

Education and Local Economy Scrutiny Commission

Wednesday 27 January 2021

6.30 pm

Online/Virtual. Members of the public are welcome to attend the meeting. Please contact FitzroyAntonio.williams@southwark.gov.uk for a link to the meeting.

Membership

Councillor Peter Babudu (Chair)
Councillor Anood Al-Samerai (Vice-Chair)
Councillor Karl Eastham
Councillor Eleanor Kerlake
Councillor Richard Leeming
Councillor Eliza Mann
Councillor Michael Situ
Martin Brecknell
Lynette Murphy-O'Dwyer
Nicole Gordon

Reserves

Councillor Humaira Ali
Councillor Radha Burgess
Councillor Paul Fleming
Councillor James McAsh
Councillor Jason Ochere
Councillor Maggie Browning

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Everton Roberts on 020 7525 7221 or email: everton.roberts@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 19 January 2021



Education and Local Economy Scrutiny Commission

Wednesday 27 January 2021
6.30 pm

Online/Virtual. Members of the public are welcome to attend the meeting. Please contact FitzroyAntonio.williams@southwark.gov.uk for a link to the meeting.

Order of Business

| Item No. | Title | Page No. |
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| | PART A OPEN BUSINESS | |
| 1. | APOLOGIES | |
| | To receive any apologies for absence. | |
| 2. | NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT | |
| | In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting. | |
| 3. | DISCLOSURE OF INTERESTS AND DISPENSATIONS | |
| | Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting. | |
| 4. | MINUTES | |
| | To approve as a correct record the Minutes of the meeting held on 26 October 2020. | |

5. CHILDREN'S EXPERIENCES AND EDUCATION THROUGH COVID

Following on from the deputy leader cabinet member for children, young people and schools on council activity in respect of children returning to school and the hearing from young people and headteachers on their experience of children returning to school and impact of covid-19 on education – the commission will hear further evidence from:

Children/young people from [Anima Youth](#) - a community interest company, initially established to support girls and young women but widened to support young men as well in relation to mental health and career guidance.

Matt Jones, chair of SASH (Southwark Association of Secondary Headteachers) has also provided a brief written submission updating the chair on the current needs of secondary schools).

Matt has reported that Southwark secondary schools are generally well resourced in terms of laptops, but that there are up to 4 schools that would benefit from an additional 30-40 laptops each (this has been communicated to the relevant cabinet member). In relation to mental health, the headteachers had generally found that students who were known to social services, CAMHS or 'presenting' with issues before Covid-19 are presenting in a more acute way since school closures. He has advised that as a community they will need additional therapists and family support professionals to work with the children and the families affected.

6. REVITALISATION OF HIGH STREETS AND TOWN CENTRES - SCRUTINY REVIEW (SESSION TWO)

Following on from the scrutiny review preparations and briefing from the cabinet member for Jobs, Culture and Skills on the development of the proposed plan for revitalisation of high streets and town centres at the last meeting, the following have been invited to give evidence to inform the scrutiny review:

- Nick Plumb - [Power to Change](#) an independent charitable trust that supports and develops community businesses in England
- Ben Stephenson – Placemaking Consultant, High Street Task Force expert and BIDs advisor

7. RESPONSE TO THE RECOMMENDATIONS OF THE EDUCATION AND BUSINESS SCRUTINY COMMISSION REPORT ON PROCUREMENT : ACCESSIBILITY AND SOCIAL VALUE JULY 2020 [CABINET REPORT]

1 - 8

To note the cabinet response to the education and business scrutiny commissions report on procurement: accessibility and social value. This item was considered by Cabinet on 8 December 2020.

Note: This item is on the agenda for noting only.

| Item No. | Title | Page No. |
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| 8. | UPDATE ON FAIRER FUTURE PROCUREMENT FRAMEWORK [CABINET REPORT] | 9 - 39 |
|-----------|---|--------|

To note the update report to cabinet (19 January meeting) in respect of the Fairer Future Procurement Framework.

Note: This item is on the agenda for noting only.

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| 9. | EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION WORK PROGRAMME 2020-21 | 40 - 49 |
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To note the education and local economy scrutiny commission work programme as at 27 January 2021.

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|------------|---|---------|
| 10. | DIGITAL NHS STATISTICS - CHILDREN WITH PROBABLE MENTAL HEALTH DISORDER | 50 - 54 |
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The chair has requested that this information 'NHS Statistics of children with probable mental health disorder' be added to the agenda for information. The full report is contained within the agenda for ease of reference.

Link to Digital NHS Website

<https://digital.nhs.uk/news-and-events/news/survey-conducted-in-july-2020-shows-one-in-six-children-having-a-probable-mental-disorder>

**DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE
START OF THE MEETING.**

PART B - CLOSED BUSINESS

**DISCUSSION OF ANY CLOSED ITEMS AS NOTIFIED AT THE START
OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: 19 January 2021

| | | | |
|------------------------------------|--------------------------------|---|---------------------------------|
| Item No. 22. | Classification: Open | Date: 8 December 2020 | Meeting Name: Cabinet |
| Report title: | | Response to the recommendations of the education and business scrutiny commission report on procurement: accessibility and social value July 2020 | |
| Ward(s) or groups affected: | | All | |
| Cabinet Members: | | Councillor Rebecca Lury, Finance & Resources | |

FOREWORD - COUNCILLOR REBECCA LURY, CABINET MEMBER FOR FINANCE & RESOURCES

I want to thank Councillor Babudu for the excellent work undertaken by his Commission and look forward to delivering on its recommendations.

Through our response to the Education and Business Scrutiny Commission Report on Procurement: Accessibility and Social Value, we want to give our commitment to taking forward the recommendations from this report.

As you will see in this report, we recognise the hugely important issues raised as part of the scrutiny inquiry, and will be seeking to include in the budget proposals for 2021-22 funding for a dedicated position to support taking the recommendations forward.

In tackling these issues, we want to be able to create a baseline of our current position, identify and understand the gaps that exist, and take forward activity to ensure that those with protected characteristics are better able to participate in procurement opportunities from the council.

RECOMMENDATIONS

1. That cabinet note officers' responses to the education and business scrutiny commission's report on procurement: accessibility and social value dated July 2020.
2. That cabinet note that a request for additional resources to take forward work on making procurement opportunities more accessible to local businesses and community organisations is to be made as part of the council's 2021-22 budget setting process.

BACKGROUND INFORMATION

3. The education and business scrutiny commission undertook an investigation

into the accessibility of procurement opportunities in Southwark to local businesses and community organisations, with a particular emphasis on understanding how accessible these opportunities are to businesses that are led (at director level) by people with protected characteristics that are typically underrepresented in business leadership. The commission also looked at the council's early activity to implement social value provisions of its Fairer Future Procurement Framework.

4. The recommendations of the review were presented to cabinet on 14 July 2020, with a request for the relevant cabinet member to bring back a report to respond to the recommendations provided.

KEY ISSUES FOR CONSIDERATION

5. The commission's report focused on four areas covering the data landscape, accessibility to small businesses, existing social value practice and procurement practice. Its findings highlight the gap that currently exists between where the council is and where it wishes to be in terms of its strategic ambitions; the recommendations provide a welcome steer as to the direction of travel and helpful pointers as to actions needed to make procurement opportunities more accessible to local businesses and community organisations.
6. The council's procurement function comprises several elements including the devolved purchasing and commissioning activity for a wide range of goods, services and works across all departments of the council, a small core procurement advisory function, and a corporate local economy development function. This means that even though some of the recommendations were addressed to specific parts of the council, their cross-cutting nature requires a response from the organisation as a whole if they are to lead to tangible improvements in governance and practice. In addition, many of the areas covered need to be considered in the context of broader priorities and work streams already being undertaken across the council, including on the council's Fairer Future Procurement Framework, Southwark Stands Together, the refreshed council plan and the Economic Renewal Plan.
7. Whilst some recommendations can be addressed relatively easily and speedily, others have significant resourcing implications or are dependent on information which is currently not available; there are also some where further consideration is needed as to definitions and outcomes sought, if attention and effort is to be focused appropriately. All of these will require budgetary provision and/or staffing resources to be identified, in order to be taken forward.
8. Since the work was undertaken by the scrutiny commission prior to its report to cabinet on 14 July 2020, the environment within which the council operates has continued to evolve. The pandemic is clearly of ongoing relevance to any consideration of the council's activities but it is difficult to know with any certainty what its impact will be. In addition, with

the Brexit transition period ending on 31 December 2020, work is also under way to consider what needs to be done to ensure that the council is prepared for the procurement environment from 1 January 2021. Again, however, it is not yet possible to assess the implications.

9. Comments on the recommendations are set out below.

Data

Recommendation 1: The Council should fundamentally improve the data it collects on Council procurement activity and local businesses. As part of this effort, the Council should collect equalities data and local spending data for all eligible procurement activity.

10. Although some information about contracts of £5,000 or more is recorded on the council's contract register, as the commission's report makes clear, the council does not currently hold information on procurement activity and local businesses. Further guidance will be issued by the Procurement Advice Team to remind officers to keep the contract register up-to-date but further consideration is needed of the extension of data collection to ensure that there is clarity as to what is to be collected, its purpose and its use. Work currently under way to refresh the Fairer Future Procurement Framework which includes a commitment to this and the ongoing Southwark Stands Together programme, the Economic Renewal Plan aspirations and the refreshed council plan are also all relevant to this piece of work.
11. The collection of data has significant resource implications in terms of staffing and potentially in terms of changes to IT systems (e.g. the council's financial information and e-procurement systems) and these will be picked up as part of a bid for additional funding which is being made as part of the council's 2021-22 budget setting process.
12. It should be noted that successful implementation of these proposals is dependent on the voluntary provision of information by businesses and work to be undertaken will include consultation and engagement with them.

Accessibility to small businesses

13. Recommendations 2 to 5 need to be considered in light of the ongoing Southwark Stands Together programme, the Economic Renewal Plan aspirations and the refreshed council plan.
14. At its 8 September 2020 meeting, the cabinet agreed to develop a roadmap and action plan to deliver the Southwark Stands Together programme. A further report was considered on 20 October 2020 when the cabinet agreed recommendations which included the development of the council's procurement practices to be more inclusive and exploring how effective business support can be provided.

