

Report Title: Property Pool Plus Administration Procurement

Date of meeting:	7 November 2024		
Report to:	Cabinet		
Report of:	Assistant Director of Place - Economic Growth & Housing		
Portfolio:	Housing & Highways		
Wards affected:	All		
Is this a key decision:	Yes	Included in Forward Plan:	Yes
Exempt/confidential report:	No		

Summary:

To seek Cabinet authority to undertake a procurement exercise for a new service contract in connection with the administration of the Council's social housing register; manage the Council's social housing allocations policy and its nominations arrangements with Registered Providers of social housing. Further, to seek delegated authority to award a new contract following the procurement exercise.

Recommendation(s):

- (1) Cabinet authorises Officers to conduct a procurement exercise to appoint an external service provider.
- (2) Cabinet agrees to delegate authority to the Assistant Director of Place (Economic Growth & Housing), to approve the resulting post procurement contract award in consultation with the Cabinet Member - Housing and Highways, together with any extensions.
- (3) If any of the current service staff with TUPE entitlement have an entitlement to LGPS pensions, Cabinet authorises officers to enter into arrangements to ensure that the new service provider enters into an admissions agreement and bond in relation to the affected staff in order that there is no financial risk or liability to the council from the future arrangements.

1. The Rationale and Evidence for the Recommendations

- 1.1 The Council has statutory duties to have a policy for the allocation of social housing accommodation and the maintenance of a housing needs register. In addition, there is the

function to manage the Council's Nomination Rights with all Registered Providers who have housing stock in Sefton, which sit alongside these duties.

- 1.2 Housing & Investment Service Officers have considered the options in relation to the service arrangements the Council might adopt to deliver these duties and concluded that the option to commission the service with a suitable external service provider is the preferred option.
- 1.3 The (sub-regional) Property Pool Plus allocations policy, associated housing register and service delivery arrangements were adopted in 2012. Since then, One Vision Housing (OVH) have been commissioned to provide these functions and services on behalf of the Council.
- 1.4 The current contract with One Vision Housing to deliver the administration of Property Pool Plus runs until August 2025, so the Council wishes to begin the procurement exercise as soon as it is able to.
- 1.5 The procurement is for a service to manage the social housing register; manage the Council's social housing allocations policy and its nominations arrangements with Registered Providers of social housing.
- 1.6 It is proposed to offer the service for a 5-year period, with options to extend for up to 2 years. The contract will include break for convenience clauses, which will allow the Council to serve notice to terminate the contract on the yearly anniversary of the contract. The notice period will be 6 months from service of the notice to terminate.
- 1.7 The anticipated value of the contract should it run for the maximum length of 7 years would be around £630,000. Under Schedule 3 of the Public Contract Regulations 2015 the closest description is Administrative Housing Services. This falls under the Light touch regime so the procurement isn't captured under the full regulations. This procurement process will be carried out in line with the Council's Contract Procedure rules.
- 1.8 It is proposed that the basis of evaluation will utilise the MEAT (Most Economically Advantageous Tender) approach taking into consideration a balance between Quality and Cost.

2. Financial Implications

- 2.1 There is an existing revenue budget to help fund the operation of administering an allocations service, which is currently performed by OVH, on behalf of the Council.
- 2.2 The service is currently delivered by OVH. Some staff involved in operating the current service are likely to have TUPE rights. If any of the OVH staff have an entitlement to LGPS pensions the Authority will be under an obligation to ensure that the new provider enters into an admissions agreement and bond in relation to the affected staff. Assuming that is the case, Cabinet authority to enter into those arrangements is sought at the outset with there being no financial risk or liability to the council from the future arrangements.
- 2.3 Delivery of the service will rely upon the Property Pool Plus IT system, which the Council acquired and has an ongoing contractual arrangement with the IT supplier. Access of this IT system would need to be transferred to a new Provider if the tender is won by a Provider other than the incumbent Provider.

3. Legal Implications

- 3.1 LAs must adhere to the law regarding the allocation of Social Rented Housing, as set out in the Housing Act 1996, Part 6 Allocation of Housing Accommodation.

4. Risk Implications

- 4.1 The Council has statutory duties arising under Part VI of the Housing Act 1996 and any regulations made there under from time to time relating (inter alia) to the requirement to have a policy for the allocation of social housing accommodation and the maintenance of its housing needs register.
- 4.2 Pursuant to the Deregulation and Contracting Out Act 1994 and the Local Authorities (Contracting Out of Allocations of Housing and Homelessness Functions) Order 1996 (the "Contracting Out Legislation") as amended, the Council is permitted to contract out various functions under Part VI and Part VII of the Housing Act 1996 to the extent permitted by the Contracting Out Legislation.

5 Staffing HR Implications

- 5.1 The service is currently delivered by One Vision Housing (OVH). Some staff involved in operating the current service are likely to have TUPE rights, as per para 2.2 above.

6 Conclusion

- 6.1 Given the legal, financial and reputational risk of this service being delivered for the residents of Sefton as part of a wider sub-regional scheme it is recommended that Cabinet look to approve the recommendations given in this report.

Alternative Options Considered and Rejected

1. *Explore a shared service with other LCR Councils.* However, at this point in time this option isn't available, as initial scoping work with other LCR Councils has been unable to prove concrete economic benefits with this option. Other LCR Councils have now made the decision to bring the administration of Property Pool Plus in-house, which has largely ruled out a shared service being entered into over the coming years.
2. *Bring the service in-house and deliver it as part of the Council's Housing Options Team service offer.* The costs of doing this would be well in excess of what the Council currently pays to deliver this service.

Equality Implications:

The equality Implications have been identified and mitigated.

Impact on Children and Young People:

The changes to the PPP policy introduced in January 2024 saw Care Leavers awarded the highest priority and backdated to their 16th birthday, which has had a positive impact on the numbers accommodated since this change. The Band A criteria for Care Leavers has been updated to reflect the original intention in the existing policy to award Band A including a backdate to the 16th birthday for those leaving the care of the local authority for the first time, at the point they are ready for independence. The existing policy does not make this clear. The proposed amendments provide further clarity and explicitly stipulates that if a Care Leaver up to age 25 needs to be rehoused again following their

initial move to independence, then they can be awarded Band A, but only if there is a recognised housing need, and the applicant is actively engaging with the Local Authority Care Leaver Teams, and that team is supportive of a move. The proposed change also makes clear that if Band A is awarded in these circumstances, a 16th birthday backdate will not be applied. This change brings the policy in line with the original intention, whilst still recognising the local authorities corporate parenting responsibility for care leavers up to age 25.

Climate Emergency Implications:

The recommendations within this report will have a Neutral impact.

There are no direct climate emergency implications arising from this report. Any climate emergency implications arising from matters referred to in the Cabinet Member Report will be contained in reports when they are presented to Members at the appropriate time.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Services & Commercial (FD.7795/24) and the Chief Legal and Democratic Officer (LD.5894/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable

Implementation Date for the Decision:

Following the expiry of the “call-in” period for the Cabinet decision.

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Appendices:

There are no appendices to this report.

Background Papers:

There are no background papers to this report.