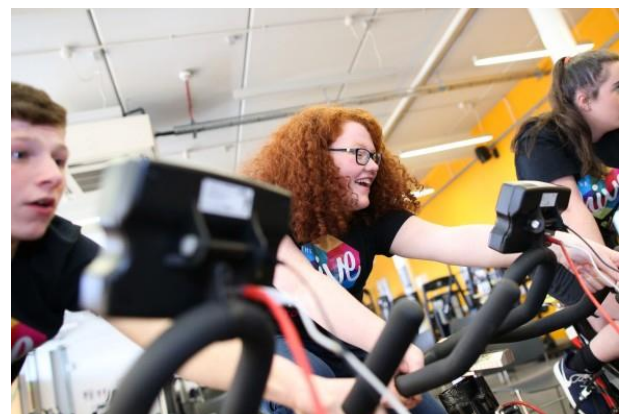
“The thing that makes Mahdlo (Oldham's Youth Zone) stand out for me isn't actually that it's a youth centre, rather it's a centre for young people. It covers their emotional wellbeing, their social wellbeing; it gives them confidence, it raises their ambition, it gives them support and it brings together the wider community.”

Jim McMahon MP,
former Leader of Oldham Borough Council.

ONSIDE'S PROJECT SERVICES

The total capital cost of establishing a new Youth Zone is £8.4m, including £900k for the services delivered by OnSide over the 3 year period before the Youth Zone formally opens. This amount is less than OnSide's total cost of delivering each project as OnSide's national supporters subsidise a significant element. The remaining £7.5m covers the costs of design, architecture, planning, construction and equipment fit-out.

This document summarises the services delivered by OnSide during the development phases that every Youth Zone project needs to go through before it opens its doors to young people.



PHASE ONE: ESTABLISHING THE PARTNERSHIP

During this phase, OnSide's team works closely in partnership with local authorities, from the initial meeting through to finalising the legal agreements, to inform the Council's own formal approval for a new Youth Zone project.



Activity includes:	OnSide team essential to this phase:
<ul style="list-style-type: none"> Engagement with key officers and Members including site visits and meetings Identifying a suitable Youth Zone site Input into Council-led due diligence Conduct own due diligence into local philanthropic capacity Developing all legal partnership agreements Initial Board development, appointment of a Chair and commencing work to appoint further suitable Trustees 	<ul style="list-style-type: none"> Deputy CEO Director of Finance Director of Operations Project Director Director of Fundraising Relationship Development Manager



PHASE TWO: SETTING UP THE NEW YOUTH ZONE CHARITY

OnSide's Director of Operations leads a team consisting of capital and revenue fundraisers, youth and community specialists, and marketing/communications experts, for around 15 months, alongside the design work on the new Youth Zone, to ensure all is in place for construction to begin.

Activity includes:	OnSide team essential to this phase:
<ul style="list-style-type: none"> Incorporation of the company and registration as a charity Banking arrangements and financial policies put in place Designing the new Youth Zone Gaining planning permission for the new Youth Zone Tendering to find a suitable contractor Engagement with young people and the wider community Building relationships with VCS organisations and other local stakeholders Capital fundraising, ensuring all funds are in place prior to construction commencing Finalising the Youth Zone's pre-opening and 1st year's operating budget Revenue fundraising, commencing the revenue campaign Media campaign and wider stakeholder communications with social media accounts set-up and website created Continued Board development 	<ul style="list-style-type: none"> Head of Property and Construction Building Surveyor/Project Manager Director of Operations Community Engagement coordinator Relationship Development Manager Fundraising Director Head of Private Sector Fundraising Deputy CEO Director of Finance Management Accountant Head of Marketing and Communications Communications Manager

PHASE THREE: BUILDING THE YOUTH ZONE

Sustainability is crucial to the strategy and design of all Youth Zones to enable long term success. Once planning has been secured, a local building contractor is appointed to oversee the build that takes around 13 months to complete, as all the funding, staff and systems/processes are also put in place.

Activity includes:

- Construction of Youth Zone to our detailed and rigorous specification
- Revenue fundraising, securing the first 3 years
- Engagement with young people: design /brand, staff recruitment and becoming ambassadors
- Appointment / induction of a Chief Executive who spends 6 months on secondment in an open Youth Zone and is put through OnSide's central training Talent Academy
- Recruitment of senior leadership team. Induction and training, including secondments and close support from a dedicated Openings Manager
- Developing youth work programme of activities and staffing plans
- Development of business plans and policies e.g. HR, health & safety, safeguarding, etc
- Awareness raising with local young people and community marketing
- Development of delivery partnerships with VCS organisations and other local stakeholders
- Provision of key financial metrics to inform the Board
- Continued Board development to fill any remaining skills gap

OnSide team essential to this phase:

- Head of Property and Construction
- Building Surveyor/Project Manager
- Property & Construction team
- Director of Operations
- Community Engagement Co-ordinator
- Relationship Development Manager
- Openings Manager
- Fundraising Director
- Head of Private Sector Fundraising
- Deputy CEO
- Director of Finance
- Management Accountant
- Head of Marketing and Communications
- Communications Manager
- HR Director and Manager
- Safeguarding Manager



“Getting into trouble stopped when I came to [the Youth Zone] as I wasn't bored anymore. I've learnt communication and relationship skills.”

Youth Zone member

PHASE FOUR: OPENING THE YOUTH ZONE

Once practical completion of the new Youth Zone building has been achieved, there is a three month period of preparing the building and 'soft openings', involving ever greater numbers of young people prior to the official opening to the public.

Activity includes:

- Full recruitment drive, ensuring appointment and training of approx. 70 staff and 50 volunteers
- Training and inductions of all new staff and volunteers
- Co-ordinated engagement with local schools for partnership and membership opportunities, with the Young People's Development Group leading the way as ambassadors
- Big marketing push, encouraging over 1,000 young people to sign-up as members pre-opening
- Cementing solid local partnerships and developing agreements with local VCS and other organisations
- The new Youth Zone team can access our Talent Academy, offering training and development tailored to the different roles
- All fixtures, fittings and equipment brought into the Youth Zone
- Revenue fundraising continues to secure the first three years' revenue
- Implementing key membership, timecard, and financial systems
- Provision of key financial metrics to inform the board, and financial statements
- Board development including bespoke training

OnSide team essential to this phase:

- Network Facilities Manager
- Assistant Surveyor
- Director of Operations
- Openings Manager
- Relationship Development Manager
- Fundraising Director
- Deputy CEO
- Director of Finance
- Management accountant
- Head of Marketing and Communications
- Communications Manager
- HR Director and Manager
- Safeguarding Manager
- Network Systems Manager
- Systems Implementation Manager



“If it wasn't for [the Youth Zone], I'd be on the street messing around. This place brings lots of cultures [together] and keeps us safe as well.”

Youth Zone member





Company Registration No: 06591785 | Registered Charity No: 1125893

Registered office: Suite GB, Atria, Spa Road, Bolton. BL1 4AG

This page is intentionally left blank