15. In addition, the council's Economic Renewal Plan, which has been developed to help reduce and mitigate the economic impacts of the COVID-19 crisis, also sets out tasks and actions which aim to enhance business advice and guidance, particularly to local businesses. A review of business support, which considers much of the above, is currently being led by the Local Economy Team.

Recommendation 2: Strengthen local tendering requirements and increase them to EU thresholds

16. This recommendation would require an amendment to the Contract Standing Orders and, as it would amount to a substantive change, would require the approval of council assembly in line with procedures for changes to the constitution. Changes would also need to be made to associated guidance and gateway report templates and staff would need to be made aware of the new requirements. In addition, it would also require clarification of the definition of 'local tendering'. Subject to this, it could however be implemented relatively quickly.

Recommendation 3: Develop a portal with key procurement information and raise awareness of relevant bidding opportunities; and

Recommendation 4: Develop a list of providers that can be readily added to and is accessed as a standard part of relevant procurement processes to raise awareness of relevant bidding opportunities

17. Some procurement information as to potential future procurements to be undertaken is already available through the council's contracts register on the website. As with recommendation 1, developing this further would have significant resource implications, both in respect of the e-procurement system and also for individual service areas. In addition to inclusion within a bid for additional funding, it may be helpful to identify individual services that might be well placed to explore with Children's and Adults Services the options for building on their work to develop a website, as referenced in the commission's report.

Recommendation 5: Offer training for relevant businesses, and facilitate targeted provider forums to aid SME bidding

18. As noted above, the Southwark Stands Together programme and the Economic Renewal Plan aim to explore how effective business support can be provided and set out actions to enhance advice and guidance. The refreshed council plan also includes a commitment to develop a plan of support to assist local BAME-led and women-led enterprises to bid for and secure public sector contracts. There is insufficient capacity to offer training on procurement and securing contracts and it may be that this would therefore need to be procured. Resource implications need further consideration as part of the bid for additional funding.

Social value

Recommendation 6: The Council should be even more ambitious in embedding tailored social value requirements and take a “maximising social value” approach across departments supported by an enhanced central procurement function role. This approach should include: (i) requiring an explicit exemption for eligible tenders to waive the 15% social value requirement (ii) the Council developing model social value clauses covering anticipated future contracts in all Council departments, and (iii) the Council developing simple ways of recognising the types of social contributions made by local micro, small and community businesses

19. The current Fairer Future Procurement Framework requires the consideration of social value in all procurements over £100k and, where applicable, its use as part of the evaluation methodology for the tender award (on a case by case basis, but at least 15% of evaluation). Contract Standing Orders require specific exemption to be sought for non-compliance with usual procedures but the proposal in the report that the council should move towards recognising social value below the current £100,000 threshold would necessitate a substantive amendment to the Contract Standing Orders, approved by council assembly in line with procedures for changes to the constitution. Changes would also need to be made to associated guidance and gateway report templates and staff would need to be made aware of the new requirements. Although it could be implemented relatively quickly, further consideration is needed as to the potential impact on smaller businesses and their ability to meet any requirements without incurring what may be seen as a disproportionate burden.
20. Social value clauses are already included in contract documentation and, where appropriate, specific clauses are drafted. As social value needs to be considered throughout a procurement process, model wording is incorporated into gateway report templates to ensure that due consideration is given in line with the requirements of the Fairer Future Procurement Framework before a procurement is commenced and as tender and specification documents are prepared. However, the key to delivering social value is through effective contract management which can ensure that what has been offered by the contractor becomes a reality. Additional requirements can be explored with the Legal Services Contracts team.
21. The recognition of social value for lower value procurements requires careful consideration of what constitutes social value, if it is not to work in the opposite way from that intended. This needs to include an assessment of internal and external dimensions (e.g. the impact on employees, residents, the environment etc). Further consideration of this will be picked up in the refresh of the Fairer Future Procurement Framework which is scheduled for cabinet in January 2021 and is also relevant to the work to be carried out with SMEs and community

organisations as part of the Southwark Stands Together programme.

Procurement practice

Recommendation 7: The Council should pursue an explicit commitment to building community wealth across the borough through greater local procurement, in conjunction with other locally-embedded organisations, including local spending targets

22. A commitment to community wealth building (CWB) and to building capacity in neighbourhoods has been identified for action in the Economic Renewal Plan and work on the refresh of the Fairer Future Procurement Framework has also taken account of this commitment. The introduction of local spending targets also links closely with work needed to support earlier recommendations, not least because of the lack of data held at present.

Recommendation 8: The Council should share best procurement practice across departments and strengthen the central procurement function to raise the quality of practice across the Council

23. The sharing of best practice is already undertaken through newsletters and drop in advisory sessions, but further consideration will be given as to how this can be enhanced.

Recommendation 9: The Council should use s106 agreements, and work with developers and other large partners in other innovative ways to make more of the external procurement opportunities that exist in Southwark accessible to local SMEs. The Commission recommends better monitoring of developer performance against commitments, and piloting (in the Old Kent Road area) the SLPN model, where the Council uses s106 agreements to get developers to fund local SME procurement support and increase purchasing from local SMEs in their supply chains

24. The council welcomes this recommendation and already works with developers to ensure they are using local businesses. Proposals have been made by the government to replace s106 agreements and CIL contributions with a new Infrastructure Levy in its Planning for the future White Paper. Southwark Council has expressed significant concern that this will place a greater financial burden on local authorities and may mean that they are unable to place obligations on developers. The consultation period closed at the end of October 2020 and the government's response is currently awaited. It is therefore not yet clear what the impact of these proposals might be.
25. The council is committed to strengthening Southwark's local economy and, particularly in light of the impact the pandemic will have on businesses in the borough, will use all tools at its disposal to support them. It will consider the use of s106 funding in this way and balance it with other council priorities including employment and skills targets if it

were to necessitate redirecting s106 support from these areas. The council is planning to review the s106/CIL Supplementary Planning Document (SPD) where this will also be able to be considered.

26. Use of a platform to encourage more local procurement within Southwark from developers and other large businesses and the creation of complementary employment initiatives have resource implications which will need to be addressed as part of the bid for additional funding referred to above.

Resource implications

27. The recommendations made by the scrutiny commission have potential resource implications which have been highlighted in the paragraphs above. It is not possible at this stage to quantify these but the agreement of actions to be taken will need to be subject to consideration of any associated staffing, IT or other resource requirements.

Financial implications

28. As noted above, there are potential resource implications and any budgetary implications arising from these will need to be considered as part of the wider consideration of next steps. Where it is not possible to contain the costs of any action plans arising from this report within existing budgets, they will need to be considered as part of the bid for additional funding to be included in the council's 2021-22 budget setting process.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|---|--|
| Education and Business Scrutiny Commission recommendations report to cabinet 14 July 2020 | Constitutional Team Southwark Council 160 Tooley Street London SE1 2QH | Paula.thornton@southwark.gov.uk |
| Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s89897/Report%20Procurement%20-%20Accessibility%20and%20Social%20Value%20-%20Report%20of%20the%20Education%20and%20Business%20Scrutiny.pdf | | |

APPENDICES

| No. | Title |
|------|-------|
| None | |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Cabinet Member | Councillor Rebecca Lury, Finance & Resources | |
| Lead Officer | Doreen Forrester-Brown, Director of Law and Democracy | |
| Report Author | Jo Anson, Interim Head of Governance | |
| Version | Final | |
| Dated | 26 November 2020 | |
| Key Decision? | Yes | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments Included |
| Director of Law and Democracy | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Cabinet Member | Yes | Yes |
| Date final report sent to Constitutional Team | | 26 November 2020 |

| | | | |
|------------------------------------|--------------------------------|---|---------------------------------|
| Item No. 18. | Classification: Open | Date: 19 January 2021 | Meeting Name: Cabinet |
| Report title: | | Update on Fairer Future Procurement Framework | |
| Ward(s) or groups affected: | | All | |
| Cabinet Members: | | Councillor Rebecca Lury, Finance & Resources | |

FOREWORD - COUNCILLOR REBECCA LURY, CABINET MEMBER FOR FINANCE & RESOURCES

This report provides an update on work done to date to enhance the council's commitment to social value through its Fairer Future Procurement Framework and also proposes further changes to the Framework to refresh it. These will help ensure that it remains a living document in line with the findings of the education and business scrutiny commission's investigation into the accessibility of procurement opportunities in Southwark to local businesses and community organisations.

The revised Framework seeks to bring together commitments made in the Borough Plan, Southwark Stands Together and the Economic Renewal Plan and also includes updates in respect of Equality, Diversity and Inclusion in the council's procurement processes.

It recognises that further work will need to be undertaken to review how social value is measured and assessed and to consider social value for lower value procurements and its potential impact on smaller businesses.

RECOMMENDATIONS

1. That cabinet approve the refreshed Fairer Future Procurement Framework (FFPF), at appendix 1.
2. That cabinet note the update on actions taken to enhance the council's commitment to social value in procurement.
3. That cabinet agree to delegate the approval of minor and consequential amendments to the FFPF (e.g. new targets following the finalisation of the council's Climate Change Strategy) to the Director of Law and Governance, in consultation with the Cabinet Member for Finance & Resources.

BACKGROUND INFORMATION

4. A review by overview & scrutiny committee of commissioning and procurement in Southwark in 2015 led to the development of the first

Fairer Future Procurement Strategy (FFPS). This aimed to introduce clear processes, including Gateway 0 reports for services over £10m in value, briefings for cabinet members for all procurements over £100k in value and enhanced provisions relating to blacklisting.

5. Following this, the council approved the Council Plan 2018-22 and revised Fairer Future Commitments in November 2018. These changes were reflected in an updated document, the Fairer Future Procurement Framework (FFPF), which incorporated changes to legislation, guidance and policies, made reference to social value, the Construction Charter and the End Violence at Work Charter, and strengthened provisions in relation to workforce issues.
6. The revised Framework was approved by cabinet on 18 June 2019 and cabinet was also asked to note next steps for enhancing the council's commitment to social value in procurement, with a report to be brought back on their implementation and impact.
7. At their meeting in December 2020, cabinet received a report which considered the recommendations made by the education and business scrutiny commission in July 2020 following their investigation into the accessibility of procurement opportunities in Southwark to local businesses and community organisations and their review of the council's early activity to implement social value provisions of its Fairer Future Procurement Framework. This report builds on that and also proposes further changes to ensure this is a living document best supporting the council's needs and aspirations from partner organisations it enters into contracts with.

