
Report to:	Cabinet	Date of Meeting:	Thursday 1 September 2016
Subject:	Appointment of Service providers to support the Syrian Vulnerable People Resettlement Programme	Wards Affected:	(All Wards);
Report of:	Head of Communities		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No however Appendix A is NOT FOR PUBLICATION by virtue of Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972. The Public Interest Test has been applied and favours the information being treated as exempt		

Purpose/Summary

To seek approval to vary the existing contract with the Sefton Supported Housing Group (SSHG) who provide accommodation and support services for homeless households, in order to assist house and support households received in Sefton under the Syrian Resettlement Programme (SRP).

Recommendation(s) That

1. the existing contract for the supply of temporary accommodation and support services with SSHG be varied as set out in the report, in order for SSHG to supply additional accommodation and support services for Syrian families (as required by the funding agreement with UK Government) resettled in Sefton;
2. the Head of Communities, in consultation with the Head of Corporate Support and the Cabinet Member for Communities and Housing, be given delegated authority to enable the procurement and entering into further service arrangements with Sefton or Liverpool City Region Voluntary, Community and Faith sector organisations, to deliver required services that fall outside of the scope of the contract with SSHG; and
3. given the need for flexibility, the Head of Communities, in consultation with the Head of Corporate Support and the Cabinet Member for Communities and Housing, be given delegated authority to extend the contract further should the need arise, but within an overall contract cost of no more that £1m.

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities	√		
7	Creating Inclusive Communities	√		
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

Reasons for the Recommendation:

The value of the services to be provided under the proposed contract variation requires Cabinet approval.

Alternative Options Considered and Rejected:

The Council could advertise a new contract but it would be unlikely to be let within the agreed timescales for the Scheme.

What will it cost and how will it be financed?

(A) Revenue Costs

Any revenue costs arising from the proposed contract variation will be met from Home Office funding provided by Government under the SRP.

(B) Capital Costs

Not applicable

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<p>Financial See above</p>
<p>Legal The Council's Constitution, page 99 clause 20, requires that any contract where the overall value would exceed 3x OJEU limit should be approved by Cabinet. The current OJEU level is £164,176. Public Contracts Regulations 2015, as amended, includes Regulation 72, which provides</p>

clarity as to the extent to which a contract can be amended after award without the need to re-advertise. A modification is allowed if the grounds in either 72 (1) (a) (b) or (c) apply.

Human Resources

No additional Council staffing is required.

Equality

- | | |
|---|-------------------------------------|
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact of the Proposals on Service Delivery:

As part of the Liverpool City Region arrangements, Sefton has agreed to accept 100 Syrian Vulnerable People to be resettled into Sefton. It is anticipated that this will require the provision of 25 units of temporary accommodation, together with suitable housing support services for these households. The Council has an existing contract with SSHG to provide 70 units of temporary accommodation and support services for homeless households, which were put in place from July 2015 following a public procurement exercise. It is felt appropriate to vary the existing contract in order to meet the additional service needs of Syrian refugee families and to meet the requirements of the Government's funding schedule.

What consultations have taken place on the proposals and when?

The Head of Corporate Resources (FD.4261/16) has been consulted and notes that costs incurred will be reimbursed via Government Grant in the first year and benefit entitlements for individuals after this period.

Head of Regulation and Compliance (LD 3544/16) has been consulted and has no comments on the report.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

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Background Papers:

There are no background papers available for inspection

1. Introduction/Background

- 1.1 The Government has committed to resettling 20,000 Syrian refugees in the lifetime of this Parliament. Fifty-five local authorities welcomed Syrian refugees into their communities before Christmas 2015, and many more have expressed an interest in taking refugees in the coming months and years. They have done so on the basis that the first twelve months of a refugee's resettlement costs are funded on a tariff basis by Government.
- 1.2 At full Council meeting in September 2015, the Council expressed its commitment to providing accommodation and other support to refugees and asylum seekers, when it was resolved:

That this Council notes that the vast majority of the present thousands of refugees who are pressing towards Europe at this time are fugitives from monstrous civil conflicts, in several of which 'western powers' have played a significant role and occasionally threatened further direct involvement.

The Council welcomes the significant numbers of local people who have joined in signing petitions, lobbying MPs, writing letters and making internet postings proclaiming that Britain and other European nations should provide homes for genuine refugees and treat these people differently to economic migrants. But more needs doing.

The Council further welcomes the generosity of thousands of individuals across Britain who are prepared to offer their own accommodation to help those in need. Central and local government should be working with voluntary organisations to turn people's wishes to help those in need into a reality.

The Council believes that central and local government should look at long-empty Old People's Homes, offices and other buildings which could quickly be brought back into service to provide emergency housing for refugees in genuine need.

The Council believes that, to date, the approach of the UK government to supporting refugees coming from conflict zones has been disappointing. Council welcomes the apparent change of heart on this matter by the government in recent weeks but believes that this requires a clear programme of action rather than words.

