

NOTICE OF DECISION OF THE CABINET MEMBER FOR Community and Wellbeing

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 13(1) and Section 9F (4) of the Local Government Act 2000

Collaboration agreement with West Sussex County Council

Decision	To enter into a collaboration Agreement with West Sussex County Council (WSCC) relating to Procurement of Supported Housing Contracts in West Sussex 2020 -2025.
Reason for Decision	Following the review of Housing Related Support funding by West Sussex County Council work has been underway to jointly procure and fund services to benefit vulnerable across the district.
Possible alternatives considered but rejected	<p>Not join shared service proposed</p> <ul style="list-style-type: none"> • Not recommended because we would lose the service set up to support individuals to manage their tenancies when at risk of failure. This would in turn lead to an increase in homelessness from a vulnerable client group.
Conflict of interest and any dispensations granted	N/A
Date of Decision	8 th September 2020
Date by which decision may be implemented	16 th September 2020

This decision is an executive decision as described in Section 14 of Part 4C *Overview and Scrutiny Procedure Rules* of the Constitution of the Council. A copy of this decision notice has been provided to all members of the council and the Chairman of the Overview and Scrutiny Committee.

Signed: **SIGNATURE REDACTED**

Tricia Youtan
Cabinet Member for Community Matters and Wellbeing

Not Exempt

Background Information

1 Introduction and Background

- 1.1 The purpose of this report is to enter into a joint procurement process in relation to the provision of housing support services. It is intended that a Contract will be commissioned in each District Council area which will be financed 50% by the relevant District Council and 50% by WSCC.
- 1.2 The process is being replicated across the West Sussex area with each local authority agreeing that WSCC act as lead commissioner and that they, on behalf of Horsham District Council (HDC) undertake the procurement exercise (in compliance with the Public Contracts Regulations 2015 and EU treaty principles) to establish new service contracts to meet our commissioning and statutory requirements. Following a successful outcome to the procurement process WSCC will enter into contract/s with the chosen providers on behalf of WSCC and HDC.
- 1.3 HDC appoint WSCC as our agent to carry out the responsibilities in respect of the procurement exercise, management of the contract and delivery of the project subject to the terms of the Collaboration Agreement in Appendix 1.
- 1.4 During the autumn of 2018 WSCC proposed to cut financial support in respect of housing related support services. During the following 18 months a task and finish made up of County Council and District & Borough officers was set up to identify which services that had formally received support should continue to receive support going forward.
- 1.5 As a result of the task and finish group a number of services received interim support with a number of contracts being awarded short term extensions whilst longer term sustainable options were identified.
- 1.6 Tenancy support is one such service, previously referred to an Independent Living Scheme (ILS) service that all parties recommended to continue and, given the joint benefits of such a service to both County and District and Borough Councils a jointly funded service has been proposed going forward.

2 Relevant Council policy

- 2.1 This proposal supports the Council's Corporate Plan objective to reduce rough sleeping through working with partner organisations to minimise rough sleeping and prevent homelessness (section 3.2.1 of the Corporate Plan).

3 Details

- 3.1 This proposal would approve HDC entering into a collaboration agreement with WSCC and all District and Borough Council across West Sussex to procure a new tenancy support service for our District.
- 3.2 Each District and Borough will provide 50% of the cost for the service for their area with WSCC meeting the remaining 50% for each area.
- 3.3 Funding has been secured for this proposal as part of the budget setting process for the financial year 2020/21 ongoing as part of the funds secured to mitigate the impact of the housing related support cuts announced by WSCC in 2018. The implementation of a jointly funded service has been delayed due to COVID-19.
- 3.4 The term of the agreement is to be linked to the term of the contracts being tendered for, unless terminated earlier by HDC or only one party remains. As a minimum, the agreement will run from September 2020 until 31 March 2023.

It is envisaged that contracts could be extended and if this were to happen, then the agreement would be extended by a similar period. The maximum term will be approximately 4 and a half years (assuming it runs from September 2020 until 31 March 2025).

- 3.5 WSCC will undertake the procurement exercise and enter into contracts with the chosen providers on behalf of the Parties. As such, HDC will have no direct contractual relationship with the service provider and will be reliant on WSCC to ensure the delivery of services and management of the contract.

HDC is required to appoint the following officers (who may or may not be the same person):

- i) An appropriate officer who will be an evaluation panel member for the procurement exercise and who will attend any evaluation meetings as required. Note that whoever is appointed will need to have sight of the terms of Appendix C, as they will be expected to comply with them at all times.
 - ii) A named contact for HDC for the service provider to liaise with during the mobilisation period prior to commencement of the contract
 - iii) A named contact for HDC during the life of the contract
 - iv) An officer to attend quarterly contract management meetings with the service provider and any other contract management meetings as required
 - v) An officer to attend annual meetings with other parties to the Agreement
- 3.6 WSCC will ensure that the contracts with service providers contain sufficiently robust data protection provisions to protect any data belonging to HDC where it is shared with or processed by the service providers. Where identified as being necessary, HDC will be required to enter into a data sharing agreement in substantially the same form as the agreement detailed in Appendix D of the collaboration agreement.

4 Next Steps

- 4.1 Tenants of temporary accommodation will need to be provided with 28 days' notice of any rent increase.

5 Outcome of Consultations

- 5.1 The collaboration agreement has been subject to legal scrutiny.
- 5.2 Homeless Prevention Manager and Housing Allocations Manager both support this proposal.

6 Resource Consequences

- 6.1 Funding for the joint procurement has been secured within housing budgets.

7 Legal Consequences

- 7.1 The collaboration agreement has been subject to review by the Council's legal team and recommendations actioned.

8 Risk Assessment

- 8.1 There is a risk that the procurement process may not result in a successful service provider being appointed in which case the council will be without an ILS service. This risk is considered small given the number of service providers in attendance at the market testing day and that the contract fits within existing service providers' areas of expertise and areas of operation.

9 Other Considerations

- 9.1 The action proposed will protect the quality of life, and thus the wellbeing of those in need.
- 9.2 There is a high correlation between homelessness and crime and by maximising the potential income stream from existing properties the Council will be better placed to sustain its housing service and respond to increasing demands for affordable housing.

Background Papers

Appendix 1 – Collaboration Agreement **Exempt**

Wards affected: All wards

Contact: Rob Jarvis, Head of Housing Services 01403 215449