KEY ISSUES FOR CONSIDERATION

8. As the education and business scrutiny commission noted in their report to cabinet in July 2020, there is currently a gap between where the council is and where it wishes to be in terms of its strategic ambitions in respect of accessibility to small businesses and existing social value practice within the procurement landscape, as well as having the data to measure and report upon these areas. The report back to cabinet in December 2020 recognised that many of the areas identified through the commission's review need to be considered in the context of broader priorities and work streams already being undertaken across the council, including the Fairer Future Procurement Framework and also Southwark Stands Together, the Borough Plan, and the Economic Renewal Plan. Recommendations which are of particular relevance to the work on the refresh of the FFPF have been considered in the paragraphs below.
9. The scrutiny commission recommended that the council should collect equalities data and local spending data. The refreshed FFPF includes a commitment to supporting this aspiration and the ongoing Southwark Stands Together programme, the Economic Renewal Plan aspirations and the refreshed Borough Plan are all relevant to this piece of work. However, the collection of data has significant resource implications (in terms of staffing and potentially changes to IT systems) and its implementation is

dependent on additional funding, a bid for which is being made as part of the council's 2021-22 budget setting process.

10. It should be noted that successful implementation of these proposals is dependent on the voluntary provision of information by businesses and work to be undertaken will include consultation and engagement with them.
11. The scrutiny commission also proposed that the council should commit to build community wealth through greater local procurement and this has also been picked up within the refreshed Framework.
12. The report back to cabinet on the scrutiny commission's review also noted that, in relation to its recommendation that the council should share best procurement practice across departments, this was already in place through newsletters and drop in advisory sessions, but would be considered further.
13. When the FFPF was approved by cabinet in June 2019, a number of next steps were identified. Table 1 below addresses each of these and provides an update on action taken, with issues highlighted for further consideration where relevant, in light of the wider picture set out above.
14. It should also be noted that, although some of the actions below have been addressed relatively easily and speedily, others have resourcing implications. As was explained in the report to cabinet in December 2020, a request for additional resources to take forward this work is being made as part of the council's 2021-22 budget setting process.

Table 1: Update on next steps to be taken following agreement of the FFPF in June 2019

| Next step | Update |
|---|---|
| Publish the FFPF on Southwark's website so this is available as a public document to any external organisation that might wish to work with the council. | Action complete – FFPF is on the council's website as a public document and can be found at: Policy and guidance for procurement |
| Publish the FFPF on the council's intranet with supporting guidance for council officers, e.g. on the new social value evaluation requirements and incorporate these into existing templates. | Action complete – updates to documents, guidance and templates to support the roll out of the FFPF were made by a cross-council working group. Guidance on the use of the London Living Wage (LLW) / the real UK Living Wage as set by the Living Wage Foundation has been reviewed alongside guidance on monitoring of its application as part of contract management. |
| Review the social value portal's themes, outcomes | This needs to be considered in light of the scrutiny commission's |

| Next step | Update |
|---|---|
| and measures (TOMs) in the light of successful pilots, to ensure that these are prioritised and aligned to the council's fairer future commitments. | recommendation about embedding tailored social value requirements and taking a 'maximising social value' approach across all departments. This report sets out the proposed next steps to ensure that the council can move towards delivering social value in lower value procurements, whilst taking account of the potential impact on smaller businesses and their ability to meet additional requirements. |
| Review the outcomes of the climate emergency summit in July 2019 and potentially incorporate additional targets and actions. | A draft Climate Change Strategy was approved for consultation by cabinet in July 2020. Once this has been finalised, work to incorporate relevant targets and actions into the FFPF will be undertaken. |
| Work to understand whether additional training is required. | Action under way – training for officers has been developed, including social value and the achievement of best value, as part of a digital training package available to all staff via MyLearningSource. Further consideration of the development of staff skills in respect of: a) Promoting staff competencies in procurement, commissioning and contract management b) Improving contract management by continuously improving and learning from experience of 'relationship management' and identifying tools, best practice and training as appropriate was deferred pending the proposed restructuring of the procurement advice team and the need to prioritise resources during the pandemic. |
| Bring the Southwark construction charter back to cabinet for approval in September 2019. Once agreed, it will be incorporated into future construction contracts entered into by the council. | The Southwark construction charter is based on the Unite charter and is on hold pending ongoing consideration by the trade union of revisions: it will be brought back to cabinet once Unite has finalised the wording. |
| Amend and update guidance for officers on relevant contracts and justifications for the grounds for best value when | Action complete – the obligations set out in the FFPF have been incorporated into the terms and conditions of the council's contracts. |

| Next step | Update |
|---|--|
| assessing the payment of the London Living Wage (LLW) or real UK Living Wage (as set by the Living Wage Foundation). | |
| Undertake further investigation into the work of 'Electronic Watch' which monitors the public procurement of electronic goods and supply chains, with a view to see what more the council needs to do to ensure the rights of all workers in our electronic supply chain are respected and their working conditions are safe and decent | This action was put on hold during the pandemic with prioritisation of resources as this work requires the involvement of the shared IT service. Resources to undertake this work have yet to be identified. |
| Keep legislative changes and new policies that support and further the aims of the council, such as the mayor's good works standard, under review and incorporate into the FFPF where appropriate. | Action is ongoing and changes made to date are listed in the FFPF's version control section to maintain a full audit trail. Areas for consideration that were identified by the scrutiny commission have been set out in the paragraphs above this table. Other policies that support the aims of the council and have been incorporated into the FFPF where appropriate are the Economic Renewal Plan and the Borough Plan. The paragraphs below set out action taken to include these in the refreshed FFPF. |

The refreshed Fairer Future Procurement Framework

15. The refreshed Fairer Future Procurement Framework is attached at appendix 1. The paragraphs above have identified some of the changes made as part of the next steps identified by cabinet in June 2019 and also following the scrutiny commission's review. Further changes made in light of other policy commitments are set out in the paragraphs below.
16. The Economic Renewal Plan includes a work stream (2.19) being led by the Local Economy Team to support Southwark BAME-led and women-led businesses to secure contracts with public sector anchor institutions. One of the key tasks is to develop a plan of support, aligned to the FFPF, to assist these enterprises to bid for and secure public sector contracts. These commitments are also set out in the council's Borough Plan and are reflected in the refreshed FFPF.

17. The Economic Renewal Plan also sets out a work stream (2.20) to encourage all Southwark businesses with more than 50 employees to publish their BAME and gender pay gaps (this is also included in the council's Borough Plan) and notes that as part of the FFPF, the council will request that all contractors with 50+ employees commit to publish their BAME and gender pay gap on contracts greater than £100k and will also develop an engagement plan with Southwark businesses to encourage them to do this. The requirements for the gender and BAME pay gap information that go above and beyond statutory provisions are already within the FFPF.

Review of the FFPF's implementation

18. A review of the impacts of the Fairer Future Procurement Framework (FFPF) was undertaken and the feedback has been:
- Only those companies within London can sign up to the Mayor's Good Work Standard formally via the GLA's online assessment process. Companies outside London signing up to principles of the Mayor's Good Work standards need to confirm their commitment to the council via other means.
 - The impact of Covid-19 has affected the ability of suppliers and council contract managers to focus on or deliver some of the requirements of the FFPF because of:
 - a. extensions to existing contracts, which are not subject to the FFPF as procurement activities have been delayed.
 - b. a focus on delivering the core contract in a Covid-compliant manner
 - c. lack of resourcing capacity to provide management information e.g. gender and BAME pay gap information.
 - d. the inability to deliver some social value commitments in a Covid-compliant manner e.g. career talks at school.
19. There has been a delay to the planned restructure of the Procurement Advice Team and available resource, as well as the challenge with delivering training remotely and with dealing with the pandemic, has meant that some elements of the planned training and contract management guidance in support of the aspirations of the FFPF have yet to be delivered.

Social Value

20. Social Value is defined by the Public Services (Social Value) Act 2012 (PSSVA) as "the additional benefit to the community from a commissioning or procurement process over and above the direct purchasing of goods, services and outcomes".
21. The Act requires considerations at the pre-procurement stage of how the procurement might "improve the economic, social and environmental well-being of the relevant area" via the procurement process.
22. The council's approach goes further than the requirements of the Act,

which covers only services contracts over £189k in value. The FFPF confirmed that social value should be considered for inclusion in all contracts (goods, works and services) over £100k.

23. In recognition of the significant impact that the council's spend can have on its residents and local area, the FFPF states that all tenders, over £100k in value should include social value criteria equivalent to at least 15% of the tender evaluation scores. Full details of the evaluation criteria and the assessment of social value should be set out in the gateway 1 report as this has to be assessed on a case-by-case basis.
24. The ideal area for social value is to be a win/win: of benefit to the council / borough but practicable for a supplier to offer. This may be offering apprenticeships, work placements or career talks at schools. Equally it can also cover elements around efforts towards meeting the council's environmental targets e.g. carbon reduction targets (aiming for a carbon neutral borough by recycling / use of sustainable materials / reduction in use of single use plastics).

Social Value Portal

25. The council has invested in the Social Value Portal (SVP). The system provides a way for organisations to place social value bids as part of a tender process. These social value bids are evaluated by the SVP as part of the tender evaluation and the portal allows a clear record of the commitment that will form part of the contract if the bid is successful. Once in contract, suppliers will use the portal to record and reflect their delivery against these commitments as part of on-going contract management and monitoring.
26. Social Value Portal (SVP) have developed a nationally available model that can be used to set and record social value Themes, Outcomes and Measures (TOMs). The TOMs framework establishes a way in which social value can be given a quantifiable value, with measures e.g. apprenticeships or work placements, that are from the public sector Green Book (budget figures) and provide a measure of societal benefit rather than to the individual council.
27. The benefits of using this model include the provision of a quantitative means of comparison between different types of social value. The use of the national TOMs also allows for comparison and benchmarking across the council and with other public sector contracting authorities.
28. The SVP operates as an online tool for suppliers to input their bid for the social value outcomes to be delivered if they are successful, as part of a tender process.
29. If it proves difficult to deliver the social value as envisaged, the TOMs framework also has remedies within contracts that initially look for suppliers to propose alternative social value options (of similar value) that

they are able to deliver during the contract.