The Council instructs the Chief Executive to write to the Prime Minister sharing the above concerns and requesting urgent action by central government:

(a) to work with and fund local authorities throughout Britain to co-ordinate the thousands of individuals and organisations across the nation who might be willing to look at their own surplus accommodation and provide direct assistance to refugees; and

(b) to implement appropriate measures to facilitate the speedy transfer of proportionate numbers of refugees to the UK and other countries across the E.C.

2. Government Support

- 2.1 Through the Liverpool City Region, Sefton has accepted the Government's Syrian Resettlement Programme (SRP) Funding Instruction 2016-17. This funding instruction sets out the range of services a local authority will be required to provide or commission in its area; including provision of accommodation, initial reception arrangements, casework support, requirements for beneficiaries with special needs/assessed community care needs. This funding instruction also sets out the funding arrangements, which Government will provide.

3. Accommodation and Casework support services.

- 3.1 The Council undertook a procurement exercise during the early part of 2015, for homeless related services. Included in this (Lot 1) was a service to provide temporary accommodation and support services for homeless clients. The 'Sefton Supported Housing Group' (consortia) were appointed to provide 70 units of temporary accommodation together with associated support services, over a 5 year contract life [with option to extend for a further 2 years].
- 3.2 Under the Syrian Resettlement Programme it is likely that Sefton will require the provision of up to 25 units of temporary housing with associated support services, over a 5 year period. However, in any 1 year there will only likely be 5 to 10 units of temporary housing [clients will move out of the service, but new clients will join in any one year].
- 3.3 It is proposed that SSHG will be commissioned to provide the accommodation and support services, and that the existing contract is varied to allow for this. In effect this would be 'extending' the existing contract to provide the additional homes and services.

The financial details of the costed service proposal are contained within **Appendix A**.

4. Engagement with Sefton VCF Sector

- 4.1 SSHG have confirmed that they will endeavour to work with other existing VCF organisations in Sefton, wherever possible, to support their service delivery. For example, this may involve the purchase of furniture from local agencies, or recruitment of volunteers, or working with agencies to help provide a network of support services.
- 4.2 Not all of the services that are required under the Government's Funding Instruction will be provided through the proposed contract with SSHG. Other support services will also be required. Wherever possible, it is proposed that such services will be commissioned with other Sefton or Liverpool Region VCF Organisations. Therefore, delegated authority is sought to enable the Head of Communities to procure and enter into further service arrangements.

5. Authority to enter into contract with SSHG

- 5.1 The Funding Instruction requirements provided by the Home office indicates that:

1.1. *When procuring works, goods or services the Recipient (the Council) must ensure that it complies with its statutory obligations, for example the regulations as transposed into national Law from the EU Directives on Public Procurement (2014) i.e. in England & Wales the Public Contracts Regulations 2015 [PCR2015]. In any event, the Recipient shall demonstrate value for money and shall act in a fair, open and non-discriminatory manner in all purchases of goods and services to support the delivery of the Programme.*

1.2. *Where the Recipient (the Council) enters into a contract (or other form of agreement) with any third party for the provision of any part of the Programme, the Recipient shall ensure that a term is included in the contract or agreement requiring the Recipient to pay all sums due within a specified period: this shall be as defined by the terms of that contract or agreement, but shall not exceed 30 (thirty) days from the date of receipt of a validated invoice.*

5.2 Public Contracts Regulations 2015, Regulation 72 provides some clarity as to the extent to which a contract can be amended after award without the need to re-advertise. A modification is allowed if the grounds in either 72 (1) (a) (b) or (c) apply. Under 72(1) (c)- All of the following conditions would need to be fulfilled:-

- (i) The need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) The modification does not alter the overall nature of the contract;
- (iii) Any increase in price does not exceed 50% of the value of the original contract

5.3. These conditions are satisfied, as follows;

(i) **The need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;**

Sefton Council could not have predicted that the UK Government would agree to take 20,000 Syrian refugees, and in turn require local authorities to provide accommodation and support services for a quota of these refugees. It was late in 2015 when the Government announced it's policy position on this issue, and it became clear that LAs would be asked to offer suitable assistance to deliver this programme. This was later than the original contract procurement period (early, first quarter of 2015) and the award of the contract commencement on 1st of July 2015.

(ii) **The modification does not alter the overall nature of the contract;**

The nature of the existing contract is to provide 70 units of temporary accommodation and support services for homeless people, normally for up to a period of 18 months to 2 years on average. The modification would require the service provider to provide temporary accommodation and support services for a projected 1 year period for each Syrian family. We anticipate the need for up to 12 units of accommodation at any one time, and no more than 25 in total for the contract period.

(iii) Any increase in price does not exceed 50% of the value of the original contract

The financial details set out in Appendix A confirm this.