

	<p align="center">Decision for Cabinet Member for Housing, Homelessness & Renters Security</p>
	<p align="center">Report from the Corporate Director, Resident Services</p>
<p>Approval to waive Contract Standing Orders to permit procurement of a contract for the provision of Street Outreach Housing Advice and Resettlement Services for rough sleepers through a Direct Award</p>	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	None
Background Papers:	N/A
Contact Officer(s): (Name, Title, Contact Details)	Laurence Coaker Head of Housing Email: Laurence.coaker@brent.gov.uk

1. Purpose of the Report

- 1.1 This report concerns the procurement of a contract for the provision of Street Outreach, Housing Advice and Resettlement Services for rough sleepers funded by the Council’s Housing Needs General Fund; and the Department of Levelling Up, Homes and Communities (DLUHC) under the Rough Sleeper Initiative (RSI) grant. The Council currently has a contract with St Mungo Community Housing Association to deliver this service. The contract is due to expire on 31 March 2024. However, the grant funding for this intervention expires on 31 March 2025.
- 1.2 The purpose of this report is to seek member approval to waive Contract Standing Orders to enable a direct award of a contract for the provision of Street Outreach, Housing Advice and Resettlement Services for rough sleepers. The case for direct award, as opposed to a full tender process, is set out in the detail below.

2.0 Recommendation(s)

That the Cabinet Member for Housing, Homelessness & Renters Security having consulted with the Leader:

- 2.1. Approves an exemption pursuant to Contract Standing Order 84(a) of the requirement to tender a contract the provision of Street Outreach, Housing Advice and Resettlement Services for rough sleepers for a period of 13 months from 1 April 2024 to 30 April 2025, in accordance with paragraph 13 of Part 3 of the Constitution. The value of the contract for the thirteen (13) months is £390.420.56 including VAT although it should be noted the Provider does not charge VAT for this service.

3.0 Detail

3.1 Contribution to Borough Plan Priorities and & Strategic Context

This contract will contribute to 3 of the priorities in the borough plan through social value namely,

- Best Start in Life
- Thriving Communities:
- A Healthier Brent: Number of course sessions encouraging physical activity for clients and residents in our Brent services.

3.2 Background

- 3.2.1 Rough sleepers are one of the most vulnerable groups in society, and many have high levels of complex and interrelated needs such as mental health problems and drug and alcohol dependencies. The longer someone sleeps rough, the more likely these conditions are to get worse.
- 3.2.2 A number of government led initiatives have also been introduced nationally such as Rough Sleeping Initiative, Single Homeless accommodation Programme, Housing First and Rough Sleeping Drug and Alcohol Treatment grant.
- 3.2.3 The current Government has also committed to end rough sleeping by 2024 and is working with boroughs and charities with a commitment to maintaining investment in services.
- 3.2.4 Despite these efforts however, rough sleeper counts have been rising. Government statistics for 2023 recorded a 22.7% increase in the number of people sleeping rough in England since 2022.

Current Provision of Street Outreach and Housing Advice and Resettlement Services

- 3.2.5 The aim of the Rough Sleepers Outreach and Housing Advice and Resettlement services contract is to provide a service which reduces rough sleeping as close to zero as possible and provides a responsive service that

helps rough sleepers back into accommodation with the appropriate support they need in order to avoid repeat homelessness.

- 3.2.6 The Council completed a tender exercise in 2018 and entered into a contract for the provision of Street Outreach, Housing Advice and Resettlement Services for a Rough Sleepers with St Mungo Community Housing Association (St Mungo's). The Contract, which commenced on 1 April 2019, was let for an Initial Contract Period of 3 years with an option to extend it for up to two years (31 March 2024). The Contract has been extended for those two years and it is therefore due to expire on 31 March 2024. However, in order to align the services with the existing RSI funding, Officers propose to secure the continuation of the services by awarding a contract to St Mungo's for an additional year.
- 3.2.7 The current service provision in Brent includes an Outreach Service (with 2.5 Outreach workers) to identify and engage with rough sleepers in Brent who require assistance with getting into accommodation and off the streets. It also includes a Housing Advice and Resettlement Service to assist people who are at risk of sleeping rough to secure and maintain appropriate and stable accommodation.
- 3.2.8 The service provider currently works with a range of service users, some of who present considerable needs but have limited or no engagement with other support services, so presenting potential risks to themselves and/or others. Support is also provided to clients with chaotic lifestyles, including those who may have had or still have ongoing drug and alcohol issues and/or mental health issues and may present with significant vulnerability as a consequence of these needs.
- 3.2.9 Referrals to the Street Outreach team are currently received by Streetlink. If the client refers themselves to Streetlink, the Contractor then investigates the Sleep Site and begins to work with them if they are found.

RSI Grant

- 3.2.10 The Rough Sleeping Initiative was first announced in March 2018 to make an immediate impact on the rising levels of rough sleeping. Since 18/19, the Council's Housing Needs Service has submitted bids to the Department of Levelling Up, Housing and Communities (DLUHC), (previously known as Ministry of Housing, Communities & Local Government) for funding under the Rough Sleeper Initiative (RSI) grant, to help tackle rough sleeping nationally.
- 3.2.11 In 2020 the Council successfully applied for RSI funding for 1.5 Outreach workers to engage and provide support for any client rough sleeping in Brent. The current Street Outreach, Housing Advice and Resettlement services contract was varied to add the 1.5 FTE Outreach workers from 1st April 2021 to 31st March 2022, as this allowed the grant funded service to be delivered on an integrated basis within the current contract. The Council has secured further RSI funding for this initiative until 31 March 2025.