SVP Pilots

30. Four pilot projects were selected to use the SVP as part of the procurement exercise. During the pilots, the evaluation percentage allocated to social value was split into 50% to the cost of the social value to be delivered (against the green book values) and 50% to the quantitative submission about how these social value elements would be delivered. As noted, support from the SVP team in evaluation of the SV bids and any clarifications was given.
31. There is no cost to suppliers for using the portal as part of the tender process but the winning bidder must pay a cost that is equivalent to 0.2% of the annual contract cost, with a minimum of £500 and a maximum of £5k per annum. The winning bidders are then given access to the portal during the life of the contract to upload evidence of the social value that they have delivered. The contract managers are given updates from the portal in line with agreed timelines for contract management meetings (usually quarterly) which confirm whether the social value commitments are being delivered.
32. The tenders selected to be part of the SVP pilot were:

| Service Area | Contract | Total Contract Value | Duration (max) | % Social Value Evaluation Criteria | Start Date |
|-----------------------------------|--|----------------------|------------------|------------------------------------|------------|
| 1. Children's and Adults Services | Community Hubs for Older People and Carers | £400,000 | 5 years | 15% | 05/05/2020 |
| 2a. Environment and Leisure | Highways Works - Maintenance | £15.9m | 5 years 9 months | 10% | 01/07/2020 |
| 2b. Environment and Leisure | Highways Works – Projects | £55.4m | 5 years 9 months | 10% | 01/07/2020 |
| 3. Environment and Leisure | Parking Enforcement | £37.5m | 10 years | 10% | 01/06/2020 |
| 4. Environment and Leisure | Air Quality Monitoring Stations (AQMS) | £343,500 | 5 years | 10% | 01/04/2020 |

SVP Pilot Outcomes

33. In financial terms, the social value commitments achieved for these tenders, following the procurement processes were:

| Contract | Annual Contract Value | Social Value commitment | Social Value Commitment p.a. |
|--|------------------------------|--------------------------------|-------------------------------------|
| 1.Community Hubs for Older People and Carers | £80,000 | £4,523,903 | £904,780 |
| 2a.Highways Works - Maintenance | £2,765,217 | £4,742,374 | £824,760 |
| 2b.Highways Works – Projects | £9,634,782 | £982,103 | £980,759 |
| 3.Parking Enforcement | £3,750,000 | £5,084,931 | £508,493.10 |
| 4.Air Quality Monitoring Stations (AQMS) | | £5,443 | £1,088 |

34. Specific examples of the social value commitments made via the Social Value Portal include commitments to local employment as part of the contract, apprenticeships, training opportunities and meaningful work placements. The hub saw staff supporting service users to volunteer or be involved in skills swaps. Both highways contracts included training, and work placements, as well as support for local supply chains and spend with SMEs. The Air Quality Monitoring included reductions to carbon emissions, and the parking contract saw support for initiatives to tackle homelessness and advice to local SMEs.

Findings of the pilots

35. From the pilots, a number of lessons have been learnt:
- Not having social value evaluation criteria that mandate the exclusion of bidders linked to minimum scoring in this section (as is often used in quality criteria)
 - That it may be difficult to use the SVP for some social service contracts of the Community Hubs, given the nature of the contract to be delivered, i.e. community engagement and the creation of social value
 - Some services or goods contracts, with little presence within Southwark (such as the AQMS) or which have little profit within their delivery versus contract value (such as the agency staff contract) have little social value to offer to justify the use of the SVP
 - Larger contracts with defined spend are most suited to this model being used
 - Framework agreements with undefined contract values, necessitate using a nominal value during the tender process, meaning a lag in matching actual spend to SV commitments.
 - The delivery of SV is not linear: contract performance at the start is usually prioritised, with SV being focused upon as the contract progresses.
36. In light of the above, it is suggested that guidance is issued to require that the use of the SVP is considered for contracts for goods and services over £4m and works contracts £15m as part of the procurement process.

37. The TOMs and its measurement framework for social value can be used independently from the portal and is, at present being used for appropriate contracts over the Public Contract Regulations thresholds. It is now suggested that this model's use is extended, to include all appropriate contracts over £100k.
38. However, as noted, a check on the nature of the contract needs to be undertaken and any variation from these amendments should be noted in gateway one report.

Next Steps

39. Given the nature of the current economic climate and impact of Covid-19 on businesses and the move to support greater local and small business support, a further review should be undertaken of the way in which social value (both what and how) is measured and assessed in procurement activities. This needs to include consideration of social value for lower value procurements, whilst taking account of the potential impact on smaller businesses and their ability to meet additional requirements.
40. As noted above, changes to legislation and new or amended policies, have been and will continue to be, reviewed and incorporated where relevant into the FFPF.

Equalities and Community Impact Analysis

41. The public sector equality duty (PSED) requires the council to give due consideration to the needs of different protected characteristics in relation to the three parts of the duty:
 - a) Eliminating discrimination, harassment and victimisation.
 - b) Advancing equality of opportunity, including finding out about and meeting diverse needs of our local communities, addressing disadvantage and barriers to equal access; enabling all voices to be heard in our engagement and consultation undertaken; increasing the participation of underrepresented groups.
 - c) Fostering good community relations; promoting good relations; to be a borough where all feel welcome, included, valued, safe and respected.
42. The PSED is now also further reinforced in the two additional Fairer Future for All values: that the council will:
 - a) Always work to make Southwark more equal and just
 - b) Stand against all forms of discrimination and racism.
43. The revised FFPF has been amended to include commitments in the Borough Plan, Economic Renewal Plan and Southwark Stands Together:
 - An equality impact and needs analysis (EINA) must inform all commissioning and procurement. All Gateway 0 strategic assessments and Gateway 1 reports must show that all relevant equality issues and obligations are taken into account and planned throughout both the

procurement process and in the delivery of those functions on behalf of the council.

- Current Council documents, including the Approach to Equality and Procurement will be revised in early 2021. The Southwark Framework for Equality will replace the current Approach to Equality. One key element will be commissioning, procurement and equalities. Revised guidance will also be produced in 2021 to help with its implementation.

44. The public sector equality duty (PSED) is a continuing duty, equality considerations must be considered at each stage of the commissioning and procurement cycle.

Resource implications

45. There are potential resource implications highlighted in the paragraphs above. It is not possible at this stage to quantify these but the agreement of actions to be taken will need to be subject to consideration of any associated staffing, IT or other resource requirements.

46. The resources to support the procurement processes include the Procurement Advice Team and Legal Contracts teams, as well as all departments undertaking procurement activities.

Financial implications

47. As noted above, there are potential resource implications and any budgetary implications arising from these will need to be considered as part of the wider consideration of next steps. Where it is not possible to contain the costs of any action plans arising from this report within existing budgets, they will need to be considered as part of the bid for additional funding to be included in the council's 2021-22 budget setting process.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|---|---------------------------------|
| Report to cabinet 18 June 2019: Link: (please copy and paste into browser) http://moderngov.southwark.gov.uk/documents/s83220/Report%20Fairer%20Future%20Procurement%20Strategy.pdf | Constitutional Team Southwark Council 160 Tooley Street London SE1 2QH | Paula Thornton 020 7525 7055 |

APPENDICES

| No. | Title |
|------------|----------------|
| Appendix 1 | FFPF (refresh) |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Cabinet Member | Councillor Rebecca Lury, Finance & Resources | |
| Lead Officer | Doreen Forrester-Brown, Director of Law and Governance | |
| Report Author | Elaine McLester, Head of Procurement | |
| Version | Final | |
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| Officer Title | Comments Sought | Comments Included |
| Director of Law and Governance | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Cabinet Member | Yes | Yes |
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Southwark Council's Fairer Future Procurement Framework



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Purpose and Scope

Southwark Council's Fairer Future Procurement Framework (FFPF) sets out how the council will use its procurement to support the delivery of the Borough Plan and Fairer Future Commitments and the processes and practices that are needed to do this. The council expects all of its procurement activity to be undertaken to the highest ethical, sustainable and responsible standards and within a robust and transparent governance framework.

This framework sets out:

- The values that inform the procurement of goods, works and services for high value contracts. For procurement below £100k officers will have regard to the resources available to smaller providers which may bid for lower value contracts.
- The responsibilities of staff when procuring high quality contracts for the residents of Southwark
- The minimum standards of conduct that external providers, key stakeholders, partners, businesses and organisations who seek to do business with the council should meet
- The wider ambitions and expectations that we wish our procurement to deliver and how this will influence our decision-making during procurements

The Financial Context

1. LBS has an annual turnover of £1.2bn
<https://www.southwark.gov.uk/council-and-democracy/key-documents/budget-book>
2. Southwark Council spends approximately £650m each year with external contractors for a variety of goods, works and services that allow it to meet its commitments to residents. This spending power means that the council can – and should - use its financial influence for ethical and sustainable impact and for outcomes that increase social value. This FFPF sets out the council's aim that good procurement can deliver not just high quality contracts and value for money but that it can also support the wider ambitions detailed in the Borough Plan.
<http://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan>
3. These contracts, together with direct service delivery undertaken by council staff and the council's role in local planning and development, means that the entire sphere of influence of the council is significant for the borough, its residents, businesses and the local economy.

Background

4. The council has committed to minimum standards that must be met in the direct delivery of contracts and these are equally applicable to those organisations that we work with through external contracts, both directly or as part of the wider supply chain.



5. When procuring contract requirements the council should always clearly:
 - Identify service needs and options for the ways in which these may be best delivered
 - Procure the goods, services and works where contracting is the preferred option via organisations who will have and will act upon the principles that the council requires from those it works with
 - Manage and monitor contracts and the delivery of performance and commitments, once the contracts have been awarded

6. A first version of a Fairer Future Procurement Strategy, approved in 2016, was presented as an internal document that predominantly reflected the desire for greater feedback and engagement with the procurement process. This updated framework takes account of the new legislative background for procurement and the updated Borough Plan and Fairer Future Commitments. It also aims to move away from an internal focus for engagement, firmly embed the council's principles into processes and ensure that suppliers and potential suppliers understand the values and aims that the council wants from its delivery partners.