- 3.2.12 In December 2023 the DLUHC awarded the Council an extra £50,000 of RSI funding for one additional FTE Outreach worker for 23/24 into 24/25. This intervention is to be added to the service provision from 1 April 2024 as it will allow the grant funded service to be delivered on an integrated basis within the current contract.
- 3.2.13 Officers will submit a further bid for government funding to the DLUHC under their annually allocated RSI grant in January 2025. Officers expect DLUHC will communicate whether or not the Council has been successful on its bid for funding in May 2025. As there are no further options to extend the Contract with St Mungo's, this report seeks an exemption to the general requirement under the Council's Contract Standing Order to tender a contract valued at ££390.420.56 inclusive of VAT so the Corporate Director, Resident Services can direct award a contract for the provision of a Street Outreach, Housing Advice and Resettlement Service for rough sleepers for a period of thirteen (13) months to St Mungo's so that services can be aligned with the current funding and allow officers to go out to tender in September 2024 to reprocure this service subject to the new RSI Grant determination. An additional month (1 April – 30 April 2025) has been added to the extension to allow the Council to receive the RSI funding which is expected in May 2025.
- 3.2.14 Officers considered re-procuring the service however the new contract would only cover a period of 13 months of guaranteed funding under the Council's and RSI's funding which does not render this an attractive commercial opportunity for potential bidders. Starting a contract in May 2025 will provide bidders with confidence of the services they will be expected to deliver (assuming the grant funding covering 2025 – 2028 is awarded in May 2025) and the staff that are to transfer. This also assumes Department of Levelling Up, Housing and Communities (DLUHC) gives permission to continue these services.
- 3.2.15 Officers intend to commence the procurement process for a new contract in September 2024 when the Council may know if grant funding is available. The tender exercise should not take longer than four to six months and will state that it is subject to funding being confirmed. Officers consider that starting a contract in May 2025 is the most sensible decision to ensure value for money by securing a good number of bids. In the interim, to ensure continuity of existing services, a direct award to St Mungo's is recommended.
- 3.2.16 The cost of the proposed interim contract (2.5 Outreach workers) will be funded by the Housing Needs General fund up to 30 April 2025; the cost of the variation (1.5 Outreach workers) will be funded from the Department for Levelling Up, Housing and Communities (DLUHC) Rough Sleeping Initiatives grant up to 31 March 2025. A further one month's extension for period 1 April to 30 April 2025 will be funded by the Housing Needs General Fund as the new funding is expected. The cost of the additional post (1 Outreach worker) will be funded from the Department for Levelling Up, Housing and Communities (DLUHC) Rough Sleeping Initiatives grant up to 31 March 2025. A further one month's extension for period 1 April to 30 April 2025 will be funded by the Housing Needs General Fund.

4.0 Financial Considerations

- 4.1 The cost of the current contract is funded from the Housing Needs General Fund and the Department for Levelling Up, Housing and Communities (DLUHC) Rough Sleeping Initiatives grant, that has been allocated £3.9m from 2022-2025. The cost of the extension for period 1 April 2024 to 31 March 2025 will be funded from the tranche payment for 24-25, which is expected to be £1.2m and the Housing Needs General Fund. A further one month's extension for period 1 April to 30 April 2025 will be funded by the Housing Needs General Fund, although, the new RSI funding allocation is expected in May 2025.

5.0 Legal Considerations

- 5.1 In accordance with paragraph 13 of Part 3 of Brent's Constitution, the Leader has delegated certain functions to Cabinet members to be exercised within their portfolio area in consultation with the Leader. This delegation includes agreement of waivers of Contract Standing Orders for Medium and High Value Contracts.
- 5.2 The services/ Officers are proposing to procure are valued at £390,420.56 including VAT (see paragraph 2.1) over the contract term (thirteen months) and the proposed contract is thus classified as a Medium Value Contract under Contract Standing Orders. Contract Standing Orders provide that a Medium Value Contract should be procured by way of a tender process but for the reasons detailed in the body of the report, Officers do not consider it is possible to procure the contract by way of a tender process.
- 5.3 The proposed contract falls within the health, social and related services category listed in Schedule 3 of the Public Contract Regulations 2015 ("the Regulations") that currently have a threshold set at £663,540. Therefore, the proposed contract award is not subject to the full application of the Regulations but still subject to the principles of equal treatment, transparency, and non-discrimination. Officers have set out in section 3 of this report that they are proposing a direct contract award as opposed to a full tender process on the basis that do not consider tendering the proposed contract will be an attractive commercial opportunity for potential bidders or suppliers.
- 5.4 In reaching any decision to waive Contract Standing Orders, the Cabinet Member in consultation with the Leader should have regard to the reasons Officers have set out in Section 3 of the report and assess those against the requirements set out above.

6.0 Equality, Diversity and Inclusion Considerations

- 6.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- (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,

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 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.

6.4 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.

6.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Stakeholder and ward member consultation and engagement

7.1 The individual Cabinet member has consulted the Leader in respect of this contract.

8.0 Human Resources/Property Implications (if appropriate)

8.1 N/A

9.0 Climate Change and Environmental Considerations

N/A

10.0 Communication Considerations

N/A

Report sign off:

Peter Gadsdon

Corporate Director, Resident
Services