7. The Fairer Future Procurement Framework must be read in conjunction with the council's Contract Standing Orders and any procurement guidelines. The Contract Standing Orders can be found at: <http://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeeld=425>

Fairer Future Commitments

8. The council's Fairer Future Commitments and values support what we will look at within our procurements and the suppliers that we will work with to deliver our contracts. These commitments shape how the spend under all contracts should achieve maximum benefit to our local area, economy and our residents. The council's promise to deliver value for money across all our high quality contracts and to be open, honest and accountable underpins all procurement projects and runs throughout the Fairer Future Procurement Framework to deliver the Borough Plan.

9. Our Borough Plan sets out the council's Fairer Future Commitments to all residents and communities in respect of:
 - COVID-19 response
 - Southwark Together
 - A green and inclusive economy
 - Climate Emergency
 - Tackling health inequalities
 - Homes for all
 - A great start in life
 - Thriving neighbourhoods



10. The Values of the council are that we will:
- Treat residents as if they were a valued member of our own family
 - Be open, honest and accountable
 - Spend money as if it were from our own pocket
 - Work for everyone to realise their own potential
 - Make Southwark a place to be proud of
 - Always work to make Southwark more equal and just
 - Stand against all forms of discrimination and racism

Spending Money As If It Were From Our Own Pocket

11. When reviewing service delivery and procuring the council will address the following points:
- To consider the need to balance price and quality, and to be explicit about the relative importance of both
 - To challenge procurement arrangements and seek opportunities to reduce price, improve quality and maximise efficiency
 - To complete a whole life analysis of options and assessment of risks
 - To continue joint procurement of contracts with other councils where such arrangements deliver value for money and improved outcomes
 - To reduce the costs of procurement processes and the time it takes by taking a planned and co-ordinated approach that is efficient, effective and streamlined, avoiding duplication and waste
 - To ensure existing contracts, frameworks and internal and external procurement options or collaboration opportunities are utilised where appropriate to reduce procurement costs
 - To undertake a strategic assessment of delivery options before any procurement for all services that have a value of £10m or more
 - To deliver value for money across all our service delivery and contracts
 - To confirm how contracts' performance and commitments will be monitored and managed during their performance.
12. The council operates an 'in-house' preferred provider procurement process based on the high quality of contracts this provides for residents, the terms, conditions and wellbeing this affords our staff and the stability, direct control and flexibility this affords us in the management of our services. The council has a good record of bringing previously outsourced services in-house.
13. However, we currently have a mixed economy of goods and services provision and see no reason why this will not continue well into the future. Ready access to a diverse, competitive range of suppliers providing quality services, goods and works (including small firms, social enterprises, minority businesses, and voluntary and community sector groups) who offer expertise and knowledge is a good thing, particularly where local sourcing and local employment is encouraged and increased.



14. It is important that projects give enough attention and time to plan, in order to take up opportunities that are available. Critically assessing our business needs, from a “make or buy” decision, challenging the specified levels of service or identifying possible process efficiencies are important precursors in the procurement planning process, together with the planning of tender evaluation and contract management that help to ensure any possible contract delivers best value.
15. As part of the “make or buy” option, full consideration of in-house service delivery is the first part of the planning process and explicit consideration of whether the works, goods or services could be provided in-house must be included when developing the procurement strategy. This consideration must be clearly set out in Gateway 0 strategic assessments for service contracts worth over £10m and be addressed at Gateway 1 for all contracts over £100,000.
16. Where contracting with external suppliers is selected for providing services, goods or works, the procurement strategy (Gateway 1 report) must demonstrate how this will be successful in meeting defined service objectives and the commitments of the Borough Plan, and how it will achieve long term value for money.

Open, Honest and Accountable

17. In accordance with our Fairer Future Commitments, the council will seek to exercise good governance in the procurement process. This will include:
 - Ensuring all procurement practices are legal, ethical and transparent, conforming to procurement legislation and regulation and robust enough to meet the challenge of external scrutiny
 - Applying appropriate governance arrangements to meet the principles of openness and accountability, and to manage risk
 - Having clear, unambiguous and sufficiently flexible operational arrangements that respond to service needs, reduce red tape and protect statutory and regulatory responsibilities of the council
 - Promoting the commitment of suppliers to the prevention and detection of fraud and corruption in their processes
 - Ensuring organisations that the council works with have or will deliver the values that it has committed to and setting out a clear process to monitor this
 - Environmental Commitments such as the reduction in carbon emissions and where appropriate, complying with elements such as the Ultra Low Emission Zone (ULEZ)
18. The council has an established gateway process as part of the governance process set out in Contract Standing Orders. These gateways support the strategic assessment, procurement strategy, contract award and contract variations for contracts. They are approved as set out in the council’s Constitution and offer clear governance and best practice for procurement processes.



19. The use of the e-procurement system also supports transparency on the way in which the council will undertake its procurement processes, as well as recording and reporting on contract delivery and performance.

Southwark Economic Wellbeing Strategy

20. The council's Economic Wellbeing Strategy sets out our ambitions to support residents, local businesses and our local economy in tough economic times. Our Fairer Future Procurement Framework should closely align with our vision of being a borough that is open for business and to support and promote economic wellbeing. Our strategy is –

- Employment & Skills: A full employment borough with a job opportunity for every Southwark residents who wants to work
- Business: A growth borough where business thrives and prospers
- Town centres and high streets: Thriving town centres and high streets
- Financial wellbeing: Helping people to grow their incomes and ensuring a fair day's pay for a fair day's work

The full strategy can be found here:

<http://www.southwark.gov.uk/business/economic-wellbeing-strategy>

The detailed delivery plan for the strategy is set out in the Economic Renewal Plan, which can be found here:

<https://www.southwark.gov.uk/business/economic-renewal-plan>

21. The council is committed to community wealth building and measures which support the local economy and businesses, including looking to introduce local spend targets. Work will also be supported to ensure that equalities and other data is captured, for example on those businesses bidding for and successful in winning council contracts, to support decision making.

Equalities and Community Impact

22. The council must have due regard to equality issues and community impact under its Public Sector Equality Duty. The council's Approach to Equality policy sets out how equality and human rights considerations will be embedded into our policies on procurement and commissioning. All Gateway 0 strategic assessments and Gateway 1 reports setting out the procurement strategy, must show that all relevant equality issues and obligations are taken into account and planned throughout both the procurement process and in the delivery of those functions on behalf of the council.

Workforce Issues

23. The council expects our suppliers to have good employment practices. This is important because workers who are valued and fairly treated are more likely to deliver the high quality and value for money service that our residents need and expect. It is also part of the council's broader commitment to promoting good work and fair pay for all workers, recognising the fundamental impact employment quality has on people's wellbeing and life chances.



24. Where the council renews contracts or outsources contracts to the private or voluntary sector the following workforce issues must be considered and applied on a case by case basis as allowed by EU procurement, local government and other relevant legislation and as provided by relevant council policy.
25. The elements to be covered in this are not intended to be complete but will include the following:
- Payment of the London Living Wage as set by the Living Wage Foundation (see further information below)
 - Pension provision
 - The transfer and treatment of staff under TUPE
 - Ensuring all employees have a written statement of their pay and conditions
 - Terms and conditions including sick pay, holiday pay and provision of equipment
 - Trade Union Recognition (see further information below)
 - Modern Slavery (see further information below)
 - Equality, Diversity and Inclusion (see further information below)
 - Gender Pay Gap (see further information below)
 - BAME Pay Gap (see further information below)
 - The requirement for an offer of guaranteed hours that reflect an employee's normal working patterns and with no harmful short or zero hour contracts that are detrimental to the employees affected
 - Adequate training and development for employees that equips them with the skills and expertise needed to deliver the service; including clear information on their right to request time off for training or study
26. For areas covered by legislative requirements, such as modern slavery and the gender pay gap, the council will expect suppliers and their supply chains to fully comply with their lawful obligations and provide any information as to their current status but will potentially ask for action plans around undertaking any changes to address issues where legislation does not directly apply.

Health & Safety and Wellbeing

27. Health and Safety minimum requirements, where set out in legislation are required to be followed by all contractors and those in their supply chain. Going above and beyond this is encouraged where it is best practice, especially in relation to ensuring quality welfare facilities that are fit for purpose.
28. Where pieces of legislation for particular industries or types of contract, such as the Construction Design and Management Regulation of 2015 are in place, these must also be followed by directly employed organisations and their supply chains.
29. The council has codes of practice relating to specific circumstances, including but not limited to, the use of scaffolding, working with asbestos, working from heights



and working in occupied premises that will be included in contracts involving these for the contractor and their supply chain.

30. All organisations are encouraged to support a healthy workforce by signing up to The London Healthy Workplace Award, details of which can be found at: <https://www.london.gov.uk/what-we-do/health/london-healthy-workplace-award>
31. Information from the council for the application process and support can be found at: <https://www.southwark.gov.uk/health-and-wellbeing/public-health/for-the-public/healthy-workplaces>
32. The Women's Safety Charter was developed by the council in response to the recognition of the serious nature of and need to address harassment in bars and nightclubs. Contractors who operate in these industries would be expected to sign up to the Charter. Full information and details of the code can be found at: <https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

Violence at Work Charter

33. The council is committed to ensuring that staff providing contracts on our behalf should receive protection from violence in the workplace and support if they are subjected to violence in the course of their work. The council approved the 'End Violence at Work Charter' and the award of new contracts will then be dependent on a commitment by contractors to do the same. The Unison 'End Violence at Work Charter' can be found at <https://www.unison.org.uk/content/uploads/2018/04/24948.pdf>
34. In addition our expectation is that all contractors should have a clear policy on a zero-tolerance approach to all forms of discrimination, harassment and bullying at work.

London Living Wage

35. Southwark Council became an accredited London Living Wage employer in November 2012. There is a presumption that all contracts for the provision of services or works will include the payment of at least the current Living Wage (LW), as set annually by the Living Wage Foundation, to all relevant staff working directly on the contract in question. This means that pay should be at or above the London Living Wage for contracts performed on council premises or in the Greater London area and at or above the real UK Living Wage for contracts performed outside London.
36. In the planning of all contracts, the appropriateness and best value / cost implications of including the LW must be considered on a case-by-case basis, recorded in writing, and set out in any required Gateway 1 Report. Where LW is



not appropriate it must not be included in the contract and detailed reasons for this should be set out in the Gateway 1 report.

37. Where LW is included, gateway reports and contract documents must set out how the requirement for LW will be evaluated and how the payment of LW and cost implications will be monitored.

38. Full details about the London Living Wage are available at:
<https://www.livingwage.org.uk/>

Prompt Payment

39. The council pays all its undisputed invoices in a prompt manner and expects in its standard terms and conditions of contract, that organisations and their supply chain also pay their contracts promptly. Details of the prompt payment requirements will be set out in tender documents.

Consideration of Trade Union Recognition

40. We expect our suppliers to recognise and respect the rights of their employees to associate freely and to organise and bargain collectively in accordance with the local laws relevant to their employment.

41. We believe that employers who formally recognise trade unions are more likely to take a responsible approach to workforce consultation and planning. We therefore believe that public service contractors should recognise trade unions where there is an active membership and trade union representatives within the workforce. Organisations will be requested to commit to trade union recognition or a timetable to work towards recognition where this does not already exist.

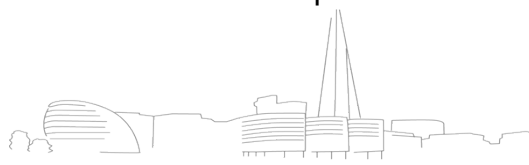
42. We will work to ensure that early consultation with trade unions is undertaken before the possible outsourcing of any service currently delivered in-house.

Blacklisting

43. Blacklisting is where employers and recruiters discriminate against individuals based upon trade union membership or activity. This is prohibited by law. All relevant tenders shall include relevant questions relating to any prior blacklisting activity or self-cleansing activity related to this and shall exclude any organisation that cannot satisfy the council's commitment to only doing business with suppliers who meet minimum statutory and ethical standards, in line with best procurement practice. Contracts for public works will include provisions to provide for the termination of the contract if the provider is proved to engage in blacklisting activities during the course of that contract.

Equality, Diversity and Inclusion

44. The council has an obligation to act in accordance with the Public Sector Equality Duty (PSED). It will ensure that best practice is followed in taking equality



requirements into account when preparing and undertaking procurement activities in line with its policies and procedures.

45. The council is aware of the important role that it plays in ensuring that Equality, Diversity and Inclusion are delivered through all parts of its policies and contracts, including procurement. Processes to ensure that the outcome of reports such as Southwark Stands Together will be incorporated into guidance for procurement.
46. The council will explore how, through use of equalities and other data to be captured, it can best enable Black Asian and Minority Ethnic (BAME) organisations to participate in procurement opportunities.

Gender pay gap

47. Organisations with 250+ employees are required to publish their gender pay gap. The council is committed to seeing the gender pay gap decrease and will therefore request all contractors with 50+ employees commit to publishing their gender pay gap. Contractors with 250+ employees will be required to publish their gap and the council will request this is accompanied by an annual plan that sets out their plans to reduce any gap.

Black Asian and Minority Ethnic (BAME) pay gap

48. The council is committed to seeing the BAME pay gap decrease and will therefore request all contractors with 50+ employees commit to publishing their BAME pay gap. Contractors with 250+ employees will be asked to publish their gap and the council will request this is accompanied by an annual plan that sets out their strategies to reduce any gap.

Good Work Standard

49. The council is committed as part of its Fairer Future Commitments (Theme 4 - A full employment borough) to comply with the Mayor's Good Work Standard that confirms we will only work with organisations that have good employment practices. The London-wide standard from the Greater London Authority (GLA) has been launched and the first level captures areas of legislative compliance as well as requirements beyond statutory employment practices. The council will expect all contracting organisations to meet the requirements of at least the first (Foundation) level of the standard. Organisations are encouraged to consider accreditation to higher levels of the Good Work Standard.

50. The link to the Mayor's Good Word Standard with its online appraisal is available here:

<https://www.london.gov.uk/what-we-do/business-and-economy/supporting-business/good-work-standard-gws-0>

Southwark Ethical Care Charter (SECC)



51. The Southwark Ethical Care Charter relates to the standards that the council expects from its care providers in relation to payment for travel and training etc. This reflects the particular challenges in relation to delivering social care to our residents and ensuring that quality standards and fair practice are in place where these are delivered by partner organisations. A copy of the Southwark Ethical Care Charter can be found at:

<http://moderngov.southwark.gov.uk/documents/s52528/Appendix%201%20Southwark%20Ethical%20Care%20Charter.pdf>

Modern Slavery

52. We have a zero-tolerance approach to modern slavery and we are committed to acting ethically and with integrity in all our business dealings and relationships and to implementing and enforcing effective systems and controls to ensure modern slavery is not taking place anywhere in our own business or in any of our supply chains. Our full statement on Modern Slavery can be read here.

53. Councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation. We expect the same high standards from all of our contractors, suppliers and other business partners, and as part of our contracting processes, we include specific prohibitions against the use of forced, compulsory or trafficked labour, or anyone held in slavery or servitude, whether adults or children, and we expect that our suppliers will hold their own suppliers to the same high standards.

54. The council has a whistleblowing policy which enables and obliges our staff to immediately report a breach of our Modern Slavery policy. All organisations and those in their supply chains also have access to this and should use it if they have any concerns or issues that they wish to report.

55. The council is committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our operations and we require our suppliers to do the same. We believe that suppliers have a key role to play in combating these crimes and that all of the suppliers we work with must take all possible steps to ensure that human trafficking and modern slavery are not taking place in any of their supply chains or their own operations. We will not maintain relationships with suppliers where it is confirmed that they have been involved in human trafficking or modern slavery, and confirm this is a material consideration in selecting and evaluating our new and existing supplier relationships. We have signed up to the Co-operative Party's Charter Against Modern Slavery:

<https://party.coop/local/councillors/modern-slavery-charter/#intro>

Social Value

56. The council seeks to get the 'most' value of its spend with external organisations through considering and seeking to improve the economic, social and



environmental well-being benefiting the local area and its residents that is linked to the contractual spend. This has been termed 'social value'.

57. The council has an obligation under the Public Services (Social Value) Act 2012 to consider what social value could be obtained during a procurement process for all service contracts that are subject to the Public Contract Regulations 2015. The Act offers an important opportunity to achieve more from the council's spending on services. Southwark Council will go beyond the narrow focus of the legislation and consider what social value can be delivered during the development of all procurement strategies (Gateway 1 reports).
58. When considering the additional benefits and social value to be delivered, this must support the social, economic or environmental wellbeing of Southwark and its residents and specifically support the delivery of the council's Fairer Future Commitments.
59. Key areas of social value commitments include:
- Apprenticeships and paid internships
 - Job creation and local economy
 - Local employment opportunities
 - Work placement opportunities
 - Payment of London Living Wage where appropriate
 - Environmental and sustainability considerations
 - Health and wellbeing considerations
60. In addition to the core quality and cost elements to deliver the tender itself, a clearly methodology for evaluating any social value elements during the procurement process.
61. For all contracts over £100k in value, social value should be considered for inclusion and where applicable, used as part of the evaluation methodology for the tender award. Evaluation criteria should be assessed on a case-by-case basis and the weightings should therefore reflect the relative importance of the social value element to the subject matter of the contract and should be proportional to this. It is however advised that this element be allocated at least 15% of the available evaluation marks.
62. For all contracts over £1m in value, the expectation will be that where practical at least one apprenticeship will be provided per £1m of contract value. These are aims and when they are not possible this should be noted in the Gateway 1 report but other social value options should still be considered.
63. All apprenticeships should be of high quality and in line with the aims set out in the council's Economic Wellbeing and Skills Strategies:
<http://www.southwark.gov.uk/business/economic-wellbeing-strategy>
<http://www.southwark.gov.uk/business/skills-strategy>



64. The achievement of social value commitments from proposed successful tenderers should be set out in the contract award recommendation (Gateway 2 report). These commitments should form part of the contract and key performance indicators and be monitored and reported on as part of best practice contract management, as well as in performance reports to departmental and corporate contract review boards as required.

Southwark Construction Charter

65. The council's capital programme is worth £1bn over the next ten years. It includes commitments to build schools, leisure centres and a huge number of new homes including the commitment to deliver 11,000 new council homes by 2043.

66. The council supports the Unite Construction Charter which it directs contractors working on Southwark Council construction contracts to review to support ethical employment practices on Southwark construction sites.

A Greener Borough

67. The council has declared a climate change emergency and is committed to working to reduce the negative impacts and externalities that the delivery of its services and contracts has on residents and Southwark's environment. These range from those set out in law, such as London's Ultra Low Emission Zone (ULEZ) and aiming for low or zero emission vehicles, to the council's commitments on carbon reduction and the use of single use plastics. The council will work with suppliers to ensure that its commitment to making Southwark carbon neutral is reflected wherever possible in contracts entered into. Further targets in relation to this may be added following the finalisation of the council's Climate Change Strategy.

68. Procurement must be compatible with our commitment to supporting making a greener borough, including reducing air pollution and factors that support the intention to be a carbon neutral council by 2030. Work to remove single use plastics from our operational estate is part of the single use plastics strategy. Consideration should be given to using sustainable materials and methods wherever appropriate and note of new legislation and more environmentally friendly products and services should be made.

69. Gateway 1 reports should set out clearly what can be considered, potential costs and how any negative impacts can be reduced and how these will be evaluated during the procurement process.

70. With the specific aim to ensure safety for road users, suppliers are asked, where it is appropriate with the use of vehicles, to:

- Comply with the London Cycling Campaign's Safer Lorries, Safer Cycling Pledge, details of which are available at: <https://lcc.org.uk/pages/safer-lorries-pledge>



- Meet the requirements of Fleet Operator's Recognition Scheme. More details of this scheme are available at: <https://www.fors-online.org.uk/cms/>

Fairtrade

71. The council wishes to encourage contractors, suppliers and service providers engaged to work for the council to show a commitment to Fairtrade. The council is committed to Southwark achieving and maintaining "Fairtrade Borough" status by meeting the five goals necessary to become a designated Fairtrade Borough. Further information on Fairtrade can be found at: <http://www.fairtrade.org.uk>

Freedom of Information

72. It is important to note that information supplied to the council during the tender and evaluation process may be available to the public under the terms of the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR) and other legislation providing a statutory right of access to information. The council's presumption is that information should be released unless it falls within the scope of an appropriate exemption. Whilst the council will take into account the position of the parties in question, it is ultimately the responsibility of the council to decide what information should or should not be released. This includes any information subsequently included in the contract.

Data Protection

73. All contracted organisations shall register with the Information Commissioner's Office where they fulfil the criteria laid out under the terms of the Data Protection Act 2018. This does not imply that any data processing organisation is the data controller of the information defined within the contractual agreement. All organisations are required to name an individual responsible for compliance in relation to the Data Protection Act within that organisation. All organisations are to abide by the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). Further information is available from the Information Commissioner's Office:

<https://ico.org.uk/for-organisations/data-protection-act-2018/>
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulationgdpr/>

74. Where personal information is to be shared with the contracted organisations this shall only be done so securely and incorporating (where appropriate) an information sharing agreement.

Staff Procurement and Contract Management Skills and Training

75. In order to deliver the FFPF, the council will continue to develop the skills of staff, including:



- promoting staff competencies in procurement, commissioning and contract management
- ensuring that all procurement activity is undertaken by informed managers supported by professional procurement staff, providing specialist support and advice
- utilising e-procurement facilities to deliver process and procurement savings
- providing high quality guidance, support, documentation and awareness sessions for service managers and their staff engaged in procurement processes
- supporting the achievement and then managing and monitoring the delivery of social value, where appropriate from the procurement of external contracts
- improving contract management by continuously improving and learning from experience of 'relationship management' and identifying tools, best practice and training as appropriate.

Contracts Register

76. The council's Contracts Register is published online for all live contracts over £5,000 in value in line with the Local Government Transparency Code 2015:

<https://procontract.due-north.com/ContractsRegister/Index?p=2241eb95-058a-e511-80f7-000c29c9ba21&v=1>

Legislative Framework

77. The applicable legislation for this framework includes but is not limited to:

- EU Directive on Public Procurement: Directive 2014/24/EU
- Public Contract Regulations (2015 as amended)
- Public Services (Social Values) Act 2012
- Modern Slavery 2015
- Equalities Act 2010
- Employment Relations Act 1999 (Blacklists) Regulations 2010

Weblinks

The links within this document are set out below.

- The Council's Budget Book:
<https://www.southwark.gov.uk/council-and-democracy/key-documents/budget-book>
- Borough Plan:
<http://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan>
- Contract Standing Orders:
<http://moderngov.southwark.gov.uk/ieListMeetings.aspx?CommitteId=425>



- Economic Wellbeing Strategy:
<http://www.southwark.gov.uk/business/economic-wellbeing-strategy>
- Economic Renewal Plan:
<https://www.southwark.gov.uk/business/economic-renewal-plan>
- The London Healthy Workplace Award:
<https://www.london.gov.uk/what-we-do/health/london-healthy-workplace-award>
<https://www.southwark.gov.uk/health-and-wellbeing/public-health/for-the-public/healthy-workplaces>
- Women's Safety Code:
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>
- Unison's End Violence at Work Charter:
<https://www.unison.org.uk/content/uploads/2018/04/24948.pdf>
- London Living Wage:
<https://www.livingwage.org.uk/>
- Mayor's Good Work Standard:
<https://www.london.gov.uk/what-we-do/business-and-economy/supporting-business/good-work-standard-gws-0>
- Southwark Ethical Care Charter:
<http://moderngov.southwark.gov.uk/documents/s52528/Appendix%201%20Southwark%20Ethical%20Care%20Charter.pdf>
- Southwark's Whistleblowing Policy
<https://www.southwark.gov.uk/council-and-democracy/whistleblowing>
- Co-operative Party's Charter Against Modern Slavery:
<https://party.coop/local/councillors/modern-slavery-charter/#intro>
- Economic Skills Strategy:
<http://www.southwark.gov.uk/business/skills-strategy>
- London Cycling Campaign's Safer Lorries, Safer Cycling Pledge:
<https://lcc.org.uk/pages/safer-lorries-pledge>
- Fleet Operator's Recognition Scheme:
<https://www.fors-online.org.uk/cms/>
- Fairtrade:



<http://www.fairtrade.org.uk>

- Information Commissioner's Office:
<https://ico.org.uk/for-organisations/data-protection-act-2018/>
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulationgdpr/>
- Contracts Register:
<https://procontract.due-north.com/ContractsRegister/Index?p=2241eb95-058a-e511-80f7-000c29c9ba21&v=1>

Version Control

| Version | Summary | Date | Approval |
|---------|---|--------------|-------------------|
| 1. | New Document | July 2019 | Cabinet |
| 2. | Minor & Consequential: Updates to Mayor's GWS, End Violence at Work Charter; London Healthy Workplace Award; Construction Charter working pending approval. | October 2019 | DFB / Cllr. Mills |
| 3 | ED&I and Economic Renewal Plan Whistleblowing Policy update | January 2021 | Cabinet |



CABINET 19 JANUARY 2021**ITEM 18: UPDATE ON FAIRER FUTURE PROCUREMENT FRAMEWORK****Comments of the Director of Law and Governance**

1. This report seeks the cabinet's approval to the refreshed Fairer Future Procurement Framework (FFPF), shown in Appendix 1; and to note the update on actions taken to enhance the council's commitment to social value in procurement. Pursuant to Part 3B of the constitution, the cabinet has responsibility to consider and promote strategic and council wide initiatives to improve the quality, efficiency and effectiveness of the council's services to the public, and therefore the approval of the FFPF is reserved to cabinet.
2. The key considerations and commitments set out in the FFPF and council procurements must comply with and be delivered in accordance with all applicable EU and UK legislation and guidance. Relevant legislation is noted in the FFPF, but includes the Public Contract Regulations 2015, the Public Services (Social Value) Act 2012 and the Equality Act 2015. Officers in law and governance will continue to provide support and guidance in the implementation of the updated FFPF, and any necessary amendments to contract and tender documents.
3. The cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the community impact statement at paragraphs 37-38 of this report, and paragraph 21 of the FFPF setting out the consideration that has been given to equalities issues, which should be considered when approving the recommendations in this report.

| | | | |
|------------------------------------|--------------------------------|--|---|
| Item No. 9. | Classification: Open | Date: 27 January 2021 | Meeting Name: Education and Local Economy Scrutiny Commission |
| Report title: | | Education and Local Economy Scrutiny Commission Work Programme 2020-21 | |
| Ward(s) or groups affected: | | N/a | |
| From: | | Head of Overview and Scrutiny (Acting) | |

RECOMMENDATIONS

1. That the education and local economy scrutiny commission note the work programme as at 27 January 2021 attached as Appendix 1.
2. That the education and local economy scrutiny commission consider the addition of new items or allocation of previously identified items to specific meeting dates of the commission.

BACKGROUND INFORMATION

3. The general terms of reference of the scrutiny commissions are set out in the council's constitution (overview and scrutiny procedure rules - paragraph 5). The constitution states that:

Within their terms of reference, all scrutiny committees/commissions will:

- a) review and scrutinise decisions made or actions taken in connection with the discharge of any of the council's functions
- b) review and scrutinise the decisions made by and performance of the cabinet and council officers both in relation to individual decisions and over time in areas covered by its terms of reference
- c) review and scrutinise the performance of the council in relation to its policy objectives, performance targets and/or particular service areas
- d) question members of the cabinet and officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects and about their views on issues and proposals affecting the area

- e) assist council assembly and the cabinet in the development of its budget and policy framework by in-depth analysis of policy issues
 - f) make reports and recommendations to the cabinet and or council assembly arising from the outcome of the scrutiny process
 - g) consider any matter affecting the area or its inhabitants
 - h) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working
 - i) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the scrutiny committee and local people about their activities and performance
 - j) conduct research and consultation on the analysis of policy issues and possible options
 - k) question and gather evidence from any other person (with their consent)
 - l) consider and implement mechanisms to encourage and enhance community participation in the scrutiny process and in the development of policy options
 - m) conclude inquiries promptly and normally within six months
4. The work programme document lists those items which have been or are to be considered in line with the commission's terms of reference.

KEY ISSUES FOR CONSIDERATION

- 5. Set out in Appendix 1 (Work Programme) are the issues the education and local economy scrutiny commission is due to consider in 2020-21 some items of which have rolled over from the 2019-20 municipal year.
- 6. The work programme is a standing item on the education and local economy scrutiny commission agenda and enables the commission to consider, monitor and plan issues for consideration at each meeting.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|---------------------------|----------------------------------|
| Education and Local Economy Scrutiny Commission agenda and minutes | Southwark Council Website | Everton Roberts 020 7525 7221 |
| Link: https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeeld=518 | | |

APPENDICES

| No. | Title |
|------------|------------------------|
| Appendix 1 | Work Programme 2020-21 |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Lead Officer | Everton Roberts, Head of Overview and Scrutiny (Acting) | |
| Report Author | Everton Roberts, Head of Overview and Scrutiny (Acting) | |
| Version | Final | |
| Dated | 18 January 2021 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments Included |
| Director of Law and Governance | No | No |
| Strategic Director of Finance and Governance | No | No |
| Cabinet Member | No | No |
| Date final report sent to Scrutiny Team | | 18 January 2021 |

APPENDIX 1

Education and Local Economy Scrutiny Commission Work Programme 2020-21

| Item | Meeting date | | | | | | Commentary |
|---|--------------|-------------|-------------|-------------|-------------|--------------------------------------|--|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| Items for future consideration – either allocated (✓) or to be allocated | | | | | | | |
| Revitalisation of High Streets and Town Centres – Scrutiny Review | - | ✓ | ✓ | - | ✓ | | <p>17 Mar mtg – Cabinet Member and Head of Economy due to provide update on implementation of Action Plan</p> <p>-----</p> <p>27 Jan mtg – On agenda Nick Plumb – Power to Change Ben Stephenson – High Street expert</p> <p>-----</p> <p>26 Oct mtg – Briefing from Cabinet Member for Jobs, Partnerships and Skills and Strategy and Partnerships Manager on the action plan for revitalisation of high streets and town centres.</p> <p>Comments also received from newly co-opted member, Nicole Gordon around impact on businesses</p> |

| Item | Meeting date | | | | | | Commentary |
|--|--------------|-------------|-------------|-------------|-------------|--------------------------------------|--|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| Children Returning to School (Council Activity) / Children's experiences and education through Covid | ✓ | ✓ | ✓ | - | - | - | <p>27 Jan mtg – On agenda Anima Youth – further experiences of children/young people -----</p> <p>26 Oct mtg - Update received from deputy leader and cabinet member for children, young people and schools on children returning to school.</p> <p>The commission also heard from two headteachers, a representative on behalf of youth council and two Southwark Young Advisors on experiences and impact of Covid 19 on education and mental health -----</p> <p>20 Jul mtg – Briefing from cabinet member for children, schools and adult care and director of education on council activity in respect of children returning to schools.</p> |
| Annual Interview with Deputy Leader and Cabinet Member for Children, Young People and Schools | - | - | - | - | ✓ | - | To be scheduled for 17 March meeting. |
| Annual Interview with Cabinet | - | - | - | - | ✓ | - | To be scheduled for 17 March meeting. |

| Item | Meeting date | | | | | | Commentary |
|--|--------------|-------------|-------------|-------------|-------------|--------------------------------------|---|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| Member for Jobs, Partnerships and Skills | | | | | | | |
| Interview with Cabinet Member for Communities and Equalities | - | - | - | ✓ | - | - | To be schedule for 22 February meeting. |
| Pre-scrutiny of Southwark's Equalities Framework | - | - | - | ✓ | - | - | Pre scrutiny of the Equalities Framework ahead of consideration by Cabinet in March 2021. Note: overview and scrutiny committee agreed that scrutiny of this matter form part of this commissions work programme for this year. |
| Education: Exclusions and Alternative Provision | ✓ | ✓ | - | - | ✓ | - | 17 Mar mtg - Cabinet Member/ officer update to be received on progress in relation to implementation of scrutiny recommendations ----- 26 Oct mtg - Cabinet response to the scrutiny commission recommendations noted ----- 20 July mtg - Final version of scrutiny report noted. |

| Item | Meeting date | | | | | | Commentary |
|--|--------------|-------------|-------------|-------------|-------------|--------------------------------------|---|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| Resilience for the Business Community – Council Activity | ✓ | - | - | - | - | - | 20 Jul 2020 mtg – Briefing from Cabinet Member for Jobs, Business and Innovation, and Strategy and Partnership Manager on council activity in supporting the resilience for the business community |
| Procurement: Accessibility and Social Value | ✓ | - | ✓ | - | ✓ | - | 17 Mar mtg - Update from cabinet member and officers on accessibility and social value (Request for update to be made) ----- 27 Jan mtg – On agenda Cabinet response to the scrutiny commission recommendations - considered by cabinet on 8 December 2020 ----- 20 Jul 2020 mtg – Final version of scrutiny report noted |
| Update on Fairer Future Procurement Framework | | | ✓ | | ✓ | | 17 Mar mtg – Request to be made for cabinet member and officers to come to commission to talk about Fairer Futures |

| Item | Meeting date | | | | | | Commentary |
|---|--------------|-------------|-------------|-------------|-------------|--------------------------------------|--|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| | | | | | | | <p>Framework -----</p> <p>27 Jan mtg – On agenda For the commission to note the report to cabinet (19 Jan meeting) updating on Fairer Future Procurement Framework</p> |
| Race Disparity in Southwark: Conducting a Race Disparity Audit for Discrete Parts of the Council as a precursor to a more in-depth exercise | - | - | - | - | - | - | Identified as a topic of interest in the September 2019-20 work programme report. |
| Youth Provision in Southwark: Looking at the Council's Plans to Refresh Youth Provision across the Borough | - | - | - | - | | - | <p>Identified as a topic of interest in the September 2019-20 work programme report.</p> <p>Note: Cabinet considered a report on Strategic Review of Youth Services 2020 and agreed a new vision at its meeting on 8 December 2020.</p> |
| Care Leavers Provision and Support: Looking at the Council's work to support care leavers via a | - | - | - | | | - | Identified as a topic of interest in the September 2019-20 work programme report. |

| Item | Meeting date | | | | | | Commentary |
|---|--------------|-------------|-------------|-------------|-------------|--------------------------------------|---|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| dedicated trust and other pre-existing channels | | | | | | | |
| Rogue Landlords: Council's use of new powers to discourage bad landlord practices | - | - | - | | | - | Identified as a topic of interest in the September 2019-20 work programme report. |
| Work Programme | ✓ | ✓ | - | | | - | <p>On agenda - Opportunity to review at each meeting.</p> <p>Suggestions for areas of scrutiny raised at previous meetings:</p> <p>Jul meeting</p> <ul style="list-style-type: none"> • School attendance • Responding to Brexit challenges • Council's relationship with big tech companies • Invitation to City Hall to speak to commission <p>October meeting:</p> <ul style="list-style-type: none"> • Special educational Needs and |

| Item | Meeting date | | | | | | Commentary |
|------|--------------|-------------|-------------|-------------|-------------|--------------------------------------|--|
| | 20 July 2020 | 26 Oct 2020 | 27 Jan 2021 | 22 Feb 2021 | 17 Mar 2021 | 20 Apr 2021 (date subject to change) | |
| | | | | | | | <p>vision for people with disability</p> <ul style="list-style-type: none"> • Funding and provision of special educational needs • Role of Council in partnership working – bringing people together and making connections (education and businesses) • Care leavers provision for higher education • Equalities and Diversity Programme • Follow up on school exclusions work |



Mental Health of Children and Young People in England, 2020: Wave 1 follow up to the 2017 survey

PDF created on 18 January 2021. Not controlled. Latest version available online at: [/data-and-information/publications/statistical/mental-health-of-children-and-young-people-in-england/2020-wave-1-follow-up](https://data-and-information/publications/statistical/mental-health-of-children-and-young-people-in-england/2020-wave-1-follow-up)

Survey

Publication Date: 22 Oct 2020

Geographic Coverage: England

Geographical Granularity: Regions, Country

Date Range: 03 Jul 2020 to 02 Aug 2020

Summary

This is the first in a series of follow up reports to the Mental Health and Young People Survey (MHCYP) 2017, exploring the mental health of children and young people in July 2020, during the Coronavirus (COVID-19) pandemic and changes since 2017. Experiences of family life, education and services, and worries and anxieties during the COVID-19 pandemic are also examined.

The sample for the Mental Health Survey for Children and Young People, 2020 (MHCYP 2020), wave 1 follow up was based on 3,570 children and young people who took part in the MHCYP 2017 survey, with both surveys also drawing on information collected from parents. Cross-sectional analyses are presented, addressing two primary aims:

Aim 1: Comparing mental health between 2017 and 2020 – the likelihood of a mental disorder has been assessed against completion of the Strengths and Difficulties Questionnaire (SDQ) in both years in Topic 1 by various demographics.

Aim 2: Describing life during the COVID-19 pandemic - the report examines the circumstances and experiences of children and young people in July 2020 and the preceding months, covering:

- Family dynamics (Topic 2)
- Parent and child anxieties about COVID-19, and well-being (Topic 3)
- Access to education and health services (Topic 4)

- Changes in circumstances and activities (Topic 5)

The data is broken down by gender and age bands of 5 to 10 year olds and 11 to 16 year olds for all categories, and 17 to 22 years old for certain categories, as well as by whether a child is unlikely to have a mental health disorder, possibly has a mental health disorder and probably has a mental health disorder.

This study was funded by the Department of Health and Social Care, commissioned by NHS Digital, and carried out by the Office for National Statistics, the National Centre for Social Research, University of Cambridge and University of Exeter.

Note: On 21 December 2020 the pdf was amended to ensure that Figure 5.6 was displaying the correct figures from the underlying data table.

Key Facts

Data is for England, July 2020.



Rates of probable mental disorders have increased since 2017. In 2020, one in six (16.0%) children aged 5 to 16 years were identified as having a probable mental disorder, increasing from one in nine (10.8%) in 2017. The increase was evident in both boys and girls



The likelihood of a probable mental disorder increased with age with a noticeable difference in gender for the older age group (17 to 22 years); 27.2% of young women and 13.3% of young men were identified as having a probable mental disorder



Among 11 to 16 year old girls, 63.8% with a probable mental disorder had seen or heard an argument among adults in the household, compared with 46.8% of those unlikely to have a mental disorder



Among those aged 5 to 22 years, 58.9% with a probable mental disorder reported having sleep problems. Young people aged 17 to 22 years with a probable mental disorder were more likely to report sleep problems (69.6%), than those aged 11 to 16 (50.5%) and 5 to 10 (52.5%)



About six in ten (62.6%) children aged 5 to 16 years with a probable mental disorder had regular support from their school or college, compared with 76.4% of children unlikely to have a mental disorder



Children aged 5 to 16 years with a probable mental disorder were more than twice as likely to live in a household that had fallen behind with payments (16.3%), than children unlikely to have a mental disorder (6.4%)



Children and young people with a probable mental disorder were more likely to say that lockdown had made their life worse (54.1% of 11 to 16 year olds, and 59.0% of 17 to 22 year olds), than those unlikely to have a mental disorder (39.2% and 37.3% respectively)

Data Sets

- [Mental Health of Children and Young People in England, 2020: Data tables](#)

Resources

- [Mental Health of Children and Young People in England, 2020: Main report \[pdf, size: 495.4 kB\]](https://files.digital.nhs.uk/AF/AECD6B/mhcyp_2020_rep_v2.pdf)
<https://files.digital.nhs.uk/AF/AECD6B/mhcyp_2020_rep_v2.pdf>
- [Mental Health of Children and Young People in England, 2020: Survey design and methods \[pdf, size: 372.3 kB\]](https://files.digital.nhs.uk/D1/D411D3/mhcyp_2020_meth.pdf)
<https://files.digital.nhs.uk/D1/D411D3/mhcyp_2020_meth.pdf>
- [Mental Health of Children and Young People in England, 2020: Questionnaire and materials \[pdf, size: 3.1 MB\]](https://files.digital.nhs.uk/9D/AE69B6/mhcyp_2020_que_mat.pdf)
<https://files.digital.nhs.uk/9D/AE69B6/mhcyp_2020_que_mat.pdf>
- [Mental Health of Children and Young People in England, 2020: Background data quality statement \[pdf, size: 278.8 kB\]](https://files.digital.nhs.uk/5B/BD5576/mhcyp_2020_dq.pdf)
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- [Pre-Release Access List \[pdf, size: 115.4 kB\]](https://files.digital.nhs.uk/C7/9C124F/Pre-Release%20Access%20List.pdf)
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Education and Local Economy Scrutiny Commission

MUNICIPAL YEAR 2020-21

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